


# SAVING THE NATIVE CHILDREN

## Introduction

### Focus

This *News in Review* story deals with Native child welfare. Currently over 100 child welfare agencies are run by First Nations in Canada. While many of these agencies have experienced success, others have not—leaving a trail of tragedy and heartache in their wake. This feature examines some recent tragedies on Native reserves and looks at the future of Native child welfare and Aboriginal self-government.

 Sections marked with this symbol indicate content suitable for younger viewers.

The Lakahahmen reserve is located in the eastern Fraser Valley area of British Columbia.

Aboriginal communities continue to suffer from the pain of social disintegration, leaving many to wonder when the heartache will end. Specifically, some of Canada's Native communities are battling poverty, alcohol and drug addiction, violence, and despair. Combine these harsh realities with the Aboriginal takeover of child welfare on many reserves and one can see the potential for tragedy. Nowhere is this more apparent than in the case of Chassidy Whitford. Chassidy's story serves as a tragic example of the challenges that Native child welfare agencies are currently facing.

Chassidy was almost two years old when she arrived on the Lakahahmen reserve with her father, Shawn Mackinaw. According to neighbours, Chassidy's misery was apparent from the start. In July of 2002, the Sto:lo First Nation child welfare agency Xyolhemeylh (pronounced Yoth-meeth) was called to Mission hospital after Chassidy suffered head injuries. The agency determined that her injuries were caused by a fall and returned her to her father. Shortly after that, in early August, Chassidy went missing. Neighbours wondered if the little girl had died when they saw that Mackinaw had cut off his long ponytail; the cutting of hair is an Aboriginal sign of mourning. Then, on September 21, after responding to concerns from Chassidy's extended family, police searched for and found the little girl's body buried in a shallow grave near the home where she was staying. Her father has been charged with second-degree murder.

People close to Chassidy claim that the system failed the little girl. From the

placement of Chassidy into the care of Shawn Mackinaw to the girl's death, the case indicates either a string of horrible errors or a system incapable of dealing with the tragic caseload it has been forced to assume. Soowahlie chief Doug Kelly thinks Xyolhemeylh needs to accept some of the blame. According to Kelly, an audit of the agency's finances and practices indicated problems in the areas of "accountability" and "documentation." Of the 41 files reviewed, auditors found that over 70 per cent had "no plan of care." Others feel that Xyolhemeylh is dealing with appalling social conditions and an overwhelming caseload. With a staff of just over 100, Xyolhemeylh claims they are stretched too thin. In British Columbia, 40 per cent of the children in foster care are Aboriginal. Many of those children are in Xyolhemeylh's jurisdiction—23 communities between the towns of Mission and Hope. Xyolhemeylh's manager Dan Ludeman wonders if people are asking the impossible; expecting child welfare agencies to "make sure the children don't die."

The case of Chassidy Whitford has had far-reaching ramifications. First, the conduct of Xyolhemeylh in particular, and Aboriginal child welfare agencies in general, is being more closely scrutinized across Canada. Second, Chassidy's case and the plight of other Aboriginal children have thrown the British Columbia provincial government into action. Premier Gordon Campbell is taking steps to help place more Native foster children into foster care with Native families. With approximately 4000 Aboriginal children

in foster care, many of whom are living in non-Native care, the Premier hopes to provide the educational resources and financial support to transfer as many Native foster children as possible into care with their fellow Natives. Critics of Campbell's government claim the Premier's plan is contradictory. While simultaneously planning to transfer all

Aboriginal child welfare to First Nations by April 2003, he is also planning to cut the child welfare budget by 30 per cent. With inadequate financial backing, the plan may be doomed for failure, and the prospect of more children falling through the cracks is a very real possibility.

## To Consider

1. What elements of social disintegration can be found on some First Nation reserves?

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2. What evidence do some people point to when suggesting that Xyolhemeylh failed Chassidy Whitford? Is it fair to blame Xyolhemeylh for the little girl's death? Explain.

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3. Doug Kelly was one of the founders of Xyolhemeylh. He was forced to resign after a 1995 provincial review found the following:
  - foster homes were opened without home study or a criminal record check
  - a misuse of confidential information
  - a diversion of funds
  - a high turnover of staff
  - an explosive growth in apprehensions (taking children into custody)

The report eventually concluded that Xyolhemeylh was "divorced from the community it serves."

a. Which of the provincial review items listed do you think is most detrimental to the welfare of children? Explain.

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b. Did Doug Kelly do the right thing by resigning after the release of the report? Would he have been capable of continuing as manager of Xyolhemeylh based on the information listed in the report?

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4. Is Dan Ludeman right when he says that people are expecting child welfare to "make sure the children don't die"? Is this a realistic expectation? Explain your answer.

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## Video Review

After watching this video, carefully answer the questions on this page.

1. Who was Chassidy Whitford?  
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2. What happened on September 21 that changed the lives of Chassidy's mother and grandfather?  
\_\_\_\_\_
3. Who is Dan Ludeman? What is his job?  
\_\_\_\_\_
4. What was the goal of the child welfare agency known as Xyolhemeylh?  
\_\_\_\_\_
5. Who was Baby Andy? What happened to him?  
\_\_\_\_\_
6. How many children died on the Samson Cree reserve between August 1999 and April 2002? \_\_\_\_\_
7. What was the government's answer to the ills facing Native families in the 1960s?  
\_\_\_\_\_
8. What does the word *Xyolhemeylh* (Yoth-meeth) describe?  
\_\_\_\_\_
9. What were some of the early signs that Xyolhemeylh was in trouble?  
\_\_\_\_\_
10. What steps has the community taken to get the band elders involved in child welfare?  
\_\_\_\_\_
11. What does British Columbia Premier Gordon Campbell plan to do to improve Native child welfare?  
\_\_\_\_\_
12. By how much is the British Columbia child welfare budget scheduled to be cut? \_\_\_\_%
13. When does Premier Gordon Campbell plan to delegate child welfare to all First Nations? \_\_\_\_\_
14. Do you think discussing Chassidy in the Sto:lo way, through talking circles, will help Xyolhemeylh staff come to terms with her death? Why?  
\_\_\_\_\_
15. What is Dan Ludeman doing now?  
\_\_\_\_\_

# SAVING THE NATIVE CHILDREN

## *Death on the Reserve: The Tragedy*

**Did you know . . .** Canada's Aboriginal community is growing faster than the non-Aboriginal community? From 1996 to 2001, the Aboriginal population boomed by more than 22% while the non-Aboriginal population increased by only 3.4%.

The death of Chassidy Whitford served as a painful reminder of the tragedies that surfaced near Hobbema, Alberta, on the Samson Cree Nation reserve. Between August 1999 and April 2002, seven children—all under the care of the Samson Cree's Kasohkowew Child Wellness Society—died under what can only be described as questionable circumstances. Their heartbreaking stories are listed below.

**August 11, 1999** — Korvette Crier, 2, died after being assaulted by her foster mother, Deborah Kambietz, who lost her temper while trying to help the little girl put on her shoes. Korvette died the day after the assault due to severe head injuries. Korvette was placed in foster care by band child welfare workers. They chose the home of Deborah Kambietz, a woman who was running an unlicensed foster home. Kambietz eventually pleaded guilty to manslaughter charges and was sentenced to two years in jail followed by three years probation.

**September 13, 1999** — Shayleen Lightning, 3, died due to injuries suffered after a house fire at her home three days earlier. Shayleen woke her father, Perry Twoyoungmen, to warn him of the blaze. He jumped out the window to safety, leaving Shayleen and her sister behind. Twoyoungmen later pleaded guilty to failing to provide the necessities of life and was given a conditional six-month sentence and one year of probation. Investigators eventually discovered that child welfare workers failed to apprehend Shayleen despite Twoyoungmen's severe drink-

ing problem, the fact that the girl's mother was in jail, and that another fire, six weeks earlier, had destroyed the trailer where Twoyoungmen and his daughters were living.

**December 19, 2000** — Lonnie Thom, only eight weeks old, died due to an overdose of cough syrup.

**January 17, 2001** — Kristen Johnson, 7, died due to injuries suffered in a house fire. Kristen's family had been investigated by child welfare workers five times before her death. No file was ever opened on Kristen.

**March 10, 2001** — Helen Rose Rain, 15, a young woman who was a ward of the province under the parental control of the Kasohkowew Child Wellness Society, committed suicide. At the time of her death, child welfare workers had not spoken with Helen for over a month and did not know where she was living.

**July 19, 2001** — Aaron Bull, 1, choked to death on a balloon at a birthday party. Aaron was known to Kasohkowew based on an earlier investigation of the boy's mother. She was facing a jail sentence and they needed to find someone to take care of him.

**April 25, 2002** — Jarius Cabry, a baby of 10 months, drowned in the bathtub of his foster home.

Violence, neglect, and ignorance came together in Hobbema over a 32-month period. This tragic combination led to the deaths of seven children.

**Samson Cree Nation**

Population: 4800  
Children in protective services: 331  
Children in foster care: 274  
Children under the supervision of child welfare officials: 57

**Activity**

Work with a partner to create a memorial booklet for the seven children. On each page be sure to include the name of the child, the date that they died, the age of the child, and an Aboriginal symbol like the eagle's feather, the tree of peace, or a totem.

**Death on the Reserve: The Aftermath**

The day after the death of Jarius Cabry, the Minister of Children's Services for Alberta, Iris Evans, took away Kasohkewew's authority to manage child welfare in the Aboriginal communities that it served. The Samson Cree Nation responded by refusing to allow provincial workers to examine their case files. Amid the grief brought on by the deaths of the children, and the power struggle between the band and the province, the search for answers began. Soon it became clear that the problem rested in three areas. These included poor parenting, an overworked and overwhelmed child welfare agency, and a lack of co-ordination between government, both federal and provincial, and the Samson Cree Nation.

The inability of a parent to provide care for their child defies rational explanation. One child protection worker from Kasohkewew reported making 11 apprehensions in one day. The level of neglect of some children in the Samson Cree Nation can only be described as shocking. According to some, one of the main problems has to do with the parents' lack of basic parenting skills. This problem could be dealt with by directing funding into education and assistance programs for parents. Currently, the federal government gives the Samson Cree Nation \$12-million a year to run its child welfare system. That money has been designated for "child protection" pro-

grams like foster care. Some believe that the time has come for Ottawa to allow Aboriginal child welfare agencies to direct some of that money toward early intervention and education programs for families and parents.

The second problem revealed by the crisis on the reserve had to do with the Kasohkewew Child Wellness Society itself. Shortly after the deaths of Korvette Crier and Shayleen Lightning, a department review indicated that staff were coping with unmanageable caseloads. This led to extensive overtime, a high staff turnover and burnout, and an inability to keep up with paper work.

Kasohkewew staff felt they were being unfairly targeted for the deaths of the children. They claimed that a high percentage of the population they served abused alcohol and drugs, suffered in poverty, and were poorly educated. Violence and neglect were common on the reserve. Despite this, Kasohkewew staff were eventually reprimanded for their conduct. After the standoff over the case files, a compromise with the government was reached. A joint provincial and band review of 167 files revealed three areas in need of immediate improvement:

1. supervising of suicidal children
2. monitoring of foster homes
3. planning for the future of children

Clearly Kasohkewew staff were dealing with unique circumstances. The agency felt they needed more resources to do their job properly.

**Definition**

An ethnohistorian is a historian who studies the history of races and cultures.

So, from where would these resources come? The current administrative model has the federal government funding child welfare, the provincial government supervising programs, and the Aboriginal agencies delivering programs. The Samson Cree Nation claims that more funding would help them to staff and deliver programs more effectively. Others wonder why the Samson Cree, a First Nation that earns

oil and gas royalties beyond the money it receives from the federal government, have not directed some of their own resources toward child welfare. James Dempsey, an ethnohistorian from the University of Alberta's school of Native studies asks, "Why do we have a band that, on the books, is making lots of money but, when you look at it, is not any different from (poorer bands) in Alberta?"

**Questions**

1. What were the three problem areas said to have contributed to the deaths on the reserve?
  - i) \_\_\_\_\_
  - ii) \_\_\_\_\_
  - iii) \_\_\_\_\_
2. Do you think the funding for child welfare should be opened up to include early intervention and education programs? Would these types of programs work? Explain clearly.

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3. What do you think was the leading factor contributing to the deaths on the reserve? Why?

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# SAVING THE NATIVE CHILDREN

## News Data — Statistical Analysis

Review this statistical information with a partner before completing the activity that follows the statistics themselves.

**Further Research**  
Some sites that provide useful information about Canada's Aboriginal Peoples include the following: Indian and Northern Affairs Canada at [www.aic-inac.gc.ca](http://www.aic-inac.gc.ca) and Statistics Canada at [www.statscan.ca](http://www.statscan.ca).

- There are 1.4 million Aboriginal Canadians.<sup>^</sup>
- Ottawa spends \$7-billion dollars on Aboriginal Canadians, \$5-billion of which is directly transferred to First Nation reserves. That amounts to about \$40 000 per Native household or \$15 000 per Aboriginal Canadian.<sup>^</sup>
- The unemployment rate on Canadian reserves is 29%, almost four times the national average.<sup>†</sup>
- The life expectancy among Aboriginal people is six years shorter than the Canadian average.\*
- Suicide rates among Aboriginal people are five to eight times higher than the national average.\*
- Across Canada, six per cent of Aboriginal children on Canadian reserves were in government care (foster homes, group homes, or institutional care) in 2000-2001.\*
- In British Columbia, eight per cent of children are Native. Forty per cent of those children are in foster care. In northern B.C., that number jumps to 70 per cent.<sup>§</sup>
- Aboriginal children are 25 times more likely to suffer fetal alcohol syndrome than the world average.<sup>∞</sup>
- Tuberculosis rates among Native people are more than 10 times higher than the national average.<sup>∞</sup>
- About one in eight Aboriginal Native communities are threatened by unsafe water.<sup>∞</sup>
- Diabetes rates for Aboriginals are two to three times higher than for non-Aboriginals.<sup>∞</sup>
- Aboriginals over the age of 15 are about twice as likely to smoke.<sup>∞</sup>

<sup>^</sup> Source: *Calgary Herald*, May 24, 2002

\* Source: Indian and Northern Affairs Canada

<sup>†</sup> Source: Indian and Northern Affairs Canada and Statistics Canada

<sup>∞</sup> Source: Health Canada and the Assembly of First Nations (*National Post*, February 28, 2001)

<sup>§</sup> Editorial, *Vancouver Sun*, September 13, 2002

### Activity

1. Make a four-column organizer in your notebook. Organize the statistical information under the following headings:

**General Information / Health / Child Welfare / Social Conditions**

Note: Feel free to enter information under more than one heading.

2. a) Re-evaluate the statistical information listed above and rank the information from most important to least important.

Most Important

Least Important

1    2    3    4    5    6    7    8    9    10

- b) Explain why you selected one item as the most important.



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## *There Is Hope*

In spite of the severity of the challenges facing many Aboriginal communities, there is much evidence of success and progress. Some Aboriginal communities have taken matters into their own hands by fighting social disintegration with community activism.

Pikangikum, a First Nation located on the Manitoba-Ontario border, was given the title “Suicide Capital of Canada” in 2001 when seven young people killed themselves in the first half of the year alone. That put Pikangikum’s suicide rate at 38 times the national average. Once the nation’s attention shifted to the small town it became clear that many of the communities’ young people had developed a serious substance abuse problem. News stories reported that young people were sniffing gasoline in an area of town referred to as “Gasoline Alley.” The plight of the young was mirrored by widespread alcoholism among the adult population. It appeared that Pikangikum had slipped into despair. The mood of the community was summarized in bold red spray paint on the side of an oil tank that read “Welcome to Hell.”

The people of Pikangikum responded to the crisis in the summer of 2001. Alarmed at the suicide rate in their community, 100 residents marched 600 kilometres to Winnipeg to raise aware-

ness of the crippling social problems in their community. The citizens who participated in the march on Winnipeg made it clear that their isolation needed to end. Since Pikangikum could only be accessed by plane, community leaders asked politicians for new roads and infrastructure to unite them with other towns. Initial steps have been taken to begin to build these roads.

The march on Winnipeg was just part of the community rebuilding effort. With over half of the 2001 residents of Pikangikum under the age of 21, community leaders started designing programs to combat the hopelessness of the preceding year. People began to organize fishing derbies and floor hockey tournaments. They also started a Girl Power program. Forty-five girls joined the program, meeting four times a week to play broomball, floor hockey, and soccer. In the summer of 2002, 600 members of the Pikangikum community attended “Family Day,” sharing a festive meal after repainting the local school.

Although the problems in Pikangikum have not disappeared, the community has brought hope to a place once mired in despair. They have demonstrated that the best way to address the needs of its people is to build strong, cohesive, and united community bonds.

### Responding

1. Why do you think someone spray painted the message “Welcome to Hell” on the side of an old oil tank in the town of Pikangikum?
2. How have the efforts of community leaders contributed to improved child welfare in Pikangikum?
3. Make a list of the steps taken by the community to improve life in Pikangikum.

# SAVING THE NATIVE CHILDREN

## *The First Nations Governance Act*

"Accountability, transparency, democracy and the rule of law: These are the pillars that hold up civil society; these are the standards that citizens expect of government." — Peter Hadekel, *The Montreal Gazette*, June 20, 2002

The plight of Aboriginal children has struck the very heart of the Native self-government movement. While recent trends have seen federal and provincial governments recognize the Aboriginal right to self-government, the poor track record of some bands has hindered this process. There are several areas of concern:

### **Social Conditions**

The failure of some Aboriginal child welfare agencies to protect the interests of children is one area of concern. Many see the failures in child welfare as symptomatic of the brutal social conditions on some reserves.

### **Democracy**

Another area of concern is the election of chiefs and councillors on reserves. In some bands, voters feel they have limited say in elections. Some worry about an apparent culture of "vote buying" by people vying for seats on band executives.

### **Finances**

Financial mismanagement is also a major concern. Two cases illustrate this point: Chief Robert Horseman of Horse Lake First Nation in Alberta was paid \$439 425 in 2001, while many of his band lived in poverty. Workers at the Virginia Fontaine Native treatment centre in Manitoba were sent on an expensive Caribbean cruise in order to help them avoid staff burnout.

These concerns have given the federal government increased resolve to overhaul the Indian Act of 1876. Minister of Indian and Northern Affairs

Robert Nault recently introduced the First Nations Governance Act (FNGA). The goal of the FNGA is to bring increased transparency, greater accountability, and improved democratic processes to Aboriginal communities.

According to the federal government, the FNGA is long overdue. First Nations need legislative protection more suited to the 21st century than the 19th century statutes of the Indian Act. On a practical level, the government believes that the FNGA will improve the lives of average Aboriginal Canadians. New rules regarding the election of First Nations leaders will create more democracy within bands. The act will also make band finances a matter of public record. According to a summary of the FNGA, Native bands will need to follow standard accounting procedures and make their financial statements publicly available, providing a copy of the statements for a "reasonable fee" to anyone who is interested. According to Robert Nault, the Ministry of Indian and Northern Affairs consulted 10 000 grassroots Natives before drafting the legislation.

The Assembly of First Nations (AFN) has vigorously opposed the FNGA. They point to the federal government's poor track record in the area of Native affairs. For the longest time, the government's policy was "assimilation" of Natives into mainstream Canadian culture. This policy has had disastrous consequences. This is most evident in the attempted forced assimilation of Aboriginal children in residential schools. The injustices and abuses done to Aboriginal children during the residential school era has led to 11 000

**Further Research**

To find out more about the FNGA visit: [www.ainc-inac.gc.ca](http://www.ainc-inac.gc.ca).

To find out more about the AFN's objections to the FNGA visit: [www.afn.ca](http://www.afn.ca).

lawsuits levied against the federal government and the churches that ran the schools. It could cost the government and churches over \$1-billion to settle the claims. The AFN see recent efforts by the government as a renewed attempt to gain control of the Native people. They say that the new electoral procedures mandated in the legislation are not in line with Aboriginal customs. Claims by the government that the FNGA is modernizing the Indian Act are met by AFN leader Matthew Coon-Come's response, "One does not modernize colonialism. One rejects it." In the meantime, Coon-Come is encouraging bands to contribute to a \$6-million war chest to be used to oppose the

FNGA. He plans to bring international attention to the plight of Canada's Native people in the hopes of stopping the FNGA from becoming law.

It is difficult to predict what will happen next. The debate has forced observers to ask a number of questions. Is the FNGA about "good governance" or is it about federal control of Native affairs? Is the Assembly of First Nations opposed to the legislation because it is forcing Native bands to become more democratic and financially accountable or because it threatens their control of their own bands? The answers to these questions will become clear once this political drama plays itself out.

**Questions**

1. What are three areas of concern that some people have regarding Aboriginal self-government?

i) \_\_\_\_\_

ii) \_\_\_\_\_

iii) \_\_\_\_\_

2. What is the federal government planning to do to address these concerns? Be specific.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. What stand does the AFN have regarding the FNGA? Outline your response to this position.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# SAVING THE NATIVE CHILDREN

## *Complex Problems*

There is no question that Aboriginal communities are facing a number of complex social problems beyond the child welfare issues highlighted in this resource. Working with a partner, read the quotes on this page and state whether you agree or disagree with the author's perspective. Explain why you agree or disagree in the space provided.

### Did you know...

Canada's Aboriginal peoples were not given the right to vote in federal elections until 1960 and that many Native cultural and religious ceremonies were banned by the Indian Act until 1951?

"My studies have indicated that the labelling of indigenous peoples everywhere as backward, savage, and inferior to Western European society laid the foundation for genocidal practices which robbed Native people of their cultures, languages, and beliefs." — Elizabeth Lightning, PhD, Westaskiwin; *The Edmonton Journal*, August 14, 2002

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Why? \_\_\_\_\_

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"For band leaders to admit that they were failing and hand back control of foster programs to the 'white' system would be an endorsement of cultural genocide." — Paula Simons, *The Edmonton Journal*, August 4, 2002

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Why? \_\_\_\_\_

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"The kids are not the problem. The parents are the problem." — Prote Poker of the Health Commission of Davis Inlet, *The Montreal Gazette*, March 2, 2002

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Why? \_\_\_\_\_

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"Canada's Native affairs policy encourages Indians to remain in economically isolated hamlets; but thanks to paved roads, sedentary living, English television, liquor and a necessary government presence on every reserve, these hamlets are not nearly isolated enough to protect Aboriginal cultures." — Jonathan Kay, *The National Post*, December 8, 2001

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Why? \_\_\_\_\_

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"Any group of people would suffer if encouraged to adopt a way of life that is incompatible with self-enrichment. In Canada, we have offered Aboriginals free money—whether in the form of fiscal transfers and social assistance, or dressed up in the false dignity of 'land claims' settlements—and they have taken it and grown dependent on it." — Jonathan Kay, *The National Post*, December 8, 2001

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Why? \_\_\_\_\_

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# SAVING THE NATIVE CHILDREN

## **Activity: The Search for Solutions**

### Further Research

To find out more about a very successful aboriginal child welfare agency visit the Vancouver Aboriginal Child and Family Services Society at [www.vacfss.com/dea.html](http://www.vacfss.com/dea.html).

“They were our children. And we owe them a debt. We owe them the dignity, the courtesy, of instilling their lives with meaning. We owe them the promise that we will not let despair engulf us, that we will keep looking for solutions—not magic bullets that will solve

every problem overnight, but concrete steps to improve the lives of young Aboriginal people, from coast to coast to coast.” — Journalist Paula Simons commenting on the deaths of the seven children in Hobbema, Alberta; *The Edmonton Journal*, August 4, 2002

### Instructions

1. Form small groups.
2. Read and discuss the quote by Paula Simons. Your task is to outline some “concrete steps” that can be taken to improve the lives of Aboriginal young people and their communities.
3. Copy the following organizer into your notebook. Brainstorm the challenges, effects and possible solutions that Aboriginal communities are facing in each area noted in the columns. Try to come up with as many examples as possible for each challenge area. A sample has been provided for you in the organizer.

Challenges	Effects of Challenges	Possible Solutions
<b>Social Challenges</b> • alcohol and drug addiction		
<b>Political Challenges</b> • division over the First Nations Governance Act		
<b>Financial Challenges</b> • dependence on Ottawa for money		

4. In your view, which is the most important challenge to meet and why? Is there anything positive that non-Aboriginal Canadians can do? Explain.