TRANSFORMING CHILD WELFARE

Interdisciplinary Practices, Field Education, and Research

Voices from the Prairies

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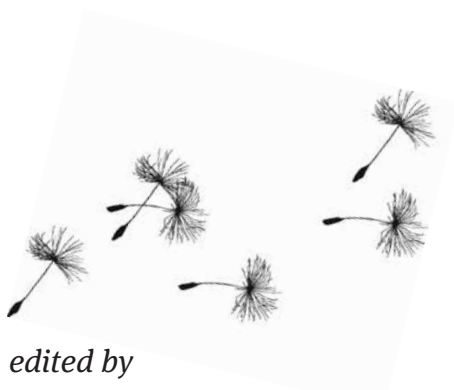*Passion for Action in Child and Family Services* (2009)

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Voices from the Prairies

edited by

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This book is dedicated to those who care for and work with children. We must go forward with care, community, and compassion in striving for what is best for children and families, keeping in mind human rights and justice. The time for transformation in child welfare is here.

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Foreword

Brad McKenzie

"Wicked problems" are problems that are difficult to solve because they have a high degree of complexity, and the circumstances surrounding them are somewhat unique. Each solution gives rise to a new problem; thus, problems must be resolved over and over again without the ability to apply a commonly recognized model or blueprint (Rittel & Webber, 1973). Child abuse and neglect are wicked problems, and in the last national study conducted in Canada in 2008, more than 235,000 allegations of child maltreatment were identified (Public Health Agency of Canada, 2010). The rate of children in care in Canada is among the highest in the developed world (Thoburn, 2007), and the disproportionate rate of Indigenous children in care, particularly in Western Canada (Sinha, Trocmé, Blackstock, MacLaurin, & Fallon, 2011), is a national tragedy. The child welfare system is under intense public and media scrutiny, yet efforts to protect children and support families continue to be confronted by constraints in funding, poorly coordinated service responses, and challenges in training and retaining professionals. An even more important issue is the inadequate systemic response to the structural causes of child maltreatment, including poverty, poor housing, and racial injustice, which in the case of Indigenous children and families are related to the legacy of residential schools and other forms of colonialism. The plethora of special studies and inquiries have, at best, resulted in modest changes in service delivery or funding, and too often these are accompanied by new procedures and requirements for compliance that seem to impede rather than support best practices that both protect children and support families. Meanwhile, our search for a single best practice model in child and family welfare, like the search for the Holy Grail, continues in vain.

If the child welfare system and allied professions like education, health, and justice are really addressing wicked problems, it will be apparent that there is no single best practice model. Instead, we must focus our efforts on creating multiple best practice solutions oriented to the issues presented in different contexts. This is the goal of the chapters selected for this book on *Transforming Child Welfare: Interdisciplinary Practices, Field Education, and Research*, which are based on topics presented at the 2014 symposium of the Prairie Child Welfare Consortium. Reflecting the theme of *transformative change* by building on strengths, engagement through empowering relationships, and the integration of research evidence with practice knowledge and experience, these chapters identify some of the pathways to follow in dealing with the wicked problems found in the child welfare system.

The messages in these chapters resonate with four other developments in the field of child and family welfare that give me cause for "hope and optimism" – to borrow a phrase from the late Jack Layton. First is the report of the Truth and Reconciliation Commission of Canada (2015) on residential schools and its ninety-four recommendations that outline a model for reconciliation between Indigenous and non-Indigenous Canadians. The current Liberal government of Canada has voiced support for these recommendations, and thirty-seven of these recommendations focus on ways to address some of the disparities in the education, child welfare, health, and justice systems affecting many Indigenous people. If implemented, these actions will make a difference. Second is the January 2016 ruling by the Canadian Human Rights Tribunal that the federal government has discriminated against First Nations children in funding for children's services on reserves for decades (Rabson, 2016). We can despair that it took a long legal challenge to overcome resistance from the Harper Government to this basic human right; at the same time, a new-found commitment to address this disparity will also make a difference. Third is the slow but growing realization that a differential or alternate response to working with families receiving child welfare services is required where more emphasis is placed on supportive engagement with families and collaboration with other community services as a first response to allegations of abuse and neglect. This trend is consistent with more attention to other innovations, such as customary care in Indigenous communities. Fourth is evidence that the responses to shortcomings in the child welfare

system, which at the most serious level result in the death of a child, have often focused disproportionately on introducing more rules and procedures to ensure increased policy compliance. Too often the result has been to overbureaucratize the service delivery system and divert attention away from professional judgment and the development of more creative service responses (Munroe, 2011). Accountability is important, but Munroe also calls for the need to build a learning culture within service organizations that supports the development of more flexible programs, knowledge based on reflective practice, and collaboration among service providers.

The chapters in this collection are consistent with these general themes but give more specific attention to solutions to various aspects of the wicked problems underlying a number of our responses to child and family welfare in our communities. One chapter gives specific attention to child rights and another describes the experiences of racialized workers' perspectives in working with diverse families. Four chapters highlight the importance of engaging more directly with service users. For example, there are two selections that focus on building client-worker alliances within a harm reduction strategy, another that describes methods of strengthening children's capacities to cope with separation and loss, and a chapter that examines the experiences of women with learning difficulties who have been criminalized. The theme of positive engagement is also evident in several chapters that connect research to collaborative practice across systems. These include chapters that discuss research in and with First Nations communities, community-based research in HIV training for child welfare workers, community-engaged research with youth transitioning from care to emerging adulthood, and the need for continuing collaboration in developing distance education courses that support child welfare practice among partners to the Prairie Child Welfare Consortium. Finally, three chapters focus specifically on developing solutions that support better services for children affected by fetal alcohol spectrum disorder (FASD) in the child welfare system. The high rate of children in care affected by FASD and the high social and economic costs associated with this disability makes this issue one of the most important to address in reducing the disparity in outcomes between children and youth in the child welfare system and those in the general population.

Responding to the wicked problems associated with child maltreatment by building on the four major developments in the field I have summarized,

and expanding the implementation of best practice solutions described in this volume will not be easy. Many of these promising solutions remain in their formative stages. Broader application of these approaches and the importance of ongoing collaboration to connect these solutions to structural responses that will more effectively address problems of poverty, marginalization, and racial injustice are required, and this demands a strong and continuing commitment to advocacy both within and beyond the child welfare system. It also requires a special focus on building relationships with partners who will prioritize principles of equity and social justice in programs and services for our most disadvantaged children and families.

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From the Editors

We are very delighted to bring you this book, *Transforming Child Welfare: Interdisciplinary Practices, Field Education, and Research*. It is the fifth publication of the Prairie Child Welfare Consortium (PCWC) in our Voices from the Prairies Series. It is strongly supported by the faculties of social work at the University of Calgary, University of Manitoba, and University of Regina, as well as the Saskatchewan Federation of Indigenous Nations, Canada First Nations University Social Work Program, and the Alberta Centre for Child, Family and Community Research.

The chapters in the book represent a selection of some of the outstanding presentations made at the Prairie Child Welfare Consortium's eighth biennial symposium, Celebrating Child Welfare Transformations: Interdisciplinary Practices, Field Education and Research, held in Saskatoon, Saskatchewan, on October 1–3, 2014. Individuals attending previous PCWC symposia (Saskatoon, 2001; Winnipeg, 2003; Edmonton, 2005; Regina, 2007; Winnipeg, 2009; Edmonton, 2012) emphasized the great importance of sharing information about programs, policies, and initiatives found to be supportive and effective when working with at-risk children and families. Also, individuals attending previous symposia have emphasized the urgent need to reawaken the passion for action to reduce the growing rates of child maltreatment and increased number of children coming into care. The past symposia have highlighted the need to reinvest in families to strengthen and support them to provide safe nurturing environments for children.

Previous symposia have identified the need for the development of innovative programs based on Indigenous Knowledge and methods. In addition, they have pointed to the need to develop evidence-based, culturally appropriate, anti-oppressive practice to ensure that well-intentioned policy, programs, and intervention do no harm but continue to

evolve to provide effective services to children and families at risk to child maltreatment.

The PCWC symposium in 2014 aimed to create opportunities where child welfare stakeholders could engage with current knowledge and each other to forge partnerships in support of transforming child welfare practice and research. It also aimed to enhance capacities to build effective networks and collaboration across disciplines and jurisdictional boundaries. The symposium organizers believed it was important that the seventh biennial PCWC symposium continue to work toward child welfare transformation by engaging diverse groups of researchers, practitioners, and community representatives in the sharing, analysis, brainstorming, knowledge creation, and application of child welfare best practices. In addition, the symposium provided an opportunity to promote child welfare transformation through knowledge exchange and showcased innovations within the field of child welfare and field education training across disciplinary and jurisdictional boundaries. Further, the symposium provided a mechanism to promote and foster specific cross-sectorial collaboration among child welfare service providers, as well as promote scholarly research and human resource development.

The program for the 2014 PCWC symposium was designed around the main conference theme of Celebrating Child Welfare Transformations: Interdisciplinary Practices, Field Education and Research. This theme reflected a call to keep advancing the progressive changes that are occurring in child welfare and to chart new directions for the future. The selection of this theme built upon the themes of previous symposia so as to encourage stakeholders to recognize the progress that has occurred, especially with regards to interdisciplinary collaboration, field education, and research in child welfare.

Securing a brighter future for children and families requires co-operative and collaborative planning between child welfare and other systems to better serve and support families. This book has attempted to capture the spirit and commitment of the symposium participants to transform the child welfare system through co-operative, collaborative, and innovative interdisciplinary and intersectoral policy, program, and practice initiatives.

Consistent with the mandates of the PCWC, this book is intended to convey the work of presenters who were able to dedicate time and energy to the difficult task of presenting their experiences, ideas, and research

in print form for publication purposes. The outstanding contributions that have resulted reflect the dedication, commitment, and passion of the authors to create a child welfare system that effectively helps children and families grow and thrive.

The introduction to the book outlines holistic perspectives that promote co-operative and collaborative interdisciplinary and intersectoral approaches. We maintain that these approaches are necessary for the transformative changes that actually contribute to the welfare of the child and families. The first chapter of this book examines the changes that have been brought about since the United Nations Convention on the Rights of the Child. Marvin Bernstein, the director of UNICEF Canada, concludes, "There is much yet to be done." As the world marks the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child, we must continue to work toward full implementation of the convention in Canada. Bernstein indicates, "Ultimately, we must find creative and transformational ways to work together in partnerships."

The PCWC is a tri-provincial and northern multisector, cross-cultural child and family services network representing university educators, government, First Nations, and Métis in-service training and service delivery administrators. Members of the network are dedicated to working together collaboratively for the purpose of strengthening and advancing education and training, policy, service delivery, and research in aid of children and families in need across the Prairie provinces. The development of the PCWC has been profoundly influenced by Aboriginal and Métis peoples and agencies deeply concerned with the escalating numbers of their children and youth in the care of the state. This influence permeates the PCWC's vision, mission, and goals, which are directed toward ensuring that child and family services in the Prairie provinces and the North meet the needs of the children, families, and communities they support. Working together across many levels and sectors, the PCWC partners seek to influence, advocate, and change education, training, research, policy, and practice/service delivery through collaboration, innovation, and partnering. Ensuring respect for the needs of Aboriginal communities in the delivery of child welfare services is fundamental. In this quest, the PCWC seeks affiliation with other national child welfare bodies for joint initiatives that would further the PCWC mission and present a Prairie/northern perspective at the national level.

It is the intention of the editors and the authors of this book to help strengthen the child welfare community in Canada by adding to its distinctive body of child welfare knowledge. Further, it is our hope that the perspectives contained within this book will help foster child welfare transformations that lead to effective collaborative and co-operative inter-disciplinary and intersectoral policy, programs, and practices that work to strengthen families in a supportive culture and community. As always, the ultimate goal is to provide safe and healthy environments for children to grow and thrive in, free from the risks of maltreatment.

—*Monty Montgomery, Dorothy Badry, Don Fuchs, and Daniel Kikulwe*

Acknowledgements

This book represents the interprovincial collaboration among the Prairie Child Welfare Consortium partners: the universities of Manitoba, Regina, and Calgary, and the First Nations University of Canada. It would not have been possible without the contribution of many people and, as editors, we would like to thank each of them for their hard work and support. We must begin by acknowledging the outstanding contributions of the chapter authors, whose expertise, wisdom, and patience with the editing process have created a manuscript that will benefit the field of child welfare research and practice. The chapters reflect the breadth of the authors' considerable experiences as social work practitioners in the field of child welfare, and as researchers, program planners, curriculum developers, and academics. Readers can learn more about the chapter authors in the Contributors section of the book.

The following people served as peer reviewers and provided feedback and suggestions on the chapters. Their comments helped sharpen the focus and the key messages emerging in each chapter and we are sincerely grateful for their input: Dorothy Badry, Linda Burnside, Don Fuchs, Deborah Goodman, Yahya El-Lahib, Therese Grant, Les Jerome, Daniel Kikulwe, Kathy Levine, Audrey McFarlane, Denise Milne, H. Monty Montgomery, Nancy Poole, Christine Walsh, Chris Wekerle, and Alex Wright.

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contributed substantially to the overall quality of the book.

We wish to acknowledge the time and commitment of the planning committee members of the PCWC's seventh biennial symposium held in Regina, Saskatchewan, on October 1–3, 2014. Particularly, we would like to acknowledge Monty Montgomery and his colleagues for their work in organizing the Saskatchewan symposium. We acknowledge that the presentations from the Regina symposium have formed the basis of the chapters contained in this book. We also acknowledge Brad McKenzie for writing the foreword to this fifth book in the PCWC series.

We wish to thank the faculties of Social Work at the University of Calgary, University of Manitoba, and at the University of Regina for providing us with the encouragement and administrative infrastructure support to carry out much of the work of this book. The editors had valuable assistance from a number of people within their universities.

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Introduction

H. Monty Montgomery

Opportunities for cross-organizational networking and interdisciplinary cross-pollination such as what typically occur at the biennial Prairie Child Welfare Consortium (PCWC) symposia still remain elusive across the field of child welfare across Western Canada, despite increasing calls for interprofessional collaboration, collaborative research, and wrap-around approaches to service delivery. Realizing that opportunities to gather together in person are limited, the organizing committee that planned and coordinated the 7th Biennial Prairie Child Welfare Symposium held in Saskatoon, Saskatchewan, in 2014 sought to create venues for knowledge sharing between a wide range of individuals and organizations that collectively hold much interest in the safety, health, and well-being of children and youth. Presentations at the conference were geared toward an audience of child welfare workers, children's rights activists, academics, program administrators, and substitute caregivers from the child-serving systems across Western Canada. During the October 2014 conference, over 250 registrants from First Nations, governmental, and community-based organizations sat alongside one another in a culturally safe and neutral space where matters of common interest were introduced and discussed with sensitivity, thoughtfulness, and respect.

Based on feedback from previous symposia and the overall objectives of the constituent members of the Prairie Child Welfare Consortium steering committee, the theme of the 2014 PCWC symposium was Celebrating Child Welfare Transformations: Interdisciplinary Practices, Field Education and Research. Although we understood that many people (including some of our colleagues) may not feel that there is much to "celebrate" about child welfare currently, the organizing committee settled upon this title because we knew

that positive change *is* happening within child and family services across the Prairies, Canada, and internationally. As individuals holding considerable knowledge and lived experience with the multidimensional nature of child welfare practice, policy, and research, the organizing committee members sought opportunities to spotlight evolving practices and programs that rarely are given opportunities to tell their own stories but instead remain inflexibly cast in widespread public narratives that arise alongside too frequent incidents of tragedy, misfortune, and political miscues. The symposium organizers recognized that at times when the public and elected representatives are demanding change there is always something to criticize. However, the organizing committee also knew that unless purposive steps are taken to recognize the incremental and substantive initiatives that are occurring daily to improve child welfare services, cynicism and disillusionment could easily supplant evidence-based narratives of success.

Following upon the success of the 2014 symposium, the PCWC steering committee collectively agreed to support the development of a fifth volume in the Voices from the Prairies book series that could draw upon the conference's overarching theme of discussing multiple dimensions of transformational change that have been gradually retooling the roles and functions of people and organizations who are touched by child welfare across Western Canada. Conference presentations spoke to the transformational power of healing and truth telling among service users and practitioners alike. Other presentations demonstrated how scholarly research can document evolving social phenomena and provide evidence in support of updated policies and programming. Some presenters spoke to changes in policy directions that have occurred over time, and their visions for future improvements. And still others spoke to the possibilities for transformation that can occur through well-designed training, professional development, and higher education. These four dimensions of transformative change were identified as the main thematic tracks for the 2014 PCWC symposium.

The variability of transformations that are occurring within social policy, interpersonal relationships, scholarly research, and adult education is also used as a guiding framework for this book. The four conference thematic tracks established for the 2014 symposium organically replicated themselves in the submissions that were received in response to the invitations that the co-editors of this volume distributed to the conference presenters following the conclusion of the event in 2014. Accordingly,

the chapters of this book have been grouped together into four sections: policy, practice, research, and teaching.

Each section is comprised of two or more complementary chapters that introduce and discuss varying dimensions of contemporary research and thinking taking place within the child welfare domain. Individually, the chapters articulate the distinct author's subjective positioning with, knowledge of, and philosophical orientation toward the subject matter. Although separate chapters have been grouped together for presentation in this book, each chapter is the author's own scholarly exploration of a topic related to transformational change within child welfare. Academic peers who possess subject matter expertise on the topic have reviewed each chapter. Each chapter therefore stands on its own and should not be read as either an endorsement of, or critique of, any other chapter presented in the same section or elsewhere in the book. Every vision of transformation – like beauty – is in the eye of the beholder, and we ask readers to bear this in mind as you engage with the diverse portraits of transformation that are presented throughout this volume.

The first section of this book comprises three chapters that focus generally on transformational change at the organizational and policy levels. Chapter 1 was written by Marvin Bernstein as an adaptation of a keynote speech he gave to the 2014 PCWC symposium audience. The broad focus of this chapter relates to the need to increase the integration of children's rights within child welfare legislation, policy, and practice. Drawing our attention to the twenty-fifth anniversary of the 1989 endorsement of the United Nations Convention on the Rights of the Child, Bernstein presents a synopsis of the social policy shifts that the convention initiated within Canadian legislation and jurisprudence over the intervening years. Much has changed for the better, but much more still remains to be done if child welfare systems and practice in Canada are to be transformed to better respect children's rights.

Judy Gillespie, who identifies issues with and opportunities for increased interprofessional and interdisciplinary collaboration within the field of child welfare services, wrote Chapter 2. To what extent, Gillespie asks, are common understandings of child welfare actually commonly held and understood? The chapter details and decries the dearth of literature regarding how university-trained professionals work with, communicate, and understand their complementary functions across the complex

and interrelated client-serving systems that comprise modern child welfare services. New pathways for transforming interprofessional relationships can be opened by generating and disseminating more research into "core" child welfare knowledge, and the methods by which it is acquired. The development of common knowledge among professionals working with children and families involved with child welfare systems must occur across all disciplines, organizations, and sectors.

Chapter 3 was co-created by an Indigenous author group who presented as a plenary panel to the 2014 symposium. The co-writers of this chapter—H. Monty Montgomery, Margaret Kovach, and Shelley Thomas Prokop—speak to their collectively held thoughts on transforming relationships between scholarly researchers and Aboriginal communities. Drawing upon the spoken words of Elders A. J. and Patsy Felix, the co-author group present key factors that ought to be taken into consideration by people interested in research study design, research ethics, data collection, and authentic representation of Indigenous voice in child welfare research. This chapter provides an overview of the contemporary relationship that many First Nations have with social science research, the role that an Indigenous Research Advisory Committee can take in guiding ethical research activities, and Elder teachings that speak to the steps that individuals can take to initiate and conduct research in a respectful and good way.

The second section of this book presents three chapters that aim to foster transformational change in the actions of child welfare practitioners, managers, and administrators. Chapter 4 discusses the observations of author Peter Choate on the sensitive topic of publicized child death reviews. Choate's extensive research examines numerous reports that have generated significant public attention and outrage. In an effort to apply the findings of practice reviews toward improving child protection practice, the author systematically identifies a set of recurring themes that have been articulated in reports that found that preventable practice errors had occurred. The chapter concludes with recommendations for remedial action that aim to address systemic public policy and educational gaps within existing child welfare policy. This chapter prompts calls for practice transformation via a series of recommendations directed at social work educators, practice professionals, and policy-makers.

In Chapter 5, author Sharon McKay calls attention to the everyday discourse of child welfare practitioners as they interact with children who

have come into care. She asserts the importance of paying careful attention to the language being used when interacting with younger people who rarely have any substantial say over their living circumstances. McKay's writing acknowledges the significance of roles enacted by front-line practice teams, and the need for careful scripting of face-to-face interactions with the young people with whom they interact. Caseworkers, assigned foster/group home parents, agency supervisors, and others in immediate contact with children in care should be conscious that the language they use is crucial to helping children in temporary or permanent care to maintain strong senses of identity and connectedness to family members.

Chapter 6 explores theoretical and pragmatic implications for transforming child welfare practice with high-risk children and youth. In asking readers to consider shifting current casework practice toward a model founded upon harm reduction principles that suit this vulnerable population, author Peter Smyth presents a compelling argument for change. Smyth draws upon contemporary harm reduction literature and real practice scenarios in order to illustrate a vision of youth work that utilizes proven strength-based methods to enhance relationship building and trust between workers and young people. Informed by principles of social justice and a sincere motivation to recalibrate relationships that are frequently strained, Smyth enunciates a heartfelt model for transformed practice that resonates with potential and hope for both workers and youth alike.

The overarching theme of the third section of this book draws attention to contemporary research associated with the broad range of phenomena, practices, and experiences that comprise the field of child welfare. Disciplined research—whether applied, experimental, confirmatory, or exploratory—has much to say about the past, present, and future of child welfare across the Prairie provinces, nationally, and internationally. The information obtained through the structured sampling, data collection, and analytic practices of researchers, analysts, adjudicators, and evaluators frequently shapes government and community-based organization programming and policy decisions. Thus, in turn, research conducted today may create significant impacts for current and prospective child welfare service users in the future. Clearly, ethically based and well-designed quantitative, qualitative, and mixed-method studies create evidence that can be a catalyst for transformational change for individuals and social service organizations.

Chapter 7 presents the findings of a study undertaken by Don Fuchs and Linda Burnside, who examined the prevalence of fetal alcohol spectrum disorder (FASD) and in utero exposure to alcohol among children in care. This study adds to the established history and proven utility of quantitative research designs that can generate new knowledge in support of change within the field of child welfare. The authors' findings are based on their secondary analysis of data held within child welfare administrative databases. These findings provide a clear illustration of the usefulness and reliability of accurate and consistent electronic information as a source of evidence upon which to guide quality-improvement initiatives and programmatic decision making. Such administrative databases are vital to contemporary child welfare practice, and this chapter provides a clear illustration of the importance of accurate data entry, coding, and data integrity procedures. This study documents existing challenges and illuminates significant and practical opportunities for improving the outcomes for children with persistent disabilities who receive services from child welfare systems across Canada.

The research that underpins the content of Chapter 8 demonstrates the contribution that well-designed and respectfully enacted qualitative research can make to the field of child welfare. Consistent with many studies that utilize community-based research methods, this chapter presents an example of one tangible output of research methodologies that anticipates the co-creation of knowledge. Co-authors Saara Greene, Doe O'Brien-Teengs, Gary Dumbrill, Allyson Ion, Kerrigan Beaver, Megan Porter, and Marisol Desbiens describe persistent and particular impacts of HIV on women and mothers living in Canada and draw attention to the intersection of HIV and child welfare. In a pragmatic effort to address clearly articulated and commonly held issues, the chapter's co-authors describe their motivation to build upon the strengths, interests, and capabilities of a local population of HIV-infected women in order to inform students and helping professionals on how to better meet these women's unique needs. By building upon the expertise of those most affected, the authors demonstrate the transformational potential that may be activated within human beings when their lived experiences are heard, valued, and translated into purposive action.

Chapter 9 underscores the capacity of qualitative research methods to mobilize individual curiosity as a means of exploring and documenting

emergent social phenomena that may otherwise remain marginalized within established scholarly and professional discourse. The content of this chapter is based upon graduate research conducted by Daniel Kikulwe for his social work doctoral degree that he received in 2014. Kikulwe's qualitative study explored the experiences of Canadian-born and foreign racialized workers who are increasingly finding employment within the child welfare systems across Canada, while within other domains of their lives they find themselves and their own families experiencing marginalization due to their physical characteristics, accents, and surnames. Points raised within the chapter speak to many rarely voiced dimensions of professional practice, including issues of identity, insider/outsider dilemmas, stereotypifying reification, and the erasure of difference. In creating a platform from which the embodied truths of marginalized workers/people may be expressed, Kikulwe offers hope for transformation within Canada's helping systems in directions that simply may not have even been considered by previous generations of activists, policy-makers, and administrators.

In Chapter 10, co-authors Marie Lovrod, Darlene Domshy, and Stephanie Bustamante give voice to a population that is especially impacted by child welfare policy and practice: youth who are transitioning out of government care. Drawing upon their thematic analysis of conversations with Saskatchewan-based young people who are particularly vulnerable to the arbitrary decision making of adults unrelated to them, the authors of this chapter identify ten domains within which helping professionals could benefit from increased awareness and professional development. By designing and conducting research in ways that provide safety for youth to voice their experiences of lives lived in transition and that empower youth in care to share their visions of better practice, the researchers created conditions conducive to the emergence of substantive new knowledge. As described in the chapter, this collaboration has led to the development of curricular materials intended to assist current and future youth workers with transition planning and follow-through with young adults as they exit the child welfare system.

Chapter 11, as with the other chapters in this section, documents an altogether different set of perspectives than those presented elsewhere in this book. In their chapter entitled "Narrative Threads in the Accounts of Women with Learning Difficulties Who Have Been Criminalized," co-authors Elly Park, David McConnell, Vera Caine, and Joanne Minaker draw

upon the self-voiced experiences of participants involved in an eighteen-month narrative inquiry study into the lives of women with learning disabilities who had become involved in the criminal justice system. The wealth of experiences expressed in the words of the participants provides insights into the lives of individuals whose lives are frequently marked by uncertainty, stigma, and social exclusion. Collectively viewed, the powerful narratives referenced in this chapter call attention to the need for a retooling of contemporary programming of service models that are capable of and willing to foster individualized support plans tailored to each service user's unique challenges and obstacles. Such planning is especially important when working with women in their childbearing years, and those who have already become mothers, whose life paths will see them returning to risk-filled social environments where helpful supports may not be as readily available or as trustingly accepted.

The final section of this book focuses broadly on the transformative potential of education (teaching) within child welfare. In keeping with one of the key purposes of the Prairie Child Welfare Consortium—i.e., preprofessional education and practitioner training—the co-editors have designated the concluding section of this volume to author groups whose writing speaks to the pedagogic domains of child welfare service delivery. When practitioners and instructors engage with each other and purposively selected curricular resources, practice can indeed shift. It is no surprise that many calls to action and recommendations arising from external child welfare practice and program reviews call explicitly for more/better training of helping professionals. This concluding section presents two chapters that detail the critical necessity of creating and utilizing accurate and timely curricular materials and pedagogic methods as catalysts for individual learning and organizational change.

Chapter 12 details the development and efficacy of a set of publicly available curricular resources produced to address issues related to and emerging from in utero exposure to alcohol. Co-authored by Dorothy Badry, Deborah Goodman, and Jamie Hickey, the chapter documents the development and implementation of an online public education curriculum funded by the Public Health Agency of Canada. The online curriculum is directed toward altering public misperceptions of alcohol use during pregnancy and ameliorating the social impacts upon children who exhibit symptoms of FASD. Many of the resources were designed to

provide accurate and practical information to caregivers who may not otherwise have ready access to opportunities to systematically improve their knowledge, understandings, and skills relating to young people with whom they regularly interact. This chapter describes the content and target audiences of the self-directed Caregiver Curriculum on FASD, the method by which resources are being delivered, and the growing usage of the materials since the resources were published online in 2014.

Jim Mulvale, the author of Chapter 13, brings a faculty administrator's perspective to the final chapter in this book. As a contributor to the scholarship of teaching and learning, Mulvale draws upon established social justice principles that anticipate emancipatory and transformational change as students and instructors interact with each other and curricular resources in classroom and field-based settings. In this chapter, the utility and effectiveness of distance-learning pedagogy and technology as a means of educating child welfare professionals is discussed. The chapter recognizes and examines the work done to date by the e-learning committee of the Prairie Child Welfare Consortium; proposes extending and enhancing this work to reach more students, practitioners, and researchers; and maps out challenges facing administrators, curriculum developers, and instructors involved with the delivery of the PCWC's e-learning courses that are offered between universities in the provinces of Alberta, Saskatchewan, and Manitoba.

Collectively, the thirteen chapters in this book provide significant insight into some of the most pressing issues for child welfare research, policy, practice, and training across Canada. The work of the co-editors and the contributing authors has documented a range of significant dimensions and innovative practices that may well shape the child welfare theories, practices, and services of tomorrow. It is not a road map for change that is presented here but rather a digital snapshot of where child welfare scholarship currently stands. Much like the sepia-toned photographs created using technology of yore, such time-stamped snapshots create important documentary evidence against which change—both incremental and transformative—may be measured by future generations of children, families, policy-makers, scholars, and practitioners. Change is a great teacher.

Policy

Honouring the Twenty-Fifth Anniversary of the United Nations Convention on the Rights of the Child: Transforming Child Welfare in Canada into a Stronger Child Rights-Based System

Marvin M. Bernstein

This chapter is based on the Prairie Child Welfare Consortium (PCWC) symposium keynote presentation I gave in October 2014, on the topic of honouring the twenty-fifth anniversary of the United Nations Convention on the Rights of the Child, hereinafter referred to simply as "the Convention" or the UNCRC. My position as the chief policy advisor for UNICEF Canada has provided me with access to scholarly research into this topic area. Although UNICEF Canada is based in Ontario, it transcends provincial boundaries and geographic regions of Canada. UNICEF Canada engages with all levels of government and with other partners to promote the rights of children everywhere in Canada and to advocate for the implementation of the principles set out in the Convention. UNICEF is the only organization named in the UNCRC as a source of expertise for governments.

In keeping with the theme of the 2014 PCWC Symposium — Celebrating Transformations in Child Welfare — this chapter describes the role that the UNCRC has played in transforming child welfare across Canada, especially with respect to strengthening the rights of children. The five key themes of this chapter are as follows:

1. the important functions of the UNCRC in advancing children's rights;
2. the progress made within Canada since adoption of the Convention twenty-five years ago;
3. an overview of the current state of Canada's children;
4. the current challenges impeding full implementation of the UNCRC across Canada; and
5. what action steps still need to be taken to fulfill the original vision of the Convention.

What Is the United Nations Convention on the Rights of the Child?

Before moving ahead with the discussion on the state of children's rights within Canada, it is useful to first refamiliarize readers with some background information on the Convention itself. The UNCRC was adopted by the United Nations General Assembly on November 20, 1989. Canada became a signatory to the Convention in 1990 and ratified it in 1991. The UNCRC is the most widely and rapidly ratified international human rights treaty in history, and, as of 2016, it has been ratified by 196 nations. Only the United States has failed to ratify it. It was once described by the late Nelson Mandela (2000) as "that luminous living document that enshrines the rights of every child without exception to a life of dignity and self-fulfillment."

The UNCRC is comprised of fifty-four separate articles, forty-two of which are substantive. These articles bring together civil, political, economic, social, and cultural rights for children. Children's rights are often clustered for descriptive purposes under different themes, such as rights of provision, protection, and participation. The Convention aims to protect and support children in all areas of their lives and provides a comprehensive framework for the basic conditions of good childhood. With respect to age parameters, the Convention covers the rights of children from birth to age eighteen.

There are four guiding or general principles enshrined in the UNCRC that are meant to assist with the interpretation of the Convention as a whole and thereby guide national programs of implementation. These four principles are formulated in Article 2 (the right to nondiscrimination); Article 3 (the best interests of the child); Article 6 (the child's right to life, survival, and development); and Article 12 (the child's right to be heard). The influence of the adoption of the Convention has been widespread since 1989; however, much work remains to be undertaken in creating a rights-respecting culture for children in Canada.

What Progress Has Occurred with Respect to Advancing Children's Rights within Canada within the Past Twenty-five years?

UNICEF Canada is not alone in working to advance the rights of children and youth. Across Canada, dozens of prominent Canadian organizations and institutions, parliamentarians of different parties, committed individuals, and talented and thoughtful children and youth have taken much action and inspired numerous positive changes since the UNCRC was adopted in 1989.

Drawing strength from individual and collective initiatives, substantial progress on advancing children's rights has been made in a number of areas. Federal and provincial laws have been enacted to better protect children. Legislative amendments have established the best interests of the child principle (Article 3) as a paramount or primary consideration within provincial child welfare, adoption, and child custody legislation. Numerous statutes have been developed to enable children to become actual or deemed parties who are capable of participating in court proceedings on matters relating to them (e.g., provincial/territorial child welfare legislation). Canadian courts have drawn upon the Convention for guidance in interpreting domestic legislation, including the Canadian Charter of Rights and Freedoms. To assist with the operationalization of the Convention, independent child and youth advocate/representative offices have been created in nine provinces and two territories. Finally, but not of least importance, since the 1989 adoption of the UNCRC, numerous Canadian civil society groups focusing on promoting children's rights have emerged and have taken an active role in policy formation and evaluation through preparing and disseminating shadow or

alternative reports (i.e., 2011, 2012) to the UN Committee on the Rights of the Child in Geneva.

Upon recognition of the twenty-fifth anniversary of the Convention, there is much to celebrate within Canada. However, there is also much to challenge and confront in the mission that many individuals and organizations share as we seek to advance the health, well-being, and potential of each new generation.

What Is the Current State of Canada's Children?

Clearly, much progress has been made over the past twenty-five years on advancing children's rights within Canada. Despite these advances, the work to make the vision of the Convention a reality for every Canadian child is far from finished. Although it is tempting to look only at the successes that have been achieved since 1989, it is only when the current state of well-being of our children is compared with that of other industrialized countries that a more fulsome picture of Canada's progress can be determined. This message was made clear to me when I returned to Toronto from Saskatchewan in 2010 to take up the role of chief policy advisor at UNICEF Canada. At that time, I was expecting to find a positive picture at the national level. However, I was surprised and disappointed to find that on the international stage, Canada was stuck in mediocrity in terms of the overall state of well-being of our children. Although I understood that there would be some challenges in promoting the implementation of the UNCRC, I must say that the evidence of Canada's performance has been decidedly underwhelming.

This evidence is captured in UNICEF's (2013) *Report Card 11* that ranks child well-being across twenty-nine affluent nations. The child well-being ranking presents comparative averages of twenty-six indicators across five dimensions, including material well-being; health and safety; education; behaviours and risks; and housing and environment. In *Report Card 11*, Canada ranked seventeenth out of the twenty-nine nations measured with respect to child well-being. This is a position that had not budged since UNICEF's research arm had last measured child well-being this broadly in *Report Card 7* in 2007. In *Report Card 11*, the top five performing countries were the Netherlands, Norway, Iceland, Finland, and Sweden. This is surprising to most Canadians, who believe that Canada is the "best place to grow up." But the index shows that nations with similar economic means

achieve widely different outcomes for children. Since Canada signed onto the UNCRC, economic progress has outpaced progress in advancing child well-being. In fact, among the twenty-nine countries in this index, Canada is among a group of five countries with the least improvement and most regression. The children we are leaving furthest behind are Indigenous. This is an uncomfortable truth but not an inevitable situation.

Areas where Canadian children are doing better than their peers in most other countries include the low smoking rate (third) and the high achievement of children age fifteen and under in math, reading, and science (second). Overall, Canada's education system does a comparatively good job in the early years of equipping our children with functional skills. We also know that Canada has made progress on a number of other fronts. For example, breastfeeding rates are increasing across Canada. Additionally, there has been a demonstrated commitment to improve the mental health of children and adults since 1989. Finally, it is also important to note that considerable advances in federal and provincial legislation that better protect children from injury and exploitation have been made.

But in some fundamental aspects of survival and health, the state of Canada's children is alarming. This is especially disconcerting when considering that Canada has the technology, the information, and the resources to ensure the highest possible state of health for its children. Yet, in the domain of health and safety, Canada ranks as low as twenty-seventh among the twenty-nine industrialized countries measured. Among the greatest areas of concern are the high rate of unhealthy weight (twenty-seventh), the high rate of bullying (twenty-first), the lower rate of children aged 15–19 participating in further education (twenty-fourth), and the high rate of cannabis use among youth (twenty-ninth). Disappointingly, Canada's children are among the unhappiest, ranking twenty-fourth within the twenty-nine countries when children's views of their own life satisfaction are measured (when taking into account their views of their relationships with their peers, mothers, and fathers). The indicators for healthy relationships in *Report Card 11* suggest that Canadians need to pay more attention to the development of healthy relationships at home and with peers, including the role of social media, and families squeezed for time. When factoring in the size and health of Canada's economy among the twenty-nine nations measured, UNICEF's *Report Card 11* clearly shows that the overall well-being of Canadian children could be much better.

Every child born into this nation holds enormous potential and possibility, for surely they will shape the future of our society. Societies can only develop in a sustainable manner when all children, particularly the poorest and most deprived, are nurtured and cared for and receive the education and protection they deserve. The state of Canadian children's well-being isn't predetermined or inevitable. It can be positively affected by progressive and inclusive policy development that is child-centred and dedicated to building strong families and communities.

What Current Challenges Are Impeding the Full Implementation of the UNCRC across Canada?

Unfortunately, there are a great deal of children's rights challenges still facing Canadians. In 2007, in its final report, *Children: The Silenced Citizens*, the Standing Senate Committee on Human Rights noted: "At the ground level, children's rights are being pushed to the side and even violated in a variety of situations....The Convention has been effectively marginalized when it comes to its direct impact on children's lives" (p. ix).

In 2016, nine years after this Senate report was released, little has changed to ameliorate the degree of marginalization facing the UNCRC across Canada. For a variety of reasons, persistent factors have impacted efforts to achieve full implementation of the Convention. Some of the challenges to full implementation include an absence of political will, factors related to Canadian federalism, governance issues, communications procedures, and technical inflexibility in interpretation.

With respect to political will, it is clear to me that there is an absence of a systematic, comprehensive approach to establishing children's rights as a political priority within Canada. The political structure seems at times to place more value on our natural resources, as opposed to our most precious human resources. Although seven million children make up about a quarter of the Canadian population, and constitute the future of our society, their concerns are seldom given top priority in the political sphere. The lack of voting status among children seems to diminish the leverage that this group of vulnerable citizens might otherwise possess.

The disenfranchisement of Canada's children is further compounded by the structural limitations of federalism that counteract aspirational efforts to implement initiatives of national importance. In Canada, the federal

government has responsibility for compliance with the Convention within its sphere of jurisdiction (i.e., immigration, youth justice, on-reserve health, education and child welfare services, tax benefits, divorce law). However, many of the matters covered by the UNCRC fall under provincial jurisdiction (e.g., social services, health, education, and child welfare) in the Canadian federal system of government. This division of jurisdictional responsibility creates a significant challenge in terms of coordinating, implementing, and monitoring progress in the area of children's rights. Stalemates are frequent, wherein federal officials maintain they cannot do more to advance children's rights as a result of the subject matter being under provincial jurisdiction. Provinces, as well, are sometimes reluctant to assume any direct responsibility for meeting international commitments undertaken by Canada at the federal level.

As a compounding factor, there has been a failure to fully institute good governance measures with respect to children's rights in any part of Canada. This is despite the presence of Article 4 of the UNCRC (1989), which obliges all ratifying nations to "undertake all appropriate, legislative, administrative and other measures for the implementation of the rights recognized in the present convention." Further guidance in the area of governance was provided to ratifying nations in General Comment No. 5 (2003), where a series of General Measures of Implementation were enumerated to assist state parties in fulfilling UNCRC rights within legislation, policy, and practice. Specific recommendations of General Comment No. 5 articulated efforts necessary to create national action plans and strategies for implementation of the Convention, to establish national mechanisms for coordinating implementation, and to undertake law reform and judicial enforcement of the rights of children. Further recommendations aimed at enhancing awareness raising, training and education, encouraging civil society participation, and fostering international co-operation. The establishment of statutory children's rights institutions, monitoring and data-collection regimes, and mechanisms to explicitly make children visible in budgets were also identified in General Comment No. 5.

Despite being recommended by Canada's Standing Senate Committee on Human Rights, Canada has fallen behind other nations in implementing the accountability mechanisms established in General Comment No. 5. Such governance measures have been successfully implemented with

considerable effect by many other governments, including those in the United Kingdom, the European Union, Australia, and New Zealand.

Across Canada, it is clear that an absence of effective complaints mechanisms have created a challenge to the full implementation of the Convention. When the UNCRC was adopted in 1989, it was the only core international human rights treaty that did not have a complaints procedure. This significant gap was addressed when the *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* came into effect in April 2014. The UNCRC Optional Protocol #3 allows individual children or their advocates to submit complaints when state parties have violated or failed to protect their rights under the Convention and its first two optional protocols.

The *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* establishes an international communications or complaints procedure with two mechanisms for children to challenge violations of their rights alleged to have been committed by ratifying nations. Article 5 creates a procedure that enables children to bring individual complaints about violations of their rights to the United Nations Committee on the Rights of the Child if they have not been fully resolved in national dispute resolution processes, and Article 13 establishes an inquiry procedure for the same committee to consider grave and systematic violations of children's rights. To date, Canada has yet to express an intention to ratify UNCRC Optional Protocol #3. There has been some speculation that the delay in ratification may be as a result of concern over Aboriginal children or their representatives using this instrument to initiate inquiries alleging grave and systematic violations of the rights of Aboriginal children or youth.

In the absence of complaints mechanisms within the UNCRC as it was originally worded in 1989, Canada's former federal government (as of the time of writing in 2016) appears to have taken an overly technical approach to issues relating to equitable treatment of Aboriginal children. Not only has this overly rigid approach been taken to the UNCRC but also to the United Nations Declaration on the Rights of Indigenous Peoples and the Canadian Charter of Rights and Freedoms. Examples of interpretational rigidity can be found in the positions that Canada has taken on the provision of equitable funding for on-reserve child welfare services for prevention and early intervention services and in the implementation of Jordan's Principle.