

African Canadians in Child Welfare: Need for Application of Best Interest Considerations

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Some Propositions

- To understand contemporary challenges in child welfare one must have some understanding of its history
- Overrepresentation of African Canadian families in child welfare is best explained by systemic anti-Black racism
- Progressive principles such as “best interest” will only result in good outcomes if implemented through an anti-oppressive and culturally competent lens

Child Welfare “Eras”

- Responding to gross cruelty – prior to late 19th C.
 - Children were chattel but even livestock needed to be protected from “gross cruelty”. (1870-1925 importation of child agricultural workers)
- The advent of childhood and the requirement to protect
 - Industrialization, formal child welfare agencies, enforced “community standards”. Child welfare defined by “charitable” middle class values.
- The advent of professional child welfare – c. 1980’s
 - More professionalism, clearly defined “risks”, introduction of “principles” in the form of preambles
- Expansion of protection – seen in recent changes

Child Welfare Blind to Effect on Racialized and Aboriginal Peoples

- Sixties Scoop well documented in Canadian Child Welfare
- Overrepresentation of African Canadian Children in Child Welfare less studied
- Effects are clear:
 - 2000-2002 40% of 76,000 children in care in Canada were Aboriginal
 - In Manitoba 80% were Aboriginal
 - In Ontario The Child Welfare Anti-Oppression Roundtable (2009) found that 65% of children in GTA were Black
 - Nova Scotia Home for Coloured Children Restorative Inquiry about to embark on study of child welfare

Failure of Principles

- AND WHEREAS children have a sense of time that is different from that of adults and services provided pursuant to this Act and proceedings taken pursuant to it must respect the child's sense of time;
- AND WHEREAS the preservation of a child's cultural, racial and linguistic heritage promotes the healthy development of the child:

Recent Changes to CFSA Nova Scotia

Evidence of Failure

- Promote Early(ier) Intervention
 - Allows broader definition of risk which will expand the scope of child welfare intervention
- Provide voluntary services to young people . . . On the cusp of adulthood
 - Rather than use voluntary services expanded the definition of a child
- Increase the availability of secure treatment
 - In absence of current disproportionate presence of racialized and aboriginal children in secure care

The Need

- Thorough analysis of the effect of CURRENT child welfare practice on racialized and Aboriginal children and families
- Establishment of a standing working group on Aboriginal and African Nova Scotian Child Welfare
- Development of targeted services for Aboriginal, racialized and African Canadian children and families
- Integration of these considerations into the ongoing work of the Nova Scotia Home for Coloured Children Restorative Inquiry

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