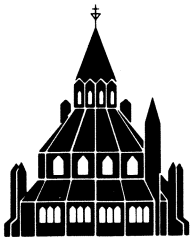


**NATIVE CHILD CARE IN CANADA**

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**December 1991**



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**NATIVE CHILD CARE IN CANADA**

In Canada, Native children are different by the laws of the land. (1)

Native children in Canada have always been "legally different." This difference, or special status, is based on the legal distinctions established by Canada's constitutional provisions and the stipulations of the *Indian Act*. (2) The creation of special status has led to the evolution of a child care system that is less effective for aboriginal children than for others in our society.

The issue of native child care in Canada is complex, requiring the consideration of constitutional, economic and cultural factors. This paper provides a very brief background to the issue, discusses the need for special native child care provisions, and outlines the kind of programs that exist at the present time. It mentions some of the problems associated with the need for child care services, and discusses some of the initiatives taken in recent years, concluding with reference to a number of recommendations that have been made concerning child care policies and programs. Historically, one of the main difficulties in the development of native child care services in this country has been rooted in the federal-provincial division of powers.

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(1) Joseph Couture, Professor of Native Studies, Athabasca University, quoted in Jeanne Lepine, "Native Children 'Legally Different'," *AMMSA*, 8 November 1985, p. 22.

(2) S.C. 1876, c. 18.

## JURISDICTIONAL PROBLEMS

The provision of services for native children has always been complicated by the jurisdictional ambiguities in the federal-provincial division of powers. While both child welfare and child care services fall within the provincial purview, the federal government has jurisdiction under the Constitution over "Indians and lands reserved for Indians," a mandate that includes the Inuit.<sup>(3)</sup> A further complication has been that the *Indian Act*, with its provisions for a complex system of registration, produced the strictly legal category of Status Indian, imposing a distinction that has been criticized for its arbitrariness in dividing the native population.<sup>(4)</sup>

Under the existing division of powers, therefore, the national government is responsible for approximately 350,000 Status Indians and 27,000 Inuit in Canada, but is not responsible in the same way for the 75,000 non-Status Indians and 100,000 Métis.<sup>(5)</sup> About 65% of Canadian Indians live in approximately 577 bands; there are some 2,242 reserves spread across Canada.<sup>(6)</sup>

While the federal government has viewed off-reserve Indians and the Métis as within provincial jurisdiction, most provinces have considered the central government responsible for aboriginal people in

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- (3) *Constitution Act, 1867*, s. 91(24), interpreted by the Supreme Court of Canada, in *Re Eskimos*, 1939 S.C.R. 104.
- (4) Darlene M. Johnston, "Native Rights as Collective Rights: A Question of Group Self-Preservation," *Canadian Journal of Law and Jurisprudence*, Vol. 11, No. 1, January 1989, p. 19-34 at p. 29.
- (5) *Indian and Native Programs: A Study Team Report to the Task Force on Program Review*, Minister of Supply and Services, Ottawa, 1985, p. 1; figures based on the 1981 Census.
- (6) John W. Friesen, ed., *The Cultural Maze: Complex Questions on Native Destiny in Western Canada*, Detselig Enterprises, Calgary, 1991, p. 77 and 79.



general. (Alberta has followed a different route, by passing legislation clearly accepting responsibility for its Métis population.)<sup>(7)</sup>

The imposition of these legal distinctions has resulted in uneven treatment for different groups and has been criticized as having a harmful and disintegrative effect on the native people as a whole.<sup>(8)</sup> Among those who suffer most from the lack of uniformly adequate services are the children. Children up to the age of 14 represent a large proportion, about 40%, of the native population.<sup>(9)</sup>

In 1966, the federally commissioned Hawthorne Report criticized government policies that had resulted in precluding aboriginal children from the benefits that other Canadian children received from child welfare resources in general. The Report concluded that the "special status of Indian people has been used as a justification for providing them with services inferior to those available to the Whites who established residence in the country, which was once theirs."<sup>(10)</sup>

The provinces, in developing their various structures and methods of delivering child care services, generally did not extend them to Indian reserves, considered an area of federal jurisdiction. Child welfare services on reserves were usually provided only in emergency or "life-threatening" situations.<sup>(11)</sup> Although the Canada Assistance Plan

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(7) *The Métis Betterment Act*, S.A. 1982, c. 26, discussed in the Canadian Bar Association Committee Report, *Aboriginal Rights in Canada: An Agenda for Action*, Ottawa, 1988, p. 63.

(8) Johnston (1989), p. 29.

(9) Indian and Northern Affairs Canada, *Highlights of Aboriginal Conditions 1981-2001*, Part 1, Demographic Trends, 1989, p. 9; and Elaine O'Farrell, "Meech Lake Threatens Children's Future," *Windspeaker*, 24 March 1989, p. 2.

(10) H.B. Hawthorn, ed., *A Survey of the Contemporary Indians of Canada: A Report on Economic, Political, Educational Needs and Policies*, Department of Indian Affairs and Northern Development, Ottawa, 1966, p. 253.

(11) Emily Carasco, "Canadian Native Children: Have Child Welfare Laws Broken the Circle?" *Canadian Journal of Family Law*, No. 5, 1986, p. 116.



appeared to offer a means of facilitating the integration of services, it seems that Indian groups were generally reluctant to give up their rights to federal ministrations, and provinces hesitated to extend services to meet the needs of this growing population.

Author Patrick Johnston, an authority on child welfare systems in Canada, has stated that the effect of a long-standing argument between the federal and provincial governments over which level of authority has the responsibility to provide and pay for services to children on reserves has been that "both levels of government absolve themselves and argue that the responsibility rests with the other party." (12)

This view has since been confirmed by the 1989 Report of the National Inquiry into First Nations Child Care, which explains that the federal government has been reluctant to use its powers to make agreements with First Nations "in areas such as child care that are otherwise the responsibility of the provinces ... arguing that anything not specifically mentioned in the *Indian Act* falls within provincial jurisdiction. The provinces have taken the view that Indians are a federal responsibility and refuse to spend money without a guarantee that they will be reimbursed. As a result most provinces have no child-care programs for native children." (13)

One method of overcoming this jurisdictional impasse would be for the federal government to enter into an agreement with each province for the provision of child welfare services on reserves. Although this kind of agreement is in existence to a limited extent, it has been considered unlikely that all provinces would adopt this approach, and most native organizations have also been hesitant to follow this route. (14) The

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(12) Patrick Johnston, *Native Children and the Child Welfare System*, Canadian Council on Social Development and James Lorimer and Company, Toronto, 1983, p. 4.

(13) National Indian Brotherhood, Assembly of First Nations, *Report of the National Inquiry into First Nations Child Care*, 1989, p. 1.

(14) Johnston (1983), p. 84.



federal government, however, has funded some Indian child and family services on reserves in cooperation with Indian people and provincial authorities. The range of such services has generally included prevention and protection measures but not day care.

In Ontario, however, the home of about 21% of Canada's Status Indian children, provisions for child care developed differently. A major agreement was reached between this province and the federal government allowing, among other things, the funding of native child care centres. Under the 1965 Indian Welfare Agreement between Canada and Ontario, the province undertook to extend its welfare programs to Indian people, and the national government agreed to reimburse part of the costs incurred for on-reserve services provided under provincial legislation, such as the *Child Welfare Act* (now the *Child and Family Services Act*) and the *Day Nurseries Act*. This agreement, unique in Canada, made Ontario the only province where parental subsidies for day care were accessible to on-reserve Indians in need.

The federal government now reimburses 95% of the costs of these services to the province. (In practice, Indian and Northern Affairs Canada (INAC) provides start-up grants to bands wishing to establish child care centres, to the extent of 20% of the projected operating costs for one year. Ontario provides 80% of the operating costs, 95% of which is reimbursed by INAC.) In most provinces, however, major agreements such as this are yet to be reached, and in most parts of the country there is a pressing need for the development of new child care programs and improved children's services.

#### THE NEED FOR AND DEVELOPMENT OF NATIVE CHILDREN'S SERVICES

Services for native children in Canada have been developed amid conflicting aspirations and experiences. Some 20 years after the Hawthorn Report, the Cooke Task Force on Child Care also concluded that native Canadians were not well served by the child care system in





Canada.<sup>(15)</sup> It found that, although some child care centres had been established on reserves, they were unevenly distributed across the country and many were poorly equipped. Most bands were without access to any centres. The Task Force also stressed native parents' need for child care off reserves to enable them to work, to facilitate adjustment to the non-native environment, and to provide opportunities to preserve native languages and traditions.

The lack of daycare facilities, however, is only one aspect of the need for improvement of services for native children in this country. In the view of Canada's aboriginal people, daycare needs cannot be separated from needs for other child welfare services, which may be divided roughly into three categories: parental support systems such as counselling; substitutions for parental care, including foster care, residential homes and adoptions; and those services designed to supplement parental care, such as income support, homemaker programs and daycare services.<sup>(16)</sup>

This view of child care needs is holistic and also distinctive. Aboriginal people stress that, while attention must be paid to the child's physical and developmental requirements, the first priority for Native child care is that it be based on an understanding of aboriginal culture and language. Among the First Nations, traditional child-rearing practices have been based on a set of values, passed from generation to generation, that are distinct from those of the majority society.

Among most native groups, the care of young children has traditionally been viewed as the responsibility of the extended family and the community, rather than the duty of the nuclear family alone. The unofficial adoption of a relative's child, for example, was not unusual, and the involvement of elders in child care was not only normal but considered important. Traditional practices, however, have met with interference from the authorities in the past, and children have been

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(15) Status of Women Canada, Katie Cooke, Chairperson, *Report of the Task Force on Child Care*, March 1986, p. 58.

(16) Native Council of Canada, *Native Child Care: "The Circle of Care,"* Ottawa, 1990, p. 9.



removed from their native surroundings for educational or other reasons, often to be reared in an alien environment, with values strange to them.

The 1989 National Inquiry provided an insight into the difficulty of attempting to discuss the issue of child care (daycare) in isolation from other child welfare issues concerning native people in Canada. It illustrated the fact that native people view child care and child welfare as an inter-related whole, and would like to see the emphasis on prevention of harm rather than after-the-fact "protection."<sup>(17)</sup>

The experience of aboriginal people, however, has been that, although experts speak of the need to emphasize supportive measures such as child care, the first line of action of social welfare agencies in responding to the needs of native children has been to remove them from their homes and place them elsewhere.<sup>(18)</sup> This is a reality that has distinguished official care for Indian children from that available to others.

Revisions to the *Indian Act* in 1951 gave the provinces authority to extend their child welfare services to native communities. In practice, this extension of provincial authority led mainly to "apprehension," that is, the removal of Indian children from their homes on reserves when this was considered necessary by provincial social workers. During the 1960s, the number taken into care by social work authorities escalated dramatically, and it continued to be high during the 1970s. Children were apprehended for many reasons, including their families' poor or unsanitary living conditions.

In the 1980s, the number of native children taken into care continued to be disproportionately high. It was reported in 1988 that the likelihood of Indian children being removed from their families was five times greater than for non-Indian children.<sup>(19)</sup> Not only have native

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(17) National Inquiry, *Report* (1989), p. 21.

(18) *Ibid.*, p. vii.

(19) Michael Jackson, "Report of the Canadian Bar Association Committee on Imprisonment and Release," in *Locking Up Natives in Canada*, University of British Columbia, Vancouver, 1988, p. 6.



children been more likely than others to be apprehended, they have also been less likely than others to be returned to their parents. (20)

In recent years, there appears to have been some improvement in this situation. INAC reported in 1990, for example, that the percentage of Indian children in the care of child welfare agencies had declined from 7.5% in 1971 to 3.3% in 1987-88; however, the national rate for the latter year was only about 0.7%. (21)

In general, child welfare services for Indians have varied in availability and quality from province to province. The 1966 Hawthorne Report concluded that the best were unsatisfactory and the worst were appalling. Although it recommended the extension of provincial services to the reserves, most native groups have been opposed to the idea of provincial authorities developing and administering programs for on-reserve children, fearing that this would lead eventually to cultural assimilation. (22)

A native writer has explained that the preferred approach of aboriginal groups would be "the enactment of federal legislation as opposed to seeking provincial delegation with adherence to provincial laws, standards and practices," but that, "although bands have extensively lobbied the federal government officials for the establishment of child welfare legislation, it has fallen on deaf ears." (23) One of the recommendations of the 1989 National Inquiry was for the federal government to develop a national native child care Act that would recognize the jurisdiction of the First Nations over their own children. (24)

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(20) Patricia A. Monture, "A Vicious Circle: Child Welfare and the First Nations," *Canadian Journal of Women and the Law*, Vol. 3, No. 1, 1989, p. 1-17 at p. 3.

(21) Indian and Northern Affairs Canada, *1990-91 Estimates*, Part 111, p. 2-31.

(22) Johnston (1983), p. 7.

(23) Samuel Bull, "The Special Case of the Native Child," *The Advocate*, July 1989, p. 523-531 at p. 530.

(24) National Inquiry, *Report* (1989), p. 53.



The Native Women's Association of Canada in 1986 voiced the general opinion of native groups in urging that programs for their children be "designed by our people for our people," because "only through preserving, promoting and ensuring that our culture and language is passed on to our children at a very early age, will Aboriginal peoples be able to reverse the trend of assimilation ... into the dominant Canadian culture."<sup>(25)</sup> In addition, the Chiefs of Ontario have stated their position that the First Nations never surrendered aboriginal rights, including the right to make decisions concerning the care of native children, and that comprehensive arrangements for child and family services should be negotiated with them.<sup>(26)</sup>

Following this glimpse into the jurisdictional complexities and practical experiences with native children's services in general, this paper will now focus on the need for special child care (daycare) provisions for the aboriginal population.

#### NATIVE CHILD CARE NEEDS

If affordable child care is an urgent need within the general Canadian population, it is even more so for native people, whose problems of poverty, unemployment, alcoholism, and deprivation are far greater than the norm. Witnesses appearing before the National Inquiry gave evidence of the extent of these problems. Unemployment rates in Native communities, for example, were said to range from 40% to 80%.<sup>(27)</sup>

Among members of the Restigouche Band in Quebec, more than 75% of the people able to work were unemployed; 90% of the families were living in poverty, with incomes of less than \$10,000 per year. About 35% of those families were headed by women, and nearly 70% of their children were

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(25) Native Women's Association of Canada, Presentation to the Special House Committee on Child Care, 10 June 1986, p. 1-2.

(26) Harry Doxtator, Presentation to the Standing Senate Committee on Aboriginal Peoples, 29 May 1990, p. 35-39.

(27) National Inquiry, *Report* (1989), p. 23.



under six years of age. To improve their situation, these women desperately needed some form of organized child care.<sup>(28)</sup> The federal government in 1990 announced plans to assist in the establishment of a child care centre, as a pilot project, on this reserve.

For Indian parents on reserves in most parts of Canada, however, there is no subsidy to make day care for their children accessible. They are required to pay the cost themselves and most are unable to do so. The average incomes of native women and couples in 1980 were lower than those of any other comparable groups in Canada.<sup>(29)</sup> A decade later, the average individual Indian income was less than half of the national average and a considerable part of it was derived from federal transfer payments.<sup>(30)</sup>

Children under the age of seven make up 15% (about 109,000) of the total Indian population in Canada, and it is expected that 10,000 more will be added to this number as a result of the landmark decision to reinstate Status Indian women under Bill C-31.<sup>(31)</sup> In addition, because the birth rate among aboriginal people has been higher than average, the need for child care programs may be expected to increase in the years to come. In the 1980s, children aged 12 and under made up about 30% of the Indian population in Canada, but only about 18% of the general public.<sup>(32)</sup>

For the many aboriginal people in Canada who do not live on reserves, the need for culturally appropriate daycare is crucial if their traditions and sense of identity are to be preserved. In the view of the Native Council of Canada, culturally appropriate child care is needed to accommodate "Native family systems and practices, Native methods of

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(28) *Ibid.*, p. 17.

(29) Native Council of Canada, *Report of the National Day on Native Child Care*, Winnipeg, 24 May 1989, p. 1, based on Secretary of State (1985) statistics.

(30) Friesen (1991), p. 79.

(31) Jeff Bear, "A Child's Future is Our Future," *Micmac News*, February 1989.

(32) National Inquiry, *Report* (1989), p. 73.



learning and Native languages."<sup>(33)</sup> Aboriginal children in urban areas are particularly at risk of losing their sense of identity, and it seems that little has been done by governments to help them retain it. In Montreal, for example, although the need for a native child care centre was identified in 1975, by 1990 none had yet been established.<sup>(34)</sup>

In its Report that year, the Native Council of Canada stressed that the daycare crisis is particularly grave for aboriginal people who attempt to pursue education or employment in the city.<sup>(35)</sup> They are often held back from economic or educational advancement because of the lack of affordable child care. This report noted that in Vancouver, there was only one daycare centre operated by native people for the city's estimated 5,000 aboriginal children, most of whom were desperately in need of care.<sup>(36)</sup>

In addition to the need for culturally appropriate programs, there is also a great need throughout Canada for capital funding for the building of native child care centres. The lack of money for such construction inhibits the ability of groups to undertake programs that might otherwise be feasible. Most of the centres in existence operate in inadequate or old buildings. This is a major problem in Ontario and elsewhere. Although the 1965 agreement between that province and the federal government contained a provision allowing for capital funding, that aspect of the agreement expired after 1980, and in the following decade no appropriate mechanism was established for the provision of such funding.<sup>(37)</sup>

The report of the National Inquiry noted that the established Ontario centres, in general, were able at least to secure

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(33) Native Council of Canada (1990).

(34) *Ibid.*, p. 44.

(35) Marie Watts, "Day Care Options for Urban Native Families in B.C.," reported in *Ottawa Citizen*, 16 February 1990.

(36) "Natives Brushed Aside," *The Province* (Vancouver), 26 January 1990.

(37) Information provided by spokesperson for the Chiefs of Ontario, by telephone, 17 January 1991.



funding for day-to-day operations, but that in other provinces most centres were experiencing serious financial difficulties, often having to cut back on programs or to raise money through extra activities. (38)

Daycare centres are needed to provide care for children whose parents are employed or are full-time students, and to offer a stimulating environment that will prepare children for their school years. In addition, culturally relevant child care is needed, as mentioned previously, to facilitate the continuation of aboriginal traditions and languages in the new generation.

The executive director of the Federation of Saskatchewan Indian Nations stressed in 1989 that the needs for child care among native people were different from those of two-income white parents, that different factors should be considered, and that standards should be set by native people and not by non-native bureaucrats. (39) Witnesses appearing before the National Inquiry that year urged that daycare centres for native children be opened to all aboriginal children, not only to those whose parents were working or studying. Daycare would then be able to help children in socially distressed communities, where there is unemployment and serious family breakdown.

The Native Women's Association of Canada has described the critical need for special child care services for aboriginal people:

The reason why it is so important is because of the nature of our families, of the social and economic conditions of our women and men. Our children require day care facilities so that we can break the cycle of poverty, we can break the cycle of alcoholism, but most important so we can pass on our culture, values and language. Without day cares designed by us for our children, in which our elders tell our children their history and assist in the teaching of our children their traditional languages and values, we will only continue to suffer racism, assimilation, loss of languages; our children will be more alienated as they

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(38) National Inquiry, *Report* (1989), p. 24.

(39) Glen MacKenzie, "Native Needs Urged in Day Care," *Winnipeg Free Press*, 15 March 1989.



grow up; the cycle will continue: of poverty, of violence, of alcoholism. (40)

The House of Commons Special Committee on Child Care acknowledged in 1987 the "there is a need for flexible child care services that are culturally and linguistically appropriate and meet the needs of native people living in a variety of circumstances." (41) The particularly desperate need for child care services of good quality in northern communities had been noted a year earlier by the Cooke Task Force. It had found that for Inuit families in remote communities, such services were usually unavailable or too expensive; often, young girls were required to drop out of school in order to care for their younger siblings. In 1989, 5.5% of registered Indians on reserves in Canada lived in remote locations, more than 350 kilometres from the nearest service centre with year-round road access. (42)

The National Inquiry concluded that, not only in remote communities, but in all of Canada, native children need an active program of child care in order "to provide a strong core of security, identity and self-assurance in the youngest to offset the negative influences they will encounter later..." (43) The Inquiry explained that, although child care programs cannot replace the family, they can assist and strengthen families in various ways, such as by relieving stress and caring for children while troubled families receive counselling. (44) The existing child care services in Canada, however, are generally inadequate to meet these needs.

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(40) Native Women's Association, Presentation to the House of Commons Special Committee on Child Care, 10 June 1986, p. 7.

(41) Canada, House of Commons Special Committee on Child Care, *Report* (1987), p. 67.

(42) INAC, Basic Departmental Data, 1990, Minister of Supply and Services, Ottawa, December 1990, p. 19.

(43) National Inquiry, *Report* (1989), p. 3.

(44) *Ibid.*, p. 24.





## EXISTING NATIVE CHILD CARE SERVICES

### A. Child Care on Indian Reserves

The federal government, as mentioned previously, has, for the most part, passed on its responsibility for native child care services to the provinces. Each province has its own regulations and these vary widely among jurisdictions. Under either formal or informal agreements with the national authority, the provinces are reimbursed for their costs incurred in providing services for children in native communities. Most of these funding arrangements, however, cover only "protective" services for native children (apprehension, placements, adoptions, and foster or residential care); child care (daycare) is generally not included.

INAC provides some funding for child care centres on Indian reserves. Much of it is allocated to reserves in Ontario through the operation of the previously mentioned agreement with that province.

The 1988-89 Estimates of the Department indicate that \$1,184,000 was allotted for daycare centres in Ontario during that fiscal year. During the following year, INAC provided subsidies to 54 daycare centres in all, 34 in Ontario, 10 in Alberta and 10 in the Atlantic Region.<sup>(45)</sup> INAC Estimates for 1990-91 and 1991-92 state that the Department "provides advice, guidance and financial support to band councils, their staff and community services organizations in assessing community needs for establishing ... day-care centres... Upon establishment of a need, advice is provided on how to plan, budget and operate the services and centres."<sup>(46)</sup>

In 1986, the Native Women's Association of Canada described aboriginal child care facilities in this country as "grossly inadequate,"

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(45) Canada, Indian and Northern Affairs, *1989-90 Estimates*, Part III, Minister of Supply and Services Canada, 1989, p. 2-76.

(46) *Ibid.*, 1990-91 Estimates, p. 2-66; 1991-92 Estimates, p. 2-73.



with only 1,432 spaces in all; of these, 808 were in Ontario.<sup>(47)</sup> The National Inquiry in 1989 reported that among the more than 1,000 First Nations communities, very few had child care centres; there were 32 in Ontario, 18 in Alberta, 11 in British Columbia, 4 in Manitoba, 2 in Saskatchewan and 1 in Quebec. Of the 32 daycare centres surveyed, more than half had entirely aboriginal staff, 13 accepted only native children, and 17 used native languages.<sup>(48)</sup>

#### B. Native Child Care Services Off Reserves

More than a third of First Nations children and most of the native people in the Territories live off reserves.<sup>(49)</sup> Nevertheless, the Cooke Task Force found that there were few culturally appropriate child care programs in Canada available to Indians off reserves or to non-Status Indians, Métis or Inuit families.<sup>(50)</sup> Although INAC does make some provision for the child care expenses of Status Indian women attending university, the frequent lack of available spaces is a serious problem.

In Canadian cities generally, native child care centres are extremely scarce and spaces are inadequate. In Vancouver, for example, the sole native centre operating in 1990, Sundance Day Care at the Vancouver Indian Centre, had places for only 17 children, and a very long waiting list.<sup>(51)</sup>

Although First Nations child care agencies might prefer to assume responsibility for all native children on or off the reserves, governments have generally restricted their jurisdiction to the welfare of children on reserves. Some progress has been made in recent years, however, in this respect. The Anishinaabe agency, for example, has

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(47) Native Women's Association, Presentation to the Special House Committee on Child Care, 10 June 1986, p. 6.

(48) National Inquiry, *Report* (1989), p. 23-24.

(49) *Ibid.*, p. 40.

(50) Status of Women Canada, *Report* (1986), p. 58.

(51) "It's More Difficult for Natives to Find Affordable Day Care," *Ottawa Citizen*, 16 February 1990.



established an outreach office in Winnipeg (a city where some 3,600 native children are held in care) with the objective of keeping families together where possible. Efforts to achieve this objective would be assisted by affordable native daycare centres, were they available.

### C. Examples of Native Daycare Centres

The Report of the National Inquiry provided a number of examples of successful native daycare centres in Canada, including the following: (52)

- Curve Lake, Ontario

This centre, in operation since 1972, cares for some 58 children between the ages of 1 and 10. It has been supervised by the first native woman to earn a diploma in Early Childhood Education (Dixie Shilling). Teachers at the centre are Indian and traditional language and culture are stressed.

- Anishinabek Nation, Ontario (Union of Ontario Indians)

This confederacy of 44 First Nations has 17 daycare centres, each with about 33 places. Many of the centres need new accommodation but lack the necessary capital funding.

- West Bay, Manitoulin Island, Ontario

This centre, in operation since 1972, began an Ojibway immersion program in 1982. Although this program has had three trained workers, it has suffered from a lack of funding and resources. The centre has a total of 40 spaces, with a long waiting list.

- Sweetgrass Child-Care Centre and Oneida Immersion School,  
London, Ontario

The Sweetgrass centre began operating in 1988, with provincial funding, and has about 40 children attending it. The Oneida

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(52) National Inquiry, *Report* (1989), p. 69-72.



Immersion School emphasizes aboriginal culture. It receives funding from community members and some outside supporters.

- Waywayseecappo Reserve, West Region, Manitoba

This daycare centre for young children was founded by parents on this reserve and is directed by a local committee. Financial support is provided by the West Region Child and Family Services Agency and parents pay fees to cover the cost of supplies. An agency spokesperson indicated that the centre has not yet developed to its full potential.

- Blood Tribe, Standoff, Alberta

A daycare centre with spaces for about 18 children has been operated by the Blood Tribe for more than 15 years. Funding is provided by the provincial government, INAC, and the band.

- Secwepemc Ka Day Care Society, Chase, British Columbia

This provincially licensed centre, founded in 1987, cares for 18 children. It has a language immersion program modelled on the Maori Language Nests in New Zealand. Its goal is to preserve the Shuswap language and culture. Without formal funding arrangements, the centre has relied on donations and fund-raising efforts. INAC provided \$6,000 for equipment.

Other centres mentioned include those at Moose Factory and at Christian Island, Ontario. The director of the Beausoleil daycare centre at Christian Island told the Inquiry that in a community where many remember being removed from home to attend residential schools, "a First Nations child-care centre is an important alternative."<sup>(53)</sup>

Many native families living on or off reserves in Canada, however, still do not have access to this alternative. One problem has been that provincial funding criteria have sometimes been so strict that the

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(53) *Ibid.*, p. 69.



result has been no day care at all.<sup>(54)</sup> This is one of the associated issues yet to be resolved in the development of native child care systems.

#### D. Associated Issues

##### 1. The Training of Aboriginal Child Care Workers

There is an urgent need for more trained aboriginal child care workers with adequate knowledge of native languages to teach young children. The lack of suitable potential employees for native child care centres is a major problem, one that is aggravated by the exceptionally low remuneration they may expect. Those who have invested years in special language training and have much to offer in the provision of culturally relevant programs, are not likely to stay long in such positions because of the low pay. Training and retention of native child care workers, therefore, represent special challenges in the planning and development of aboriginal child care systems in Canada.

The Canada Assistance Plan (CAP) has provided a mechanism to assist in the development of these kinds of centres and the training of their staff. Through CAP, the federal government has shared in the cost of training native students enrolled in child-care programs at post-secondary institutions.

Employment and Immigration Canada (EIC) also provides for the training of Native child care workers through the Canadian Jobs Strategy. EIC, for example, has paid for training spaces in an early childhood development program at the Gabriel Dumont Institute of Native Studies in Regina. In 1987, the Special Committee on Child Care suggested that this program, designed to train Métis and non-status Indians, could be used as a model for the development of other training courses for Native child care workers elsewhere in the country.

During the hearings of the National Inquiry, representatives of native communities emphasized the vital importance in any national daycare plan of providing training for aboriginal social workers and child care workers. They considered the currently available courses in Early

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(54) Julien Feldman, "Mohawks Hot for Day Care," *Montreal Daily News*, 9 March 1989.



Childhood Education (ECE) to be inadequate for the training of native students, and stressed the need to develop culturally relevant training programs.

Some progress is being made in this respect. Yellowquill College in Manitoba and the Anishinabek Nation in Ontario have special training programs for native child care. Three colleges in northern Ontario have addressed the need for appropriate Early Childhood Education (ECE) programs for aboriginal teachers as well as the need for native daycare. Northern College in Moosonee, for example, has recognized that appropriate child care is a first step in enabling more native students to pursue higher education. An Indian daycare centre has been operating there, with native staff, for several years and aboriginal students have been graduating from its ECE program. The Native Education Centre in Vancouver also offers a specially designed ECE training program. In some provinces, however, there is virtually "no formal education or training program culturally based to meet the needs of Native peoples."<sup>(55)</sup>

## 2. Inappropriate Daycare Standards

The National Inquiry was told that the imposition of provincial standards for daycare facilities often prevents native communities from developing any child care programs at all. Regulations frequently present serious licensing problems. Most native homes, for example, do not qualify for funding for home daycare under standards drawn up for non-native housing.<sup>(56)</sup> Similarly, regulations establishing standards for staffing often exclude the most suitable aboriginal daycare workers. It was suggested, for example, that "a respected Ojibway mother may be better suited to caring for Ojibway children than a non-Indian ECE graduate."<sup>(57)</sup>

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(55) Native Council of Canada, *Report* (1990), p. 45-47.

(56) National Inquiry, *Report* (1989), p. 36.

(57) *Ibid.*



### 3. Federal-Provincial-Band Agreements and Other Instruments for Native Control

During the past decade, some tripartite agreements reached by the federal government and certain Indian bands and provincial authorities have allowed these bands to assume greater control over services for their children. As a result, some Indian communities, working in accordance with provincial legislation, have developed approaches to child and family services which reflect their own cultural values. These agreements, however, generally cover only "protective" child welfare services, not daycare.

Beginning in 1981, for example, Manitoba initiated the system of developing separate Indian-operated child welfare agencies under tripartite agreements involving the federal and provincial governments and tribal councils. By 1988, five native child care agencies had been established. The emphasis, however, was on protective services. Funding did not cover daycare, although some preventive services such as parenting education and homemakers' programs were supported. Although the tripartite agreements facilitating these developments were for limited time periods and were governed by provincial legislation, they were effective in introducing a measure of control by native people over their services.

A political accord, signed by three Indian organizations and representatives of federal and provincial governments in 1985, used the tripartite child welfare agreements as a basis for extending native control to daycare services. By late 1987, however, this accord had become a "dead letter." (58)

Ontario in recent years has supported a greater role for native people in the provision of their child care services. In 1984 it gave formal recognition to the concept of customary or native care of aboriginal children under native jurisdiction. Since that time, a number of First Nations agencies have been established in the province.

One native community, Spallumcheen, British Columbia, secured full jurisdiction over its children's services in 1980, by passing

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(58) Frances Russell, "Autonomy is Native Goal," *Winnipeg Free Press*, 18 November 1987.



a by-law specifically giving itself jurisdiction over Indian child custody matters. In this way, the band also assumed responsibility for a wide range of preventive child and family services not included under most federal-provincial agreements concerning native people.

In recent years, the issues discussed in this paper have been addressed in the course of formal inquiries into child care and a number of recommendations have been made.

## INQUIRIES AND RECOMMENDATIONS

### A. Special Committee on Child Care

In 1986, a Parliamentary Committee on Child Care was established and held hearings. Its Report, entitled "Sharing the Responsibility," was issued in March 1987. It made the following recommendations on native child care:

#### Policy:

- INAC should, "in consultation with Indian peoples' groups and organizations, place priority in its examination of child welfare issues on the role of child care and other family support services in strengthening families and in reducing the need to remove children from their homes."

#### Funding:

- INAC should "in consultation with native peoples' groups and organizations, adjust its existing child welfare budget to accord higher priority to the funding of family and children's support services."
- The Department of Secretary of State should "provide funds enabling Native Friendship Centres and native women's organizations to establish off-reserve family support and child care programs."

#### Services:

- The Department of Secretary of State should initiate an information service for native peoples' groups regarding the establishment of family





support programs and "ensure that existing child care programs demonstrate appropriate sensitivity to native cultures and values."

Training:

- The Minister of Employment and Immigration should "promote the development and extend the support for training programs for native people who wish to become family and child care workers and that these programs be conducted in suitable locations."

**B. National Inquiry Into First Nations Child Care**

The National Inquiry Into First Nations Child Care, held by the National Indian Brotherhood and Assembly of First Nations, reported in 1989. It stressed the importance of native child care in providing aboriginal children with "an early sense of security, stability, motivation and pride."<sup>(59)</sup> The Report of the Inquiry made, among others, the following recommendations:

Policy:

- "Child-care should be regarded as a basic social service which should be available to all parents who require it."
- "In the short term, the federal government should take immediate steps to establish federal/First Nations agreements to provide direct support of child-care services by National Health and Welfare to First Nations who desire it."
- "Discussions on jurisdiction should take place at the political level and should not hinder the implementation of child-care on reserves."

Funding:

- "The federal government should make funding for native child-care immediately available to First Nations."

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(59) National Inquiry, *Report* (1989), p. viii.



- "Funding for native child-care must be made available to native organizations in urban areas. There should be no competition for funds between on and off-reserve agencies."

Services:

- Services provided in First Nation communities "must be culturally sensitive, non-profit, comprehensive, accessible, of high quality, affordable, and administered by appropriate Indian caregivers whenever possible."
- First Nations "should develop national minimum standards for First Nations child-care as guidelines. Those guidelines must reflect the First Nations values and traditions."

**C. The Native Council of Canada**

With funding provided through the Child Care Initiatives Fund of the Department of Health and Welfare Canada, the Native Council of Canada carried out a research project on native child care. (The NCC began a further child care study in 1991.) Its 1990 report, *Native Child Care: "The Circle of Care,"* made the following recommendations:

Policy:

- "Native peoples must have a role in determining child care standards and monitoring services for their children."
- "Child care legislation and policies must be flexible in order to allow for the development of more holistic, flexible models of care."
- "Native policy-makers must be hired and Native organizations consulted on policies and legislation affecting Native Peoples."
- "Pilot projects must not be initiated in Native communities without consultation of representatives from the ... communities."



- "The work of different Native political organizations ... must be coordinated in the development of Native child care policies and programs."
- "The coordination of different government Ministries is essential."
- "Native parents must have choice in determining the child care program suitable to the needs of their children, whether it be in-home or center-based, traditional or non-traditional."
- "The goal of Native child care programs must be to preserve Native culture, support the Native family, and help Native children to develop strong identities."

Funding:

- "Funding must be available for urban/rural Native organizations to design proposals and innovative Native child care models, develop resource material, undertake research into language and cultural program development, as well as to renovate, build and operate child care facilities."
- "Funding must be in the form of an ongoing commitment to maintain program continuity."
- "Equity funding should be implemented for child care programs in Northern, remote and isolated areas ... to ensure that service delivery is at comparable levels to programs in the South."
- "More subsidized child care spaces must be made available."

Services:

- "Information about child care programs, resources and grants must be made available to all urban Native Peoples. Information, when necessary, must be translated to Native languages."



- "Subsidized transportation must form part of an urban/rural Native child care program."

Training:

- "Training programs for Native child care workers must be developed before ... programs are initiated."
- "Legislation and policy must be enacted which will acknowledge and accommodate the experiences of the Native child care worker without formal Early Childhood Education training."

**CONCLUSION**

For native Canadians, being different has too often meant being poor, under-educated, unemployed, and living "at the edges of the industrialized world," where poverty does not allow improvement in one's way of life.<sup>(60)</sup> Native populations have a higher than average ratio of children; their need for accessible child care therefore is urgent if positive changes in their economic situation are to take place.

While the special status of native people has tended to operate, in the ways discussed, to limit the children's services available to them, it has also in effect acknowledged the distinctness of aboriginal cultures in Canada. For these cultures to survive, however, they must be supported during early years of childhood development. For this reason also, there is a pressing need for the provision of more child care programs designed and operated by native people in Canada.

First Nations organizations have recognized the value of early childhood training as preparation for modern education, as well as for cultural retention, and they have urged that increased access to aboriginal child care be made a priority in government planning. Studies carried out by these organizations in recent years have illustrated the

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(60) Friesen (1991), p. 83.



need for aboriginal child care policies and for programs that are affordable, accessible, and not only sensitive to native needs, with culturally relevant material, but also designed and operated by native people. This perspective was supported in 1990 by the following statement on behalf of the Toronto Native Child and Family Services agency:

Once Native day care models have been identified and structures sensitive to cultural differences are well developed by Native communities, only then may Native organizations involved in daycare "join hands" with other mainstream daycare groups in the movement for a comprehensive, universal child care system in Canada. (61)

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(61) Native Council of Canada, *Report* (1990), Kenn Richard, p. 55.



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