

Council of Parties

Second Public Report

Nova Scotia Home for Colored Children
Restorative Inquiry



Winter 2017/18

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About this Report

This public report is issued by the Council of Parties of the Nova Scotia Home for Colored Children Restorative Inquiry (RI). It is one of many public reporting opportunities that will be part of the work of the RI during its mandate. The Council of Parties is the collaborative commission that leads the Restorative Inquiry, appointed as “commissioners” under the Public Inquiries Act. The council is mandated to include representation from the groups most affected by and involved in the work of the Restorative Inquiry, including former residents, the Home for Colored Children, the African Nova Scotian community, and government.

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January 2018
ISBN: 978-1-55457-810-8



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1. INTRODUCTION AND CONTEXT

This report is the second update on the work of the Nova Scotia Home for Colored Children Restorative Inquiry (RI) produced by the Council of Parties, the commissioners who lead the RI.

The Restorative Inquiry has a mandate to examine the experiences of former residents within the Nova Scotia Home for Colored Children (the Home), and the context and circumstances surrounding those experiences, as part of the province's history and legacy of systemic and institutionalized racism. The mandate calls us to examine, in particular, what the Home experience reveals about how systemic racism affects African Nova Scotians both historically and currently.



The previous report, released in February 2017, highlighted the initial phase of the RI's work in building relationships with former Home residents, community partners, and government and public agencies. Building and maintaining relationships is the foundation of the

Restorative Inquiry. We are working from the foundational principle that developing healthy relationships to learn and act together is essential to meaningful change that can continue after the Inquiry ends. We are focused on examining and understanding the causes, contexts and circumstances of what happened at the Home to develop a deeper common understanding of why it happened and how it matters for the future.

Currently, we are in the second phase of the Restorative Inquiry. In this phase, we are working to strengthen these relationships as we deepen our learning and understanding together. This report outlines the central issues of focus that Council has identified based on learning from former residents and partners. We are currently deepening our understanding of these issues in preparation for the future phase of our work focused on planning and action.



2. CENTRAL ISSUES

The Council of Parties has identified three central issues that will structure the work ahead, in keeping with the Restorative Inquiry mandate. We have identified these issues through what we have heard and learned to date from former residents, partners in government and community, and through research. The central issues relate to the primary focus areas identified in the mandate: child welfare, justice, education and health. The mandate also requires us to examine how systemic racism affects these areas and beyond. The Council approaches each central issue with a concern to address harms and failures resulting from siloed or isolated systems and a narrow, individualistic view of people and their needs. This reflects our commitment to a relational analysis and approach to our work.

Council will focus its efforts on examining, understanding and addressing the following issues. Each is explained in further detail below.

- Responses to institutionalized abuse
- Experiences of children and youth in care of the Province
- Historic and ongoing impacts of systemic racism on African Nova Scotians

Responses to Institutionalized Abuse

Understanding the legacy of the Home requires more than simply knowing what happened to former residents under the Home's care. It requires examining the context in which the Home operated and the ways that people with various levels of connection, authority and responsibility did (and did not) respond to reported abuses. This includes responses within community and within public agencies such as the education, child welfare and justice systems. It also includes examining how former residents' needs and concerns were addressed both as children in care and as adults coming forward to seek justice.

Within the Restorative Inquiry, we will continue working with partners and conducting research to further examine these contexts and responses. Much of this work is already underway. The focus is not to lay blame for individual actions—or lack of action—but to understand and reflect on historic and contemporary responses to systemic abuse to help restore damaged relationships and prevent such conditions from occurring again.

Experiences of children and youth in care of the Province

The Restorative Inquiry will continue to examine the experience of children and youth within the care system in Nova Scotia. We will pay particular (but not exclusive) attention to the experiences of African Nova Scotian children, youth and families. The care system refers to the range of services and agencies responsible for meeting the needs of children and youth who have come into care, including but not limited to: child protection, education (including post-secondary education), the justice sector (including policing), and health. The work will focus on three key areas:

A) COMING INTO CARE – An examination of how children and families enter the care system. This includes paying attention to the reasons and conditions that result in children coming into care.

B) DURING CARE – A look at the experience of children and youth within the care system, including their experiences within institutional, foster and adoptive care.

C) TRANSITIONING OUT OF CARE – An examination of how children and youth exit the care system, with particular focus on how they receive preparation for adult life.

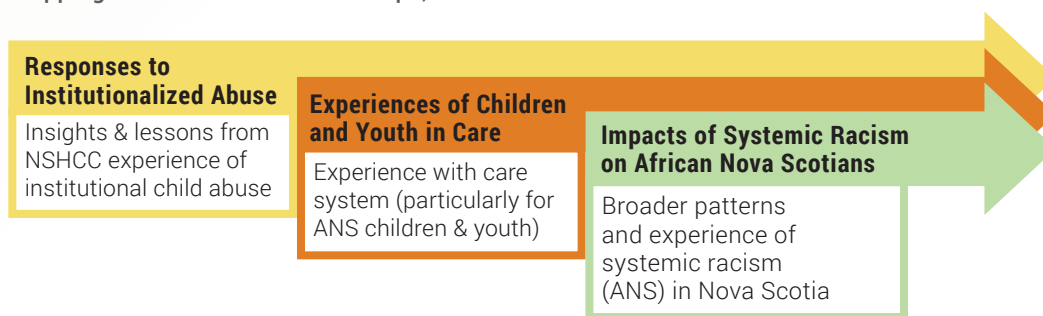
This work will examine how the relevant systems and services can work better in tandem with each other and with the communities they serve to meet the needs of vulnerable children and youth.

Historic and ongoing impacts of systemic racism on African Nova Scotians

Addressing the legacy of the Nova Scotia Home for Colored Children requires understanding and reckoning with the historic legacy of systemic racism as African Nova Scotians have experienced it for generations. This work also must examine the ways that systemic and institutional racism continue to surface in laws, policies, practices, and behaviours—both formal and informal—that have an ongoing harmful effect on African Nova Scotian people and communities. The previous Council of

Parties report (Winter 2017) outlined some of what we heard around the province about the ways that systemic racism continues to affect African Nova Scotians, especially in interactions with government and other public agencies. We will continue to work with partners to understand how systemic and institutional racism continues in the present, and to contribute in foundational and lasting ways to the work of long-term structural changes needed to create an equitable future.

Mapping central issues: relationships, interconnections & themes



The Central Issues feed into and serve as catalysts for one another. Examining the context of the Home and the responses to abuse informs our understanding of the current care system and the ways that the experiences and issues identified by former residents still require attention within the care system. This prompts a wider consideration of the broader impact of systemic racism directed toward African Nova Scotians and how this shows up across other systems and institutions.

All three central issues will be informed and framed by the experience of the Home and the lessons learned, and they all seek to make a difference for the future, yet they differ slightly in temporal focus. The response to institutionalized abuse is focused on examining, understanding and learning from the specific experience and response of systems, organizations and community to the Home in the past, while residents were in the Home and later as they sought redress for the harms they experienced. Examining the experiences of children and youth in care of the Province is focused on the present care system and understanding the ways that issues identified by former residents still require attention within the current (and future) care system. Understanding and addressing historic and ongoing impacts of systemic racism on African Nova Scotians, while necessarily rooted in both past and present experiences, is a critical lens necessary to create meaningful change for the future.

Common Threads

The Restorative Inquiry approaches this work with an understanding that the central issues are closely related and share common threads. Each issue requires examining how systems respond to the needs of vulnerable and marginalized citizens, while also understanding and addressing how race and racism influence those responses. The work is also focused on learning from the past and the present to create a better future.

Connected and Related Issues

In listening to and learning from former Home residents, African Nova Scotian community members, and government partners, the Council of Parties has a clear understanding that the identified central issues of the Restorative Inquiry are closely tied to a host of other issues and concerns identified by African Nova Scotian community members to the Restorative Inquiry and in many public spheres. These issues show up in different ways in different communities, but are rooted in the historic and ongoing legacy of systemic racism and its impact on African Nova Scotians. While we acknowledge the connections of these issues, we have intentionally focused on issues that the scope of the Restorative Inquiry mandate will allow us to reveal and address in order to lay the foundation for future change that can and must continue beyond the length of this process.

In keeping with our objectives “to model a restorative approach to conflict resolution” and “to create agenda and momentum for further learning and action on related issues of systemic racism that are revealed through the process,” the Council of Parties is mindful of the impact that the RI’s work may have in addressing racism into the future. While our work is necessarily narrow in scope, it is our hope that its potential impact and relevance will be broad in supporting further change.

The Restorative Inquiry has a stated goal of building just and respectful relationships that will “support collective ownership, shared responsibility and collaborative decision-making.” The Council recognizes that many community organizations are doing excellent work in bringing increased awareness, understanding and action to these issues. It is Council’s hope that the Restorative Inquiry will be a model and a help toward building and strengthening new relationships among and between community and government to continue the work of meaningful and necessary change after the Restorative Inquiry’s mandate has ended.





3. LEARNING AND UNDERSTANDING

As noted above, Council has identified the central issues through meeting with former Home residents, government officials, and partners in African Nova Scotian community organizations most closely connected with the Home. We continue to meet with participants to deepen our understanding of the central issues and to inform planning and action on these issues in the coming phases of work.

The Restorative Inquiry tailors its processes to bring together different groups at different times and for different reasons. The process is responsive to participants and the nature of the issues at stake. This process is principally committed to *doing no further harm*, especially to former residents who have experienced trauma. To that end, these gatherings have been approached in a trauma-informed way and have largely taken place in closed settings to allow participants to share freely and safely. Former residents are welcomed and supported in the process, and can choose to what extent they wish to participate. The sections below expand upon how the Council has engaged with participants and what we have heard in the process.

A. Engaging Former Residents

Former residents are central to the work of the Restorative Inquiry. As outlined in the mandate and terms of reference, former residents are represented in leadership and governance of the RI by VOICES (Victims of Institutional Child Exploitation Society). Two members of VOICES serve on the Council of Parties. Their involvement is essential in ensuring the voices of former residents are central throughout the work of the RI. VOICES plays a key role in informing and facilitating the RI's engagement with former residents.

The Restorative Inquiry has offered several different ways for former residents to connect with and participate in the work of the RI, including information sessions, former residents' gatherings, and sharing circles.

Sharing circles have been an important process in helping Council determine the central issues. In these circles, former residents were invited to reflect and share what matters most to them about their experiences related to the Home including within the institution, with their families and communities, and with the broader systems that were meant to care for them. As noted above, the "care system" includes child welfare, education, health and justice, including policing.

In sharing circles, several common themes emerged.

HELPLESSNESS AND ISOLATION – Former residents said they felt a sense of helplessness at the Home as the abuses they witnessed and experienced went unchecked and unreported. They reported that some staff members pitted residents against each other and forced children to fight their friends, further damaging any bonds they had and increasing their feelings of isolation. Family relationships suffered as siblings were often separated with no explanation or information from social workers. Some residents said they lost track of their brothers and sisters for years before reconnecting, often as adults.

SYSTEMIC NEGLECT – Many residents expressed that even the process of entering care left them traumatized; police or social workers told them they were "just going for a drive" or "going to the store" before dropping them off at the Home with no preparation or explanation of what was happening. In care, former residents recalled that they rarely received visits or check-ins from social workers. They said they almost never had a chance to speak with social workers away from Home staff. Under these circumstances, residents felt they had no safe outlet to tell anyone what they were experiencing without fear of further harm. Many former residents felt the adults in their lives turned a blind eye toward their suffering. For some former residents who transferred out of the Home, this feeling continued in foster care, where they also experienced neglect and abuse. Some said they were threatened to keep quiet unless they wanted to be 'sent back to the Home'.



SILENCE AND STIGMA — Many residents felt the stigma of being ‘Home children’ followed them at school and in the broader community. They believe that teachers and educators who noticed their health or behaviour issues, and police who regularly returned runaways to the Home, also knew to some degree that things were not right at the Home. Many felt abandoned by the systems designed to help and protect them. Many former residents believe a culture of silence contributed both to their abuse as children, and to the difficulties they faced in coming forward as adults.

NO PREPARATION FOR ADULT LIFE — Former residents spoke of the hard transitions they faced when they ‘aged out’ of care. They were given little to no preparation for independent living. Former residents have encountered poverty, homelessness, mental-health issues, post-traumatic stress, and other difficulties in their adult lives.

A DESIRE TO MAKE A DIFFERENCE — Some residents have reflected that even during difficulties at the Home, small acts of kindness from some staff, teachers or community members helped them hold on to hope and develop resiliency. They also spoke of how their experiences as children gave them a resolve to create a better life for their own children.

For some residents, connecting with other residents and having the opportunity to tell their stories in recent years has been a helpful experience. ‘Finding their voice’ has helped them no longer see themselves as victims but survivors. Residents who have taken part in Restorative Inquiry events expressed a hope that speaking about their experiences will lead to positive changes for children and families in the current care system.

The Restorative Inquiry will continue to offer opportunities for former residents to connect and engage with the work of the RI as we move into deepening understanding and planning and action on the central issues.

B. Partner Circles – Government

Part of the mandate of the Restorative Inquiry is to examine the role and involvement of various systems, sectors, and institutions in the history and legacy of the Home. Key among the government sectors are education, justice, health, and community services. To advance this work, the Council of Parties collaborated with the Deputy Ministers who sit on the Reflection and Action Task Group to co-host a series of partner circles with relevant staff of departments and public institutions. These partner circles support the Inquiry process in multiple ways. They broaden the notion of engagement within departments in the work of the Inquiry; deepen collective learning of government participants; strengthen relationships necessary for anticipated action; and inform Council's understanding and identification of the central issues for further examination and action.

Council held initial partner circles with senior leaders in the departments of Community Services, Health and Wellness, and Justice, as well as with Education and Early Childhood Development and Labour and Advanced Education. In these sessions, participants were asked to consider where and how the work of their departments connected with the Home and former residents, and what current issues related to those connections require deeper examination. Participants were asked to share what work is already underway in their respective departments that touch on areas of the Restorative Inquiry mandate, and where they see further opportunities for meaningful change. Participants also reflected on and examined how systemic racism shows up in the policies and practices, formal and informal, of their respective departments and agencies.

Several themes emerged from these circles:

STRUCTURAL CHALLENGES OF SYSTEMS — Across the sessions, participants acknowledged that social systems failed in properly responding to former residents' experiences of abuse and neglect. There was a general recognition that current systems and structures are not well-equipped to meet people's needs. Participants across departments noted that belonging to a department and being responsible solely for their area of work lent itself to not developing relationships with other departments. Participants spoke of the tendency to take a system-oriented approach, and how this approach has historically had a negative impact on the people those systems should be serving—particularly vulnerable and marginalized individuals.

Participants spoke of the traditional ways in which government services have attempted to address complex issues in 'reactive' and 'siloed' ways. This 'siloed' way of working makes it very challenging for departments and agencies to do integrated work across government, and is further magnified when trying to collaborate outside of government.

IMPORTANCE OF DEVELOPING TRUST — Participants acknowledged that many citizens mistrust and sometimes even fear the systems that are meant to protect. Across departments, participants acknowledged that systems must change, and they highlighted interdepartmental initiatives underway to help government take a more responsive, 'person-first' approach.

Throughout the discussions, participants identified trust as foundational to healthy and effective relationships. Yet they recognized that institutional trust is low among the public, and government has much work to do to build trust and better relationships, especially with African Nova Scotian communities. Participants spoke of the need to intentionally create spaces within systems for meaningful dialogue to increase understanding of systemic racism and the ways in which it is perpetuated within multiple systems. They wanted to identify and address areas where racism impacted their work, and they expressed desire to do better.

REPRESENTATION AND DATA — Across the multiple sessions, participants acknowledged that African Nova Scotians are often over-represented in some systems, yet are under-represented in the multiple professions that comprise each of those systems and public institutions. African Nova Scotians remain particularly absent in senior positions of influence and authority over policies and practices. Another common theme within the circles was the lack of accessible, consistent and reliable data on the African Nova Scotian population. Policies and standards on collecting race-based data vary across public agencies, leading to inconsistencies and gaps in data collection. The lack of accurate data makes it more difficult to properly assess the present state in order to create effective change for the future.

The Restorative Inquiry continues to work with government partners to deepen understanding of the identified issues so we can plan and act together in the coming phase of the work.

C. Community Partner Circles

The Restorative Inquiry has held circles with community members and organizations who have historical connections to the Nova Scotia Home for Colored Children, or insights into the context and circumstances in which it has operated. This includes current and past members of the Home board; members of the African United Baptist Association, which had a role in the conception and founding of the Home; community elders; and other community members connected to the history of the Home. Initial circles have also helped identify others who could be key participants in broader inter-party circles as the work of the RI progresses.

Participants in these sessions recognized the significance of the Home within the African Nova Scotian community as the only institution in the province that cared for Black children. They spoke of the pain of learning that children had been abused and often suffered in silence. They referenced the Home's longstanding challenges of receiving enough funding to meet the needs of its residents. Many welcomed an opportunity to have difficult yet necessary conversations to learn from the past and do better in the future, recognizing that community members need a safe space and time in which to process how the Home's complex and often painful history contributed to a culture of shame and silence around the Home. Participants recognized that the journey of healing from the harms of the past will take time. They also acknowledged that the legacy of the Home is part of the broader impact of systemic racism in Nova Scotia, and they expressed hope that addressing the harms surrounding the Home would open the door to addressing those larger issues.

Council acknowledges that these initial sessions in building community conversations through the restorative process are just a beginning. It is our intent that these partnerships will continue to grow and evolve organically as the work advances. Community knowledge, experience and participation is integral in understanding and acting together to address the central issues identified through this process.

D. Research

During the first phase of work, the Restorative Inquiry research efforts focused on reviewing and cataloguing Home records to develop a historical account of the Home, including the context, causes and circumstances in which it operated. The Home has been an active partner in supporting this work. The Restorative Inquiry also worked with government partners in accessing historical records that further its research mandate.

Building on that progress in this phase of the work, the Restorative Inquiry has been reaching out to community partners to seek their help in understanding the history and significance of the Home and the circumstances that contributed to the experiences former residents have shared. Research gathered during community partner circles has provided a deeper understanding of the contexts, causes and circumstances of the Home. It has also helped to identify each partner's relationship to and involvement with the Home, and where the Restorative Inquiry may find help in the work ahead.

To advance the research work supporting the RI process, the Restorative Inquiry has developed a Research Advisory Committee made up of regional, national and international experts to assist in gaining a deeper understanding of systemic and institutionalized racism. In alignment with the established goals of the Restorative Inquiry—building just and respectful relationships, developing knowledge and understanding, and seeking just social change—the Research Advisory Committee will work collaboratively to provide advice and guidance on issues related to the central issues identified.

Deepening our Learning and Understanding

The phases of the Restorative Inquiry are not purely linear—for example, building and strengthening relationships continues throughout the mandate. But most of the work over the next several months will focus on going deeper in Learning and Understanding to build a foundation for Planning and Action. The learning to date has helped identify and shape the Restorative Inquiry's focus on the three central issues. The next step in this process—Deepening Understanding—is meant to dive further into the complexities of the central issues to develop a common understanding and move toward Planning and Action together.

In this step of the Learning and Understanding phase, the Restorative Inquiry will continue its research and to learning together with former residents and partners in both government and community. The RI will hold several circles that bring participants together to address the central issues.

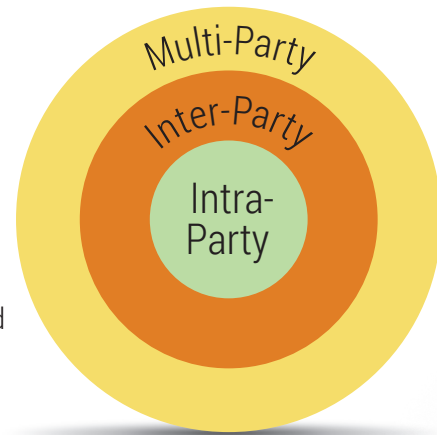
This work will include circles with government partners across departments and systems focused on the three aspects of the care system highlighted above: entering care, during care and transitioning out of care. As described above, this process will include examining the full range of the care system—not solely child welfare, but all the agencies and services meant to support vulnerable children in care of the Province.

Further circles with agencies and community partners will continue to examine the responses to abuse at the Home, both within the Home and as survivors of abuse began to come forward.

Circles will also bring together closely connected community partners, the broader community, and former residents on the central issues. Partner circles also serve to prepare partners for broader inter-party and multi-party work. Former residents remain central and have much insight to contribute to the process. Many residents have expressed their desire to make a difference for children in care of the Province today. The RI will continue to engage former residents in support of the work of the Restorative Inquiry.

Research will continue into the historical context of the Home, including further examination of records held within the Home's archives. Research is also ongoing into the impact and legacy of systemic and institutionalized racism on African Nova Scotians.

Many of the circle processes to date have been with individual groups, such as former residents and individual departments or agencies. This phase will begin to bring connected groups together in inter-party or multi-party processes to address specific topics related to the central issues.





4. MOVING FORWARD BUILDING AN AGENDA FOR ACTION

One of the distinguishing features of the Restorative Inquiry, compared to more traditional inquiry models, is its formally embedded action mandate. The RI has been designed to bring parties together to make a difference in real time. In the mandate and terms of reference, this phase of work is referred to as “Planning and Action.” This work will be based on and evolve from the collective learning within the process. The commitment to make a difference through the RI process is the central concern throughout the work of the Restorative Inquiry. From identifying central issues and deepening the shared and common understanding of the issues, the work will move toward identifying key steps needed to act, and planning to ensure further action in the future.

The RI was designed to support action by bringing multiple partners together to establish common understanding of the complexities of the central issues, and to facilitate working together toward long-term and sustainable change. The relationships, understandings and commitments developed through this process are foundational to address the identified central issues.

Building a foundation for real and lasting change, given the significance, breadth and depth of the central issues, has required significant time to enable the process of building relationships and understanding. The Council of Parties has been committed to taking the time required to do this well given the foundational nature of this work. Council has determined additional time will be required beyond the original time frame to ensure a common understanding is in place to plan for action. To facilitate this work, Council has made a request to the Province to extend its original mandate.

The RI's current work is focused on deepening understanding to fully explore the central issues, identify areas for action, and position partners to undertake that work together. With stronger relationships in place and increased shared understanding of the central issues, Council anticipates that the current learning and understanding phase will naturally evolve on each central issue into the next phase of work—planning and action—over the first few months of 2018.

As the Planning and Action phase begins, this process may involve gathering partners in smaller working groups comprised of those best positioned to address specific topics or points for action within the scope of the central issues. Such groups will include the standing Reflection and Action Task Group established to facilitate collaboration across government and other partner groups that will be established during this phase of the RI.

As the work of the Restorative Inquiry moves further into the work of planning and acting, partners individually and collectively will continue to play a significant support role in advancing the mandate of the RI. This work calls on partners to model ways of working together among organizations, agencies and departments and across government and community to create meaningful and sustainable change. This process will rely on the work the RI has done to build relationships between and among partners during its initial phases.

While there remains much to do together, it is Council's hope that the work of the Restorative Inquiry will be a step toward a better relationship between and among public agencies and community, for the benefit of all Nova Scotians.

