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**CHILDREN AND YOUTH:
REALIZING POTENTIAL**

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INTRODUCTION

Children are a special gift of the Creator. An individual child is not owned by the parents – but borrowed for a time to be in the physical world and live as an integral part of creation. A new child has been given many “gifts” by the Creator. These are interpreted differently by Aboriginal nations – but they are generally known as humility, respect, compassion, courage, truth, wisdom and love. These gifts provide guidance and strength to the child. How these gifts affect a child’s life will depend on the nurturing received in the child’s home and community. A stable loving and caring home will bring out these special attributes in the child. In turn, the child will help to make a future for his or her community. (Van Bibber, 1997)

The Grand Chief of the Assembly of First Nations, Phil Fontaine, spoke of the ability of First Nations to care for their children as critical to future prosperity. No issue is more fundamental than care of children. He challenged all levels of government to work with First Nations to create change. Chief Fontaine also challenged everyone to take every opportunity to lift our young people up, to celebrate the successes and provide them with hope for the future. (Address to National Therapeutic Care Conference, Saskatoon, Nov. 2003.)

First Nations and Metis children and youth are fully aware of their circumstances. They are bombarded with negative images and statistics. They are subjected to racism. Many know the impact living in poverty with families in crisis has on their nutrition, their school attendance, their involvement in sports and cultural activities, and their general well-being.

These children and youth do not need to hear about barriers to success but rather of their future potential. It is up to those that lead and govern to ensure that opportunities are provided. In spite of barriers in their path, many First Nations and Metis youth excel. Their resilience and success often go unrecognized.

Let us celebrate the successes of our children and youth. The following is one young person’s story that provides an example of the capacity of youth to surpass barriers.

It has been a long hard road trying to rebuild my life and put together the pieces that were broken. I was in the sex trade as a teenager, went through abuse, trauma, loneliness, addiction and fear. I had so much fear and believed that I wasn’t worth living.

Children in this report refers to those under 12.
Youth refers to those under 18.



I wanted to leave the streets because I was getting sick of the abuse that I had to endure each day. I wanted to change my life but I didn't know how to start rebuilding my life or who I can talk to about my problems. I had so much fear and shame that it was hard to quit using drugs and leave my street life, friends and family.

One day I decided that I was going back to school, start attending NA and AA meetings to try to sober myself up. It was hard to try to stay clean without going back to the street life and to adjust to new changes in my life. I was trying my best to do everything on my own but it didn't work.

Sometimes I would return back to the drugs and working, but one day I saw that my younger sister was affected by seeing me work all the time and told me to stop because it was drawing her to the street life. I knew that I had to change my lifestyle and try to quit everything that was destroying my life. I didn't have much support from my family and didn't know where to find help in the community. So I went back to high school and tried my best to stay in school but it was very hard. I didn't have much understanding from people and they didn't understand what I was going through (depression, panic attacks, nightmares, stress, cravings, etc.).

I wanted to find inner peace and a way to live a sober and clean lifestyle. I wanted to find a way to love myself and gain respect for myself as well. Slowly my life started to change and each day got easier. I was learning to trust the world again. I was raising myself to be an adult and didn't have much guidance from anyone except my sister. I started to forgive the people who used me and hurt me in the past. I learned how to go on with my life even when it came to people who didn't support me.

I was really weak but I learned how to be strong and even when it came to people who would put me down and call me names. One day I was counting people in my life that really cared and loved me. It was only six people including myself that I knew cared about me. So I told myself that "I can love myself" even though I didn't have many friends or support from anyone else.

Soon the positive changes in my life started to take me places, I started to have more friends that were nice and started to feel more comfortable with the new world I was living in. I had to learn how to love myself and try to fill in the big lonely void in my life. I think what helped me the most was having hope and believing that there was something that was taking care of me. (Youth's story published in *Exit Routes*)



The Commission's vision is a society in which all children and youth feel they belong and are heard, where they are valued and included. The ideal society places the needs of children and youth first and provides opportunity for their contribution in decisions being made about them. The challenge for all levels of government is to build safe and secure communities for First Nations and Metis children and youth.

BACKGROUND

Saskatchewan's youth population is the highest and the youngest, proportionately, in Canada.

- First Nations and Metis people represent 13.3 per cent of the total population in Saskatchewan. The median age of the First Nations and Metis population in Saskatchewan is 20.1, meaning that half are under the age of 20.1 years compared with 38.8 years as the median age for non-Aboriginal people in Saskatchewan. (See Chapter 9 - Aboriginal Justice in Saskatchewan 2002-2021: The Benefits of Change).
- The Prince Albert Grand Council reports 59 per cent of its population is under 25. (Annual Report, 2003)
- In the provincial constituencies of Athabasca and Cumberland the percentage of children and youth under the age of 20 is 49 per cent and 46 per cent, respectively. (Government of Saskatchewan)
- In La Loche, of the 1,400 band members living on the Clearwater River Dene Nation, 70 per cent are under the age of 18.

This population is the foundation for future policy development.

Increased Imprisonment of First Nation and Metis Youth

As the population of First Nations and Metis children and youth increases, so does their numbers appearing before the courts. Saskatchewan has the highest provincial rate of cases brought before youth court in Canada and the highest provincial youth incarceration rate. (Saskatchewan Justice and Corrections and Public Safety, April 2004)

The rate of youths charged in Saskatchewan is more than double the Canadian rate. (Statistics Canada, 2004)

As a nation, Canadians treat our troubled and troubling children with harshness that adults throughout the Western world would find extreme and unnecessary. Yet we tell ourselves that we are among the most lenient. (McCrae, 2000).

For some time there has been a zero tolerance policy toward adolescent antisocial behaviour. This policy resulted in the criminalization of youth. Society can adopt different responses to youth behaviour. First Nations and Metis youths' antisocial

The Past 10 Years

1. Increased population of First Nations and Metis children and youth.
2. Increased imprisonment of First Nations and Metis youth.
3. Increase of First Nations children and youth in the child welfare system.
4. Unacceptable level of First Nations and Metis children living in poverty.
5. Increased alcohol and substance abuse by youth.
6. Increased physical and sexual violence.
7. Increased school dropout rate.
8. Increased youth unemployment.

In April 2002, there were 342 youth in custody; in April 2003 there were 260, a decrease of 21 per cent. (Corrections & Public Safety, January 2004)



behaviour can be assessed by their community, based on their own traditions – the traditions of healing and restoring harmony. If the community is given the power and authority to create its own responses, youth will be transformed into responsible members. Communities, Elders, and youth themselves want to be held accountable by those that know them and their circumstances.

The *Youth Criminal Justice Act* came into effect on April 1, 2003. The Commission remains optimistic about the potential of the *Youth Criminal Justice Act* to be a mechanism for returning justice to communities. Since the enactment of the *Youth Criminal Justice Act*, there has been a drop in the number of youth being brought before youth court and in the number sentenced to young offender facilities. The young offender facilities are currently operating at approximately two-thirds capacity. There has been a reduction in the number of youth in both open and secure custody facilities. There has been no reduction in the number of youth remanded to custody awaiting trial. It is important to find out the reasons for this.

Recommendation 8.1

This Commission recommends that the Government of Saskatchewan initiate a study to determine the reasons for the high number of First Nations and Metis youth remanded to custody followed by a strategy to reduce these numbers by March 31, 2005.

Saskatchewan reported a wide use of alternative measures before the *Youth Criminal Justice Act* came into effect and their use remains high. The Commission was told that alternative measures do not explain the decrease in custody numbers. If the *Youth Criminal Justice Act* is to deliver on its potential, and these youth are to fulfil their potential, they must receive the community interventions to deal with their multiple needs. Funds must be diverted from the criminal justice system, corrections in particular, to community-based programs to ensure justice is returned to, and sustained in, the community.

The Commission heard there simply are not enough resources to deal with the needs of offenders affected by fetal alcohol spectrum disorders (FASD). Her Honour M.E. Turpel-Lafond wrote:

The stark reality is that without community resources and support for M.B. and others in his circumstances, the fall back will be to use custodial facilities in substitution for therapeutic supports. The YCJA implores us to consider special needs (s.3) and to investigate the reasons and background circumstances behind offending behaviour. Here, we have a very good sense of the underlying causes of M.B.'s behaviour: his FASD and traumatic background. Yet, there is nothing to offer him and the expectation that he change first before something can be offered. When things do not work out for him, even when little supports are provided, we then attribute full responsibility to this youth. Is he failing society's expectation or are we failing him by expecting too much in light of his FASD diagnosis?
(R. v. M.B.#2, [2003] SKPC 133)

A previous chapter (Chapter 2) discusses fetal alcohol spectrum disorders and recommends a strategy of education, prevention, assessment, intervention and lifelong services. A further comprehensive study on FASD is in Volume 2 entitled *Fetal Alcohol Spectrum Disorders and the Justice System* by Rae Mitten.

The Commission believes mental health services available to children and youth in Saskatchewan are inadequate. According to Saskatchewan Health, mental health services in the province treat 4,500 children and adolescents annually or approximately two per cent of the population. A British Columbia study by Waddell & Shepherd in 2002 estimated the mental disorders among children and youth to be about 15 per cent. Saskatchewan has a higher than average population of young First Nations and Metis, who have special needs due to conditions in which they live, as well as, in many cases, suffering from the effects of prenatal exposure to alcohol and from other mental disorders.

In April 2004, the Children's Advocate released a report *It's Time for a Plan for Children's Mental Health* that addressed the lack of mental health services to children and youth in Saskatchewan.

Recommendation 8.2

This Commission recommends that the Government of Saskatchewan develop a mental health services plan to prevent and treat mental disorders among children and youth not involved in the youth justice system.

Female young offenders present special challenges. However, little is known about female youth offenders, according to Carrado, Odgers & Cohen in the *Canadian Journal of Criminology and Criminal Justice*. Less is known about First Nations and Metis female youth in conflict with the law. Female offenders often come from "homes of severe family dysfunction, the victim of both physical and sexual abuse, and is an extremely high drug user."

Young women residing in poverty-ridden and violent communities face the greatest challenges of growing up optimally. Structural inequity and institutional racism impede girls of marginalized backgrounds from obtaining quality educations and employment, accessing resources, and developing positive life choices. Lack of opportunity increases despair and the possibility of engaging in self-destructive delinquent activities; this is true especially for girls who reside in communities where crime and gang violence are prevalent. (National Crime Prevention Strategy, 1995b)

Evidence shows many family factors predict future antisocial behaviour. According to Farrington & Coid in *Early Prevention of Adult Antisocial Behaviour*, these are: criminal parents; inconsistent or abusive parents; cold or rejecting parents; poor parental supervision; little parental involvement; separation or divorce and parental conflict, and the socioeconomic factors previously

A copy of this report can be obtained from http://www.saskcao.ca/adult/links_and_publications_sub2.html



discussed. The Ontario Child Health Study reported that the major factors that prevent bad conduct are: getting along well with others, good academic performance and taking part in organized activities.

We have to heal the family as a unit not just the child. But the thing is if they come back to a home that is broken, a home that is hurting, a home that is dysfunctional, that child hasn't got a whole lot of hope unless they have got some other programs that they can fall back on that they can have to help them grow. (Speaker, MN-S Eastern Region Community Dialogue)

Prevention strategies that focus on early intervention, education, recreation and strengthening children, families and community will assist in returning justice to the community. Communities must be given the responsibility, authority and resources to deal with youth in conflict with the law.

Increase of First Nation and Metis Children and Youth in the Child Welfare System

First Nations and Metis children are significantly over-represented in the child welfare system. According to the 2002 annual report of the Children's Advocate, Saskatchewan had an increase in the number of children in care over the previous five years. On March 31, 1999, there were 3,030 children in care in Saskatchewan and another 179 were provided services by 10 First Nations Child and Family Services agencies. As of March 31, 2003, there were 3,303 children in the care of Social Services (now Community Resources and Employment) and another 1,089 provided services by one of 76 First Nations Child and Family Services agencies. While this increase is significant, it must be noted that during this same period, the number of First Nations Child and Family Services agencies providing services on reserves also increased. The need to bring children into care must be reversed if we are to reduce the number of youth entering the youth justice system. Strategies for preventing the cycle from continuing are provided in Chapter 2.

Reversing this trend should not mean that those children and youth in need of protection be denied the safety to which they are entitled. The need to ensure children are safe is, in the long term, the ability of a family to care for children in a safe community. Children's safety must always come first but the benefits of belonging to a family and community can not be overlooked.

Concerns were raised about children and youth in the child welfare system. The Saskatchewan Youth in Care and Custody Network is a support group for these youth, and presented the following recommendations to the Commission to improve services to children and youth in care:

- a) **Have "nine to five" social workers look at the schedule and be available for different hours of the day [a sentiment also expressed by numerous youth activity centres].**

Information on the Children's Advocate office can be found at <http://www.saskcao.ca>



b) Keep the line of communication open between schools, departments and workers; otherwise, use advocates.

c) Consistency is important for a positive youth worker-youth relationship. Do not transfer files to different workers. Do not move youth to different places unless absolutely necessary.

There may always be children who need to be placed outside of their homes. These children are the most vulnerable. They must be heard and their care must be planned and safe. This Commission is recommending the establishment of a Children's Advocate for Canada's First Nations and Metis children to ensure awareness of rights and responsibilities and the services to which they are entitled. (See recommendation 8.8.)

An example of returning justice to the community as well as respecting Aboriginal culture and traditions was shown in a Family Court decision by Madam Justice M.E. Wright (*J.D. (Re)*, [2003] SKQB 309).

Justice Wright adopted *Opikinawasowin* as a means of dealing with child protection. An *Opikinawasowin* requires the family, the extended family and others from the community to appear before a council of Elders who are regarded as the "guardians of society's history and the repository of its collective wisdom." (Jackson, 1992)

Justice Wright ordered that "information pertaining to the protection of these children is to be presented for alternative dispute resolution at an *Opikinawasowin*, in a manner respectful of Aboriginal custom and tradition." Saskatchewan Justice was ordered to "arrange for three traditional Elders from across the province to form a council of Elders that will preside over the *Opikinawasowin*."

Justice Wright found that this traditional concept of justice has the potential to deal with child protection problems in a way that is more responsive to the needs of First Nation and Metis families appearing in Family Court. It is also more effective and legitimate, she felt. *Opikinawasowin* blends traditional culture while complying with legislation and is in the best interests of the child.

Unacceptable Level of First Nations and Metis Children Living in Poverty

The United Nations Human Development Index compares the quality of life in countries across the world. Canada tops the list. The index combines three factors – per capita income, educational levels and life expectancy. In 1998, Indian Affairs applied Indian-specific statistics to the index and found that among 173 countries ranked in the 1994 UN report, off-reserve Registered Indians came in about 35th and on-reserve Registered Indians about 63rd. Further, when broken down by province, Saskatchewan's on-reserve Registered Indians ranked lowest. This is unacceptable. (Anderssen, 1998)

Opikinawasowin is a Cree word, which means "the lifting up of the children" or "holding the children in high esteem," and is the name given by a Metis Elder and pipe carrier to a more traditional and culturally sensitive form of dispute resolution.



The Convention on the Rights of the Child was adopted by the General Assembly in 1989. It came into force in the following year. More information about it can be found at <http://www.sen.parl.gc.ca/lpearson/index-e.html>

Campaign 2000, an organization that issues annual report cards on the state of child poverty in Canada, reports that in 2000 a striking 41 per cent of Aboriginal children lived in poverty, compared to a national average rate of 19 per cent for all Canadian children. (Campaign 2000, 2003 Report Card). This situation was an improvement over 1994 when 52 per cent of Aboriginal children and 23 per cent of all Canadian children were classified as living in poverty (Campaign 2000, 2000 Report Card). It is also contrary to Article 27 of the Convention on the Rights of the Child (CRC). (See Appendix 12.)

Poverty is linked to lack of educational attainment, poor housing, substance abuse, lack of resources, and often broken homes. Many youth also fall into crime when they cannot afford to give their families the basics of life. They can steal for food, clothes, and even their rent money. (Speaker, Southern Plains Region Metis Development Corporation presentation)

The Saskatchewan Institute of Public Policy in *Profile of Aboriginal Children in Regina: Prospects and Challenges* says:

Poverty is, by and large, the most serious problem for Aboriginal families and their children. It affects not only the economic but also the social and physical well-being of children and youth.

Poverty contributes to many social problems including child mistreatment. Saskatchewan has reduced the number of children living in poverty. However, many families depending on financial assistance continue to live below the poverty line, according to the Community-University Institute for Social Research. (2003) Poverty leads to poor nutrition, which impairs children's health and learning capacity. Poverty also results in poor housing and limits participation in sport, culture and recreation. Poverty hinders a child's development.

Saskatchewan's teen birthrate for 15 to 19 year olds is the highest of the provinces and double the national average. Teen pregnancy increases the chance that mother and child will live in poverty, decreases the chance the mother will finish high school, and increases the chance that the mother will need social assistance.

A 2003 UNICEF report by Challifoux & Johnson says that lack of education among females leaves them "unable to contribute to positive change for themselves, their children or their communities." The report says that educating females reduces poverty and other health related concerns.

Aboriginal children are also significantly more likely to be members of a lone-parent family than non-Aboriginal children. In 1996, 32 per cent of Aboriginal children under 15 years of age lived in a lone-parent family, twice the rate

You can obtain more information on UNICEF and this report at www.unicef.org



in the non-Aboriginal population (16 per cent). In fact, in western cities like Winnipeg, Regina and Saskatoon, close to half of all Aboriginal children lived with a single parent. (Canadian Centre for Justice Statistics, 2001a)

So that young mothers can focus on education there is an immediate need for governments to provide parenting supports such as skill development and childcare. As well, increases in assistance payments to youthful parents and their children are needed.

Increased Alcohol and Substance Abuse by Youth

Throughout the dialogues the principal problem named by children and youth was alcohol. They were asked, "What would make a difference in your life?" They usually answered with negative comments about alcohol and the damage it is causing. They spoke of being neglected, abused, and being denied a healthy and safe life, all because of alcohol abuse.

Like at 11 years old there's these people that had just got out of jail who were in their late 20s, early 30s and as young as their early 20s, feeding me hootch and feeding me alcohol until the point where I got so messed up I didn't even know which way was which, and then I don't even remember how the night ended ... And to look back on it and to think that's seriously seriously seriously wrong. (Speaker, Street Culture Kidz Project Inc. Community Dialogue)

The Senate Standing Committee on Aboriginal Peoples reported that high levels of alcohol and substance use by youth influence their sexual practices and result in a high incidence of teen pregnancy. Many young women are giving birth to children affected with fetal alcohol spectrum disorders. There is also a rise in the number of cases of HIV/AIDS in those under the age of 30. First Nations and Metis people are over-represented. It is necessary to continue to educate First Nations and Metis youth about safe sex and the dangers of alcohol and substance abuse.

In 2001 there were 40 new diagnosis of HIV within the province, and 35 per cent of those cases were First Nations or Metis people. And over the last five years, of the new cases that have been identified, 46 per cent, on average, have been Aboriginal people. (Speaker, Saskatchewan Health presentation)

Alcohol and substance addiction among Saskatchewan youth aged 12-19 is double the national average, according to Saskatchewan Health. The Commission was told that services do exist; however, youth and those who assist them said that these services are not accessible. Accessible means available in a timely fashion, with no waiting list and in a youth's community where family can be involved. Services must also be respectful of culture. Alcohol and substance



abuse is an urgent issue facing youth and their communities in the North. Many communities especially in the North requested addictions treatment centres in the form of healing lodges and camps.

One youth spoke of being released from hospital following a drug overdose and being told she would be placed on a waiting list for an appointment with an addictions worker or could wait in the addictions office and hope for a cancellation. She did not wait and wound up back in hospital.

If you are going to consider an action plan for change, you do have to address the problems of alcohol and drug abuse. It is a rapidly growing problem. (Presentation to the Standing Senate Committee on Aboriginal Peoples, 2003)

The Senate Standing Committee on Aboriginal Peoples in 2003 said that the Regina Native Youth Treatment Centre was a best practice situation. The centre “provides long-term, 24-hour residential programming for Aboriginal youth in conflict between the ages of 11 years and 15 years ... There is spiritual and cultural input surrounding a strong educational and recreational component.”

Poundmaker’s Adolescent Treatment Centre, St. Paul’s Alberta, is another model for a comprehensive treatment program. It contains the following elements to change the lives of addicted young people:

- **Stopping drug consumption.**
- **Detoxifying clients from the addictive subculture by changing behaviour, thoughts and values.**
- **Socially integrating them into their families and communities.**
- **Dealing with their physical and mental health.**
- **Developing plans to prevent a relapse.**

In addition to addictions, there is a need to address parenting and domestic violence issues. (See Chapter 2 and Chapter 3.) The Commission recommends the development of community initiated and based lodges which include Elders and traditional healing that deal with whole families in addressing addictions, domestic violence and parenting issues.

There is an urgent need for more treatment resources specifically for youth. However, the answer to addiction requires not only prevention and treatment, but also strengthening the community.

Increased Physical and Sexual Violence

Addictions often result in family violence, which then poses a threat to the well-being, development and health of young people.

Poundmaker’s Adolescent Treatment Centre can be reached toll free at 1-866-645-1888.



Youth are more likely to be victimized and to become involved in criminal activity than any other age group in society. "In 1998, more than 52 per cent of the victims of youth crime were youth themselves," according to Prevention Magazine, Winter 2000 Edition. Victims tend to be other young people living in the same communities, attending the same schools. Offenders have, in many cases, been victimized in childhood. They often begin to victimize others, as they grow older. Chances of such individuals committing acts of violence are high, according to Elliott Currie in *Crime and Punishment in America*.

The Saskatchewan government in 1997 developed a plan to deal with the number of children in the sex trade. It focused on deterring offenders, healing victims, providing outreach to children and youth, and addressing the causes of the problem. A public information campaign was launched, and outreach and monitoring systems developed. A law enforcement policy was established, aimed at pimps and others who exploit children. This recognized that children are victims rather than offenders.

In March 2002 a comprehensive plan was aimed at eliminating exploitation of children and youth in the sex trade. It provided support and healing to victimized children and youth. A new law, the *Protection for Victims of Child Sexual Abuse and Exploitation Act*, offers new tools to protect children from sexual abuse and exploitation.

While the situation has improved, children and youth remain in the sex trade. More must be done to correct this.

Increased School Dropout Rate

In 2001, Aboriginal youth represented 22 per cent of school age children and 27.4 per cent of the pre-school population of Saskatchewan. By 2016, it is expected that 50 per cent of children entering the school system will be Aboriginal. (Saskatchewan Learning, 2003) It is important that these children and youth be kept in school. This will require building new relationships between schools and First Nations and Metis children, their families, their communities and their leadership, to create an environment that is caring and respectful.

In *Education in Canada: Raising the Standard*, Statistics Canada reports that between 1996 and 2001 the number of Aboriginal youth reaching this level increased from 21 to 23 per cent in Canada. Approximately 50 per cent of self-declared Aboriginal students who reach Grade 10 go on to complete Grade 12. The comparable rate for all students in Grade 10 who go on to complete Grade 12 is closer to 80 per cent, according to Saskatchewan Learning (2003).

During the Commission dialogues, police and others referred to the dropout population as the most "at risk" of engaging in criminal behaviour. An unknown number of First Nations and Metis children are not attending school. Many are youth who have disengaged from the mainstream school system at an early age. The School^{Plus} report refers to these children and youth as "hidden youth." The Saskatchewan government has agreed to tackle this problem with "a new student

According to Statistics Canada, the odds of youth 15-24 being victims of violent crime are 9 times greater than those 55 and over.



data system with the capacity to identify and track student enrolment, movement and retention," according to the report *Securing Saskatchewan's Future, the Provincial Response – Role of the School Task Force Final Report* (Government of Saskatchewan 2002).

Kids don't stay away from school for no reason. (*Kids Not in School, Making Connections ...*)

A plan is immediately needed to reconnect these children and youth to school. It must involve families and communities stressing the importance of education both for the youth and for the future of the community. While one outcome is preventing criminal behaviour, the far more pressing need is to provide these children and youth with a future, and a chance to reach their potential. Engaging these children and youth to stay in school will require creativity.

Sharon Fyke, project coordinator for Kids Not in School in Saskatoon, says:

Flexibility is essential as we reach out to disconnected youth. We need to be receptive to ways of inviting young people to learn. By validating community programs which are already engaging youth in a meaningful experience, we open the door to an expanded vision of what school might look like. One credit may not seem like much, but for a youth who has become disconnected from school, that one credit can be a positive step forward serving to connect him or her to the mainstream.

This type of response fits within the School^{Plus} vision.

Other programs using mentors and role models have been successful. Mentoring can be between adults and youth, between youth, and between youth and children. Programs have a positive effect on education and family, and reduce criminal activity. (Green & Healy, 2003). Big Brothers and Big Sisters are two well-documented successes.

In the next decade, provincial labour shortages will mean jobs for First Nations and Metis workers if they have the education and skills. This demands new ways of teaching and engaging First Nations and Metis youth.

Barriers to educational success are: difficulties with peers, drugs and alcohol, truancy, fighting and sexuality. Some First Nations and Metis students have difficulty moving from Grade 8 to high school, and there are few jobs available for them as an alternative to education, according to the National Aboriginal Consultation Project.

This Commission believes that every child has a right to an education under international law, and First Nations Treaty rights. Every child also has a right to an education, according to Article 28, Section 1 of the Convention on the Rights of the Child. (See Appendix 12.)



Governments must ensure that children's right to education is not eroded by government policy. The Commission was told that funding increases for First Nation's post-secondary education has been "capped" at 2 per cent annually. As tuition rises, the number of students able to receive funds is reduced. A growing number of youth are trying to access a fixed amount of money. Therefore the proportion able to receive a financed post-secondary education is further reduced. Metis youth have no such funding. Declining support for post-secondary education amounts to a barrier to success.

While governments argue over their respective responsibilities, another generation of youth is denied access to those opportunities essential to creating a better life. (Standing Senate Committee on Aboriginal Peoples, 2003)

'Capped' refers to a fixed amount of funds not determined by need.

Recommendation 8.3

This Commission recommends that the Government of Canada meet its legal, fiscal and historical obligations to the education of First Nations people. This includes ensuring adequate funding for post secondary education and a commitment to engaging First Nations children and youth in achieving educational attainment both on and off-reserve.

In 2003, Saskatchewan Learning published a policy framework for Saskatchewan's pre-kindergarten to Grade 12 education called *Building Partnerships: First Nations and Metis Peoples and the Provincial Education System*. The Minister of Learning stated "my vision for the province is of a shared future – one that builds on the strengths of our existing institutions and traditions and ensures that they continue to achieve their intended functions, by fairly representing and serving all Saskatchewan people ... It is my strong belief that the continued success of our province lies with the transformation of the existing system to include, reflect and embrace the needs and voices of all our people." This Commission shares this vision and supports the direction taken.

The Commission heard of a number of innovative programs operating out of youth centres that attempt to reach disengaged youth. These programs did not have enough funding and were unable to offer children the required education. Youth in these programs understood the value of education, but few felt they would receive enough education to make a difference in their lives. They must have alternatives to education in formal institutions.

Recommendation 8.4

This Commission recommends that the partners in the Policy Framework for Saskatchewan's Education System develop and deliver education outside the traditional school system to those not presently attending school between the ages of 6 and 16. This will require identification of these children and youth and subsequently finding creative means of ensuring their right to an education is respected.



Aboriginal people who possess a university degree will most likely earn more than \$50,000 a year and experience an unemployment rate similar to that of the general population. (Brunnen, 2004)

Increased Youth Unemployment

The First Nations and Metis unemployment rate is much higher than the non-Aboriginal unemployment rate. The public and the private sectors need to “create more jobs for youth,” a Youth Justice Circle Event at Nutana Collegiate in Saskatoon told the Commission.

Youth have ideas about how this can be accomplished, and should be consulted. Youth suggest preparing for a job begins in elementary school. It is not enough to wait until they come of age to work. A work education plan would provide hope, skills and a vision for a prosperous future. Introducing job readiness, mentorship and school work programs to give youth the skills, work ethic and confidence to find jobs, are a few of the ideas suggested during the dialogues. They noted not all students are interested in university.

Ensuring Aboriginal youth are provided every opportunity to obtain the education and training needed to compete successfully in the labour market in one of Canada’s most important challenges. (Brunnen, 2004)

First Nations and Metis youth face a number of barriers in the labour market.

These do not stem from an unwillingness to participate in the labour force but rather from a lack of success in securing and retaining employment. (Brunnen, 2004)

YOUTH VOICES

The Commission met with First Nations and Metis youth across Saskatchewan in dialogues, at youth centres, in open and closed custody facilities and in schools. They told the Commission what they thought about the criminal justice system and suggested solutions. Some met independently and gave the Commission reports on a variety of topics. The Youth in Care and Custody Network focused on access to, and communication with, social workers. Experience tells them that the government acting as parent has in some cases “proven to be a direct cause of youth ending up in the justice system.” Issues they felt to be significant were services to children, children being removed from their families, youth with disabilities, the education system, children living in poverty, addictions and racism.

Metis youth expressed concern about youth facilities being centres to learn criminal behaviour, racial profiling and how they need to be valued. They also wanted to be included in decisions being made about them. They said that youth had promise, if given the opportunity.

At a workshop held at the Rabbit Lake Mine, youth from the North discussed four key areas in their lives: education, leadership, recreation and communities. These youth want change and want to be part of that change.



First Nations and Metis youth feel they are often feared and misunderstood. They sense the media's portrayal of them is the reason. The media often focus on a few youth that make wrong, but sensational, choices.

The youth reminded us that not all of them are in conflict with the law. There is a small group of persistent offenders responsible for the sensational news reports. Those in young offender facilities want to be united with their communities. They urged us not to give up on them. Many young people feel they have much to contribute and want to help make this world a better place.

Youth currently coming before youth court are usually First Nations or Metis and poor. They rarely attend school, are behind academically and may have a learning disability. They are more likely to have psychological disorders, and are more likely to suffer from depression. They are more prone to suicide and dangerous behaviour than the general youth population, according to Ross Gordon Green and Kearney F. Healy in their book *Tough on Kids: Rethinking Approaches to Youth Justice*.

Youth feel society views them as "the problem," while they want to be part of the solution. They want to be more involved, to make themselves heard. An example of this is the Provincial Youth Delegation's *Blueprint for Change* that asked government, community and the private sector to connect with youth and improve the high school system. They gave policy makers suggestions for change. For example, regarding the Kids Out of School issue, one proposal was to make schools more inviting and relevant to youth. Some recommendations focused on a new way of delivering education and a better understanding of student needs.

Voices for Change

We are people too! (Beauval Youth Justice Issues presentation to Commission)

The following is a summary of the "voices for change" the Commission heard through its dialogues, presentations and in-camera sessions with children and youth from across Saskatchewan. The Commission believes that for our children and youth to achieve a healthy, prosperous, just and safe Saskatchewan, they must be included and take part in the discussion. To be included their voices must be heard. The following is not an actual quote; however, the text was approved by a number of the youth and organizations that spoke to the Commission.

Teach us

Teach us about our First Nations and Metis culture and history.

We have much to learn from the Elders about our culture and about our people. We have much to teach the Elders about ourselves and our changing world. Together, we will

There are as many styles of learning as there are of teaching. It is important for teachers to remember and respect that. (Danny Anderson, Provincial Youth Delegation member)



learn in order to better understand our past, the present and the future. Most importantly, we will learn to better understand those things that define us as a people.
(Community Vitality Partnership, 2002)

Create opportunities for Elders to teach, "... re-establish the traditions, where we offer tobacco to the Elders and use the Round Dance as one example or one place to counsel the youth about respect, and counsel the members about our ways." (Battleford Community Dialogue) Youth expressed interest in events that bring themselves, adults and Elders together to share with each other. (Youth Justice Circle Event, Nutana Collegiate)

The Saskatchewan Youth in Care and Custody Network asked that more respect be given to the Elders for their ability to work with youth. The connection of youth and Elders is valued. We have limited access to Elders both in the community and in young offender facilities. Along with counsellors, there should be Elders available. The Elders agree. "We believe Aboriginal cultural programs are important and must include more active participation of Elders, ways of learning about other cultures and ... encourage a more contemporary and positive image of our Aboriginal culture." (Community Vitality Partnership, 2002)

Teach us respect and to be good parents. We "need to be taught respect" and this needs to be taught in our homes by our parents. The future is about having a family of our own and of giving our child(ren) a better life than we had. We need the support and guidance necessary to parent our children properly.

Lead Us

Listen up, you leadership out there, the mayor and council, the chiefs and councils, the recreational directors, quit leaving us behind. In your budgets every fiscal year what's at the very bottom of the list? Recreation, youth. Don't put us there. If you want to be proactive with us you put us second or third, do not put us down in fifteenth place.
(Speaker, La Ronge Community Dialogue)

Lead us by example. The leaders of today have the responsibility to demonstrate good governance. Youth spoke about leadership in a broad sense, not only about those in political offices but those who walk before us. Leaders are those in positions that make decisions on behalf of others, particularly youth. These are teachers, social workers, political leaders and others.

But the common goal is to try to make sure to develop our children to become leaders of our community and help raise them to be positive leaders in our community and become a role model within the community. (Speaker, Beauval Community Dialogue)

It starts at home, how you raise your children. A lot of us lost that ability, but I'm sure our Elders and our people at the local level could support each other in parenting skills. (Speaker, Beauval Community Dialogue)



Leadership is often indifferent to us. Transparency and accountability need to be present in leadership.

If we are expected to respect the law, the law must respect the youth and their needs. We are not born bad, we just learn how to behave from our leaders, our parents and our peers. (Speaker, Beauval Community Dialogue)

Good leadership and healthy role models among the leadership and by peers provide youth with the foundation for a bright tomorrow.

We can all work together to keep our kids developing within the communities and help them be the leaders in the future. (Speaker, Beauval Community Dialogue)

Include Us – Give Us Voice

Let us have a say in decisions that affect us. Let us take an active role in family, community and society. We are citizens of today's society and are able to make a valuable contribution to maintaining social order and teaching others cultural values.

Nobody listens to us, we don't have a voice. (Youth, Prince Albert Youth Outreach)

First Nations and Metis children today are a large and soon to be voting population with a powerful voice in the coming years. Leaders would do well to pay serious attention. We have been ignored and excluded from decisions that affect us.

It started a few years ago where the youth in the community wanted a greater voice. And what was happening in our Cree Nation, here they at that time started a youth chief and council. They have their own Election Act. They also select their own leaders. They have an age group. Those leaders have to uphold a certain lifestyle and they have to have certain ethics that they need to uphold as well. The youth are represented on every major board and committee in the community now, and all the major decisions that are happening in our community involve the youth. It is not just a young person who sits there [education committee] with a good idea. We have gone farther and say your input here is worth a vote. (Speaker, Montreal Lake Community Dialogue)

As youth, we have knowledge and experience with the system that we are willing to share. We want to help make things better for the future. But no one asks us.



A Child in Care

When a family experiences problems threatening the safety of some members, the children may be placed in out-of-home care or in the care of the minister. The minister then becomes their "parent."

We all agree that education is the key, in some cases it's the only hope these children have to have a better life. (Speaker, Regina Friendship Centre)

The way out of alcohol and poverty is education. It is true. It's education. (Speaker, Black Lake Community Dialogue)

You guys have done a lot of work for us, but you know what, that's not what we want. It's everybody up top talking about what the kids want instead of talking to the kids about what the kids want. (Speaker, Melfort Community Dialogue)

Let us contribute. Our participation promotes learning, increases a sense of belonging and serves to develop community through strengthening ties between generations. We see ourselves as able to be a part of our communities' healing and the designing of the future. We want to be consulted when policy is being developed that affects us.

We can help heal ourselves, youth can help other youth and youth can be mentors to other youth. Please hear our voices.

Educate Us

Everyone in our communities has a role to play in our education – parents, peers, students, teachers, mentors, leaders, grandparents, Elders and ourselves. (Community Vitality Partnership, 2002)

We understand the importance of education. We need the support of our families and communities to get an education. Leaders and parents must appreciate education and promote its benefits. The impact of residential schools is one reason for the lack of respect or appreciation for education.

Youth from the North and some from reserves expressed concern about the relevance and quality of their education. These youth see the need to be able to compete with the larger society. They want more math and sciences. They asked that new and creative means of delivering these subjects to isolated communities be explored. Schools must include youth in planning and in creating environments that encourage learning.

The Provincial Youth Delegation report *Blueprint for Change* calls on government, community leaders and the private sector to engage youth and improve high school education in Saskatchewan. It makes 15 recommendations that can be broken down into five areas: supports, extra-curricular activities, respect, school board involvement and school environment (safety, discrimination and communication). Student and parent involvement in developing policies is important for successful implementation of any education program, and will be particularly important in putting the School^{Plus} philosophy into effect.

Information about the law should be provided to all elementary students, especially in the First Nations and Metis communities, to increase understanding and respect for the law, the Metis Nations - Saskatchewan Youth Council, Inc. said in its presentation. Youth want to understand the system and know about the rights and responsibilities of being a member of society.

Employ Us

First Nations and Metis youth want to be able to get jobs and contribute to the economy. Programs that prepare youth for employment must begin before it is time to get a job. More opportunities to gain skills to get a job are wanted. Mentoring programs and learning on the job programs were two approaches suggested. Schools were seen as being able to offer employment skill development.

Youth in young offender facilities want to have jobs too. The staff at a youth facility said that when youth are able to get jobs, they do not return to the criminal justice system.

We do have a lot of kids who want to work, but they don't have any experience. So what we're trying to do is teach them ... teach them some kind of experience, also teach them that you can work for money, you don't have to go do a B&E or rob somebody or sell drugs in order to get money, you can actually work and get money. It's basically to teach them work ethic, work skills, build their self-esteem and keep them out of trouble. (Speaker, Fort Qu'Appelle Community Dialogue)

The Provincial Youth Delegation stated "businesses need to create unique vocational and educational opportunities for students to provide youth with applicable skills for the workplace (e.g. mentorship, job shadowing, entrepreneurship)."

Youth who had attended the Nisbet Youth Centre in Prince Albert supported the work-training program. The program partnered with the business community in developing and providing job-training activities in forestry, cooking and highway maintenance. These job skills led to employment after custody. (Nisbet Youth Centre was closed in March 2004.)

Believe in Us

Why is being locked up seen as the only answer?

When the first person that seems to have taken an interest in your well-being is a youth court Judge, "society has failed us," a youth told the Egadz dialogue in Saskatoon. Those with probation and social workers wanted a "worker that is understanding, caring and supportive," a youth told the Commission at the Beauval Community Dialogue.

We need to get to kids before they are 14 or 15; we need to get to them at 10 or something. We need to develop a passion for them. We need someone to spend time with him or her. The need for more opportunities and want to do something instead of drinking and drugs. When they are

If a person has a job, he can raise his family, feel good about himself, his family will be brought up, he'll look after himself and won't get in trouble with the law. (Speaker, Governance Roundtable)



older they will have more respect and know right from wrong. (Submission from Metis Family & Community Justice Services Inc.)

The way the system operates needs to change. What sense does it make locking us up for breaking a curfew, or for failing to appear when the court date is months after the offence? We often have no one to help us in organizing our lives, to assist us in remembering times, dates and places. A lot of youth appear before the courts alone with no family or community support. Youth need help to sort out the system.

Where do we go for help to say, okay, like how do I get through this system, what am I going to do? (Speaker, Beauval Community Dialogue)

The Central Urban Metis Federation Inc. suggested a justice liaison worker to help offenders and their families.

When we consider the challenges that Aboriginal youth face in Saskatchewan today and we think about how to overcome those challenges, it is important to note solutions aren't found in prison. In fact, prisons separate young people from many of their forces which can help them to keep ... take responsibility, re-connect to their families and move on. If there's one reform that deserves serious consideration, it is a massive shift from the temporary expensive Band-Aid solution of incarceration, to the restoration, healing, and connection that can take place in a young person's own community. (Speaker, Saskatchewan Youth in Care and Custody Network)

Youth expressed appreciation for a number of programs. Operation Help is one example of a positive response to youth sex trade workers that is innovative and non-traditional. It tries to provide an alternative to criminal prosecution. This project offers youth a team that cares and is willing to give them a chance to make good choices, according to Green and Healy (2003). Programs that build positive relationships between youth and police are encouraged.

Heal Us

If we need it, help us heal from the trauma of our childhood.

Entire family units, not just the youth in trouble, have to be involved in healing processes. (Speaker, Beauval Community Dialogue)

We may be victims of families in crisis. Often we do not belong to a community. We lack a culture with which we can identify. We are often both victims of crime and offenders. Often only the offending behaviour is seen. A number of youth have no vision of themselves in the future.

Mediation is a better process than the court process. It seems once youth enter the court system they're in the system for most of their young lives. By the time they're adults they're branded as repeat offenders. Mediation teaches youth there are other ways of dealing with conflict and they have the opportunity to learn how their actions have affected others. (Speaker, Beauval Community Dialogue)



We grow up and give up ... they figure that, well, this is my life and nobody cares about me ... they just don't feel like they have any hope and they just – they drift away. (Youth speaker, Fort Qu'Appelle Community Dialogue)

Establishing healing centres and cultural camps as alternatives to incarceration will keep the youth in the community and help heal the whole family.

I'd like to see, if possible, a healing lodge with natural surroundings, utilizing our traditions and culture. And also Elders, you know, to talk to these young people, to utilize the ceremonies that they use for healing. I think that would be more powerful in dealing with the healing that needs to happen. And it can also be utilized as a family retreat too. (Speaker, La Loche Community Dialogue)

Help our families heal from the effects of alcohol and drugs.

Number one, the alcohol and drugs that are in the communities, they'd [youth] like to see a stop with something like that. They didn't say how they'd like it done, but they would like to see a stop to that because the parents ... sometimes the kids actually choose to go to Dojack [young offender facility] rather than staying back home because they have to deal with the drugs and the alcohol of the parents. (Youth speaker, Cowessess First Nations Community Dialogue)

Help us by providing healthy activities in healthy communities.

Once a youth understands who they are as a First Nations or Metis person, they start to develop that sense of pride, that self-esteem, they live a healthy life, they can fight anything that comes their way. (Youth speaker, Saskatoon Town Hall Meeting)

Youth want to be involved and contribute to building a better community.

The way we look at it is that promoting a healthy lifestyle ... promotes self worth ... which is step one in promoting a healthy lifestyle and being a productive member of society no matter what culture you're from. (Speaker, Metis Nation – Saskatchewan Youth Council Inc. presentation)

Give Us Recreation

Recreation improves our self-esteem and self-confidence. Recreation is sport, art, music and culture. Recreation gives people a sense of value by making them feel a part of something positive and proud.

Don't be anxious to lay charges on us for trivial matters, give us a chance to go to mediation so we can have the opportunity to effect positive change in ourselves and in our community. (Speaker, Beauval Community Dialogue)



Someone had to have a place for them, a place for them to be where they can be happy. This is the dream that I have and I'm not going to quit talking about it until someone hears me. (Speaker, Sandy Bay Community Dialogue)

Good recreation brings people together, involves youth, leaders and community members in an interactive way, builds self-confidence and makes participants feel good about themselves. (Community Vitality Partnership, 2002)

Youth want a supportive place to go where they can tap into their interests, develop their talents and nurture their leadership abilities: a place where they are more than just a sum of their problems.

The Metis Nation – Saskatchewan Youth Council Inc. told about the Urban Multipurpose Aboriginal Youth Centres (UMAYC), designed, managed and implemented by First Nations and Metis people.

Throughout Saskatchewan we have had various UMAC centres, in Yorkton, North Battleford, Ile-a-la Crosse, and these centres, when they had them there...the crime rate, especially in North Battleford went down. (Speaker, Metis Nation – Saskatchewan Youth Council Inc. presentation)

The centres provide services that encourage school completion, increased participation in employment, skill development, career counselling and training. They also improve self-esteem, living skills and parenting. The results were increased participation in health, cultural and recreational programs and less participation in gangs, criminal activity, and alcohol and drug abuse.

The number of youth on the streets decreased and it was all because they had this tremendous individual to teach them about culture and heritage, to give them that pride, who took them off of the streets and gave them something to do. (Speaker, Metis Nation –Saskatchewan Youth Council Inc. presentation)

Recreation promotes healthy lifestyles through wholesome activities and “is a positive tool in community development” was a conclusion of the Community Vitality – Northern Saskatchewan Youth Workshop at Rabbit Lake Mine.

It's a proven factor ... that in all a good solid recreation system within a community will reduce a lot of these negative activities in the community ... And when you look around all over, and you look at the leaders in the community, their background is recreation. (Speaker, Beauval Community Dialogue)



A MESSAGE FROM YOUTH TO YOUTH

Try something new that you wouldn't think of trying. It will help you to grow. Don't listen to what people might think negative or bad about you because you are not. Be strong and recovery takes time to happen. In time your life would change for the better, you give yourself a chance to grow and see another side of life. Trust me it does work.
(Saskatoon Communities For Children Canada, 2003)

You can be the change that is needed by making good choices. Every person can make a difference by starting with oneself. Here are some ideas of where you can start.

- Be a role model building on traditional laws, values and spirituality.
- Support and learn alternative ways to settle conflict.
- Take peer-to-peer training to support and help vulnerable or at risk youth who are not part of mainstream society.
- Provide support and model values that show others there is another way.
- Help stop the cycle of violence by reaching out for help and being responsible for your actions.
- Connect with an Elder and learn your history.
- Ask for help.

PLAYING TOGETHER

We need a society that plays together. (Speaker, Saskatchewan Culture, Youth and Recreation presentation)

Social barriers facing First Nations and Metis youth can be dealt with in play and by cross-cultural activities. When people come together for play, they share culture, talents and traditions.

As a community we built a beautiful school and spent an extra \$800,000 to build a beautiful gym. But when four o'clock comes, the building shuts down and the volunteers from the staff and community just aren't there. So the youth have nothing to do, they are going to get into mischief.
(Speaker, Beardy's Community Dialogue)

These organizations may be able to help you:
National Youth in Care
Network 1-800-790-7074
Kids Help Phone
1-800-668-6868
Children's Advocate
1-800-322-7221



Recreation develops social behaviour. Involvement in sport, culture and recreation gives youth basic skills for success. Play provides opportunity to develop leadership and social skills.

We need more recreation because boredom is the number one issue affecting the whole North. Kids that are bored will get into trouble. Living in the North has advantages but also has many, many disadvantages, such as lack of recreational facilities, structured programming. (Speaker, Beauval Community Dialogue)

It is necessary to find opportunities for children and youth to improve their social development and become the best that they can be.

I believe that if we bring our communities closer together by talking, working and learning from one another, then hopefully it's not going to happen over night, but hopefully in the years to come the justice system will change, attitudes will change, communities will become closer together and when they become closer to each other we all learn from one another. We learn the spirituality, the religions, the cultures and with that we can only become a stronger community and maybe together we can all work to do something in this regard with the young offenders. (Speaker, Cote First Nation Community Dialogue)

Holistic and Integrated Service Delivery

The Commission's third Interim Report recommended "that integrated case management becomes an integral part of the service delivery of every human service department or agency of the Government of Saskatchewan."

In response to the demand for a holistic integrated approach to human service delivery, the Assistant Deputy Ministers' Forum on Human Services was formed in 1994 in Saskatchewan. In 1999 it was renamed the Human Services Integration Forum (HSIF). The forum is made up of seven provincial government departments and the Executive Council. The HSIF approved the creation of nine intersectoral committee (RIC) coordinator positions. The purpose of the RIC is to further the regional services integration agenda associated with community development functions as advanced by the HSIF Forum. The Commission was encouraged by its presentation:

Service integration, we think, requires a permanent shift in thinking. It's not a flavour of the month response. It really means that people have to think differently about the relationships between services. But there is a powerful mechanism for meeting challenges, particularly if challenges are complex. Where people have simple, direct



problems, they tend to be solved by one agency and they go away, but where issues' needs are complex we need to work together.

And the last point about service integration in terms of what the literature really tells us is, we have to forge linkages between individuals who work with people; that you can't actually work together with people that you don't know, and those linkages need to be forged at the community level as well.

Throughout the dialogues it became apparent that this policy is little known, understood or applied. The Children's Advocate, in a review of child deaths, has repeatedly recommended integrated case management for children's services. In her report, released in December 2003, progress is noted. Service providers acknowledge "that every child or youth could benefit from integrated case management" and that "more work needs to be done."

Youth and people speaking on their behalf told the Commission that youth are often sent from one service provider to another. This makes it difficult for them to establish a relationship with any one provider. The result is frustration and the youth giving up. We suggest that one service centre with one case manager per child or youth be created. This was referred to as "one stop" shopping.

The Promise of School^{Plus}

Schools are key to an interagency network serving the needs of all children, youth and families. The importance of community based schools was recognized at the Commission's Roundtable on Restorative Justice:

Getting an interrelated community giving information to the schools who work with the kids, sharing knowledge and resources and recognizing all of the people who are part of the community, recognizing that we're all part of the community...

We're advocating the community school approach, taking that route. Focusing on the children, and realizing that if we are going to focus on the children we have to focus on the parenting they receive, it comes down to prevention. Stop starting new programs and build on the existing successful ones.

School^{Plus} provides a philosophical base for combining learning with support services. The final report to the minister of education of the task force and public dialogue on the *Role of the School* states:

Schools as we know them were never designed to meet the needs of the whole child. As our province moves into a critical juncture of its history, however, and when full cognizance is taken of the diverse needs of children and

There needs to be interagency approaches to addressing issues, a holistic approach, which is all-inclusive. The government needs to empower departments to allow them the freedom to address local issues. Don't allow the provincial policies to dictate and prevail. (Speaker, Beauval Community Dialogue)

Goals of School^{Plus}

1. All Saskatchewan children and youth have access to the supports they need for school and life success.
 2. Shared responsibility for the well-being and education of children and youth.
 3. A harmonious and shared future with Aboriginal peoples.
 4. High quality services and supports linked to schools at the community level.
 5. Strengthened capacity within the provincial education system and high quality learning programs.
- (Saskatchewan Learning 2004)



youth, it becomes clear that a radically new approach must be taken to meeting their needs. School^{Plus} is not, therefore, school as we know it today with more added on; School^{Plus} is, instead, intended to be an altogether new organizational environment for meeting the needs of children and youth.

School^{Plus}, once fully developed, will be a matrix organization that will draw all of its resources from existing governmental and non-governmental agencies, but it will coordinate and integrate those resources in relation to the needs of children and youth. This kind of articulation is just not possible in the current administrative structure where discrete “stove pipes” are the conduits for service. Cooperation and collaboration are possible, of course, but there are limits beyond which only a more fundamental reform can take us. (Tymchak, 2001)

The task force recommended that all services to children and youth be delivered in an integrated environment linked to the school. It also recognized the importance of allowing that environment to be defined at the local level.

That the Government of Saskatchewan authorize the principle that all services to children and youth in the province shall be delivered in a truly integrated environment that is school-linked and, where possible and feasible, school-based. (Tymchak, 2001)

This does not mean that human services move their offices into schools. It does mean that in practice, human services offered to children and youth will be linked to one service provider delivered out of school through integrated service delivery mechanisms.

The final report of the Minister’s National Working Group on Education (INAC) commented:

A healthy education system or program relies on the active participation of parents and the community. Parental leadership in First Nations education for both on and off reserve students is an essential element to a healthy education system. Parental and community involvement in First Nations education has neither received the proper attention from federal, provincial and territorial authorities nor the resources to facilitate it, despite the policy being recognized and adopted by the federal government in 1973 when it accepted the policy of “Indian Control of Indian Education.”

Final Report of the
Minister’s National
Working Group on
Education – *Our Children*
– *Keepers of the Sacred*
Knowledge (December
2002) can be located at
[www.ainc-
inac.gc.ca/ps/edu/finre/bac_e
.html](http://www.ainc-inac.gc.ca/ps/edu/finre/bac_e.html)



This Commission understands that there must be significant change within schools, across human service agencies, and in families and communities if School^{Plus} is to become a reality. A School^{Plus} indicator framework is being developed to monitor the extent of progress.

What we really need to face is that schools have two jobs. First and foremost, the traditional job is to educate children and youth, but also to act as centres of support to service delivery. They have to be prepared to address social, health, recreation, justice and other issues in children's and families' lives if children are going to be successful.
(Speaker, Human Services Integrated Forum Meeting)

Recommendation 8.5

This Commission endorses the direction of School^{Plus} but is concerned that without resources and a collaborative approach, School^{Plus} will not succeed. Therefore, it is recommended that the Government of Saskatchewan ensure that School^{Plus} is a priority and fully resourced.

Urbanization

Fifty per cent of Saskatchewan First Nations and Metis youth live in towns and cities. In the two years before being placed in custody, 56 per cent of First Nations and Metis youth lived in a city, 22 per cent lived in a town and 21 per cent lived on a reserve, according to Justice Canada. The changing distribution presents new problems in terms of needs and jurisdiction. Recognizing this, the Senate Standing Committee on Aboriginal Peoples created a plan to support the social, cultural and economic well-being of Aboriginal youth living in towns and cities. It is called *Urban Aboriginal Youth: An Action Plan for Change*.

The Senate Standing Committee on Aboriginal Peoples report notes that the city youth population is mobile and this adds to the already major problem of delivering such things as health care, housing, social services, training and education. In changing to city life, First Nations and Metis youth may "experience a profound sense of cultural dislocation and powerlessness upon arrival," says the report. Many First Nations and Metis youth join gangs to substitute for lost community, connectedness and identity.

It was also reported that youth are "often entirely unaware of what programs and services are available to them, where to access services, or with whom to speak to get information about the supports available."

Recommendation 8.6

This Commission recommends that all urban municipalities consider the need for transitional or orientation programs for First Nation and Metis youth who move from reserve or rural areas to the urban centres.

The complete One-Day Snapshot of Aboriginal Youth in Custody is found at <http://canada.justice.gc.ca/en/ps/rs/rep/snapshot.pdf>



The *Report of the Royal Commission on Aboriginal Peoples* says:

Wrangling over jurisdiction has impeded urban Aboriginal people's access to services. Intergovernmental disputes, federal and provincial offloading, lack of program coordination, exclusion of municipal governments and urban Aboriginal groups from discussions and negotiations on policy and jurisdictional issues and confusion regarding the political representation of Aboriginal people in cities have all contributed to a situation that has had serious adverse effects on the ability of Aboriginal people to gain access to appropriate services in urban centres.

Profile of Aboriginal Children in Regina: Prospects and Challenges can be found in Volume 2 of this report.

The Saskatchewan Institute of Public Policy's *Profile of Aboriginal Children in Regina: Prospects and Challenges* is a statistical report on Aboriginal children in Regina. The report reveals many factors that can be applied to other Saskatchewan cities. It recommends "more and effective policies and initiatives aimed at helping Aboriginal children" in cities and more local understanding. We need to know about the "interaction between Aboriginal children and the educational system in areas such as attendance, mobility, performance, curriculum and classroom diversity. Health indicators such as: usage of mental health services, suicide rates, teen pregnancy, and malnutrition, point to a need to support single parents so that they are able to provide for their children." The Commission agrees there is a need for more local awareness and for control of services to be returned to First Nations and Metis people regardless of where the community exists. Further, the Commission recognizes that the role of government in providing services must shift. Responsibility must rest with the community.

Well measured and consistently collected indicators of child and family well-being provide a way to monitor the condition of children and families, today and over time. Such information can profoundly change the ways we think about important issues in our personal lives and in the life of the nation. (www.childtrends.org)

All levels of government should work together to improve the quality of life of First Nations and Metis children and youth. A measurement of child well-being needs to be created, particularly for First Nations and Metis children living in cities. This measurement will provide direction to policy makers. The measurement for 2004 will provide a standard to judge future efforts.

Recommendation 8.7

This Commission recommends that the Government of Canada consult with First Nations and Metis people to establish indicators of quality of life for 2004 for First Nations and Metis children in Saskatchewan's urban environments and that in 2009, these indicators be re-evaluated by investigating actions and initiatives undertaken to improve the quality of life of these children.



RESPONSIBILITIES AND RIGHTS

First Nations leaders wished to ensure a future for their children and their children's children and therefore signed the Treaties. First Nations history says, "It's all about the children." The Elders' traditional teachings speak about the responsibilities of caring for children. They speak of a code of practice that guides children through the various stages in their lives. They speak about the leadership and guidance of children and youth and the role the entire community plays in the development of a child.

You know, when a child is born, when they first cry out, when they have that little whack on the bum they cry, start crying, they're not only crying out, they're saying something. That's what they [Elders] said. What they [the children] say is "what I hold in my little hand is my future. I'm going to maintain that future, I'm going to protect that future." That's what you come in saying to this world. And that's another thing that we have to do us adults, it is our responsibility to help and guide that child that brings our future. (Elder speaking at Elders Dialogue)

First Nations and Metis children have often not been treated with respect and dignity by the systems that are supposed to care for them. They have been denied a range of services to which they are entitled. For example, when children are removed from their homes they are often denied access to their family and culture. When children are suspended from school, they are denied the right to an education. When children leave the reserve and move to a city, they may be denied access to medical care. When children are forced to live without money, without effective parenting and without supportive communities, they are denied healthy development, the National Action Plan says. When schools fail to provide youth with the skills to be employed they are denied economic prosperity. When youth do not have access to legal aid they are denied equal treatment before the law. When decisions are made about children and youth without including them they are denied proper participation in decision-making.

All children and youth have rights protected by Canadian law under the Charter of Rights and Freedoms and by international law under the United Nations Convention on the Rights of the Child. The Declaration on the Rights of Indigenous Peoples also protects the rights of the Indigenous child.

On November 20, 1989, the United Nations General Assembly promised certain things to children by adopting the UN Convention on the Rights of the Child. The convention, which Canada has signed, outlines the rights that children have as members of the human family. It recognizes that children, because of their vulnerability, need special care and protection. It places special emphasis on the primary caring and protective responsibility of the family, the need for legal and other protections, and the importance of respect for the cultural values of the child's community.

It's all about children
(Elder speaking at Elders' Dialogue)

Under the Convention on the Rights of the Child children have these rights, among others:

- Right to preserve his or her identity, including nationality, name and family relations.
- Right to have a voice, to express opinions and have them listened to.
- Right to be protected from all physical and mental violence, injury or abuse, neglect, sexual abuse, and sexual exploitation.
- Right not to be arbitrarily detained.
- Right to immediate access to legal assistance should he or she be detained by police for any reason.
- Right to proper nutrition and housing.
- Right to an education.
- Right to a full and decent life for all mentally or physically disabled children.
- Right to play.



There is an immediate need to create a means to monitor the federal government's responsibility for First Nations children and for the implementation of the Convention on the Rights of the Child to ensure that laws, procedures, authorities and institutions comply with it.

The UN General Assembly special session on children was held in 2002. Children from Canada and other countries around the world participated in the creation of a document called *A World Fit for Children*. Children took part in preliminary meetings, negotiations and as full delegates to this session. This was the first time that children were included in a meaningful manner. The document articulates a comprehensive vision for the world's children:

We stress our commitment to create a world fit for children in which sustainable human development, taking into account the best interests of the child, is founded on the principles of democracy, equality, non-discrimination, peace and social justice and the universality, indivisibility, interdependence and interrelatedness of all human rights including the right to development. (Preparatory Committee for the Special Session of the UN General Assembly on Children, 2001)

In response, Canada committed to a National Plan of Action for Children, especially for First Nations children under federal jurisdiction. Effective national legislation, policies and plans with resources must be created to fulfil and protect the rights and secure the well-being of children.

In October 2003, the Committee on the Rights of the Child, 34th session, stated that it "recommends that the state [Canada] establish at the federal level, an ombudsman's office responsible for children's rights and secure appropriate funding for its effective functioning." (The National Children's Alliance)

Recently, the UN Permanent Forum on Indigenous Issues, at its second session, focused on indigenous children and youth. The forum recommended "that UNICEF consider the appointment of a goodwill ambassador of indigenous children and youth to raise public awareness and that it urge all UNICEF ambassadors to pay attention to the specific problems of indigenous children and youth." (United Nations, 2003)

The Commission is aware that many services, especially to First Nations children, fall under federal jurisdiction. These children do not have an independent advocate to ensure they receive the services they are entitled to under the Treaties and by law. In Saskatchewan, there is the Children's Advocate Office. It is to promote the interests of Saskatchewan children and youth and ensure that the rights of children and youth are respected in our communities and by the provincial government. The Children's Advocate is directed to provide public education on the interests of children. The Children's Advocate reviews and investigates matters that come to their attention about services provided to a child or group of children by the provincial government and recommends

Saskatchewan's Children's Advocate has a website at www.saskcao.ca or call 1-800-322-7221

changes if necessary. Any person providing advocacy services to children and youth must have sufficient powers to deal on a more or less equal footing with various government departments or agencies and to recommend or create policies which would improve children's lives.

Recommendation 8.8

This Commission recommends that by April 1, 2005 the Government of Canada establish a Children's Advocate for Canada's First Nations and Metis children, reporting to Parliament, and accountable to First Nations and Metis people, with legislative authority to monitor and evaluate the impact of Canada's National Action Plan for Children, and be responsible to promote and protect the rights of First Nations and Metis children.

The Saskatchewan and Canadian governments, the Federation of Saskatchewan Indian Nations and the Metis Nation - Saskatchewan must make a long-term commitment to children and youth and show leadership in promoting youth rights and responsibilities. Immediate action can be taken to create opportunities for children and youth to be included in all decisions that affect their lives. A review of all current law, policy and practice to ensure that youth are included and treated with respect and dignity should begin immediately.

Recommendation 8.9

This Commission recommends that the governments of Canada and Saskatchewan, the Federation of Saskatchewan Indian Nations and the Metis Nation – Saskatchewan, in consultation with Saskatchewan's Children's Advocate, collectively review options to ensure that First Nations and Metis children, their families and their communities are afforded services and that advocacy services are provided in an accessible and culturally sensitive manner that respects their full human dignity.

This Commission believes action must be taken to make the most of the opportunity the First Nations and Metis child and youth population presents for Saskatchewan. Taking into account the province's demographics, unique geography, growing urbanization, and jurisdictional questions, the Commission recommends a plan of action built on the cornerstones of inclusion and holistic and integrated services. A sample of an action plan is provided in Appendix 13.

Recommendation 8.10

This Commission recommends that all governments transcend jurisdictions in the best interest of our children and our collective futures by creating a Declaration that addresses relationships between jurisdictions and creates long-term Saskatchewan First Nations and Metis Children and Youth Action Plans.



Recommendation 8.11

This Commission recommends that all Governments collaborate to sign a Declaration and create long-term Saskatchewan First Nations and Metis Children and Youth Action Plans that transcend all jurisdictions in the best interests of our children and our collective future.

And that the Declaration be signed addressing the relationships between jurisdictions. The Saskatchewan First Nations and Metis Children and Youth Action Plans must involve First Nations and Metis youth, and all levels of government to create holistic Action Plans that must include social and capital infrastructure projects.

These Action Plans are based on the principles of inclusion of First Nations and Metis children and youth, integrated services, involved communities and future focused.

Recommendation 8.12

This Commission recommends that the Implementation Commissioner be vested with the power and authority to monitor the development and implementation of the Saskatchewan First Nations and Metis Children and Youth Action Plans.

CONCLUSION

The Commission believes that justice must be returned to the community if we are to bring about long-term change. This requires a Declaration between jurisdictions to enable leadership to create plans that will ensure justice is returned to the community. The present youth justice system operates without meaning for the majority of young persons subjected to it. Community justice requires that a community become responsible for its children and youth, and makes children and youth feel they belong and have an investment in the future.

Policy makers and leaders must affirm the importance of family, peers, school and community in child and youth development. The first step is to reframe the way public policy is developed. Public policy must put the needs of children and youth first and then be viewed through a First Nations and Metis “lens.” Second, policy must be created that supports and strengthens family in order for family to effectively participate in any prevention, reintegration or justice activity. Third, all governments must engage in long term planning that takes into account the effect policy will have on children and youth.

This report calls for a Saskatchewan First Nations and Metis Children and Youth Declaration and Action Plans that transcend all jurisdictions in the best interests of our future. These plans are inclusive of children and youth, holistic and integrated, community based, community involved and future focused. Everyone can make a difference.