

# Building an Ecosystem to Realize Children's Rights and Support Family Well Being in Nova Scotia

May 2023

Wisdom2Action Consulting Ltd. (Wisdom2Action)



# EXECUTIVE SUMMARY

In December 2021, the Nova Scotia College of Social Workers (NSCSW) contracted Wisdom2Action (W2A) to consult a wide range of stakeholders working with and/or on behalf of children and families and caregivers in the province. These consultations stemmed from initial community conversations held by the NSCSW in 2019. The ultimate goal of the project was to gain insight into how the child welfare system could be better designed to address the needs and rights of children in the province and thereby answer two guiding questions:

- What would it take for every child in Nova Scotia to live in a home and a community free of poverty, violence, and harm, that allowed them to reach their full potential?
- What would it take to create a child protection system that embraced the UN Declaration on the Rights of the Child, as well as the calls from the Black and Indigenous Nova Scotians for reform as enshrined in Truth and Reconciliation Commission and in the Inquiry into the Home for Colored Children?

In order to reflect the perspective of young people with past lived experience in the child welfare system in Nova Scotia, W2A created a Youth Advisory Council (YAC). Together with the three YAC members, W2A designed stakeholder engagement tools (survey, focus group guides) and analyzed the findings of the consultation process.

A literature review was conducted, which provided insight into historic and pervasive issues within the Nova Scotian child welfare system. Two focus groups were conducted with service providers in April 2022, one specifically for Black, Indigenous, and people of colour (BIPOC), and the other open to anyone else interested in participating. The questions asked during the focus groups were framed by the ten principles from the Canadian Centre for Policy Alternatives Nova Scotia (CCPA-NS) and NSCSW's Social Policy Framework (hereafter, identified as the Ten Principles). Notes were taken during the focus groups and subsequently analyzed for emergent themes.

A survey was developed as a second stage of the consultation process to explore potential gaps in the findings from the focus groups. The surveys (one for service providers, one for service users) were distributed by NSCSW and W2A through social media and direct email to community partners and collaborators working in the child welfare system in Nova Scotia. In addition to the survey, several consultations were conducted with organizations affiliated with the child welfare system in Nova Scotia and recognized experts in the field.

Responses were analyzed for emergent themes framed by the conceptual framework of this initiative that included the Ten Principles, alongside the Truth and Reconciliation Commission's Calls for Action, the recommendations from the Inquiry into the Home for Coloured Children, as well as the Convention on the Rights of the Child.

A Freedom of Information and Protection of Privacy (FOIPOP) request was issued by NSCSW to the DCS requesting data on child welfare that could assist in answering the guiding questions for this paper. However, at the time that this paper was completed, the requested information had not been received.

The findings from the consultation process, reflect what is well-known by those working and living within the child welfare system in the province. What we heard can be summarized by the following emergent themes:

- There is a disproportionate number of Black and Indigenous families in foster care due to discriminatory policies and practices. Racism is undeniably embedded within the structures of the child welfare system. Unless decisive action is taken, this pervasive problem will continue to deprive too many children of their right to a safe environment free from discrimination.
- While the 2017 Children and Family Services Act was designed to protect vulnerable families in Nova Scotia, the amendments have continued to have a negative and disturbing impact on marginalized communities. Unjust practices such as intrusive investigation and over-surveillance are perpetuating inequality and inequity, something that must be addressed if racial justice is truly to prevail.
- In its pursuit of making service delivery more effective and efficient, the Department of Community Services (DCS) embarked on a transformational journey supported by external contractors. Unfortunately, we continuously heard this effort has not produced demonstrated positive outcomes in the well-being of children, youth, families, and caregivers served by DCS.
- The current state of the child welfare system in Nova Scotia is in dire need of reform. Adequate regulation and accountability are urgently needed if we wish to see children and youth reach their full potential. It has been marred by bureaucracy, it is an overly complex and disconnected structure, it has burdensome policies and administrative requirements, there is a tendency to blame individuals for their circumstances instead of providing needed support and assistance, and there is a long history of poor outcomes.
- Client outcomes are not being carefully monitored due to a lack of data gathering and appropriate technology. This shortcoming needs to be addressed for successful results to manifest.
- Participants repeatedly commented that the child welfare policy manual, procedures, programs, and service delivery continue to be punitive with a heavy reliance on standardization, conformity, protection, and surveillance.
- Despite a variety of available models, the current child welfare system is still lacking an effective and organized model to guide social work practice. Creativity and collaboration are necessary to develop a comprehensive framework (or ecosystem) that adequately supports children's needs and rights.
- The current resources allocated to family and child well-being are woefully insufficient, leaving vulnerable children and families, particularly those from historically disadvantaged Black, Indigenous, and racialized communities, with inadequate support and services.

- The current social service system has been impaired by outdated values and ideas, leading to rigorous yet ineffective structures. It's time for an invigorating recalibration of the way we view client-centred services rather than punishing those in need. A much-needed shift in the child welfare system requires a transformative overhaul of its current governance structure.
- Poverty and housing insecurity are seen as the root of many issues that burden our child welfare systems. The effects on intervention, reunification, safety, and well-being are substantial; structural changes are needed to address these underlying problems to ensure positive results for all involved.
- Social work within the child welfare system has been subject to a diminishing value, with social workers increasingly expected to serve as case managers rather than draw upon their valuable experience and expertise in working with children, youth and families, their holistic perspective, child's rights focus, and child and family centred lens. It is vital, now more than ever, for social work to be deemed an essential service and for employers to recognize and value the role and scope of practice of social workers in their staffing complement not only in front line service delivery positions but in management and senior leadership positions.
- Recruitment and retention of social workers in the child welfare system is a considerable challenge. The fact remains the majority of those working within this field are women. With poor working conditions, and societal pressures on women to also provide care at home, it's time for an in-depth review of the issues, and an innovative, strategic approach to recruitment and retention that considers gender dynamics at every stage of workforce planning.
- Bureaucratic systems, policies that restrict communication, and moral distress and burnout amongst staff, have created a worrisome gap in collaboration between social services, health systems, and justice institutions, which is preventing vulnerable populations from receiving the support they deserve. As such, measures must be taken to create a better-connected network of stakeholders that can work together harmoniously for more positive outcomes.

These findings are supported by a set of recommendations, intended to support partners and collaborators' efforts to make it possible for every child in Nova Scotia to live in a home and community free from poverty, violence, and harm, that allows them to reach their full potential. To bring about a much-needed change in Nova Scotia, it's time to adopt the insightful fiscal framework presented by the Canadian Centre for Policy Alternatives' Alternative Budget. By infusing an additional \$354 million into overall operating funding and bolstering capital spending by a substantial \$531 million, Nova Scotia will witness a vibrant and thriving transformation of child and family well-being.

**The following visual depiction has been included to demonstrate the difference between what currently exists versus a thriving ecosystem for children in Nova Scotia.**



## WHAT WE HAVE

Our present child and well-being ecosystem evokes the imagery of a monoculture - a realm of centralized policies, fragmented systems, and harsh consequences, ultimately hindering the flourishing of children and families.



## WHAT WE NEED

An ecosystem that acknowledges how intertwined organizations and systems are, similar to the flourishing roots of a prosperous forest. An ecosystem for child and family well-being that nurture intricate organizations that empower children and families, enabling them to tap into the wealth of resources and connections around them, ultimately helping them flourish and achieve their utmost potential.



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# LAND ACKNOWLEDGEMENT

We acknowledge that the work for this project has taken place in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq, whose inherent rights were recognized in the Peace and Friendship Treaties that were signed from 1725 to 1779. This series of treaties did not surrender Indigenous land, resources, or sovereignty to the British Empire, but instead established rules for an ongoing relationship between nations. The treaties were later reaffirmed by Canada in Section 35 of the Constitution Act (1982) and remain active to this day. W2A and NSCSW join NSCSW's members and our communities in the labour of reconciliation, and we are grateful to live and work together as treaty people in Mi'kma'ki.

# RECOGNIZING INTERSECTIONAL FACTORS

It is important for us to recognize the complex legacy of colonialism in Nova Scotia. The pervasive forms of racism it spawned, including anti-Black racism towards the descendants of those brought to this land through the trans-Atlantic slave trade, are not relegated to history but are experienced daily. Our values require us to recognize the ways in which many forms of oppression are interconnected through colonization, including racism, but also through ableism, misogyny, homophobia, biphobia, and transphobia. Recognition is a step toward repair, reconciliation and righted relationships; knowledge provides a basis for *action*.

# THANKS TO PARTICIPANTS

We would like to acknowledge and deeply thank everyone who contributed to this consultation project. We would especially like to thank our Youth Advisory Council (YAC) members whose wisdom and knowledge were essential to conducting this work and doing it well. We would also like to thank all those who participated in the stakeholder consultation through focus groups and surveys, without your participation this initiative would have been impossible. Lastly, thank you to Alec Stratford and the Nova Scotia College of Social Workers (NSCSW) for highlighting the need for this work and committing the time and resources to make it happen.

This was a team endeavor; each of us contributed our skills and talents and learned in the process. The W2A team consisted of: Marcie Casler, Afshana Miah, Rayan Saied, Alana Salsberg, and Dennis Stuebing.

# ABBREVIATIONS USED IN THIS REPORT

The following terms and abbreviations are used throughout this report. The table provides an explanation of the meaning of each term as a point of reference while reviewing the report.

ABBREVIATION	MEANING
2SLGBTQIA+	Two Spirit, lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other sexual and gender diverse people
AfBSW	Afrocentric Bachelor of Social Work
ANS	African Nova Scotian
BIPOC	Black, Indigenous, Person of Colour
BSW	Bachelor of Social Work degree
CCPA-NS	Canadian Centre for Policy Alternatives – Nova Scotia
CPNSHCCRI	Council of Parties of the Nova Scotia Home for Colored Children Restorative Inquiry
CFSA	Children and Family Services Act
CPS	Child Protection Services
CRC	Convention on the Rights of the Child
CYCC	Children and Youth in Challenging Contexts
DCS	Department of Community Services (Nova Scotia)
DOJ	Department of Justice (Nova Scotia)
ENRICH	Environmental Noxious, Racial Inequities, and Community Health project
FCG	Family Conference Group
FG	Focus group
GDP	Gross Domestic Product
MSW	Master of Social Work degree
NSCSW	Nova Scotia College of Social Workers
NSHCC	Nova Scotia Home for Colored Children
RJI	Restorative Justice Inquiry
SPF	Social Policy Framework
TRC	Truth and Reconciliation Commission
UN	United Nations
YAC	Youth Advisory Committee
W2A	Wisdom2Action Consulting Limited



# ABOUT NOVA SCOTIA COLLEGE OF SOCIAL WORKERS (NSCSW)

The Nova Scotia College of Social Workers (NSCSW) works to regulate the social work profession in the province. NSCSW works alongside Nova Scotians to advocate for policies that improve social conditions, challenge injustice, and value diversity. The work that NSCSW does is rooted in integrity and professionalism which ensures that NSCSW is respectful, ethical, accessible, and progressive. Its pillars of work are: regulation, member services, engagement and communication, advocacy, leadership, and accountability.



# ABOUT WISDOM2ACTION (W2A)

Wisdom2Action (W2A) is a consulting firm with a social enterprise commitment that works with non-profits, government, and other businesses to facilitate positive change and strengthen communities. W2A was founded in 2011 as the Children and Youth in Challenging Contexts (CYCC) Network at Dalhousie University through the federal government's Networks of Centres of Excellence Knowledge Mobilization Network program. It operated as CYCC until 2018

when it became W2A. W2A's work has evolved over the years, having initially focused on youth mental health. Our services now include research and knowledge mobilization, capacity building and organizational development, community and stakeholder engagement with a focus on gender justice and 2SLGBTQIA+ inclusion, children's rights and youth engagement, and mental health and substance use.



# PROJECT BACKGROUND

In December 2021, NSCSW contracted W2A to lead a stakeholder consultation culminating in a policy paper that would identify ways to improve the child welfare system in Nova Scotia. More specifically, the aims of the project were to address the following questions through a series of focus groups and surveys with stakeholders:

- What would it take for every child in Nova Scotia to live in a home and a community free of poverty, violence and harm, that allowed them to reach their full potential?
- What would it take to create a child protection system that embraced the UN Declaration on the Rights of the Child, as well as the calls from the Black and Indigenous Nova Scotians for reform as enshrined in Truth and Reconciliation Commission and in the inquiry into the Home for Colored Children?

## CONTEXT

The project was in part, created in response to the amendments made to the Children and Family Services Act (CFSA) in 2017, which have been widely criticized as negatively affecting the provision of child welfare services in Nova Scotia. Some of the changes to the amendments included:

1. An expanded definition of ‘a child in need of protective services’ providing the basis for more children to be taken into care
2. Tightened case timelines which disproportionately negatively affect rural and low-income families who need more time to use difficult to access services and supports to resolve their cases
3. The removal of the Ministers Advisory Committee which was viewed as an important body in providing input and oversight of the system
4. Provisions added to Section 88(A) of the Act, which gave discretionary power to the Minister to review the CFSA, removing Nova Scotians from these processes. Data reviewed has shown the amendments have increased the number of family court cases being opened, increased referrals of children to the child welfare system, and continued over-representation of Indigenous and Black children within it (Barkley & Wright, 2019; Council of Parties of the Nova Scotia Home for Colored Children Restorative Inquiry, 2019).

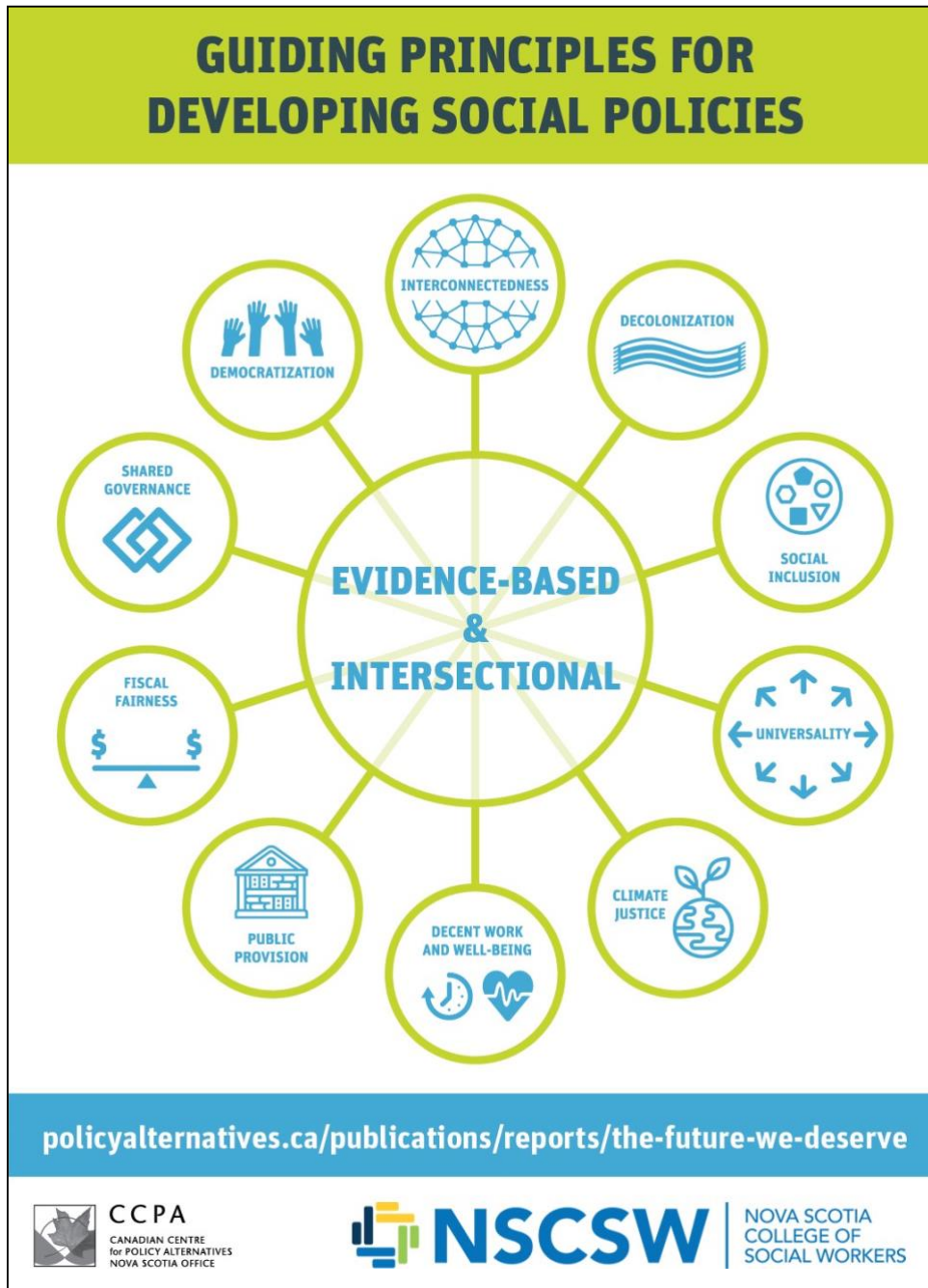
From the literature reviewed and what we heard, it appears in a sweeping effort to limit required government spending on social welfare supports, Nova Scotia has shifted its approach towards policies that place the burden of improving family circumstances onto individuals. What this shift ultimately represents is a lack of acknowledgment that systemic and structural inequality can lead families into precarious situations beyond their control. That the amendments and the troubling trend of continuously underfunding the full continuum of required services, supports, and resources for families and service providers highlight the role government plays in creating the conditions that lead to families and their children seeking child welfare services. Specifically highlighted was, the lack of adequate social welfare support in Nova Scotia which has resulted in marginalized and low-income families meeting the CFSA threshold of neglect as it relates to clothing, housing, food, and wellness needs (NSCSW, 2021).

We read and heard the amendments and subsequent policy orientation have been reinforced by structural changes in child welfare in Nova Scotia. That the child welfare system appears to operate on three pillars – policing, protection, and intervention – however, the system’s framework hyperfixates on the pillars of policing and protection (Barkley & Wright, 2019). This focus is especially troubling when we consider that DCS is responsible for child protection, as well as the social safety net of resources and supports to families. This has resulted in the Nova Scotia child welfare system operating (and spending resources) in a way that does not prioritize intervention or overall family and child wellness; rather it focuses on investigating the families of children who fall into their specific and often Eurocentric ideas of ‘risk’ (Barkley & Wright, 2019). What the same system fails to account for is the role it plays in harming children and putting them at risk when fundamental needs, such as shelter, clothing, and food are unmet largely due to state policy exacerbating the need for children to be removed from their homes. The same level of expectation is not levied against itself, nor is the accountability for care equal to that which is expected of families.

We heard the emphasis on the safety of children within families and the failure to acknowledge the systemic or structural inequalities that may lead an individual to be more susceptible to child welfare interventions. That the system disenfranchises and discriminates against racialized, low-income, differently abled, and otherwise marginalized children and their families and caregivers in Nova Scotia. Further, that as written the CFSA allows for the unfair targeting of marginalized families and caregivers and their children and places the blame on families/caregivers dealing with challenging circumstances created by poor public policy choices.

# CONCEPTUAL FRAMEWORK

A key element of meeting the project's aim was the application of the Social Policy Framework (SPF) developed by the Canadian Centre for Policy Alternatives-Nova Scotia (CCPA-NS) and the NSCSW. The application of the framework allows the development of solutions that are equitable, informed, and reflect the application of an intersectional lens. The framework is guided by 10 Principles:



Other important considerations for this project were the findings and recommendations that emerged from the Truth and Reconciliation Commission's 94 Calls to Action (hereafter, Calls to Action) as well as the Inquiry into the Home for Coloured Children (hereafter, the Inquiry) which both called for meaningful changes to the child welfare system that would help to protect and significantly improve the experiences of Black, African Nova Scotian, and Indigenous children and their families. The Inquiry and Calls to Action emerged from the investigations of residential schools and the Home for Coloured Children. African Nova Scotian children and Indigenous children were placed and often forced, into childcare facilities where they suffered tremendous abuse, neglect, and violence, at the hands of adults. The Inquiry and Calls to Action urge current governments to learn from the past by adopting their recommended policies, laws, and practices to fully address and prevent the systems that allowed such harm to take place in the first place. These documents were essential to guide and influence our analysis throughout the projects and to ensure our recommendations would indeed protect the most marginalized children and their families.

The final element that helped inform our efforts was the normative framework and principles drawn from international children's rights legislation. The United Nations (UN) adopted the Declaration on the Rights of the Child in 1959. The Declaration holds an important place in the history of children's rights and encapsulates a commitment to children beyond charity. In 1989, the UN furthered its commitment by adopting the Convention on the Rights of the Child (hereafter, the Convention, or CRC), a legally binding, and the most widely ratified international human rights instrument in the UN system. Canada became a party to the Convention in 1991.

The CRC acknowledges children as entitled to the provisions it contains, with States parties (and other adults) obligated to fulfill those entitlements. The rights contained within the CRC are non-hierarchical and interdependent. The implementation of the Convention is guided by four principles found within specific articles:

- Non-discrimination (Article 2)
- Best Interest of the Child (Article 3)
- Life, Survival, and Development (Article 6)
- Participation (Article 12)

The partner and collaborator consultation tools were framed by the 10 SPF Principles, the Calls to Action, the Inquiry, and the CRC. The findings from our focus groups and surveys were analyzed and coded for emergent themes and analyzed using the concepts, ideas, and evidence drawn from the framework documents and enable the creation of policy recommendations. This paper will share our findings and recommendations, highlighting the connections to the conceptual framework that has shaped our work.

# SUMMARY OF FINDINGS

The following seven themes emerged based on an analysis of the input received during the consultative process. Selected quotes have been included to demonstrate the themes with linkages made to the conceptual framework.

## 1. Lack of Demonstrated Meaningful Change

A common theme in the literature review and consultation process was a lack of demonstrated meaningful change despite past attempts to improve the child welfare system in Nova Scotia. Between the issues of concern and the lack of progressive change, it appears to have greatly disincentivized service providers, partners, and collaborators from critiquing its function in meaningful ways. Participants pointed to structural aspects of the system, its funding approaches, and practices, as the basis from which growing levels of disappointment and mistrust exist. Participants identified several factors for this: poor evaluation and data collection, fear of losing funding if they raised concerns about the child welfare system, lack of effective resourcing and core funding, and broken promises by government/policymakers. These factors have created an environment that limits the ability of service providers to improve the child welfare system from the inside.

Many service providers shared that the collection of evaluative data that does exist focuses primarily on counting the number of service users rather than the effectiveness of programming, its impact, and benefits to users. Similarly, necessary data to comprehensively track race, gender, sexuality, and ability of children in care has not been collected.

*“One of the big things that is a concern for us is that they don’t have statistics to tell us how many children of African descent are in the system. The government is moving very slow. If you really want to make change, if you really want to do something, then you need to know who is in the system. You need to know how your programs are working in the system, you need to know all of these things”*

Participant in the consultation

Government has a history of disregarding the input and guidance provided by external partners, collaborators, and service users. This was again demonstrated when initial concern and feedback was provided by service providers and community organizers in response to the 2017 Amendments to the CFSA which were significantly ignored (Barkley & Wright, 2019). Furthermore, service providers spoke of being silenced, unheard, and of delay tactics by DCS (and government more widely) which prevented them from sharing in a timely manner known issues and concerns regarding decisions being made to the child welfare system.



Service providers in our focus groups also spoke about the funding structures of DCS, specifically that all funding and programming related to child welfare, both family support services and protection services, come from the same department (DCS). This singular source results in service providers finding themselves in the awkward and precarious situation of critiquing their funders and then potentially facing backlash including reduced access to decision making tables and funding. Service providers spoke of how the fear of losing funding curtails accountability and limits transparency within the system.

*“...there is a movement to silence through funding. [The] department (DCS) has put a lot of money into community and into family resource centres recently, which prevents people [from being] critical, [and] can cause those who are critical to become hesitant of a department when a department funds you. The ones who aren't critical are the ones changing policies, while those who are frontline cannot create change to policies and practices at the department level.”*

Participant in the consultation

Participants in our BIPOC focus group also highlighted a troubling trend in which the Nova Scotia government announced beneficial programs or resources that would improve the child welfare system but did little to follow through on those announcements. This has resulted in many service providers and users feeling disillusioned with the system.

One example shared by participants was related to the poor implementation of family conferencing for non-Indigenous families and specifically African Nova Scotian (ANS) communities. Another example was the delayed inclusion of an Afrocentric Bachelor of Social Work (AfBSW) cohort. Both programs promised to positively affect BIPOC children and families in the system and while implementation of the AfBSW cohort has been announced, Family Group Conferencing remains on hold.

*“The government has a way of just announcing these things, just making a big announcement - this is what we're going to do, and it sounds really great and then you're waiting and waiting for it to happen, and then they make another big announcement and nothing is happening...that's where the lack of trust comes from and the frustration because it's a lot of talk and nothing's happening.”*

Participant in the consultation

Participants highlighted that the resources in the system often fail to adequately meet the required needs of today's children and families. Service providers have limited options and capacity challenges to support and protect children and their families. Importantly, 2017 Amendments to the CFSA, limited required funding and resources to support the amendments

while simultaneously increasing caseloads/ workloads of social workers, strongly affected their ability to provide quality support to their clients (Barkley & Wright, 2019).

*“For me, broadly speaking when the act was amended, it meant an expansion of what was going to be addressed but there wasn’t an expansion of resources. So all of the offices that were completely overtapped are trying to manage a much larger influx of referrals, etc. I think that was the biggest misstep of all was that lack of additional resources.”*

Participant in the consultation

For ANS clients, clients with disabilities, and other clients with unique and complex needs, the available resources are inadequate and difficult to access due to bureaucratic ‘red tape’. The challenges are compounded by the working conditions of social workers who have less capacity to support families and children engaged in these burdensome processes (NSCSW, 2021). An example, shared by participants, was the difficult and lengthy process of accessing therapists who culturally/racially reflect and understand the unique needs of Black, Indigenous, and racialized youth.

When considering the issues and examples within this theme, the consultations found that the Nova Scotia child welfare system fails to align with several of the principles outlined in the Social Policy Framework. That the CFSA amendments reduced the availability to provide adequate resources by not allocating the appropriate amount of new funding to support the amendments and meet the needs of its clients in a way that prioritizes a holistic and person-centred approach. That Fiscal Fairness has been compromised as government revenue is not spent in a way that reflects the true required investment to support families and communities through the provision of quality public services.

This speaks to the Inquiry recommendation and the Calls to Action to shift to human-centred systems and structures which centre clients’ needs and well-being, rather than having them conform to systemic requirements. A shift of this nature requires substantial and sustainable funding for children and families.

The SPF Principle of Decolonization highlights the need to avoid government paternalism and address the historic and persistent experiences of colonialization. A key finding of this project was that the child welfare system fails to uphold the principle of Decolonization by not adopting thorough data collection methods including information related to race, ethnicity and other forms of marginalization.

Both the Truth and Reconciliation Commission (TRC) and the Inquiry highlighted the importance of collecting proper data and feedback from those interacting with the system, a recommendation that reflects how in its absence, children have experienced abuse, neglect, violence, and injustice. In avoiding these accountability measures, the Nova Scotia child welfare system continues to repeat the great failures of its past, evident in the disproportionate number of Black and Indigenous youth in the system (Barkley & Wright, 2019).

The system, and those leading it, has a historical pattern of shielding from criticism and not fully embracing feedback from children, youth, and families, caregivers, service providers, and community organizers, thereby limiting its ability to make required improvements. We believe from the material read and what we heard that the current limitations of the child welfare system and its lack of demonstrated meaningful change points to an additional failure, namely, that the system has not fully considered the principle of the best interest of the child (Article 3, CRC) in its design and implementation. The article specifies that “all actions concerning children” must take the best interest of the child into account whether by “public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies”. Had the Nova Scotia government taken this approach in revising the CFSA, different outcomes may have occurred. However, it’s not too late. Children’s rights are not time-bound, and duty-bearers continue to bear the responsibility for improving the situation on behalf of children toward full realization.

By adopting a human-centred systems approach as recommended by the Inquiry, improving data collection, welcoming performance reviews, evaluation, and feedback and actually implementing changes based on these processes, as well as, significantly increasing funding across the entire system from both an operational, human resource, and programmatic perspective, and delivering on promises, the child welfare system would be better positioned to have more positive effects for children, families, and caregivers, in Nova Scotia. Adopting these changes and prioritizing the voices and experiences of children, youth, families, and caregivers when creating new policies and practices would ultimately put the needs and wellness of clients first. It is well documented that the strength of evidence-based policymaking is its increased likelihood of effectively solving the issues it sets out to address (Findlay et al., 2020). By centring the voice of clients and frontline service providers, the system can move away from the current top-down paternalism and reduce harm to clients.

In a nutshell, what we heard from the consultations was that in its pursuit of making service delivery more effective and efficient, DCS embarked on a transformational journey supported by external contractors. Unfortunately, we also consistently heard this effort failed to produce noticeable improvements in the well-being of children, youth, families, and caregivers, served by DCS. We were repeatedly told the current state of the child welfare system in Nova Scotia is in dire need of reform. That it has been marred by bureaucracy, has an overly complex and disconnected structure, with a tendency to blame the individual for their circumstances instead of providing support and assistance, and has a long history more than its fair share of poor client and system outcomes. Adequate regulation and accountability are urgently needed if we wish to see our society thrive in the future. Client outcomes are not being carefully monitored due to a lack of required data gathering and appropriate technology. This shortcoming needs to be addressed for successful results to manifest.

## 2. Rooted in Colonialism, Racism, and Sexism

The literature review and consultations spoke to child welfare services as a system that is rooted in colonialism and racism. The legacies of colonialization and enslavement have continuously impacted generations of Indigenous people, African Nova Scotians, and other people of colour in the province through repeated cycles of social and economic discrimination and disenfranchisement (Benjamin et al, 2010). Participants identified the lack of culturally competent practices, as well as direct and indirect forms of discrimination against

BIPOC communities. We heard the system adopts a Eurocentric concept of the nuclear family and rejects the validity of the rich extended family and kinship structures of African Nova Scotian and Indigenous communities in Nova Scotia. That the system operates as a paternalistic body purporting that it knows what is best for its clients without acknowledging the expertise clients have related to their own needs. Moreover, that the system adheres to practices that are non-inclusive rather than evolving and acknowledging contextual factors that shape children's and families' experiences.

Participants in our consultation brought up several issues related to systemic racism and discrimination within the child welfare system and within the province in general. It is well documented that racial discrimination affects the health and well-being of racialized individuals, not excluding children. Racialized individuals must then expose themselves to the potential for further discrimination when seeking health and wellness supports (Benjamin et al., 2010 & Stratford, 2019).

*“Systemic racism also makes it very challenging for families to... have access to education or ...proper healthcare or be listened to by a doctor. You know, we go to a doctor, as a Black woman [saying] “I’m not well”, they automatically think that you’re lying... instead of them getting the proper medical care. Or to say to your CPS worker “I suffer from anxiety [or] depression”, they’d have to understand the systematic racism does cause mental health issues and it’s not recognized that way, it’s not seen that our mental health is different because our trauma that we experience is different, but we’re judged regardless of that.”*

Participant in the consultation

Additionally, participants indicated concerns about the guidance and advice provided to Black, Indigenous, and children and youth of colour, by private counsellors as private counselling services have limited oversight mechanisms and the support provided could reflect a Eurocentric bias and racism.

Many service providers in our study could identify the intergenerational effects of, colonialization, enslavement, and racism on racialized communities, however, they acknowledged that these things were not being adequately considered when working with children and their families and/or caregivers. For instance, while steps have been taken to adopt and provide a culturally competent lens and services, -the structure of the child welfare system has posed access and implementation challenges due to a higher prioritization on policing, the reduced capacity of overworked social workers, and hard to access and limited culturally-specific resources (Barkley & Wright, 2019). Another example identified was a lack of required classes on ANS history in the Dalhousie Bachelor of Social Work program despite the importance of that knowledge for anyone working with ANS communities. Despite attention to the need for cultural competency, we heard the system lacks the infrastructure, training, resources and approach to provide truly effective culturally competent services and care.

*“We are often thrown into the role without adequate training and must learn on the job in a high stress, overwhelmed, and fast paced environment. There is not enough time, resources, or services to prioritize cultural considerations within a system that is problematic as a whole. The individual social worker cannot be expected to take on this responsibility on top of the many other pressures and duties and crises and overtime and being underpaid and stigmatized”.*

Participant in the consultation

Participants identified the narrow and Eurocentric definitions of family as another way colonialism and racism appear within the system. ‘Family’ from a Western and Anglo-centric perspective frequently focusses on the immediate or nuclear family only. Extended family members are often not considered close enough to be a part of the main fabric of an individual’s life and so many children aren’t given the option to receive care from their extended families and community members. This excludes the ways Indigenous, Black and ANS, and other racialized communities define their families and can be interpreted as discriminatory. Often extended family members are considered distant relations and if they are co-located in the same community, placement with extended family could further reduce disruption to a child’s other normal routines (network of friends, access to school, etc.). However, since this does not align with legal definitions of family, extended family members are often excluded from providing care for children including when removal from home is deemed necessary, and information is kept confidential to only the nuclear family. This is especially prevalent in arrangements for family conferencing, an approach that involves “bringing together the extended family of a child and his/her immediate caregivers, as well as other key community persons as designated by the client” (Wien, 2011).

*“I would say who is being left out is really that support network in the community, that comes back to family group conferencing. Black communities are very close knit here in Nova Scotia, you have people in the community who can be a support to those families, but they don’t have an opportunity because of the way the system is set up - they don’t have an opportunity to give their input and to help in any way in the decision-making for the children and families.”*

Participant in the consultation

Despite the beneficial effects of family conferencing with Indigenous communities, implementation with other racialized communities has been slow. Furthermore, when family conferencing is not done in a matter that is culturally competent the benefits are greatly reduced. With the aforementioned limitation in education, social workers who are expected to conduct this work are frequently unprepared to provide culturally competent family conferencing (Wien, 2011; Barkley & Wright, 2019). Without a change to the CFSA definition of family, children will continue to become alienated from their communities and placed in homes with strangers despite the broader network of care that may already exist.



Participants spoke of the colonial legacy embedded in Nova Scotia's child welfare system reflected in its paternalistic approach to service provision. Clients' needs are not centred, rather a model of general needs is recognized with little regard for the vast diversity amongst families and/or the negative effects of colonization, racism, and enslavement as they affect lives today. They identified examples such as the lack of authentic and meaningful engagement with clients, partners, and collaborators to identify their needs and measure personal impacts.

Participants further identified that while families are held to a narrow standard of neglect (which often penalizes parents who are unable to provide essential resources and care for their children) the child welfare system does not hold itself to the same duty of care. This assumption that children will be better off when the system intervenes is reflective of a faulty saviour ideology that silences the true needs of children and the strength and assets of diverse family structures while continuing to provide them with a lower quality of care.

By identifying the child welfare system as one that is still rooted in the racism and colonialism that founded it, it is our opinion from the material we reviewed and what we heard that the SFP principles of Decolonization and Social Inclusion are not being fully satisfied. While we acknowledge there are actions being taken to address decolonization in the system, it continues to fall short of challenging the paternalistic nature of child welfare in Nova Scotia, and the elements that reflect its colonial and racist history. By not significantly addressing this theme, inequitable and inadequate service provision that does not take into consideration systemic oppression and intergenerational trauma persists. Further, participants spoke to social workers not being adequately supported in their work through the provision of necessary and continuous culturally competent education, training, and mentorship.

The recommendations that emerged from the Calls to Action and Inquiry both emphasize the importance of accountability and addressing the legacies of colonization and racism. The Calls to Action highlight the need for service providers to be "properly educated and trained about the history and impacts of residential schools" as well as "requiring that all child-welfare decision makers The Calls to Action highlight the need for service providers to be "properly educated and trained about the history and impacts of residential schools" as well as "requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers" (Truth and Reconciliation Commission of Canada, 2015).

The recommendations from the Inquiry followed a similar approach by encouraging continued learning by promoting the findings of the Inquiry. The Inquiry also included the recommendation to continue the dialogue around the legacy of the NSHCC and systemic discrimination against ANS communities through community conversation initiatives.

These initiatives are meant to combat the culture of silence in ANS communities and their unique experiences and impacts of the NSHCC (CPNSHCCRI, 2019). Apart from the inclusion of a mandatory Indigenous 'cultures and histories' class in the Dalhousie Bachelor of Social Work program, the child welfare system has not, in our opinion, taken the appropriate steps to implement these recommendations and therefore has not fully begun to address the racist and colonial roots of the system. We acknowledge the need for the Canadian Association of Social Work Educators to be engaged given their role in setting mandatory course requirements.



We believe a system that continues to perpetuate the legacy of colonialism through structural racism violates a child's right to non-discrimination. Article 2 of the CRC clearly requires States Parties to ensure that the rights it contains be provided to all children "within their jurisdiction without discrimination of any kind" and to "take all appropriate measures to ensure that the child is protected against all forms of discrimination" including based on race and ethnicity (United Nations, 1989). Article 30 of the CRC also requires Nova Scotia not to deny the right of "ethnic, religious, or linguistic minorities or persons of indigenous origin... to enjoy his or her own culture" in community with other members of his or her own group. That requirement further obligates the province to improve its efforts to decolonize, address, and prevent the racism that exists within the child welfare system.

Finally, we heard DCS's approach to domestic violence appears to be doing more harm than good, as the CFSA compels transition houses, which aim to protect victims of abuse, with reporting obligations that further victimize those living in traumatic situations. It was made clear throughout the consultation process that DCS fails to recognize and account for survivors' trauma when navigating this issue. Participants identified that matters were made worse by the amendments made within the CFSA which have allowed a single incident or accusation to be grounds enough for an investigation or report without consideration given to context, thus only harming vulnerable individuals even more (NSCSW, 2021).

During the consultation, it was revealed that while direct violence has been acknowledged by DCS in their child welfare system, its failure to recognize structural violence perpetuated by state institutions and how profoundly this negatively effects families is greatly concerning. Studies have found a strong connection between both types of violence as structural issues can often lead to conflict or even more serious cases such as family abuse and hate crimes (Van Dernoot 2010). With documented evidence highlighting systemic structures being used against Black & Indigenous communities from reports like RJI's, Wortley's report on Nova Scotians' rights violations, and MMIWG investigation findings, it appears outdated for a post-modern child welfare system to not take these factors into account.

Further child welfare systems typically expect mothers to take on the role of both parents, as well as act as a mediator for relationships between their children and fathers. This means that social workers "contract out" surveillance duty to these women, effectively managing them to manage fathers too (Brown et al., 2009; Krane, 2003). As such, the system places an increased responsibility, often traumatizing, upon victims for the behaviour of their partners. The phenomenon of ghost fathers influences child welfare policy-makers and social workers. By not having to see fathers, they are able to ignore possible real dangers that fathers may pose to their families or vice versa as potential resources to families (Brown et al., 2009)

To date, the failure of the Government of Nova Scotia to effectively address the Calls for Action on decolonization, racism, and sexism within child welfare, demonstrates an ongoing failure to realize children's rights in Nova Scotia. To answer the guiding questions of this project, we believe it is essential for government to take their decolonization, anti-racism, and feminist efforts much further by applying the recommendations from the TRC, the Inquiry, the UN Committee on the Rights of the Child, as well as the recommendations outlined in this report. Without effectively addressing the issues tied to this theme, the child welfare system's colonial, racist, and sexist foundation will continue to perpetuate harm against Indigenous, ANS, and other racialized communities.

From the disproportionate numbers of Black and Indigenous families in foster care, to discriminatory policies and practices, racism is undeniably embedded within the Nova Scotia child welfare system. Unless decisive action is taken, this pervasive problem will continue to deprive too many children of their right to a safe environment free from discrimination. While the 2017 CFSA was designed to protect vulnerable families in Nova Scotia, we consistently heard the amendments have had a disturbing effect on marginalized communities and have perpetuated unjust practices such as intrusive investigation and over-surveillance are perpetuating inequality, something that must be addressed, if racial justice and gender equality is truly to prevail.

### 3. Punitive in Nature

Participants repeatedly identified the child welfare system in Nova Scotia as punitive, specifically for families that are marginalized and poor. We heard that the redesigned child welfare policy manual continued the trend of being risk- and liability-focused rather than promoting care that is trauma-informed, thereby creating the context for a more punitive system.

Participants reflected that families and caregivers that struggle with food insecurity and affordable housing often also experience child welfare interventions. The theme demonstrates the structural orientation of child welfare services on policing (reporting and investigation) rather than being holistic and child-centred, aimed at building relationships and providing the necessary supports needed to thrive. Some other punitive examples identified during the consultations included heavy surveillance of families through a duty-to-report by healthcare professionals and teachers, and frequent drug testing when taking steps to regain custody of children. Instead of focusing on surveillance, the child welfare system needs to remove these deeply rooted systemic barriers against poor and marginalized families and shift its focus to providing support to families so that their underlying needs are met, and the root causes of issues are addressed. Further, we heard the system needs to reconcile its drug and alcohol testing approaches so that they no longer exceed the normal accountability for parenting and harm reduction standards being adopted across the country.

*“Practice [of child welfare] is punitive – the parent-teaching model and the trauma-informed approach clash, and are only surface-level components of decolonization.*

*Placing African Nova Scotian children in African Nova Scotian homes, doesn't feel like it's looking for success in families. When a family has a child involved in child protection just left in the wind and assigned a social worker to investigate them which is very colonial, though in the best interest of the child but still a very punitive lens that parents are brought into.”*

Participant in the consultation

Participants also identified a sub-theme within the punitive nature of child welfare that highlighted a severe lack of preventative measures. Participants reported that a significant amount of funding in the system is allocated to protection and ad hoc and crisis placement

services. While participants in this consultation did not support any redirection of funds from protection and placement services, participants consistently spoke about the need for a fully funded prevention continuum to support families in need, one that prevents children and youth from being removed in the first place. Further participants spoke of the need for prevention services to be fully funded in a manner that requires new funding, and a new stand-alone funding strategy and investment budget.

For example, the inquiry indicated that safety and well-being go hand-in-hand. It drew on a model of well-being from the New Zealand government to articulate specific outcomes that should be considered. The early intervention and prevention programs currently funded by DCS are aiming to provide nurturing connections and life skills for emotional resilience; however, they fall short when considering physical & mental wellness, security from harm, warmth/dryness at home, plus having enough food. It is therefore essential for such outcomes to be addressed if we want our communities to flourish. Maslow's 'hierarchy of need' clearly shows that basic necessities are essential for a healthy and successful life. Without safe housing, food security, or adequate income, families cannot provide an environment conducive to self-actualization and emotional well-being, making reintegration difficult. Therefore, focusing on these core aspects should be the cornerstone when tackling prevention efforts aiming at reuniting children with their families (MacLeod, 2007).

Where the province does implement programs designed to meet security needs, families in need are also constrained at reunification and overall well-being because of the limits contained within existing programs like the Canada-Nova Scotia Targeted Housing Benefit. It is with great urgency that Nova Scotia must learn from other jurisdictions such as Manitoba's Rent Assist Program which provides immediate financial support to renters (CCPA Housing, 2021).

Additionally, when a child does need to be removed from a family, participants indicated that providing the same level of funding to extended family members who are providing temporary care for the child, rather than placement in foster care, is more culturally competent and socially and economically sustainable. The funding remains in support of the family in need, and the child's other social networks are minimally disrupted rather than placing them in a different community.

Healthcare professionals and teachers have a duty to report when they suspect a child is suffering from harm (violence, abuse, neglect, exploitation). Racialized and marginalized families are frequently subjected to these allegations and investigations. Participants spoke of this approach as being punitive, and results in investigations instead of support, and worse a focus that lends to child being removed from their home/family. Although it was highlighted that preventative measures are not adequately funded, a mere reallocation of funding from one program to another is not believed to be the appropriate path forward. Rather new and increased funding is needed for both prevention and protection services.

*“Every aspect of the criteria for child welfare involvement should be amply resourced with supportive services that are collaborative and the least intrusive / punitive as possible; staffing child welfare resources should be reviewed - are adequate resources and supports in place for child welfare staff to be provided safely, collaboratively, and minimizing turnover of government employees within the system; training of child welfare personnel should be significantly improved, especially regarding the timing of, and support for the training.”*

Participant in the consultation

Consistent training across government organizations that support families is needed to remove the socially constructed barriers of class and race. The Inquiry (2019) revealed that “many citizens mistrust, and sometimes even fear, the systems that are meant to protect them. Across departments, participants acknowledged that systems must change, and they highlighted interdepartmental initiatives underway to help the Government take a more responsive, “person-first” approach. Throughout the discussions, participants identified trust as foundational to healthy and effective relationships”. Participants in our consultation identified that having effective communication and collaboration processes across multiple systems could support prevention in child welfare which would benefit most cases of families in need of assistance. Many participants pointed out how the child welfare system is connected to other programming or services including for example income assistance, housing, healthcare, education, mental health, justice, and policing in part through the role of social workers. Unfortunately, we heard the system’s poor working conditions for social workers, including unmanageable caseload/workloads, coupled with systemic barriers, often prevent effective communication and collaboration across the above systems.

Further, one of the TRC Calls to Action requires that child welfare must “provide adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so and to keep children in culturally appropriate environments, regardless of where they reside” (p. 1). Furthermore, the UN CRC stipulates that “a child shall not be separated from his or her parents against their will” (Article 9). It emphasizes respect for the “responsibilities, rights, and duties of parents or...members of the extended family members or community as...legal guardians...to provide...appropriate direction and guidance” to the child (Article 5, United Nations, 1989). Thus, keeping a family intact is specifically what needs to be prioritized as one of many preventative methods to reduce high caseloads social workers must manage, while implementing a relationship-building framework to promote trust and a human-centred approach.

The Inquiry identified the need to shift to an approach that is responsive, forward-thinking, and oriented toward solving problems while planning for the future. This includes the need for mechanisms of redress for families that experience negative treatment or have questions about services, to be heard fairly, timely, and safely to reduce any escalation of a problem and build better relations (CPNSHCCRI, 2019). To achieve this, we heard DCS must shift

from blaming and shaming those it serves to incorporate praise, positive feedback, and support.

It was also noted during the consultation that the role of legal counsel for DCS has changed over the years. Previously under the CFSA, legal counsel for the Minister was contracted out to community lawyers to represent the Minister and the rights and interests of the child. Currently, the Department of Justice (DOJ) lawyers represent the Minister and the interests of the child. The job description for lawyers with the DOJ's Legal Services Division states that the Legal Service Division is the law firm for the Province of Nova Scotia. DOJ lawyers can participate in a broad range of legal issues, providing legal services to the Crown, and promoting the fair and lawful administration of public affairs in accordance with the law. In practice what this has meant is that DOJ lawyers who represent the crown's interests operate and lead case conferences to control risks to the state (Barkley and Wright, 2018). Under this revised model participants stated that social workers, who should be leading case conferences, decisions and representing the best interests of the child, often appear to play a lesser role – that of a case manager – rather than being recognized as an expert in child welfare. We consistently heard about the dominant, overshadowing role DOJ lawyers take when child welfare matters are before the court.

As acknowledged above, punitive measures against families such as drug testing, which have fallen out-of-step with provincial and national laws on substance use, result in a systemic incoherence with some families being held to very different expectations than others. The practice stands at odds with the Convention's principle of the 'best interest of the child'. The punitive nature of the system, the unfair expectations that result in family separation, fail to ensure the threshold of the Convention vis-a-vis "abuse or neglect" (United Nations, 1989). Additionally, the CRC contains provisions that ensure children are to benefit from social security, social insurance and "a standard of living adequate for the child's physical, mental, spiritual, moral and social development" (Article 26). These rights are not punitive, they are duties and obligations of the State to ensure that children have what they need to survive and thrive, necessitating action from Nova Scotia to do better.

The shift away from punitive measures reinforces the previous thematic findings and demonstrates the SPF Principles of Interconnectedness, Decolonization and Social Inclusion. Participants highlighted the design flaw that reinforces the punitive nature of the system. The same department (DCS) that is responsible for child welfare is also responsible for Nova Scotia's social safety net. When families fail to receive support from one program, it results in conditions that trigger a response by the other, which can lead to children being removed from their families/homes. Subsequently, the policy that removes the Canada Child Tax Benefit from families when their child is brought 'into care' further perpetuates the conditions (i.e., poverty) that inhibit the return of the child to their family; while a new family stabilization payment has recently offered some relief in Nova Scotia, regulation changes are still required at a national level.

Participants repeatedly commented that the redesigned child welfare policy manual, procedures, programs, and service delivery, continue to be punitive with a heavy reliance on standardization, conformity, protection, and surveillance. Despite a variety of available international models to draw upon, the current child welfare system is still lacking an effective and organized model to guide effective social work practice. Creativity and collaboration are necessary to develop a comprehensive framework that adequately supports children's needs and rights.



## 4. Lack of Prevention

The lack of prevention was a persistent theme that emerged in the responses from stakeholders. Participants indicated that the child welfare system is set up in a way that prioritizes resources and services to those who are already within the system. Unless a case is opened, those in need are challenged to find sufficient help. If resources are inadequate or inaccessible without being a part of the system, it is inevitable that cases will be opened, and individuals subsumed within it. This model works against the idea of prevention and instead results in higher numbers of child welfare cases.

It was highlighted throughout the consultation process that many social workers are not provided effective ongoing training and support to provide services to BIPOC children, youth, families, and caregivers. When asked about what improvements can be made to the child welfare system to better support them, participants responded with the suggestion to continuously train social workers on how to work with service users from diverse cultural and economic backgrounds. Participants indicated a strong desire for the current optional courses to be mandatory for social work students, which offers insight into supporting ANS and Indigenous families and caregivers. At present, courses focused on supporting Indigenous families are mandatory while courses on supporting ANS families are optional. Educational institutions with curriculum for social work students and NSCSW have roles in ensuring this change takes effect.

Additionally, participants spoke of the need for mandatory courses in post-secondary education for social workers on topics such as supporting children living with disabilities. This would mean fulfilling the rights of disabled children in their access to education, training, health care services, rehabilitation services, preparation for employment, and recreation opportunities in a “manner conducive to the child achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development” as noted in Article 23 of the CRC (United Nations, 1989).

Training is connected to prioritizing prevention as well-trained staff are better aware of what options, and alternative forms of care, may exist in line with recipients’ needs. Well-trained social workers also ensure that service users are understood and helped according to their lived experiences thereby potentially reducing the time that service users spend within the system.

*“Prevention is being underfunded - these families are struggling with food and rent, they need money to help them prevent ending up in the system, many children don’t need to be in the system. If we’re serious about transformation, put more money into prevention. Bring in family group conferencing to let informal communities help keep children out of the system, children that don’t need to be there. Some children need to be in the system but many children don’t need to be in the system and they’re in it. Prevention gets less than 5% when I was in government - most of it would go to child protection, when they take children.”*

Participant in the consultation



Although Nova Scotian children living in households with two parents/caregivers have a significantly lower poverty rate (11.7%) than their peers from single-parent families (53.1%), concerningly, more than half of child welfare clients come from the latter group (Tromce et al., 2004). This paints an alarming picture for those facing financial hardship and limited resources as they face decreased quality of life compared with much of the rest of the province's population (Engage Nova Scotia, 2020; Frank et al., 2020).

Prevention requires sufficient funding as an investment in upstream care. Funding constraints that prevent adequate support to families and caregivers contribute to generational cycles of inclusion within the child welfare system. Families struggling with poverty, a lack of housing, and food insecurity may face difficulties providing adequate care for their children and in-turn come to the attention of the child welfare system. Financially supporting these families could prevent children from becoming part of the system and ensure that families whose files are closed do not have them reopened. Funding could also prevent overrepresentation of marginalized communities within the child welfare system. Increased and equitable funding could help children with disabilities, or living in rural areas, to gain access to adequate resources that address their needs and foster inclusion.

Housing insecurity plays a big role, in particular, in the lives of women, African Nova Scotians, Indigenous people, 2SLGBTQIA+ community members, refugees, migrants, and people with disabilities. The lack of durable housing frequently leads to children being removed from their families. The disparity of need within these communities highlights the urgency to enact access at a universal level to prevent families being subjected to homelessness and children being removed, and placed in care, especially since housing is a human right. Concurrently increasing the support and the threshold for the Affordable Living Tax Credit by 25% and the Nova Scotia Child Tax Benefit by 10% per child would lift a minimum of 8,000 people from the poverty line (CCPA Housing, 2021). Through parallel preventative programs, mitigation of risk factors would occur that contribute to children being removed from their families and placed in care with people not known to the child, which can lead to abuse and neglect and result in mental health issues and other negative effects.

The Calls to Action explain how it is essential for the child welfare system to ensure that “social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing” (p. 1, TRC). This also needs to be the case when investigating ANS families. Building relationships through meaningful engagement with ANS and Indigenous communities is a necessity to recognize the different needs of both communities considering the high number of Indigenous and ANS children and youth connected to the child welfare system. Family resource centres, that provide support to cultural communities, have stepped in, but they do not have the capacity due to numerous referrals and extended waitlists. They are also not funded appropriately to hire staff with competencies to support individuals and families with complex mental health needs. More resources and core funding are needed instead of grant and project-based funding to sufficiently address the needs and rights of children, youth, families and caregivers, beyond the current scope and mandate of family resource centres.

Prevention programs need to be implemented parallel to existing protective services. As highlighted earlier, taking a preventative approach to child removal, should first consider placing the child with extended family before relying on support of people outside their family. Prevention is strengthened by actively involving families in decision-making processes with the child, using Family Sharing Circles, voluntary care arrangements, and

kinship and extended family financial support. “The policy and legislative framework must be able to differentiate those young people who need a plan that involves their wider family and professionals and systems to keep them safe and improve the circumstances around the family (those who are on the edge of care or at risk of coming into care), from cases of immediate risk of harm — abuse and neglect.” (CPNSHCCRI, 2019).

After youth age out of the system, they can experience challenging circumstances and are in dire need of ongoing support. There is an urgent need for post-care services in a wrap-around manner inclusive and supportive of those individuals requiring it. By having preventative support for youth that have ‘aged-out’ of the system we may be able to circumvent other negative experiences with more punitive mechanisms. As an example, former youth-in-care pursuing post-secondary education at some Nova Scotia universities, can now avail themselves of tuition waivers. This helps to reduce the burden of cost to pursue post-secondary education and provide former youth-in-care with a foundation of knowledge to pursue the career of their dreams.

Nova Scotia has an obligation to realize children’s rights as enshrined within the CRC.

Considering the best interest of the child within “public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies” necessitates a focus on prevention (Article 3). The intentional dedication to this guiding principle requires time and effort, rather than something done as an afterthought or in a reactive manner.

Prevention therefore is part and parcel to realizing children’s rights. The Inquiry and the TRC Calls to Action both emphasized the need for preventative programs, which DCS inadequately provides. The Inquiry recommended the need “to educate others to ensure that better preventive practices are put in place”. The Calls to Action specified the need to create “preventive programs that can be delivered in a culturally appropriate manner”. The need for prevention cannot be understated. As noted earlier, participants have indicated that the child welfare system in the province prioritizes policing, investigation, and reporting over prevention. Punitive approaches run counter to the need for prevention as highlighted by the Calls for Action and the Inquiry. Both protection and prevention services need to be adequately funded. Prevention is also important as it relates to the SPF Principles of Interconnectedness, Universality, Decent Work and Well-being, and Public Provision.

Ensuring workers within the system have the adequate and necessary training links prevention to Decent Work and Well-being. Providing tuition waivers and other wrap-around services for youth that age-out of the system reinforces this theme by supporting young people to thrive as productive community members despite their earlier experiences in care. The overlap between the theme of prevention and punitive service orientation, coupled with the emphasis for culturally competent care which emphasized non-Eurocentric definitions of family and placement with extended kin rather than removal to other families, demonstrates the Interconnectedness between prevention and the other SPFs. Since prevention takes a broad approach, which benefits more than just youth-in-care, the SPF principle of Universality is also relevant. And, through the connection to other supports that are part of the social safety net within Nova Scotia like housing, prevention also demonstrates the SPF principle of Public Provision.

Consistently we heard that the current resources allocated to child welfare are woefully insufficient, leaving vulnerable children and families, particularly those from historically disadvantaged Black, Indigenous, racialized, and other marginalized communities, with

inadequate services. That the current system has been marred by outdated values and ideas, leading to rigorous yet ineffective support structures. That it is time for an invigorating recalibration of the way we view program and service delivery, to one that values and has a laser focus on human-centred/relationship-based approaches from development to implementation, rather than punishing those in need. Participants resoundingly spoke of the need for a shift to the current child welfare system, one that requires a transformative overhaul of its current governance structure.

## 5. Need to Address Poverty

Throughout this study, the theme of poverty emerged from participants and in the literature. Nova Scotia has one of the highest rates of child poverty (Findlay et al., 2020). While poverty does not cause child neglect or abuse, there is a correlation between poverty and the likelihood of children being taken into care (NSCSW, 2021). Many participants highlighted the role poverty plays in child welfare cases and that little is being done by the system to adequately mitigate this. Participants explained that the CFSA's vague definitions of neglect, compounded with lack of awareness and consideration of systemic barriers has resulted in a child welfare system that leans more on policing and surveillance and polices that punish the poor and less fortunate.

Furthermore, we heard that resources related to housing and financial support were inadequate, woefully failing to meet the financial needs of today's families and caregivers. Insufficient financial and housing resources results in repeating cycles of poverty for families, and increased likelihood of future children being taken into care.

*“There were times when what you fed your children, sometimes, social workers would look down upon that too, so they will see poverty as something that should be judged. If you're poor, it's more likely that your child will be taken into care.”*

Participant in the consultation

The systematic disenfranchisement of racialized and marginalized families significantly contributes to their experiences of poverty, and yet they are expected to overcome this poverty with minimal support to keep their children. As has been previously mentioned, systemic oppression is not taken into consideration when working with marginalized communities. Furthermore, a lack of support for social workers means that providing culturally competent care is not always possible (Barkley & Wright, 2019).

In the current legislation social workers and others who work with children such as educators and doctors have a duty to report neglect. The CFSA describes neglect as “the chronic and serious failure to provide to the child (i) adequate food, clothing or shelter, (ii) adequate supervision, (iii) affection or cognitive stimulation, or (iv) any other similar failure to provide.” This definition puts poor families in a vulnerable position and targets racialized families due to bias and stigma, making it likely that their provision of care will be seen as inadequate. With the current overrepresentation of ANS and Indigenous children and youth in care, it is evident that this is a likely issue (Frank, Fisher & Christine, 2021).

*“[the]...underlying assumption is being poor makes you a bad parent. It’s broadened the obligations to report based on that level of neglect. [The] government is compliant in facilitating poverty and not addressing it. [The government] needs to recognize that income assistance rates are far below the poverty line and thus don’t allow parents to provide adequate support.”*

Participant in the consultation

While poverty is a contributing factor to children being taken from their homes, sufficient financial support is not provided to rectify this. Rather, Nova Scotia has seen its income assistance supports such as welfare, the Nova Scotia Child Benefit and the Nova Scotia Affordable Living Tax Credit greatly reduced because of inflation, leaving Nova Scotia with one of the lowest income support rates in the country (Frank, Fisher & Christine, 2021). This comes at a time where the cost of living has increased drastically, placing families in deeper poverty and at greater risk of losing their children. Poverty is further exacerbated for families when children are taken into care as income supports for children, which many families rely on to stay afloat, are immediately halted upon removal of children from the home (Frank, Fisher & Christine, 2021). The removal of these supports, while simultaneously expecting families to financially meet the needs of their children for them to be returned, only serves to further penalize families living in poverty and makes it even more difficult to escape it. The limited resources and funding from DCS, and the red tape that makes it difficult to access for many families and social workers further leaves parents unsupported in their efforts to regain custody and take care of their families.

*“Income assistance needs to increase. Less barriers for parents to work and care for their child. One positive change is cheaper daycare. This can assist the child having a place with food, without violence etc. [We need] Less barriers for things [for example]... proving you have a yeast infection before we will give you money to go buy over the counter medication. To prove this you need to take your 4 kids to the walk in clinic and wait. Many families are so busy trying to jump through the hurdles that they are so exhausted”.*

Participant in the consultation

It is also important to consider how poverty affects domestic violence, which in turn can result in children being removed from the home. Living in poverty means that victims of domestic abuse are rarely able to escape due to lack of resources (e.g., affording safe housing, childcare, transportation) (Niess-May, 2019). Participants referenced that the CFSA amendments further threatened victims of domestic violence by qualifying a ‘lack of action to seek help or resources’ as being a ‘substantial risk’ to children, thereby allowing them to be taken from their homes without supporting the victim of the violence. Further that

the removal of children and the subsequent stopping of significant income supports makes it even more difficult for victims to escape as their resources are further diminished.

*“[The] impact on those living in poverty [is a] close link with domestic violence. [You] would see a decrease in domestic violence if less people were living in poverty, probably 70-80% of child welfare files have some sort of domestic violence.”*

Participant in the consultation

Addressing poverty in Nova Scotia is essential for the full adoption of the SPF Principles of Universality and Fiscal Fairness. The principle of Universality emphasizes the need to provide services that are accessible to everyone regardless of income. In our opinion based on what we reviewed and heard, the Nova Scotia child welfare system fails to meet this principle as it is evident that there are disparities in service provision and access to resources for families living in poverty, especially racialized families. Government also fails to implement the principle of Fiscal Fairness which promotes adequately fundings social services and investing in communities this way. DCS has increased its budgets and income support by a margin that does not meet today’s cost of living, nor does it account for inflation. Without significantly increasing budgets and allocating funds that prioritize help to families and alleviate poverty, government will continue to fall short in providing quality services and support to families in the system.

Childhood poverty has been directly linked to adverse childhood experiences with several negative consequences for children, including poorer outcomes in physical and mental health, and education (NSCSW, 2021, Bellis et al., 2019, Kagi & Regala, 2012). Without addressing poverty, the Nova Scotia child welfare system allows the harm it causes and the negative outcomes for children to thrive, rather than a healthy ecosystem of care. The child welfare system in Nova Scotia cannot aim to support the safety, health, and wellness of children if it remains a system that is punitive towards poor families rather than one that lifts families out of poverty. Considering the guiding questions of this work, it is essential to address poverty if we hope to achieve the vision of a province where every child is able “to live in a home and a community free of poverty, violence and harm, that allows them to reach their full potential.” Without restructuring the child welfare system to meet the needs and rights of children, and the needs of their families and caregivers, it will not reflect the recommendations brought forward by the TRC and the Inquiry.

Articles 26 and 27 of the CRC both contain provisions related to poverty and its alleviation. Article 26 states that every child has the right to “benefit from social security, including social insurance”. Article 27 states that every child has the right to “a standard of living adequate for the child’s physical, mental, spiritual, moral and social development”. Together the realization of these rights would ensure that children do not languish in the systemic inadequacies related to poverty. Rather, they set the normative expectations that all children should have their needs addressed, beyond rhetoric, to ensure children thrive. The contextual details provided at the outset of this thematic section demonstrate that this has not been the case for children in Nova Scotia. To achieve the SPF Principles of Universality



and Fiscal Fairness, realize the right to social security and a standard of living for a child's development, as well as the Calls for Action and the Inquiry recommendations, a review of the literature and what we heard points to the need for Nova Scotia to do much more to alleviate child poverty. The current economic model is insufficient and must be re-envisioned in the best interest of children.

Poverty and housing insecurity are seen as the root of many issues that burden our child welfare systems. The effects on intervention, reunification, safety and well-being are substantial, structural changes are needed to address these underlying problems we have an opportunity to ensure positive results for all involved.

## 6. Lack of Collaboration and Communication

A persistent theme that emerged from the focus group and survey responses was the acknowledgement that there is a significant lack of collaboration and communication across the social services sector, from frontline service providers, to policymakers, to those in leadership positions. Specific to child welfare, participants emphasized there is a growing concern due to limits in legislation, policies, procedures, and processes, as well as workload issues that limit frontline service providers to fully communicate and collaborate with others in a meaningful way within and across social services including policymakers.

We heard, the lack of communication and collaboration across the social service sector is limiting effective change within the child welfare system and directly influences service delivery. Our finding is consistent with the Inquiry which found that “participants across departments noted that belonging to a department and being responsible solely for their area of work lent itself to not developing relationships with other departments. Participants spoke of the tendency to take a system-oriented approach, and how this approach has historically had a negative effect on the people those systems should be serving—particularly vulnerable and marginalized individuals.”

Stakeholders strongly indicated frontline staff should be able to timely communicate and collaborate with policymakers, as well as, Community Services, Disability Support Program, healthcare, justice, education, mental health and addictions, group homes, shelters, and the police. Through effective communication and collaboration, systems can better help families without causing further harm and/or trauma. Additionally, stakeholders suggested collaboration should also occur between DCS and community organizations, including Indigenous child welfare organizations, Band designates and Band support mechanisms. This would build upon the existing framework with Indigenous child welfare and communities, further promoting decolonization.



*“Policy needs to be made by front line workers. Not office staff. Standard risk assessments need to be used so there are less discrepancies across offices. Paying service providers a higher rate so we can have more highly skilled providers. More communication and collaboration with police on family violence files. More cooperation and collaboration with the IWK and NSHA on child mental health files. Expansion of families plus to every office province wide. Services should be able to be implemented at intake to help address risk so the file does not have to open.”*

Participant in the consultation

Furthermore, participants indicated there is a lack of federal, provincial, and municipal collaboration, resulting in delays for families because each government assumes the situation is being handled by one of the other jurisdictions. Instances of poor communication cause a backlog which puts added stress on frontline staff that already have high caseloads, contributing to a lack of trust within the community. Participants advised that this has led BIPOC organizations to do work that is supposed to be done by DCS out of necessity. There has been a positive effect for ANS families, specifically regarding family reunification and family sharing circles without the DCS-imposed limitation of what constitutes a family. While it is important for frontline staff, policymakers, service providers, and other stakeholders throughout the system to collaborate, it is also critical to share information with the children’s families. Families are entitled to know what is happening or what has happened to their children, and to collaborate with the child welfare system in the decision-making process with the child’s best interest at the forefront. Participants also noted a need to collaborate with community support services, Band Designates, and to implement the use of Family Sharing Circles, to ensure family input into agency involvement and agency transparency. Overall, there is a strong need for universal childcare on a federal level, but making sure federal, provincial, and municipal levels are united and collaborating to support children and their families, following the SPF principles of Shared Governance and Democratization.

*“In my position (identifying information removed) I work with marginalized families that are involved with child protection (identifying information removed) helping individuals get their children back. I can’t directly talk with the social workers although I know most of them and we have relationships and they want to work with me but I can’t because I work for the defense but I would love to collaborate with DCS just to help the families but that’s not feasible, it’s not happening and it’s okay but it would be nice if that were an option.” [...] “and to have a go-between would be a good idea, even if it’s not me, it’s someone else, or another organization who did that, but there isn’t. There isn’t someone to support clients in that way, or if DCS would work collaboratively with them, not that I know of.”*

Participant in the consultation

At present, service providers across the multiple sectors engage with children and families independently, which can contribute to fatigue and mistrust due to the lack of communication and collaboration. These conditions can exacerbate systemic barriers for families seeking support. As an example, Family Court – including judges – needs a better understanding of the issues children and families/caregivers face. In the past, Legal Aid has served as an advocate, but is now a broken piece of the system, due to the restrictions of attorney-client privilege. The over-emphasis on the individual, protection of personal privacy, and confidentiality, to the exclusion of more collectivist (non-Eurocentric) approaches, can impede collaboration and communication in support of children and families/caregivers.

Participants in the consultation highlighted the need to establish a Child Advocate in Nova Scotia. The advocate would not speak for or on behalf of children, but instead amplify the voices of the children and youth. The Inquiry strongly recommended the creation of a Children and Youth Commission (CYC). The CYC model is proactive and responsive rather than simply reactive and would serve as an additional mechanism to support collaboration and integration across the system of care for children and youth in Nova Scotia. The role would provide oversight and accountability with a shared ‘outcomes framework’ to assess how children and youth are doing. Overall, the CYC would be human-centred not system-centred. It would not be concerned only with advocating within the existing system, nor with merely “navigating” current systems. The Commission would be designed to work in collaborative ways “with” children, youth, and their families, as well as with the system of care (Government and community based)” (CPNSHCCRI, 2019).

The recommendations that emerged from the Inquiry and the Calls to Action both highlight the necessity for collaboration across systems and service providers including but not limited to DCS, child and youth care workers, social workers, NSCSW, mental health care practitioners, healthcare professionals, teachers, legal counsel and judges, community partners and organizations, Band councils and academic partners. The Inquiry recommended “working collaboratively to identify issues, learn, and seek solutions together is an effective and sustainable path toward change that will truly make a difference”. This relates to the theme of collaboration and communication in the child welfare system. Addressing this thematic finding will position Nova Scotia to improve the ecosystem intended to benefit children, youth, families, and caregivers by fostering “relationships of mutual respect, care, acceptance and dignity within and among communities, systems, structures and institutions” to thereby “support collective ownership, shared responsibility and collaborative decision-making” (CPNSHCCRI, 2019).

Article 3 of the CRC states that “all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary concern”. The Article goes on to further unify efforts on behalf of children akin to collaboration between entities, by stating that “institutions, services and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities”. Therefore, from our review and what we heard, to meet its obligation to realize the best interest of the child, Nova Scotia must do more to promote and adhere to better communication and collaboration across departments and sectors for the benefit of children, youth, families and caregivers. This would not only support children’s rights, the Calls to Action and recommendations from the Inquiry, but also the SPF Principles of Democratization and Shared Governance. Through effective communication and collaboration decision-making

and power-sharing can occur which would bring these principles to life within the child welfare system.

The consultation has revealed that Nova Scotia's bureaucratic system, policies that restrict communication, and the moral distress and burnout among staff, have created a worrisome gap in collaboration between social services, health systems, and justice institutions and is preventing vulnerable populations from receiving the support they deserve. As such, measures have to be taken to create a better-connected network of stakeholders that can work together harmoniously for more positive outcomes.

## 7. Lack of Value Placed on Social Workers in Child Welfare

Working in the field of child welfare is one of the most complex and challenging areas of employment for social workers. The work is difficult, demanding and stressful and unfortunately often unsupported and devalued. The consultation, as well as the literature reviewed, revealed ongoing pressing challenges faced by social workers in child welfare, including the struggle to attract and retain talent, the importance of comprehensive education and mentoring, and the balancing act between overwhelming workloads and high expectations (CASW, 2018, Weinberg, 2019). Moreover, it was articulated that excessive administrative tasks hinder core duties, while navigating through the effects of stress, burnout, and vicarious trauma (Weinberg, 2019). In addition, the implications of continuous organizational change and the diminishing value placed on social work qualifications, particularly in management and leadership roles, have undermined an appreciation of the profession and its worth.

In Nova Scotia, an analysis of the professional care sector reveals that not only is this work largely performed by women (85% according to NSCSW data), but that societal expectations suggest it is considered low-skilled labour. This phenomenon can be attributed in part to a lingering patriarchy which propagates outdated beliefs and attitudes about what female workers should do, namely, providing care because they "love" it. (Brown et al., 2020; Saulnier 2019). Caregiving is an often overlooked but integral part of society, yet it creates many unique struggles for those involved. Despite this fact, social policies have failed to recognize its value. Consequently, women suffer from issues like depression and financial pressure that significantly affects their well-being and security (Findlay et al., 2020). To rectify the situation, we must invest in resources such as childcare while also introducing more flexible maternity/parental leave options so people can enjoy quality leisure time with family members and friends within their communities.

Social work practice, education, and research are rooted in diverse theories from social sciences, humanities, and Indigenous knowledge. At its core, social work zeroes in on the intricate web connecting individuals, families/caregivers, and communities, acknowledging the crucial role of various elements such as culture, legal systems, spirituality, and economics, in shaping one's well-being. Embracing a strengths-based outlook, social work is meant to build resilience, resourcefulness, and potential within all (CASW, 2020). Social workers are committed to upholding the fundamental dignity of all people and working for a just society. Through an anti-oppressive lens, paired with ethical practice based on values such as humility, they strive towards creating culturally responsive services that benefit everyone (NSCSW, 2017).

In child welfare, the purpose of social work is drifting from its core values and unique role as a helping profession, as the structure pushes the role to become more and more focused on case management. The consultation revealed that insufficient supports and resources impair the effectiveness of working with families and caregivers, as high caseloads and workloads, limited community programs and services, and a lack of proper placement alternatives exacerbate issues such as poverty, housing, and mental health. Unfortunately, attention and funding are often diverted to address critical events, and respond to media coverage and political interest, which act to sideline the fundamental functions of social work. Moreover, an overarching concern by the system for avoiding liability and adhering to restrictive cookie cutter policies has led to an excessive focus on completing checklists and defending actions, rather than prioritizing human-centred relationships. It is crucial to reassess and realign social work practice, to bring it back to its core values and enable social workers to fully perform their role and scope of practice so they may fulfill the very reason they entered the profession to help and make a difference in people's lives.

Participants spoke of amendments made to the CFSA as posing additional significant challenges to an already overworked and stressed social work-workforce, including higher caseloads, higher expectations and a lack of adequate support, training or mentorship. Concerns were raised about newcomers to the field, in particular, being plunked in challenging and complex positions without time to build the necessary experience and expertise in assessing family risk levels and working with families from a trauma-informed lens. A standardized focus, liability and risk averse system leads to social workers feeling the weight of the system's inadequacies and fearful of its retribution. We continuously heard that the field of child welfare is facing critical issues regarding recruitment and retention of social workers, and that currently the system lacks a stabilized workforce which has had a tremendous negative effect on those working in the system and those served by the system.

According to the Canadian Association of Social Workers' Child Welfare Report, excessively high workloads and increased expectations coupled with a lack of support and resources were key reasons why social workers often leave child protection positions. Furthermore, organizations are not providing adequate mental health services or wellness initiatives for staff members who experience burnout, compassion fatigue, stress and post-traumatic stress disorder due to their working conditions. Overwhelmed by a barrage of paperwork, heavy caseloads, and restrictive policies, child welfare professionals feel the pressure of de-professionalization. According to findings from CASW (2018), this troubling trend appears to be on the rise.

Many social workers enter the profession with the best of intentions, hoping to be a force for good in people's lives. Unfortunately, in today's environment their hopes and dreams too often fall short when it comes to being able to provide sufficient resources to those served and having any level of autonomy. In addition, there is often a tension practicing in the field of child welfare between the employer's expectations and the ethical obligations of the profession. Moral distress serves as an effective lens through which we can identify where reality fails to meet our ideals, acknowledging not only these shortcomings but also the emotional burden placed on those trying so desperately to do what is right yet often falling short-because of structural processes.

We heard again and again, social work within the child welfare system has been subject to a diminishing value, with social workers expected to serve as case managers rather than

being valued for their experience and expertise in children’s rights, family dynamics, and client-centred support. Too often, the social work profession unfairly takes the blame for historical and pervasive system and structural issues. It is critical for employers to recognize the importance of the role of social work and value the profession in their staffing complement in order to effectively advocate on behalf of and serve the most vulnerable.

The fact remains social work in the child welfare system is facing a considerable challenge when it comes to recruitment and retention. The majority of those working within this field are women, with poor working conditions negatively affecting client outcomes, and societal pressures to also provide care at home. To achieve positive outcomes for children youth and families in this province, social workers in the field of child welfare must be respected, supported and valued. It’s time for DCS to take an innovative approach which considers gender dynamics at every stage of workforce planning. The moral distress and burnout among staff have created a worrisome gap in collaboration between social services, health systems, and justice institutions, and is preventing vulnerable populations from receiving the support they deserve. As such, measures must be taken to create a better-connected network of stakeholders that can work together harmoniously for more positive outcomes for children, youth, families and caregivers.

## RECOMMENDATIONS

There have been numerous calls for action and recommendations made by experts, including individuals with lived experience, which remain relevant to improving the child welfare system in Nova Scotia. As a starting point, we encourage a review and implementation of that which already exists by way of recommendations contained within:

- s.88A of the CFSA requiring a public, four-year review of the Act;
- the TRC’s Calls to Action, applicable to Nova Scotia,
- the Nova Scotia Home for Colored Children Report; and
- the Committee on the Rights of the Child’s responses to Canada’s reports on its implementation of the CRC, applicable to Nova Scotia.

Additionally, we have compiled the following recommendations by theme that reflect what participants indicated during the consultation process for this project.

### 1. Lack of Demonstrated Meaningful Change

What we heard from the consultations was that in its pursuit of making service delivery more effective and efficient, DCS embarked on a transformational journey that was led by external contractors. Unfortunately, this effort failed to produce noticeable improvements in the well-being of children, youth, and families served by DCS. We consistently heard that the current



state of the child welfare system in Nova Scotia is in dire need of reform. That it has been marred by bureaucracy, an overly complex and disconnected structure, a tendency to blame the individual for their circumstances instead of working towards child and family well-being, and has had more than its fair share of poor outcomes. Adequate regulation and accountability are urgently needed if we wish to see our society thrive in the future. Client outcomes are not being carefully monitored due to a lack of data gathering and appropriate technology. These shortcomings need to be addressed for successful results to manifest. A much-needed shift in the child welfare system requires a transformative overhaul of its current governance structure. The recommendations identified through the consultations to address these issues include:

- a. Review the current governance structure for the Child and Family Well-being Division within the DCS. Following a similar model as the Department of Health and Wellness and Office of Mental Health and Addictions, identify and allocate sufficient funding to create a stand-alone office of Child and Family Well-being and appoint a Minister whose focus will be solely on improving outcomes for children, youth, families, and caregivers.
- b. There should be a new “Chief Officer” of the Office of Child and Family Well-Being. The qualifications for the position should require the incumbent to have an MSW or BSW, with significant experience and expertise in child welfare, and active registration with the NSCSW to strengthen the system and accountability.
- c. All front line, supervisory, management and leadership positions currently supporting the child welfare operational, policy, program and service delivery structure, including but not limited to, directors, coordinators, child welfare specialists, managers, supervisors, social workers, family support workers, access facilitators , policy and program development positions, IT and all related financial and administrative supports, must move from DCS to the new structure governed by the Office of Children, Youth, and Family Services.
- e. Managers and Leaders within the new Office of Child and Family Well-being should be accountable for policy, standards, community collaboration and program evaluation for the following programs: child protection, clinical auditing, Indigenous and African Nova Scotia consulting, services, and training. These positions would be structured around the unique needs of the communities they serve. These positions should require a BSW or MSW, experience in child welfare, and active registration with the NSCSW.
- f. Invest an initial \$3.8 million to create 38 coordinator positions for the Family Group Conference (FGC) and Immediate Response Conferencing (IRC) team to provide policy and program leadership for each of the four regions in Nova Scotia. All consultants should be required to have an MSW or BSW and active registration with the NSCSW.
- g. Allocate an initial \$750,000 of increased spending to the Office of Child and Family Well- Being to continue to evolve the practice framework for child and family well-being. Ensure that communities, children and youth, front-line staff, social workers, and community organizations meaningfully collaborate, and are trained and mentored in the implementation of the practice framework.

- h. Utilizing the well-being framework create an “ecosystem” for child and family well-being in which government departments, community organizations, researchers, and advocates identify, collect, and use data and take a research-based and intersectional lens to ensure culturally safe and appropriate services are accessible and fill gaps.
- i. Create new legislation for the well-being framework that enables community partners to advocate for the best interests of children and families without the risk or fear of retaliation or loss of funding.
- j. Allocate an initial new investment of \$12 million in order to move away from project and grant funding models for core services and instead provide core-funding for all services necessary to enrich child and family well-being.
- k. Allocate \$1 million to create four community oversight boards enabled with a legislative mandate and funding to provide progress updates in each of the four DCS service areas. The boards will support the child and family well-being eco-system.
- l. Review the current regional boundaries of other social services provided throughout the province to ensure the proposed oversight boards are best aligned and able to provide support to children, youth, families, caregivers, and communities with consideration to cultural and geographic context.
- m. Nova Scotia should consider creating an independent regulatory body for social service workers to provide greater protection of the public and accountability to the public interest.
- n. On an annual basis, staff and community partners should be expected to provide feedback in an anonymous manner on the governance of the office of Child and Family Well-being to support professional development. The summary document should be used to provide feedback on an annual basis to all in the system on their strengths and areas for development.

## 2. Rooted in Colonialism, Racism, and Sexism

From the disproportionate numbers of Black and Indigenous families in foster care to discriminatory policies and practices, this project has clearly identified that racism is undeniably embedded within the child welfare system. That unless decisive action is taken, this insidious problem will continue to deprive too many children of their right to a safe environment free from discrimination. We continuously heard while the 2017 Children and Family Services Act was designed to protect vulnerable families in Nova Scotia, its amendments have had a disturbing effect on marginalized and racialized communities. Unjust practices such as intrusive investigation and over surveillance are perpetuating inequality, something that must be addressed if racial justice is to truly prevail. Recommendations to address these issues include:

- a. Immediately begin the work to conduct an independent, thorough review of the CFSA with the intent of changing provisions to be trauma-informed, culturally safe and aligned with the Child and Well-being Framework:

- Add to section 3 a clause that defines family in a way that provides a more culturally relevant interpretation
  - Remove from Section 22(2) the definition of neglect. The section on emotional abuse is sufficient and speaks to the impact of neglect. Add further checks and balances to section 22
  - Change section 22(2)(i) that states, “the child has become aware of domestic violence in the home without proof of objective harm to the child” which increases the risk of dissuading victims of intimate partner violence to report such violence or seek services thereby further endangering the victim and children
  - Remove the provision regarding ‘duty to report’ from sections 23 to 25 which contribute to the over surveillance of racialized and marginalized communities and jeopardize the ability of service providers to ensure the safety and well-being of children and their families and do not increase safety or well-being for children
  - Create realistic court time limits under the Act, which are reflective of the current social environment and the capacity of families to make changes and heal through culturally relevant services, while respecting that timelines for children are imperative to permanency
  - Extend the jurisdiction of the Act for youth aged 16-19 to bring youth into care for extreme issues like human trafficking
- b. Provide authority to judges to have the discretion to make an order for access after permanent care and custody when it is in the best interests of the child.
- c. DCS, Dalhousie University, and the Association of Black Social Workers continue their work to implement the ANS BSW cohort. This should include:
- Coursework on ANS history and culture
  - Best practices in culturally safe care
  - A periodic review and revision of the curriculum as needed.
- d. Continue to prioritize hiring employees from diverse cultural backgrounds at all levels within the child welfare system including in leadership and decision-making roles.
- e. Realign the Family Connections Coordinator position created to end the Birth Alert procedure and allocate resources to public health to support expectant families who are struggling or have multiple needs that place them at-risk and connect them with services to meet their complex needs.

### 3. Punitive in Nature

Participants repeatedly commented that the child welfare policy manual, procedures, programs, and service delivery, continue to be punitive with a heavy reliance on

standardization, conformity, protection, and surveillance. Despite a variety of international models to draw upon, the current child welfare system is still lacking an effective and organized model to guide social work practice. Creativity and collaboration are necessary to develop a comprehensive framework that adequately supports children's needs and rights. The current system has been marred by outdated values and ideas, leading to rigorous yet ineffective structures. It's time for an invigorating recalibration of the way we view service delivery, one that builds on human-centred services rather than punishing those in need.

Recommendation to address these issues include:

- a. Utilizing the Child and Well-Being Practice Framework to develop policy that draws on and includes social work values and principles, namely:
  - The inherent dignity and worth of all people
  - Trauma-informed care
  - Harm reduction
  - Anti-racism
  - Reconciliation
  - Children's rights and human rights
  - Social justice
  - Strength and solution-focused models of practice
  - Family group and immediate response conferencing.
- b. Utilizing the framework, amend child welfare policies to describe those practices, activities, decisions, and circumstances that would be unacceptable to the delivery of child welfare services and supports. Rather than being prescriptive and rules driven, provide a framework for child welfare practitioners to provide bold innovative services that draw on social work scope of practice and expertise.
- c. Following the New Brunswick model, establish immediate response conferencing for any recommendation of child placement or entrance into protective care, reviewed by an independent, qualified social worker. Adopt New Brunswick's "Principle of Collaboration" to avoid the barriers in sharing information when in the best interest of the child with safeguards enacted to protect victims of intimate partner violence and domestic abuse.
- d. Adhere to the federal Act Respecting First Nations, Inuit, and Metis Children, Youth, and Families, and follow the New Brunswick and Yukon models, reorient 'foster care' services to prioritize 'kinship' and/or 'community caregivers' with equal funding available to these mechanisms of support.
- e. Allocate a minimum of \$2.8 million to create an Office of the Children's Lawyer (OCL), modeled after Ontario. It would be an independent law office delivering justice programs on behalf of children. The office would represent the best interests of a

child under the age of 25 in matters and court cases in Nova Scotia including child protection cases usually starting when a child protection agency believes a child needs protection because of abuse and/or neglect.

- f. Allocate an additional \$2.2 million in additional spending to extend services to youth aging-out of care, to the age of 27, following the example of British Columbia. Ensure that wrap-around assistance is provided including tuition waivers and other support for housing to access and achieve secondary education, as well as transitional disability or employment assistance for those who choose not to pursue post-secondary education.

#### 4. Lack of Prevention

The current resources allocated to child and family well-being are woefully insufficient, leaving vulnerable children and families, particularly those that experience historic and ongoing forms of marginalization, such as Black, Indigenous, and racialized communities, with inadequate services. Recommendations to address these issues include:

- a. The Child and Family Well-Being Framework identified above must embrace the principle of universality and provide services and programs accessible to all without discrimination. Access is a right or entitlement and should not be determined based on comparative need, or waiting for a person to be in crisis before it is delivered.
- b. A minimum increase of \$120 million should be made immediately with the goal of increasing mental health care spending by \$362 million within 3 years for public mental health systems to be able to meet the needs of all Nova Scotians with particular attention to rural areas. Amidst growing calls for better mental healthcare accessibility, the Canadian Mental Health Association has advocated for 12% of provincial and territorial health spending going towards mental health services, of which 50% goes to community-based care. The total health care budget for Nova Scotia in the 2023-2024 budget is \$6.5 billion; 12% of mental health and substance use spending would be an investment of \$780 million. Currently the government of Nova Scotia intends to spend \$418 million, representing only 6.4%.
- c. Oversight of the mental health services provided under Policy 75 should be implemented including clearer criteria on how services are allocated and with an evaluation of the quality and alignment to individuals' needs.
- d. Orient the provision of mental health services beyond the current medical model towards a bio-psycho-social-spiritual model to address broader conditions that affect wellness and thereby reduce the number of children being taken into care.
- e. Develop and offer community, culturally appropriate, and specific services to ANS and Indigenous communities, 2SLGBTQIA+ people, and other marginalized groups, to address the consequences of historic and intergenerational trauma, oppression, and discrimination.
- f. Offer gender-specific services that address co-existing issues of mental health, substance use, and trauma.



- g. Public health and education programs need to be expanded to increase public knowledge and awareness about mental health, trauma, and substance use, with attention given to issues of prevention, stigma, and discrimination. Public Health needs to ensure strong communication lines are open between policy makers, supervisors, and practitioners, across related departments, agencies, and the community at large with an aim to create a collaborative environment in which prevention is prioritized.
- h. Develop a clear strategy for amalgamating mental health and addiction services. The use of substances is often a way to cope with trauma and mental health struggles. A non-disease, holistic, harm reduction model can address the relationship between these issues. It supports an integrated approach to addressing concurrent issues as well as trauma. Training is necessary to address concurrent mental health and substance use issues.
- i. Employ harm reduction strategies in all substance use counselling with specific attention to alcohol use problems. Controlled drinking strategies should be developed and operationalized in line with harm reduction as a choice for those who do not see abstinence as an option. This strategy is already in place for other substances such as opioids and nicotine.

## 5. Need to Address Poverty

Poverty and housing insecurity are seen as the root of many issues that burden our child welfare systems. The effects on intervention, reunification, safety, and well-being are substantial; structural changes are needed to address these underlying problems to ensure positive results for all involved. Recommendations to address poverty in connection to child welfare in Nova Scotia, include:

- a. Implement all 94 recommendations from the Housing For All Report and commit to building 33,000 units of permanently affordable housing in Nova Scotia, sufficient for all those in need. Housing security is not simply a supply issue; we must also ensure Nova Scotians have adequate community-based support services aligned with need, to live healthy lives.
- b. Commit to an investment of \$531 million each year for the next 10 years to ensure that these units can be built or acquired and maintained. An average of an additional \$182 million per year must be dedicated to operational spending over those 10 years.
- c. Implement all 16 recommendations from the 2022 CCPA-NS Child and Family Report Card.
- d. Consider the effects of class on children and families when children are placed in temporary care and prioritize 'kinship' and/or 'community care' options first.

## 6. Lack of Collaboration and Communication

The moral distress and burnout among staff have created a worrisome gap in communication and collaboration between social services, health systems, and justice institutions and is preventing vulnerable populations from receiving the support and services

they deserve. As such, measures must be taken to create a better-connected network of stakeholders that can work together harmoniously for more positive outcomes.

Recommendations to address the lack of collaboration and communication in the child welfare system in Nova Scotia include:

- a. Enable managers in the Office of Child and Family Well-being to increase collaboration between various stakeholders and remove administrative barriers to promote a holistic approach to address issues.
- b. Establish an interdepartmental working group to foster better collaboration and communication for child welfare and wrap-around service provision including DCS, Health, Justice, and Education.
- c. Allocate an additional \$200,000 to continue to advance the work of the Inclusion, Diversity & Community Relations Division and develop policies and procedures for DCS to collaborate with BIPOC community organizations.
- d. Allocate an additional \$21 million to ensure universal childcare in support of the development of a workforce retention strategy and provide additional wage support. Develop an Early Learning and Child Care Central Agency to oversee system-planning, and operational support. Expand licensed childcare services prioritizing rural, based on need, ensuring diverse options are available totaling 15 new centres and 500 spaces.
- e. Develop and implement peer-based supports within the child welfare system.

## 7. Lack of Value Placed on Social Workers in Child Welfare

Social work within the child welfare system has been subject to diminishing value, with social workers expected to serve as case managers rather than draw upon their expertise in children's rights, family dynamics, and client-centred support. It is critical for employers to recognize the importance of the role of social work and value the profession in their staffing compliment in order to effectively advocate on behalf of and serve the most vulnerable.

The fact remains social work in the child welfare system is facing a considerable challenge when it comes to recruitment and retention. The majority of those working within the field are women, with poor working conditions impacting on client outcomes, and societal pressures to also provide care at home. To achieve positive outcomes for children youth and families in this province social workers in the field of child welfare must be respected, supported and valued. It's time for DCS to take an innovative approach which considers gender dynamics at every stage of workforce planning. The moral distress and burnout among staff have created a worrisome gap in collaboration between social services, health systems, and justice institutions, and is preventing vulnerable populations from receiving the support they deserve. As such, measures must be taken to create a better-connected network of stakeholders that can work together harmoniously for more positive outcomes for children, youth, families and caregivers. Recommendations to address the lack of value placed on social workers in child welfare in Nova Scotia, include:

- a. NSCSW, DCS, Mi'kmaw Children and Family Services, Dalhousie School of Social Work, Université Sainte-Anne, and Cape Breton University should create a defined

set of core competencies required to provide child welfare services within social work in Nova Scotia. Coherence with other provinces' standards should be considered to ensure Nova Scotia is not out-of-step with other jurisdictions.

- b. NSCSW, DCS, Mi'kmaw Children and Family Services, Dalhousie School of Social Work, Université Sainte-Anne, and Cape Breton University, should clearly define the roles and responsibilities for education, training, and support (including mentorship) to ensure that each child protection social worker has the knowledge, values, and abilities to effectively deliver ethical child welfare services.
- c. DCS needs to immediately adopt the Child Welfare League of America's (CWLA) recommended caseload/workload standards (included in the Reference list, below). Caseload standards help eliminate staff overload which is common in poorly operating child welfare systems, demonstrated by research and experience as strongly linked to expensive system inefficiencies and poor outcomes. The CWLA standards are appropriate but only if the other recommendations in this report are adopted.
- e. DCS must invest a minimum of \$16.2 million over the next 3 years to increase front line social work staffing by 30% to meet the CWLA caseload and supervisory standards.
- f. One Family Support Worker should be allocated to every group of three teams of supervisors and social workers, to do parental education and coaching. The minimum qualifications for a Family Support Worker should be a community college diploma in Community Studies or related field, or a Bachelor of Arts degree in a human services field such as Psychology. The people in these roles should be registered with an appropriate regulatory body. A Case Aide should also be assigned with duties such as transportation.
- g. Due to the mandatory and legislative requirements in child protection the Province of Nova Scotia must deem child protection social workers as essential services like police officers and nurses. Positions must be filled as soon as they become vacant. Police officers and health care positions are generally filled quickly whether the vacancy is permanent or temporary and the same practice should must apply for child protection social workers.
- h. The social work workforce must be stabilized. Obstacles to the effective and efficient filling of permanent positions must be removed and the authority to hire and fill vacancies must be delegated to the regions.
- i. Critical incident debriefing must be made available to social workers who are exposed to traumatic workplace events. Debriefing should be provided as soon as possible but no longer than the first 24 to 72 hours after the initial impact of the critical event.
- j. A staff well-being coordinator should be appointed in every office in Nova Scotia and should be trained in identifying and supporting moral distress among staff.

- k. The Workers Compensation Board must update its list of designated professions to include social workers so that it is possible to more easily address post-traumatic stress and access services when needed.
- l. All new social workers must receive core training before they are given a caseload and have timely regular mentorship and supervision.

## FISCAL FRAMEWORK

As the Nova Scotia Alternative Budget demonstrates, Nova Scotia's economy and fiscal position are strong, with unemployment at its lowest rate since 1976 and employment rising significantly from the pandemic (Saulnier and Sawler, 2023). GDP growth for 2022 was 2.9% and is projected to grow by 0.6% for 2023 and 1.1% in 2024, with no actual contraction project, there is no agreement on whether there will be a recession due to interest rate increases (Government of NS, 2023). Provincial debt-to-GDP ratio is fairly steady, with debt servicing costs only 5% of all expenditures. High inflation provides further revenue to government (an additional \$1.5 billion over the 2022 budget's estimate). This additional revenue could have enabled further investment in Budget 2024, addressing pressing issues facing Nova Scotia while maintaining fiscal responsibility (Saulnier, 2023). This paper continues the call to reform our current tax system and ensure it is more progressive, in order to fund the supports needed for child and family well-being. This includes:

- a. Improving progressive taxation by broadening the tax base and applying capital gains tax to 100% of the gain and increasing the top marginal rate by 4%.
- b. Shifting federal tax deductions to provincial tax credits, making taxes more progressive and simpler.
- c. Enhancing redistributive measures funded through additional income, such as the Affordable Living Tax Credit and the Nova Scotia Child Benefit.
- d. Funding universal public services through progressive taxation and pre-distributional measures to address pay inequity.

These measures would provide a fiscal framework to allocate additional funding on top of what is already allocated in the Nova Scotia provincial budget.

<b>Governance</b>	
Implementation of Child and Family Well-being Framework	\$750
Community Oversight Boards	\$1,000
Advance the work of the Inclusion, Diversity & Community Relations Division	\$200
Core-funding for all services necessary to enrich child and family well-being.	\$12,000
Office of the Children's Lawyer	\$2,800
Extend services to youth aging-out of care	\$2,200
Mental Health and Substance Use Services	\$120,000
Extending universal childcare	\$21,000
<b>Addressing Poverty</b>	
Extension of Income supports	\$182,000
Housing	\$531,000 (capital cost)
<b>Office of Child and Family Well-Being Staffing</b>	
Additional staffing to meet international caseload standards	\$ 5,300
Coordinators for the Family Group Conference (FGC) and Immediate Response Conferencing (IRC)	\$ 3,800
<b>Total operating</b>	<b>\$354,850</b>
<b>Total capital costs</b>	<b>\$531,000</b>

(\$ thousands)



# METHODOLOGY

To answer the questions guiding this project, the project team used a qualitative approach to collect perspectives through two focus groups and two surveys. The consultation population consisted of service providers working within or connected to the child welfare system in Nova Scotia, as well as former service users of the Nova Scotia child welfare system who were no longer children.

A Youth Advisory Council (YAC) was created, to ensure that the perspectives of young people were included throughout the project and its outputs. It enabled the meaningful engagement of youth with past, lived experience in the child welfare system in Nova Scotia to be considered and reflected. Recruitment for the YAC occurred through the W2A and NSCSW social media accounts on Instagram, Facebook, Twitter, and LinkedIn. Direct email outreach to specific stakeholders and youth-serving organizations within the child welfare system and other social services in Nova Scotia also occurred. The initial design was for the YAC to consist of eight youth, two from each of the four health zones across the province, for a diverse and representative YAC. Eligibility criteria included an emphasis on a diversity of backgrounds, an age range between 18 and 26 years old, and past lived experience within the Nova Scotia child welfare system. The W2A team interviewed candidates and, in the end, selected three youth that met the criteria for the project.

Each member consented to be identified. The three YAC members were Tristan Kowal, Livia Oatway, and Dawson Trimper. The YAC provided consultative guidance; no one was asked to discuss their personal experiences. Each youth received an honorarium for their time and contributions to the project. The YAC engagement was held virtually via Zoom approx. twice a month from April to July 2022. The YAC members were invited to join the virtual presentation of the draft final report to stakeholders in August 2022, as their final engagement on the project. The other specific aspect of the YAC role included:

- Participating in consultation meetings
- Informing the approach to the focus groups
- Developing the survey questionnaire
- Analyzing the survey responses and other findings
- Reviewing and validating the final report

The focus groups and survey questions were informed by a literature review conducted at the outset of the project. The literature review established an understanding of the features of the child welfare system in Nova Scotia and the historical context that can explain why many children, youth, and their families and caregivers experience inadequate care while within the system. The literature review allowed for the identification of gaps in the research related to service provider and service user experiences within the Nova Scotia child welfare system. It also provided insight into the ways in which the child welfare system could be improved by adherence to the Ten SPF Principles. References drawn from the literature are

included throughout in the findings and in support of what participants indicated in the surveys and focus groups.

The two focus groups conducted in the study were held virtually by Zoom in late April 2022. The focus groups were designed for service providers; one specifically for BIPOC participants on 22 April, the other open to others and held on 21 April. Recruitment for both focus groups was done through email outreach by the project team and NSCSW. A total of 11 participants took part in the focus groups. services from the child welfare system). The surveys were made available on 2 June 2022 and remained accessible until 30 June. The survey was promoted via email by the W2A project team and NSCSW as well as through W2A's social media accounts. 20 responses were received.

The research team and YAC thematically coded the data for emergent themes from the focus groups and surveys, following qualitative research methods. The conceptual framework was relied on throughout the data analysis to focus our efforts toward answering the study questions.

A presentation of findings to partners and collaborators was held virtually via Zoom on multiple dates in August 2022, which led to revisions to strengthen the report and its recommendations. The partners and collaborators provided key insights, highlighting the need to be specific in our recommendations. It was also recommended to include practical examples, remove unnecessary jargon and to demonstrate concrete needs that bureaucrats can understand and act upon more effectively. Stakeholders encouraged further effort to clearly answer the guiding questions for the project. This led to a process of revision and the changes to the current version of this report.

## LIMITATIONS

The study's design was meant to allow those with greatest experience and stake in the Nova Scotia child welfare system to share their experiences and input. However, limitations existed, including:

- A Freedom of Information and Protection of Privacy (FOIPOP) request was issued by NSCSW to DCS for data on child welfare that could have assisted in answering the guiding questions for this paper. However, despite efforts to engage DCS, no official response has been issued or received at the time this paper was published.
- A smaller sample size than expected in response to our surveys, with the number being especially low from service users. The project was qualitative in nature and not intended to be quantitative. Notwithstanding the consultative approach, the numbers were lower than we had hoped. The limitation was in part mitigated by the guidance and insight provided by YAC members.

- Responses related to climate justice were not as comprehensive as responses to other questions. We think this occurred due to limited time spent on the climate justice questions as well as potentially unclear phrasing and/or missing context to the topic. In our analysis this was mitigated by supplementing the limited qualitative data with additional research on the issue to portray climate justice more clearly as it relates to child welfare and wellness in Nova Scotia. Because of its limitations, the climate justice section is included as an Afterword in this paper.
- The absence of a focus group for service users, meaning that the data collected about the system user experience was not as robust as that of service providers. Despite this, we found that many things mentioned by both service users and providers confirmed each other's perspectives and in some cases were identical.
- No French session or engagement tool for Acadian participants occurred. Neither translation nor interpretation was factored into the design or budget of the project. We are therefore unable to verify if the findings contained in this paper reflect the needs of children and families/caregivers in the Acadian community.
- The study's use of virtual platforms (Zoom, social media, email, online survey) which required both access to a device and stable internet service. This may have been a barrier for some individuals, either in receiving the information, or participating in the project activities.

## CONCLUSION

The aim of this paper, and the consultation that underpinned it, has been to answer two guiding questions:

- What would it take for every child in Nova Scotia to live in a home and a community free of poverty, violence, and harm, that allowed them to reach their full potential?
- What would it take to create a child protection system that embraced the UN Declaration on the Rights of the Child, as well as the calls from the Black and Indigenous Nova Scotians for reform as enshrined in Truth and Reconciliation Commission and in the inquiry into the Home for Colored Children?

The two questions are complex as they seek a response that spans the jurisdictions of different levels of government, the programming and policies of many departments and agencies, the work of civil society organizations, the relationship between children, youth, families, caregivers, and the economy. The answers are equally complex as they intend to affect the lives of children, youth, families, and caregivers across diverse communities and regions. Nonetheless, the findings from the literature review and consultation process are consistent, that the changes made to the CFSA have not resulted in improved outcomes.

The structure of DCS, the limited funding levels, the ineffective monitoring and evaluation of services, the environment of fear to critique, and the failure to deliver on promises, have all contributed to the lack of meaningful change. The failure of the various departments, jurisdictions, and other stakeholders to communicate and collaborate has also contributed to a failure of the system to function with coherence. To bring about much-needed change in Nova Scotia, it's time to adopt the insightful fiscal framework presented by the Canadian Centre for Policy Alternatives' Alternative Budget. By infusing an additional \$354 million into overall operating funding and bolstering capital spending by a substantial \$531 million, Nova Scotia will witness a vibrant and thriving transformation of ecosystem of child and family well-being.

Protecting children is a public issue. In Canada, provincial governments have taken the primary legal responsibility for the protection of vulnerable children. The primary purpose and legislative mandate of a child protection system is to protect the safety and well-being of children. The child welfare system is not intended to be solely crisis-driven and reactionary but to provide a full continuum of services ranging from prevention, early intervention, supportive programming, to more intrusive interventions including protection and placement services.

Decentralized and centralized structures that have been implemented in Nova Scotia have attempted to deliver effective quality services. Unfortunately, the current system continues to be fragmented, difficult to navigate, and fraught with negative outcomes including higher representation of ANS and Indigenous children in care, and limited access to assessment and counseling supports. More needs to be done to provide placement options that are culturally safe, address complex needs, as well as the needs of youth transitioning out of placement care. Child Protection Services is often viewed in a negative light and seen as punitive often expressed in a reliance on policing. Because of these issues, the current protection approach is often referred to as a system in crisis. It is increasingly centralized and insular which emphasizes the need for transparency, accountability, and improved community connection.

The failure of the changes to create homes and communities free from poverty, violence, and harm has not materialized in part due to the historical legacy of colonialism and the pervasive experiences of racism in which the child welfare system is rooted. Calls to decolonize have repeatedly been issued, but repairing the system is a long-term endeavor. Unlearning takes time and effort and much remains to be done so that all children benefit from the support they deserve, regardless of race, culture, or ethnicity.

The system continues to fail to support children to reach their full potential because it is punitive in nature relying on surveillance and policing rather than prevention. Holding some families to a higher standard than that which the system holds itself is unfair, and punitive. The failure to provide support to families and ensure that a child's best interests are met, perpetuates the need for ongoing interventions that don't address root causes or problems affecting children, youth families and caregivers. Because the system is failing to prepare for the impending climate crisis by addressing the underlying environmental racism, things are likely only going to get worse, in particular for ANS, Indigenous, other racialized and marginalized communities across the province. Participants in the consultation made clear connections between poverty and violence and the failure to address the reinforcing conditions (housing, employment, income, etc.) which exacerbate the situation for children,

youth, families, and communities to which they belong. The inequalities that exist require durable solutions that prioritize equity for the diverse communities across the province.

Our efforts have not uncovered a panacea for all the identified shortfalls of the system to support children to reach their full potential and thrive in a healthy ecosystem. However, the recommendations from the TRC's Calls to Action, the recommendations from the Inquiry into the Home for Colored Children, the guidance provided by the CRC and the Committee on the Rights of the Child, and the compiled list of recommendations from participants in the consultation on which this report is based, provide multiple avenues for action and advocacy on behalf of children in Nova Scotia.

## **AFTERWORD: A CALL FOR CLIMATE JUSTICE**

Climate justice is an important and oftentimes overlooked conversation when it comes to creating a better, safer world for Nova Scotians. In a province as heavily reliant on its natural resources as Nova Scotia, addressing climate change is essential, not just from the perspective of resource protection or corporate responsibility. Climate justice must also be considered from the viewpoint of protecting our children and their future in this beautiful province we call home. Over the past few years, people around the globe have come together to advocate for issues such as poverty reduction and access to education, envisioning a more equitable future through collective action. This afterword raises a critical point about how climate injustice affects child welfare while providing some tangible ways you can take part in advocating for such causes and help create meaningful change here in Nova Scotia.

As the climate crisis grows, so does its harmful effects on marginalized communities in Nova Scotia through environmental racism (Mohai & Bryant, 2019). Environmental racism refers to the disproportionate ways that climate change and pollution affect racialized and often poorer communities (Mohai & Bryant, 2019). Participants in our consultation confirmed this as an issue within Nova Scotia. Participants explained that the communities most affected by pollution and climate change are those contributing least to it. The issue is layered and complex with marginalized communities being negatively affected in two major ways. First, ANS and Indigenous communities have historically been placed in 'undesirable' areas of Nova Scotia that have been disproportionately polluted by the province. Secondly, these communities are more likely to be under-resourced, under-serviced and stigmatized due to their location.



*“We have an energy rebate in the province which doesn’t actually benefit the people that it needs to but allows those who have money to consume energy which impacts our environment - it’s \$114 million a year that basically goes to the rich who can already afford energy. It goes to the landlords who aren’t passing it onto their tenants. That lens is critical as we address the impacts of the climate crisis - who’s buying an electric car? Who’s able to energy-retrofit their house?”*

Participant in the consultation

The ENRICH (Environmental Noxiousness, Racial Inequities and Community Health) project, which aims to examine and address environmental racism in Canada, has collected data showing ANS and Mi’kmaw communities are more likely to be located near landfills, dumps, and pulp and paper mills. One participant shared the example of the Otter Lake Landfill and the current efforts by the city of Halifax to close its front-end processor. Closing this processor would mean that recycling and waste entering the site would not go through the same hazardous waste removal and waste stabilization process which reduce the negative environmental effects of the landfill for nearby communities (Cooke, 2019). Not surprisingly, a majority of residents in the surrounding areas have been fighting this citing appropriate fears of worsened living conditions near the site (Cooke, 2019). The data collected shows concerningly high rates of respiratory issues and cancer within those same communities, reflecting the health effects of environmental racism (Waldron, 2018).

Environmental racism effects for ANS, Indigenous, and other poor and marginalized communities are worsened because they are also usually under-resourced and under-served, leaving few options to mitigate the health effects of their environments. Poor access to things such as fresh and affordable produce, quality medical care, and accessible recreation services worsen the issue.

Participants in our study identified that community members could expect poorer service provision from child welfare services due to preconceived notions and stigmatization by social workers who tend not to be from their communities and/or are from more privileged backgrounds. Services and resources provided by the child welfare system also tended to be difficult to access for these community members due to distance and lack of transportation.

*“I would definitely say that certain communities have a stigma around them right so a lot of people go into these communities with biased ideas. I’m speaking from experience when I worked there, we had communities that families were in all the time, and part of the problem I find now, is that you have a lot of new workers coming in who have no experience working with marginalized people or oppressed people, so they go in there very privileged and they don’t understand that people cannot pay for childcare, they don’t understand that or how difficult it can be to feed your children”*

Participant in the consultation

Participants also highlighted general inaction from the Nova Scotia child welfare system regarding climate justice and environmental racism, meaning that the Principle of Climate Justice from the SPF is yet to be addressed in any significant way. It is important that this principle is addressed as communities which already interact with the child welfare system are exposed to issues related to their environments (including environmental racism) which can then contribute to child welfare needs being more complex in these communities due to perceived neglect. It is also important to prioritize this principle as the health and wellness of children in these communities are negatively affected by their environments.

*“The current state of the child welfare systems, lack of supports, resources and funding are a barrier to prioritizing Climate Justice. Within our own Agency we are limited to supporting families in participating in community climate justice activities.”*

Participant in the consultation

Furthermore, to prioritize the principle of Climate Justice aligns with the recommendations from the TRC Calls to Action and the Inquiry. The TRC recommends to “keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside” (TRC, 2015). To keep children safe in their communities, environmental racism must be addressed so that the harmful effects of pollution and climate change are mitigated. The Inquiry repeatedly highlighted the importance of human-centred systems and the need for government bodies to work together to meet the needs of their clients. The lack of prioritization on climate justice reflects the limited collaboration between DCS and the Department of Environment and Climate Change on the health and wellness of children.

The connection between environmental justice and race demonstrates that climate justice in Nova Scotia is a children’s rights issue. The CRC’s principle of non-discrimination requires that the Government of Nova Scotia ensures the rights of all children, including those from racialized or other marginalized communities, are realized on an equal basis with other children. That includes Article 24, and a child’s right to the “highest attainable standard of

health” which takes into consideration “the dangers and risks of environmental pollution” (United Nations, 1989).

While environmental racism remains prevalent and is negatively affecting the health and wellness of largely racialized children in the province, we cannot affirmatively answer the guiding questions of this project. The inaction and lack of priority on climate justice for children creates barriers for them to reach their full potential. Without tackling climate justice within the child welfare system, Nova Scotia will continue to fail to meet the recommendations of the TRC, the CRC, and the Inquiry. As the situation worsens due to inaction, DCS may be forced to remove children from sources of harm in their communities which will perpetuate the problems of forced removals highlighted in previous sections of this paper.

## Need to Prioritize Climate Justice

The transition to a green economy must be done in a just and equitable manner. Social policies must be developed to ensure a just transition and address environmental racism, which is a determinant of mental health. We need holistic policy approaches that include income support, skills retraining, infrastructure investments, pharmacare, childcare, housing, and address the environmental hazards in ANS and Mi’kmaw communities.

A caring economy is essential for transformative sustainable change and our future generations. As Naomi Klein succinctly put it “a green economy is a caring economy”. Now is the time to act so that nobody gets left behind and finally ensure justice for all. We must not get frustrated but instead stay hopeful that together we can make these changes that are so desperately needed.

Recommendations to address climate justice in Nova Scotia, include:

- a. Amend the Environmental Goals and Climate Change Reduction Act to include statutes that support the well-being and quality of life of all Nova Scotians with measures of equity to address historic and pervasive forms of systemic discrimination including for example, against ANS and Mi’kmaw communities, to reduce inequality and ensure climate justice is integrated across all government departments.
- b. Establish, adopt, and support an interconnected approach to end environmental racism. Ensure it includes a green jobs strategy focused on developing the skills of youth so that the benefits of expected growth in permanent, full-time, high-wage green jobs are widely shared.
- c. Develop an action plan to address environmental racism and its effects on children, through interdepartmental collaboration between DCS, the Department of Environment and Climate Change, the Department of Health and Wellness, the Office of Equity and Anti-Racism Initiatives, African Nova Scotian Affairs, and community members. The plan should include:
  - Identification of pollution sites close to communities
  - Efforts to mitigate and reverse the effects of environmental racism through increased community resources

- Specific initiatives to minimize the negative health effects of pollution sites (e.g. reviewing future industries or activities that emit pollution, implementing clean-up projects to reverse environmental harm)
  - A monitoring and evaluation schedule for the action plan
- d. Calculate the environmental impact of DCS' services including for example travel and associated fuel consumption and greenhouse gas emissions linked to transporting children around the province and other activities. Develop alternatives that reduce emissions including the adoption of electric or hybrid vehicles or other measures that contribute to a more sustainable future for children.
- e. Become a leader amongst government departments in adopting and advocating for systemic changes to retrofit and design future departmental infrastructure that places children and their rights at the forefront of sustainability.

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# APPENDICES

## I. Service Provider Survey Questions

1. Are you currently, or have you in the past, worked in an organization in or adjacent to the child welfare system in Nova Scotia?
2. What is/was your role working in/adjacent to the Nova Scotia child welfare system?
3. Number of years in this role (or field).
4. How do you define your sexual orientation, gender identity, expression and/or characteristics (if at all)? Please select all that apply. We have included space below for you to self-identify anything about your identity including related to gender identity / expression.
5. How do you define your racial, ethnic and/or cultural identity (if at all)? Please select all that apply. We acknowledge that many geo-political terms used are imbued with colonial/settler/racist histories that are problematic. We have included space below for you to self-identify anything about your identity including related to race, ethnicity and/ or culture.
6. Is there anything you would like us to know about your identity?
7. What does success look like in the child welfare system and what are the top 3 indicators of this success?
8. What are the strengths that currently contribute to this success? Please identify.
9. What is needed to improve the child welfare system and better support youth, parents/ caregivers?
10. What other systems (that provide assistance to individuals and families in need) are impacted by the provision of the child welfare system?
11. What are the fiscal policy tools needed to ensure that every child in Nova Scotia can live in a home and a community free of poverty, violence and harm, that allowed them to reach their full potential?
12. What recommendation can identify and/or recommend to better address the needs and rights of specific groups of people (i.e., BIPOC, 2SLGBTQ+, young people with disabilities)?
13. How are youth with mental health issues and their families being supported in the Nova Scotia child welfare system?
14. How are youth with addiction issues and their families being supported in the Nova Scotia child welfare system?

15. What housing supports do you know of that the Nova Scotia child welfare system provides? How effective are they in helping youth and families avoid homelessness?
16. Nova Scotia, like other provinces in Canada that have played a key role in the natural resources and extractive industry sectors, is having to adjust to a more diverse economy with an eye to climate considerations. Are you seeing an impact from this shift on families and children in your work within the child welfare system in Nova Scotia? If yes, how?
17. Are you familiar with the Truth and Reconciliation Commission of Canada's recommendations for the child welfare system?
18. How well do you think the Nova Scotia child welfare system is monitoring and assessing issues related to neglect ("neglect" means the chronic and serious failure to provide to the child) investigations?
19. Do the federal and provincial governments provide adequate resources to ensure the right to self-governance of Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside?
20. How well is the Nova Scotia child welfare system ensuring that social workers and others who conduct child-welfare investigations and provide services are properly educated and trained about the history and impacts of residential schools?
21. How well is the Nova Scotia child welfare system ensuring that social workers and others who conduct child-welfare investigations and provide services are properly educated and trained about the importance of Aboriginal communities and families to provide more appropriate solutions to family healing?
22. How well is the Nova Scotia child welfare system requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers?
23. How well is the Nova Scotia child welfare system collaborating with other jurisdiction to track data and share annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions?
24. How well is the Nova Scotia child welfare system implementing the call upon all levels of government to fully implement Jordan's Principle?
25. How well has the Nova Scotia child welfare system implemented the call to develop culturally appropriate parenting programs for Aboriginal families?
26. Do you have any additional thoughts on ways to ensure that social workers and others within the child welfare system are prepared to address, in culturally sensitive ways, the histories of Indigenous communities, African Nova Scotian communities and other BIPOC (Black, Indigenous, people of colour) communities?

## II. Service User Survey Questions

1. What is your connection to the Nova Scotian Child Welfare System? (choose all that apply). PLEASE NOTE that we are not seeking input from young people currently in the Nova Scotian child welfare system as that falls outside the mandate of this project.
2. Number of years spent in the Nova Scotian Child Welfare System.
3. What are the current strengths of the child welfare system that support young people, parents/caregivers, and family members?
4. What are some programs, resources, or supports needed to improve the Nova Scotia child welfare system and better support young people, parents/caregivers, and family members?
5. What challenges do you see youth and families involved in the child welfare system experiencing because of poor supports?
6. If you could control the child welfare system's budget, what are the things you would spend more or less money on?
7. What resources and support did you lack (or are currently lacking as a caregiver) within the Nova Scotia child welfare system?
8. There are specific populations that are known to be the majority within the child welfare system in Nova Scotia (i.e., BIPOC, 2SLGBTQ+, young people with disabilities). Are there specific supports that you can identify and/or recommend to better address the needs and rights of these populations?
9. Do you feel efforts are being made to ensure that social workers and other workers within the child welfare system are culturally sensitive and well informed on issues relating to the history of Indigenous communities, African Nova Scotian communities and other BIPOC (Black, Indigenous, people of colour) communities?
10. How are youth with mental health issues and their families being supported in the Nova Scotia child welfare system?
11. How are youth with addiction issues and their families being supported in the Nova Scotia child welfare system?
12. How are youth with substance use issues and their families being supported in the Nova Scotia child welfare system?
13. What does success look like to you in the child welfare system?
14. Are services, programs or resources offered, hard to access due to where you live? For example, Family resources, mental health and substance use supports, healthcare, educational and justice systems. Please specify which and how they are hard to access.
15. Nova Scotia, like other provinces in Canada, has an economy that has depended a lot on farming, natural resources and mining industry sectors. Given climate considerations that

need to rely less on these sectors, are you seeing an impact on the youth and families who work in these industries? If so, please share your thoughts on ways to better support them.

16. How do you define your sexual orientation, gender identity, expression and/or characteristics (if at all)? Please select all that apply. We have included space below for you to self-identify anything about your identity including related to gender identity / expression.
17. How old are you?
18. What is the highest level of education you have received so far?
19. What is your current living situation?
20. Is there anything else you would like us to know about your identity?

### III. BIPOC Focus Questions

1. We know that in 2017 the Act was amended, and over the past 2 years, we have all experienced the impacts of the pandemic. Are there any initial thoughts that you have about what is currently working well and conversely, what is not working well by way of the child welfare system and efforts to realize children's rights in NS?
2. Are there other underlying conditions (social, economic, political, environmental, etc.) in Nova Scotia that contribute to the success or failure of the functioning of the child welfare system?
3. The amendments to CFSA removed many healthy checks and balances that allowed families, social workers and judges to work together in the best interest of the child, thus moving child welfare policy further away from the principle of democratization, leaving no room for equal participation amongst those responsible for the welfare of the child. More problematically the Act eroded public oversight and gave many discretionary powers to the Minister. How do we enhance democratization of this system?
4. What policies/practices can be cooperatively implemented and supported to address children's needs at a systemic level versus in bits and pieces? Which stakeholders/ departments do we need at the table for a discussion on improvements to impactful collaboration (prompt about healthcare and its connection to children being taken into care).
5. What evidence of federal, provincial, territorial, and municipal cooperation are you seeing in the child welfare system?
6. What are the specific budget recommendations that would address child welfare- specific spending measures (including possible reallocation) and tax measures? What areas are being underfunded that are impacting the child welfare system?

7. How would instituting a living wage for all parents and caregivers impact the child welfare system in NS?
8. Do you see efforts to decolonize the child welfare system in NS? What are some examples?
9. Is cultural competence and awareness (especially in caring for children) being taken seriously and implemented in the child welfare system?
10. Who is currently being left out and/or is most at risk in the child welfare system? In what way(s)?
11. What could be done to better support those children who are most in need?
12. There continues to be an overrepresentation of Black and Indigenous children in NS' child welfare system. What needs to change amongst social work(ers) to change this?
13. What community programming have you heard of that promotes better inclusion, prevention and early intervention for at risk children/youth? Are these programs well known and accessible (especially to communities they are meant to serve)?
14. How do you understand Climate Justice in the context of child welfare in NS? What amendments are needed to address child welfare to ensure that a transition to a 'green economy' does not negatively impact BIPOC communities (especially if said adjustment does not involve the return of land to indigenous communities)? What ways have you witnessed decolonization and environmental racism being addressed as a means to tackle the climate crisis and its impacts on children?
15. Nova Scotia, like other provinces in Canada that have played a key role in the natural resources and extractive industry sectors, is having to adjust to a more diverse economy with an eye to climate considerations. Are you seeing an impact from this shift on families and children in your work within the child welfare system in NS? How do we ensure a just and safe shift for families with generations in these sectors?
16. What resources/mechanisms would be required to effect systemic change?
17. Where do you see effective child welfare policies that you would like to see replicated in NS?

#### **IV. Open-Focus Group Questions**

1. We know that in 2017 the Act was amended, and over the past 2 years, we have all experienced the impacts of the pandemic. Are there any initial thoughts that you have about what is currently working well and conversely, what is not working well by way of the child welfare system and efforts to realize children's rights in NS?
2. Are there other underlying conditions (social, economic, political, environmental, etc.) in Nova Scotia that contribute to the success or failure of the functioning of the child welfare system?



3. The amendments to CFSA removed many healthy checks and balances that allowed families, social workers and judges to work together in the best interest of the child, thus moving child welfare policy further away from the principle of democratization, leaving no room for equal participation amongst those responsible for the welfare of the child. More problematically the Act eroded public oversight and gave many discretionary powers to the Minister. How do we enhance democratization of this system?
4. What policies/practices can be cooperatively implemented and supported to address children's needs at a systemic level versus in bits and pieces? Which stakeholders/departments do we need at the table for a discussion on improvements to impactful collaboration (prompt about healthcare and its connection to children being taken into care).
5. What evidence of federal, provincial, territorial, and municipal cooperation are you seeing in the child welfare system?
6. What are the specific budget recommendations that would address child welfare- specific spending measures (including possible reallocation) and tax measures? What areas are being underfunded that are impacting the child welfare system?
7. How would instituting a living wage for all parents and caregivers impact the child welfare system in NS?
8. Do you see efforts to decolonize the child welfare system in NS? What are some examples?
9. Is cultural competence and awareness (especially in caring for children) being taken seriously and implemented in the child welfare system?
10. Who is currently being left out and/or is most at risk in the child welfare system? In what way(s)?
11. What could be done to better support those children who are most in need?
12. There continues to be an overrepresentation of Black and Indigenous children in NS' child welfare system. What needs to change amongst social work(ers) to change this?
13. What community programming have you heard of that promotes better inclusion, prevention and early intervention for at risk children/youth? Are these programs well known and accessible (especially to communities they are meant to serve)?
14. How do you understand Climate Justice in the context of child welfare in NS? What amendments are needed to address child welfare to ensure that a transition to a 'green economy' does not negatively impact BIPOC communities (especially if said adjustment does not involve the return of land to indigenous communities)? What ways have you witnessed decolonization and environmental racism being addressed as a means to tackle the climate crisis and its impacts on children?
15. Nova Scotia, like other provinces in Canada that have played a key role in the natural resources and extractive industry sectors, is having to adjust to a more diverse economy with an eye to climate considerations. Are you seeing an impact from this shift on families

and children in your work within the child welfare system in NS? How do we ensure a just and safe shift for families with generations in these sectors?

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