

# HONOURING OUR CARETAKING TRADITIONS

A FORUM ON  
CUSTOM INDIGENOUS ADOPTIONS

PROCEEDINGS AND STORIES  
NOVEMBER 18<sup>TH</sup> AND 19<sup>TH</sup> 2011

HOSTED BY  
SIEM'SMUNEEM INDIGENOUS CHILD  
WELLBEING RESEARCH NETWORK



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# Honouring our Caretaking Traditions: A Forum on Indigenous Custom Adoptions

*So all my former foster kids better ride  
'Cause they say the hope for my future has died  
But you're wrong, ha ha, it's still alive  
So whoever is holding my case file they better hide  
'Cause I'm living proof that real love can never die.*

(Chris Tait, forum presenter, former youth in care)



## Introduction

On November 18<sup>th</sup> and 19<sup>th</sup> 2011, the Siem Smun'eem: Indigenous Child Wellbeing



Research Network (ICWRN) hosted a two-day forum entitled **Honouring our Caretaking Traditions: A Forum on Indigenous Custom Adoptions**. Held at the First Peoples House, University of Victoria, on the traditional territories of the Coast Salish people, the forum brought together members of the academic community, practitioners, child and family services providers, government staff, policy analysts and community members to record and

exchange knowledge and skills related to Indigenous custom adoptions. There is a dearth of research on custom adoptions and the forum provided an important gathering place to document adoption approaches that reflect distinct contexts, traditions and cultural values of diverse Indigenous communities throughout British Columbia.

The forum was organized and hosted by the **Siem Smun'eem: Indigenous Child Wellbeing Research Network (ICWRN)**. Housed in the Faculty of Human and Social Development at the University of Victoria, the ICWRN is a provincial inter-disciplinary network of researchers, service providers, community members and policy makers with an interest in using Indigenous research in the transformation of child and family services. The Network provides a space for critical dialogue about Indigenous research related to child, youth and family wellbeing and caretaking, as well as opportunities for research-



related training, knowledge transmission and resource sharing (see <http://web.uvic.ca/icwr/>).



## Methods

The forum was part of a larger research study undertaken by ICWRN to document knowledge and traditions related to custom adoptions through Indigenous research methodologies. Proceedings were organized following traditional protocols, including Elder blessings, ceremonies, gifting, and acknowledgements of territory and of respected guests and teachers. Presentations were videotaped and transcribed, and the purpose of the research was explained verbally and in writing to participants. In accordance with cultural guidelines, certain cultural teachings and ceremonial practices were not recorded. The forum resulted in several products that are available on the ICWRN website, including video footage, transcripts, a community report, a literature review, and other academic resources.



## Definitions

It is important to start this report with a definition of custom adoption and a description of the cultural, historical, contemporary, and legal parameters that impact Indigenous custom adoption. Also known as customary, cultural or traditional adoptions, “custom adoption” is an umbrella term that refers to the traditional cultural practices of adoption and caretaking in Indigenous communities. di Tomasso, de Finney and Grzybowski (2012) emphasize that,

There is no singular, concise definition of Indigenous custom adoption. Acknowledging this diversity is critical to understanding the complexity of custom adoption policy, practice and research, and is therefore central to designing programs and services that support custom adoptions. In the context of contemporary child, youth and family service delivery and

governance, the practices and traditions of custom adoption that have always existed in distinct communities now need to be recentered and reinterpreted (p. 25)

Custom adoption is an open process that involves many people in a child's life, including birth parents, extended family, Indigenous community(ies) and those with a significant relationship to the child. The goal of Indigenous custom adoption is to ensure Indigenous children are raised in connection with their Indigenous families, communities, and cultural identities. In an Indigenous custom adoption, families often have one or more adoption ceremonies and the adoption is considered completed when cultural expectations for care of the child have been satisfied and met by all involved partners, with an emphasis on how to be support to the adoptive parent(s).

It is difficult to pinpoint what lies within and outside of legal definitions and policies of custom adoption. Indigenous custom adoptions have been recognized by Canadian courts as a way of creating legal family relationships for several decades now. Generally, custom adoptions do not necessitate the same administrative processes as statutory adoptions and are recognized as legal as long as the adoption meets the criteria set forth by the province or territory where the adoption is taking place (Trerise, 2011). In British Columbia, “custom adoption has the same effect of an adoption order under the Adoption Act when the court makes this declaration pursuant to an application under section 46 of the Adoption Act” (BC, Government, 2012). Custom adoptions may take place without the involvement of workers or lawyers, however, the Government of British Columbia does advise potential adoptive parents to seek legal counsel if they are considering an adoption (BC Government, 2012). The custom adoption of a child in continuing custody goes forward when custody of the child is transferred to the potential adoptive parents, under section 54.1 of the Child, Family and Community Service Act (CFCSA). Eligibility criteria must be met.





## Overview of Day One

In the opening welcome, Sandrina de Finney, the principal investigator for the study, emphasized that the forum constituted a milestone in bringing together such a diverse audience in support of custom adoption practice, policy and knowledge to promote better outcomes for Indigenous children in British Columbia and beyond. Sandrina stressed that while it is important to address the damaging legacy of external, closed, and culturally- disconnected adoptions, we know little about what actually works in the area of custom adoptions. She shared that the purpose of the forum was to gain insight into custom adoption practices such as adoption ceremonies and teachings that support the spiritual, physical, emotional, and socio-cultural health and wellbeing of Indigenous children, youth, families and communities. She asked participants to consider the following questions:

- What are 'custom adoptions'?
- Which aspects of custom adoption fall within and outside of current legal frameworks and practices of adoption?
- How can we support custom adoptions in diverse Indigenous communities, including on and off reserve, rural and urban?
- How do we adapt adoption plans to reflect the diverse backgrounds and experiences of children/youth, and to meet their needs as they grow up?

**How were/are custom adoptions practiced, and how can we incorporate those teachings into current adoption services?**

Following these questions, Dr. Jeannine Carriere provided an overview of Indigenous custom adoptions. She shared the knowledge she has garnered through working with Lalum'utul' Smun'eem Child and Family Services and Yellowhead Tribal Services Agency.

Jeannine noted that there is not a lot of literature available that describes the process of custom adoption, and that it is important for us to do research to create a growing body of

knowledge with reference to custom adoptions. Jeannine stressed that ceremonial practice is at the heart of custom adoptions:

There were often ceremonial aspects through customary adoption to commemorate this commitment because it really is about commitment on behalf of the customary adoptive parents.

In closing, Jeannine also underscored that traditional custom adoption practices tend to foster an open and transparent process:

*There appears to be a consensus though that customary adoption held no boundaries, limitations or secrets... that is a bit of a different way of doing adoption then for many years where we have had the closed adoption process and birth families were not involved in choosing the caregiver.*

**How do we support the psycho-social, cultural, spiritual, physical, cognitive and political health and wellbeing of our children, youth and families through community-centered custom adoption practices?**

**What we do know has been passed down orally from our Elders and we are grateful to have that knowledge.**





## **Lalum'utul' Smun'eem Child and Family Services, Cowichan Tribes – Panel**

Executive Director Lise Haddock facilitated a panel discussion with the adoption team from **Lalum'utul' Smun'eem Child and Family Services**, a delegated agency of the Cowichan Tribes. Panelists included

Glynn Corfield, youth adoptee; Lori Guerin, Adoptions Assistant; Holly Charlie, Social Worker; and Joe Tom, Kinship Worker. The panelists shared information about the Q'ushintul's tse' Adoption Program at Lalum'utul' Smun'eem.



Glynn Corfield shared his experience as an adopted youth and a member of the Cowichan Tribes. He was born in care and is now living in Cowichan, and his adoption was facilitated through the Q'ushintul's tse' adoption program.

Director Lise Haddock then described the community services Lalum'utul' Smun'eem offers as a fully delegated agency which provides child safety services.<sup>1</sup> Lise then described the process the agency went through to create their adoption program. She noted that First Nations peoples and more specifically, Cowichan Tribes, never relinquished their inherent right to care and plan for their children and families. Cowichan Tribes affirmed this right and drew upon the delegated authority model to return Cowichan customary traditions of adoption to their communities in providing adoption services through a Cowichan cultural lens. The adoption program is firmly grounded in the culture and traditions of the Cowichan people. The agency sought approval from Chief and Council at the onset of program planning, which

**We spent a lot of time with community. We spent a lot of time with Elders. We had many, many community dinners and community gatherings. We sat and listened, that is what we continue to do.**

<sup>1</sup> For more information on the various levels of delegation in British Columbia please visit [http://www.mcf.gov.bc.ca/about\\_us/aboriginal/delegated/delegation\\_process.htm](http://www.mcf.gov.bc.ca/about_us/aboriginal/delegated/delegation_process.htm)

included many consultations with the local community and Elders to ensure that the program appropriately reflected Cowichan cultural values. Lise noted the importance of taking time to consult with community when developing the adoption framework.

Lalum'utul' Smun'eem created partnerships with Provincial and Federal governments, the Adoptive Parents Association of BC, Choices Adoptions, other delegated agencies across Canada, as well as the Yellowhead Tribal Council of Alberta. Throughout the developments of the agency, the birth and adoptive families were also important partners in the planning stages. A Cowichan Tribes Adoption Committee was formed to support the development of the new adoption program, as explained by Holly Charlie:

The committee basically replaced what the Ministry calls the Exceptions Committee. They consist of advisory member, general manager, an elder from our community and all of our social workers who have caseloads of Cowichan children that are going to be adopted.

Holly explained the benefits of a Cowichan Tribes Adoption committee:

The advantage of having our own Cowichan people sit on the committee is the fact that a lot of them are from Cowichan and they all have a lot of knowledge in terms of the teachings and are aware of the family genealogies. Often where social workers miss members of the family the committee can then recommend alternative plans or guide us to another relative that we may have missed.



Some of the things that make the Q'ushintul's tse' Adoptions program at Lalum'utul' Smun'eem Child and Family Services different from a mainstream program are the Cowichan Tribes' adoption committee, the cultural contract, and the adoption ceremony that is held when the adoption is finalized. The cultural contract outlines the obligations that the agency and the adoptive parents have in ensuring that the child(ren) have every opportunity to learn about their culture. In addition, Holly noted that their agency offers a number of training and support services for the adoptive family after a child has been adopted:

These are the obligations of the adoptive parent, to work closely with Lalum'utul' Smun'eem support services team to ensure the implementation of this agreement, accompany their child to the custom adoption ceremony, and attend cultural awareness training. Ensure the child is supported in other cultural events, ensure the child has opportunities to learn the Hul'qumi'num language, regular visits with families and discuss with Lalum'utul' Smun'eem the implications of any changes of address.

The final adoption ceremony is a traditional ceremony to honour all the parties involved in the adoption, and it takes place in a Cowichan Longhouse. The staff who work in the adoption program at Lalum'utul' Smun'eem are dedicated to preserving Cowichan children's right to develop a connection with their cultural identity, community, and relations. Kinship Worker Joe Tom shared the importance of maintaining a child's cultural connections.

Joe also talked about the importance of having a broad definition of culture:

So I think sometimes it's expanding the world about what culture means. Like I look at my parents and my mom can still come out of the house and the wind is blowing a certain way and she'll say wow it's going to get cold today or it's going to clear up. Anyway there's lots of teachings tied to the land and environment that you can do with kids that they may not perceive as culture at first the reality is it is. You go out onto the land and you just walk.

**As far as rights of children in care, they do have rights to seek out their culture when they're in care at any agency. That's what we do, it's not just about adoption, it's about their rights as Cowichan children.**

Lori Guerin spoke about how Lalum'utul' Smun'eem tailors cultural supports to fit each child's unique needs:

It really depends on the children themselves and what their needs are. So every referral is different and every one of the children's needs are different too. We'll start off with activities around the community or doing arts and crafts with the children. Then eventually go out to the

**So then that child is brought back into the community and the worker will seek out their family and get permission to be going with that child so that the family is aware that this youth is coming back and they're getting reconnected to the family then. So it's those little steps in working with them and making a connection to the community.**



community and I know some of our co-workers take them to the river and they show them the traditional fishing grounds and they share their teachings that way (...)

The dedicated staff at Lalum'utul' Smun'eem described the process and it was evident that the agency did a lot of work to set up the customary adoptions program in Cowichan. The agency engaged in staff training, adoption training for prospective parents, administrative training, policy development, and on-going community consultations. The outcome was that 21 Cowichan children were returned to their community. Lise shared that Lalum'utul' Smuneem held a commitment to create an adoption process that would reflect the traditional practices that were done in the past within and throughout the Cowichan territories. They wanted to ensure that the laws, customs and culture of the Cowichan were imbedded in all the work they do.

Lise stated that one piece that is missing from the new BC Aboriginal Operational Practice Standards and Indicators (AOPSI) redesign is a piece on Aboriginal adoption standards. The AOPSI practice standards are the current foundation for providing child and family service, and represent the minimum expectations of performance for delegated agencies in the Province of British Columbia.



With regard to legislation and traditional laws and practices, Lise noted that Lalum'utul' Smun'eem must adhere to an adoptions agreement in addition to the Delegated Confirmation Agreement (DCA). The participants and Lalum'utul' Smuneem staff discussed the challenges that exist due to the grief that families have experienced since colonization.

**We are not only dealing with the socio-economic issues that bring children into care like poverty, discrimination, unequal opportunities, but we are also dealing with the social fabric of families and extended families that has been broken by virtue of our past and by virtue of what was a patriarchal system that assumed they knew what was in the best interests of our children.**

Other barriers that were highlighted by the Lalum'utul' Smuneem team included the fact that it can be difficult to find family members who are able to get involved in a child's planning. There are also complex jurisdictional challenges when children are of mixed heritage.





## Anne Clayton –Director of Adoptions, Ministry for Children and Family Development

Anne Clayton, Director of Adoptions at the Ministry for Children and Family Development (MCFD), began by describing adoption legislation and policy in BC. She outlined the history of adoptions in BC:



*In the previous legislation in BC, prior to 1996, the adoption legislation was in place for about 50 years with really no changes to it. That established a very closed adoption. The idea was that adoptive families were encouraged not to tell their children that they were adopted, they were encouraged to treat the child as if born to them. It was very secretive and very closed. Birth families were very much cut off from the children.*

The era of closed adoptions was a very painful one for Indigenous children in British Columbia. In 1992-93, a moratorium was placed on Aboriginal children being placed into non-Aboriginal homes, which resulted in an increase in children being placed in long term foster care. Anne stated that changes to the child welfare legislation recognised that Indigenous communities and Nations have the right to be consulted when the child's care is in question.

She also provided some astonishing statistics:

We have somewhere around 8000 children in care in BC and you're aware you know 50 to 55 percent of those children on any one day are Aboriginal children. That translates into the adoptions program as well.

**Part of what was put into the legislation was a requirement both in CFCSA and the Adoption Act that the Aboriginal community of the child in question has to be consulted around planning for them.**

Anne noted that an Exceptions Committee was created to consider cultural planning when the Ministry is considering the adoption of an Indigenous child into a non-Indigenous family. Adoptive families are expected to enter into a cultural safety agreement when they

adopt Indigenous children. Anne stressed that cultural planning for children in care (CIC) was implemented into the legislation in 1996, but that Indigenous children are still often not receiving a connection with their culture. She outlined the goals and limitations of cultural planning:

The goal is when kids come into care that their connections are maintained. There is an expectation that cultural planning will happen while the kids are in foster care. That expectation frankly isn't being met very well but the ideal would be that there would be a well-established cultural connection with birth family and with community while the child was foster cared and that that would then get transferred to the adoptive family and that that's part of the commitment.

Anne talked about the supports that exist in the Ministry for custom adoption; it was

**47 percent of around 1200 kids who have adoptions as their long term plan are also Aboriginal.**

evident through her presentation that she is looking to delegated agencies and Indigenous communities to develop custom adoption programs. She stressed how important it is for the community to take back customary adoption and revitalize traditional caring systems.



## Overview of Day Two

### Opening Words: Dr. Jeannine Carriere and Dr. Sandrina de Finney

Dr. Jeannine Carriere opened the second day of the forum with a summary of day one and

what we know about the process of custom adoption. The literature on the topic of customary adoptions is limited because the ceremonies that take place in communities are sacred. Jeannine reiterated Anne Clayton's points from the previous day, that there are supports for a revitalization of customary adoptions programs within the BC Ministry of Children and Family Development.



Jeannine thanked everyone for their dedication to the issues and for sharing from their hearts.

Next, Dr. Sandrina de Finney noted that while some agencies are taking control of adoption services through delegation and other initiatives, others are not at that stage yet. She asked, "what can we do in the meantime? What can we do until we are delegated to do our adoptions?" Sandrina invited the audience to think about how we can introduce cultural teachings and practices to support adoptions and other forms of permanency planning. Members from the audience began sharing stories

**There has been some form of custom adoption in many of our tribal communities but it was not necessarily attached to the word adoption.**

**Suggestions for supporting customary caretaking included letting children and youth know about custom adoption as an option, offering coming home and naming ceremonies, hosting adoption and "belonging" ceremonies for non-Indigenous foster and adoptive families, starting the cultural planning process at the beginning of a child's life and when they first come into care instead of waiting for adoption, creating adoptive "circles of support" to ensure children in care and adoptees are welcomed and belonged by community and extended family, ensuring funds for traveling, visits, and activities with home communities, and providing more supports for cultural teachers who participate in custom adoption practices.**



about creative strategies to support the cultural connections of children and youth who are in care or adopted. Many attendees mentioned the importance of a transparent process where the relationship between the birth family and adoptive family are supported for the sake of the children.



## Panel Presentation – Stories of Adoption

Nella Nelson (Kwakwaka'wakw), Freda Shaughnessy (Kwakwaka'wakw), Sandee Michelle (Anishinaabe), and Kelly Smith (Nuu-chah nulth) formed the panel that shared their experience with adoption, fostering and caring for Indigenous children. It seemed clear from the stories shared that each of the panel members have sought to foster open, supportive relationships with the children's birth families and Nations. The ultimate goal for all the women was that the children would grow up having a connection to their families, communities and culture. This message was clear in Sandee's story:

**That's my vision for my boy. I want to make sure that he knows who he is and he's strong in who he is and I'm building those relationships with his family.**

When he does get to the difficult age that I keep hearing when he's fifteen, he's going to do it, things will change, that he is strong in himself, he has strong Indigenous values and he's got a bunch of strong women behind him to walk that journey with him.

Kelly Smith similarly shared her story of a custom adoption and it was evident that every attempt was made to ensure that the biological family had a connection with her adopted son. Kelly also described following the guidance of her community's Elders in how to proceed with the adoption. Kelly shared the following story:

Her family had no clue she was giving her baby up for adoption. We stayed with her for three days in Nanaimo. We went out, I didn't know her, I knew her name I didn't know her. We went out and did some shopping together, had a meal together and she asked us to promise her that we would never keep him from her.

**I was in the room when he was born. I was the first one to hold him and he was crying and we laid him on her tummy and he stopped crying. We stayed together through the whole thing. It was very open. Her family was there.**



Nella Nelson's story showed an inspiring dedication to the children from her family, community and Nation. Nella described how a commitment to caring for children goes well beyond narrow definitions of adoption:

**We have cared for 28 young people. I'm adoptive mom to my daughter who we got at birth. We have had children in the home of a relative. We've had children stay with us. We had one of our boys be a foster child.**

Because when they did the home study for the adoption they found that one of our other kids didn't have a mom or a dad and basically the Ministry said you need to put him as an orphan and oh my gosh his granny in Guildford almost went crazy... So we've cared for many, many children under a variety of circumstances.

Freda Shaughnessy's story illuminated some of the challenges that grandparents face when they care for their grandchildren. Grandparents struggle to receive support from the government when they care for their children according to traditional values, without a formal guardianship order. Freda shared the following story:

So she said social services can pay for my granddaughter's daycare. So they wrote me a letter and said we have the name of a lawyer. You can take your son to court so you can have guardianship of you granddaughter. I said no, no, no we don't take our kids to court.

The panel presented testimonies that moved many in the audience to tears. As hosts of our speakers and storytellers, we stopped our process to 'blanket' our panel guests and to honor the love and care they provide to children. This was an emotional part of the forum for everyone present as we stopped to surround the participants with blankets and stand them up for the wonderful work that they have done in the course of their lives. Their stories gave all who witnessed this part of the day new hope that with strong hearts and spirits we can accomplish this work together.

**They said do you have guardianship of her. I said, we take our own kids in, we just take them in. Because we didn't have guardianship of her they said "no we can't pay for it." I said it doesn't matter, it doesn't matter.**





## Northwest Inter-Nation Family and Community Service Society Kathleen Bennett, Lorgan Bob and Dolores Pollard

Executive Director Kathleen Bennett provided some background information about Northwest Inter-Nation Family and Community Service Society (NIFCS), which opened in 1999. She shared that the services provided by NIFCS cover three First Nations: Tsimshian,



Haisla and Tahltan Nations. The mandate of NIFCS is to ensure the preservation and protection of the child's culture and provide (C4) Guardianship services to nine First Nations Bands<sup>2</sup> within the aforementioned Nations. Kathleen noted that some of the communities NIFCS serves are very remote and travel to the communities can be challenging. Over the past few years the provincial government has transferred the files of approximately forty children to NIFCS and the federal government has transferred seven.

Funding from INAC is received according to the number of children the agency is working with. The agency has been working towards full delegation (C6) since 2005. Kathleen shared that the communities and NIFCS hope to attain adoption delegation as well, with some help from Lalum'utul' Smuneem Child and Family Services, to deliver appropriate custom adoptions to their Nations. They talked about the impact that colonization has had on their communities and the need to take control of child welfare services and work together to ensure that their children will be safe and loved. The work that has been done to plan and implement child welfare services has been done with full consultation from the communities.



Lorgan Bob and Dolores Pollard both spoke about the good work that has been taking place in their communities and the vision that their communities have for child protection services in the future. Dolores Pollard, who works with Youth and Family Services for the Haisla Nation, shared the importance of remembering why we do this work:

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<sup>2</sup> At the time of the forum, the communities served by NIFCSS were Lax Kw'alaams, Kitsumkalum, Kitselas, Kitimaat, Iskut, Telegraph Creek, Hartley Bay, Metlakatla and Kitkatla.

You know when we really look at the history of Aboriginal people in Canada and the intent of the government of the day in creating the residential schools, in outlawing the potlatch, there was a reason. And we stand here and we're still an oppressed people and we're under a government that does not believe we have the ability to look after our own children.



Lorgan Bob, a member of the Tahltan Nation, also spoke about the need for governance:

We are looking at taking that responsibility and change is slow. That's something that we have to keep in mind as First Nations, as much as we want to move fast we have to realize the fact that change, real change, will give us the full power over our children.

There was a lot of inspiration and commitment to the future in Lorgan and Dolores' presentations, which helped shed light on the unique situations of First Nations people in northwest coast of BC.

**We are the best people to make decisions for our children. After a hundred years of oppression and cultural genocide we still sit here as First Nations wondering why the government ever did this to us. But we are strong and I like that we can sit down and look at ourselves and say after all the things that we've gone through that we survived it.**





## Cultural Safety Planning

**Jeannine Carriere, Associate Professor, School of Social Work, University of Victoria and Christina Entrekin, Project Director, Vancouver Aboriginal Child and Family Services Society (VACFSS)**

Jeannine has many years of experience looking at the complexities of customary adoptions and cultural planning. She noted that in 2008, Anne Clayton from MCFD approached her to do an evaluation of how well cultural planning policy was working in British Columbia. With help from graduate students, she undertook a research evaluation from 2008 to 2010 and it resulted in three reports entitled “You should know that I trust you”.

So each of the reports is called “you should know that I trust you,” although, there’s a different image because we move from children to youth, but that’s the title for all three reports.

**The children who are entrusted into our care and you know believe, or are sort of dependant on the fact that we are to look after their best interests. So they put their trust into us so that’s very important that we don’t overlook that or abuse that.**

Phase 1 of the research focused on the adoptive families and the experiences of Aboriginal communities.

Phase 2 provided a summary of a qualitative online survey conducted with adoption, guardianship and Roots workers in BC. Phase 3 looked at the perspectives of youth on cultural planning, foster care and adoption. One key finding in the report was that developing a child’s cultural plan at the adoption stage is way too late. Cultural safety

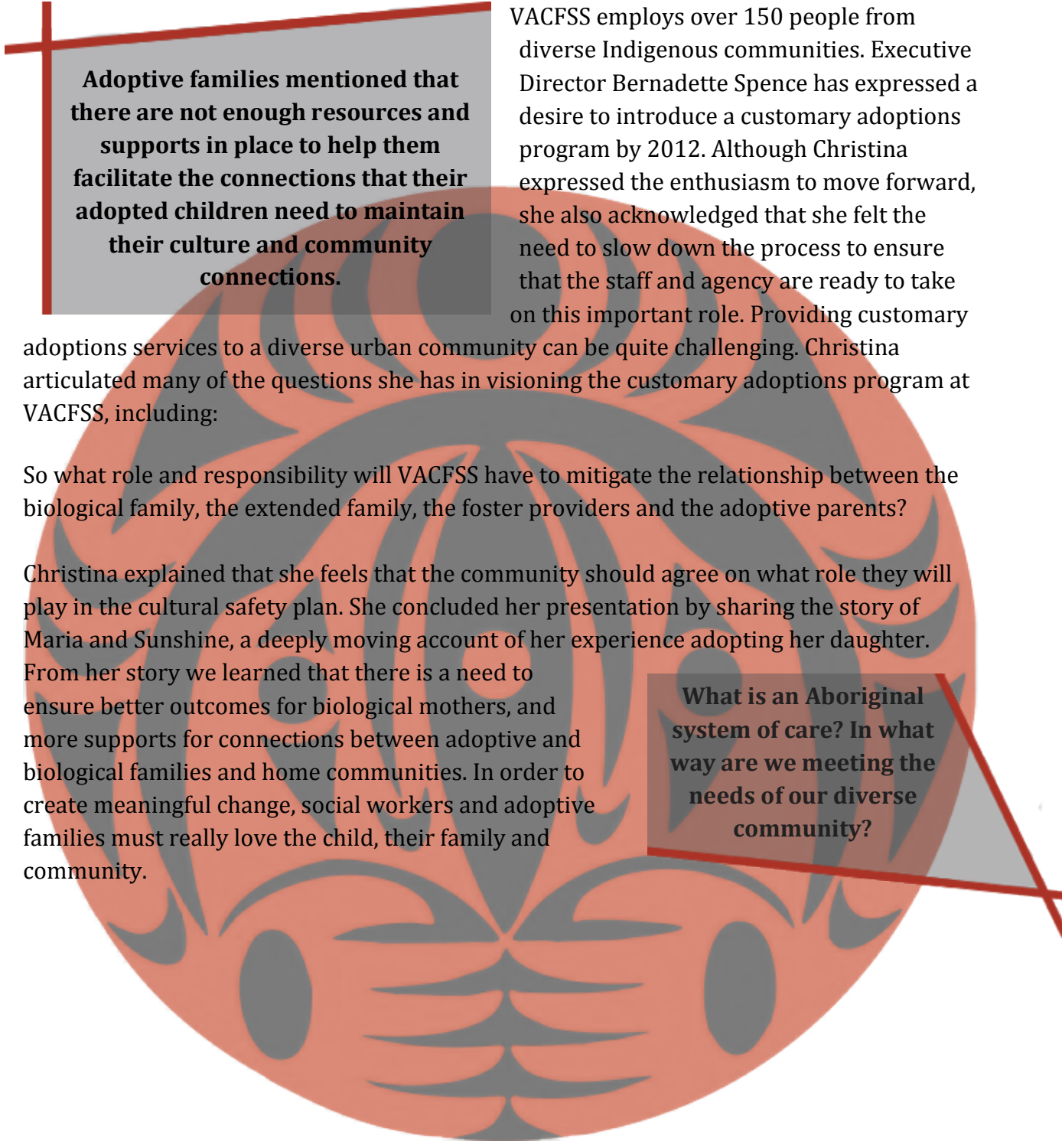
**Youth said they wanted to have contact and connections with their families, communities and Nations.**

planning should happen at the onset, when the child or youth comes into contact with the child welfare system. Jeannine noted that cultural safety plans are not implemented consistently throughout the province. The number of resources available to the family and child is largely dependent on the guardianship worker. She noted that “the most wonderful cultural plans that I heard about were

when the adoptive family and the birth family and community members were able to get together.” The full reports are available on the ICWRN website: <http://web.uvic.ca/icwr/fearesearch.htm>

Christina Entrekin opened her presentation with some background information outlining the services provided at Vancouver Aboriginal Child and Family Services Society (VACFSS).





**Adoptive families mentioned that there are not enough resources and supports in place to help them facilitate the connections that their adopted children need to maintain their culture and community connections.**

VACFSS employs over 150 people from diverse Indigenous communities. Executive Director Bernadette Spence has expressed a desire to introduce a customary adoptions program by 2012. Although Christina expressed the enthusiasm to move forward, she also acknowledged that she felt the need to slow down the process to ensure that the staff and agency are ready to take on this important role. Providing customary

adoptions services to a diverse urban community can be quite challenging. Christina articulated many of the questions she has in visioning the customary adoptions program at VACFSS, including:

So what role and responsibility will VACFSS have to mitigate the relationship between the biological family, the extended family, the foster providers and the adoptive parents?

Christina explained that she feels that the community should agree on what role they will play in the cultural safety plan. She concluded her presentation by sharing the story of Maria and Sunshine, a deeply moving account of her experience adopting her daughter. From her story we learned that there is a need to ensure better outcomes for biological mothers, and more supports for connections between adoptive and biological families and home communities. In order to create meaningful change, social workers and adoptive families must really love the child, their family and community.

**What is an Aboriginal system of care? In what way are we meeting the needs of our diverse community?**



## Christopher Tait, Former Youth in Care

To conclude the forum, Chris Tait started his presentation with a speech that he had written. He acknowledged that he is one of many Aboriginal children who have grown up in care in British Columbia. He shared that,



I grew up a youth in care in a system where fifty one percent of children are Aboriginal which is a confirmed statistic number (...) I think as much as we need to get children who are Aboriginal out of care, we need to get every child out of care.

Chris screened a DVD produced by the BC Adoption Association, where he is featured along with other youth to discuss their experiences with foster care and adoptions. Chris thanked the BC Adoption Association for all their support. He then shared his life story and personal experiences with foster care and adoptions:

Kids in care need to note that social workers that think that they work for us really need to change their minds into thinking that they're working *with* us. I love saying that. My hope for the future is that we stop living in a society where nothing is permanent. Living within the borders of foster care has really opened my eyes to see that social workers, money, advertisement, commercials and fantasizing about climbing up the economic ladder are not permanent.

After many moves and an adoption breakdown, Chris finally ended up in Vancouver where he connected with the Power of Hope and the Hip Hop Hope program. It was there that he started making music and writing songs about his experiences in the child welfare system. He closed his presentation with an amazing hip hop presentation:

**We need to start implementing permanency not just for children, but investing in solutions for world problems because we have the motivation and all the answers. All of them. We just need to make the effort.**



*I could have chosen another life but social work was trying to get me, take me and place me, working  
 harder than children that dissed me.  
 Planning for me was funny, half the staff looked like they were sixty  
 My friends consistently protested the Ministry with me  
 The misery of moving unconditionally was temporarily sort of scary  
 The mandate for my life seemed secondary  
 I was Native, whose creative writings could make it, my hair wasn't braided but my culture was  
 famous  
 Taste it they couldn't waste it  
 I timed in my mind and find it when I rhymed so I could outshine anyone  
 Inclined to go line for line. I had 'em like nickels and dimes  
 So Native pride I claimed and said it's mine  
 These social workers couldn't say nothing to me  
 Like a mime I'd take their useless policies and burn them  
 Telling other kids this is what they've earned is finally end  
 So all my former foster kids better ride because they say the hope for my future is died  
 But you're wrong, ha ha, it's still alive  
 So whoever is holding my case file they better hide cause I'm living proof that real love can never die  
 I'm quick, my pen and notebook is sick  
 I'm going to place you with these nice people  
 I met them at church so they can't be evil  
 They listen to renditions which are like sequels  
 They say they have no children so I'm sure they're not deadly or lethal  
 Show me your red tape and where it ends because your lack of interest shows me we can't be friends  
 Your coffee you likely went and bought it at Blendz  
 You don't break rules but you like to see them bend  
 But when it comes to you staying true you don't have a clue  
 So seriously why do I have to move?  
 Are they tired of me bringing home a cat every month because I'm tired of these foster parents  
 smoking their blunts  
 So all my former foster kids better ride because they said the hope for my future has died  
 But ha, ha it's still alive so whoever is holding my case file better hide because I'm living proof that real  
 love can never die.*

*(Chris Tait, 2011)*



## Summary of Key Themes



### Reclaiming our Traditional Child Welfare Practices – Doing it our Way

One of the key themes that emerged from the forum was the need for First Peoples to



reclaim their traditional child rearing and caretaking practices to ensure that children's cultural identities are maintained. The history of closed adoptions has resulted in pain and oppression for Indigenous children and families. A clear theme that came out of the two day forum was that there is a strong desire to reduce the number of children growing up in care and to ensure that the children who grow up in care maintain strong cultural identities. As Jeannine

Carriere noted, most Indigenous Communities had methods to care for children when biological parents were unable to fulfill that important role. Lorgan Bob stressed that everyone in the community had a role to play in caring for the children, and shared teachings about fathering:

**We looked at our children as a gift. Every child, their fathers used to hold them up into the sunshine and wish that they didn't get sick and would become the person that they wanted them to be. (Lorgan Bob)**

The dedicated staff from Lalum' utul' Smuneem Child and Family Services spoke of creating an adoptions process that honours Cowichan traditions. Lise Haddock noted that,

**Traditionally, adoption was viewed as an honourable act among family members and First Nations communities and custom adoption in many communities continues to this day. (Lise Haddock)**

Presenters as well as members of the audience expressed a commitment to reclaiming the traditional right to ensure that adoptive families are supported to honour their obligations to take part in cultural events and ceremonies. Traditional adoptions processes ensure that biological parents, when they are healthy, have opportunities to visit and connect with

their children which ensures that the bonds between children and families are not completely severed. Presenters emphasized that customary adoptions programs must include collaborative processes with community, Elders and Chief and Council. The main focus in any custom adoption should be nurturing the health and wellbeing of the child(ren) through positive cultural, familial and community connections.



## **Laws and Legislation**

Traditional Indigenous governance or laws as well as provincial and federal legislation were discussed by many over the two-day forum. When the new Child Family and Community Services Act was created, there was a movement away from the harmful closed adoptions of the past. Still, cultural contracts between adoptive families and social workers are not taken up consistently. The presenters from Lalum'utul' Smuneem Child and Family Services (LS) and Northwest Inter-Nation Family and Community Service Society (NIFCS) shared that the

**Communities are asking for adoption programs that adhere to traditional practices and protocols.**

Many of the laws and governance customs of Indigenous people are not recognized by provincial and federal authorities. Members of the audience noted that the ceremonies that are done in the Longhouse are legally binding in Indigenous culture. Yet, at this point in customary adoptions planning, Indigenous communities must adhere to provincial legislation.

Some of the presenters and audience members shared information about adoption delegation agreements, the Child Family and Community Services Act (CFCSA) and the Adoptions Act. Holly Charlie noted that Lalum'utul' Smuneem is at the very beginning of creating their program, and thus they are working under the Adoptions Act. Still, Holly argued that this is an interim condition that we need to work on:

With the enactment of the *Adoption Act* (1996) there was a shift in the values underpinning the legislation. The new legislation promotes openness in adoption; informed decision making by all parties to adoptive placement,

including the child and in the case of Aboriginal adoptions, the child's Band; collection, disclosure and preservation of background information; an inclusive approach to placement planning decisions; culturally compatible placements and where that is not possible, openness and cultural connectedness. Each of these measures helps to bring provincial practice closer to Aboriginal cultural values.

Some of the presenters noted that provincial laws and legislation have maintained oppressive child welfare practices for Indigenous children, families and communities. Lorgan Bob stated that,

The legislation, they're not prepared to do that at this time because of the fact that they don't want to lose control of us... And when we start developing the policies and procedures and move away from the Ministry's policies and procedures, that's when the real change takes place.

Forum attendees asked many questions and expressed concern about how to plan, implement and evaluate community approaches to custom adoptions while working within the present legislation.



### **Visioning – Moving Forward**

The presentations and audience discussions illuminated the complexities involved in creating custom adoption programs. Christina Entrekin shared some of the challenges she is confronted with at VACFSS as the largest Aboriginal urban agency in BC. The agency works with 1100 families and they are the guardians for 330 children, all from diverse backgrounds. Still, Christina's words showed her dedication to move forward and create a customary adoption program at VACFSS. She looked to the forum attendees for support and guidance.



The forum provided a supportive environment for stakeholders in the community to share the work that they do and exchange information. During the two days, members of the audience shared some of the difficulties they experience in their practice. Several people



commented on the challenges they face when a child is of mixed heritage, when families are difficult to reach or are not interested or able to be involved, and when communities are distant. Lalum'utul' Smuneem Executive Director Lise Haddock commented that the challenges are different for urban and land-based agencies:

I think experiences are different and challenges are different from a land-based service than an urban service. I think when you've got a land-based service there are fairly large geographical concerns. You are serving a wide group of people in several communities and you can't drive there in the winter.

The custom adoptions forum provided a venue to share information about promising practices and develop a collective vision for the future. Participants expressed their gratitude to those who shared knowledge during the forum. Dolores Pollard from NIFCS offered the following words:

I take my hat off to the Cowichan Tribes for being so open in their process and what you're doing to protect your children and reclaim your children because they are ours. To know that as Aboriginal people, we're all connected. We have the same stories, we have the same histories, a lot of us do, with what happened with first contact. I really believe that.

Near the end of the last day of the forum Dr. Leslie Brown noted that the Indigenous Child Wellbeing Research Network is pleased to have helped to facilitate engagement among communities and organizations:

**In order for us to be able to effectively bring our children back to our communities it's going to take leadership. Like Cowichan Tribes, they don't hoard that information and keep it to themselves. They've learned from someone and they're going to pass it on.**  
**(Dolores Pollard)**

*We are very proud to help facilitate this process and this is just the beginning. In the future we hope that we will help facilitate this relationship between agencies. In the future, we hope this forum will continue to grow.*

This statement summed up the work that occurred during two days of inspiring, unique contributions of forum presenters and participants, in a spirit of collaboration and



mutual support that offers an ethical framework for moving forward with adoption policy, practice and knowledge development.



## Conclusion

The Siem Smun'eem Indigenous Child Wellbeing Research Network is inundated by requests for information and training related to permanency planning and custom adoptions. The two-day custom adoptions forum enabled knowledge-sharing and mentoring among a diverse group of key players who have a vested interest in customary cultural care for Indigenous children. It is our hope that such initiatives will increase the capacity of diverse Indigenous communities to develop their own custom adoptions research, policies and services. Currently, less than a handful of BC delegated Aboriginal agencies are delegated or in the process of seeking delegation for adoptions. Additionally, current provincial adoption policies do not fully integrate the custom and cultural practices of distinct Aboriginal communities, even though such practices would strengthen the provision of adoption services by making them more culturally-relevant and community-centered. In this context, di Tomasso, de Finney and Grzybowski (2012) stress that the practices and traditions of custom adoption that have always existed in distinct communities need to be recentered:

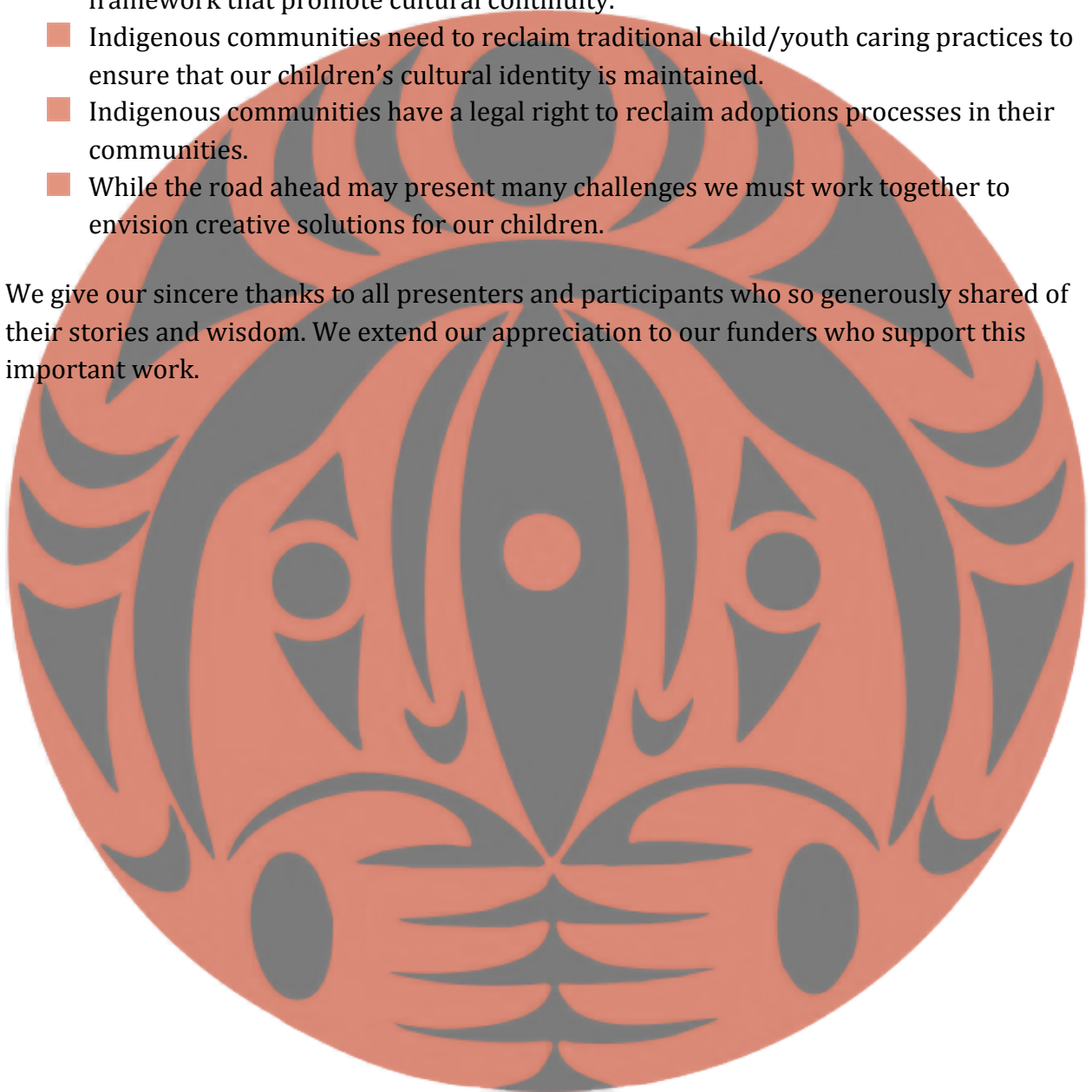
This entails honouring and reinvigorating ancient traditions as well as addressing the new challenges inherent to balancing provincial and federal policies with First Peoples self-determination, governance, and traditions of caretaking. These tensions and complexities are at the heart of conversations about customs adoptions, and need to be explored - particularly given the paucity of information and existing research on this topic.

The forum enabled the documentation of diverse custom adoption practices and perspectives to ensure that adoptions support the cultural safety, continuity and wellbeing of Indigenous children, families, communities and Nations. Our conversations generated a

strong consensus and a commitment to future action. Key messages from presenters and participants included:

- Closed and culturally-disconnected adoptions have been a destructive force in Indigenous communities, yet they continue to happen despite policies and practice framework that promote cultural continuity.
- Indigenous communities need to reclaim traditional child/youth caring practices to ensure that our children's cultural identity is maintained.
- Indigenous communities have a legal right to reclaim adoptions processes in their communities.
- While the road ahead may present many challenges we must work together to envision creative solutions for our children.

We give our sincere thanks to all presenters and participants who so generously shared of their stories and wisdom. We extend our appreciation to our funders who support this important work.





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