

Meetings with
African Nova Scotian Communities
Regarding Amendments to the
Children and Family Services Act

Summary of Feedback [Fall 2016](#)

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Introduction

The Children and Family Services Act (CFSA) protects one of Nova Scotia's most vulnerable populations – children who are living in situations of abuse or neglect. Although the Act provides a solid foundation for the protection and best interests of children, it is almost 25 years old and is no longer reflective of best practice and today's family structures.

In the Spring of 2015, the Department of Community Services (DCS) introduced amendments to the Act to:

- incorporate research and best practices
- improve our ability to ensure safety of children
- remove provisions that impair permanency for children
- decrease gaps in protection for youth; and,
- streamline court processes, and promote more collaborative work with families where possible.

The Bill was introduced in the Spring Session but was not passed until December, 2015. DCS consulted targeted stakeholders through a two phased approach, as follows:

- Phase I (prior to the introduction of the Bill) – the Assembly of Nova Scotian Mi'kmaq Chiefs, child welfare staff, management staff of Mi'kmaw Family and Children's Services, private family law practitioners who represent the Department in child welfare matters and the Judges of the Family Court
- Phase II (following the introduction of the Bill) – continuation with the Assembly of Nova Scotia Mi'kmaq chiefs, other government departments, community services agencies, Legal Aid, professional bodies, community stakeholders, policing services, residential programs, representatives from African Nova Scotian service providers, and a sample of parents and youth familiar with Community Services programs

Subsequent to the passing of the amendments, DCS reached out to the African Nova Scotian, Acadian and Mi'kmaq communities to gather feedback related to the development of regulations and policies to support the amendments.

This document summarizes the feedback from the African Nova Scotian community meetings that were held in 12 communities during May and June of 2016, meetings with two stakeholder groups, as well as feedback received by the Department through an on-line survey and by individual emails.

Early in 2017, Communities, Culture and Heritage will release the province's first culture action plan. This plan will be broad and far-reaching in terms of its definition of culture and the actions to be undertaken. At its core, the Culture Action Plan will speak to the importance of renewing relationships and moving forward together. Many of the actions identified through its pages may help us to address the feedback received through these consultation sessions. It is our hope that in partnership with the community and our colleagues across government we can begin to forge stronger relationships and build trust and understanding with the African Nova Scotian community.

The Department would like to express its appreciation to members of the African Nova Scotian communities for their input. We thank all the participants for sharing their thoughts on the legislation and the Department's services to children and families.

Methodology

DCS held meetings in 12 communities across the Province. DCS worked in partnership with African Nova Scotian Affairs (ANSA) who selected the sites and provided note-taking and transcription for each of the meetings. Seven African Nova Scotian DCS staff alternated facilitating the sessions. In total, just over 100 individuals participated in the 12 sessions.

Additional sessions were held with members of the United African Canadian Women's Association and representatives from the Restorative Inquiry Nova Scotia Home for Coloured Children.

The purpose of these sessions was to inform members of the African Nova Scotian communities of the proposed amendments and to gather their input/feedback with respect to the development of regulations and policies. A copy of the PowerPoint presentation can be found at *Appendix A*.

As part of the meetings, participants were asked the following seven questions:

1. What do you think is working well in serving African Nova Scotian children, youth and families in Child Welfare?
2. What would you suggest to make programs or services more helpful to African Nova Scotian families when Child Welfare becomes involved in problems?
3. The amendments say that when any child comes into permanent care and custody there must be a plan to keep the child connected to his or her culture. The plan must be in writing and must include information and guidance to help make sure that the child can learn about and appreciate his or her cultural identity. What should be included for African Nova Scotian children?

4. What would you suggest so that Child Welfare can do a better job of serving children, youth and families who have mixed racial backgrounds? What are some considerations, ideas, challenges or cautions related to mixed race children?
5. The Act allows the Department to provide services for a child from 16 years up to 19 years of age. Services to these youth will be offered only if the youth agrees. What do we need to think about when offering services to African Nova Scotian youth in this age group?
6. We know that some children, youth and families who have just come to Nova Scotia from the African continent have a different understanding of Child Welfare. What do we need to think about when working with these children, youth and families?
7. What can the Department of Community Services do to improve our ability to work with people of African descent?

The responses were carefully recorded and transcribed by staff from ANSA. Participants were also given the option of providing written responses to the questions directly to Janet Nearing, Director of Placement Services. In addition, an anonymous survey was posted to both ANSA's and DCS's websites. A total of 47 responses were received through the survey or in writing.

Summary of Feedback

The community meetings provided strong and often critical feedback with respect to the relationship between DCS and the African Nova Scotian communities. In addition to feedback to the specific questions, a number of themes recurred across most the sessions:

1. Many participants in the sessions expressed concern that the Department would not take their feedback into account.
2. The amendments were made without sufficient consultation with African Nova Scotians. The process for consulting is flawed. Participants requested that the feedback from the meetings be made available.
3. African Nova Scotian communities are not familiar with the services provided by DCS.
4. DCS should have more African Nova Scotian staff at all levels – social workers, family support workers, child caring staff and in management level positions.
5. DCS social workers and staff at all levels require ongoing training in cultural sensitivity, awareness, understanding and competency with respect to the needs of African Nova Scotians. The learnings from training need to be demonstrated in practice and staff held to account. Foster parents also need cultural competency training.
6. Practice by DCS social workers with African Nova Scotian families must change so that it demonstrates an understanding of and respect for African Nova Scotian experiences and culture.
7. DCS should have more African Nova Scotian foster and adoptive families and needs to do more work in actively recruiting these families, including kinship families.
8. DCS should continue to reach out to, connect with and collaborate with African Nova Scotian communities to talk with them about Child Welfare.
9. African Nova Scotians would like an advocate or agency dedicated to their children's needs.

Summary of Feedback

The following is a summary of the feedback received during the community meetings, specific to the individual questions.

1. What do you think is working well in serving African Nova Scotian children, youth and families in child welfare?

- African Nova Scotian foster families
- Community consultations with African Nova Scotian community about changes to the Act
- Recruitment committee for African Nova Scotian foster parents
- DCS has some African Nova Scotian staff
- Some improvements but still long way to go
- Making efforts to place children with family or family friends – positive for children

2. What would you suggest to make programs or services more helpful to African Nova Scotian families when child welfare becomes involved in problems?

- African Nova Scotians need more information about services that are available.
- Services need to be culturally appropriate.
- Need more African Nova Scotian staff
- Mandatory cultural competency training
- Early intervention and prevention programs offered with a cultural lens
- Staff need to be more aware of cultural differences and need better training to interact with people of other cultures
- Need to make the identification of a child's, youth's and family's race mandatory. Need better data on African Nova Scotians
- Support to both foster and adoptive parents about the needs of African Nova Scotian children
- Better cultural connections for children residing in child-caring residential facilities (group homes) and Caucasian foster or adoptive homes
- Take time to consider culture when investigating families

Summary of Feedback

- Positive collaboration between the agency and the family, build relationships with family
- African Nova Scotian families need an ombudsman or an advocate within this framework to ensure that decisions are made with respect for cultural differences
- DCS is the only government department that has not comprehensively reviewed its work with African Nova Scotians; we have the BLAC Report and the Marshall Inquiry for the education and justice systems, but nothing related to community services
- We have concerns about the cultural make-up of the staff and the programs for African Nova Scotian youth at Wood Street Centre
- What are the processes to mentor/assist those in Wood Street Centre to reconnect to the community?

3. What should be included in a cultural connection plan for African Nova Scotian children?

- Keep child actively connected to community and culture — seeing extended family, participating in social and cultural gatherings, traditions and practices
- Keep child connected to church or their faith/religion
- Mentors
- History of African Nova Scotians
- Skin and hair care information
- Positive role models from African Nova Scotian communities who have developed healthy ways to handle diversity and racism to build relationships with children
- Provide children with age-appropriate books regarding contributions of African Nova Scotians and persons of African descent to society
- Enroll children in programs and activities where they can see people of their culture setting good examples and empowering them to do the same
- Ensure that families caring for children carry out African Nova Scotian traditions, ensure children know their history and ancestral background

Summary of Feedback

- Should be developed by or with support from an African Nova Scotian team or a cultural competency advisor
- Bi-racial children should have pride in both races
- Ongoing connection to birth family more important for African Nova Scotian children

4. What would you suggest so that child welfare can do a better job of serving children, youth and families who have mixed racial backgrounds?

- Make sure bi-racial children know both of their backgrounds. It is the child's right to be connected to both races
- Provide appropriate services to Caucasian mothers with African Nova Scotian children
- Ask about the child's race and provide appropriate service
- If not placed with an African Nova Scotian family, connect family to an African Nova Scotian family for support
- Understand that these children come with a complex set of issues as they struggle with their identity and need to feel accepted by both cultures although society will often see them as African Canadian
- Need additional supports to develop positive racial identity which will change as the child grows
- Understand how they identify themselves
- Prepare children for racism and how to deal with it
- Understand that these children are most often viewed as African Nova Scotian
- Strong cultural connection plan as soon as children come into care and follow up
- Staff should ask children and families about race and culture in the beginning of any interview. It is not enough to make assumptions, and it hurts families when assumptions are wrong
- Relationships and family connections are important, complex and challenging for bi-racial children

Summary of Feedback

5. What do we need to think about when offering voluntary services to African Nova Scotian youth between 16 – 18 years of age?

- Use mentors from the community
- Prepare them for employment or education, help with housing, life skills, relationships, mental health
- Cultural identity, current support systems, educational needs, mentorship
- Foster sense of pride and acceptance of their culture
- African Nova Scotian specific services led by African Nova Scotians that are properly resourced, including advocacy within the education system
- Mental health, preparation for independence, development of life skills, how to access services as a young adult
- Guidance, personal development, self-esteem building and communication skills
- Social workers need to be aware of community resources including African Nova Scotian service providers
- Need links to recreation, schools, community services, training, etc.
- Relevant cultural connection of support
- Consider maturity level of child to be able to make the decision whether to engage in services offered by agency

6. What do we need to think about when working with children, youth and families who have just come to Nova Scotia from the African continent?

- Understand the environment the child comes from – trauma, lived experience
- Understand cultural and societal norms especially on parenting practices
- Understand their experiences with authority, how they view government
- Educate them about our Child Welfare system so they are aware of expectations, no surprises

Summary of Feedback

- Make sure staff are well-versed in the culture of the country where individual is from
- Better services in rural areas
- More service providers working with families and children need to understand our parenting style
- Community members are making honest mistakes because they don't know the laws or were never told
- Families need information when they arrive in Canada, involvement with ISANS is not enough, families are overwhelmed by the amount of initial information they received
- We have ways we expect our children to be and then they get the worldly ways and act out and we cannot discipline our children
- Need continuous workshops in the community about child welfare laws

7. What can the Department of Community Services do to improve our ability to work with people of African descent?

- Come to the community more often, make this an ongoing communication and keep us informed
- Can't use "one size fits all" approach. Need to use different approaches for different cultures
- Provide more information about available services, especially those that are preventative
- Gather current data on African Nova Scotians
- Needs of African Nova Scotian children and families must be understood in the context of systemic racism
- Better communication and collaboration with the African Nova Scotian communities
- Committee which is established to review the Act should have African Nova Scotian membership
- Preventative programs in the African Nova Scotian communities and awareness of these programs and services

Summary of Feedback

- Don't assume something means one thing without asking because it could mean something completely different. Terminology ends up being taken out of context
- Need social workers to understand our culture so that they are not coming in with their own assumptions about our families
- Educate the African community so they can reach out to parents who require parental support

Next Steps

The amendments to the Children and Family Services Act were proclaimed in December, 2016. The regulations and policy will be finalized, staff will learn about changes in the Act, and our information systems will be updated.

The feedback from the meetings with African Nova Scotian communities has been shared with regulation and policy writers to support them in their work. The feedback about cultural connection plans for children was especially helpful. It will be used to develop cultural connection plans to meet the specific needs of African Nova Scotian children.

Much of what we learned in the meetings reflected that the Department needs to improve its relationships with African Nova Scotian families, children and youth. We have begun to introduce programming that reflects their culture, such as the Nurturing Strong African Nova Scotian Families program. We know that we need do more, including working more closely with the community to make sure we provide the best possible services for African Nova Scotians families.

The community meetings gave the Department an opportunity to hear from African Nova Scotians, and we will keep building the relationship. The Department plans to work with the Association of Black Social Workers, the Health Association of African Canadians, the United African Canadian Women's Association and African Nova Scotian Affairs to bring about change.

Appendix A

PowerPoint Presentation



Protecting Nova Scotia's Most Vulnerable Children and Youth

Children and Family Services Act



The Case for Change

- The *Children and Family Services Act* was introduced in 1990, with no significant amendments in the past 25 years
- Serious gaps and issues were identified by social workers, lawyers, stakeholders and child advocates and in Judicial decisions
- More than 80 amendments

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Changing the Law

- Held consultations on proposed amendments to the *Act*
- Bill 112, which contained the amendments to the *Act*, was passed in December of 2015
- Regulations and policies must be revised to match the amendments – looking for feedback from the community in developing these
- Staff need training on the changes and stakeholders will need to understand how they are affected
- Amendments will come into effect in the fall of 2016

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Amendments Made in Six Areas

1. Child Safety
2. Streamlining Court Involvement
3. Permanency
4. Secure Treatment
5. Language
6. Administrative

4



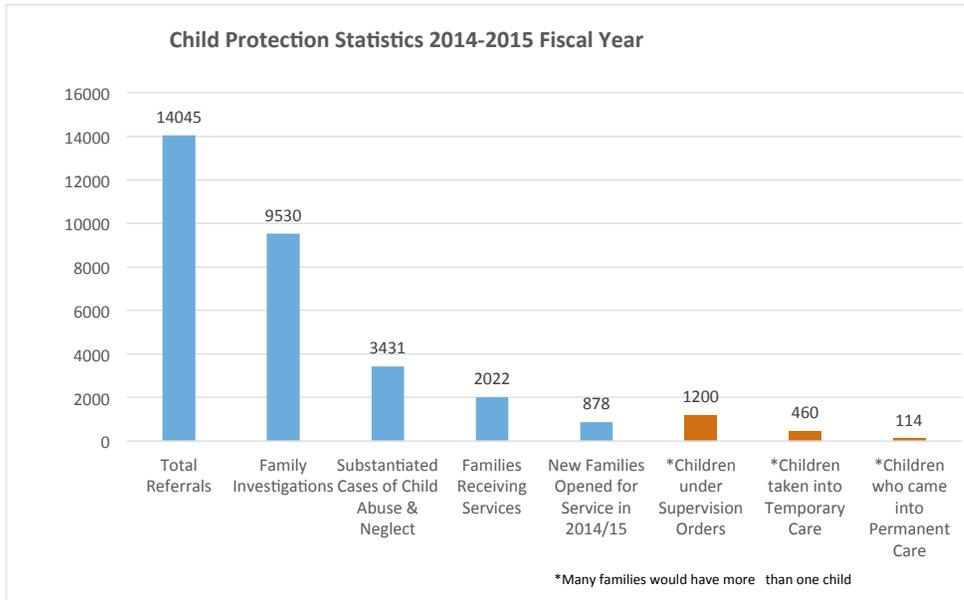
1. Child Safety

- Address the gap from age 16 to under 19 years
 - Capacity to investigate reports about children up to the age of 19
 - Services and/or placements available on a voluntary basis for youth from 16 up to 19 years old
- Define emotional abuse, sexual abuse and neglect
- Changes to allow for earlier involvement when problems aren't as serious and easier to support families
- Allow short term placements with relatives instead of coming into the care of the Minister

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Stats on Child Protection Cases



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Stats on Children in Care

- As of March, 2016, there were 1034 children who were in the care of the Minister or of Mi'kmaw Family and Children's Services
- 24 identified as African Nova Scotian (2.3%)
- 86 identified as mixed race (African Nova Scotian and other (8.3%))
- 73% live in Central Region (HRM)

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2. Court Involvement

- Courts can approve services and treatments earlier
- Added a case conferencing process to make it easier to work together
- Decreased the length of time that children over 6 years of age could be in care – now same length of time as children under 6 years
- Limit the total time that a child could be in temporary care to 36 months in a 5 year period, regardless of age

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3. Permanency

- Replace court ordered access when a child comes into permanent care and custody with Department's ability to arrange contact
- Reduced delays in the adoption process
- Added requirement for **cultural connection plans**

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4. Secure-Treatment

- Changed the criteria for admission so that child no longer needs to refuse services before being admitted
- Allow staff from Secure-Treatment to stop a child from running and return a child to the facility
- Extend Secure Treatment Order from up to 30 days to up to 45 days

5. Modernized Language

- Removed language that is outdated and considered hurtful - “legitimate” and “in wedlock”
- Changed definition of “parent” to be more inclusive of fathers
- Replaced “agent” with “representative”

6. Administrative

- Couples in common-law relationships are treated the same as couples in marriages
- Allow release of information about birth family to adults who were formerly in permanent care and custody but not adopted
- Eliminate the Minister's Advisory Committee and replace with a review of the legislation every 4 years

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We want to hear from you

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What do you think is working well in serving African Nova Scotian children, youth and families in Child Welfare?

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What would you suggest to make programs or services more helpful to African Nova Scotian families when Child Welfare becomes involved?

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The amendments say that when any child comes into permanent care and custody there must be a plan to keep the child connected to his or her culture.

The plan must be in writing and must include information and guidance to help make sure that the child can learn about and appreciate his or her cultural identity. **What should be included for African Nova Scotian children?**

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 NOVA SCOTIA

What would you suggest so that Child Welfare can do a better job of serving children, youth and families who have mixed racial backgrounds?

What are some considerations, ideas, challenges or cautions related to mixed raced children?

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 NOVA SCOTIA

The *Act* allows the Department to provide services for a child from **16 years up to 19 years of age**. Services to these youth will be offered only if the youth agrees.

What do we need to think about when offering services to African

Nova Scotian youth in this age group?

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 NOVA SCOTIA

We know that some children, youth and families who have just come to Nova Scotia from the African continent have a different understanding of Child Welfare. What do we need to think about when working with these children, youth and families?

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 NOVA SCOTIA

What can the Department of
Community Services do to
improve our ability to work
with people of African
descent?