Issue 1: Giidosendiwag (We Walk Together): Creating Culturally Based Supports for Urban Indigenous Youth in Care

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En Ontario, comme ailleurs au pays, les ressources particulières pour les autochtones pouvant aider à soutenir les jeunes, les familles et les collectivités autochtones, sont limitées. Nous nous penchons sur les moyens de rectifier la situation en utilisant le programme *Anishnaabeg Youth in Transition Program* du *Niijkiwendidaa Anishnaabekwewag Services Circle* situé à Peterborough (Ontario) comme un modèle d'offre de services. Niijkiwendidaa est situé sur le territoire traditionnel des Mississaugas, l'une des nombreuses nations anishnaabeg, et fait partie du territoire du Traité Williams. Nous montrons à quel point le fait d'ancrer la culture dans les services offerts aux jeunes améliore leur qualité de vie à court et à long terme. Nous nous sommes inspirés de ces idées et de notre modèle d'intégration pour montrer la manière dont cette approche peut apporter à la fois réparation et restitution et l'avons fourni à titre d'exemple, puisqu'il pourrait répondre aux besoins d'autres collectivités. Dans l'optique de donner suite aux recommandations énoncées dans les appels à l'action de la Commission de vérité et réconciliation du Canada, nous croyons qu'il est essentiel de rétablir des relations et des systèmes d'aide ancrés dans la culture pour sensibiliser les jeunes à devenir des adultes forts et en santé.

In Ontario, as elsewhere in the country, there are limited Indigenous-specific resources to assist in strengthening Indigenous youth, families, and communities. We explore how that might be changed by using the Anishnaabeg Youth in Transition Program at Niijkiwendidaa Anishnaabekwewag Services Circle, based in Peterborough, Ontario, as one model of service delivery. Niijkiwendidaa is situated in the traditional territory of the Mississaugas, one of several Anishnaabeg nations, and falls within the Williams Treaty area. We demonstrate how embedding culture in youth services greatly enhances the quality of life for youth now, and in the long term. We draw on these ideas and our integrative model to show how this approach can be both restorative and restitutive,

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providing it as an example that might meet the needs of other communities. With a view to acting on the recommendations highlighted in the Truth and Reconciliation Commission's Calls to Action, we propose that a rebuilding of relationships, and the cultural rooting of helping systems, are essential to raising our youth to become healthy, strong adults.

Plates make vibrations
If you smash them
Against the wall
But you can't hear the sound
If your cry is louder
Than the china

Poem by a youth at Niijkiwendidaa Anishnaabekwewag Services Circle [**]

IN ONTARIO, AS ELSEWHERE IN THE COUNTRY, there are limited Indigenous-specific resources to assist in strengthening Indigenous youth, families, and communities. In this article, we explore how that might be changed by using Niijkiwendidaa Anishnaabekwewag Services Circle (NASC), based in Peterborough, Ontario, as one model of service delivery. Niijkiwendidaa is situated in the traditional territory of the Mississaugas, one of several Anishnaabeg nations, and falls within the Williams Treaty area. However, it is an area that draws people from all over Turtle Island (North America) and beyond because of Trent University and Sir Sanford Fleming College. The children and youth who are in care in this region are also from diverse and often very distant Indigenous communities.[1] Niijkiwendidaa is mandated to provide a number of services to Anishnaabeg women and their families in an integrative, culturally grounded service model, including long-term counselling, housing and employment support, life skills, healthy babies, and the Anishnaabeg Youth in Transition program (AYIT).[2] We demonstrate how embedding culture in youth services greatly enhances the quality of life for youth now, and in the long term. We draw on these ideas and our integrative model to show how this approach can be both restorative and restitutive, providing it as an example that might meet the needs of other communities. With a view to acting on the recommendations highlighted in the Truth and Reconciliation Commission's Calls to Action, we propose that a rebuilding of relationships, and the cultural rooting of helping systems, are essential to raising our youth to become healthy, strong adults.[3] Indigenous[4] youth in the child welfare system in Ontario continue to experience high levels of disconnection from home, family, and culture, despite the

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[**] The author of this poem gave permission for us to include it in our presentation and article. We keep the author anonymous to protect her status as a child in foster care.

[1] The term "in care" refers to children and youth who have been apprehended by child protection agencies and are living in either foster care or group homes.

[2] For more information on the services at Niijkiwendidaa Anishnaabekwewag Services Circle, see <www.niijki.com> [perma.cc/VSX6-ARAP].

[3] Truth and Reconciliation Commission of Canada, *Calls to Action* (Winnipeg: 2015), online: <www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf> [perma.cc/SEZ5-SKF2] [TRC, "*Calls*"]

[4] The term "Indigenous" will be used as a broad label to refer to First Nations, Métis, Inuit, Innu, and other non-status Aboriginal people throughout this article. The difficulty with using such labels is that they tend to render distinct cultures as a single homogenous group, which is far from the truth. Where specific individuals or communities are discussed, their specific cultural/national identifiers will be used.

attempts of government, through the *Child and Family Services Act*,[5] to include the mandatory involvement of First Nation representation in cases involving status children.[6] The first of the provinces and territories in Canada to acknowledge the importance of culture in raising healthy children in general, Ontario "also recognized that that [sic] culturally competent and appropriate services were not optional when working with Native children and families, they were *imperative*."[7] Yet within the publicly funded, non-profit Children's Aid Societies (CAS), efforts to shore up the cultural identity development of children and youth remain inconsistent.[8] Even Indigenous-run child protection agencies, despite efforts to centre culture and community within their service frameworks, have limited autonomy distinct from mainstream child welfare policy and legislation, and must function largely within the same parameters as non-Indigenous agencies.[9] Indigenous child protection agencies too often struggle, for a number of reasons, to access culturally based resources, particularly in recruiting an adequate number of Indigenous foster families within their regions.[10] Indigenous children and youth who have been raised by

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[5] RSO 1990, c C-11, see for example sections 20.2, 36(4) and 213. New legislation, the *Child, Youth and Family Services Act 2017*, SO 2017, c14, Sched 1, passed in 2017 with anticipated proclamation in 2018, goes further in its recognition of the distinct laws and cultures of Indigenous communities and of the importance of children maintaining strong ties with their communities. In the preamble to the legislation the government acknowledges that it "has unique and evolving relationships with First Nations, Inuit and Métis peoples" who are "constitutionally recognized peoples in Canada, with their own laws, and distinct cultural, political and historical ties to the Province of Ontario." The preamble goes on to express the Government of Ontario's belief that, "First Nations, Inuit and Métis children should be happy, healthy, resilient, grounded in their cultures and languages and thriving as individuals and as members of their families, communities and nations," that "[h]onouring the connection between First Nations, Inuit and Métis children and their distinct political and cultural communities is essential to helping them thrive and fostering their well-being," and finally that for these reasons it is "committed, in the spirit of reconciliation, to working with First Nations, Inuit and Métis peoples to help ensure that wherever possible, they care for their children in accordance with their distinct cultures, heritages and traditions."

[6] The term "status" refers to the registration of a person under the *Indian Act*. Not all Indigenous people in Canada have status. Métis people, although acknowledged in the *Indian Act*, do not receive the same recognition that First Nations or Inuit peoples do.

[7] Marlyn Bennett, *A Literature Review and Annotated Bibliography on Aspects of Aboriginal Child Welfare in Canada*, (Centre of Excellence for Child Welfare, 2002) at 52, online: <cwrp.ca/sites/default/files/publications/en/RevisedLitReview.pdf> [perma.cc/RGZ7-8GAP] [emphasis in original] [Bennett].

[8] Vandna Sinha & Anna Kozlowski, "The Structure of Aboriginal Child Welfare in Canada," online: (2013) 4:2 The International Indigenous Policy Journal 2 at 8–9 <ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1127&context=iipj> [perma.cc/N2DC-9CDL] [Sinha & Kozlowski].

[9] Anna Kozlowski, Vandna Sinha & Kenn Richard, *First Nations Child Welfare in Ontario,* (Canadian Child Welfare Research Portal, 2011), at para 6, online: <cwrp.ca/infosheets/first-nations-child-welfare-ontario> [perma.cc/JDK5-U5SR]; Ontario, Ministry of Children and Youth Services, *Children First: The Aboriginal Advisor's Report on the Status of Aboriginal Child Welfare in Ontario* (Aboriginal Advisor's Report, 2011) at para 20, online: <www.children.gov.on.ca/htdocs/English/professionals/indigenous/child_welfare-2011.aspx>[perma.cc/YZJ4-UGGV] [Aboriginal Advisor's Report]; Roach, "Developing a Pro-Active, Unified Approach in Child Welfare," Child Welfare Report, Union of Ontario Indians, July 2000, at 4-5, on file with the authors; Rose Ella Cameron, *What Are You in the Dark? The Transformative Powers of Manitouminasuc Upon the Identities of Anishinabeg in the Ontario Child Welfare System* (PhD Thesis, University of Toronto Faculty of Social Work, 2010) at 142–143 [unpublished] [Cameron]; The term "mainstream" is, for this article, a generic identifier for agencies that function under and within the dominant Euro-Canadian worldview.

[10] Sinha & Kozlowski, *supra* note 8; Aboriginal Children in Care Working Group, *Aboriginal Children in Care: Report to the Premiers* (Ottawa: Canadian Electronic Library, 2015),

their families in urban environments, and who do not have status cards, are at an even greater risk of becoming disconnected from their cultures when in care. For various reasons, their families may not admit they are Indigenous, or the child protection agency may simply not think to ask. This sets up Indigenous children and youth to be even further distanced from developing strong cultural identities that would strengthen their overall development into adulthood.[11]
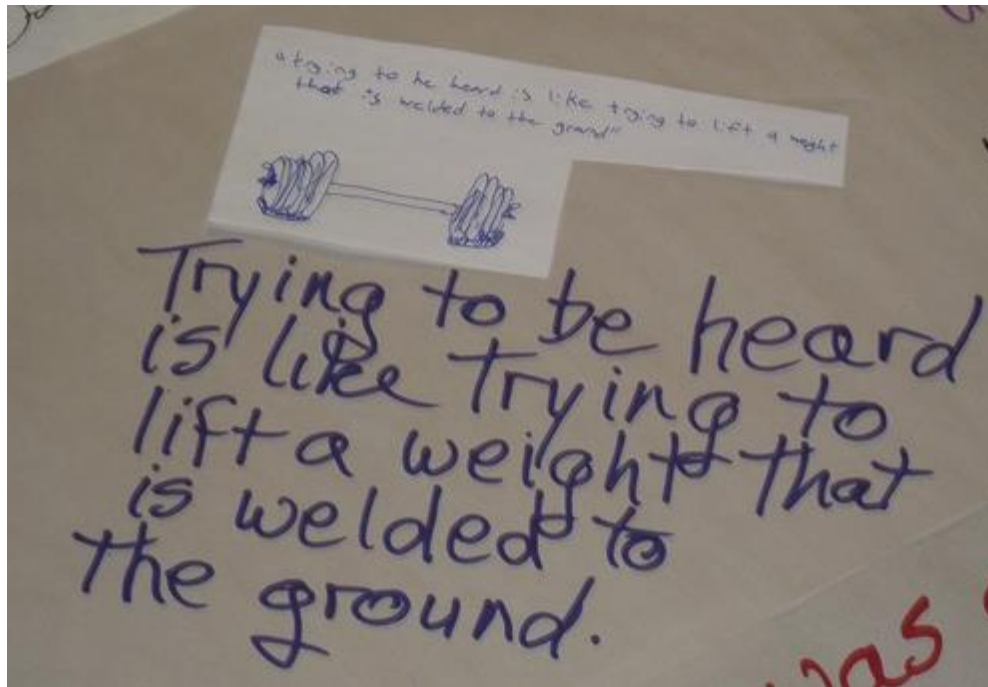

Photo above is from an afternoon workshop that was held with some of the youth who are in care and who attend the Youth Drop-In Group. We invited them to participate in a conversation about being Indigenous and in the care of the child protection system. We also asked them what they felt they received by coming to Niijkiwendidaa. As we spoke, the youth were invited to draw or write on flipchart paper.

Anonymous male youth, 17 years old (2016), shared with permission

The for-profit foster system is even more problematic as there appear to be limited accountability mechanisms in place.[12] The lack of accountability within this system raises

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online: <fncaringsociety.com/sites/default/files/Aboriginal%20Children%20in%20Care%20Report%20%28July%202015%29.pdf> [perma.cc/4D3Y-Z5E3] [Aboriginal Children in Care]; Aboriginal Advisor's Report, *supra* note 9.

[11] Marlee Kline, "Child Welfare Law, 'Best Interests of the Child' Ideology, and First Nations" (1992) 30:2 Osgoode Hall LJ 375 [Kline]; Métis Nation of Ontario, *Métis Nation of Ontario Recommendations Concerning Métis-Specific Child and Family Services* (2012), at 12–13, online: <www.metisnation.org/media/239001/mno_cfsrpt_2012-03-30_final.pdf> [perma.cc/CP87-RS8] [Métis Nation of Ontario]; Aboriginal Advisor's Report, *supra* note 9.

[12] Ontario, Ministry of Children and Youth Services, *Because Young People Matter: Report of the Residential Services Review Panel* (2016) at 6, online: <www.children.gov.on.ca/htdocs/English/documents/childrensaid/residential-services-review-panel-report-feb2016.pdf> [perma.cc/D8AQ-LQ8E] [*Young People Matter*].

concerns on many levels, but from an Indigenous agency perspective, the inconsistent access to cultural supports, activities, and services for Indigenous youth is particularly troubling. It is especially notable that Indigenous youth in the for-profit system are often from remote, northern communities. Due to the lack of resources in those areas, the youth are sent to urban areas, such as Peterborough, Barrie, or Toronto, to be raised in cultures that are—at times—vastly different from their own, with very few cultural or familial supports and no real way to remain connected to home. Additionally, Indigenous youth are more likely to be moved repeatedly from placement to placement.[13] Further compounding this familial and cultural destabilization, the youths' files may not follow them to a new community, and so the success of both care and transition plans rest on the uncertain assurance that the for-profit agency will facilitate regular, ongoing access to cultural supports for the youth in their care, and that the youth will be connected to Youth in Transition (YIT) workers in preparation for their exit from care. This atypical offshoot of jurisdictional wrangling leaves children and youth with no safety net. It also speaks to the need for Jordan's Principle to be implemented at all levels of government, in its broadest possible interpretation.[14]

Indigenous youth respond positively to being involved in their cultures, such as through ceremony and working with Elders. This creates a strong sense of personal, cultural, familial, and community identity.[15] At NASC, our daily contact with youth confirms what the literature

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[13] Caroline L Tait, Robert Henry & Rachel Loewen Walker, "Child Welfare: A Social Determinant of Health for Canadian First Nations and Métis Children" (2013) 11:1 Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health 39 [Tait, Henry & Walker].

[14] Cindy Blackstock, "Reconciliation Means Not Saying Sorry Twice: Lessons from Child Welfare in Canada" in Marlene Brant Castellano, Linda Archibald & Mike DeGagné, eds, *From Truth to Reconciliation: Transforming the Legacy of Residential Schools* (Ottawa: Aboriginal Healing Foundation, 2008) at 163–175 [Blackstock, "Sorry"]; Aboriginal Children in Care, *supra* note 10 at 11; Jordan's Principle emerged out of the life and death of Jordan River Anderson, who died in 2005 in hospital at the age of four, while the federal and Manitoba provincial governments argued over who would pay for his ongoing care. He was never able to go home to be with his family. As a child with special needs, he came to represent the many Indigenous children who have borne the brunt of governments' unwillingness to be responsible for the financial costs of health and social services that non-status children in Canada receive without question. The Principle posits that the needs of the child must come first. Jordan's Principle has been interpreted and implemented by the federal government in an extremely limited way, focusing only on children with complex physical health needs, see *e.g.*: Office of the Child and Youth Advocate of Alberta, *Voices for Change: Aboriginal Child Welfare in Alberta* (Edmonton: 2016) at 4, online:
 <www.ocya.alberta.ca/wp-content/uploads/2014/08/SpRpt_2016July_VoicesForChange_v2.pdf> [perma.cc/3MCE-27ZH] [Office of the Child]; TRC, "*Calls," supra* note 3. However, with regard to the issue of children and youth in care, Jordan's Principle might also be viewed as a mechanism that could hold multiple agencies (inter-provincially, across jurisdictions and sectors) accountable for ensuring that each Indigenous child and youth in care would not be forced to rely on the whims of foster or group homes, or when out of their home territory, be subjected to potential breakdowns in communication and planning for their care as they age out of the system. See Aboriginal Advisor's Report*, supra* note 9; Aboriginal Children in Care, *supra* note 10; First Nations Caring Society of Canada, "Wen: De: We Are Coming to the Light of the Day" (2005) at 87–112,
online:
<fncaringsociety.com/sites/default/files/Wen.de%20We%20are%20Coming%20to%20the%20Light%20of%20Day.pdf> [perma.cc/FBS2-KEJG].

[15] Aboriginal Children in Care, *supra* note 10; Office of the Child, *supra* note 14; Katharine M Filbert, *Developmental Assets as a Predictor of Resilient Outcomes among Aboriginal Young People in Out-of-Home Care* (PhD Thesis, University of Ottawa School of Psychology, 2012),
online: <ruor.uottawa.ca/bitstream/10393/23325/3/Filbert_Katharine_Marie_2012_thesis.pdf>   [perma.cc/LNF6-SC27]; Christopher E Lalonde, "Identity Formation and Cultural Resilience in Aboriginal Communities" (2005) University of Victoria Working Paper, online: <web.uvic.ca/~lalonde/manuscripts/2005Resilence.pdf> [perma.cc/29H7-PVTT] [Lalonde]; Tait, Henry & Walker, *supra* note 13; Cameron, *supra* note 9; Shanti Raman &

illustrates, and yet mainstream society, specifically child protection agencies and workers, too often do not understand the significance of culture, or how to genuinely and authentically incorporate it into a child or youth's daily life.[16] For example, hiring an Indigenous worker to be the "face" of Indigenousness within a child protection agency does not adequately address the comprehensive needs of our youth; one person cannot meet all the needs of all clients, and job descriptions limit the scope of work any staff member can take on and accomplish.

Full connection with Indigenous community and unrestricted access to culture will create healthy, successful youth. Fostering connectedness through the creation of a family or community "nest" as surrogate extended family for youth away from their families can be one approach to reconnect the disconnected. This article explores this idea, using Niijkiwendidaa Anishnaabekwewag Services Circle as a model from which ideas might be drawn from and incorporated into other communities' efforts. Further, we will highlight some of the successes and challenges that we have experienced.

Photo, right, is from the afternoon workshop with some of the youth in care who attend our Youth Drop-In Group.

Anonymous male youth, 17 years old (2016), shared with permission
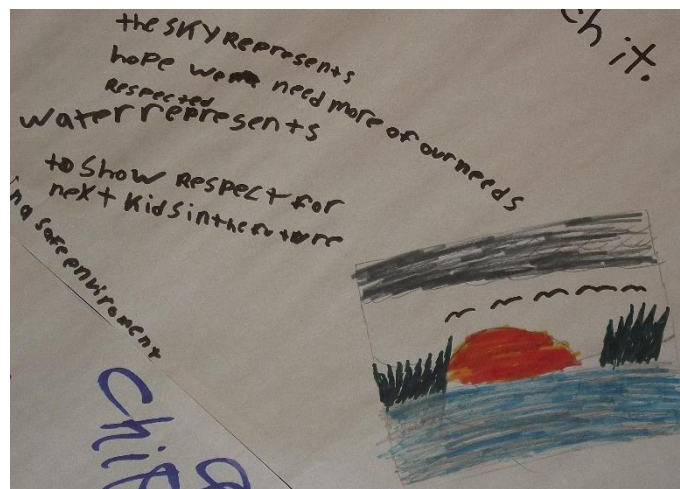
I. DISCONNECTING THE CIRCLE – LEAVING THE PATH

Law and society must address the pressing issues of racism, cultural insensitivity and imperialism, poverty, unemployment, poor education, ill-health, and substance abuse afflicting First Nations and Aboriginal communities if the 'sacred tree' is to survive.[17]

Deborah Hodes, "Cultural Issues in Child Maltreatment" (2012) 48:1 Journal of Paediatrics and Child Health 30 [Raman & Hodes].

[16] Sarah Fraser et al, "Communicating Power and Resistance: Exploring Interactions between Aboriginal Youth and Non-Aboriginal Staff Members in a Residential Child Welfare Facility" (2016) 13:1 Qualitative Research in Psychology 67 at 83–86 [Fraser]; Tae Mee Park, "In the Best Interests of the Aboriginal Child?" (2003) 16:3 Windsor Rev Legal Soc Issues 43 [Park].

[17] Philip Lynch, "Keeping them Home: The Best Interests of Indigenous Children and Communities in Canada and Australia" (2001) 23 Sydney L Rev 501 at 507 [Lynch].
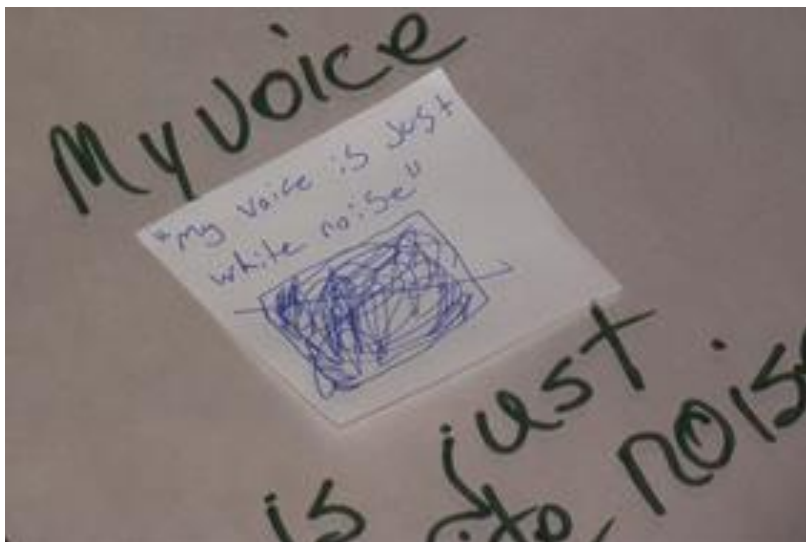
Photo above is from the afternoon workshop held with some of the youth who are in care and who attend our Youth Drop-In Group.

Anonymous male youth, 17 years old (2016), shared with permission

The "sacred tree" Philip Lynch refers to is from Black Elk's vision, and the massacre of his people at Wounded Knee on 29 December 1890.[18] Colonization across Turtle Island resulted in Indigenous peoples being subjected to eradication,[19] or forced assimilation.[20] The *Indian Act* of 1876 formalized colonial racism in Canada.[21] It was amended in 1951 to include Section 88, allowing provincial child welfare legislation to be applied on reserves.[22] By the 1960s social workers were "scooping"[23] Indigenous children off reserves and away from their families.[24] It is

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[18] Dee Brown, discussing Black Elk's vision, in *Bury My Heart at Wounded Knee: An Indian History of the American West* (New York: Holt, Rinehart & Winston, 1970).

[19] Kline, *supra* note 11; Joseph P Gone, "Colonial Genocide and Historical Trauma in Native North America" in Alexander Laban Hinton, Andrew Woolford & Jeff Benvenuto, eds, *Colonial Genocide in Indigenous North America* (Durham: Duke University Press, 2014) 273; Lynch, *supra* note 17; Melanie Jones & Tannis Smith, *Violence Against Aboriginal Women and Child Welfare Connections Paper and Annotated Bibliography* (Ontario Native Women's Association, 2011), online: <www.onwa.ca/upload/documents/violence-against-women-and-child-welfare-paper.pdf> [perma.cc/HE9N-CNK9].

[20] Park, *supra* note 16; Erika Bjorum, "'Those Are Our People and That's Our Family': Wabanaki Perspectives on Child Welfare Practice in Their Communities" (2014) 8:3 Journal of Public Child Welfare 279; Ashley L Landers & Sharon M Danes, "Forgotten Children: A Critical Review of the Reunification of American Indian Children in the Child Welfare System" (2016) 71 Children and Youth Services Review 137 [Landers & Danes]; Judy Finlay et al, "Mamow Ki-ken-da-ma-win: A Partnership Approach to Child, Youth, Family and Community Wellbeing" (2010) 8:2 International Journal of Mental Health and Addiction 245 [Finlay et al].

[21] *An Act to amend and consolidate the laws respecting Indians,* SC 1876, c18. The current legislation is the *Indian Act*, RSC 1985, c I-5 [*Indian Act*].

[22] Sinha & Kozlowski, *supra* note 8 at 3–4.

[23] The term "scooping" is a reflection of what has become known as the 60s Scoop, an era that saw the removal of Indigenous children from their families, often without the parents' awareness or consent. See Tait, Henry & Walker, *supra* note 13; Raven Sinclair, "Identity Lost and Found: Lessons from the Sixties Scoop," online: (2007) 3:1 The First Peoples Child & Family Review 65 <journals.sfu.ca/fpcfr/index.php/FPCFR> [perma.cc/TX3B-4Z98] [Sinclair].

estimated that 150,000 children were forced into residential schools by the *Indian Act* legislation between 1840 and 1996.[25] Today, as a result of child protection efforts, "there may be as many as 3 times more Aboriginal children in the care of child welfare authorities … than were placed in residential schools at the height of those operations in the 1940s."[26] According to Statistics Canada, "[i]n 2011, about 14,200 Aboriginal children were foster children. Aboriginal children accounted for nearly half (48%) of all children in foster care, even though they accounted for 7% of the overall child population."[27] The notion of such a disproportionately high number of Indigenous children and youth in care is both stunning and distressing. Indeed, it is difficult not to believe that the child protection system is simply the latest in a long history of legislated colonial violence aimed at eradicating Indigenous cultures.[28]

A. CHALLENGES TO PROVIDING CULTURALLY APPROPRIATE CARE

> [G]iven the extent to which culture is so often constitutive of an Indigenous child's identity, esteem and possibilities, and, given the obvious importance of children to the survival of First Nations and Aboriginal culture and communities, the 'best interests of the Indigenous child's community' must inform the best interests of that child and any associated placement or custody decisions.[29]

In Ontario, and nationally, Indigenous-run organizations, and Indigenous-specific programs within larger non-Indigenous agencies, that serve a range of needs are increasing in number and scope (*e.g.*, mental health, child protection and family support, primary health care, et cetera). There is, however, little consistency in terms of a provincial or federal mandate for the development or operational maintenance of these services.[30] The child protection system, as with other mainstream systems and agencies, views the well-being of children and youth through a western lens. "For non-Aboriginals, the focus is on the child as an individual member of society whose needs are individually determined, with primary needs such as security being paramount. In contrast, Aboriginals view the child as a member of the collective whose identity is tied to his heritage."[31] The importance of retaining connectedness to family, community, and culture has varying degrees of weight depending on a variety of factors, such as the child protection

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[24] Park, *supra* note 16 at 45; Christopher Devlin, Leah DeForrest & Caitlin Mason, "Jurisdictional Quagmire: First Nation Child Welfare as a Human Right" (Paper delivered at the CLE BC Human Rights Conference, 22 November 2012) at 4, online: <www.dgwlaw.ca/wp-content/uploads/2014/12/Child_Welfare_Human_Rights_Paper.pdf> [perma.cc/CD6R-QANX] [Devlin, DeForrest & Mason]; Sinclair, *supra* note 23 at 66.

[25] Truth and Reconciliation Commission of Canada, *Backgrounder,* (Winnipeg: 2015) at 2, online: <.www.trc.ca/websites/trcinstitution/File/pdfs/Backgrounder_E.pdf> [perma.cc/Z9AU-YSBP].

[26] Cindy Blackstock, Nico Trocmé & Marlyn Bennett, "Child Maltreatment Investigations Among Aboriginal and Non-Aboriginal Families in Canada" (2004) 10:8 Violence Against Women 901 at 905 [Blackstock, Trocmé & Bennett].

[27] Statistics Canada, "Study: Living Arrangements of Aboriginal Children Aged 14 and Under, 2011" (2016), online: <www.statcan.gc.ca/daily-quotidien/160413/dq160413a-eng.htm> [perma.cc/NNB5-48TP].

[28] Lynch, *supra* note 17; Blackstock, Trocmé & Bennett, *supra* note 26; TRC, "*Calls,*" *supra* note 3; Sinclair, *supra* note 23; Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples*, *Volume 3* (Ottawa: Canada Communication Group, 1996) [Royal Commission].

[29] Lynch, *supra* note 17 at 527.

[30] Sinha & Kozlowski, *supra* note 8 at 5–8.

[31] Park, *supra* note 16 at 47.

agency's policies and organizational culture,[32] the willingness and ability of individual workers to work collaboratively with the respective First Nations representatives, and the ability of First Nations workers to engage with and advocate for their members, regardless of their geographic location.[33]

Before I started learning about my true self, culture and spirituality… I had a lot of past hurts and trauma to sort through that were constantly holding me back, it felt like a weight I couldn't lift … turns out I just needed someone to spot me.

Anonymous male youth, 17 years old (2016), shared with permission

The challenges of community representation are even more pronounced for Métis communities, who have fought for years to be recognized federally and provincially as having the same inherent rights as First Nations.[34] While the Supreme Court ruled that Métis and non-status Indians do fall within the federal scope of responsibility vis à vis the *Indian Act*, there has been no corresponding ruling affirming fiduciary responsibility or the right to be consulted with.[35] The issue of identity and maintaining cultural connection is a many-layered one for Métis peoples, centred on historical experiences that led many to supress their origins, or to deny them completely. As court cases have been decided in favour of the Métis, a concurrent increase in awareness within the child welfare system, and Canadian society more broadly, of what constitutes Métis culture, history, and rights is disturbingly lacking:

> Generally, it would appear that the root cause of many problems is attributable to a lack of knowledge and understanding by individual workers, and also corporately within CAS organizations, regarding who Métis are, what Métis culture is, as well as what their statutory obligations to Métis are, and what a culturally appropriate response to Métis in the child welfare context consists of. To date, it appears that the mandatory Provincial Ontario Child Protection Training Program and CAS organizations are both failing to ensure appropriate child welfare worker training

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[32] Fraser et al, *supra* note 16 at 86.

[33] Raman & Hodes, *supra* note 15 at 34; Sinclair, *supra* note 23 at 74.

[34] *R v Powley*, 2003 SCC 43 [*Powley*]; *Daniels v Canada*, 2016 SCC 12 [*Daniels*].

[35] *Powley, supra* note 34. This case laid the groundwork for a legal test for establishing "Métis Aboriginal Rights" with respect to traditional hunting and harvesting activities. The decision was limited to recognizing rights of Métis only in the area around Sault Ste. Marie, Ontario. Three declarations were sought in *Daniels*: (1) that Métis and non-status Indians are "Indians" under s 91(24) of the *Constitution Act, 1867*; (2) that the federal Crown owes a fiduciary duty to Métis and non-status Indians; and (3) that Métis and non-status Indians have the right to be consulted and negotiated with. Only the first declaration was affirmed by the Supreme Court of Canada, thus this decision recognized jurisdiction over Métis people, but did not affirm Métis rights.

such that the operating norm of common knowledge includes, at the least, that Métis children are included in the "Indian and Native" provisions of the [*Child and Family Services Act*].[36]

An additional compounding factor that affects the provision of culturally rooted services is that Indigenous populations are often transient, and experience ongoing marginalization on many fronts, but particularly in the areas of income, education, food security, housing, and access to political points of leverage.[37] Urban Indigenous populations may be particularly challenging to provide services to as they are comprised of individuals who may or may not have status, who may or may not look "Indian," and who may or may not identify with a particular reserve, community, or culture. When considering the implications of this for Indigenous children and youth in care, the challenge this diversity presents is understandably daunting, but nonetheless remains a critical component of identity development that every child and youth needs, and has a right to, in order to develop into healthy, balanced adults.[38]

In 2014, the Ontario Ministry of Children and Youth Services announced funding for the Youth in Transition Worker program for fifty agencies across the province, seven of which were Indigenous-run organizations.[39] This was in response to the *Blueprint for Fundamental Change to Ontario's Child Welfare System: Final Report of the Youth Leaving Care Working Group*, which indentified several issues youth in care face as they age out of the child welfare system.[40] Urban Indigenous youth face additional challenges as they concurrently navigate the development of their cultural identity. Most urban child protection agencies in Ontario are not

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[36] Métis Nation of Ontario, *supra* note 11 at 4.

[37] Dennis Raphael & Juha Mikkonen, *Social Determinants of Health: The Canadian Facts* (Toronto: York University School of Health Policy and Management, 2010) [Raphael & Mikkonen]; Charlotte Loppie Reading & Fred Wien, *Health Inequalities and Social Determinants of Aboriginal Peoples' Health* (Prince George, BC: National Collaborating Centre for Aboriginal Health, 2009); Teresa Socha et al, "Food Security in a Northern First Nations Community: An Exploratory Study on Food Availability and Accessibility" (2012) 8:2 Journal of Aboriginal Health 5; Carla S Ginn & Judith C Kulig, "Participatory Action Research with a Group of Urban First Nations Grandmothers: Decreasing Inequities through Health Promotion," online: (2015) 6:1 International Indigenous Policy Journal <ir.lib.uwo.ca/iipj/> [perma.cc/57SH-7CU7]; Stevenato and Associates & Janet Budgell, *Research Project: Repatriation of Aboriginal Families—Issues, Models and a Workplan* (Toronto: Native Child and Family Services of Toronto, 1999), online:
<www.weechi.ca/wcm-docs/docs/moses_tom_father_of_repatriation.pdf> [perma.cc/UW9J-U8N].

[38] United Nations General Assembly & UNICEF, "Fact Sheet: A Summary of the Rights under the Convention on the Rights of the Child" (1990), online: <www.unicef.org/crc/files/Rights_overview.pdf> [perma.cc/33D8-2X5X] [UN General Assembly and UNICEF]; *United Nations Declaration on the Rights of Indigenous People*, GA Res 61/295, UNGA, 107 Plen, (2007) 1, online: <www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf> [perma.cc/AJ8J-7LS5] [UN General Assembly].

[39] Ministry of Children and Youth Services, Press Release, "Support for Youth Leaving Care" (25 March 2014) at 8–9, online: <www.hpechildrenandyouth.ca/wp-content/uploads/2014/03/For-Network-Communique-March-2014-English-Final.pdf> [perma.cc/E5K4-V2EC].

[40] Youth Leaving Care Working Group, *Blueprint for Fundamental Change to Ontario's Child Welfare System: Final Report of the Youth Leaving Care Working Group* (Minister of Children and Youth Services, 2013), online: <www.children.gov.on.ca/htdocs/English/documents/childrensaid/youthleavingcare.pdf> [perma.cc/P59A-J34Q]; The term "age out of care" refers to youth who reach the legal age of majority, and are therefore no longer the responsibility of the child protection system. The age has been eighteen years, with some discretion up to twenty-five years of age, depending on whether the child remains in school (*e.g.*, post-secondary) or has developmental needs. At times, when a young woman is pregnant, the child protection system will remain involved with her past her eighteenth birthday, and when the child is born, the child then becomes the primary case until the young woman can prove she can adequately parent.

Indigenous-run, and do not have an Indigenous-specific unit. There are some, such as Dilico Ojibway Child and Family Services, which operate in urban, rural, and reserve communities. Other agencies, such as Simcoe County CAS, have a First Nation/Métis/Inuit unit, but culturally grounded child protection efforts are inconsistent across all agencies in the province.

Furthermore, when children and youth are placed in care in jurisdictions outside of where they were apprehended, the continuity of cultural supports may be disrupted. In essence, there is nothing to ensure that cultural supports are in place for them. For children and youth placed in the private foster care system, even larger gaps emerge in access to these supports, particularly for those children and youth whose apprehensions occurred in another province or territory. There appears to be no systemic mechanism in place, either provincially or nationally, to require these agencies to provide consistent, constant access to culturally appropriate services for the children and youth in their care, despite cultural supports being part and parcel of care plans, and eventually, of youth transition plans.

B. DISCONNECT FROM CULTURE AND IDENTITY – LASTING EFFECTS

Since there are a large number of First Nation citizens living off reserve and in urban areas, a like number of Aboriginal children who are in care and in foster care do not have Aboriginal-run organizations as their care provider. This disparity is a great concern to Aboriginal leaders who believe these children are losing touch with their cultural roots. It is reported that, as their length of care increases, their sense of community and culture becomes more difficult to attain. This disconnect creates despair and confusion as the child ages within the system and eventually leaves it.[41]

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[41] Aboriginal Advisor's Report, *supra* note 9.
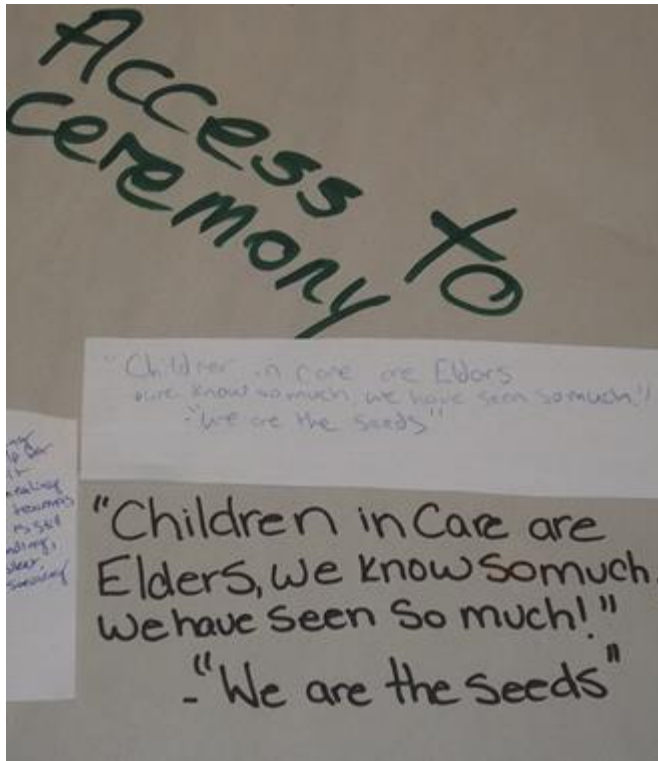
Photo, left, is from the afternoon workshop held with some of the youth who are in care and who attend our Youth Drop-In Group.

Anonymous male youth, 17 years old (2016), shared with permission

Positive cultural identity for children and youth has been noted by prominent clinicians and academics as a critical aspect of healthy development.[42] For example, in their research into suicide among Indigenous youth, Chandler and Lalonde point to key critical protective factors for youth, including the degree to which a community is working to ensure its cultural continuity.[43]

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[42] See, among many others, Michael J Chandler & Christopher E Lalonde, "Cultural Continuity as a Hedge against Suicide in Canada's First Nations" (1998) 35:2 Transactional Psychiatry 191 [Chandler & Lalonde, "Hedge"]; Michael J Chandler & Christopher E Lalonde, "Cultural Continuity as a Moderator of Suicide Risk among Canada's First Nations" in Laurence J Kirmayer & Gail Guthrie Valaskakis, eds, *Healing Traditions: The Mental Health of Aboriginal Peoples in Canada* (Vancouver: UBC Press, 2009) 221 [Chandler & Lalonde, "Moderator"]; Michael J Chandler & Christopher E Lalonde, "Cultural Continuity as a Protective Factor against Suicide in First Nations Youth" (2008) 10:1 Horizons—A Special Issue on Aboriginal Youth, Hope or Heartbreak: Aboriginal Youth and Canada's Future 68 [Chandler & Lalonde, "Continuity"]; Michael J Chandler & Christopher E Lalonde, "Transforming Whose Knowledge? Exchanging Whose Best Practices? On Knowing about Indigenous Knowledge and Aboriginal Suicide" in Jerry P White, Paul Maxim & Dan Beavon, eds, *Aboriginal Policy Research: Setting the Agenda for Change, Volume II* (Toronto: Thompson Educational Publishing, 2004) 111 [Chandler & Lalonde, "Whose Knowledge?"]; Eduardo Duran & Bonnie Duran, *Native American Postcolonial Psychology* (Albany: State University of New York Press, 1995); Maria Yellow Horse Brave Heart & Lemyra DeBruyn, "The American Indian Holocaust: Healing Historical Unresolved Grief" (1998) 8:2 Journal of the National Center 60 [Brave Heart & DeBruyn]; Joseph P Gone, "Psychotherapy and Traditional Healing for American Indians: Exploring the Prospects for Therapeutic Integration" (2010) 38:2 The Counseling Psychologist 166.

[43] Chandler & Lalonde, "Hedge," s*upra* note 42 at 3, 13; Chandler & Lalonde, "Whose Knowledge?" *supra* note 42 at 112.

Past colonial policies are repeatedly proven to be the key contributor to current social issues that continue to plague Indigenous communities.[44] When set against the social determinants of health,[45] the complex intersection of cultural identity and individual, systemic, and systematic racism creates the perfect conditions for psychological (*e.g.*, cognitive, affective, behavioural), physical, and spiritual wounding that may take years for a child or youth to recover from, if ever.[46] For children and youth in care, this is compounded by systemic operational practices that, instead of fostering long-term attachments to significant caregivers, all too often do the opposite.[47]

The Adverse Childhood Experiences study, conducted in the United States from 1995–1997, confirmed that the physical and psychological health impacts of childhood trauma persist well into adulthood.[48] Trauma in childhood can result in the "strong, frequent, or prolonged activation of the body's stress response systems in the absence of the buffering protection of a supportive, adult relationship."[49] While the reasons for apprehending a child may be due to trauma (*e.g.*, physical or sexual abuse), too often the long-term consequences are that they are disconnected from some of the very relationships that make them feel supported and loved. It is worth recalling as well that the experience and perception of trauma rests entirely within the individual. This is not to suggest that physical, sexual, psychological, or spiritual violence is not traumatic, or that children should not be protected from these experiences. What this does suggest, and what we must be accutely cognizant of, however, is that removing a child from his or her family may, in fact, produce more of, or compound, the trauma reaction within the child.[50]

Further, we cannot afford to ignore the fact that, regardless of how dysfunctional a family is, there exists bonds of love and caring amidst the other feelings a child may have toward his or her parent(s). In addition to this element, the child's home community, particularly where there

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[44] Royal Commission, *supra* note 28; Billie Allan & Janet Smylie, *First Peoples, Second Class Treatment: The Role of Racism in the Health and Well-Being of Indigenous Peoples in Canada* (Toronto: Wellesley Institute, 2015); Park, *supra* note 16 at 63; Joseph P Gone, "Redressing First Nations Historical Trauma: Theorizing Mechanisms for Indigenous Culture as Mental Health Treatment" (2013) 50:5 Transcultural Psychiatry 683; Chandler & Lalonde, "Hedge," *supra* note 42; Blackstock, "Sorry," *supra* note 14; Lalonde, *supra* note 15 at 11; Devlin, DeForrest & Mason, *supra* note 24; TRC, "*Calls*," *supra* note 3 at 1; Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Winnipeg, 2015), online: <www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf> [perma.cc/L2U9-ZW6Q]; Onowa McIvor, Art Napoleon & Kerissa M Dickie, "Language and Culture as Protective Factors for At-Risk Communities," online: (2009) 5:1 Journal of Aboriginal Health 6 <www.naho.ca/journal/> [perma.cc/Y2EF-WVY5].

[45] Raphael & Mikkonen, *supra* note 37.

[46] Bernard F Fuemmeler et al, "Adverse Childhood Events are Associated with Obesity and Disordered Eating: Results from a U.S. Population-Based Survey of Young Adults" (2009) 22:4 Journal of Traumatic Stress 329; Shanta R Dube et al, "The Impact of Adverse Childhood Experiences on Health Problems: Evidence from Four Birth Cohorts Dating back to 1900" (2003) 37:3 Preventive Medicine 268; Miguel T Villodas et al, "Unstable Child Welfare Permanent Placements and Early Adolescent Physical and Mental Health: The Roles of Adverse Childhood Experiences and Post-Traumatic Stress" (2016) 62 Child Abuse & Neglect 76.

[47] *Ibid*; Kline, *supra* note 11; Tait, Henry & Walker, *supra* note 13.

[48] American Academy of Pediatrics, "Adverse Childhood Experiences and the Lifelong Consequences of Trauma" (2014), online: <www.aap.org/en-us/Documents/ttb_aces_consequences.pdf> [perma.cc/4NZE-QDUE].

[49] Jack P Shonkoff et al, "The Lifelong Effects of Early Childhood Adversity and Toxic Stress" (2012) 129:1 Pediatrics e232 at e236.

[50] Marny Rivera & Rita Sullivan, "Rethinking Child Welfare to Keep Families Safe and Together: Effective Housing-Based Supports to Reduce Child Trauma, Maltreatment Recidivism, and Re-Entry to Foster Care" (2015) 94:4 Child Welfare 185; Tait, Henry & Walker, *supra* note 13.

are extended family members, may offer significant protective factors to the child, such as retaining the child's connection to their culture and larger family and community.[51]

Interestingly, Indigenous children have a greater likelihood of coming into contact with the child welfare system as a result of neglect, versus physical or sexual abuse.[52] Neglect is a catch-all term that has a wide-ranging definition; it can be used to find a parent neglectful in ensuring the child's well-being in a host of different situations. The difficulty with this is that it is a highly subjective valuation of parental capacity to ensure appropriate care, occuring in the context of systemic racism, which results, for example, in elevated levels of poverty in Indigenous families and communities.[53] Historical structural trauma and longstanding systemic racism have resulted in enduring social conditions, such as poverty, substance abuse, and lack of adequate housing, that continue to be the driving factors in disconnecting Indigenous youth from their homes and cultures. In essence, the colonial policy of assimilation created the foundation for the pervasive, persistent conditions that we see maintaining the vulnerability of Indigenous families to having their children taken into care. There are undoubtedly many situations where parental neglect is clearly putting a child's well-being in jeopardy, but the long-term impacts that Indigenous children and youth face when removed from their families are significant. There are better ways to address parental capacity needs and help children and youth stay connected to family, community, and culture. Until the system changes its approach, though, we are confronted with having to step in to try to offset some of the challenges Anishnaabeg children and youth face from within the child protection system.

I felt that I was trapped before in a cocoon before I came to Niijkiwendidaa, I felt isolated … I felt that I had nobody to help me even though I was surrounded by C.A.S workers and in a foster home. I feel that I have opened into a butterfly since being involved with the Aboriginal Youth In Transition (AYIT) Program.

Anonymous male youth, 17 years old (2016), shared with permission

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II. ANISHNAABEG YOUTH IN TRANSITION PROGRAM – NIIJKIWENDIDAA

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[51] Amy Dworsky & Mark E Courtney, "Homelessness and the Transition from Foster Care to Adulthood" (2009) 88:4 Child Welfare 23; Finlay et al, *supra* note 20; Landers & Danes, *supra* note 20; Pauline Guerin et al, "How Can Country, Spirituality, Music and Arts Contribute to Indigenous Mental Health and Wellbeing?" (2011) 19:1 Australasian Psychiatry S38 [Guerin et al].

[52] Aboriginal Children in Care, *supra* note 10; Blackstock, Trocmé & Bennett, *supra* note 26.

[53] Blackstock, "Sorry," *supra* note 14 at 165; Jones & Smith, *supra* note 19; Marlyn Bennett & Andrea Auger, "First Nations and Non-Aboriginal Children in Child Protection Services" (National Collaborating Centre for Aboriginal Health, 2013), online: <www.ccnsa-nccah.ca/docs/health/FS-ChildProtectiveServices-Bennett-Auger-EN.pdf> [perma.cc/46YR-DBHB]; Bennett, *supra* note 7.

The following sections discuss the Anishnaabeg Youth In Transition Program at Niijkiwendidaa, the experience and observations of workers, and the impact that we have seen for the youth who have participated during the past two years. We then share a few specific case studies, as well as amalgamations of several clients' stories, to highlight clinically and culturally important factors that we see frequently, such as identity and trauma. We acknowledge that there lies an ongoing challenge in providing culturally appropriate services for our clients, both adults and youth, who are not from this cultural or geographical territory. Niijkiwendidaa, in all its services, functions from an Anishnaabeg cultural grounding, as this is the territory that we are on and the knowledge that we draw from through community Elders and Knowledge Keepers. The challenge for any Indigenous organization, particularly those in larger urban areas, is to avoid the risk of adopting a pan-Indian approach to culture, particularly when there are multiple cultures functioning under one roof. We address this by engaging clients in a process of self-exploration. Even for those who cannot immediately access their families, communities, or cultures, having a local university and college with diverse bodies of Indigenous students and faculty often allows us to facilitate connecting people to others from their culture. It may be through other clients, volunteers, or community events that these connections take place. The key piece here for us, and for clients, is that we acknowledge the critical importance of reconnecting to one's own roots. Support through Niijkiwendidaa in reconnecting is just the first step in a life-long journey of self-discovery.

The AYIT program started in April 2015 at Niijkiwendidaa. At that time, a newly created funding stream through the Ontario Ministry of Children and Youth Services had emerged out of the growing recognition that youth aging out of the child welfare system too often lack adequate preparation and transitional supports. AYIT focuses on helping young people aged sixteen to twenty-four in the care of child protection agencies, who are preparing to transition out of care. The program consists of: individual and crisis counselling; life skills such as budgeting, cooking, and cleaning; networking with community supports; connecting young people to post-secondary education, employment, and housing; and linking young people to cultural ceremonies such as smudging, sweat lodge, cedar bath, naming ceremonies, full-moon ceremonies, traditional adoption ceremonies, and teachings. The AYIT worker also facilitates sharing circles between elders, knowledge holders, medicine keepers, story tellers, drummers, and the youth in the program. Annually, the program sees approximately seventy clients on a one-to-one counselling basis, in addition to providing a weekly drop-in group. Of those youth attending the drop-in, about half are not seen on an individual basis. The group is well attended, with an average of ten to eighteen youth attending most weeks. The youth are very clear in why they want to attend our group drop-in, versus attending other types of youth programming: they see the group, and the environment of NASC specifically, as their opportunity to build their cultural identity.

A. THE CIRCLE OF COURAGE MODEL

Niijkiwendidaa's services are based on a (w)holistic approach that is rooted in Indigenous worldviews.[54] This encompasses looking at mental, emotional, physical, and spiritual wellness. The AYIT program uses a variety of therapeutic techniques and models that blend western

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[54] The word holistic is used frequently in reference to a whole approach, with the root of the word meaning holy or sacred. Many people have argued that instead, we should use the word "wholistic" because it references how we work with the whole person and their whole context. We are using (w)holistic in this article to acknowledge both understandings of the word.

therapies with traditional teachings. One of the models used in the program is The Circle of Courage Model, which has been very effective in individual counselling, as well as for developing plans of care for the youth.[55] The model is divided into four quadrants—belonging, mastery, independence, and generosity—consistent with the many different Medicine Wheel teachings and (w)holistic approaches in Indigenous service provision. The four directions of the Circle of Care model portray universal human needs, and are the foundations for psychological resilience and positive youth development.

Belonging

In Native American and First Nations cultures, significance was nurtured in communities of belonging. Lakota anthropologist Ella Deloria described the core value of belonging in these simple words: "Be related, somehow, to everyone you know." Treating others as kin forges powerful social bonds that draw all into relationships of respect. Theologian Marty observed that throughout history the tribe, not the nuclear family, always ensured the survival of the culture. Even if parents died or were not responsible, the tribe was always there to nourish the next generation.

Mastery

Competence in traditional cultures is ensured by guaranteed opportunity for mastery. Children were taught to carefully observe and listen to those with more experience. A person with greater ability was seen as a model for learning, not as a rival. Each person strives for mastery for personal growth, but not to be superior to someone else. Humans have an innate drive to become competent and solve problems. With success in surmounting challenges, the desire to achieve is strengthened. To lead by example and be responsible.

Independence

Power in Western culture was based on dominance, but in tribal traditions it meant respecting the right for independence. In contrast to obedience models of discipline, Native teaching was designed to build respect and teach inner discipline. From earliest childhood, children were encouraged to make decisions, solve problems, and show personal responsibility. Adults modeled, nurtured, taught values, and gave feedback, but children were given abundant opportunities to make choices without coercion. It means that people can rely on you and trust you at all times.

Generosity

Finally, virtue was reflected in the preeminent value of generosity. The central goal in Native American child-rearing is to teach the importance of being generous and

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[55] The Circle of Courage Model came about as a result of the collaborative research done by Dr. Martin Brokenleg (Native American Studies) of the Sioux Nation, and Dr. Larry Brendtro (child psychology). Their research focused on the parenting of children within traditional Indigenous cultures, and their findings were first presented in 1988 at an international conference. The research was then developed into the Circle of Courage model, originally published in Larry Brendtro, Martin Brokenleg & Steve Van Bockern, *Reclaiming Youth at Risk: Our Hope for the Future* (Indiana: Solution Tree Press, 1990). It has since become a key model for educators and a mainstay of training for child and youth workers, globally, online: <research.omicsgroup.org/index.php/Circle_of_Courage> **[perma.cc/HYW4-U6TG].**

unselfish. In the words of a Lakota Elder, "You should be able to give away your most cherished possession without your heart beating faster." In helping others, youth create their own proof of worthiness: they make a positive contribution to another human life.[56]

This framework has been a meaningful way to base our programming and reach a deeper level with the Indigenous youth. Many youths do not have a strong sense of belonging or mastery, although this can vary, depending on the individual. The Circle of Courage Model is used as an assessment tool to identify gaps the youth has, and to build a plan to bridge those gaps. Most of this work is achieved through building a strong and positive community for the youth.

I feel more cultured and I can stand on my own two feet. I feel more open and connected. The drumming, singing, and dancing helps me ... these are normal activities at Niijkiwendidaa, it makes me feel like I am home. I don't have to hide who I really am here, I feel safe. I am aging out of care in three months and I know that the Aboriginal Youth in Transition program won't drop me like CAS is going to. I don't feel scared to turn 18 anymore. I know I will have these people in my life for as long as I need them ... this is what family means to me, this is community.

Anonymous male youth, 17 years old (2016), shared with permission

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Often, going through the Circle of Courage assessment with the youth will show empty quadrants within the model; this is an assessment process that takes time to facilitate. This is also where building a strong community is vital. When the youth have a strong, positive network they are then able to find healthy mentors and role models, and learn their culture. We find this mirrored in the experiences of other clients at Niijkiwendidaa, as well. Urban Indigenous populations too often struggle with the act of retaining connection to culture and community. Organizations like Niijkiwendidaa create the space for this to happen, working to nurture healthy relationships with self and others. This, in turn, strengthens our clients' sense of identity, allowing them to live in congruence with positive values, and fill the areas that were identified as depleted. Many of the youth at NASC have found that there are many skills they excel at, such as traditional dancing, beading, singing, drumming, and cooking. In turn, this strengthens the youths' abilities, so they are not merely surviving, but instead are actually thriving. This helps to build their identity and create a supportive community. The AYIT worker, using a strength-based approach that teaches the clients to "do for self," supports the youth every step of the way.

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[56] Starr Commonwealth, "Circle of Courage" (2017), online: <www.starr.org/training/youth/aboutcircleofcourage> [perma.cc/H8EY-MKHS].

B. CULTURAL RECONNECTION

Cultural reconnection is a vital piece in practice at NASC, and in the AYIT program in particular, as it creates opportunity for Indigenous youth to build upon their identity while learning and understanding where they come from. Many of the youth in the program feel culturally "numb," not knowing where they come from or the history of colonization in Canada. We find they do not realize how colonization affects them today or how it has contributed to their own family breakdowns, which have occurred due to many factors (*e.g.*, substance abuse, physical, mental, emotional, or spiritual violence the youth or their families have experienced). Many of them are not proud to be Indigenous and do not understand the sacredness they hold within themselves. Often youth are oblivious to their gifts, and the roles and responsibilities they have to their home communities or community of choice. They are unaware that they have the ability to create change and that they have tremendous personal power within.

Frequently, the youth have had very little exposure to traditional ways of being or teachings. Several youth involved in the AYIT program have stated they feel "isolated" from culture, biological family, and community. This has been a constant issue with Indigenous youth in care. Bringing in diverse Elders and community members for the drop-in group or for cultural activities helps these youth build an inviting space and community at Niijkiwendidaa. Maintaining the focus on cultural reconnection and belonging has proven to be very successful with the young people involved in the AYIT program. Many of the youth have reported feeling a sense of "home" or "family" at Niijkiwendidaa. And many youth have stated that receiving their traditional spirit name has helped them feel as though they have a sense of purpose, replacing their former feelings of emptiness or hopelessness.

C. CHALLENGES AND SUCCESSES – THE FIRST TWO YEARS

In the short two-year existence of the AYIT program, we have had many challenges and successes. Many challenges originate in outside agencies' lack of cultural competency or historical awareness. As noted earlier, the importance of Indigenous identity and the history of colonization and its resulting impacts are key factors in child protection, both for the parents and children. Yet many workers in group homes or within CAS do not understand this.[57] It is not uncommon for the AYIT worker to cross paths with workers who have a racist or biased mindset. For example, we have received calls to inquire about services for youth where, in essence, the worker says: "The youth states that they are Native, but he has no proof of this. He also has blonde hair and blue eyes." The workers at Niijkiwendidaa experience this type of unexamined bias regularly; the idea that a person can only be Indigenous if they look like the stereotypical "Indian," or if they carry a status card, reinforces broader societal attitudes that invalidate the youths' inner knowledge of self.

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[57] With some exceptions, this has not been a mandatory part of the training for workers coming out of college and university programs. Nor is it mandatory employee training yet, although the province of Ontario has now made it so for all public servants. See Ontario Office of the Premier, News Release, "Ontario Implementing New Indigenous Training and Education Requirements" (17 February 2016), online: <news.ontario.ca/opo/en/2016/02/ontario-implementing-new-indigenous-training-and-education-requirements.html> [perma.cc/569F-WWVM]; Aboriginal Children in Care, *supra* note 10.

The denial of cultural identity has repeatedly been shown to be harmful, yet our youth continue to experience such denials by the very systems that are supposed to be supporting them.[58] For example, cultural ceremony or programming is not considered as effective as or equal to mainstream religion (*e.g.*, Christianity). Youth have reported regularly that when they "act up," cultural activities or programming get taken away, but basketball or cooking does not. Group homes commonly utilize variations on either a token or level system of behaviour management; ideally, these systems are used as a way of reinforcing compliant, cooperative, or pro-social behaviours, and as a way to help the child or youth develop positive child/adult relationships that are felt to be supportive by the child. In reality, these systems are applied inconsistently due to a wide range of factors. Compounding the effects of this inconsistency is a problematic understanding of what constitutes a "reward" for compliant behaviour.[59] For Indigenous children and youth, the ability to attend cultural ceremonies or events should be an automatic, unquestioned part of their treatment plan, no different than being supported in attending synagogue, church, school, or work. For non-Indigenous staff, however, the child's attendance at a cultural event, or participation in an Indigenous-specific program or service, is too often seen as a reward, rather than something that is their inherent right, as outlined by the *Canadian Charter of Rights* (s35), the United Nations *Convention on the Rights of the Child*, and the United Nations *Declaration on the Rights of Indigenous Peoples*.[60] Using access to cultural supports as a reward for compliant behaviour negates the integral role that positive cultural identity development plays in the overall healthy growth of youth.[61]

I feel that I have support and mentors within the community that I didn't have before. I have a close relationship with Rachel and I feel that she listens to me and she means it. I have learned that I don't have to be afraid to be native and I'm proud to be Mohawk.

Anonymous male youth, 16 years old (2016), shared with permission

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Another challenge, at the systemic level, centres on the lack of referrals received through the child welfare system. YIT programs in Ontario are often not housed within child protection agencies. Adding a new layer of service takes time to gain momentum, even when it is an in-

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[58] Tait, Henry & Walker, *supra* note 13; Chandler & Lalonde, "Continuity," *supra* note 42; Aboriginal Advisor's Report*, supra* note 9; Bennett, *supra* note 7; Park, *supra* note 16.

[59] For a more in-depth discussion, see *e.g.* Mary Elizabeth Rauktis, "'When You First Get There, You Wear Red': Youth Perceptions of Point and Level Systems in Group Home Care" (2015) 33:1 Child and Adolescent Social Work Journal 91.

[60] UN General Assembly & UNICEF, *supra* note 38; UN General Assembly, *supra* note 38.

[61] Fraser et al, *supra* note 16 at 83–86; *Young People Matter*, *supra* note 12 at 12.

house program. Adding a new layer that is both external and culturally different than the mainstream adds a double burden on the worker(s) trying to get the program moving forward. The directive from the province mandates that all youth in care are to be connected to YIT workers to support their transitions into adulthood. Our experience has been that the AYIT worker is the last to be informed about plan of care meetings or case conferences, but the first person the youth call when they are in trouble for AWOLing (absent without leave) or when they need immediate support. There is also a distinct lack of consistency in how youth are involved in developing their plans of care. Too often, they are not consulted in developing their own transition plans, and too often, they are forced out of the system, regardless of their actual readiness for independent living.

Additional systemic challenges exist with respect to youth who are transferred to our region from other areas. Niijkiwendidaa has agreements with child protection agencies, such as Tikinagan, so that we can more easily step into supporting the children and youth who are being relocated to the Peterborough and Durham regions. Further, child protection agencies are required to contact the AYIT program when new Indigenous youth have been moved to our area, as per a policy directive from the Ministry of Children and Youth Services. Transfers from other child protection agencies, including from northern Ontario, as well as other provinces and territories, may see a child or youth housed in internal foster homes of the local child protection agency, or placed in one of the many privately run (for-profit) group homes. Significantly, the AYIT worker is frequently not notified about new Indigenous youth who have been relocated to our catchment area, so these young people are left without cultural supports or the means to make community connections.

A compounding issue for the youth is that too often their file does not come with them when they are transferred to our region, which then results in the AYIT worker being unable to work on transition plans with the youth. In essence, the youth are left to fall through the cracks. When a youth is apprehended in one jurisdiction and then put into a foster or group home in another jurisdiction, the local child welfare agency is supposed to be notified of that child's arrival (*i.e.*, they should receive that child's file), and they are to act as case managers for the child or youth's file. They are also required to inform the AYIT worker that a new Indigenous youth has arrived. However, the file is not always sent to the local agency. This then means that our AYIT worker is not notified. It also means that the home agency must be relied on to follow through and put in place all the supports that the youth needs, despite often being hundreds of kilometers away. Basic things, such as ensuring the child or youth receives their eyeglasses, or obtains a social insurance number, to the more complex things, such as developing transition plans for older youth or addressing foster placement breakdowns, are elements that are commonly addressed by the case manager. Geographic distance compounds any normal problems that case managers must address, including not being aware of locally available supports for the youth. As a result, children and youth are vulnerable to becoming lost in cracks in the system.

On a final note regarding challenges, the lack of funding for the AYIT program is critical. The current level of funding covers the wages of one full-time equivalent worker, along with a limited amount of program costs. This leaves our program constrained in accessing Elders and Traditional Knowledge Keepers, who are integral in helping develop a strong cultural grounding for the youth. We are also unable to facilitate any programming on the land for our youth, although spending time on the land is an integral aspect of Indigenous identity.

Photo, right, is from the afternoon workshop held with some of the youth who are in care and who attend our Youth Drop-In Group.

Anonymous male youth, 15 years old (2016)
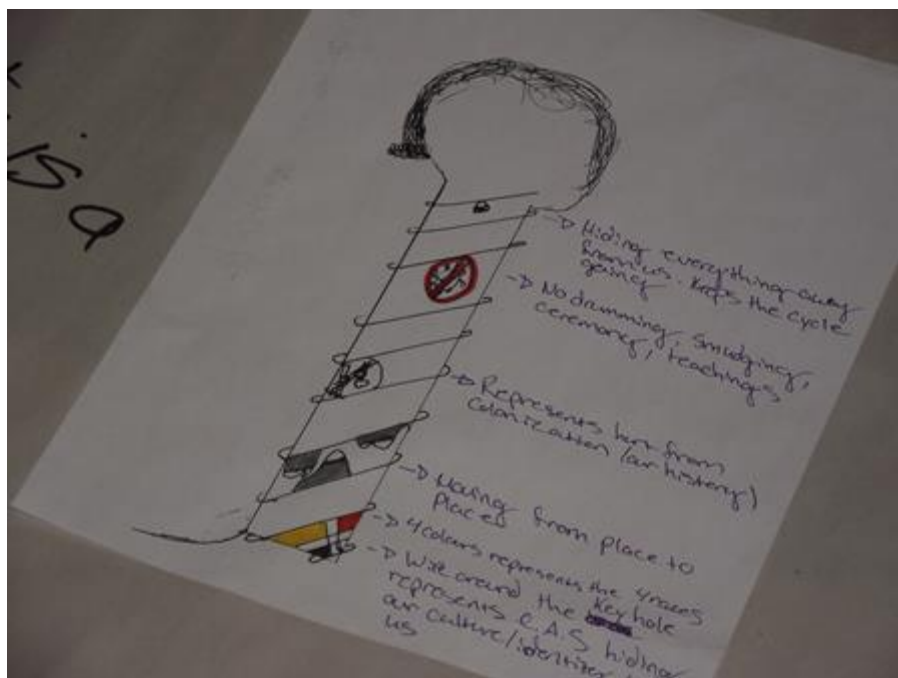
Despite the challenges, we are also experiencing a number of successes. We consistently have more youth engaged in the program than our annual targets are set at. Referrals come to us more often through word of mouth among the youth than through formal channels. This speaks volumes about how the youth see the program and agency, especially its role in fostering the positive development of their cultural and personal identities. Youth have expressed their desire to be mentors and leaders for the Indigenous community as a direct result of their involvement in the AYIT program. Also as a result of being involved in this program, our young people are graduating high school and looking into post-secondary education. They are making honour rolls and chalking up academic achievements. They are also picking up traditional knowledge; these are the youth who will eventually become our new Elders. These youth are acquiring a deep confidence within themselves, building their self-esteem. Several of them have learned how to self-regulate emotions and behaviour, problems they previously struggled with. These young people are now seeing that they have influence in their own lives and the capacity to set and achieve their goals, whether short or long term. Perhaps the most moving achievement is that the youth involved in the AYIT program have a sense that "they matter" and a community that is supportive of them. Many will continue with the AYIT program after they have transitioned out of care. Some may utilize other services at NASC as ongoing supports in their lives. As the youth move into adulthood, we anticipate a growing number of youth navigating adulthood as strong, resilient Anishinaabeg, Cree, Dene, Haudenosaunee, Métis, or members of whichever Indigenous nation they are affiliated with.

D. TRANSITIONS – BUILDING UP YOUTH

In the short time that the AYIT program has been operating, we have seen some clients transition into other areas of NASC, as well as move on to become increasingly successful young adults.[62]

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[62] The stories of the young people that follow here and in Part E, below, are shared with their consent.

One example of this is a young woman who had a fortunate history of foster family stability, but a significant experience of trauma, family dysfunction (including within the foster family), and later, intimate partner violence. Her needs were centred primarily on mental health and addressing some of the basic life skills that were impacted by her learning disability (budgeting in particular). She had become a mom at eighteen, and due to the violence she experienced at that time, her child was apprehended. Her second child was apprehended as well, but this time as a result of inadequate living conditions. She was transitioned to one of NASC's long-term counsellors and the Life Skills worker for ongoing support. At various times, this client would also access the Transitional Housing Worker and the Employment and Education Worker. She is now expecting her third child. Working constructively with CAS and accessing mental health and other supports, she anticipates being able to raise this child at home, and eventually see the return of her second child.

Another youth connected to NASC and the AYIT program had significant criminal charges at the time of his first contact with the AYIT Worker. Through very focused individual and group work with this client, he has successfully addressed the sentencing and probationary elements of his conviction; culture was a key feature in working through this part of the process. His growth in his cultural identity led to him deciding to take on more in-depth ceremonial and cultural learning. He now attends university—an accomplishment that he would never have dreamed possible prior to connecting with NASC.

Most of the youth in the AYIT program have yet to age out of the system. The next two years will see approximately a dozen youth ready to step into adulthood. Several of the youth are already acheiving concrete gains through their involvement. This is demonstrated when they attend ceremony together and take on helping roles within the ceremonies, entrenching the learning they continue to acquire. This is seen when one of the youth steps out of line, and the group members reinforce appropriate behaviour expections, peer to peer, without the worker's prompting. As these youth continue to grow and solidify their sense of positive cultural identity, we will reap the benefit of their sense of community. They will continue to be role models, demonstrating that given the right cultural and community supports, our youth—regardless of their backgrounds—have the ability to grow and flourish as young adults, and will be able to help the younger ones become connected and grounded in culture and community as well. And, as with any individual or family who accesses services through Niijkiwendidaa, these youth will be able to remain connected to the agency, whether as clients, role models and volunteers for other youth, or as general community members.

E. CLINICAL ISSUES

1. WANDERING WITHOUT A HOME – A CASE STUDY

Personal identity potential, defined as one's sense of self as a unique being and one's capacity for growth, may be altered as a direct consequence of adverse or traumatic events in youth. Entering into a child protection system that does not value or recognize Indigenous cultures as distinct from—and as valuable as—western culture, potentially compounds these effects. At Niijkiwendidaa, we have many cases of children who have been displaced from their original community to an urban centre that is culturally foreign to them. One such case is a sixteen-year-old young man, removed from his home in a remote fly-in community in Northern Ontario, and placed into a group home near Peterborough. His culture shock is extensive and not understood

or respected by the group home staff; he is, by all measures, a foreigner to this landscape. From language barriers to social expectations and house rules, he falls short of the demands of his placement. His most endearing characteristic is to communicate with humour and levity. In his family, as the youngest sibling, he bridged many hardships with humour, a valued and socially accepted strategy within his community and culture. However, in his group home the emphasis is placed on regulatory norms, essentially checking off the boxes of behavioural management, and the constant observations make him feel isolated and displaced. His humour is not valued, and he feels incapable of meeting the demands of the workers and the home. His conviviality is seen as immaturity and he has identified that his own sense of being is greatly reduced. He feels that they read from a different ledger, one that he will never grasp, and fundamentally feels unheard and insignificant. He speaks of his workers apprehensively and does not trust them to provide the emotional support he needs to heal from his traumatic childhood experiences.

He reluctantly complies with the expectations of his group home to earn privileges to be able to join in as many cultural activities as he can. He is not seen by the group home to have a fundamental right to access cultural events; his engagement with Indigenous community is supported only as a result of his compliance with the house rules, which stands in stark contrast to his need for connection, healing, and learning what it means to be an adult.

He stated that when he is engaged at Niijkiwendidaa, even when doing hard work like understanding his childhood, or participating in sharing circles and groups, or in sweats and ceremony, he feels more grounded and valued, which brings him hope. He described how the few hours he has spent at Niijkiwendidaa have made this agency more of a home to him than all the many weeks he has been in care. He described cultural marginalization and systemic bullying. His entire experience of care has been adversarial, and he has experienced systematic discrimination by his worker and his peer group. Within his own community, even though there were serious social problems that led to his apprehension, he was not alone or marginalized. He could speak with his family members, engage with elders, and share with others his humour, dreams, and visions.

With an upcoming eighteenth birthday, he is aging out of the system; a new set of problems has developed as his group home will not keep him after that day. As a young adult with few life skills, he is expected to change schools and make decisions for himself without a transition plan. He is still on his healing journey, and the recent changes to his care have made him fearful, reactive, and even suicidal. His traumatic history is extensive, and he simply has not yet acquired the skills to live a successful adult life; he has yet to master regulating his emotions and his acute symptoms of mental distress. From having multiple interventions to having none as he ages out of the system, it is possible, if not expected, that without the involvement of our AYIT worker, he would simply be given a bus pass to return to his remote community. His risk of homelessness is immense since he is attached neither to his home community, nor to the community here; his only option may become an emergency shelter. Thus, without the AYIT program he would become a displaced urban Indigenous youth, running the risk of remaining adrift well into adulthood.

2. TRAUMATIC ATTACHMENTS

Photo, right, is from the afternoon workshop held with some of the youth who are in care and who attend our Youth Drop-In Group.

Anonymous male youth, 17 years old (2016), shared with permission
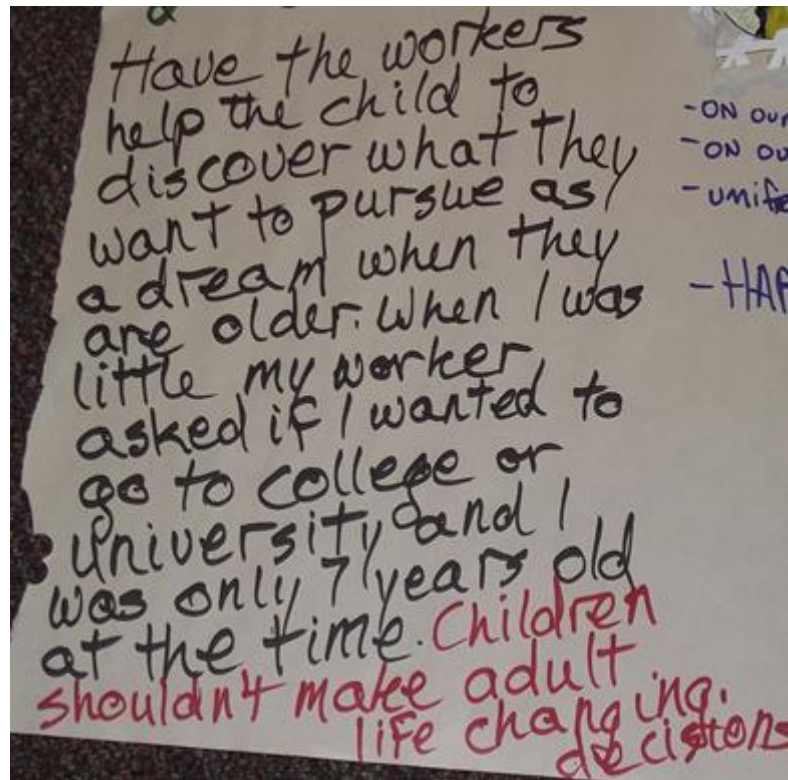
A common experience of the youth we see is having lived through multiple placements; it is not uncommon to hear that they have lost count of the number foster and group homes they have been placed in. One young woman, who aged out of the system, shared her experience of living in fifteen or more placements. Another young Innu girl changed homes over four times in the six months she was supported by our agency. These displacement experiences were normalized by the youth, and in the latter case, she forecasted yet another move in a few months.[63] The young Innu girl simply did not understand why this was "such a big deal since that is simply what happens: You go to a new home or placement and by the time you learn their new set of rules, meet the workers, and engage with them you will be moved again."[64] There is nothing permanent or stable in their arrangements and though these children are vulnerable and need emotional stability to heal and grow, they are often shuffled around in a large system with complex administrative rules they do not comprehend.[65]

Most of our youth express that they simply do not recreate the attachments they need to trust their new environments and to process the adverse childhood experiences they have lived through.[66] Even when making decisions about their own lives, they feel funnelled into various programs, strategies, or schools without their consultation. The first young woman, mentioned

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[63] Tait, Henry & Walker, *supra* note 13 at 39–40; *Young People Matter*, *supra* note 12 at 8.

[64] Anonymous client, personal communication, 2016, shared with consent.

[65] Delilah Bruskas, "Children in Foster Care: A Vulnerable Population at Risk" (2008) 21:2 Journal of Child and Adolescent Psychiatric Nursing 70.

[66] See *e.g.* J G Barber & P H Delfabbro, "The Profile and Process of Neglected and Abused Children in Long-Term Foster Care" (2009) 33:7 Child Abuse and Neglect 421 and Michelle Christensen & Spero Manson, "Adult Attachment as a Framework for Understanding Mental Health and American Indian Families: A Study of Three Family Cases" (2001) 44:9 American Behavioural Scientist 1447 [Christensen & Manson] (for discussions regarding inter-generational trauma and attachment).

above, talked about being examined and analyzed by specialists. The expectation was that her behaviours would be the focus, not her whole self. [67]

As long as I make my bed and follow their rules, they will think I'm doing great even if I have a Wendigo that follows me every night and my dreams are filled with fear

Anonymous female youth, 16 years old (2016), shared with permission

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Attachment and belonging are key factors in establishing our sense of well-being. Indeed, feeling connected to others and feeling understood provides us with the psychological space to create necessary transformations in our lives, and to maintain balance within ourselves and our relationships.[68] From our Indigenous perspective of well-being, we may use the Medicine Wheel framework to understand a person's wellness in various dimensions. There is no compartmentalization of physical, emotional, intellectual, and spiritual well-being; we understand the inter-relationship of each aspect of self, within the larger context of family, community, and creation. The person in all their dimensions is assessed in terms of their wellness, and wholeness is considered to be living in balance with all dimensions. The healing journey for many of the youth is to reconnect them with the aspects of themselves that are lost and forgotten in the changing of homes. Creating new bonds within Niijkiwendidaa feels more permanent for the youth than those made with transitional caregivers, thus providing some psychological and relational stability. Many of them form new attachments with each other, the Elders, and the staff at Niijkiwendidaa, where they feel supported and understood for the first time. They create much more sustainable bonds that see them through the many changes in living and education arrangements. These bonds serve as touch stones, becoming the constants in their lives.

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[67] A Wendigo—referred to in the quote in the text box—is a creature from within the Anishinaabeg and Algonquin mythos, described as a terrifying cannibal, sometimes a giant and sometimes a spirit. It connotes the idea of a voracious, unceasing hunger that will consume anything in its path, whether corporeal or spiritual in nature.

[68] Doris Brothers, "Traumatic Attachments: Intergenerational Trauma, Dissociation, and the Analytic Relationship" (2014) 9:1 International Journal of Psychoanalytic Self Psychology 3 at 5; Bruce Christopher Bradfield, "The Intergenerational Transmission of Trauma as a Disruption of the Dialogical Self" (2012) 14:4 Journal of Trauma & Dissociation 390 at 392.

What they are helping me with is finding housing, looking after my physical health, and last but not least – getting over my past.

Anonymous female youth, 21 years old (2016), shared with permission

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Many of the youth we see report a deficit in their general sense of well-being, particularly if they lived in rooted communities in which their wholeness was valued before coming into care. From the other agencies that work with them, we observe and receive reports of youth that are non-communicative and closed to the care providers. These same youth, when at Niijkiwendidaa, open up to the staff and Elders, and are insightful and engaged in services. These benchmarks of openness are often seen as the beginnings of transformative change in their lives.[69] With a sense of connection, they begin to trust anew, and from this position of trust they can then process their experiences and trauma, with long-lasting, restitutive results. Although the AYIT program is still new, some youth have already transitioned out of care yet continue to engage freely in NASC's services and community, feeling this is a place of connection and belonging for them.

The clear deficit that Indigenous youth in care experience with cultural supports and services, on all levels, can almost be regarded as a form of child maltreatment.[70] The inability of the child protection system to provide the type of care needed by Indigenous children and youth impacts them on a profoundly intrapersonal level, creating a void in their sense of identity and belonging. Although the system provides the basic necessities, such as shelter and food, the youth feel invisible and disconnected from others. This de-personification and lack of significant connection with others is often at the core of many of the self-destructive behaviours they exhibit, such as self-harm, suicidality, and addictions.[71] Conversely, when the youth begin to create new, significant attachments with others, particularly from culturally similar backgrounds, there are distinct shifts in self-destructive behaviours; many long-standing and perseverant behaviours will cease.[72] Western understandings of self-destructive behaviours focus on controlling urges and redirecting impulses, and while there is a value to such an understanding,

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[69] Lalonde, *supra* note 15 at 23; Johan Strijker, Erik J Knorth, and Jana Knot-Dickscheit, "Placement History of Foster Children: A Study of Placement History and Outcomes in Long-Term Family Foster Care" (2008) 87:5 Child Welfare 107 at 121, online:
<www.pleegzorg.nl/media/uploads/artikel__strijker_knorth_knot_history_child_welfare_vol87.pdf>
[perma.cc/9EZG-DURV]; Lynch, *supra* note 17 at 510–11.

[70] Rivera & Sullivan, *supra* note 50 at 188.

[71] Chandler & Lalonde, "Continuity," *supra* note 42 at 2–3; Stephen A Colmant & Rod J Merta, "Using the Sweat Lodge Ceremony as Group Therapy for Navajo Youth" (1999) 24:1 Journal for Specialists in Group Work 55 at 67; Guerin et al, *supra* note 51 at S40.

[72] Chandler & Lalonde, "Whose Knowledge?," *supra* note 42.

there is little room within these paradigms for the immensely restorative functions of belonging and having authentic engagements with culture and community.[73]

3. INTER-GENERATIONAL IMPACTS ON IDENTITY AND ITS RESTORATION – A CASE STUDY

Another NASC client was apprehended from her remote community in a western province as a toddler. As a Crown ward she was moved frequently by the child protection agency, never developing attachments. She described herself as a tumbleweed, moving about without direction. She engaged in self-destructive behaviour from a young age. She learned how to self-harm while in a children's treatment centre. As she aged, drugs and alcohol became her coping strategy for her sense of isolation and unrest. Her first suicide attempt occurred when she was eleven. Her arms still carry the scars of her many years of self-harm. Now a mother of two, she struggles to understand her children's needs. These were not skills taught to her while she was a ward of the state. She often feels overwhelmed by the responsibilities of managing a home. She has been using many of our services, including the Healthy Babies program for pre-natal care and post-natal supports. She also participates in the women's talking circle, sharing with other women, and learning from their experiences.

Her story contains all the hallmarks of intergenerational trauma. Her grandparents were residential school survivors and returned home as broken people. They drank heavily and raised her mother in an environment filled with blurry memories of alcohol, violence, and sexual assault. This client was born a product of a sexual assault and her mother drank through most of her pregnancy. She only came to reconnect with her community as an adult. She tells how for most of her life she felt her spirit had left her and how she had very little identity. She knew she was Cree from birth however she had no pride in her identity. She recalls being exploited because she was Indigenous. She recounts in her youth hating the colour of her skin, trying to pass for another ethnicity, and distancing herself from her culture. She was first sexually assaulted while in care at the age of eight. By the time she was fifteen years old, after being sexually abused repeatedly, she was sold as a prostitute to a pimp. She left when she met the father of her children and remained with him for six years, enduring violence, humiliation, and emotional abuse.

She has been involved in the child welfare system since she became a mother because of her high-risk history. She tells of having intrusive involvement by workers from the time her children were born. A chaotic childhood and a lack of coping and life skills made her very vulnerable to life stressors and, when her own children were apprehended, she spiralled back into substance abuse for a time. She has since engaged herself in her own healing journey, completing two treatment programs, and is now in the final stages of reunification with her children. She recounts how she felt "her spirit returned to her," and how she "feels grounded" since immersing herself in ceremony and participating in sweats. A non-judgmental perspective allowed her to work though her addiction and into healing. She still engages in weekly counselling and relies on Niijkiwendidaa to help her gain the life skills she needs to succeed.

She connected with Niijkiwendidaa initially as a client in crisis, needing to flee an abuser. She recounts how reconnecting with her spirit and finding her culture have given her a sense of

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[73] Christensen & Manson, *supra* note 66 at 1453; Barbara Gfellner, "Ego Strengths, Racial/Ethnic Identity, and Well-Being among North American Indian/First Nations Adolescents" (2016) 23:3 American Indian and Alaska Native Mental Health Research 87 at 231; Lynch, *supra* note 17 at 510; Lalonde, *supra* note 15 at 22.

identity, as well as strength and pride in herself. She no longer suffers from the interminable self-hatred she had and she is learning to forgive herself for her past. From the time she can remember, she carried a sense of shame for herself and for her mother. Recognizing that she is like countless other Indigenous women who have suffered through intergenerational trauma, the pervasive sense of brokenness that haunted her and made her feel helpless has lifted. She has found her voice and her spirit, and has changed the direction of her life. She has become a very capable mother who is fully present in her children's lives and is determined to break the cycle of trauma.[74]

F. CULTURAL COMPETENCY

There is a drive toward reconciliation when we engage in increasing the cultural competency within mainstream agencies and communities. Enhanced general knowledge of Indigenous history in Canada will change and improve Canadian society's understanding of our current social realities. However, even in our own circle, which is culturally rooted within a heterogeneous urban Indigenous population, there is a dearth of understanding of how many of life's incidents are not the result of individual experiences, but rather an accumulation of systemic discrimination that is both inter-generational and deliberate.[75] Once the youth in our services begin to open up, we see very consistent patterns emerge. Many of the youth have been so isolated from their own culture and history that they believe they are to blame, that they are at fault, that they are flawed. One part of reconnecting them with themselves is to engage them in learning about their history, to learn about the resilience of their nations. They begin to see themselves in a different landscape where they are no longer the pejorative "Indian," but rather where they are the keepers and protectors with deep ancestral roots and knowledge. In addition to learning about their own, individual histories, we remind them of the not too distant past of residential schools, where their relatives were forced to go, and how this has disrupted their grandparents' and parents' abilities to live balanced lives.[76] These once shameful memories are no longer immovable barbs in their hearts and minds; the secrecy and shame they once held onto so closely is removed. The space those memories occupied begins to be filled with new memories, creation stories, and ancestral teachings on how to live a good life. Once the youth begin to see their struggles as collective experiences shared by their ancestors, they begin to encourage each other to embody the teachings and knowledge they have gained. We have seen, through the lives of clients, that this awareness leads to positive interactions within families and communities, and a greater capacity to dream, to live well, and to remain firmly rooted in one's culture.

Within our agency, there are diverse cultural events that allow various generations to interact. At such events, a troubled youth will gladly offer to make tea for a visiting grandmother. It is a seemingly small gesture, but rooted in a new understanding of respecting elders, it becomes a contemporary expression of ancestral relations. From a shifted lens of

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[74] Deborah Bassett, Ursula Tsosie & Sweetwater Nannauck, "'Our Culture Is Medicine': Perspectives of Native Healers on Posttrauma Recovery Among American Indian and Alaska Native Patients" (2012) 16:1 The Permanente Journal 19 at 22; Peter Menzies, "Developing an Aboriginal Healing Model for lntergenerational Trauma" (2008) 46:2 International Journal of Health Promotion & Education, 41 at 42.

[75] Peter Menzies, "Understanding Aboriginal Intergeneration Trauma from a Social Work Perspective" (2007) 27:2 The Canadian Journal of Native Studies 367.

[76] Brave Heart & DeBruyn, *supra* note 42; Menzies, *supra* note 75; Lynch, *supra* note 17; Aboriginal Children in Care, *supra* note 10; Office of the Child, *supra* note 14.

identity, the youth also begin to have very significant relationship conversations with the workers at Niijkiwendidaa, and open and explicit talks about dating, intimacy, and social conduct. For many of the youth we see that relatively mundane appropriate physical contact (*e.g.*, touching the arm or giving a hug) can be novel and transformative. They learn about healthy boundaries through many different teachings, which allow the youth to break out of the cycle of physical, emotional, and sexual abuse. Many of the youth model these boundaries by engaging positively with members of our community, our counselling staff, and our elders. Some community members develop formal kinship relationships with the youth, becoming surrogate family members (*e.g.*, aunties and uncles) to many of the youth.

Our emphasis is on the person's overall well-being, their sense of belonging, their personal capacity for changing their circumstances, and their spiritual path and growth. We acknowledge that the presenting concerns of individual clients (both youth and adult) are tied into their family history and are often carried and transposed to the next generation. By breaking the inter-generational ties of trauma, by speaking the unspoken and helping to heal the soul, we endeavour to help youth feel free to make new choices and live a good life—mino bimaadiziwin.[77]

III. CULTURAL IDENTITY, CONTINUITY – FINDING THE PATH AGAIN

> *Now I am very proud to say that I am Native, I appreciate it and I know what it means. I have been involved with the AYIT (Anishnaabe Youth in Transition) program for over a year. I feel confident in myself as a healthy Native man. I have my traditional name, clan, and experienced a sweat lodge ceremony for the first time. This for me has fostered a healthy sense of who I am.*
>
> Anonymous male youth, 17 years (2016), shared with permission

Culture and community are ubiquitous to human nature. Culture is the way in which we understand and interact with the world around us (*e.g.*, the tools we use, the food we eat, the beliefs we hold, the language we speak, et cetera). Culture binds groups of humans together in ways that are incredibly profound, such that "[c]ulture, the accumulated totality of such patterns, is not just an ornament of human existence but—the principal basis of its specificity—an

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[77] Mino bimaadiziwin is an Anishinaabe word (the Cree word is very similar) that refers to, loosely, living the good life. But this translation loses much of its depth in English. It speaks of us living to the fullness of our potential, maintaining right relationships with all of creation, and ensuring we fulfill our responsibilities to all our relations. Only in this way can we live in balance and harmony, and live a good life.

essential condition for it".[78] And we are, by our very nature, social beings who require a supportive group to belong to for healthy development into adulthood.[79] In working with Indigenous youth in care, we are able to help them begin to address the cultural aspect of their identity in ways that meet them where they are at, and that implicitly and explicitly express our belief in their ability to fully blossom as they transition into adulthood. We express our sense of community by advocating for them, and being available to listen without judgment, to appreciate the struggles they encounter, and to celebrate their achievements with them. Without this critical piece, our youth are left to fend for themselves, without the critical scaffolding that is typically provided through positive culturally based parenting and community support. Having an integrative model of service that provides multiple resources, and that is culturally grounded, strengthens our ability to connect with the youth in ways that are both restorative and restitutive.

Each Indigenous community and agency across Canada is involved in helping their youth find the path again, taking up this task in their own respective ways. We have seen the devastating impacts the current child protection system can have on our youth. As Indigenous communities and organizations have strengthened their own internal capacities, they have become stronger advocates for their youth and families. We must continue to learn from each other, however, so that we can shift the current mainstream awareness and practices to be more open, accepting, and accountable to Indigenous communities, regardless of where they are located. Reconciliation, as a national exercise, must happen in all sectors of society in order to reduce the number of Indigenous children and youth in care becoming the next generation of disconnected tumbleweeds.

What we have shown throughout this paper is that our youth need more than merely the basics of shelter and food; our youth require connection to their cultures and communities in ways that are substantive, consistent, and constant, regardless of whom their caregivers are. Even in the extreme cases of a child or youth needing to be completely removed from their family home, retaining cultural and community connections is critical. These can be done through enfolding them in a surrogate community, or family "nest," with access to all the relational supports they would normally have access to in their home communities. Regardless of whether the youth has a status card or only family stories of ancestry, remaining connected to Indigenous culture and community has long-lasting restorative potential that can see the youth taking their rightful place as emerging leaders and mentors within broader society. They are the teachers and helpers who will eventually become the new Elders—but only if we support them now as they transition into adulthood.

IV. GIIDOSEDIWAG – WE WALK TOGETHER

Indigenous peoples across Turtle Island are finding their way back to their cultural roots. The political and social climate has shifted enough that cultural aspects, particularly spiritual ceremonies, no longer need to remain hidden. It is not an easy path, though. We are confronted with the remnants of our ancestor's knowledge in ways that resemble jigsaw pieces; repairing the damage takes work and time, in addition to a lot of care, thought, commitment, and love. Our

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[78] Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basic Books, 1973) at 46.

[79] Stephen J Suomi, "Early Determinants of Behaviour: Evidence from Primate Studies" (1997) 53:1 British Medical Bulletin 170; Amity Noltemeyer et al, "The Relationship among Deficiency Needs and Growth Needs: An Empirical Investigation of Maslow's Theory" (2012) 34:9 Children and Youth Services Review 1862.

work with our youth, regardless of where they come from, is just one step along that path that we all walk, together.

Photo above is from a counselling session held with one youth who had transitioned out of care.

Anonymous female youth, 21 years old (2016), shared with permission