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Imagining a Community-Led, Multi-Service Delivery Model for Ontario Child Welfare: A Framework for Collaboration Among African Canadian Community Partners

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Cet article présente un nouveau modèle pour l'aide à l'enfance en Ontario, principalement concernant l'aide aux familles, aux jeunes et aux enfants afro-canadiens. Dans l'article, nous discutons de ce qu'il convient de changer et de la façon d'apporter ces changements, notamment par la conception et la mise en place de structures organisationnelles, programmes et services dirigés par des membres de la communauté, ainsi que la restructuration des relations entre le gouvernement et la communauté et de l'allocation de fonds afin de permettre aux organismes communautaires afro-canadiens d'offrir aux Afro-Canadiens des services de soutien préventifs, adaptés à leur culture et axés sur la famille. L'article décrit la conception d'un modèle d'offre de services multiples dirigé par des membres de la communauté pour l'aide à l'enfance en Ontario, ainsi que les occasions et défis liés à la prestation de tels services aux familles, aux jeunes et aux enfants afro-canadiens.

This article imagines a new model for child welfare in Ontario, specifically for African Canadian children, youth, and families. Throughout the article, we discuss both what needs to be changed and how those changes can be achieved, including the development and implementation of community-led organizational structures, programs, and services, and the restructuring of government-community relations and funding allocation, to enable African Canadian community-based agencies to deliver preventative, culturally relevant, family-centred supportive services to African Canadians. The article outlines the development of a community-led, multi-service delivery model for Ontario child welfare, and the potential challenges and opportunities for the delivery of such services to African Canadian children, youth, and families.

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IN 2013, THE UNITED NATIONS (UN) GENERAL ASSEMBLY PROCLAIMED 2015-2024 as the International Decade for People of African Descent, establishing an international framework and commitment for advancing justice among people of African descent. In 2016, the UN's Working Group of Experts on People of African Descent filed a preliminary report, based on a visit to Canada, that included a recommendation that the government of Canada, "legally recognize African Canadians as a distinct group who have made and continue to make profound economic, political, social, cultural and spiritual contributions to Canadian society." [1] Although both the Ontario and Federal governments have publicly recognized the International Decade for People of African Descent (on 21 February 2017 and 30 January 2018 respectively), neither has passed legislation that would recognize People of African descent as a distinct group in Canada.

For over 100 years, the child welfare system in Canada has operated from a Eurocentric, "colour-blind" approach, which has destroyed the lives of many Indigenous and Black children, youth, and families.[2] Although Ontario has established culturally-specific child welfare services for historically marginalized groups, particularly Indigenous and Jewish communities, the province currently lacks a comprehensive institutional response to anti-Black racism and the cultural needs of African Canadians. In this article, we reimagine a new model for child welfare in Ontario, specifically for African Canadian children, youth, and families. Throughout the article, we discuss both what needs to be changed and how those changes can be achieved, including the development and implementation of community-led organizational structures, programs, and services, and the restructuring of government-community relationships and funding allocation, in order to enable African Canadian community-based agencies to deliver preventative, culturally relevant, family-centred supportive services to African Canadians. This article outlines the development of a community-based, multi-service model for child welfare, and the potential challenges and opportunities for the delivery of such services to African Canadian children, youth, and families.

Our work to develop and introduce this community-based, multi-service model for child welfare service delivery to African Canadian families in Ontario is based upon a critical reflection on the current approach to child welfare, and on our own teaching and practice experiences over the past three decades. The authors of this article are African Canadians, first generation immigrants of both Caribbean and continental African origin, who have been working together for the past three years on the project of reimagining child welfare in Ontario. In early 2016, the multi-service model was developed by the authors based upon their combined five decades of direct frontline and management experience in several organizations, including child welfare with African Canadian children, youth, and families (see Figures 1 and 2).[3] This article builds upon a presentation at the *Reimagining Child Welfare Systems in Canada* conference that was delivered by the four authors at York University on 21 October 2016.

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[1] United Nations Working Group of Experts on People of African Descent, *Report of the Working Group of Experts on People of African Descent on its mission to Canada,* UN General Assembly, Thirty-Six Session, 16 August 2017, at 16 online:
<.www.refworld.org/docid/59c3a5ff4.html> [perma.cc/5BUS-WY2Y].
[2] Gordon Pon, Kevin Gosine & Doret Phillips, "Immediate Response: Addressing Anti-Native and Anti-Black Racism in Child Welfare" (2011) 2:3/4 International Journal of Child, Youth & Family Studies 385.
[3] This model was presented by the authors at the "Reimagining Child Welfare Systems in Canada" symposium, Osgoode Hall Law School, York University, 21 October 2016.

I. ANTI-BLACK RACISM FRAMEWORK: LIBERATING BLACK CHILDREN, YOUTH, AND FAMILIES FROM THE CHILD WELFARE SYSTEM

We center anti-Black racism (ABR) in our reimagining of child welfare systems in Canada. We believe that ABR is that pervasive, overarching climate of attitudes, beliefs, institutional practices, and policies that are embedded in Canada's White supremacist history and culture, that denigrate people of African descent, and is manifested in various forms of structural violence and racialized inequities in multiple social systems, including child welfare,[4] racialized poverty,[5] workplace,[6] housing,[7] education,[8] and criminal justice.[9] In spite of an established tradition of activism surrounding anti-Black racism in Canada, official state acknowledgement of ABR in Canada did not occur until 1992, in a report on the Yonge Street "riot" of 1992, when Stephen Lewis described ABR this way:

> First, what we are dealing with, at root, and fundamentally, is anti-Black racism. While it is obviously true that every visible minority community experiences the indignities and wounds of systemic discrimination throughout Southern Ontario, it is the Black community which is the focus. It is Blacks who are being shot, it is Black youth that is unemployed in excessive numbers, it is Black students who are being inappropriately streamed in schools, it Black kids who are disproportionately dropping-out, it is housing communities with large concentrations of Black residents where the sense of vulnerability and disadvantage is most acute, it is Black employees, professional and nonprofessional, on whom the doors of upward equity slam shut. Just as the soothing balm of 'multiculturalism' cannot mask racism, so racism cannot mask its primary target.[10]

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[4] Nicole Bonnie & Gordon Pon, "Critical Well Being in Child Welfare: A Journey Towards Creating a New Social Contract for Black Communities" in Jeannine Cerrière & Susan Strega, eds, *Walking this Path Together: Anti-Racist and Anti-Oppressive Child Welfare Practice*, *2nd ed,* (Halifax: Fernwood Publishing, 2015) 105; Jennifer Clarke et al, "Ethnicity, Race, Oppression, and Social Work: Canadian Case" in James D Wright (editor in chief), *The International Encyclopedia of Social & Behavioural Sciences, 2nd ed* (Elsevier, 2015) 152.

[5] Sheila Block & Grace-Edward Galabuzi, *Canada's Colour-Coded Labour Market* (Wellesley Institute, 2011), online: <www.wellesleyinstitute.com/wp-content/uploads/2011/03/Colour_Coded_Labour_MarketFINAL.pdf> [perma.cc/N3A2-62KG].

[6] Julian Hasford, "Dominant Cultural Narratives, Racism, and Resistance in the Workplace:
A Study of the Experiences of Young Black Canadians" (2016) 57:1/2 American Journal of Community Psychology 158.

[7] Jennifer Clarke, "Beyond Child Protection: Afro-Caribbean Service Users of Child Welfare" (2012) 23:3 Journal of Progressive Human Services 223 [Clarke, "Beyond Child Protection"].

[8] George J Sefa Dei, "Schooling as Community: Race, Schooling, and the Education of African Youth" (2008) 38:3 Journal of Black Studies 346.

[9] Scot Wortley & Akwasi Owusu-Bempah, "The usual suspects: police stop and search practices in Canada" (2011) 21:4 Policing and Society 395.

[10] Stephen Lewis, *Report of the Advisor on Race Relations to the Premier of Ontario, Bob Rae* (9 June 1992) at 2.

Anti-Black racism scholars who adopt ABR as a theoretical framework argue that it not only consists of oppression, but operates within a dialectic between oppression and resistance.[11] It is critical, therefore, that we consider how to liberate African Canadian children, youth, and families from the grip of the current child welfare system in Ontario. We believe that an ABR framework can be utilized in helping to transform the current system into one that promotes equitable outcomes for Black children, youth, and families.[12]

II. CONTEXT OF CHILD WELFARE IN ONTARIO

A. AFRICAN CANADIAN DISPROPORTIONALITY AND DISPARITIES IN CHILD WELFARE

Ontario's child welfare system provides protective services for nearly 150,000 families annually, including out-of-home care services for 25,000 children and youth. There is growing public attention[13] to the disproportionalities and disparities faced by African Canadians in the child welfare system, with recent estimates suggesting that African Canadians account for 41% of children in care (some estimates are as high as 65%[14]), and comprise 29% of active ongoing cases in Toronto, despite representing only 8.5% of the city's population.[15] At the provincial level, most recent estimates indicate that African Canadians comprise approximately 12% of Ontario's youth in care, despite representing only 5% of youth in the province.[16] Moreover, available data suggests that African Canadian youth spend longer periods of time in care, and are less likely to be adopted or reunited with family than their non-Black counterparts.[17]

B. FACTORS THAT CONTRIBUTE TO DISPROPORTIONALITY

Racial disproportionalities and disparities in child welfare systems are not unique to Canada, and have been reported in the United States, United Kingdom, and other jurisdictions, where they

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[11] Jennifer Clarke, Sonia Mills-Minster & Leyland Gudge, "Public Numbers, Private Pain: What is Hidden Behind the Disproportionate Removal of Black Children and Youth from Families by Ontario Child Welfare?" in
Soheila Pashang, Nazilla Khanlou & Jennifer Clarke, eds, *Today's Youth and Mental Health: Hope, Power, and Resilience* (New York: Springer, 2018) [Clarke et al, "Public Numbers"].

[12] See also Jennifer Clarke, "The challenges of child welfare involvement for Afro-Caribbean families in Toronto" (2011) 33:2 Children and Youth Services Review 274 [Clarke, "The Challenges"]and Jennifer Clarke, "Beyond Child Protection," *supra* note 7.

[13] Jim Rankin, "New children's aid funding formula raises concerns," *Toronto Star* (12 December 2014), online: <www.thestar.com/news/canada/2014/12/12/new_childrens_aid_funding_formula_raises_concerns.html> [perma.cc/Q2Y3-NEZV].

[14] Pon et al, *supra* note 2 at 386.

[15] Children's Aid Society of Toronto [CAST], *Addressing Disproportionality, Disparity and Discrimination in Child Welfare: Data on Services Provided to Black African Caribbean Canadian Families and Children* (2015), online: <www.torontocas.ca/sites/torontocas/files/baccc-final-website-posting.pdf> at 9 [perma.cc/E6XB-U8W4].

[16] Laurie Monsebraaten, "CAS racial disparities shameful, opposition MPPs say," *Toronto Star* (11 December 2014), online:
<www.thestar.com/news/canada/2014/12/11/cas_racial_disparities_shameful_opposition_mpps_say.html> [perma.cc/AT5Y-RRQY].

[17] CAST, *supra* note 15 at 32 & 38.

tend to most severely affect Indigenous and African populations.[18] Within the context of ABR, several institutional and systemic processes and practices contribute to such inequities, including biased decision-making, agency-system processes, placement dynamics, policy impacts, and lack of funding of culturally relevant services.[19] Although it is beyond the scope of this article to examine these factors in depth, we briefly discuss some of them below, to provide context for the community-based multi-service prevention model proposed.

1. BIASED DECISION-MAKING

There is a substantial body of evidence that biases in referral, and other key decision-making points within the system, may contribute to disproportionality, with some studies showing that mandated referrers (*e.g*., teachers, police, health care providers), are more likely to report Black families to child welfare agencies than non-Black families.[20] Lavergne et al's study of African Canadians and Dixon's study of African Americans both found that people of African descent are referred at higher rates than their White counterparts and have a greater likelihood to be reported for neglect (than abuse).[21]Recent analyses of provincial data from the Ontario Incidence Study of Reported Child and Abuse and Neglect also suggest that Black families are 33% more likely that White families to be transferred to ongoing services.[22] Chand contends that worker perceptions that Black cultural child-rearing practices include a reliance on physical punishment lead to high numbers of Black families being investigated by child welfare authorities.[23] The unintentional consequence of this perception is discrimination against Black women, who as mothers have primary responsibility for child-rearing and, potentially, the overrepresentation of Black families involved with child welfare services.[24] This is a reflection, in part, of a tendency for child welfare workers, engaged in practices of racialized sexism, to blame mothers, not fathers, for their children's behaviour, or for violence experienced by mothers.[25] Black women are constructed as "bad mother" who are unfit to care for children.[26] This discourse of Black maternal unfitness has existed since slavery and finds its way into contemporary child welfare intervention and decision making, resulting in the removal of Black children.[27] Additionally, the

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[18] Child Welfare Information Gateway, *Addressing Racial Disproportionality in Child Welfare* (Washington, DC: US Department of Health and Human Services, Children's Bureau, 2011).

[19] Reiko Boyd, "African American disproportionality and disparity in child welfare: Toward a comprehensive conceptual framework" (2014) 37 Children and Youth Services Review 15.

[20] *Ibid.*

[21] Chantal Lavergne et al, "Visible Minority, Aboriginal, and Caucasian children investigated by Canadian protective services" (2008) 87:2 Child Welfare 59; Jessica Dixon, "The African-American Child Welfare Act: A Legal Redress for African-American Disproportionality in Child Protection Cases" (2008) 10:2 The Berkeley Journal of African-American Law & Policy 109.

[22] Bryn King et al, "Factors associated with racial differences in child welfare investigative decision-making in Ontario, Canada" (2017) 73 Child Abuse and Neglect 89 at 99.

[23] A Chand, "The over-representation of Black children in the child protection system: possible causes, consequences and solutions" (2000) 5:1 Child and Family Social Work 67.

[24] Clarke, "The Challenges," *supra* note 12.

[25] Karen Swift, *Manufacturing 'Bad Mothers': A Critical Perspective on Child Neglect* (Toronto: University of Toronto Press, 1995).

[26] Clarke, "The Challenges," *supra* note 12.

[27] Jennifer Clarke, Gordon Pon & Doret Phillips, "Black Lives Count: Addressing the Over-Representation of Black Children in Ontario Child Welfare" in Delores Mullings et al, eds, *Africentric Social Work: Best Practices in Working with African Canadian Communities in the Diaspora* (Halifax: Fernwood, in press).

discourses of Black crime and Black criminality in Toronto position Jamaicans as the face of crime in what has become known as the "Jamaicanization" of crime.[28] With these racist constructions, Black parenting, and in particular Jamaican parenting, is heavily surveilled, critiqued, and criminalized.[29] Therefore, it is no surprise that most of the Black children in care are of Caribbean descent, primarily Jamaicans.

2. POVERTY

Poverty, at both household and neighbourhood levels, is known to be the greatest risk factor for family involvement with child welfare systems, and is associated with increased likelihood of surveillance by social and health services and greater exposure to familial stressors that increase the risk of child neglect and maltreatment.[30] African Canadian families have reported that a lack of affordable housing and accessible child care compound the effects of poverty.[31] Given the growing racialization of poverty in Canada, with 24% of African Canadians living in poverty,[32] it is very likely that poverty contributes to the overrepresentation of African Canadians in child welfare. Concerns have been raised that Indigenous and non-Whites, particularly Blacks, and families led by single females of lower socio-economic status, come to the attention of child welfare authorities more often and receive different services than their counterparts who are White, middle class, and in dual-parent led families.[33]

There remain unresolved debates within the literature regarding the extent to which poverty can account for the racial disproportionalities in child welfare. Although some recent reports suggest that may be the case within Ontario,[34] we caution against analyses that function to subjugate a racial analysis in favour of a class or economic one. Such perspectives run the risk of neglecting existing studies that have found race to influence professional bias in decision-making above and beyond income, fail to address racialization of poverty as a consequence of systemic anti-Black racism, and lend themselves to "colour-blind" policy prescriptions that neglect to address systemic racism.[35]

3. INSTITUTIONAL BARRIERS

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[28] See Lorna Akua Benjamin, *The Black/Jamaican criminal: The making of ideology* (PhD Dissertation, University of Toronto: OISE, 2003) and Martha Kuwee Kumsa et al, "The contours of Anti-Black Racism: Engaging Anti-Oppression From Embodied Spaces" (2014) 1:1 Journal of Critical Anti-Oppressive Social Inquiry 21.

[29] Clarke, Mills-Minster & Gudge, *supra* note 37, and Robyn Maynard, *Policing Black Lives: State Violence in Canada from Slavery to the Present* (Halifax: Fernwood Publishing, 2017).

[30] Boyd, *supra* note 19; David Rothwell et al, "Explaining the Economic Disparity Gap in the Rate of Substantiated Child Maltreatment in Canada" (2018) 28:1 JLSP 39.

[31] Clarke, "The Challenges," *supra* note 12.

[32] Block & Galabuzi, *supra* note 5.

[33] Clarke, "The challenges," *supra* note 12.

[34] Kofi Antwi-Boasiako et al, "Ethno-racial Categories and Child Welfare Decisions: Exploring the Relationship with Poverty (Canadian Child Welfare Research Portal, 2016), online: < cwrp.ca/sites/default/files/publications/en/178e.pdf> [perma.cc/CG97-QJYC]..

[35] Boyd, *supra* note 19.

The *Child, Youth and Family Services Act, 2017* [CYFSA] governs child welfare services in Ontario.[36] The Act has historically failed to address the needs of African Canadians, establishing institutional policies and practices that are grounded in Eurocentric values, and lacked provisions for identifying or addressing systemic anti-Black racism.[37] In spite of recent legislative reforms of the CYFSA in 2017 that emphasize children's rights, diversity, and inclusion, the current legislation lacks any language that acknowledges the distinct experience and issues faced by African Canadians. This absence functions to render invisible the issue of disproportionality within a legislative framework, and absolves the state of responsibility and obligation to intervene accordingly.[38] Such omission runs contrary to the principles identified by the United Nations' Declaration of the Decade for People of African Descent. A second key institutional issue that requires legislative and policy response concerns the collection and dissemination of disaggregated human rights, race-based data. Presently, there is very little rigorous, publicly accessible race-based data for Ontario's child welfare system.[39] Historically, each Children's Aid Society (CAS) has been responsible for collecting its own performance data, and there has been no formal mandate to collect or disseminate race-based data. Although established systems of monitoring and reporting (*i.e.*, Ontario Looking After Children database, Crown Ward Review, and Child Protection Information Network) include mechanisms for collecting demographic data, there is no consistent or systematic procedure to do so. A recent report from a public interest inquiry by Ontario's Human Rights Commission found highly inconsistent practices in the collection of race-based data amongst (and within) CASs.[40]

A third key institutional barrier is the underfunding of, and lack of access to, culturally relevant and appropriate community services for African Canadians.[41] This has been a long-standing concern expressed in many by government and community-led reports that have indicated the lack of sustained, adequate funding as a key barrier to the planning and implementation of effective community-based services.[42] African Canadian families, therefore, are placed in a position of dependence on mainstream community agencies that often lack understanding of anti-Black racism and knowledge of culturally relevant or responsive services, or African Canadian agencies that lack capacity for effective and sustainable intervention. There is a particular need for developing preventative services and initiatives as Black children and

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[36] SO 2017, C14, Sched 1.

[37] Clarke et al, "Public Numbers," *supra* note 11 at 187.

[38] *Ibid.*

[39] *Ibid.*

[40] Ontario Human Rights Commission, *Interrupted childhoods: Over-representation of Indigenous and Black children in Ontario child welfare* (February 2018), online: <www.ohrc.on.ca/en/interrupted-childhoods> [perma.cc/G27A-BTQ6].

[41] See for example Clarke, "The Challenges," *supra* note 12 and Clarke, Mills-Minster & Gudge, *supra* note 37.

[42] See, for example, Hamlin Grange et al, *Towards a Vision for the Black Community* (2013), online: <www.jcaontario.org/wp-content/uploads/2010/05/TOWARDS-A-VISION-FOR-THE-BLACK-COMMUNITY-October-2013.pdf> [perma.cc/9G2Z-FDQ9]; Roy McMurtry and Alvin Curling, *The Review of the Roots of Youth Violence*, volume 1 (Toronto: Queen's Printer, 2008), online:
 <www.children.gov.on.ca/htdocs/English/documents/youthandthelaw/rootsofyouthviolence-vol1.pdf> [perma.cc/QQN2-CBKL]**;** and the Ontario Association of Children's Aid Societies, *One Vision, One Voice: Changing the Ontario Child Welfare System to Better Serve African Canadians*, Practice Framework Part 1 and 2 (Toronto, Ontario Association of Children's Aid Societies 2016), online: <www.oacas.org/wp-content/uploads/2016/09/One-Vision-One-Voice-Part-1_digital_english.pdf> [perma.cc/AF8S-ZKR4] [*One Vision, One Voice*].

youth coming into care continue to experience disproportionate lack of Black, culturally-appropriate foster and group-care placements facilities.[43]

The lack of understanding of the child welfare system and of parental rights,[44] and more broadly, the lack of access to justice for African Canadian families, are other key issues. Black youth and families who interface with the child welfare system face significant risks of criminalization from police during investigations and apprehensions, and for youth and children in care, this risk is particularly acute within residential settings that use police intervention as a disciplinary tool. African Canadian families often lack access to legal representation or advocacy to support them in family court and their navigation of these complex systems. There is also growing concern about what is now known as "cross-over youth" and racial disproportionalities among them,[45] where youth involved in child welfare and youth justice systems face various systemic barriers due to lack of coordination between these systems, and as such youth face extremely poor life outcomes.[46]

4. EFFORTS TO ADDRESS AFRICAN CANADIAN DISPROPORTIONALITY AND DISPARITY

Efforts to address disproportionality have been undertaken in Ontario since at least the 1970s, when the African Canadian community organized efforts to recruit Black foster parents to address the overrepresentation of, and lack of culturally appropriate placements for, young people in care. During the 1980s, the Children's Aid Society of Toronto initiated the Multicultural Program, which aimed at developing a strategy to improve service for diverse, particularly African Canadian clients within the Society.[47] Although ambitious, the initiative was never fully implemented, due to organizational and staffing changes and poor planning. In the 1980s, community mobilization efforts to address systemic anti-Black racism led to the establishment of Harambee Child and Family Services Centre, a setting to promote the healing and well-being of Black families through culturally-focused services. For several years, Harambee operated as a symbol of the potential of holistic, African centered approaches to engaging Black families. However, the organization collapsed beneath the weight of institutional racism, under-resourcing, and internal issues in the mid-1990s. Two decades later, in 2011, the Ontario Association of Children's Aid Societies (OACAS), with input from child welfare staff and diverse community representatives, developed an Anti-Oppression Roundtable, which produced a Practice Manual that has been largely ignored within the system with approximately four of the forty-seven CASs (thirty-seven Child Welfare Agencies, nine Indigenous Agencies and one Jewish Agency) having established some form of Anti-Oppression initiative within their agencies.

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[43] Clarke, *supra* note 12; and Clarke, Mills-Minster & Gudge, *supra* note 37.

[44] Clarke, Mills-Minster & Gudge, *supra* note 37.

[45] Jane Marie Marshall & Wendy L Haight, "Understanding racial disproportionality affecting African American Youth who cross over from the child welfare to the juvenile justice system: Communication, power, race and social class" (2014) 42 Children and Youth Services Review 82.

[46] Nicholas Bala et al, "Child Welfare Adolescents & the Youth Justice System: Failing to Respond Effectively to Crossover Youth" (2015) 19:1 Canadian Criminal Law Review 129.

[47] Leyland Gudge, *Children's Aid Society of Metropolitan Toronto: Multicultural Programme Report* (Toronto: Children's Aid Society of Metropolitan Toronto, 1984).

Most recently, the OACAS, with funding from the Ministry of Children and Youth Services, developed the *One Vision One Voice* project. The project involved consultations with over 800 African Canadian community members and professionals in twelve Ontario communities, and was guided by a Steering Committee of African Canadian professionals. The project produced a practice framework of race equity practices,[48] designed to assist children's aid societies in addressing disproportionality and disparities. Although the Framework addresses key areas for improvement in children aid societies, such as training for staff, recruitment of more diverse board leadership and senior management staff, and improved accountability, there remains a need for a comprehensive community-based strategy that focuses on prevention. The OVOV has also faced challenges due to the limited mandate of the OACAS, which has no authority to require CASs to adopt the recommendation for race equity training, nor the authority to carry active cases. The voluntary nature of CASs' participation in race equity training allows some agencies to opt out of engaging in critical practices that are needed to address disproportionality and disparities. Many policy responses to the problem of disproportionality have emphasized shifts in the structure and practices of children's aid societies. Although we recognize that such approaches are critical and necessary, comparatively little has occurred in the way of a public policy response to develop a comprehensive, community-based, prevention-oriented strategy to address the issues of disproportionality and disparities in child welfare. In the present article, we present such a service delivery model.

III. COMMUNITY-LED, MULTI-SERVICE DELIVERY MODEL FOR ONTARIO CHILD WELFARE

We advocate the need for a preventative, holistic approach that holds anti-Black racism central to understanding the experiences of African Canadians, and in the provision of a comprehensive range of services to children, youth, and families involved in the child welfare system. This community-led, multi-service model of child welfare is a shift away from the current model of child protection in Ontario, which focuses on staff training, investigation, and the removal of Black children from their parents, and which regulates, surveilles, disciplines families, and manages risks to protect child welfare agencies from liability.[49] This transformative shift to a prevention approach requires the political will and commitment of government to invest necessary financial resources in prevention services to ensure that African Canadian children and youth are not unjustly removed from their families and communities and that issues of racial disparity and disproportionality are addressed.

Although this approach shares similarities with emerging "best practices" for addressing racial disparities in child welfare in the United States that focus on comprehensive, cross-sectoral strategies that incorporate capacity-building, leadership development, community development, and research,[50] the approach proposed here differs in its emphasis on community ownership and

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[48] *One Vision, One Voice, supra* note 41.

[49] Gary C Dumbrill, "Parental experience of child protection intervention: A qualitative study" (2006) 30:1 Child abuse & neglect 27.

[50] Alliance for Racial Equity in Child Welfare, *Policy Actions to Reduce Racial Disproportionality and Disparities in Child Welfare: A Scan of Eleven States* (October 2009), online: <ncwwi.org/files/PolicyActionstoReduceRacialDisproportionalityandDisparitiesinChildWelfare.pdf> **[perma.cc/6W4E-VMQC]**.

African-centered values. We argue that implementation of this community-based, multi-service delivery model to child welfare will transform the system by putting Black children, youth, and families at the centre of practice and ensure that they receive culturally appropriate and relevant services to meet their needs rather than emphasizing managerial tools that expand regulation and management without addressing their unmet needs.

Our proposed community-led, multi-service model for transforming child welfare in Ontario consists of four main dimensions: 1) the people at the centre of the model; 2) purpose, vision, mission, and values; 3) structure (Figure 1); and 4) programs and services (Figure 2). We begin the discussion with a look at the purpose, vision, mission, and values that underpin the model. This is followed by a discussion of the structure, which consists of three main foci: African Canadian Council on Child Welfare; African Canadian Lead Agency; and an African Canadian Child and Family Advisory Committee. A discussion of the range of programs and services that make up the model follow, and concluded by the benefits and challenges of implementing the model.

A. THE PEOPLE AT THE CENTRE: AFRICAN CANADIAN CHILDREN, YOUTH, AND FAMILIES

People of African descent have lived in Canada since the 1600s.[51] There were the early explorers, later the enslaved Africans brought to Canada, and many fled slavery and oppression in the United States.[52] There were also the Black Loyalists who were promised both land and freedom in Canada after fighting for the British in the American Revolutionary War.[53] Changes in discriminatory immigration policies in the 1960s led to increased numbers of racialized people—including people of African descent who were mainly immigrants from Africa and the Caribbean—to enter Canada, particularly in the province of Ontario. Historically, people from the Caribbean have accounted for a large proportion of immigrants of African descent to Canada, however, this pattern is shifting with recent increase in the numbers of immigrants from continental Africa.[54] Between 2001 and 2016, the population of African Canadians in Ontario grew from 411,000 to 627,715, an increase from 3.6% to 4.6% of the province's population. [55]

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[51] Anne Milan & Kelly Tran. Blacks in Canada: A long history. Canadian Social Trends (Spring 2004) online: <www150.statcan.gc.ca/n1/en/catalogue/11-008-X20030046802 > [perma.cc/JQ6N-T743].

[52] *Ibid.*

[53] *Ibid.*

[54] Statistics Canada, *Immigration and Ethnocultural Diversity in Canada* (2011) online: <www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-010-x/99-010-x2011001-eng.pdf> **[perma.cc/8VQ7-VRFV].**

[55] Statistics Canada, *Visible Minority Groups (15), Sex (3) and Age Groups (8) for Population, for Canada, Provinces, Territories, Census Divisions, Census Subdivisions and Dissemination Areas, 2001 Census - 20% Sample Data* [Table], online: <www12.statcan.gc.ca/English/census01/products/standard/themes/Rp-eng.cfm?LANG=E&APATH=3&DETAIL=1&DIM=0&FL=A&FREE=1&GC=0&GID=0&GK=0&GRP=1&PID=65795&PRID=0&PTYPE=55430&S=0&SHOWALL=No&SUB=0&Temporal=2006&THEME=44&VID=0&VNAMEE=&VNAMEF=> **[perma.cc/Y26R-GC38];** and Statistics Canada,. *Visible Minority (15), Generation Status (4), Age (12) and Sex (3) for the Population in Private Households of Canada, Provinces and Territories, Census Metropolitan Areas and Census Agglomerations, 2016 Census - 25% Sample Data* [Table], online:<www12.statcan.gc.ca/census-recensement/2016/dp-pd/dt-td/Rp-eng.cfm?LANG=E&APATH=3&DETAIL=0&DIM=0&FL=A&FREE=0&GC=0&GID=0&GK=0&GRP=1&PID=112451&PRID=10&PTYPE=109445&S=0&SHOWALL=0&SUB=0&Temporal=2017&THEME=120&VID=0&VNAMEE=&VNAMEF=> **[perma.cc/5KKL-YJ4T].**

The population is further differentiated by length of time in Canada—first, second, and third generations and beyond, with links to the Underground Railroad--and by municipal/regional settlements, such as those from French-speaking African countries (e.g. Haitian) in Ottawa and a greater mix of African Canadians from various cultural and ethnic backgrounds in larger cities such as Toronto and Peel regions (comprising **8.9%** and **9.5%** of the populations respectively).[56] The heterogeneity of the population makes evident the imperative for a range of services to address multiple, intersecting, and complex needs.

There are three main types of client groups that the model seeks to serve, based on level of vulnerability. First, African Canadian children and youth who are currently in the care of the child welfare system under various wardship orders and residing in out-of-home care (*e.g.* foster care or group homes), or where applicable, with their parents and/or caregivers. Second, families receiving child welfare services in their homes and communities across Ontario (*e.g.* Barrie, Hamilton, Kitchener, London, Windsor, Ottawa, and the Greater Toronto Area (GTA) (York, Peel, Durham and Toronto), which have significant populations of people of African Canadian heritage. Third, families who are "at-risk" of becoming involved in the child welfare system due to physical, mental health, or addiction problems, or challenges in providing adequate levels of care, safety, and protection to their child/children or youth under the age of 18 years.

This model requires that services be delivered by African Canadian professionals and leaders who have the knowledge and skills to be self-reflexive and understand issues of social location, power, privilege, domination, oppression, micro-aggression, biases, and clients' experiences of anti-Black racism and resistance.[57]

B. PURPOSE, VISION, MISSION, AND VALUES

The purpose of the African Canadian community-based, multi-service model is to create a family-centered approach that intersects with child welfare and related human service organizations and institutions to develop and deliver services and programs aimed at eliminating the disproportionality and disparity of African Canadian children and youth in the child welfare system, and to improve outcomes for children, youth, and families either involved , or at-risk of becoming involved, with the child-welfare system. The vision is to create a child welfare system that enables and empowers African Canadian children, youth, and families to live safe, stable, healthy, and productive lives. The mission is to empower and enhance the overall well-being of African Canadian children, youth, and families and elevate the roles, resources, services, and value of African Canadian agencies and organizations, and by extension, the communities they serve.

The model is developed with five central values in mind. First, it is family-centered, and places emphasis on assets, strengths, cultures, beliefs, lived experiences, and traditions of the

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[56] Region of Peel, *2016 Census Bulletin: Immigration and Ethnic Diversity,* online:< www.peelregion.ca/planning-maps/CensusBulletins/2016-immigration-ethnic-diversity.pdf> [perma.cc/SSJ5-EVYQ]. Note that these rates are calculated using the figures in the Visible Minority table (at 4), by dividing the Black population by the corresponding Municipal Population (*e.g.* for Toronto, 239,850/2,691,665 x100 =8.9%).

[57] Clarke et al, *supra* note 4; and Gordon Pon et al, "Child Welfare and Policing Black Families," in Donna Baines, ed, *Doing Anti-Oppressive Practice: Social Justice Social Work (3rd ed)* (Halifax: Fernwood Publishing, 2017).

whole family. Second, it is African-centered, based on a rich history of communal "sharing and caring" for children and youth, and African notions of family, ethics, and ways of knowing and being, that are relevant and critical to promoting the well-being of Black families. While we recognize the tremendous diversity in cultures, histories, and ideologies of African peoples, and the need for African-centeredness to integrate an intersectional lens, there remains value in building a model around core principles and values that facilitate social, cultural, and organizational processes that respect Black life and are sensitive to traditions and worldviews.[58] Third, it centres community ownership as a core value from which extends community engagement, capacity building, empowerment, and professional excellence in the development and delivery of child welfare services to African Canadian families. Fourth, it emphasizes shared responsibility, a concept that refers to partnerships with the provincial government (Ministry of Children and Youth Services), OACAS, and the provincial child welfare agencies that are equitable, rather than paternalistic or tokenistic, to promote better outcomes for African Canadian children, youth, and families. Finally, it values accountability, requiring research that is community driven, specifically in the areas of policy and practice; measurable and evaluative outcomes; identification and recognition of "best practices" that are grounded in an anti-Black racism perspective; and transparency in processes and activities. These values are foundational to the overall operational structure and service delivery model outlined below.

C. THE STRUCTURE

The organizational structure of the community-led, multi-service model consists of four components: 1) African Canadian Council on Child Welfare; 2) African Canadian Lead Agency; 3) African Canadian Child & Family Advisory Committee, and 4) African Canadian Service Provider Network. This structure outlines how the components will work together to address the problem of disparity and disproportionality. We recognize that this model raises tensions surrounding power relations that are inherent in any social change process, and situated within multiple axes of domination in terms of race, class, gender, ethnicity, colonization, sexual orientation, gender identity, and more.[59] Although a detailed analysis of power relations is beyond the scope of this paper, we acknowledge that power dynamics, both between governmental/quasi-governmental institutions and African Canadian communities, as well as within and between diverse African Canadian communities must be continuously examined and addressed in the design and implementation of the model, in order to avoid reproducing intersecting oppressions in the lives of African Canadian families.

1. AFRICAN CANADIAN COUNCIL ON CHILD WELFARE

The African Canadian Council on Child Welfare (hereafter the Council) will be established as the oversight body for child welfare services to African Canadian children, youth, and families in

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[58] Augustine Nwoye, "What is African Psychology the psychology of?" (2015) 25:1 *Theory & Psychology* 96.

[59] Steven Lukes, *Power: A Radical View*, (Basingstoke: Palgrave Macmillan, 1974); John Gaventa, "Finding the Spaces for Change: A Power Analysis" (2006) 37:6 IDS Bulletin 23; Patricia Hill Collins, "The Difference That Power Makes: Intersectionality and Participatory Democracy" (2017) 8:1 *Investigaciones feministas: papeles de estudios de mujeres, feministas y de género* 19.
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Ontario. The Council will obtain its mandate and appropriate level of funding from the Ministry of Children and Youth Services (MCYS) to carry out its roles and functions as well as those of the Lead Agency. The Council will be comprised of a diverse group of African Canadian representative of seven regions across Ontario which have significant African Canadian populations. Also, the Council will be composed of leaders, professionals, academics, parents, and youth who possess the requisite expertise, knowledge, and experience in child welfare to engage as partners with MCYS, OACAS, and other relevant governmental bodies. This composition allows for multiple voices and perspectives of diverse African Canadian communities to be heard and effectively address their service needs. While the initial Council will be established with the help of the Lead Agency and approved by MCYS, by the third year, the Council members will be nominated and voted in by the African Canadian Advisory Committee with input from the African Canadian Service Provider Network. The Council shall regularly consult with African Canadian communities to ensure that its exercise of power about the provision of child welfare services and matters affecting them are represented and addressed. Hence, the Council will develop mechanisms that ensure ongoing accountability to, and engagement of, African Canadian communities, including regular and accessible reporting to community, use of technology and community events for dialogue, and transparent and democratic processes for the selection of Council membership. The MCYS will also provide directives to the OACAS and CASs to partner with the Council. The Council would have responsibility for advocating, lobbying, negotiating, and securing funding agreements with MCYS and other governmental bodies to ensure the ongoing work of the Council. Hence, it will be accountable to MCYS and must provide quarterly and annual reports on the overall functioning and financial operations of the agency to MCYS, the African Canadian Child and Family Advisory Committee, as well as the broader African Canadian community. Also, the Council will be the major community voice in ongoing consultations with OACAS, CASs and other provincial child welfare authorities.

The Council will also be responsible for identifying or establishing and providing direct oversight of a community-based Lead Agency (see below). The Council will in turn allocate funds to the Lead Agency based on approved annualized implementation plans and corresponding approved budgetary measures related to the multi-service model for supporting children, youth, and families. It will direct the Lead Agency to develop requisite policies, procedures, protocols, practice approaches, operating standards, and accreditation requirements that will facilitate the establishment of the community-based, multi-service delivery model, the mobilization and involvement of existing community-based African Canadian agencies/organizations, as well as the development of new services and programs. Such a Council will be a critical mechanism for promoting community ownership and addressing power imbalances with government, which will be buttressed by a state and community sanctioned mandate to determine the course of service delivery.

2. AFRICAN CANADIAN CHILD AND FAMILY LEAD AGENCY

The African Canadian Child and Family Lead Agency (Lead Agency) will be established as an incorporated, non-profit organization to undertake the day-to-day administration and co-ordination of child welfare services. It will build and mobilize the Agency's network of services by partnering with community-based agencies and providers. It will be accountable to the above-mentioned Council and one of its major roles will be the on-going servicing of the Council. It

will be managed and staffed by African Canadians who possess the knowledge, skills, and lived experiences required to effectively administer, coordinate, and deliver child welfare and related human services and programs.

For the start-up, the African Canadian Lead Agency will recruit and approve the hiring of twelve African Canadian persons (four child welfare workers, two community workers, two lawyers, two psychologists, and two administrative assistants) with extensive experience in child welfare work. MCYS will provide the Lead Agency with its mandate, and allocate funds based on sound budgetary preparations, approvals, and agreed upon funding obligations. Stable and secure funding will be critical, especially in the first five years as the agency develops. That secure funding must be consistent with, and adequate for, operationalizing the Agency's mandate to ensure sustainability and quality of services. MCYS will provide directives to the OACAS and provincial CASs to partner with the Lead Agency, and its networks of community-based service providers in designated regions with predominant African Canadian populations. It is critical that the African Canadian Lead Agency operates at arm's length from both the OACAS and the child welfare agencies.

The Lead Agency will mobilize and utilize the rich knowledge, skilled resources, and expertise of individuals and organizations that currently exist within African Canadian communities in the development of a network of community-based service providers to identify gaps and the need for the development of new programs, services, and/or agencies. Further, it will undertake ongoing community capacity building initiatives within African Canadian community agencies and other relevant human services institutions (*e.g.* mental health, education, and criminal justice).

The Council and Lead Agency will design, develop, and implement systems for efficient and effective management and operation of electronic and wireless communications; data collection, storage, and retrieval; case-assessments and case planning; legal/court; placement tracking; case-recording/case-management human-resources; financial management; and evaluation and planning initiatives. The Lead Agency has overall responsibility for the day-to-day implementation of the multi-service model to the specified client groups as previously discussed (*e.g.* African Canadian families involved with or at-risk of being involved with the provincial child welfare system). It is also accountable to both MCYS and the Council for the implementation of the service delivery model. The Lead Agency will address the institutional gap for improved coordination of preventative services within African organizations, which is a critical component for addressing inequities.[60]

The Lead Agency will identify and develop necessary research, evaluation, and ongoing planning initiatives and contract with qualified African Canadian professionals and agencies in executing these initiatives. The Lead Agency will provide quarterly and annual reports to MCYS and to the Council, as well as to the broader African Canadian community regarding the overall functioning, status, and progress related to implementation of the multi-services plan. The Lead Agency, in collaboration with MCYS, will prepare and publish annual reports on the number of African Canadian children in care, as well as the reasons for their removal, spending on prevention and support services, and the effectiveness of the interventions provided through the community-led, service delivery model.

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[60] Lynn C Holley, "Emerging Ethnic Agencies: Building Capacity to Build Community" (2003) 11:4 Journal of Community Practice 39.

The Council will direct the Lead Agency to develop requisite policies, procedures, practices, operating standards, and accreditation requirements that will facilitate the establishment of the service delivery network, the mobilization and involvement of existing community-based African Canadian agencies/organizations, as well as the development of new services/programs.

3. AFRICAN CANADIAN CHILD AND FAMILY ADVISORY COMMITTEE

An African Canadian Child and Family Advisory Committee (the Committee) will be established by the Council. The Committee will be comprised largely of child welfare service-users, past and present, including parents, youth, and caregivers/kin, who will provide input, advice and guidance on the work of the Council and Lead Agency. The Committee will also act as a body for ongoing community consultation, advocacy, and grassroots activism on issues of importance to African Canadian communities and organizations. While the Council will fund the Committee, the Committee will play a central role in keeping the Council and Lead Agency grounded in the lives of service users. The Committee, with a specific mandate to represent the interests of service-users across the province, is imperative to challenge the tendency for such initiatives to be dominated by the interests and paradigms of professional classes and their institutions, as well as recognize and address the complex intersectional tensions within the broader community. The Committee will center the voices of service users—rather than child welfare workers and other professionals—as experts of their own lives who have the solutions to solve their problems. The composition of the Committee will be inclusive of the rich diversity within African Canadian communities, so that there is meaningful engagement among different groups, reducing classed, gendered, and heteronormative tensions. Structural and procedural mechanisms will be put in place to mitigate power imbalances between the Council and Committee, such as transparent communications and meaningful engagement and involvement in agenda-setting and decision-making.
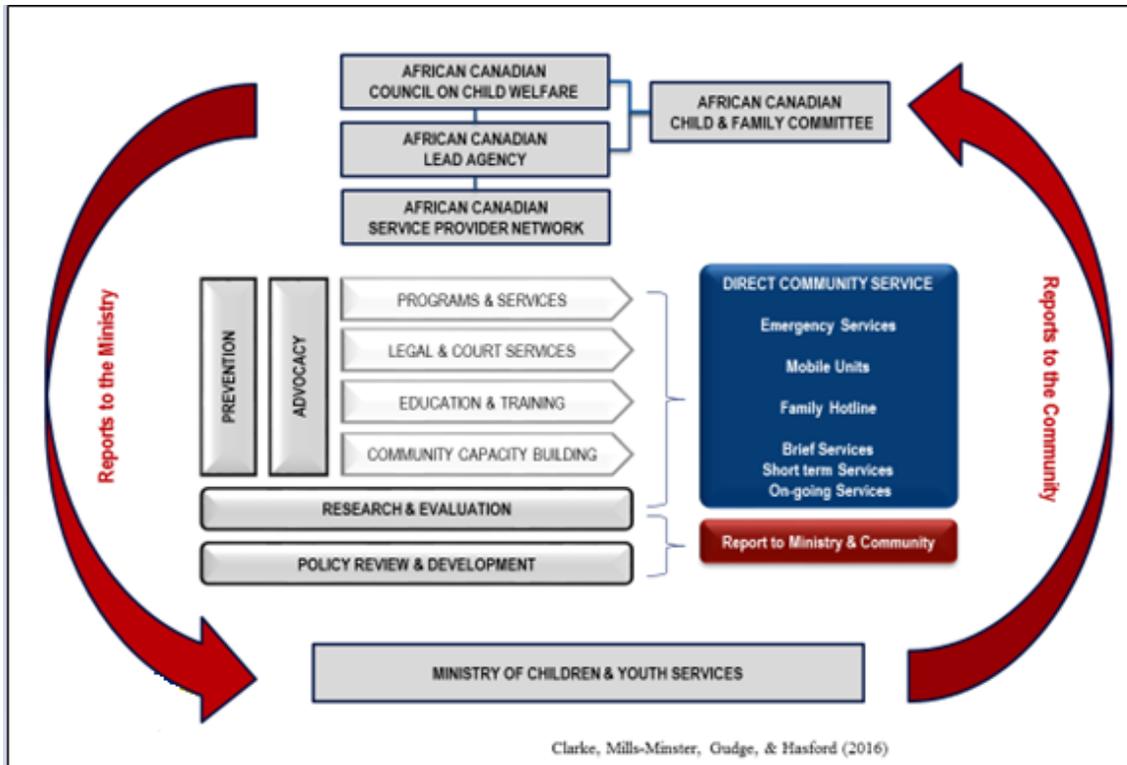
Figure 1. *Transformational Community Model*

D. TRANSFORMATIONAL COMMUNITY SERVICE DELIVERY MODEL

This transformational service delivery model is radically different from what currently exists, where Black child removal trumps prevention. It is grounded in historical and contemporary experiences of systemic anti-Black racism, which brings a disproportionate number of African Canadian children, youth, and families to the attention of child welfare authorities for intervention. It draws upon the theory and conceptual framework of anti-Black racism to challenge, resist, and liberate African Canadian children, youth, and families from the colonial child welfare project. It is also grounded in five central values described earlier in the paper. The service delivery model has seven primary foci: 1) address the issues of disproportionality and disparity by challenging racist laws, regulations, policies, practices, and assessment tools; 2) identify and/or develop culturally relevant, preventative, and supportive services and initiatives at all key child welfare decision points to reduce the number of African Canadian children and youth entering the child welfare system; 3) identify and develop family support services through a network of community-based service providers that will impact current family service cases as well as future rates of admission into care; 4) develop a continuum of care with supports and services for the whole family, including counseling for those dealing with the trauma of child removal, the impact of incarceration and deportation, mental health and substance abuse issues, domestic violence, unemployment, family reunification, and youth who are transitioning or "aging-out" of care to independent living as adults; 5) capacity-building through accreditation, community education, and training in areas of anti-Black racism, "best-practices" in child welfare service delivery and management, particularly targeting professionals such as social workers, lawyers, judges, police officers, and other state agents who interact with African

Canadian families in child welfare interventions; 6) develop and implement research and evaluation methods and tools to collect, measure, and monitor disaggregated race-based data to reduce and eliminate disproportionality and disparity in the child welfare system; and 7) improve accountability, transparency, and communication between the government, child welfare agencies, and African Canadian families to enhance the care and well-being of children.

The community-led, multi-service model would take a five year phased developmental approach to implementing a holistic set of child and family support services. This would include working in partnership with designated CASs and a wide spectrum of African Canadian community-based social service provider organizations and qualified African Canadian professionals across the province of Ontario. Development would begin with the five CASs in the GTA (Toronto, Toronto Catholic, Peel, Durham, York) as these are the jurisdictions that have the largest populations of African Canadian families, and brief, ancillary services in six other regions across Ontario with significant African Canadian populations (Ottawa, Barrie, Hamilton, London, Windsor and Kitchener-Waterloo). Below we outline and discuss the various processes and services of the transformational community-led model, where key decisions are made that can have significant impact on African Canadian children, youth, and families. These include: referral sources; intake & investigation; out-of-home placement; assessment; legal and court services; plan of care/permanency planning; in-home/community family support services; out-of-home care services; transitional programs; supervised access program; case reviews; and case termination. This transformational model will provide African Canadian children, youth, and families access to a range of services that they currently do not receive or have less access to due to structural and systemic issues such as anti-Black racism and other inequities in the current child welfare system. We know from the literature that compared to White children and families, racialized children and families have less access to services during child welfare involvement, which contributes to poorer outcomes.[61,62]

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[61] Clarke, Mills-Minster & Gudge, *supra* note 37.
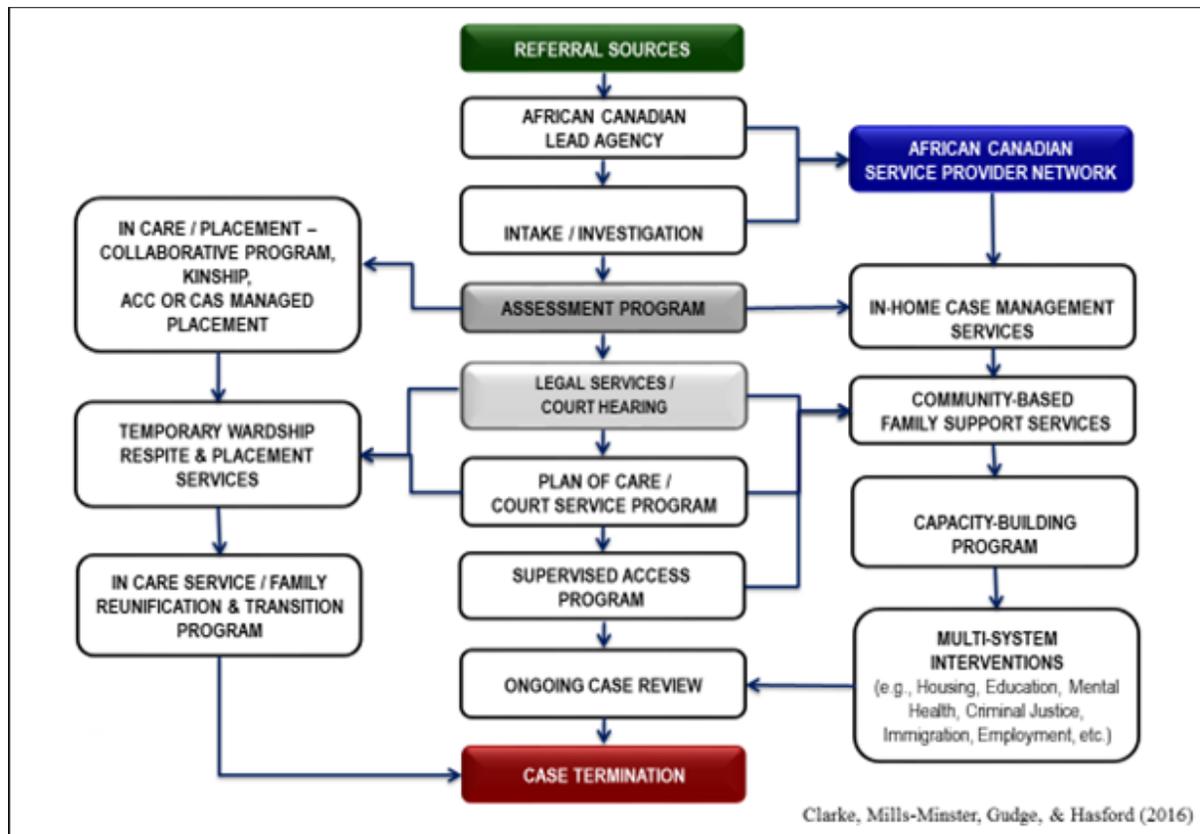
[62] Dixon, *supra* note 21.

Figure 2. *Transformational Community Model: Programs and Services*

1. REFERRAL SOURCES

Referrals are expected to originate from multiple sources beyond mandated reporters (*e.g.* mental health or social services professionals). First, cases will be referred from CASs based on the MCYS directive and agreed-upon protocols to guide intervention and services developed between the Lead Agency and designated CASs (similar to regulations and guidelines relative to the involvement of Native Child and Family and Jewish Child and Family Services). A second source of referrals will be those from African Canadian community-based agencies/other service provider organizations, and from African Canadian children, youth, and parents/caregivers, and a third, telephone, email and/or walk-in contacts directly to the Lead Agency or to African Canadian Service Provider Network partners. Referral sources would be made aware of the initiative through extensive community-focused promotion and publicity, especially in designated cities/regions with significant African Canadian populations. This would be supplemented by effective orientation and information campaigns with African Canadian agencies/organizations.

2. INTAKE & INVESTIGATION

An investigation is one of the first determinations made in child welfare cases. The Lead Agency will establish a central intake unit which will include an After-Hours Service capability with qualified staff from diverse African Canadian communities who are educated and trained about the history of colonization and slavery and understand the impact of historical and contemporary

manifestations in the lives of African Canadian families. The Lead Agency will not have the mandate to apprehend children but will play a significant role in monitoring and evaluating investigations (especially in neglect cases), initial assessments, and decision-making with CASs to reduce the number of African Canadian children entering the child welfare system. The Lead Agency will have responsibility to recruit, train, and contract accredited African Canadian agencies to undertake investigations in designated areas across the province. The Lead Agency will also ensure that staff in these agencies are trained to understand the impact of colonialism and slavery on African Canadian families, and are knowledgeable regarding intergenerational trauma and racial harm.[63] The Lead Agency will also develop protocols with their local/regional CASs to set policies and procedures for engaging the African Canadian multi-service network of agencies, such as partnering on investigations or for the Lead Agency to make referrals to CASs of cases through its intake/investigation unit involving African Canadian families. Finally, the Lead Agency must have designated local/regional networks of African Canadian agencies with crisis response capability (*e.g.* mobile crisis) to effectively serve children, youth, and families.

3. OUT-OF-HOME PLACEMENT

In cases where the placement of African Canadian children and youth in out-of-home care is necessary to protect their safety, the Lead Agency will develop policies, procedures, and practices for recruiting and selecting accredited foster homes and group homes among its network of African Canadian providers. A continuum of different types of homes must be developed to meet the placement needs of African Canadian children and youth, including emergency admissions, temporary, respite, and long-term placement. The Lead Agency and approved networks of community-based agencies will strongly emphasize placement with African Canadian care providers that can offer culturally appropriate placements to address intergenerational trauma and family healing and well-being. The Lead Agency will develop a directory of well-trained, accredited community-based agencies and providers that are vetted by the Council and approved by MCYS and CASs to provide placement services to African Canadian children and youth. The Lead Agency will continuously engage African Canadian communities in capacity building to establish and maintain accredited foster and group homes so that African Canadian children and youth can be placed in their communities. This is critical because when African Canadian children enter the child welfare system and are placed in foster care, they often experience more frequent moves, less contact with workers, receive fewer services, and remain in care longer when compared to White children.[64] They also experience homelessness, unemployment, and involvement in the criminal justice system.[65]

4. ASSESSMENT

A critical assessment must inform every child welfare decision regarding children and youth until they exit care.[66] Assessment as an ongoing process is critical to the continuity of care that African Canadian children, youth, and families need when they are involved in child welfare.

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[63] Clarke, Mills-Minster & Gudge, *supra* note 37.
[64] Clarke, "Beyond Child Protection," *supra* note 7; Clarke, "The Challenges," *supra* note 12.
[65] Clarke, Mills-Minster & Gudge, *supra* note 37.
[66] Dixon, *supra* note 21.

Conventional modes of assessment have been identified as mechanisms that contribute to disproportionality.[67] The Lead Agency will develop protocols and assessment tools that are informed by an anti-Black racism lens with designated CAS partners regarding the involvement of African Canadian multi-service agencies in all aspects of assessment (*e.g.*, Child Protection Risk Assessment, Parenting Capacity Assessments, Psychological, Behavioural and other Mental Health, Medical, and Educational Assessment). There must be a genuine involvement of African Canadian partner agencies in decision-making related to assessment. The Lead Agency will recruit, undertake orientation and accreditation, and develop a directory of qualified African Canadian professional in various fields who can conduct critical assessments. Strong emphasis will be placed on critical assessments that are grounded in anti-Black racism perspectives of resistance to structural and systemic racism. There will also be ongoing training and capacity-building with both African Canadian designated agencies and child welfare agency partners. This will include, for example, developing anti-Black racism training for workers to ensure they can conduct critical assessments of African Canadian children, youth, and families that address the root causes of child welfare intervention, particularly issues such as poverty, anti-Black racism, addictions, and mental health.

5. LEGAL AND COURT SERVICES

This transformational model proposes a radical change in the way that African Canadian children, youth, and families experience Ontario's legal system during child welfare involvement. Given the challenges with access to legal services noted earlier, legal and court services must be made available to African Canadian families involved in the child welfare system. This model aims to remove the barriers to legal and court services that contribute to the ongoing overrepresentation of Black children and youth in the child welfare system. MCYS must provide those Courts hearing child welfare matters with directives regarding the standing and involvement of lawyers representing both African Canadian families and African Canadian multi-service agencies. The Lead Agency will recruit African Canadian lawyers and community legal advocates who have expertise in child protection law, criminal law, and their intersections, so that they are better able to support families whose children have been, or may be, removed from their care. Developing expertise among the criminal defense bar is especially important given that research shows that cultural misunderstanding, racial bias, and anti-Black racism in the criminal justice system play a role in the disproportionate removal of African Canadian children from their families.[68] The Lead Agency will develop a register of lawyers and community legal advocates and undertake special training, orientation, and professional development on such issues as anti-Black racism, racial disproportionality and disparity. This training would also be offered to lawyers working for CASs and for Legal Aid Ontario, and to judges.

There will be a strong emphasis on undertaking proactive advocacy and robust representation of families with CASs, the Child and Family Services Review Board, the Provincial Child Advocate's Office. In addition to establishing a network of African Canadian lawyers who take legal aid certificates and have expertise in child welfare, and expanding access

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[67]Bonnie & Pon, *supra* note 4.
[68] Clarke, Mills-Minster & Gudge, *supra* note 37; Dixon, *supra* note 21; and Pon et al, *supra* note 71.
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to legal aid counsel, a roster of community legal advocates will be developed and a special fund established for those families who do not qualify for Legal Aid and cannot afford a lawyer.[69] Providing African Canadian families with strong legal counsel and court services is an important way to address this critical gap in access to justice and to reduce the number of African Canadian children, youth, and families involved in the child welfare system. The Supreme Court of Canada has recognized that the constitutionally protected right of "security of the person" is engaged when the state seeks to remove a child from parental care, and this right—of both parents and children—can only be impinged upon if court processes ensure meaningful participation by the parents.[70]

6. PLAN OF CARE/PERMANENCY PLANNING

The MCYS will be responsible for providing directives to OACAS and CASs to engage with the African Canadian Lead Agency and network of service provider partners in determinations and decision-making related to the development of plan of care and any permanency planning activities with African Canadian families. The Lead Agency will also be involved in consultations with CASs in the ongoing amendments and modification to Plans of Care. Workers will be trained and work closely with agency lawyers to ensure plan of care documents are prepared for submission to court. The Lead Agency will establish protocols with designated CASs regarding the above-mentioned practices and ensure that anti-Black racism principles are integrated into planning processes and practices. This is a critically important process as African Canadian children often remain in care longer and face great challenges in permanency planning.

7. IN-HOME/COMMUNITY FAMILY SUPPORT SERVICES

A major focus of this model is the provision of preventative, rehabilitative, and remedial in-home, community-based family support services to African Canadian children, youth, and families. The Lead Agency will develop protocols with designated CASs to inform and guide involvement and genuine sharing of responsibilities between CASs and African Canadian multi-service agencies. It will also recruit and train accredited African Canadian multi-service agencies to deliver a set of specified, mutually agreed-upon, in-home case management services to African Canadian families, especially those "at-risk" of coming to the attention of child welfare authorities. These services would be based on critical assessment, case investigation, submission to, and approval by the Lead Agency of a case management system. African Canadian community-based accredited agencies will be contracted to continue their engagement with families in the provision of in-home, community-based child welfare services as well as services not warranting CAS involvement (*e.g.* housing, education, mental health, etc.).

The Lead Agency will establish a case management framework to monitor African Canadian agencies engaged in the provision of in-home/community-based services. Emphasis will be placed on family-centered supports, integrated multi-system, culturally sensitive and proactive, preventative approaches aimed at eliminating disproportionalities and disparities in the number

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[69] Wendy Haight, Jane Marshall &Joanna Woolman, "The Child Protection Clinic: A mixed method evaluation of parent legal representation" (2015) 56 Children and Youth Services Review 7.
[70] *New Brunswick (Minister of Health and Community Services) v G(J)*, [1999] 3 SCR 46.

of African Canadian children admitted to CAS care and the overall negative outcomes in the relations between African Canadian families and the child welfare system.

The Lead Agency also has responsibility for ongoing capacity building aimed at achieving quality standards and professional excellence by African Canadian accredited agencies in their provision of in-home/community-based family support services. The Lead Agency will also periodically undertake case reviews and other evaluative activities aimed at identifying and amplifying "best practices." This will include undertaking research activities geared towards enhancing practice-knowledge and skills in the provision of in-home/community-based services. Research will be actively pursued and findings widely shared with community partners and mainstream institutions/agencies and used to develop learning/teaching tools and materials for forums. There will also be learning opportunities for students of social work, child and youth programs, and community work to undertake placements and other volunteer initiatives to enhance their knowledge and build personal and community capacity.

8. OUT-OF-HOME CARE SERVICES

In this community-led, multi-service delivery model, out-of-home care services will not be compartmentalized by such roles as children service work or family service work but based on a continuity of care. All African Canadian children and youth will be placed in an African Canadian home that supports their growth and development. The Lead Agency will develop a comprehensive range of programs and services to address the various needs of children and youth in care, including but not limited to personal and life skills development, educational, social, cultural, family connectedness where necessary, health and mental health, immigration, citizenship, and employment services. There will be a major emphasis on the continuity of care and developing family reunification, a Kinship Program emphasizing the involvement and decision-making of youth in care, and youth friendly, community-based supports as part of its transitional programs to help children and youth prepare to reunify with their families or be ready to transition out of care. The Lead Agency will establish effective partnerships and collaborate with designated CASs in developing and delivering the above-mentioned programs and services. The Lead Agency will also undertake periodic evaluation to measure the efficacy of these in-care services and programs, and to understand how race and anti-Black racism may have impacted service delivery in the partnership.

9. SUPERVISED ACCESS PROGRAM

The Lead Agency will undertake recruitment, training, and capacity-building with a network of African Canadian community-based agencies that can then provide supervised access services and programs. These accredited community-based agencies will have qualified staff who can deliver supervised access services and programs to support children, youth, and families. The Lead Agency will ensure that protocols are developed for supervision in the community and conduct periodic monitoring and evaluation of such programs and services. The MCYS will provide clear directives to OACAS, CASs, and Child and Family Courts to facilitate the involvement and acceptance of the African Canadian, multi-service agencies as partners in the process of supervised access. Supervision in the community facilitates access and ensures that the bonds between African Canadian children and their parents and family members are not

broken. Families must continue to have contact with their children who are removed to ensure continuity of care and prepare them for reunification.

10. CASE REVIEWS

The Lead Agency will develop an overall plan for periodic and ongoing case reviews at specified intervention levels. This review will include the competency of staff, quality of services delivered, compliance with regulations, policies, maintenance of standards, and adherence to anti-Black racism and the goal of reducing the proportion of African Canadian children and youth who enter and remain in the child welfare system. Research on disproportionality must be conducted to examine the factors that influence the disproportionate number of Black children in care, the CASs that have implemented "promising practices" and strategies to address the problem of disproportionality, as well as how the provincial legislation and regulations have influenced the number of Black children in care. The Lead Agency will also contract the services of qualified African Canadian researchers to engage in research and evaluation to assist in design, development, execution, analyses, and documentation of findings. As well, the lead agency must also share research findings and pertinent information with community and government stakeholders and incorporate such findings in ongoing planning initiatives.

11. CASE TERMINATION

Through an anti-Black racism lens, the Lead Agency will establish clear policies, procedures, and guidelines for the termination of cases and an end-of-service case review and reporting requirements to ensure that cases that are to be closed do not remain open. In this community-led transformational model, clear emphasis is placed on family/parents/caregivers' involvement in termination decisions. Further, they are informed about referral planning and its status, where necessary, and the storage and subsequent use of case data in both electronic and written files. In addition, workers must ensure that parents and especially youth know that they can have continual access to both the Lead Agency and community-based service providers if they require follow-up and/or crisis response services.

IV. CONCLUSION: CHALLENGES AND BENEFITS

The community-led, multi-service model for Ontario child welfare proposed in this article is a radical departure from the current approach because of its grounding in anti-Black racism in the African Canadian community, and its focus on prevention, family preservation, and ongoing supports, rather than the removal of children from their families and communities. It also radically departs from the current approach by centering the history of anti-Black racism in Canadian society and institutions such as child welfare, and the struggle and resistance to structural and systemic anti-Black racism, domination, White supremacy and other oppressions that intersect and interlock to bring African Canadian families to the attention of child welfare authorities. Thus, fundamentally this model is about dismantling and transforming the current

child welfare system to liberate African Canadian children, youth, and families from the grip of the racist child welfare system and consequently, to enhance their well-being.[71]

To succeed, the model will require the provincial government to commit to reducing the number of African Canadian children in care by providing adequate funding and resources to enable African Canadian service providers to develop and deliver child welfare and other relevant support services (*e.g.* mental health, addiction, housing, employment, parenting and income supports) to keep African Canadian families together, and prevent children from entering the child welfare system. In cases where children must be removed to protect them from abuse, placements must be with culturally appropriate foster care providers and environments. The model will require the provincial government to have the political will to restructure the current funding formula, which incentivizes child removal and protection over the prevention and family preservation measures that would reduce and eliminate racial disproportionality and disparity.[72] Even with proper accounting, financial control, reporting systems, and excellent community-based services in place, we know it will be challenging to get the OACAS and CASs to embrace this model and the provincial government to restructure the funding formula to prioritize prevention and family preservation and provide the African Canadian community with the necessary resources to deliver child welfare services.

We recognize that OACAS and CASs have developed a rich array of knowledge and resources over the decades, and we anticipate that they will be prepared to engage in a "sharing" of such knowledge and resources in a genuine partnership of shared responsibility with the African Canadian community. However, we also know that there are several benefits to the development and implementation of community-based services and programs that impact critical levels of interventions and decision-making points in the child welfare system, which can set the stage for reducing and eliminating racial disproportionality and disparity.

We argue for structural and institutional change that will shift the current single-agency service provider model, with its funding vulnerabilities and resource limitations, to a model of greater community ownership, shared responsibility, and participation at key interventions and decision-making levels. This includes in the design, development, and implementation of a multi-service delivery model that is constructed on a framework of coordinated interventions that will impact multiple interconnected systems to address the material realities of structural inequalities and result in enhanced quality of services and programs for African Canadian service users. By attending to structural factors and structural change, the model ensures that critical assessments of African Canadian families are done before children are removed from their families and communities.[73] Importantly, capacity-building involving African Canadian agencies/organizations across the province will ensure the continuous development of child welfare knowledge and skills that breaks the cycle of colonial dependency and paternalism on CASs and facilitated by the OACAS.

The model promotes the development of clear, consistent policies, standards, and evaluative practices aimed at professional excellence, and together with periodic evaluations of outcomes that will inform continual planning, serves to identify and promote "best practices." Another benefit is the capacity building that is undertaken by qualified and experienced African Canadian

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[71] Clarke, "The Challenges," *supra* note 12; Julian Hasford, *Pathways and Prevention of African Canadian Disproportionalities and Disparities in the Child Welfare System: A Position Paper* (2015); Pon et al, *supra* note 2.

[72] Pon et al, *supra* note 2.

[73] Clarke, "The Challenges," *supra* note 12.

professionals and directed at both community service providers and CAS staff. This results in enhanced knowledge, the development of training and education, and various knowledge sharing forums, which lead to greater sharing of learnings, resources, tools, and expertise.

The model promotes a phased developmental approach in establishing a network of community-based services, which together with capacity building will facilitate effective community development and empowerment, and over time lead to the establishment of an African Canadian Child and Family Services organization with full statutory power to deliver and manage an array of child protection/child welfare services to children, youth, and families.

There is also significant cost savings that will be derived from reallocating funding from a bloated child welfare bureaucracy with its substantive costs of child removal and placement in care to a community-based network of service providers working across multi-systems. A network of community-based, multi-service providers with policies and practices grounded in anti-Black racism and measurable/evaluative performance indicators will accrue greater levels of efficiency and positive outcomes for African Canadian children, youth, and families. Most importantly, while the overall responsibility and accountability rests with the Government of Ontario (MCYS), there is a critical role for the African Canadian community in terms of ownership and shared responsibility for the achievement of better outcomes for African Canadian children, youth, and families.