



## C H A P T E R   T H R E E



# History of the Nova Scotia Home for Colored Children: Governance, Operations & Living Conditions



## Origins of African Nova Scotians in this Province

Understanding the context, causes, and circumstances of the story of the Home requires some examination of the origins of African Nova Scotians in this province. People of African descent have been in Nova Scotia for centuries. In the early 1600s a free Black African interpreter Mathieu Da Costa may have accompanied French traders.<sup>1</sup> A small number of people of African descent came to Nova Scotia as enslaved persons in the late seventeenth and eighteenth centuries. There were, for example, a number of persons of African descent at Fortress Louisbourg, Cape Breton (Ile-Royale). More than 200 enslaved persons lived on the island between 1713 and 1760.<sup>2</sup>

After the establishment of the British settlement at Halifax, historical records show enslaved persons of African descent were imported by local merchants as early as 1752 and sold at public auctions in the heart of the city. The following advertisement posted in the *Halifax Gazette* in 1752, illustrates Nova Scotia's public participation in the Transatlantic Slave Trade:

### Advertisement

Just imported, and to be sold by Joshua Mauger, at Major Lockman's Store in Halifax several Negro Slaves, viz. A very likely Negro Wench, of about thirty five Years of Age, a Creole born, has been brought up in a Gentleman's Family, and capable of doing all sorts of Work belonging thereto, as Needle-Work of all sorts, and in the belt Manner; also Washing, Ironing, Cookery, and every other Thing that can be expected from such a Slave: Also 2 Negro Boys of about 12 or 13 Years old, likely healthy and well shap'd, and understand some English: Likewise 2 healthy Negro Slaves of about 18 Years of Age, of agreeable Tempers, and fit for any kind of Business: And also a healthy Negro Man of about 30 Years of Age.<sup>3</sup>

The New England Planters, white settlers from the New England colonies, settled in Nova Scotia between 1759 and 1765 and brought with them enslaved persons of African descent. Following the American Revolutionary War (1775 – 1783), more than 3,000 Black Loyalists came to Nova Scotia. Some came as enslaved persons, but many were free persons of who had been loyal to British forces during the war. Their arrival was recorded in the Book of Negroes.<sup>4</sup> More than a decade later, approximately 600 Jamaican Maroon men, women, and children exiled from Trelawny, Jamaica, arrived in Nova Scotia in 1796.<sup>5</sup> As a result of the War of 1812, African-Americans escaping slavery also began arriving in Nova Scotia. Approximately 2000 of these "Black Refugees" settled in Nova Scotia.<sup>6</sup>

The origin story of the Home is reflected in the complex and often-difficult relationships African Nova Scotians shared with the province's governing classes. Invariably, these relationships were characterized by race, social and economic status, and an inherent imbalance of power that impeded the pace of progress for African Nova Scotians throughout their history in this province and still today.

One particular theme unique to those of African descent in Nova Scotia was the unrelenting impacts of race. One impact of race was the imposition of Eurocentric policies, such as segregation, that dictated where African Nova Scotians would live and what services they would receive. In the early years of African Nova Scotian settlement, patterns of segregation were commonplace. The locations where African Nova Scotians could live were usually near emerging major townships or economic hubs, and most did not have adequate municipal services or supports.<sup>7</sup> By the late 1800s, African Nova Scotians were rooted in approximately 40 communities across the province, most of which were isolated from one another. People struggled to find daily provisions and to secure their lands. Acquiring legal title to lands for African Nova Scotians often proved difficult to impossible, despite many being second- and third-generation occupants. Many of those residing in the province in the late 1800s were living on lands for which the Province issued only “Certificates of Occupancy/Location,” as opposed to deeds.<sup>8</sup>

African Nova Scotians also struggled to find employment for themselves and educational instruction for their children.<sup>9</sup> Some had access to day labour employment or were involved in small-scale farming, and others were servants to wealthy white families. African Nova Scotians did not have access to capital, and had difficulty becoming involved in commercial enterprises. Many communities had no access to employment and selling goods without access to transportation was challenging.<sup>10</sup> The issuance of “rations” to African Nova Scotian communities in the early 1800s was commonplace and petitions were sometimes sent to Government seeking provisions on behalf of entire African Nova Scotian communities.<sup>11</sup>

With respect to education for their children, African Nova Scotians often found themselves petitioning for education and educational resources. African Nova Scotian teachers often provided education and teachings to children without any public or state compensation. For instance, approximately 30 householders in Preston supported a petition for a salary filed by schoolmaster James Bell.<sup>12</sup> Although laws would be enacted to allow for compulsory education, school commissioners were also provided with the authority to create separate schools.

Similarly, petitions were made to Government seeking help in establishing churches. However, when 50 African Nova Scotian residents filed a petition with the Lieutenant-Governor to establish a church in Upper Hammonds Plains, the petition was, instead, referred to the Bishop of Nova Scotia, who decided not to proceed further because he believed the proposed church would not follow the “established religion.”<sup>13</sup> Left with very few options, many African Nova Scotian communities created their own organizations and institutions because of their exclusion from services in white society. Out of necessity, African Nova Scotian communities established their own social clubs, school committees, and faith gatherings. African Nova Scotians also recognized the importance of an established church in which they could practise their faith.

## A. Origins of the Church/AUBA

There is little doubt the Church has always been a focal point for African Nova Scotian communities. As stated by E.P. Skinner in the foreword to McKerrow's *Brief History of the Colored Baptists*:

....and like Blacks all over the New World, they used that one institution in which they were completely autonomous, the Church, as an all-purpose organization to aid them in their survival.<sup>14</sup>

Churches were well-organized institutions that ministered to spiritual needs, performed social and educational functions, and provided community leadership voices. Religion was fundamental to the Black experience in North America; in slavery, it was the only consolation; in freedom, it inspired exultation and gratitude.<sup>15</sup>

Robin Winks, however, reminds us about how religious institutions can “delay” the formation of other more secular – more activist – voluntary associations. Thus, abolition societies or land associations borne out of the church invariably arose from within the congregation, hence the leadership was usually the same, and the result was a series of interlocking directorates. Often the interlocking directorates produced a single member whom the whites treated as the sole local spokesperson for the entire Black community.<sup>16</sup>

Black Baptist churches in particular were venues for social, educational, and spiritual purposes, and served as a vehicle for social cohesion within African Nova Scotian communities. The African Baptist Association (“ABA”), which later became the African United Baptist Association (“AUBA”), was an empowering medium that helped African Nova Scotians in their fight for equal opportunity and social justice. As stated by Dr. Bridglal Pachai, in *Beneath the Clouds of the Promised Land*:

....the Church was more than a religious organization, it was a training ground for generations of Black leaders, preachers, teachers, politicians and professionals.<sup>17</sup>

Early settlements in Nova Scotia often received preachers and other church officials from congregations in the United States. These new preachers and church officials were expected to support local congregations and recruit new memberships. African Nova Scotians benefited from this practice as many Baptist and Methodist preachers and missionaries from the United States arrived in the province throughout the 1700s–1800s. Reverend John Burton was one

**Religion was fundamental to the Black experience in North America; in slavery, it was the only consolation; in freedom, it inspired exultation and gratitude.**

of the first white missionaries to integrate Black and White Nova Scotians into the same congregation at the First Baptist Church in 1795. He developed a strong following and, later, was instrumental in providing Reverend Richard Preston opportunities to preach.

Reverend Richard Preston is credited with providing the inspiration and vision that led to the formation of the AUBA. Rev. Preston arrived in Halifax in 1815 along with the Black Refugees. Fondly known as Father Preston, he took on many opportunities to preach and his commitment to spreading the word of God resulted in the organization of meeting houses, spiritual gatherings, and churches. Rev. Preston was formally ordained in London, England, in 1832. Upon his return to Nova Scotia, he assumed leadership of the African Baptist Church on Cornwallis Street in Halifax. Over the next 20 years, he established several churches throughout the province and convened meetings of all Black Baptist churches.

For many in African Nova Scotian communities, the Church became their social and political voice, and was the vehicle used to address the plight of Black Nova Scotians. The Church sought redress and championed causes, and it also had the moral authority to speak on behalf of the community. It had no rivals within the African Nova Scotian community and was a stakeholder in most deliberations about its people. According to Frank S. Boyd, African Baptist churches

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arose without much charity or goodwill from white Nova Scotians. On the contrary, African Baptist churches came into existence despite concerted resistance by white Baptists.<sup>18</sup>

When African Nova Scotians were denied full participation in other established churches, they were prepared to follow a separate path to Christian salvation.<sup>19</sup> They created the AUBA, which not only provided a path to Christian salvation

but also gave community a voice for advocating for a better life. In essence, the AUBA grew out of a need for each Baptist church to support one another.

The inaugural meeting of the AUBA took place in September 1854, when ordained ministers, licensed ministers, deacons, and elders constituted the AUBA's founding members. The AUBA initially consisted of 36 delegates from 12 Black Baptist churches.<sup>20</sup> The AUBA would become the largest and oldest-serving organization in the history of African Nova Scotians.

Since its creation, the AUBA has been a significant institutional voice in the African Nova Scotian community. The AUBA stressed the need for unity in community and advocated for solutions to social and economic challenges. Pachai describes the important place of the AUBA:

... the AUBA has weathered many storms, has introduced committees and programmes to respond to all needs and sectors of the Black community. It has served, and continues to serve, as a provincial forum of considerable merit and potential.<sup>21</sup>

When African Nova Scotian communities were facing severe poverty, racism, unemployment, and a lack of educational opportunities, the leadership of the AUBA called for and encouraged members to support their churches financially, support those in need, and promote the establishment of schools in various communities. By the turn of the 20<sup>th</sup> century, when there was a growing concern in the African Nova Scotian community with respect to care for African Nova Scotian children, the issue was taken up by the AUBA.<sup>22</sup>

## **B. African-American Influences**

AUBA records reveal that African Nova Scotians looked to the African-American experience for assistance and guidance on issues because they shared similar history, experiences, and perspectives on self-reliance and independence in a racialized society. Both African Nova Scotians and African-Americans were endeavouring to acquire full citizenship rights within racialized societies. Connections between African Nova Scotians and African-Americans were forged and reinforced through the reach of the Baptist Church and through family affiliations across borders. This affinity between African Nova Scotians and African-Americans often resulted in the exchange of ideas, strategies, and concepts across borders. Likewise, ideas on meeting care needs for children of African descent were shared among African Nova Scotians and African-Americans. For example, African Nova Scotians were inspired by the African-American experience of caring for Black children through the creation of the Colored Orphan Asylum in New York in 1836 and the Home for Colored Children in Pittsburgh in 1880. The African-American experience in creating child-caring institutions was often conveyed through the work of African-American churches and visiting clergy like Reverend Moses Puryear.

Similar efforts to create an institution to care for African Nova Scotian children were undertaken in Halifax during the early 20<sup>th</sup> century. James R. Johnston, a prominent lawyer and the first indigenous Black graduate of Dalhousie University, played a central role in this regard. In 1907, he served as secretary of the African Baptist Association, clerk of the Cornwallis Street Baptist Church, and superintendent of the Sunday school. Johnston was also a Black Freemason and heavily involved with the Order of Odd Fellows organizations. By virtue of his education, profession, and organizational connections, Johnston was an influential member of an emerging privileged class within the African Nova Scotian community.

Johnston was also a supporter of Booker T. Washington's strategy in the United States of creating institutions for the uplift of African-American young people. Washington, who later visited Nova Scotia to lend support,<sup>23</sup> was an African-American who called for Black progress through education and entrepreneurship rather than directly challenging Black segregation and disenfranchisement. Washington was the principal developer of the Tuskegee Normal and Industrial Institute, having previously been involved with the Hampton Normal and Agricultural Institute in Virginia. In establishing the Tuskegee Normal and Industrial Institute, Washington acquired significant experience in mobilizing a coalition of middle-class Blacks, church leaders, and white philanthropists and politicians with a long-term goal of building Black community development.<sup>24</sup> His knowledge and experience in building coalitions to establish economic development for people of African descent was significant to the AUBA leadership as they deliberated the growing concern of African Nova Scotian children in need.

Given that the public education system was segregated in Nova Scotia, Johnston, like Washington, supported the creation of an Industrial School to provide more opportunities for people of African descent. Johnston first proposed the creation of a preparatory agricultural and industrial institution, like Washington's Tuskegee Institute to the AUBA to address the needs of African Nova Scotian children. As a prominent Black lawyer in Nova Scotia, Johnston was in a unique position to interact with both Black and White leadership in social and political circles. His connection to the AUBA meant he was also well positioned to mobilize broader Christian support for such an enterprise.

During the AUBA's annual meeting in 1908, the leadership urged its members across the province to take up education and they discussed the establishment of a preparatory "Agricultural and Industrial Institution." Similarly, a motion tabled at a session of the AUBA's Auxiliary Board instructed the institution to take the necessary steps to establish a "Normal & Industrial Institute." AUBA members expressed their personal commitment with financial pledges which highlighted how important the idea was, given the support came in the midst of financial hardship and a lack of economic resources. The records show Rev. White, J.R. Johnston, Sister L.A. Bailey, Deacon Thomas Langford, and Deacon Samuel Alison were among those who donated.<sup>25</sup> It is noteworthy that the Normal and Industrial Institute was to be a training facility for African Nova Scotian children to make them productive members by providing training in skills. However, this vision for the institution soon shifted to an institute that prioritized child caring over training.

In 1909, Reverend Moses Puryear arrived from the United States to become pastor of the Cornwallis Street Baptist Church. Reverend Puryear also supported Johnston's plan for a training facility, and by 1914 they had developed a proposal and were seeking public support for the industrial school model. Support for the establishment of a training facility was provided not only by middle-class educated Black leaders but by many affluent white businessmen and philanthropists.

The idea of a Home for African Nova Scotian children also received a great deal of support from the women of the AUBA. Women of the Church played central roles in African Nova Scotian communities – supporting families and children in spiritual, social, and educational needs. Women in the Church exercised important leadership roles, though not officially “named” as leaders. This is in keeping with the findings of scholar Bernice McNair Barnett in examining the role of Black women in the Civil Rights Movement:

Although seldom recognized as leaders, these women were often the ones who initiated protest, formulated strategies and tactics, and mobilized other resources (especially money, personnel and communication networks) necessary for successful collective action. In their homes, churches, voluntary associations, political organizations, women’s clubs ...<sup>26</sup>

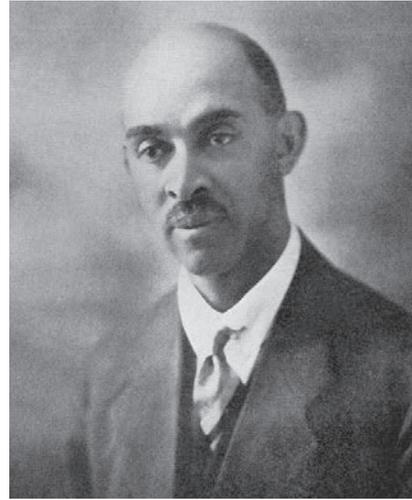
This analysis applies equally to women of the AUBA. For example, a review of AUBA minutes between 1881 and 1916 reveals the substantial work of women and their importance to the churches. Frequent references to the deaths of older church “sisters,” and notations regarding their contributions to their churches, demonstrate the important work women performed for the churches.<sup>27</sup>

Women did not attend AUBA conventions as delegates until 1891. Once they began attending, their presence was not a silent one: they spoke about issues such as temperance, mission work, and education. They were involved in the various Sunday school committees wherein the women not only gave of their time and their personal resources, but also made financial contributions.

Within the AUBA, there were competing visions as to what was required to support African Nova Scotian children in need. Some wanted a facility to teach skills to make the children productive members of the community. The African Nova Scotian community placed significant interest in self-reliance and independence and preferred to lift themselves out of dependency. Therefore, many thought the teaching, training, and education provided by a Normal and Industrial school would assist young boys and girls to enter the labour force with a skilled trade or technical knowledge.

Others wanted the same, but were primarily concerned with providing care and nurturing for orphaned or destitute children. While it was true there was a real need for an institution to provide industrial, business, and domestic training for Blacks, it was equally true that an institution was urgently required to place orphans and destitute Black children in suitable shelter.<sup>28</sup> This need was acutely felt following the Halifax Explosion when the Cornwallis Street Baptist Church became a shelter for many of those displaced. Renée Lafferty, in her writing, echoes the struggles of the child welfare system to meet the demands of placing African Nova Scotian children as there was no place for African Nova Scotian orphans.<sup>29</sup>

James R. Johnston died in 1915 and his role as clerk in the AUBA was assigned to J.A.R. Kinney, an African Nova Scotian from Yarmouth. Kinney was a member of the Cornwallis Street Baptist Church and a strong supporter of actions to “uplift” African Nova Scotians. By March 1916, he had become a Trustee of the Cornwallis Street Baptist Church. Kinney was described as being “adept at presenting the home’s needs to both black and white communities in ways that addressed their specific concerns and interests”.<sup>30</sup> Kinney emerged as a major advocate for an educational institution for Black children, as initially proposed and championed by James R. Johnston. Kinney and Puryear were to build alliances with the white establishment and garner support for the creation of a training institute.



J.A.R. Kinney

NSA Library, VF 159-26 (1929 Home brochure)

### C. Incorporation of the Home

The *Act to Incorporate the Nova Scotia Home for Colored Children* (the “Home”) was introduced as a private member’s bill in the Nova Scotia House of Assembly in April 1915.<sup>31</sup> The private bill set out the objectives and corporate structure of the Home as a legal entity, including a list of seven (7) inaugural Trustees, including Kinney, Puryear, Ernest Blois (Superintendent of Neglected and Delinquent Children), and several prominent white leaders. The bill passed on April 23, 1915. This legislative achievement was recorded in debates and proceedings of the House of Assembly, and is reproduced below:

Excerpts from  
**DEBATES AND PROCEEDINGS**<sup>32</sup>

**Wednesday, April 14<sup>th</sup>, 1915**

#### **BILLS – INTRODUCTION**

**Mr. LOGAN** introduced a Bill to Incorporate the Nova Scotia Home for Colored Children.

**Friday, April 16<sup>th</sup>, 1915**

## **BILLS – SECOND READINGS**

**MR. FINN** moved the second reading of the Bill to incorporate the Banook Canoe Club, and the Bill to incorporate the Nova Scotia Home for Colored Children.

The Bills were read a second time and referred to the Committee on Private and Local Bills.

**Saturday, April 17<sup>th</sup>, 1915**

## **REPORTS**

**MR. WICKWIRE** reported favorably without amendment on the Bill to incorporate the Nova Scotia Home for Colored Children.

**Monday, April 19<sup>th</sup>, 1915**

## **BILLS – THIRD READING**

The following Bills were read a third time, finally passed, and sent to the Legislative Council for concurrence:

the Bill to incorporate the Nova Scotia Home for Colored Children;

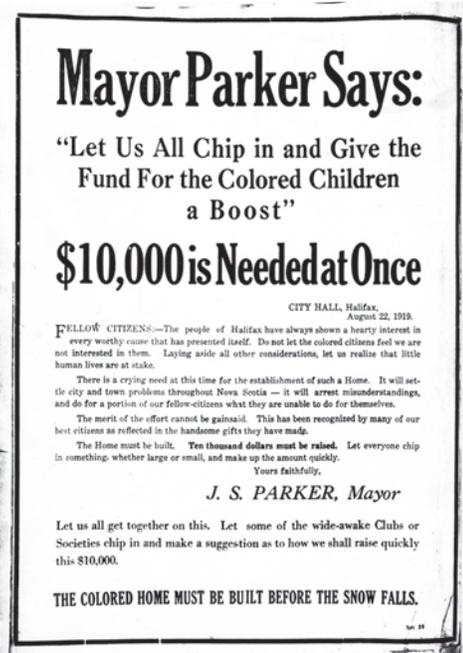
By early 1917, discussions continued regarding the provision of care for neglected and destitute African Nova Scotian children. In correspondence about efforts to place African Nova Scotian children, Superintendent Ernest Blois acknowledged, "it is very rarely that a suitable foster home is found for a colored child," referring to the "need to put together a definite scheme for their care." He also went on to outline the "need for Home for colored children" and that "the colored people themselves are not in a financial position to establish such an institution, and there is no possibility of establishing and maintaining such an institution entirely on charity."<sup>33</sup>

The inaugural Trustees of the Home secured a temporary building for the Home on Quinpool Road in Halifax (then the North End), and hired a matron from the United States to care for a small number of children destined for the temporary location.<sup>34</sup> Funding appeals at the time positioned the appeal to "help" coloured children, not by creating spaces in existing orphanages, but through financial assistance to create their own institution. However, in December 1917, the Halifax Explosion caused significant damage and loss of life throughout the city. The explosion damaged the temporary building and destroyed a significant portion of Halifax's North End, where a high concentration of African Nova Scotians had lived. The loss of parents and guardians increased the immediate need for care of orphaned and destitute African Nova Scotian children, rendering the damaged temporary location inadequate to meet the increased need.<sup>35</sup> Therefore, another more suitable and permanent location was sought.

The Cornwallis Street Baptist Church provided temporary housing for African Nova Scotians after the explosion. The Halifax Relief Commission was formed and struck a Children's Committee to determine how the needs of children of the Halifax Explosion would be addressed. The Children's Committee fell under the jurisdiction of Superintendent Blois as chairman, and he was joined by Judge Wallace, R.H. Murray of the Society for Prevention of Cruelty, and also one of the Trustees of the Home. The Children's Committee sought immediate placement for orphaned children, but many of these early placements were noted as being disappointing. The committee experienced particular difficulty in securing arrangements for "colored orphans."<sup>36</sup>

The heightened needs of African Nova Scotian children following the Halifax Explosion appears to have cemented the decision to establish the Home as an orphanage with a school, rather than an institution with a trades and training orientation. Furthermore, the extent of poverty experienced by African Nova Scotians leading up to and following the Halifax Explosion diminished the possibility of reviving the earlier vision of a Tuskegee-like Normal and Industrial School.

Following the passage of the *Act to Incorporate the Nova Scotia Home for Colored Children*, it became necessary to raise as much money as possible from both the African Nova Scotian



Appeal for funds example

community and the white community. The AUBA, including its Ladies Auxiliary, was involved in many fundraising efforts.<sup>37</sup> Donations and fundraising campaigns were led by trustees Kinney and Henry G. Bauld, who was a prominent white businessman. The AUBA and its membership also generated investments from the broader white community.

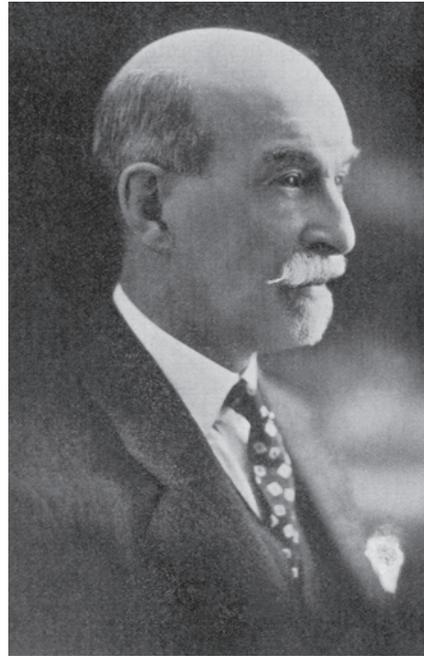
By late 1918, potential locations were identified for the Home. Blois inspected a farm near the Preston communities, and, despite his initial rejection of the site (due



Appeal for funds example

to its isolated location from other Black communities in the province, poor agricultural potential, and building cost considerations), he nevertheless endorsed a second farm site in a neighbouring community for Government approval in 1919.<sup>38</sup> The property location near the Preston communities was purchased by the Provincial Government<sup>39</sup> and later conveyed to the Trustees of the Home.<sup>40</sup> During this period there were white families living in the Westphal area near the purchased land that did not want to see a Home for African Nova Scotian children established in their neighbourhood. In 1919, there were various articles appearing in local papers objecting to the construction of the Home in their community.<sup>41</sup>

An official opening of the Home was held on June 6, 1921, and Lieutenant-Governor Grant and other Provincial Government and civic officials were in attendance. Newspaper articles summarizing the event stated that approximately 1,500 people from communities across the province attended, along with 500 white people. The official opening was celebratory in nature, including a procession march that extended three-quarters of a mile with a marshal, the Salvation Army band, and the Fife and Drum band from the Halifax Industrial School. A stage was erected in the orchard for use by the various choirs, speakers, and band. The greatest part of the program involving representatives of the “coloured population” was faith-based.<sup>42</sup>



Henry G. Bauld

NSHCC Fonds, VF, 159-26

# THE SUNDAY LEADER

GRAVITY SECTION

1921 YEAR

HALIFAX, SUNDAY, JULY 10, 1921

10¢ PER COPY.



Panoramic View of Mass Seminars at the Formal Opening of the Colored Orphan Home Near Freetown



Mrs. Mervin G. Harris, Merton, and Miss Agatha Murphy of the Staff of the Colored Orphan Home Recently Opened Near Freetown



The Girl Guides of Zion African Methodist Episcopal Church who, with the Boy Scouts, Assisted as a Guard of Honor at the Formal Opening of the Colored Orphan Home



The New Gothic Home for Colored Orphans, Near Freetown, Halifax County, Which Was Formally Opened June 28th by His Honor Lt. Gov. Governor Grant of Nova Scotia, the First Inauguration of its Kind in All Canada



Procession of Procession Carriers Arriving at the Opening of the Colored Orphan Home, Formed by the Salvation Army Band and Pipe and Drum Band of the Industrial School



The Boy Scouts of the Zion African Methodist Episcopal Church Who, with the Girl Guides, Assisted as Guard of Honor at the Formal Opening of the Colored Orphan Home Near Freetown

NSA Library, 201902751

The Sunday Leader, July 10, 1921

## Structuring Relations: Significant Contexts and Influences for the Operations of the Home

### A. Overview of Institutions of child-caring system in Nova Scotia

The Nova Scotia Home for Colored Children (the Home) was established in the context of the structures and systems related to the care of vulnerable children in the province. It is helpful to situate the Home within the landscape of care to understand the various roles, relationships and influence, and impacts on the operations of the Home. The history of the Home is best understood against the backdrop of the fundamental relationships that structured its establishment, development, and operations. The following sections provide an overview of the key elements and institutions of the child-caring system in Nova Scotia and considers how they contributed to the structuring relationships related to the Home. The most significant relationships whose influence is seen throughout the history of the Home include relationships with Government, the children's aid societies, the AUBA and the African Nova Scotian community, and within the Home with respect to governance. Each will be considered briefly below in order to provide important context and insights to understand the operational history that follows.

First, it is important to have a clear understanding of the general landscape of care in which the Home operated. Over the course of the Home's nearly 100-year history, there were significant changes in this landscape, perhaps most significantly related to the increasing role of the State in child welfare since the founding of the Home. We have not sought to map these changes in any comprehensive way. However, we have noted significant shifts as they influenced the operations of the Home. It is also important to be clear about the nature of child caring, protection, and welfare at the time the Home was established since it had a profound and enduring impact on the structure and operations of the Home. Thus, it is important to have a sense of some of the key institutional/organizational elements of child caring including the roles of:

- i) private child-caring institutions
- ii) children's aid societies
- iii) other institutions

#### I. Private Child-Caring Institutions

Private child-caring institutions played a significant role in the provision of child care in the 19<sup>th</sup> century. These institutions included industrial schools, orphanages, and infants' homes. Such institutions were generally considered temporary homes and usually housed children in residential-type homes or institutions. Private facilities of this type in the province included the Halifax Protestant Orphans' Home (1857), St. Joseph's Orphanage (1868), and the Home of the Guardian Angel (1888). These were private child-caring institutions — at arm's length from government — and mainly operated by private and often religious organizations.

Through most of the 19<sup>th</sup> century there was no provincial legislation designed specifically for the protections and reformation of children. The first piece of provincial legislation providing for the protection of children was the result of an 1880 amendment to the *Act to Incorporate the Nova Scotia Society for the Prevention of Cruelty to Animals* ("Society").<sup>43</sup> The Society was created in 1877 and had a membership of largely wealthy Protestant men who were highly influenced by social reform work being undertaken in Britain at the time.<sup>44</sup> Society members were vocal proponents of the temperance movement and included prominent members such as the Mayor of Halifax, judges, and businessmen in the city.<sup>45</sup> Through its work, the Society would also encounter and observe children in need of protection. The 1880 amendment allowed the Society to bring a complaint before any court or magistrate who had jurisdiction for laws pertaining to children under the age of 16,<sup>46</sup> and, by 1882, the Society was given official legal authority to bring cases of wrongs to children by parents, guardians, and proprietors to court. Fines collected under the act were to be used to fund the activities of the Society.<sup>47</sup>

In 1906, the Society supported specific legislation for the protection of children entitled *An Act for the Protection and Reformation of Neglected Children*<sup>48</sup> (*Children's Protection Act*, 1906). The act was the first comprehensive legislation in Nova Scotia specifically designed to address the protection and reformation of children. In 1912, the legislation was amended and consolidated with the federal *Juvenile Delinquents Act*<sup>49</sup> to become *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*<sup>50</sup> (*Children's Protection Act*, 1912).

Private child-caring institutions were authorized under the *Children's Protection Act* of 1906 and 1912. The legislation set the legal parameters for these institutions, however, they were administered and managed by private Boards or management committees, and operated independently of children's aid societies and Provincial authorities. These institutions were, therefore, authorized by legislation, but were not governed by the Province.

Private child-caring institutions were often charitable entities responsible to provide funding to support their operations. These institutions relied on multiple sources of funding support.

When they boarded neglected and dependent children pursuant to the *Children's Protection Act* ("wards"), they received a weekly sum (*per diem*) from the Province and from municipalities towards the costs associated with maintaining the child in a residential facility. Such institutions would also appeal periodically to Provincial and Municipal Governments for modest discretionary grants. These grants were not guaranteed, and institutions would often apply for them annually to offset their costs of operations. Ultimately, though, private childcaring institutions were responsible for raising their own funds, which they did mainly through charitable campaigns and philanthropic donations.

**Weekly sum = per diems**

Early child protection legislation referred to government maintenance payments for wards as "weekly sums".

The maintenance payments are currently referred to as per diem payments.

The Province had legislated responsibility for oversight of these institutions under the *Children's Protection Act* and exercised through the Office of the Superintendent of Neglected and Delinquent Children. To discharge this responsibility, the superintendent was mandated to visit, inspect, and report on these institutions regularly. Private child-caring institutions were required to maintain records of all admissions and discharges. The *Children's Protection Act* also required all children between the ages of 5 and 14 years admitted to an institution to attend school regularly, and children over the age of 14 years to learn a useful trade or occupation. Institutions were also required to provide adequate clothing, food, and medical care and treatment for children placed in their care.

## II. Children's Aid Societies

The first children's aid society (CAS) in Nova Scotia was established in Halifax in 1906.<sup>51</sup> CASs were private entities incorporated and authorized by statute but also operated independently of Government. Their statutory purpose was to protect children from cruelty and to protect neglected, abandoned, or orphaned children by providing them with suitable homes in reformatory institutions or private families and to guard over their interests.<sup>52</sup>

However, it was not until the *Children's Protection Act* of 1912 that these societies expanded operationally throughout the province. The general criteria for establishing a CAS in Nova Scotia, as set out in the *Children's Protection Act* of 1912, was as follows:

Any number of persons, not less than ten, may form themselves into a Children's Aid Society for the purpose of this act.

Upon filing with the Provincial Secretary the constitution and by-laws of the proposed society, signed by not less than ten persons, the Governor-in-Council may approve the constitution and by-laws of such society, and thereupon such society shall be a body corporate under the name of "The Children's Aid Society of \_\_\_\_\_", and may be approved by the Governor-in-Council for the purpose of this act.<sup>53</sup>

Once a CAS was established, the Provincial Office of the Superintendent of Neglected and Delinquent Children was also statutorily required to advise, assist, and instruct CASs in the performance of their duties.<sup>54</sup>

For most of their history, CASs did not operate residential homes or facilities, but were organizations located in municipalities, cities, and towns throughout the province. They were essentially private entities authorized by statute to exercise State powers to apprehend children, find foster homes for them, and place children in various institutional settings, including the NSHCC.<sup>55</sup> In localities without a CAS, the superintendent was empowered to act as a CAS with respect to children in that area.<sup>56</sup>

Like other private and charitable entities, CASs received their funding from several sources, including Government contributions and charitable and philanthropic donations. The *Children's Protection Act* prescribed that the municipality from which a child was apprehended was responsible for all expenses incurred in the child's apprehension, in addition to a weekly sum/*per diem* payable to the child-caring institution where the child was placed.<sup>57</sup>

CASs operated in co-operation with the superintendent, but were managed independently by their own private Board of Management. CASs would remain private and charitable entities until the early 2000s, when they merged with the Department of Community Services due, in part, to changes in the child welfare delivery model.<sup>58</sup>

### III. Other Institutions

Other institutions related to the care of children and youth included reformatories and industrial schools, many of which started as private institutions that provided for the custody and detention of juvenile offenders.<sup>59</sup> However, this was not always the case. Throughout most of the 1800s, juveniles convicted of criminal offences often found themselves committed to common jails and prisons with adult criminal populations. Two important statutes enacted in Canada in 1857 addressed the treatment of children convicted of criminal offences:<sup>60</sup> the *Act Respecting the Trial and Punishment of Juvenile Offenders* granted courts the discretion to commit juvenile offenders under the age of 16 years and convicted of minor offenses to "houses of correction," as opposed to common jails,<sup>61</sup> and the *Act for Establishing Prisons for Young Offenders* provided for the construction of "reformatory prisons" [in Upper and Lower Canada] dedicated to the detention and correction of juvenile offenders and where they would receive such instruction as was conducive to their reformation.<sup>62</sup> It was not long before other jurisdictions, including Nova Scotia, created similar institutions.

The Halifax Protestant Industrial School was one such reformatory institution. The school was established in Halifax in 1864, and, although originally designed to provide a home and education for homeless and neglected Protestant youth, the courts soon began sending convicted juveniles to the school for reformation and rehabilitation.<sup>63</sup> Another such reformatory institution was St. Patrick's Home for Boys, which was established in Halifax in 1885 to address the same needs as the Halifax Protestant Industrial School, but for convicted juveniles affiliated with the Catholic faith.<sup>64</sup>

As noted above, the *Children's Protection Act*, 1912, incorporated the federal *Juvenile Delinquents Act* and tailored it to Nova Scotia's particular situation. The act also created a juvenile court for Halifax, and established the positions of Superintendent and Chief Probation Officer for the Province.<sup>65</sup> Not surprisingly, neglected children often found themselves admitted to these reformatory institutions by the superintendent or CAS when they reached an age and character requiring such institutional care.

Management of the Halifax Protestant Industrial School was allocated to the Province in the late 1940s, and the institution was eventually relocated to Shelburne and renamed the Nova Scotia School for Boys. Shortly thereafter, St. Patrick's Home for Boys also closed and its residents were relocated to the Nova Scotia School for Boys. The Department of Public Welfare would become responsible for its funding, operations, and oversight, and it was no longer a private institution.

#### IV. The Home as a Private Child-Caring Institution

As discussed in the previous Origins section, the Home was incorporated in legislation by a private member's bill in 1915.<sup>66</sup> It is important to understand that private member's bills were not a reflection of Government priorities and commitments. They were a vehicle for private legal ordering and, as such, dealt with matters that only affected private individuals or persons of a particular locality.<sup>67</sup> They were, therefore, significantly different from Government or public bills that typically reflect Government policy and have general application throughout the province. Accordingly, the fact that the Home was created by statute does not mean it was a Government entity. It was a *private* child-caring institution incorporated by individuals to serve the specific objectives set out in its founding legislation. The objectives set out in the Home's incorporating legislation are reproduced below:

The said corporation may purchase, take and hold real and personal estate and may sell, convey, lease, mortgage or otherwise dispose of the same, and may invest any money that may come into their hands for the use and benefit of said corporation, as may be deemed advantageous to the interests of the said corporation for the purpose of securing and establishing lands and buildings for the care, education and proper training of members of the Afro-American race.

The said corporation is hereby empowered to act as a Children's Aid Society for matters affecting the children of the colored race, and to receive and keep same under their care pursuant to the provisions of the "Children's Protection Act, 1912".<sup>68</sup>

#### Children's Protection Act, 1912

22. The municipality, city or town within which any child apprehended under the provisions of this Act has settlement, as defined in the "Poor Relief Act," shall be liable for all expenses incurred in the apprehension of such child, and shall pay for every such child placed in a temporary home or shelter, orphan asylum, infant's home, industrial school, reformatory, house of industry, boys' or girls' home or other children's home, under the provisions of this Act, a sum not exceeding two dollars weekly so long as such child is in such place, which various sums shall be paid such institution, to the Children's Aid Society or the legal guardian of such child, and may be recovered by the Board of management of such institution or by such Children's Aid Society,

As referenced above, private child-caring institutions were well established in Nova Scotia by 1915 and operated mainly along religious lines. The incorporation of the Home – an institution designed exclusively for the care, education, and training of Black children<sup>69</sup> – was then a new phenomenon. While the Home had strong support from the AUBA, it was not delineated along faith lines but along racial lines. Despite its legal incorporation in 1915, it would not open its residential facility until 1921. The Home opened as a private institution for the care, education, and training of Black children. The fact that the Home was a private child-caring institution and was established with an explicit mandate and mission to provide care and support self-reliance and empowerment for the “Afro-American race” significantly shaped the nature of its relationships with Government, with other private child-caring institutions, and with the African Nova Scotian community.

## **B. An Examination and Review of Structuring Relationships**

In order to gain a deeper understanding of the Home’s operations over its history, a closer examination of the key set of structuring relationships that shaped the institution over time is required. Most notably, a consideration of the impact of the relationships the Home had with Government, children’s aid societies, the AUBA and the broader Black communities, and its own internal governance is important.

### **I. The Home and Government**

The Home’s relationship with Government was reflected in and established through interrelated dimensions: legislative, regulatory oversight, and funding.

#### *Legislation and Regulatory Oversight*

As previously outlined, the Home’s operations were governed (as with other private child-caring institutions) through overarching provincial legislation: the *Children’s Protection Act* (and subsequent statutory regimes). This piece of legislation was central to the nature of the Home’s relationships with Provincial and Municipal Governments and multiple children’s aid societies. As the overarching child welfare legislation within the province, it was both influenced and shaped by the emerging landscape of child welfare more broadly within the province, which impacted the operations of the Home in direct and indirect ways.

Provincial regulatory oversight of the Home was prescribed by the *Children’s Protection Act* and was operationalized through the Office of the Superintendent of Neglected and Delinquent Children, and, in later years, the Director of Child Welfare. As noted previously, the Office of Superintendent was created in 1912 by amendments to the *Children’s Protection Act*.<sup>70</sup> The superintendent was appointed by Order-in-Council and became a salaried employee of the Provincial Government.<sup>71</sup> The statutory duties and responsibilities of the superintendent were set out as follows:

- (a) to encourage and assist in the organization and establishment, in the various parts of the province, of Children's Aid Societies, for the protection of children from cruelty, and for the due care of neglected and dependent children in temporary homes or shelters, and the placing of such children in properly selected foster homes, and to have and exercise by virtue of his office the powers conferred upon Children's Aid Societies, with power from time to time to appoint any persons or committees to act for him as occasion may require;
- (b) to visit and inspect reformatories, industrial schools, detention and temporary homes or shelters, charitable institutions and foster homes, as often as occasion may require, and not less often than may be directed by Order-in-Council or departmental regulations in that behalf;
- (c) when specifically directed, to visit any home or place where any child has been adopted or is boarded out, or is placed pursuant to the provisions of any Dominion or Provincial Act or by virtue of any agreement;
- (d) to advise Children's Aid Societies and committees thereof, and to assist and instruct them, whenever necessary, in the performance of their duties;
- (e) to ascertain and keep a record of all available and suitable private homes in the province desirous of adopting and receiving children, and to keep a proper record of all children committed to and adopted out by the various institutions mentioned in sub-section (b) hereof, and of all children placed in or committed to institutions or foster homes by Children's Aid Societies, or pursuant to the provisions of any Act, and of all particulars connected with each case;
- (f) to act as and perform the duties of chief probation officer for juvenile delinquents for the Province of Nova Scotia, pursuant to the provisions of the Juvenile Delinquents Act, 108, (Canada), and to instruct any other probation officers as to the manner in which their duties are to be performed;
- (g) to prepare an annual report of the work of his office and submit such report to the Legislature at the next ensuing session, and, from time to time, issue and distribute such reports, publications, pamphlets, circulars and other literature as the Attorney General deems expedient;
- (h) to perform such other duties as may be prescribed by the Governor-in-Council.<sup>72</sup>

The first superintendent in Nova Scotia was Ernest H. Blois, a teacher who previously served as superintendent of the Halifax Protestant Industrial School. Blois was appointed in 1912, serving as the Province's Superintendent, Chief Probation Officer, and later as the Province's Director of Child Welfare. Historical records show that Blois served simultaneously as the provincial Superintendent, Chief Probation Officer for the Province,<sup>73</sup> and, in 1915, as an inaugural Trustee of the Home.<sup>74</sup>

As part of the oversight accountability function, the superintendent published annual reports describing the work of the office. A description of the Home first appeared in the superintendent's annual report in 1920, with reference to its planned opening.<sup>75</sup> The 1921 annual report represented the first time the Home was listed as a child-caring institution, and its first appearance in the Provincial expenditures.<sup>76</sup> As noted above, the superintendent was responsible for visiting, inspecting, and reporting on child-caring institutions pursuant to the *Children's Protection Act*. A more formalized regulatory framework would not be initiated until the 1940s, and, until this time, the operation of child-caring facilities was managed by private entities, as was the case for the Home.

Additional developments in child welfare legislation continued in Nova Scotia through the 1950s and 1960s. These developments are reflected in legislative amendments as follows:

- *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act, SNS, 1950, c 2 (re-named Child Welfare Act, 1950);*<sup>77</sup>
- *An Act to Amend Chapter 2 of the Acts of 1950, the Child Welfare Act, SNS 1954, c. 52*<sup>78</sup>
- *An Act to Amend Chapter 31 of the Revised Statutes, 1967, the Child Welfare Act, SNS, 1968, c. 18*<sup>79</sup>

Throughout this period of development, we saw increased support for maintaining children in their homes, and a revitalization of CASs to carry out the work of child protection.<sup>80</sup>

These and other changes would see the Province venture further into the regulation of child welfare and child-caring institutions. For instance, significant amendments to the *Children's Protection Act* in 1950 included a change in its short title to the *Child Welfare Act*, and the Department of Child Welfare was incorporated under the Department of Public Welfare.<sup>81</sup> Furthermore, an appointed Director of Child Welfare replaced and assumed all the responsibilities of the Superintendent, including the authority to act as a CAS.<sup>82</sup>

There were also substantive changes with respect to the standards applicable to child-caring institutions and foster homes. For instance, the *Child Welfare Act, 1950*, granted the Governor-in-Council authority to make regulations respecting, among other things:

- prescribing the standards of personnel, buildings, equipment and service to be maintained by child caring institutions, foster homes and other places and institutions required to be licensed under or to which this Act applies;
- respecting the records to be kept and returns to be made by persons conducting institutions to which this Act applies.<sup>83</sup>

The *Child Welfare Act*, 1950, also required the director to inspect child-caring institutions and to assist and encourage improvement in their accommodations, equipment, staff, and policies, and the nutrition, recreation, and medical and general care for children placed in their care.<sup>84</sup> With respect to the Home, the *Child Welfare Act*, 1950, established greater regulatory oversight by the Province, which coincided with the Province's involvement in general welfare programming and greater Government funding support. For instance, in order to qualify for Government grants, child-caring institutions were required to meet and maintain the standards prescribed by the regulations.<sup>85</sup> The Government's incursions into child welfare would persist and increase over the next several decades.

Further changes in child welfare occurred with the 1968 amendments, which removed the category of "neglected" child and introduced the concept of "child in need of protection."<sup>86</sup> Importantly, the term "neglected" had been the definitive factor for interventions since the *Child Protection Act* of 1906.<sup>87</sup> However, the 1968 amendments signalled a shift away from fault-based intervention standards towards a more objective evaluation of parental conduct and the best interest of the child. During this new era in "child protection," State actors like CASs were required to show that a child was "in need of protection" and that the need arose out of the conduct of the parent.<sup>88</sup>

In 1976, the *Child Welfare Act* and *Adoption Act*, among others, were amalgamated into the *Children's Services Act*, 1976.<sup>89</sup> The new *Children's Services Act* maintained the definition of "child in need of protection," but added procedural safeguards and due process for parents, and demanded more from the courts in terms of decision making.<sup>90</sup> The *Children's Services Act* signalled a new direction in temporary care towards a more deliberate and reasoned approach concerned with the "best interest of the child."

In 1990, the *Children's and Family Services Act*<sup>91</sup> was introduced and replaced the Children's Services Act. The new Children's and Family Services Act represented a further thrust towards maintaining family autonomy and integrity, and its "least intrusive intervention" approach to child protection.<sup>92</sup>

### *Funding*

Another significant element in the relationship between Government and the Home was funding. As previously outlined, the *Children's Protection Act* prescribed that the municipality from which a child was apprehended as a "ward" was liable for all expenses incurred in the apprehension, in

addition to a weekly sum payable to the child-caring institution where the child was placed.<sup>93</sup> For example, when a Black child apprehended by a CAS was placed in the Home, the municipality in which the child was apprehended was liable to the CAS for the costs of apprehension, and to the Home for the municipal weekly sum prescribed by statute. In its simplest form, the *Children's Protection Act* ultimately intended for the municipal weekly sums to make their way to the institutions providing care. Similarly, when a "ward" was placed in the Home, the Provincial treasury was also liable to the Home for a weekly sum prescribed by statute for the maintenance of the child. In the above-noted scenario, the Municipal and Provincial weekly sums should have transferred to the Home. However, this administrative process did not always work well for the Home. Unlike other institutions that drew from more local populations, the Home found itself having to secure maintenance payments from multiple CASs, municipalities, cities, and towns from across the entire province. This posed significant administrative complexities and challenges. These complexities and challenges were even more pronounced when children were apprehended extra-provincially and placed in the Home (such as from New Brunswick).

In terms of the Home's regular funding (e.g. 1923), the Provincial treasury was required to pay a weekly sum amounting to two dollars (\$2.00) for the maintenance of each child placed pursuant to Provincial legislation.<sup>94</sup> As indicated in the chart below, this rate would see only modest increases over the decades. Municipalities, cities, and towns were also required to pay a weekly amount of three dollars (\$3.00) for each child placed in the Home pursuant to the same legislation. The municipal portion saw even smaller increases over this time period.

Weekly sums ( <i>per diem</i> ) for "wards" placed pursuant to Provincial legislation for a given year	1917	1923	1930	1945	1954	1967
Municipal/CAS	\$2.50	\$3.00	\$3.00	\$3.00	\$6.00	\$6.00
Provincial Treasury	\$1.00	\$2.00	\$2.00	\$2.00	\$4.00	\$11.50
<b>Total</b>	<b>\$3.50</b>	<b>\$5.00</b>	<b>\$5.00</b>	<b>\$5.00</b>	<b>\$10.00</b>	<b>\$17.50</b>

The Home periodically sought additional funding from the Province and municipalities in the form of discretionary grants. Discretionary grants, by their nature, were not guaranteed and the Home had to appeal anew each time it sought additional funding. Ultimately, as a private child-caring institution, the Home was responsible for raising its own funding through charitable campaigns and philanthropic donations.

This picture of the Home's financial relationship with the Provincial Government disrupts some common assumptions about the Home. Many assume the Home was a Provincial Government entity and that its financial challenges throughout the years were the result of chronic underfunding. Further, the case is also commonly made out that this funding was lower than that provided other "white" child-caring institutions. Our review of the historical records

does not substantiate this assumption. In many ways, the Home shared similarities with other private child-caring institutions: namely, all were reliant upon a combination of public and private sources of funding. The Government funding provided to all of these private child-caring institutions was, thus, similarly inadequate to support operations owing to the private nature of the enterprise of child caring at the time. Unlike the Home, however, the other private child-caring institutions were directly religious- and faith-based institutions supported by substantial endowments, bequests, subscribers, and an established administrative and institutional structure from which to draw support and resources. Also, many of these private religious- and faith-based institutions ordinarily received children from communities and localities proximate to their child-caring institutions. In contrast, the Home received children from across the province, and sometimes beyond, which complicated the means by which to collect the statutorily prescribed weekly maintenance sums.

The Home's financial position was further exasperated by another distinguishing feature of its operations: it accepted children who were wards of the State as well as children who were not and who came to the Home through private placements (non-wards) for which no Municipal or Provincial maintenance payments were forthcoming. Meeting this need for communities by providing care for children who remained without regularized funding was a recurrent issue within the relationship of the Home with the Provincial Government.

However, as discussed in the following Operations section, despite the many concerns raised by the Provincial Government regarding the Home's finances and its management of non-wards, the Province continued to provide additional financial resources to the Home throughout its history. In fact, early records of the superintendent reflect that the Home had a higher percentage of its operating funding provided by the Province.<sup>95</sup> Additional financial resources following on the original purchase and donation of the land included substantial capital contributions towards the building of the Home, the renovation and construction of an addition to the original building (Cumming Annex).<sup>96</sup>

## II. The Home and Children's Aid Societies

The operations of the Home were also shaped by its relationship with CASs throughout the province. Like the Home, CASs were created as private and charitable child-caring entities that depended on charitable donations and Government contributions to operate. CASs formed an integral part of the child-caring apparatus in Nova Scotia, but often struggled financially to fulfill their roles.

As referenced above, starting in 1912, CASs began to flourish in Nova Scotia. Children's aid societies were established in Kings County (1912), Cape Breton, Cumberland, Hants, Pictou, and Yarmouth Counties (1913), the counties of Annapolis and Colchester (1914), the City of Halifax (1920), and the counties of Queens (1925), Shelburne (1930), and Lunenburg (1931).<sup>97</sup> In regions and localities that did not have an established CAS, the superintendent was authorized to act and to exercise the powers of a CAS.<sup>98</sup>

The growth of CASs across the province may have been an important resource in addressing local child protection needs, however, their structure and operations would prove challenging for the Home. It was significantly difficult for the Home to recover maintenance payments from multiple, and sometimes distant, CASs. As referenced above, the *Children's Protection Act* made municipalities liable for weekly sums for children placed in the Home pursuant to Provincial legislation. However, the legislation did not set out the process by which an institution was to ensure such funding. This presented a significant challenge for the Home, given its unique position serving a provincial population. Where it might have been possible to negotiate issues with a single and local society, it was significantly more difficult to recover weekly sums directly from distant municipalities and CASs, and to do so efficiently across multiple societies all at once. Tracking and pursuing such funding required substantial administrative skill and capacity that the Home lacked resources to support. Recall the operative language of the *Children's Protection Act* stated:

... which various sums shall be paid such institution, to the Children's Aid Society or the legal guardian of such child, and may be recovered by the Board of management of such institution or by such Children's Aid Society, as the case may be, in an action at law for the use of the institution in which the said child was placed by the said society.<sup>99</sup>

Historical records show the Home often had difficulty securing timely payment or recovering weekly sums at all from municipalities and CASs. This significantly impacted the stability and level of the Home's finances.

The Home's mandate to accept children from across the province also presented significant challenges with respect to the legal obligations of CASs and the resultant standards of care for residents. In particular, CASs that placed children in the Home remained their legal guardian responsible for ensuring the child received adequate care, education, or teaching for some useful occupation. However, many CASs that placed children in the Home were located in distant regions of the province, making it difficult to discharge their supervisory obligations as legal guardians. Moreover, given the tenuous financial position of many CASs, it became financially impossible for them to attend personally and regularly at the Home to discharge their legal responsibility as legal guardians to ensure the children received proper treatment, an education, or teaching for some useful occupation.<sup>100</sup> In many instances, the CASs would abdicate their legal responsibilities and never return once they placed a child in the Home. Throughout the history of the Home, there were several references to the Home as a "dumping ground" for placements. Geographic distance alone seems an insufficient explanation for this occurrence as the Halifax Children's Aid Society was frequently referenced in this regard. Historical records show the Home received children from other provinces, including New Brunswick. Many of

these issues were even more pronounced for referral agencies located out of province. Again, the Home faced challenges with respect to care planning for children due to these geographical and jurisdictional issues.

### III. The Home, the AUBA, and Broader Black Communities

As referenced in the prior Origins section, the AUBA was instrumental in the genesis of the Home and continued to play an influential, albeit informal, role throughout its operations. The AUBA was a Christian organization that willingly co-operated with philanthropic members of the broader white society to further the ideals of the Home. The Home's Constitution and By-Laws did not designate the AUBA representation among the Trustees of the Home, however, the AUBA's endorsement for and support of the Home remained evident throughout the Home's history. Although similar in many ways to other child-caring institutions with formalized religious and faith-based ethics to care for vulnerable children, the relationship between the Home and the AUBA had additional layers of complexity that distinguished it from its counterparts. As the cornerstone of many Black communities in Nova Scotia, the AUBA functioned as "an all-purpose organization" whose influence would be felt across a variety of spheres of the Home's operations, including the provision of religious instruction, moral authority, fundraising efforts, a conduit to communities, community leadership, and advocacy on issues affecting the Black community.

It is important to note that the Home's operations provided employment opportunities for members of the proximate Black communities but did not generally have a similar economic relationship with other Black communities throughout the province. However, the Home did receive children from Black communities across the province and beyond. This was the extent of its direct connection into the wider African Nova Scotian communities. For the most part, the Home's relationship with the African Nova Scotian community was mediated through the AUBA, its residents, and annual outreach and appeals. In this sense, the Home was quite insular and disconnected in terms of its operations from the broader African Nova Scotian communities across the province. Given this disconnect, the relationship with the AUBA became even more essential to remain connected to African Nova Scotian communities throughout the province to secure and maintain their ongoing commitment and support for the Home's vision and mission.

The AUBA provided the moral, social, and political foundation from which the vision of the Home was built. Historical records show that the AUBA accepted, in principle, the proposal of an industrial school put forth by James R. Johnston as early as 1908,<sup>101</sup> and, by 1917, the AUBA unanimously provided support for the Home's development as articulated in its incorporating legislation. There were three instrumental AUBA members of the Home's vision and eventual operation: James R. Johnston, Reverend Moses B. Puryear, and James A.R. Kinney. All three were deeply embedded within the AUBA organizational structure. This alliance was particularly strategic on two fronts:

- i) the endorsement by the most influential African Nova Scotian organization was critical to the Home's support from many regions of the province to ensure members from any African Nova Scotian community across the province would have access to the services and care provided by the Home. This provincial reach was significant in terms of both the ability of the Home to have broader reach for its private fundraising, which was necessary as a private and charitable child-caring institution, but also, and importantly, in terms of awareness of the Home as a community resource for those families in need of support.
- ii) these influential members of the AUBA – particularly Puryear and Kinney – were able to maximize their sphere of influence using the legitimacy of the AUBA organizational structure to further leverage strategic and philanthropic relationships with men of influence within mainstream white society. As an example, James A.R. Kinney was able to create an enduring connection with Ernest Blois, who was a senior Government official, and H.G. Bauld, who was a prominent businessman and politician. All of these connections were significant, representing some of the key figures in the inaugural Board of Trustees of the Home, some remaining prominently connected to the Home for decades. In later years, other prominent members of the AUBA would also serve on the Home Board and advocate with the Government and white establishment on behalf of the Home.

A critical element of the relationship between the Home and the AUBA was financial, and the AUBA committed financial support because it was reflective of their faith in the vision of self-determination and self-reliance for Black residents living within a broader racialized society. There was a clear and explicit desire and commitment to “take care of our own.”<sup>102</sup> Prior to the Home's official opening, in 1921, the AUBA and its Ladies Auxiliary members financially committed to the operations of the Home:

To bring such an institution into being, \$1000 at least must be raised yearly by the Association through its Churches and Auxiliaries for the work and the Sisters of ability and energy must link up with and become members of the Ladies Auxiliary of the Home to care for, provide finance and clothing for the little children that will pass through for training and upbringing. We would not be worthy of the race if we neglect our own.<sup>103</sup>

The Ladies Auxiliary's annual commitment of \$1,000 to the Home in 1921 would be equivalent to more than \$14,000 in 2019.<sup>104</sup> The ongoing financial support provided directly by the AUBA and Ladies Auxiliary, and facilitated through its congregations across the province, was a significant achievement in and of itself. Given the lack of economic resources available in many African Nova Scotian communities, and their relatively small populations, the monies raised were a remarkable achievement and testament to the perceived value of the Home as a community resource and symbol of pride.

Additionally, over the course of its history, the Home welcomed the active involvement of the AUBA and its Ladies Auxiliary in assisting with religious instruction, volunteering time with children, choir singing, domestic instruction for females, and by engaging in some social activities with the residents.

The informal, yet influential, relationship between the AUBA and the Home is also demonstrated through the reporting mechanism set up to keep the AUBA apprised of developments with the Home. Based on available records, the Home provided annual reporting of its operations, accomplishments, and challenges at the AUBA's annual conferences. Such reporting would also serve as a means of connecting and disseminating knowledge to communities across the province. The Home did not provide such regular reporting to any other entity throughout its history, save and except any legislative obligations it had to the Province.

Perhaps the most telling element of the enduring and significant relationship between the Home and the AUBA is evident in the AUBA's participation on the Home's Board of Trustees/Directors. While the AUBA did not have a "designated seat" prescribed through the Home's Constitution, members of the AUBA often held position on the Board throughout its history. In the early years of the Home's operations, this representation was often a minority voice. While not all Black members of the Board were AUBA affiliated, the AUBA members raised concerns over the lack of Black representation on the Board towards the end of the 1960s. By the 1970s, representation on the Board changed significantly and Black representation constituted the majority voice in decision making and authority. This milestone represented an important accomplishment as reflected in the executive's report of the 117<sup>th</sup> session of the AUBA, which stated:

For the first time in her long history that Black people are in the "inner circle" of governing the Home. These are our Black children and we must never forget their welfare.<sup>105</sup>

Perhaps the increase in Black representation on the Board was in response to the operational insecurities at the Home during this critical period, including the closing of its farming operations, the closing of the Henry G. Bauld Memorial School, and declining resident numbers due to changes in the de-institutionalization of child welfare in Nova Scotia.

In many ways, this form of advocacy with respect to the vision and governance of the Home was consistent with the influential role the AUBA played generally as the voice and community conscience on issues and concerns of the Black community. In addition to concerns over Board representation, the AUBA would also echo support for the Home's position on issues related to the care of Black children, including fostering of Black children in white homes, declining referrals and enrolment, and concerns over the potential closure of the Home and the resulting loss of land associated with the Home's operation.<sup>106</sup>

The resurgence of the community and the increased presence of the AUBA in the 1970s led to future planning and strategic visioning of the Home to ensure its continuing viability. The AUBA's influential presence was most evident in the amendments to the Home's incorporating legislation in 1978, in which the AUBA was designated as the "first-in-line beneficiary" to any surplus assets should the Home wind up or dissolve.<sup>107</sup> This was the first time such a stipulation was made with respect to the Constitution of the Home. This stipulation was raised once again in the 1990s as the AUBA sought clarification regarding the land resource in the event of the dissolution of the Home.

#### IV. Internal Home Governance and Relationships

A final and significant relationship shaping the Home's operations was its own internal governance and operating structures. The corporate structure of the Home was created with the passing of the bill on April 23, 1915.<sup>108</sup> There were no regulations that accompanied the Home's legislation. However, what stands out about the incorporation of the Home is the number of leading public figures with significant roles in its establishment, including James R. Johnston, Ernest H. Blois, Henry G. Bauld, and James A.R. Kinney. In fact, after the Home was established, James A.R. Kinney and Henry G. Bauld continued their involvement with the Home for many years and in various executive positions on the Board. Kinney served for several decades as the Home's first Superintendent/Manager and Bauld would serve as the Board President until 1948. Both men exerted significant influence on the governance of the Home that would persist for decades. Upon review, those influences appeared to have a penchant for the enterprise of the Home but very little focus on the care, education, and training of the children in its care.

It is also important to note that the first superintendent and chief probation officer for the Province, Ernest H. Blois, also served as a Trustee of the Home when it incorporated in 1915.<sup>109</sup> This is significant because Blois was responsible for Government oversight of the Home – for visiting, inspecting, and reporting on the Home during his tenure as Superintendent and Director of Child Welfare. The potential conflicts of roles as overseer and governor of the institution received no attention during his tenure. This situation raises the question of the level of accountability Blois exercised as Superintendent and Director of Child Welfare with respect to an institution of which he was a Trustee. It is notable that the subsequent Director of Child Welfare declined his appointment in absentia to the Board, expressing a similar concern with respect to conflict.<sup>110</sup>

In 1924, the Home passed a set of By-Laws for the management of the affairs of the corporation. The first set of By-Laws identified the Home's executive positions and authorized the Trustees to raise and borrow monies for the establishment of the Home.<sup>111</sup>

The Home passed a new set of By-Laws in 1928, setting out the duties and responsibilities of the directors as follows:

To secure the fulfillment of any contracts or engagements entered into by Home by Mortgage or charge or sale of all or any property of the Home.

To determine the Officers of the Home who shall execute all deeds and mortgages to be given by it, and to authorize such officers to execute said documents.<sup>112</sup>

The corporate structure of the Home, based on the terms of its Constitution and By-Laws as of 1928, were, at best, unclear. For instance, the incorporating legislation identified an inaugural Board of Trustees whose primary objective was “securing and establishing lands and buildings for the care, education and proper training of the members of the Afro-American race.” The legislation also prescribed a process by which the Board of Trustees could “make bylaws for the management of the affairs of the said corporation.”

However, a review of the incorporating legislation and the By-Laws of 1924 failed to describe with any accuracy how such an institution was to operate. This uncertainty created great confusion for the Home with significant negative impacts on its management and operations after opening in 1921. Absent any management structure, members of the Board of Trustees assumed various roles to facilitate its operations.

For a very long period, the Home was run by a few individuals and without any apparent management or operational structures. Henry G. Bauld served as the Home’s first president (1917–1948), and James A.R. Kinney became the Home’s first superintendent/manager (staff), while simultaneously serving as a member of the Home’s Board of Trustees. Despite being the superintendent/manager of the Home, Kinney did not manage the child-caring operations of the Home. Rather, Kinney settled into his role as primarily responsible for fundraising, marketing, and farm operations. The actual day-to-day child-caring operations of the Home were provided by a matron who was hired specifically for this function and appeared to have been supervised in that role by the superintendent/manager. A lack of clarity in terms of the roles and responsibilities of staff and Board members was a recurrent theme over the Home’s history.

Further confusion arose with respect to the management and operation of the Home as Kinney drew a salary as superintendent/manager of the Home while also occupying an executive seat as secretary and treasurer to the Board of Trustees. There were very few clear lines indicating where Kinney’s role as the superintendent/manager of the Home began and his role as a member of the Board of Trustees ended. Over the course of its history, the Home seemed to be generally run by only a few influential members of its Board, namely its president and treasurer.

The Home also lacked any comprehensive policies typical of corporations and needed to guide the corporation through its mandate. Furthermore, there was substantial confusion throughout

the years regarding the proper manner in which to manage and operate the Home. For instance, some years there was reference to a Board of Trustees and a Board of Directors, other years there was a Board of Directors and a Board of Management, and still other years there was a combined Board of Directors and Trustees. These and other fundamental governance and structural deficiencies resulted in poor management practices that would prove problematic as the Home came of age. Unfortunately, the adoption of a new set of By-Laws in 1928 did not alleviate the fundamental structural and governance issues that impacted the Home's operations. For a significant portion of the Home's history, there was a disconnect and confusion regarding the roles of staff versus the role of Trustees and Directors. There appeared to be a lack of faith in the governance structure by staff, as was evident in their complaints related to low wages, their Human Rights complaint in the late 1960s, the labour relations unrest in the late 1970s, and their eventual unionization in the 1980s.

The Home also revised its incorporating legislation by amendment in 1978. For the most part, the revisions appeared to simply modernize the legislation with a couple of significant changes. One significant change from its predecessor legislation was the codification of a Board of Directors (replacing the Board of Trustees) responsible for the administration and management of the Home through the election of a chairman, vice-chairman, treasurer, and secretary.<sup>113</sup> And, as stated previously, the 1978 revisions also introduced the AUBA as the primary beneficiary to receive any and all surplus assets of the Home in the event the Home dissolved or wound up.

Unfortunately, the above-referenced structural and governance changes resulting from the 1978 amendments, combined with significant changes in the racial makeup of the Board of Directors, did not resolve the fundamental issues confronting the Home. There remained a lack of accountability or oversight with respect to governing operations at the Home. There was no evidence of any measurable improvement in the care provided to residents in the Home, and the amendments did little to resolve the Home's financial challenges. Arguably, the same fundamental governance, finance, and structural deficiencies that brought the Home to near dissolution in the late 1960s continued in full force and effect over the next few decades.

## Operations Overview

As the previous sections outlined, the Home's operations over the decades were framed within a series of complicated and intersecting sets of structuring relationships. The impact of these relationships, over time, had the effect, intentional or otherwise, of influencing the functioning of the Home, which ultimately impacted the lived experience of children and youth who resided there. It is from the vantage point of hindsight that we can see these patterns of relationships and themes in the Home's operations. These enduring themes, over the decades, will be discussed and examples provided from primary sources in a chronological format so readers can see the shifts, trends, and patterns that, over the course of history, wove the complicated story of the

Home and serve to provide an illustration of the context, conditions, and circumstances that framed the lived experience of former residents.

Over time, there was tremendous social, legislative, and regulatory change and development that had an impact on the Home's operations. However, despite this shifting landscape, there was continuity in some of the persistent themes that transcended each of the phases outlined below. These themes include:

- Recordkeeping: records pertaining to the care of children were noted as incomplete; records of the Board of Directors itself, with respect to its governance and decision making – including financial practices – were also sporadic
- Governing Practices: particularly internal to the Home's Board of Trustees/Directors, and intersecting with staff members directly involved in operating the Home
- Staffing Issues: inadequacies in terms of numbers and training/development
- Financial: a complicated financial arrangement that relied on a varying combination of public and private sources of funding to sustain its operations
- Programming for Children: recurrent theme of inadequate programming offered to residents to meet their needs
- Focus on Sustaining the Institution: much of the recorded documentation points to a constant effort at ensuring the sustainability of the institution in the name of the institution's vision and significance but not necessarily its purpose – at times, with little regard for the children the institution was meant to serve

Given the long and complicated history of the Home and its operations, the focus here is on the significance of its history as it relates to the central issues of the Restorative Inquiry. The Home's operations are articulated through temporal phases of its lifespan. In the following sections, a summary of major themes and significant developments during a period will be provided followed by illustrative examples to signify the complexity of the operations of the Home. The enduring and intersecting nature of these themes is intended to counter the tendency to simplify the explanatory resonance of its history and function. In short, the story of the Home is not a simple one to relay: it is layered with complexities and relationships that necessitate a more relational understanding of its operations and impacts.

- A. Early Decades 1921-1961: Building and Growing the Institution
- B. Transition Years 1962-1978: Demise of Congregate Care and Resurgence of Community
- C. New Home Years 1978-1989: Change & Continuity
- D. Later Years 1989-1998 and Beyond: Heritage Status and Allegations of Abuse



## **A. Early Decades: 1921–1961 Building and Growing the Institution**

*The early decades of the Nova Scotia Home for Colored Children (the Home) were marked by significant investment of efforts – both human and financial – in building and developing the Home. There was sustained focus on fulfilling the vision after the Home officially opened. The building was completed in 1921, and in the following four decades of operations, infrastructure was added, concluding with the completion of the Cumming Annex in 1961.*

*During this period, the Board of Directors (the Board) was focused on building and sustaining an institution intended for the benefit of the African Nova Scotian community. This was in keeping with the original vision to provide both residential care and industrial training for dependent and neglected Black children.*

*During this time, changes in the child welfare sector, combined with increasing legislative and regulatory oversight, caused the Home to experience an increased monitoring of the quality of its child care and its financial practices.*

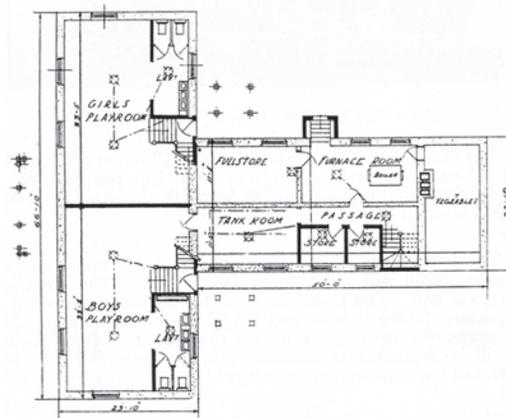
*Initial support and funding from Government, the African United Baptist Association (the AUBA), and the community, though important and necessary, was insufficient to meet the Home's financial and operational needs. As a private, non-profit institution, the Home encountered precarious fiscal circumstances in the course of completing its infrastructure growth, all the while trying to meet its responsibility for the care of children under its charge. It is evident the Board, many of whose members were long standing and had been so since the Home's opening, extolled much time and effort in fundraising and securing financial support, rather than attending to the conditions and circumstances of the functional operations of the Home. It is during this period that concerns of neglect and abuse began to surface. These concerns seemed to have been treated as isolated incidents with little attention paid to the context and conditions that contributed to the harm as articulated by former residents.*

The Nova Scotia Home for Colored Children (the Home) officially opened in 1921, after considerable planning. It was situated on 212 acres of land at “Preston Road,” Halifax County, Nova Scotia, purchased for \$5,000 by the Nova Scotia Government from William McKenzie, a local area farmer.<sup>114</sup> It was described in the annual report of Government and Home promotional pamphlets as having sufficient land in cultivation to provide necessary farm produce for the maintenance of the Home.<sup>115</sup>

The plans and specifications for the building of the Home were approved by the Provincial Government in the fall of 1919, and, in 1920, the Home was contracted for construction with an estimated cost of \$24,920.<sup>116</sup> By 1921, Government contributed \$10,000, by way of grant,

towards the total cost of building and furnishing the Home, which was estimated to be \$30,000.<sup>117</sup> The African United Baptist Association (the AUBA) also contributed to the cost from a combination of its organization, communities, and ladies auxiliary.<sup>118</sup>

At the time of the Home's opening, it was equipped to accommodate 16 children, with the intent to have a maximum capacity of 32.<sup>119</sup> The institution received children on March 11, 1921, even though the building was unfinished.<sup>120</sup> The Home employed a registered nurse as its first matron, who subsequently resigned and returned to the United States in 1922.<sup>121</sup>



Original building plans

NSA, Eight Annual Report, Superintendent of Neglected and Delinquent Children (1920)

When the Home opened, its operation was overseen and governed by the Board of Trustees, of which Henry G. Bauld was president – a position he held until his death, in 1948. James A.R. Kinney held several roles – first as secretary, then as secretary and manager, and as the Home's superintendent, until 1939.<sup>122</sup>



Sadie Steen

NSA Library, VF 169-25

Part of the operations of the Home during this time included education for the residents. An onsite school was established, and school-age residents were taught all subjects from grades 1 to 9 in the main building. Promotional pamphlets from the era indicated training received by the children was the same as that followed in all public schools.<sup>123</sup> The school program at the Home was included in the annual inspections of the Superintendent of Education. The operation of the school with an African Nova Scotian teacher during the early years was significant in that many African Nova Scotian communities struggled to open schools due to challenges in acquiring Black teachers.<sup>124</sup> By 1927, the school was moved from the main building to the remodelled farmhouse for increased size.<sup>125</sup>

From its opening up until 1924, the Home continued to enhance its infrastructure so it was finished and furnished. A two-storey ell was added, which provided space for a superintendent's quarters, a dormitory for eight children, sewing room, and bathroom;<sup>126</sup> electric lights were installed; the barn was remodelled; and a carriage house, piggery and henhouse were built. The Home reported having 35 children under its charge.<sup>127</sup>



NSHCC School

In 1924, the Government conveyed the land and buildings to the Home's Trustees, consistent with the intent to acquire the land for the purpose of the Home.<sup>128</sup> The Order in Council (OIC) indicated "it was not the intention that the Province should have any beneficial interest" in the lands. The OIC authorized that the legal interest be transferred to the corporation (the Home).<sup>129</sup>

From the beginning, the Home was noted as encountering money problems "due in large measure to the delay by the Municipalities in making payment for the children being boarded there." It was reported that the water system needed repair, the school was small and crowded, and \$15,000 was requested for a farm extension.<sup>130</sup>

The farming operation was believed to be a viable source of income and an important part of the overall operations of the Home. Correspondence from Board President Bauld to Superintendent Blois reported on the farm extension potential, already believed to be one of the largest in the district, and noted that the accomplishment of the Home getting some crops to market was attributable to the assistance of the children.<sup>131</sup> Promotional pamphlets produced by the Home noted the dual purpose of the farm to the operation of the Home: a business enterprise, producing and marketing dairy products, eggs and vegetables, which provided a source of income and also fed the residents. "Altogether apart from the education it provides" (to the boys and girls, in weeding and other light work), "it provides for the required expense of labor, fuel, food, milk etc."<sup>132</sup>



Home farm

The Home's Board of Trustees extolled significant effort in ensuring funds were available for the Home. Correspondence during the mid-1920s from the President of the Board to Government outlined many efforts at fundraising for the operations of the Home. In the correspondence, President Bauld noted that Secretary Kinney had been nearly single-handedly responsible for fundraising efforts thus far in the Home's operations, and that support had come from generous individuals in Upper Canada. The letter pointed out that no community chests were forthcoming from local efforts, and that Kinney would again be



Home farm — picking peas

travelling to Upper Canada to continue these efforts and wanted Superintendent Blois to provide support statements of the good work of the Home.<sup>133</sup> Within this series of letters between the Home and Government, it was clear that Government was not supportive of making appeals for charity to the “Upper Provinces.”<sup>134</sup>

By 1928, records indicated the Home had mortgaged its entire property for \$8,000: \$5,000 was used to pay the Royal Bank of Canada on account of a \$6,700 overdue bank loan, and the balance was put on current outstanding liabilities.<sup>135</sup> The mortgage was eventually paid off in February 1940.<sup>136</sup>

The Home marked its 10<sup>th</sup> Anniversary in 1931. The number of residents had gradually increased over the first decade, fluctuating in numbers from 26 to 36.<sup>137</sup> The farming operation was seen as a central part of the Home’s success story and aligned with the original vision of the Home as an industrial training opportunity. The Home’s promotional material, used for annual appeals for funding, highlighted the farm as providing vocational/farm training for the boys, food for the Home, and additional income in sales of produce to the community; however, it noted funding had not yet permitted the provision of a manual training instructor.<sup>138</sup> In 1932, Dr. Melville Cumming, a former principal of the Nova Scotia Agricultural College, joined the Board as “director to check the farm operations.”<sup>139</sup>



Family submission to Restorative Inquiry

Children and staff, NSHCC (circa 1930s)

During the 1930s, the Home's Trustees continued efforts to raise private funds to support the Home's operations. Again, promotional pamphlets were used to articulate the context and rationale of the funding needs<sup>140</sup> and, in this decade, the annual radio broadcast started featuring the children as active participants.<sup>141</sup> Newspaper coverage of the broadcast reported an increasing level of donations over time (1959: \$5,000; 1976: \$22,000; 1985: \$32,000; 2001: \$40,000).<sup>142</sup> By 1972, the event was televised. It became a telethon in 1985 and ran for the better part of the next three decades.<sup>143</sup>

By the end of the 1930s, the number of residents fluctuated between 30 and 40<sup>144</sup> and there was a transition in leadership at the Home as A.R. Kinney had ended his tenure as secretary and manager. Matron Fowler, the Home's superintendent from 1924 to 1940, assumed Kinney's operational responsibilities at the Home; however, she was not represented on the Board.

Coinciding with the statutory and regulatory developments regarding child welfare in the 1940s, the Home experienced increased oversight and questioning of its child caring operations by children's aid societies throughout the province, as well as the Provincial Director of Child Welfare. At the same time, the infrastructure of the Home increased in value and farming operations prospered.

Figure 1: Home Property Values 1940 – 1949<sup>145</sup>

Year	Property Value
1940	\$65,000
1946	\$75,000
1948	\$90,000
1949	\$120,000

This period also witnessed the Home prosper as a commercial farming outlet and placement centre for agricultural students, who worked the fields alongside the older residents.<sup>146</sup> However, in 1940, the Home mortgaged a portion of its property for \$6,000 and subsequently paid the mortgage off.<sup>147</sup>

In 1944, Nova Scotia restructured Provincial welfare and created a new Department of Public Health and Welfare; this also changed the leadership of Government oversight to the Home. Judge Blois became Deputy Minister of Public Welfare and F.R. MacKinnon was named the Province's Director of Child Welfare.<sup>148</sup> Upon the retirement of Deputy Minister Blois in 1947, MacKinnon was appointed as one of two deputy heads for the Department. MacKinnon retained responsibility for the administration and management of the Mother's Allowance section, the



Fred R. MacKinnon

Child Welfare Program, and the Nova Scotia Training School. MacKinnon provided a consistent oversight role within the Province as he remained responsible for the child welfare portfolio until his retirement in 1980.<sup>149</sup>

Up to this period, private child caring institutions operated under the direction of their own boards of directors with little operational oversight provided by Government in the way of regulations and little connection with other institutions. MacKinnon noted that the authority to inspect an institution was of limited value, indicating such inspection needed to carry the power of some Government body or official to ensure proper standards were set and maintained. This is the first time there was a concern over the link between independence of child care institutions and the quality of care administered.

MacKinnon noted that supervision of privately owned and established institutions was worthy of attention because of the large number of children and large sums of public money being given to these institutions. MacKinnon's report suggested that increasing the power of the provincial office would improve the efficiency and accountability of services.<sup>150</sup>

MacKinnon was also instrumental in the formation of the Nova Scotia Association of Child Caring Institutions (NSACCI) in 1948. He played a central coordinating role in holding monthly meetings (at least January to May 1958) and annual conferences/meetings. The NSACCI attempted to reduce the isolation of the child caring institutions and improve the welfare of their respective institutions.<sup>151</sup>

During the latter half of the 1940s, an increase in attention to the operations and living conditions of the residents was documented through Home inspections and correspondence. There was correspondence between multiple children's aid societies and the Provincial Director regarding the provision of family allowances that were intended to be paid to wards of the Home and were often held in trust by the children aid societies. It appeared there was a concern over resources and lack of programming and attention to the residents' needs. Correspondence suggested there was a reluctance to send the family allowances directly to the Home and questioned the appropriateness of the Home asking for the allowances without providing details as to their precise use. The letters suggested that a central issue regarding the allowances was their intended use, as the allowances were meant for the benefit of the individual wards, yet the Home would not provide any clarity to agencies identified of the programming needs of the residents. The Provincial Director was called upon to intervene and correspondence suggests it

was also a means to ascertain the extent to which the agencies were paying their maintenance and allowances to the Home.<sup>152</sup>

By 1946, up to 70 children were lodged in the Home and there was a call to extend the facilities soon.<sup>153</sup> Several Home visits and inspections from 1947 to 1949, including one from the Provincial Director, outlined environmental and operational conditions that came to shape the living experience of residents, which were in stark contrast to that of staff members. These officials expressed concern about the meagre living conditions of residents in comparison to better conditions for staff. Concerns were documented about the provision/lack of food, supervision, and inadequate facilities. All summaries indicated concerns with staffing levels, including the lack of specialized training as well as the lack of supervision of children. One visit noted there were only three regular staff: the matron and two helpers, when ordinarily there would be seven with a resident population of approximately 60. In MacKinnon's summary, he noted that the farm operations occupied five men, and the supervision of approximately 60 children occupied five female staff.<sup>154</sup> In terms of the observation of the physical living conditions, all inspections noted the cleanliness of the Home, yet commented on the overcrowding of dormitories with their sparse furnishings and lack of personal belongings, absence of toys and games in the playrooms, lack of coats and boots in cloakroom, and inadequate toilet and kitchen facilities for the number of residents, as well as the absence of menu planning.<sup>155</sup>

### Excerpts from the Romkey Inspection, 1948

The outstanding fact of this Home is the cleanliness of the place. The floors are scrubbed white and there is not one thing out of place. One wonders if the children just sit on the benches in the playroom without moving, because nothing is out of place. Of course there were no toys or play material around to be used.

This room (kitchen) is immaculate and spotlessly clean. The kitchen stove seems too small to do much roasting of meat or preparing a full course meal for 64 children and a staff of 10. There are two small pantries off the kitchen where an electric refrigerator is kept. The small quantities of food kept in this refrigerator would only be sufficient for the staff not for the 64 children.

(Matron) told that she kept no records at all in the Home...for the past 8 years...the Secretary-Treasurer has looked after all the bills and board rates.

The inspection report by Lillian Romkey in 1948 expressly recommended notifying the Board of the concerns with children's meals, which were noted as in stark contrast to staff meals, as well as recommendations the teacher spend more time mingling with students when not in the school (such as during lunch) and that younger staff be considered for employment.<sup>156</sup>

While Government was attempting to determine the status of residents at the Home<sup>157</sup>, the Provincial superintendent's annual reports started to record the number of non-wards, who were not financially supported by the Province or the Municipality (as indicated in Appendix ??). The trend to record non-wards was short lived in the annual reports; however, acknowledgement of the Home providing care for non-wards contributing to the financial and operational challenges continued in subsequent decades of operation.<sup>158</sup>

In June 1948, the Home built and opened the two-room Henry G. Bauld Memorial School, opened on a site just north of the Home, offering studies "K-9," industrial arts, and domestic science to 63 residents and neighbouring students alike.<sup>159</sup> It employed two teachers, one teaching grades 1-3, and the other grades 4-9.<sup>160</sup> The original cost to the Home was \$28,000 and a loan of \$10,000 was received from the Department of Education. The Home provided \$12,000 from "collections" and "Special Gifts."<sup>161</sup>



NSA Library, 1955 NSHCC brochure

Two school classes and teachers

By September 1948, the Home reported a deficit of \$2,000.<sup>162</sup> Similar to other institutions, the Home's source of finances was a combination of public and private funds. Although maintenance from Government appeared stable over the decade, the percentage of public funding dropped (steady but gradual decline from 85 per cent to 60 per cent since the Home's opening).<sup>163</sup> This increased financial strain was noted and the Department appeared interested in ascertaining the rates paid to the Home for placements made through the children's aid societies or privately, as well as the number of residents for whom the Home was not collecting rates.<sup>164</sup> In a letter from Board President Cumming to the Department, the Home attempted to provide an explanation as to its financial position and explained that the Home had never been able to establish a capital account, and their policy had been to pay for construction, such as the new Bauld Memorial School, from current accounts and supplemented by borrowing.<sup>165</sup>

By 1950, the *Child Welfare Act* came into force with accompanying standards, with specific inclusion of child caring institutions – the first set of regulations for such institutions. This act superseded and replaced the *Children's Protection Act, 1917*.

Early into the 1950s, the Home was comprised of five buildings and the capacity of the institution was noted at 75. There were 18 employees, including two “supervisors of recreation,” and three men “operating the plant – engineers, janitors, farmers, worker on the grounds etc.” There were also two volunteers working in the “recreation programme.”<sup>166</sup> The farming operations generated over \$50,000 a year in income for the Home, although the profit margin was considerably less (\$5,000 per year).<sup>167</sup> Yet, despite the successful commercial enterprise, there were reports of hunger and lack of food at the Home.



NSA Library, 1955 NSHCC brochure

Matron Kinney, President Cumming, and Superintendent Kinney

In 1953, Ross Kinney, son of former Superintendent J.A.R. Kinney, joined the Home as its superintendent/manager, and his wife was listed as the assistant matron.

In 1954, Superintendent R. Kinney requested the Department of Public Welfare have a public health nurse give pupils physical examinations, something that had last been done in 1951.<sup>168</sup> It also marked one of the earliest documented cases of physical abuse of residents. A series of correspondence from the Yarmouth Children’s Aid Society to the Department outlined physical abuse and “ill-treatment” of their wards while resident at the Home, suggesting the need for a

thorough investigation. The case involved a young girl returned from the Home with “stripes on her back” and bruises on her leg that she stated came from being “beaten exceedingly with a switch and with a broom stick.” The case also highlighted the poor quality of clothing worn by the young resident when she arrived in Yarmouth and questioned the Home’s use of the allowance that was provided for such things.<sup>169</sup> In response to the matter, the Department investigated and outlined steps taken in the matter, including interviewing another family referenced in the original letter from Yarmouth. That interview was summarized in an internal memo and noted the family had lived at the Home several years previous, and while the woman interviewed did acknowledge her younger siblings had been beaten on occasion, she noted that the beatings were not severe and were used as disciplinary measures for “breaking the rules.” Given the amount of time that passed since the family resided at the Home, the memo indicated the information was not considered “valuable.” The memo further indicated that the Department notified the Home of the complaint, and Kinney then travelled to Yarmouth to further investigate the claim. He informed the Department that he did follow-up investigation with the Home staff, and, after confirming the abuse by staff, he dismissed the staff. Kinney

informed the Department of his actions and that he intended to inform the Board, but, before he could do so, two members of the Board (Cumming and Mullane) arrived at the Department and, when they were made aware of the action taken, commented that Kinney “cannot do that” in relation to the dismissal of the staff member.<sup>170</sup> While no further action was documented, it does appear there was a lack of communication and clarity of the role and responsibility between staff and the Board with respect to the administration and handling of the situation.

Later in 1954, Kinney wrote to the Department of Child Welfare outlining concern that orphaned and neglected coloured children were being placed in other child caring institutions (both in the Halifax area and elsewhere in the province). He requested that the Department ascertain whether this practice was occurring, noting “that any cases in this category would be referred to us” as the Home had the space and staff to render service comparable to any other institutions in the province.<sup>171</sup>

A 1956 Department visit summary to the Home focused almost exclusively on the number of residents and discussion regarding responsibility for their care in terms of visitation and maintenance. The Department summary indicated there were 49 children at the Home: 33 wards from Nova Scotia, four wards from New Brunswick, and 12 non-wards, for whom some board rate was paid yet with little contact from family members. The summary document provided no commentary regarding other living conditions or staffing issues, yet noted the Home was aware of the risks of taking in residents without referrals and planned to do “as little as possible of it” in the future.<sup>172</sup>

During this same time period (1954–59), there were multiple pieces of correspondence regarding private placements of non-wards at the Home<sup>173</sup>. In one instance, Kinney wrote to the Department advising of a current private placement arrangement at the Home and requesting maintenance from the Department as the mother had defaulted on the arrangement.<sup>174</sup> Interestingly, the financial strain of private placements of non-wards was evident in a letter from the Board President to a mother inquiring about the possibility. In the letter, he recommended that the mother make arrangements through the Children’s Aid Society so the Home could receive funding and she would be under no expense. The letter then further explained that the Home must stop taking private arrangements of non-wards.<sup>175</sup> It must be noted that the Board President seemed well outside his scope of authority to comment on the timeframes of such arrangements as indicated in the last sentence below:

If we were to continue this policy, the home would be largely occupied by children so committed and we would have no room for the children regularly committed by the children’s aid which is the sphere of the home’s jurisdiction...I suggest you write to the Director of this branch submitting your case stating of course that you are not in a position to care for this child. In this case they will

make an investigation and decide whether in their judgement you can or cannot take care of the child. If you give the child over to the children's aid the Family Allowance will go to this body. When however you are able or in a position to take care of the child he will be given back to you so that you will only lose control of him temporarily.

By 1958, the Department's summary of a Home visit mentioned building and structural changes – not to increase capacity of the institution, but to improve living conditions. The document signalled the Home's intention to request financial assistance from the Province in this regard. The summary of the visit noted that it did not agree with the Home's current capacity of 60. The notes mentioned that Kinney wanted to increase work in the area of "non-wards" as it was his belief it should be a function of the Home and he identified increasing pressure from the community to take this type of placement. The summary notes indicated Kinney was advised that all non-wards should come from a referral/recommendation of an agency, as was the policy with other institutions in the province. The notes referenced a resident placed via the Digby District Office who had been there for four years with no visitation from his mother, who was residing outside of the province. The notes advised that the Home received sporadic payments from the mother and suggested it write to the Department to have the resident's mother contacted to ensure a future plan for the boy. The visit also indicated that only the nursery and pre-school children were seen, and all appeared healthy and well.<sup>176</sup>

In early 1959, the Home submitted separate funding requests to Government. The first was sent by the Home's Superintendent Kinney regarding structural renovations, and the second was from the Secretary-Treasurer of the Board W.P. Burgoyne, in respect to the financial hardship of non-wards. The funding request for renovations outlined the Home's long operational history and the need to improve the conditions for the children at the Home: expanded dormitories and closet space, a recreation room, an expanded kitchen, and staff quarters. In his appeal for financial support, Kinney referenced the support and endorsement of the AUBA for the renovations and noted these renovations were not to expand the institution's capacity but rather to meet the standards of the Province.<sup>177</sup> It is not clear whether the request was approved or denied as the response letter from Deputy Minister MacKinnon simply stated that the previous year's request was denied, and that the Minister "will be prepared to give a sympathetic ear to your needs at any time."<sup>178</sup>

The second piece of correspondence in 1959, from the Secretary-Treasurer of the Board, outlined financial hardship incurred by the Home in cases of non-wards. It identified several who were current residents and the state of the arrears for each and requested assistance from the Department in rectifying the financial arrears.<sup>179</sup> The Department investigated the status of each of the residents identified and made recommendations for courses of action, including, in some cases, "wardship action" either through the Department or respective children's aid society.<sup>180</sup>

In 1961, the Cumming Annex, a brick extension named for the then-President of the Home, was added to the wooden ell. The purpose of the \$75,000 annex – a fireproof, three-storey structure with dormitories, a study hall, and a kitchen – was to relieve congestion.<sup>181</sup> There was no mortgage on the annex. The Province contributed special grants totalling \$40,000 towards the cost of the annex. Total fixed assets at the time amounted to \$56,289.<sup>182</sup> The Board of Directors of the Home authorized a loan up to \$35,000 for capital and operations using securities as collateral. Subsequently, a Finance Committee of the Board was established.<sup>183</sup> As early as 1960, the Board was made aware of the difficulty in securing and maintaining female help due to low wages, and this issue would become a common theme in the transition years 1962 – 1978.<sup>184</sup>



NSHCC with Cumming Annex

## **B. Transition Years 1962-178: Demise of Congregate Care and Resurgence of Community**

*During this phase, the Home experienced seismic shifts in its operations that were inclusive of its philosophical grounding, its institutional functioning, its programmatic offering, and its governance.*

*This period was marked by a multitude of evaluations, reviews, and reports – some specific to the Home and some more general to the field of child welfare, but all would shape and influence the direction of the Home. Some were commissioned*

*by Government and some by the Home itself. The period was also marked by a series of peaks – in terms of the number of children residing at the Home, completion of physical infrastructure, and a Board truly representative of the Black community – and a series of lows, including the closure of the commercial farming enterprise, closure of the school, decline of the resident population, and strained relationships both among the Home and Government, agencies and staff, and internal to the Board itself.*

*This phase bore witness to increasing legislative and regulatory oversight with focused attention on roles and responsibilities of the Board and staff, the trend to move from institutional care to foster care, changes in programming philosophy of institutions, and facility infrastructure limitations. The shifting norms of child welfare practices were significant during this period. A child's own home or foster care was preferable to institutional care, which would see the primary role of institutions shift to providing emergency shelter, specialized care on a short-term basis, or care for unmanageable and emotionally disturbed children. These shifts would lead other similar child caring institutions to close or adjust their mandates. There was little recognition of the cultural and identity needs of racialized populations in these shifting norms. The Home, therefore, struggled to maintain its mandate and legitimacy to care for Black children in the face of these compounding and intersecting pressures.*

*In light of these pressures, this period was also marked by a resurgence of the Black community's interest and involvement in the Home. The AUBA raised the issue of Black representation on the Board, a Human Rights Commission complaint prompted a review of operational and governance issues related to staffing, and two commissioned reports (Hall in 1970, and Dwyer in 1973) identified the need for the Board to be more representative of the community it served. The Home initiated changes to its own incorporating legislation which would include a provision that the AUBA be the first-in-line beneficiary to receive the assets of the Home in the event the Home, as a legal entity, dissolved.*

*Despite significant leadership changes in the Board in the 1970s, operational challenges persisted in the Home, including its future vision and financial viability. The Home was embroiled in a Catch-22 scenario with Government over its future: a bureaucratic and circular dance that would have programming changes tied to required funding, but funding required to implement programming changes. Towards the end of this phase, the Home had embarked on a plan for a new building plan, including a change in philosophy of operations and new facilities to meet operational requirements, which culminated in the Home closing its original*

*building and opening two new buildings under strained financial and operational conditions in the fall of 1978.*

*In this period, the Board was also responding and reacting to issues of abuse and mistreatment at the Home. There remained an individual focus on the isolated behaviours of residents and staff that rendered invisible the conditions and circumstances in which those behaviours had manifested.*

By the late 1950s and early 1960s, the farming operation was not making much of a profit, if any at all. But over a nine-year period (March 31, 1953, to March 31, 1961), claims were that it produced a yearly average of \$9,094.02 worth of food for the Home, although there was no accounting or documenting in this regard. There was a lack of controls for food, the cook did not sign requisitions or receipts for food received, and there was no record of the number of meals provided for children, staff, or visitors, so, therefore, no accurate account of cost per meal was available.<sup>185</sup>

In 1962, a thorough review of Home operations was conducted by E.J. Dick, Superintendent, Nova Scotia Training School, Department of Public Welfare. He was appointed by Government with the full approval of the Board to conduct the review.<sup>186</sup> He reviewed the administration, assets, and financial operations of the Home and made a series of recommendations. With respect to staffing, the report outlined the operational relationships and noted that staff morale

#### Excerpts from Dick Report about Home governance

Superintendent appears to be responsible to the Chairman of the Board. He supervises the whole operation and delegates the internal operation of the Children's Residence to the Matron. The "Home" staff as the Children's Residence is called, take their direction from the Matron. The Superintendent spends a great deal of his time with the "Farm" and directly supervises the running of same. He gives direction to the male members of staff, such as farm labourers, farmer and maintenance man.

The Chairman of the Board takes responsibility for purchasing and where to purchase.

seemed to be high and the children seemed to be receiving excellent physical and mental care. It noted a lack of salary scales, that staff were not compensated for statutory holidays and had to double up on their duties when fellow staff were off, which was a general practice in all child caring institutions in the province. With respect to financial practices, the report stated there was no budget or controls system and there was a lack of uniformity in the auditor's annual statements. The accounting charged to the farm and the Home was not clearly identified. At the time of the report, the resident population was 32, and the report noted that since the population was down 50 per cent, the cost per child per day was high, compared to similar institutions.<sup>187</sup> Dick offered the following recommendations from his review of operations:<sup>188</sup>

- Establish a budget and control system;
- Create a bookkeeping or recording system and have Superintendent submit a monthly report on expenditures;
- Prepare requisitions for all goods purchased and internal requisitions for food from the Farm and signed by receiver;
- Sell a portion of land to liquidate the debt of the new Annex, thus allowing bank interest on loan now covered by bond interest to be credited to general revenue;
- Discontinue Farm as it was operating at a loss and more expenditures would be required for building repairs, and it is not a medium for training for boys;
- Create a system of annual increments for staff or salary brackets for each job;
- Close School and have children attend the local community school, which is located half mile from Home (The Halifax County School Board questions the cost of the “Home School” and the Treasurer of the Home was of the view the school should be closed);
- Simplify the format of financial statement from auditors to give a clearer picture of the finances. A manual of procedure from the Department of Public Welfare would be appreciated. At the present time, there appears to be a lack of uniformity in their annual statements.

In a subsequent Board meeting in 1962, the Board agreed to send the recommendations concerning financial practices to the Finance Committee for action. An ad-hoc group was formed to devise a possible plan of action regarding the disposal of some institutional land. However, the minutes did not discuss matters pertaining to the school or staffing but indicated that “discussion too heavy for motion that the farm be discontinued.”<sup>189</sup>

In February 1963, an emergency placement of 12 Caucasian children from the Halifax Children’s Aid Society prompted a Board discussion of the legal and policy implications for the Home for broadening admissions.<sup>190</sup> At a special Board meeting in March 1963, schooling and placement concerns were discussed. A motion was passed that the Board make an official request to the School Board to have some of its students (those deemed academically capable) attend the William Ross School the following school year.

At the same meeting, the Executive Director of the Halifax Children’s Aid Society discussed placement considerations for wards within their jurisdiction. He informed that, with exception of religion (Catholic or Protestant), the Halifax Children’s Aid Society had no set policy on placement and would use the Home should the need arise; however, if the Home had a policy against

admitting Caucasian children, then other arrangements for care would be made. Following the discussion, a motion was passed that the Home “receive for admittance children of the Caucasian race, under usual terms; even though conscious of the needs of children of the Colored Race for whom the Home was founded.”<sup>191</sup> However, at the annual general meeting of the Home’s Board in May 1963, they agreed the admission policy – specifically, admitting children other than those of Afro-American race, would be left open for further study and discussion.<sup>192</sup>

Meanwhile, in September 1963, an annual letter of appeal for contributions went out to the public and identified the need to hire a teacher for “slow learners” to address the needs of those children not capable of attending public school. The appeal letter indicated that only 50 per cent of Home funding came from the Provincial Department of Child Welfare and the Children’s Aid Society.<sup>193</sup>

In 1964, the Government commissioned Ernest Majury to examine the child welfare system, and in particular, the Children’s Aid Society structure, and their relationship with child caring institutions.<sup>194</sup> While Majury was not charged with explicitly making recommendations about child caring institutions, his report did offer some valuable insight into the nature of the relationship of institutions generally and the shifting terrain in terms of purpose and philosophy of the care of children. This is helpful in understanding the context of the operations of the Home.

The Majury Report summarized the important history of child caring institutions within the province and noted that the “whole approach to institutional care has changed radically.” It stated that while institutions were considered part of the total spectrum of child welfare, they should only be utilized for “that particular child whose carefully diagnosed need is specialized group care on a short-term basis.” The report noted that long-term institutional care was no longer considered valid and provided some insight into the relationship of the agencies with institutions and the dilemma of the interface of theory and practice. For example, the use of institutions for emergency placements by agencies was noted as improper, yet often was a practical necessity.

Additionally, the report highlighted that heavy pressures on agencies did not make possible as much contact with children after placements as institutions would like to see. The report

#### Goals of institutional care as noted in Majury Report.

- The entire setting of the institution, both physical plant, grouping of children and type of staff is adapted to the treatment needs of the child and the group (not the older concept of the child conforming to the routinized demands of the institution).
- Skilled casework service to the individual child from within or without the institution to enable him to handle his anxieties and sort out his various relationships in a complicated life situation
- Recognition that the institution came into being in response to an immediate community need and that the need that gave it birth may no longer exist. To this end it must be sensitive to changing community needs and whether or not its current function is valid for the times.

suggested that lack of intake and screening policies between agencies and institutions resulted in admissions based on the need for shelter. The report also made passing reference to the issue of non-wards within institutions and suggested that the possibility of “the skillful use of day care services might be a closer approximation of the active need of the parents.” The report expressly stated that a thorough study of child caring institutions, both individually and collectively, be undertaken.<sup>195</sup>

The number of residents increased from 45 to 60 in the mid-1960s and reached a high of 75 in 1965.<sup>196</sup> Director of Child Welfare F.R. MacKinnon queried the fostering of children to homes where Superintendent Kinney was the owner/landlord. MacKinnon noted that it was a “curious arrangement” that an agency would place a child in an institution only to have that institution arrange for a foster home. In the letter, he noted that a “Child Caring Institution is not presumed to have any competence in Foster Home finding. This particular responsibility and competence belongs to our Children’s Aid Societies”.<sup>197</sup> This practice, known to both of the organizational boards involved, ended in 1966.<sup>198</sup>

At the Home’s annual general meeting in 1965, a supervisor from the Department of Public Welfare advised that the future trend for the child caring institution would be to provide care for unmanageable and emotionally disturbed children.<sup>199</sup> At that same meeting, the Home’s Board remained divided on the issue of the farming operations following the Dick Report. Minutes of the annual general meeting reported an initial decision to discontinue commercial farming, but a special meeting in late September 1965 suggested otherwise and re-opened the decision. There was a somewhat heated discussion and the Trustees could not reach consensus. A Farm Committee was established.<sup>200</sup> Superintendent Kinney wrote to the Minister of Agriculture asking for a grant of \$5,000 to assist the farm operations of the Home.<sup>201</sup> In November, the request was denied.<sup>202</sup> In 1966, the commercial farming operation ceased as it was no longer economically viable. This coincides with the retirement of Melville Cumming, referred to as “Mr. Agriculture,” who acted as Director of Farm Operations in 1932 and President of the Board since 1948.<sup>203</sup>

By the mid-1960s, the Home was facing compounding issues related to its governance and operations, including shifting norms of child welfare practice, financial pressure, admissions policy and practices, farm closure, schooling, and staffing concerns.

In April 1966, the Government conducted another review of the Home, which was undertaken by Rosemary Rippon, Coordinator, Foster Home Services. Similar in theme to earlier reviews of child welfare, she noted that a child’s own home or foster care was preferable to institutional care in meeting children’s needs. In the Home’s review, Superintendent Kinney stated that children do not seem to be placed at the Home to meet their needs, but rather the needs of agencies who cannot find foster homes, or parents who cannot meet the children’s needs, and where community resources are not available. Rippon’s report observed several operational components including:<sup>204</sup>

- Occupancy: The number of residents at the Home was 75 – the highest since opening – and recommended the number not exceed 65. Overcrowding concerns were noted. All but five residents were wards of agencies. The children appeared clean and neat but few, if any, had personal possessions.
- Nutrition and Food: Nutrition was noted as good on the day of the visit, but no advance meal planning was being done. The report indicated that since the closing of the farm, the Home only harvested enough vegetables for its purposes.
- Education and Programming: Pre-primary and primary age children attended the Bauld school, which had one teacher and noted an auxiliary class for slow learners. The teacher assessed children to see if they would benefit from attending community school. She noted children attended weekly Sunday school but only went to church in the community once monthly, which was indicated as a concern. Medical, mental health, and specialized services were accessible but not always available.
- Staffing Issues: The report noted 16 staff including cooks, domestics, laundry and child care. However, Rippon suggested extra staff should be required for the younger-aged residents to ensure more individualized attention. The current staff had no training in child care, nursing experience, or training, although the matron had 12 years' experience and was competent. The report indicated there was no personnel policy outlining job descriptions, minimum qualifications, or hours of work. She indicated there was some dissatisfaction over low wages which did not meet the minimum standard. She suggested staff attend in-service training and workshops when available.
- Admissions and Recordkeeping: There was no formal intake/admittance policies and emergency placements did occur due to a lack of community resources. Social histories of residents were delayed and not always up to date. Resident file information was not always up to date.
- Relationship with Agencies: The report noted that while relationships appeared good overall, there was a need for better communication between Home and agency staff regarding planning for children. It was noted that some agencies appeared to use the Home as a “dumping ground for the children” and that the Home received requests from citizens to “board” children. Referrals were forwarded to the Children's Aid Society for screening, but Superintendent Kinney suggested that

agencies were quite willing to have the Home do the assessment for placement. Procedures for discharge into foster homes were noted as unclear and “it should not be the responsibility of this institution to find and place children in foster homes.” It was reported that agencies did not know their children placed at the Home because visits were infrequent and workers changed. Also noted was the lack of progress reports on agencies’ work with parents towards reuniting them with their children.

- Home Governance: The report summarized that the Home was run by 20 Trustees who appointed directors and there was a committee structure, of which the Finance Committee was most active. The Welfare Committee was inactive and it was noted that Superintendent Kinney seemed to attend few meetings with the directors. The report suggested that Superintendent Kinney meet with the committees on occasion to report to them on the running of the Home, and to discuss necessary changes in policy.

Rippon then concluded the report summary with a number of recommendations, including that:

- there be an intake and discharge policy created and circulated to the agencies;
- agencies seek foster homes for children under three years of age before considering placement at the Home;
- agencies do discharge planning for wards;
- a personnel policy be created, and additional staff hired;
- an annual operational budget be created<sup>206</sup>

In 1967, a local newspaper article about the Home had indicated Board officials confirmed that the Home was no longer segregated, and noted that, in recent years, the Home started caring for “equally needy white children for whom there is no other place.”<sup>206</sup> In the same year, staff wages resurfaced as an issue. The Board took the view that they were not bound by the *Minimum Wage Act* but agreed to undertake a study on salary classification and job descriptions for employees.<sup>207</sup> The following year the staff wage was increased.<sup>208</sup>

In late 1967, the Board identified the need to adequately prepare its residents for life after the Home, noting that many left the Home without vocational skills and preparation for adult life. It directed this concern to the Premier asking that the Province consider funding a training facility at the Home to provide residents with a trade or vocation to assist in addressing this need.<sup>209</sup> In response, in early January 1968, the Director of Child Welfare suggested to Deputy Minister MacKinnon that the Home dispose of some of its property and the proceeds could go towards a training facility.<sup>210</sup> Later that same month, MacKinnon, in a letter to the Board, asked that

the Home consider selling a parcel of land to accommodate the construction of 20 homes for low-income families in the Preston area. The aim was better housing for some of the African Nova Scotian families living in the general vicinity of the Home.<sup>211</sup> It is not known what, if any, response was forthcoming from the Home.

As the 1960s drew to a close, a series of events impacted the Home and influenced its operations:

- The 1967 *Child Welfare Act*<sup>212</sup> established a yearly rate for child caring institutions; and replaced “neglected child” with “children in need of protection.”
- In 1968, Ross Kinney resigned as superintendent/manager of Home and Mary Paris became the manager.<sup>213</sup>
- In 1969, the Henry G. Bauld Memorial School closed following the resignation of the teacher, and the remaining student-residents began attending the public schools.<sup>214</sup>

By the end of the 1960s, there was growing dialogue and concern about the representation of the Black community on the Board. Board minutes from July 1969 noted a discussion that there were not enough Black members on the Board, and it might be thought to be discrimination. The Board discussed representation and the recent turnover in Black membership on the Board and suggested that a broader swath



Children walking to school

NSA, Bob Brooks

of members from the Black community should be approached to join the Board. In his report from the same meeting, the treasurer also referenced race, pointing to his concern during the annual fundraising campaign in 1968 that certain “militant Black Panther leaders from the United States” had visited Halifax and this could have adverse effect on the donations. The treasurer noted, however, that many donors recognized “that the Home simply looked after young children who had no association with racism, militant or otherwise.”<sup>215</sup>

In minutes from a Board meeting in March 1970, a letter was read from the AUBA in which they requested more involvement with the Home and the well-being of Black children, as well as more Black representation on the Board of Directors. The letter acknowledged that the AUBA had been “out of touch” and wanted a closer relationship with the Home.<sup>216</sup>

In 1969 to 1970, the Human Rights Commission investigated the Home. This originated from staff whose complaints centred around operation and governance issues at the Home, including clarity around roles and responsibilities of the Board and staff, wages and recognition, communications, and relationship of the Home with referring agencies. Correspondence indicated that the Human Rights Commission concluded it was difficult to determine if issues raised were racial discrimination; however, they worked closely with the Home to help resolve the issues.<sup>217</sup> Commission correspondence noted the Home had taken appropriate steps to remedy issues identified and the staff closed the complaint process in July 1970.<sup>218</sup> Board minutes in August 1970 also reported that the Human Rights Commission concluded its investigation.<sup>219</sup> Concurrent to the Human Rights Commission's investigation with the Board, there appeared to be growing internal tension amongst the Board regarding its financial situation and planning. An internal dispute between the long-serving Secretary-Treasurer Grayson and the Board in 1970 eventually saw Grayson end his tenure as secretary-treasurer, which also included the annual appeal for funds.<sup>220</sup>

As recommended in previous years, the Government commissioned Perry Hall of the National Study Service in 1970 to evaluate the private child caring institutions operating in the province. The Hall Report reviewed programs at five voluntary institutions and assessed the need for continuation and/or revision of their services and care. It explored the need for other types of child welfare services that might be undertaken and presented advisory recommendations for each individual institution as well as for the Department. The report confirmed the overall movement from institutional care to foster/family care resulting in declining populations for each institution: "This decline in number of children under care has been so continuous and substantial – from 444 in eight institutions in 1951, to 64 in five institutions in 1970 – that it precipitates the question of the future role of these institutional programs."<sup>221</sup>

The Hall Report noted the common characteristics of the institutions including financing models – noting that each was supported by multiple sources of funding, such as contributed funds, invested funds, grants from Government bodies, and payments from children's aid societies and the Province for wards. It concluded that income sources were comprised of a combination of private and public funds, and that "all of the institutions have considerable financial worth in the form of their present plants and particularly in the form of land surrounding the present buildings."<sup>222</sup>

The report made important observations regarding the referral process generally for institutional care, and the unique circumstances that the Home was also required to address. The report noted a systemic challenge faced by social workers who made referrals to institutions, saying many "refer children to these programs that the individual program may be ill-equipped to meet the needs of some of the children who are referred, but the placements are made out of necessity, when no other resources are available."<sup>223</sup> The report elaborated on the further complexity regarding institutional care of Black children:

...the professional staff in the foster family programs reported they find special planning and effort is necessary to secure foster family care for black children. They state this is related to low income level and poor housing conditions prevailing among the black population. These factors are compounded by the fact that many of the province's population of 20,000 live in isolated rural settlements. These persons believe that they may be continuing justification for some time for a child rearing institutional program for some black youngsters from extremely deprived homes.<sup>224</sup>

The report also spoke to the "determinative role" Government played in the relationship of child caring institutions, and recommended that Government provide more clarity and guidance with respect to its standards, that annual reviews be conducted on institutional programs, and that the potential of differential rates for care be explored.<sup>225</sup>

The Hall Report made specific recommendations regarding the Home. It concluded that immediate action was necessary to ensure the Board was more representative of the community it currently served. It also recommended that a professionally prepared person, experienced in the program of a soundly run children's institution, be added to the staff. It suggested that when "a more fully representative Board was in place and had some experience in working together, that the future program role of the Home should be assessed."<sup>226</sup>

On the heels of the Hall Report and its recommendations, MacKinnon corresponded with Board President Alice Croft to encourage the Home to broaden its mandate to serve the whole community. This was in specific reference to other institutions either closing or revising their mandate to reflect the changing nature of needs and potentially filling a gap in service in the (Halifax) Central Region of the Province, "meeting a great community need."<sup>229</sup> Jules Oliver, as the Casework Committee Chair and on behalf of the Board, responded to MacKinnon to outline the Board's position that "the Home should remain for the health and welfare of our Black children; only revitalized to include the many areas of the future development of the Black Child." The position was based on the Board's preference for Black children to be adopted/ fostered in Black homes. "The matter of racial, cultural, and self-identification is one of the most crucial aspects in order to ensure a positive, healthy, and mature development of a Black Child. We are of the conviction that this factor has been too long neglected."<sup>228</sup>

Following the Hall Report, many planning and strategy discussions occurred with the Board regarding the future operation of the Home, including its role, placement concerns, and ongoing communication with Government regarding the Home's future. One of the priorities for the Board was establishing an interim admissions policy for the Home which outlined the parameters for referrals as ages 3 to 12 years and noted that, while the Home's emphasis was on the Black child, it would not exclude any needy child.<sup>229</sup> This interim policy was distributed to all agencies and to the Department. In February 1971, Government representatives attended a Board meeting

to discuss concerns over the future of Home programming inclusive of topics related to the Hall Report recommendations, care of Black children specifically, institutional and foster care, and the interim admission policy that set out ages as 3 to 12 years. The Government cautioned against restricting the age limit to 12 years and not taking teenagers, as well as the potential of different financial arrangements for a revised program at the Home.<sup>230</sup> Later in 1971, the Department of Public Welfare drafted a proposed Policy on the Admission of Black Children to the Nova Scotia Home for Colored Children. The policy statement indicated it was contingent on the ability of the Home to provide an appropriate program to meet the needs of Black children and included age restrictions/parameters, the creation of an admissions committee, and placement considerations. The consideration was identified as whether the “institutional placement would appear to be as desirable or more desirable than a foster placement. Where placement in one facility seems to provide little advantage over the other, the NSHCC [the Home] will be used.”<sup>231</sup>

The Casework Committee appeared to lead the Board through its programming development process. Within this area of planning, the Home acknowledged the difficult position they were facing in terms of its future, recognizing the necessary relationships with both the Department and children’s aid societies.<sup>232</sup> Also noted was suspicion that this pressure may have been a strategic move to force the closing of the Home.<sup>233</sup>

At the 1972 annual general meeting of the Home, President Croft reported that the Home had corresponded with all agencies in the province and the Department to determine how many Black children were wards, and how many were in white foster homes. Results indicated that 60 Black children and 10 children of mixed origin were living with white families, and that the Department indicated there were at least 500 Black children in need of care. Croft reiterated the need to determine the future of the Home because it was definitely filling a need in the community<sup>234</sup>. The Casework Committee presented its principles and considerations for the future of the Home at the annual meeting as:

1. Black adoption or foster home care preferred.
2. If the former cannot be attained, the NSHCC [the Home] is the better option.
3. There is considerable amount of land available for development and the Home can still provide more for the Black child despite current thinking by many in the field of child welfare that institutional care is not adequate. The Home is in a position and is obligated to develop a comprehensive and preventative child care program for Black children. In other words, we have the machinery to build a better delivery system.
4. This assumption was supported by the Hall Study. The model adopted by the Trustees and the Board ingrained three basic therapeutic functions:

- i. Developing a preventative program for pre-schoolers;
- ii. Developing a back-up support program for those students attending school; and
- iii. Initiating a treatment program consisting of counselling and therapy for the child suffering from behavioural and adjustment problems<sup>235</sup>

Notes indicated the proposed model was adopted in principle by the Department along with the development of the policy/administration of Black children to the Home by a joint committee of the Executive and the Department. Minutes indicated the next step was to enlist a consultant to develop the design of a complete proposal of the model presented.<sup>236</sup>

In 1973, the Home enlisted the services of community consultants Rafuse, Marentette & Dwyer (Dwyer) to provide an evaluation study of the Home focusing on the review of previous assessments/reviews of the Home, its financial status, and its management and administrative structure.

Dwyer reported on a two-month evaluation commissioned by the Board with the support and encouragement of the Department of Social Services. Dwyer noted the report's commissioning was the "result of the recognition by the Board of the extent of the Home's problems combined with their pride in the Home and their profound commitment to continue some form of viable services to Black children".<sup>237</sup> The evaluation report attempted to combine two recent previous approaches (Hall Report and Human Rights Commission) in terms of progress made in alleviating past problems and the present operation of the Home. It concluded with proposed models for consideration in designing future operations of the Home. The Home requested assistance from Government to help defray the costs of the proposed phased approach to the evaluation study<sup>238</sup> and it appeared that Government was reluctant to pay for an extensive study, indicating much was already known from previous work and that the evaluation study's broad focus was beyond what had been previously discussed.<sup>239</sup> However, following the completion of the study, Government did contribute to its cost after the Home wrote to the Minister's Executive Assistant to advise they had not yet received payment.<sup>240</sup>

Within the review, Dwyer noted many of the issues identified in previous evaluations of the Home's operations, specifically related to financial practices (poor accounting and bookkeeping, lack of annual budgeting, struggles with financial rates), staffing concerns (lack of training, salary issues, no personnel policies), and noted that recruitment of staff was informal and made through personal contacts. In terms of Board structure and governance, the evaluation noted that despite the Board's efforts at re-structuring to a committee format over the last few years, it was still "not working."<sup>241</sup> The re-structuring had not settled the confusion regarding the division between directors and Trustees and their respective roles. A more positive result, however, was the increased representation of Black individuals on the Board with the "increased

potential of input into the Home from the Black community. It is not felt this has taken place as of yet, but there is now more of a possibility of this occurring.”<sup>242</sup>

Dwyer’s report did offer new insight into the challenges faced by the Home. While previous inspections and reports pointed to a general lack of programming at the Home, Dwyer’s report offered more detail as to the conditions of the Home that framed the experience of some former residents. It echoed long-standing issues related to programming, noting that no clear program policy or pattern existed at the Home. He identified “program” as support and extracurricular activities to basic residential care for the children, including counselling, social, recreational, educational, and cultural services. The report emphasized that the children’s needs went far beyond the basics of food, shelter, clothing, cleanliness, and religion. The findings were similar to previous inspections over the decades: There were no games, educational arts, or cultural programs in operation despite the Home having physical space that could be easily adapted, but lack of staff input, expertise, and interest prohibited this development. Counselling and behaviour-modification programs were non-existent due to lack of staff training, competence, and experience.<sup>243</sup> There was little preparation or planning with respect to programs of child placement, orientation, and parental visitation.<sup>244</sup> The evaluation suggested that, while religious instruction was present, it should be facilitated in the community to provide both instruction and a socializing aspect by enabling contact with the neighbouring community.<sup>245</sup> The evaluation identified the facility infrastructure limitations – the difficulty to supervise residents because of the physical layout. The top floor was not used, so upkeep provided no return. Dormitories were described as very “traditionally institutional,” allowing for little or no privacy, personal possessions, or individuality. There were no rooms for programming, counselling, and the like. The gym was poorly planned, equipped, and underutilized. The dining area was described as an area of “mass feeding” and seen as a chore. The grounds had potential but were poorly developed and underused. Some equipment existed but was not used as staff felt the children would abuse it.<sup>246</sup>

Dwyer’s evaluation did provide reflection in an area not well documented in other sources – that being the relationship of the Home with the community (both Black and White), noting the area had not been satisfactorily analyzed. He suggested a significant difference of opinion among Board members from the Black community regarding the degree of interest, awareness, and pride in the Home. He noted that opinions within the community ranged from a strong position to general lack of awareness of the Home’s purposes of existence within the Black community. The evaluation pondered if the pride and endearment expressed in the Home was not, in fact, that of the predominant religious segment of the local Black community and noted, “certainly this segment is well represented on the Board; to what extent is the rest of the Black community of Nova Scotia represented?”<sup>248</sup> The evaluation indicated the relationship to the white community seemed to be limited to Government and Children’s Aid Society officials,

Board members, and fundraising efforts. The evaluation suggested the Board embark upon a full range of public relations activities to dispel myths and to improve the Home's image among the Black and White communities, as it appeared awareness of the Home in the Black community was predominantly historical, not functional.<sup>248</sup>

The relationship between the Home and Department was described as strained. The Board mistrusted Government policies and planning with respect to the needs of Black children in care; and the Department was concerned with the Home's continued inability to make basic decisions affecting its internal administration and programs. The report surmised it was apparent at both levels that the *per diem* weekly rate was insufficient to continue such a large-scale operation. The report noted that while "operational allowances are negotiable, it would appear the

Department would not agree to any capital grants as long as the Home continued to possess the valuable, unused acreage and assets so readily available for capital funding in its own right."<sup>249</sup>

The evaluation made 10 specific recommendations intended to address and develop the capabilities of the Home to continue to provide a service to Black children in the province.<sup>251</sup> While presenting some potential operational models for the Home, the evaluation identified that "an overriding problem, however, must first be well understood and solved before any future considerations are entertained. That is, the operation of the Board itself."<sup>251</sup>

Immediately following the Dwyer Report, the Board requested meetings with Government to discuss its finances, specifically, the *per diem* rate paid to the Home.<sup>252</sup> In response to the meeting request via internal memo, the administrator of the Family and Children's Services Division of the Department outlined that the per diem rate for private child caring institutions was set out in legislation (*Child Welfare Act*) as \$3.50, noting that any increase in this rate was not budgeted for within appropriations for wards, and that many discussions with the Board had occurred regarding establishment of suitable programming at the Home that could see an increase in rates, once established.<sup>253</sup> Internal memos with Government indicated they were not satisfied with the outcome of the Dwyer Report, as it did not provide any further information regarding what Government saw as the critical area: identifying what particular group of children have the greatest need, and the type of programming requirements (staff, program goals, etc.) that

### Excerpt from Dwyer Report regarding relationship of Home and the Children's Aid Society

This principle that the Home is used primarily as an alternative and not as a priority placement is reinforced at a staff level. The Board must plan within the framework that

- a) children are not placed at the Home on a planned long-term basis;
- b) placements become long term as a result of no alternatives; and
- c) children placed remain under guardianship of the Children's Aid Society (CAS) and this final decision making regarding placements rests with CAS. There are no formal working relationships between the CAS Boards or staff and the Home.

they could offer to meet that need.<sup>254</sup> From a review of the available documentation, it appears there was a circular argument at play between the Home and Government in terms of funding and revising the Home's philosophy/program. On the one hand, the Home was clear it required more funding to provide a different programming model; and on the other hand, Government stated it could provide additional funding once a different (and approved) programming model was developed.<sup>255</sup>

Concurrent to the strategic planning work, the Board was also confronted with issues of potential mistreatment of residents. In July 1973, the Board investigated a staff member for the use of corporal punishment against male residents and possible sexual molestation of girls. The Board's investigation concluded that corporal punishment likely did occur. With respect to the sexual molestation, the Board reported the possibility had to be considered, but that insufficient evidence was presented at that time. The Board noted that several Board members advised against further action at that particular time "as it might create additional difficulties," though they did not further elaborate on the context. The investigation report concluded that the staff member must be questioned regarding these situations with possible termination of employment being a consequence.<sup>256</sup>

Following this internal investigation of staff in the summer of 1973, Board minutes indicated the following: "it was felt that references to alleged misbehaviour of the part of older wards, notwithstanding our deep concern, should be deleted from the official record of the institution since the allegations were not firmly established."<sup>257</sup> Again, there was no elaboration as to the context of the minutes.

In keeping with the recommendations of previous reports and evaluations, the Home hired its first executive director, Bob Butler, by the end of 1973. One of his main responsibilities was developing the new program model.

In 1974, following a meeting with Government officials, the Board convened a special meeting to plan and develop a proposal for future programming and operations of the Home, including whether the Board ought to explore the legality and practicality of the Board acting as a children's aid society for Black children, as per its original constitution and incorporation.<sup>259</sup> As the Board prepared its proposal for its future role in child development, Government was likewise seeking clarity as to whether the Home did, as per the act to incorporate, have powers of a children's aid society for children of the coloured race.<sup>260</sup>

The Home then submitted to Government a summary of its proposed changes to reflect its proposed function as a community-oriented child development program for Black children. The summary included program components regarding services to children, staffing, finance, and administrative changes.<sup>260</sup> The Government's response to the proposal suggested that the Board had made sincere effort in developing the proposal with some thoughtful consideration

of critical elements; however, Government remained concerned that some aspects of the proposal required clarity, including elements of the Home's program, admission or discharge plans, and ages of children. The memo also expressed concern that the Home intended to accept children independent of agencies, as the summary was silent on the involvement of children's aid societies or district offices of the Department.<sup>261</sup>

In late 1974, the summary of a visit to the Home by the Department noted that some attitudes on the Board towards the operation of the Home were slow to change. In the report, Butler advised that staff wages were low, which made it difficult to recruit qualified staff from the community, and that the Board was reluctant to sell/develop existing property as it considered it "Black property and should remain so." The summary reported that the Home's executive director had visited other similar institutions for insight into their policy and programming and that work was ongoing in terms of developing the programming. Government officials stated that new standards for institutions would be available shortly and the Department was willing to assist the Home in its development efforts.<sup>263</sup> There was no reference to children in the summary report.

At the 1974 annual general meeting, reports of ongoing financial challenges were noted. It listed the *per diem* rate of \$3.50 when expenses were estimated to be closer to \$9 according to the Home's calculations.<sup>263</sup> These calculations appeared to include all operational costs and not just the expenses for children.

By 1976, the Home was embarking on a new building program. While there was some concern expressed by Government that the new program may separate Black children from the larger community (notwithstanding school attendance), it supported the program development. Interestingly, there was correspondence from Government that outlined a previously stated consideration that the Home dispose of its property and "use the proceeds to subsidize black foster homes in a substantial way" but recognized that the ultimate decision for the future program was with the Home's Board.<sup>264</sup> In response, the Home indicated it considered all options previously and proceeded, in consultation with the Department, with its plan to build new facilities on its site.<sup>265</sup> In the update provided by the Home's executive director to the 1976 AUBA annual conference, Butler reported that design work was underway for two new buildings: one, a receiving centre, and the other, a group home. Butler indicated that the financial situation of the Home was improving, due, in some measure, to the increase in the *per diem* rate provided by the Department. This increase was noted as going from \$3.50 in 1974, to \$12.50, and eventually \$14.29 in 1975. His report interpreted the rate as recognition of the shift in status of the Home from traditional orphanage to professional child development service. He noted that the Home reorganized the shifts to make the operations more efficient, resulting in reduced staff numbers from 20 to 15. As well, in conjunction with the Department, the Home was reviewing staffing qualifications, training, and experience to reflect Government

scales. Qualifications for permanent employment at the Home had also increased. The update mentioned that two new male staff had been hired as part of the care program.<sup>266</sup>

During 1976 to 1977, the Home undertook a review of its constitution and bylaws to update and clarify the corporate structure of the Home.<sup>267</sup> Simultaneous to this process, the Board also added non-discriminatory language as part of the amendments to the incorporating legislation so that it would be eligible for its mortgage from Canadian Mortgage Housing Corporation (CMHC) for the construction of the new buildings.<sup>268</sup>

Through 1977, the Board strengthened its relationship with the community, consistent with the Home's original vision of service/betterment for the Black community. In this vein, the Board agreed to deed a parcel of its land for the development of the Black Cultural Centre. It did, however, express some concern for the centre's actual site and that it not interfere with the operations/privacy of the residents of the Home. The Home wanted to ensure that potential visitors to the Black Cultural Centre would understand the boundaries.<sup>271</sup> The Home also received a letter of endorsement from the AUBA regarding its new building project, explicitly recognizing the AUBA leadership and their assistance to the Home's Board since the Home's inception.<sup>272</sup>

As the Board was embarking on revisions to its own incorporating legislation, the Black United Front (BUF) had suggested that the Board should also consider changing the Home's name. In its correspondence to the Home, BUF stated that since the Home was an institution established primarily for the care, education, and proper training of the "Afro-Black race," the timing of a name change would be appropriate as it aligned with the amendments to its incorporating legislation. The letter further suggested that, given the Board's position to move away from the institutional set up of the old Home to group homes, that it might be wise to incorporate the phrase "Afro-Black race" in a name change, which could also help contribute to the overall success of integrating the Home with the community.<sup>271</sup>

By May 1978, the Home's incorporating legislation was revised in the Nova Scotia Legislature.

By June 1978, the Board was dealing with operational issues related to care of the children at the Home. A Special Committee report outlined several operational matters. The concerns were provided to the Board in a staff letter outlining issues with behaviours of children, concerns in the Home not being reported to Board, staffing and supervision issues, and school attendance and achievement.<sup>272</sup> The Board summary report outlined concerns of staff about the readiness of the Home, staff, and residents to move to the new operation and facilities later that year.<sup>273</sup>

In September 1978, Butler applied to the Halifax Youth Protestant Foundation for financial support. Part of the submitted materials included an undated program outline for the Home, which signalled a strained relationship with the children's aid societies. In these materials, the approach of the Home was articulated to have "total responsibility" for residents in terms of

decision-making authority/guardianship as the present situation of dual responsibility with the Children's Aid Society agencies was not working. It also included notation that all funding intended for wards should be placed in the trust and management of the Home.<sup>274</sup>

### **C. New Home Years 1978-1989: Change & Continuity**

*During this time, the Home persevered despite some significant challenges related to its governance and operations. The Home opened its new facilities and was immediately confronted with some new challenges and old lingering issues. Despite new infrastructure, the Home faced septic system problems that would persist for several years, unresolved staffing issues that would lead to a staff walkout, and declining referrals from agencies that resulted in one of the buildings closing temporarily.*

*Despite being more reflective of the community, the Board continued to have difficulty with fulfilling their roles and responsibilities, and, at times, struggled with its own internal relations. External relationships with the Children's Aid Society agencies and Provincial Government were also strained, contributing to low residency, which further compounded the financial pressures.*

*Also, during this period, the labour relations landscape was shifting at the Home. There were recurrent staffing issues related to wages, training, and working conditions that eventually led to labour disruption and unionization. Staffing issues were also interwoven with supervision concerns at the Home. The changing residency and profile of residents, while fewer in number and shorter in duration (see Appendix C), presented ongoing staffing challenges to adequately manage. The supervision concerns are well documented throughout this phase through reports from the Department, internal staffing memos, as well as an internal Board investigation into allegations of abuse.*

*Notwithstanding these challenges, the Home was able to stabilize its financial position throughout the 1980s through improvements in the Government funding format; concerted efforts to build relationships with staff, Government, and referring agencies; and attempts to implement internal management strategies. The Home also continued to explore and pursue future plans to revitalize its old Home site, consider a potential name change, and establish stronger community linkages.*

In October 1978, the Home opened its two new buildings under strained financial and operational conditions. By 1979, the Home appeared to be in a very precarious situation.

- Staffing Challenges: In July 1979, staffing issues escalated to the point where 11 of 16 staff members walked off the job. The walkout began July 12<sup>th</sup> and lasted 40 days. Staff returned to work on August 20<sup>th</sup>. During this period of labour unrest, Government paid approximately half the *per diem*, compounding the Home's financial pressures. Prior to the job action, staff had presented a list of demands to the Board in April 1979 for resolution. These demands included a wage increase, the hiring of six additional staff, an extra week of vacation, improved weekend shifts, and better overtime pay. To help resolve the labour issue, the Department agreed to fund a 7 per cent increase in salary for staff. The Board determined that returning staff could be developed more, which would alleviate the need for additional staff. During the walkout period, the Board assessed Executive Director Butler's employment and reached a mutual agreement with him that saw his employment end effective July 31, 1979. He was retained for July and August on a separate agreement to deal with the septic system issue.<sup>275</sup>

Following resolution of the strike, other staffing issues persisted. These included salary and qualifications, staff discipline, and dismissals.<sup>276</sup> Additionally, the Board determined it was unable to hire a new executive director due to the strained financial position and subsequently appointed an interim executive director on a volunteer basis for two months.<sup>277</sup>

- Facility Issues: One residence was closed due to lack of referrals and there were ongoing and significant septic system issues.
- Strained Relationship with Children's Aid Society Agencies: The Board noted a lack of referrals, which resulted in the declining population at the Home and further compounded its financial pressure.
- Internal Board Relationships: At the annual general meeting, the Home's president recapped the tumultuous past year of operations at the Home. The report stated that the Board had been "incohesive" over the last year – often pulling apart rather than together – and there was a "looseness" with confidentiality, which resulted in a "character stigma" across the province. It noted that of a Board/Trustee size of 19 members, only four or five had carried the work over the previous year.<sup>278</sup>
- Financial Position: Minutes indicated that the Home owed the Royal Bank \$125,000 and the bank suggested options such as liquidating assets, selling property, fundraising, or having Government take over operations of the Home. The Board decided to liquidate \$50,000 of the Home's assets at market value.<sup>279</sup> Correspondence from Government in December 1979 confirmed an increase in the *per diem* rate to \$33.85 retroactive to April 1, 1979.<sup>280</sup>
- Relationship with the Department: Board minutes indicate that the Home had the support of BUF, which intended to look into the recent developments and relationship of the Home and Social Services.<sup>281</sup>

However, in 1980, a summary report of a Departmental visit to the Home noted overall improvement over the previous year. There had been some upgrading provided to staff, staff coverage for key child care hours, an admissions policy was drafted and circulated to agencies, and the relationship with agencies was improving. The report recommended an increase in staff numbers. It also noted that the Home felt strongly that money raised through their campaigns should not be included in their operating budget (similar to how children's aid societies were treated) and that they be able to use the money raised for program improvement.<sup>282</sup> In 1980, the Home changed its admission policy to remove age restriction of 15 years.<sup>283</sup> During that same year, the Board hired Wilfred Jackson as executive director.

In 1980, correspondence from the Department to the Home indicated a significant change in rate setting. The change excluded privately raised funds from the rate-setting formula. Up until then, *per diem* rates were set on the total expenditures less revenues raised in the form of donations and bequests. The change to exclude privately raised funds from the rate was intended to incentivize the Home (and other similar entities, including children's aid societies) to raise funds that would not alter their *per diems*, and also allow the Home to hire additional staff they deemed warranted through their own resources.<sup>284</sup>

By the beginning of the 1980s, there was external interest in the development of the property owned by the Home. The Facilities Committee discussed ideas with multiple associations/groups, including BUF, but ultimately rejected any rental agreements because the old buildings were in poor condition and the new space was to be prioritized for the new program with children. The committee did recommend that the Board consider beginning the re-zoning work that would be required for fuller use of all the property.<sup>285</sup>

But, by early 1981, further challenges emerged. Board minutes reflect apprehension in terms of the declining population at the Home and the changing profile of residents. There were concerns that the Home was receiving residents that were not considered "treatable" at other facilities.<sup>286</sup> The executive director report also noted issues with school attendance and the building.<sup>287</sup>

That same year, there was an evaluation summary of the Home by the Department. Cleanliness of the Receiving Centre was deemed inadequate. The staff/child ratio was not sufficient, and the evaluation noted the physical layout of Home and the staffing coverage/schedule made it difficult to supervise residents. The evaluation also indicated that "most staff are untrained and unqualified for the type of demands made on them by the children now placed in the Home." It further noted that case files did not contain individual program plans for children and the Home was not following its own recordkeeping policies/procedures.<sup>288</sup>

By August 1981, Board minutes documented \$56,000 worth of grant funding from the Department of Social Services. The Finance Committee made recommendations to the Board on how to allot the funding to meet different operational needs, including retroactive payment

to staff. The minutes also included an update to the labour relations negotiations regarding staffing, and a note that the Board accepted the process including increases to staff wages.<sup>289</sup>

In September 1981, Board minutes indicated that the *per diem* rate paid by the Department of Social Services increased from \$33.85 to \$36.55, with a notation that the Home was running behind monthly in terms of finances.<sup>290</sup> The following month, the Board passed a motion to ask for assistance from the Department in terms of establishing an auditing and accounting system for the Home.<sup>291</sup>

Board minutes in 1982 reflected a concern from the executive director regarding the low child/staff ratio when the Home was at capacity of 32 residents, resulting in poor services rendered. Minutes also noted that steps had been taken to improve the physical condition of the Home, as was observed in the Department's previous Home inspection.<sup>292</sup>

The Home's old H. G. Bauld Memorial School, closed in 1969, was repurposed into the Bauld Community Centre, a meeting place for local community groups.<sup>293</sup> The project started early in 1983 when a grant of \$18,130 was received. During the 1984 fiscal year, another \$12,263 was received. The total cost of the project was \$30,885.<sup>294</sup> The fixed assets of the Home then totalled over \$600,000.

In June 1983, there was a report of sexual assault of a female resident by one of the male staff. Despite an internal investigation that deemed the assault to have occurred and the immediate suspension of the staff member involved, it does not appear that the police investigated the incident directly. At one point, the summary indicated that the Board discussed whether police should be contacted; however, it appeared that the idea was not acted upon. Three days following the Board discussion, the executive director met with the resident's social worker. The social worker indicated that she, in consultation with her supervisor, believed the police should have been notified. An internal Departmental memo indicated that the police were notified by the social worker and advised that they would not be investigating the incident. The summary report indicated that the social worker then advised the Home the following day that no charges would be laid. The staff member involved subsequently resigned his position at the Home.<sup>295</sup>

A Departmental evaluation of the Home in 1983 indicated relative improvement in the Home's effort to address previous concerns. It identified that Board and staff relations continued to be difficult ("a fair amount of disagreement between the Executive Director and Board over a number of issues") and a lot of energy was being expended regarding these disputes, to the detriment of the Home's programs. It noted that the Board seemed unaware of some its own procedures, as established in its constitution and bylaws. There was confusion whether the Board saw itself as an administrative board or a policy board. The executive director was confused as to expectations. The evaluation recommended clarifying the executive director role to include preparation of job descriptions and salary scales for administrative staff and

to offer direction and consistency. It noted an additional supervisor had been hired, which brought the number up to two; the shifts overlapped but remained only Monday to Friday. It was recommended that a third supervisor be hired for weekends, and, if not possible in the immediate term, then consideration be given to changing the shifts of current supervisors. The attitude of child care staff was noted as crucial. Comments from agencies suggested some staff seemed detached from the residents and did not set a good example (such as using foul language). There was a note that the image of the Home seemed to have been tarnished by an unprofessional manner on the part of some of the child care staff.<sup>296</sup>

The evaluation reported that agencies claimed the Home was responsive to requests for admissions and the Home was prepared to attempt to deal with children whose behaviour was problematic to others. It also suggested consideration of a possible name change to “Nova Scotia Home for Children,” as the Home was, by then, accepting any race/creed. It indicated that there continued to be some difficulties in the relationship of the Home with agencies, and that while some improvements with the Home’s program helped with the relationship, more needed to be done. It indicated that Home staff felt that agency expectations were not always realistic. The evaluation recognized the challenging cases the Home accepted as referrals. The Home also suggested that some agencies left children there and did not have much interest in maintaining active involvement – and some agencies noted that their active involvement was not always wanted. The report further recommended ongoing communication to improve image and working relationships.<sup>298</sup>

The evaluation reported that the resident capacity was 32; however, a typical population ranged from 23 to 25. It stated that the Home relied on the community to meet programming needs, but programs had to be available onsite. It noted little in the way of individual program planning with residents and suggested staff appeared uncomfortable with individual goal setting and progress reporting. While progress reports on residents were noted as improving, they were still falling short of regulation requirements. The evaluation recommended enhancing staff capacity to complete progress reports (one per year and build from there). In terms of resident supervision, the Department noted that some agencies questioned supervision levels at the Home as staff sometimes had difficulty accounting for residents. The design of the building did not permit easy supervision and special effort was required to more closely supervise both boys and girls in such situations. “Apparently, children like living at the Home, but some workers felt (whether cynically or not) that this related in part to the degree of freedom they had there.” The report recommended that the Home carefully reassess the issue of supervision to ensure it was adequate.<sup>298</sup>

A series of memos directed to staff by the supervisor or executive director outlined concerns regarding the living conditions and cleanliness of buildings, and the care and supervision of the residents. One specifically identified allegations of abuse/mistreatment that was relayed

to the Board by a former resident of the Home.<sup>299</sup> The memo stated that the Board would be conducting its own internal investigation into the matter.<sup>300</sup>

A February 1984 staff memo outlined concerns that “intimate relationships” had developed between male and female residents, and that travelling often occurred between buildings and floors due to inadequate staff supervision. The memo noted that issues were most evident during weekends and night shifts.<sup>301</sup>

In early 1985, the Department conducted yet another program evaluation and audit on the Home. The evaluation indicated that the Home appeared to be in a good financial position (the report noted that the Home reported a surplus of \$216,788 in 1984) and the audit concluded that the Home was very secure from a financial perspective. It noted that the Home’s investments were unencumbered and could be liquidated if necessary. In terms of occupancy, the Home’s *per diem* rate was based on an 80 per cent occupancy rate, which was noted as being favourable treatment in that regard when compared to other group homes and residential facilities whose rates were based on 95 per cent occupancy. The report identified underutilization as the Home’s most significant and pressing problem – occupancy not even reaching an 80 per cent level (in 1983/84, it was 72 per cent, and for the first nine months of 1984/85, it was 64 per cent). It also noted that funding by the Department and other child caring agencies was not covering costs, and that there was a downward trend in terms of percentage occupancy and the length of stay of residents.<sup>302</sup> The audit report also stated that, despite the rate-setting change in 1980, the Home continued to pay for all its staffing from the per diem rate (the intent to have additional staff paid for using Home resources was not actualized). The report also questioned the Board’s intent with respect to its investments, and the accumulation of profit. In the opinion of the audit team, the “accumulation of profits, which, in fact, represents public funds which were raised by the Home in excess of its requirements, is contrary to the normal objectives of a non-profit organization.” The audit team recommended they discuss with the Board the intent of the investments as part of funding necessary program improvements.<sup>303</sup> The report also reviewed staffing complement and remarked that there was no supervisory staff on the weekends. It also mentioned several areas within internal controls and accounting records that could be improved.

The program evaluation identified several themes:

- Physical Environment: It was noted as being clean, yet the building for short-term emergency placements needed repairs, and the furnishings were deteriorating.
- Staffing Issues: These were almost the same as those identified in the previous year’s evaluation. There was a need to have weekend supervisory coverage (the evaluation recommended either hiring an additional weekend supervisor or modifying existing schedules to

- cover weekends). Staffing levels generally needed to be reviewed. Staff training and development had to be given high priority by the Board.
- Policy and Procedure: There was no admissions and discharge committee despite the presence of the admissions and discharge policy, which outlined admission procedures. A review of resident case files indicated that many of the procedures (criteria) were not present in files. This was surmised to be the result of the nature of placements (short term, emergency) and that the Home needed to determine which type of program it was providing to children. If the program was short-term and emergency placements, then many of the admissions criteria would not be necessary.
  - Occupancy: This was a key issue in that both child caring days and average days for each child were declining. The evaluation noted that some social workers were using the Home as an interim step until the child could be placed elsewhere.
  - Working Relationship with Referring Agencies: There was a very negative image within the child welfare community about the Home. Lack of communication was noted, and agency workers felt the Home did not have a plan for the child and there was no consistency in relation to the treatment of the child. The report indicated that some agencies saw the Home as a place of last resort, that the Home was merely providing shelter for children and little else. Interestingly, the report indicated that the Home staff had a similar experience with agency workers – lack of communication – with a particularly adverse relationship with local/district office of the Department of Social Services.
  - Programming: In reviewing case files, it was difficult to get a sense of the program offered as many children were there for such short periods of time. Most were there on time outs from other facilities and placed there on an emergency basis until moved to another facility. However, for those children resident at the Home for longer periods of time, there appeared to be a program offered with a running resident case file.<sup>304</sup>

The audit report concluded that recommendations from previous evaluations by the Department had not been implemented and this resulted in the Home having difficulties maintaining adequate occupancy levels. It suggested that there would be a lack of understanding and reluctance to place children at the Home until the Home improved its image and communication with agencies. It further recommended that the Board needed to determine the program that they wanted to offer agencies placing children from across the province.<sup>305</sup>

Concurrent with the evaluation audit in 1985, the Home requested a meeting with the Minister to discuss several issues:

- The findings from the audit that had not been communicated to the Home;
- The opening of the Truro Secure Treatment Facility and its potential impact on referrals to Home; and
- The placement and lack of referrals from Black communities throughout the province.<sup>306</sup>

In the fall of 1985, the Government convened a Task Force on Family and Children's Services to examine the range of services to families and children in Nova Scotia within the jurisdiction of the Department of Social Services.<sup>307</sup> The Home's executive director was on one of the working groups related to Adolescent Services and Residential Facilities. Additionally, the Home submitted a short brief outlining concerns on behalf of the Board of Directors. Among other more general concerns, the Home identified the following:<sup>308</sup>

- Placement of Black children in foster homes. More input was needed from Black professionals/Community on specific placements.
- Consideration be given to the mandate of the Nova Scotia Home for Colored Children and whether services should be expanded to include becoming a children's aid society.
- The method at the time of allocating funds to the Home on a *per diem* basis was cumbersome and costly. They recommended that 60 per cent to 70 per cent of approved monies be given to the Home at the start of the fiscal year, and the balance be received through agency billings.

The treasurer's report at the 1985 annual general meeting noted several areas of concern with respect to the financial operation of the Home, including vulnerable areas identified through both the Government's audit as well as the Home's audit. In the report, the treasurer concluded with the following observation:

Poor management over the decades of the 60's and 70's has resulted in the demise of one of the largest and most productive farms in the area and the destruction of the old home building. Continuing mismanagement and lack of financial control over the 80's will see the liquidation of the Home's marketable securities and if the trend continues the Home will celebrate its Seventy-Five Anniversary in bankruptcy and ruin.<sup>311</sup>

By 1986, the relationship with the local office of the Department continued to be problematic, and the Home corresponded with the Department to outline concerns and their experience. In the correspondence, the Home stated one of the Department's social workers was not working

collaboratively and was withholding pertinent information. The Home speculated the social worker was intentionally trying to move residents out of the Home environment.<sup>310</sup>

Concerns over resident supervision continued. A July 1987 staff memo directed that “under no circumstances is staff to leave residents unattended, without a full-time child care worker, whether in the home or on an outing.”<sup>311</sup>

However, by 1987, the treasurer’s report indicated that the Home’s financial situation was stabilizing somewhat due to improvements in internal management practices of the Home, including bookkeeping in line with recommendations from previous audits. It also indicated that wages for staffing were due for an increase as per the contract, and noted the strain placed on the Home due to timelines with the billing process with some of the other agencies.<sup>312</sup>

Yet inadequate staffing and supervision persisted. In October 1989, in an update to the Board, the executive director identified some operational issues. While the Home was successful in maintaining some of its community programming connections, the report identified some of the challenges in operations at the Home. For example, there was a “critical incident” involving a staff member, current residents, and a former resident related to two female residents who had run away. The matter eventually led to the dismissal of the staff. The update also mentioned a police investigation into an allegation of sexual abuse of a former resident by current male residents that was later dismissed by police. The Board update raised the issue of the challenges of adequate staffing and supervision of the Home, particularly in the cases of the co-ed facility, and that their request for crisis intervention training for staff was denied by the Department.<sup>313</sup>

In December 1990, another update to the Board from the executive director highlighted the nature of the behaviours that staff were faced with from residents, including attempted suicide, self-mutilation, Satanism, weapons, and running away.

#### **D. Later Years 1989-1998 and Beyond: Heritage Status and Allegations of Abuse**

*During the 1990s, the Board recognized the need to revisit their roles and responsibilities as well as their vision and mission statement. They saw a need to develop a strategic plan for the management of the Home’s vast land holdings, given continuing financial woes. A Future Planning Committee was established to consider the future direction of the Board and to develop and maintain a vision for the Board.*<sup>314</sup>

*Ten years earlier there was an emerging external interest in the development of the Home property. By the 1990s, the Home’s Board started to seriously consider restoring the old Home and making application for heritage status. The media picked up the story and decided to ask former residents what they thought of the idea. It was during these encounters that the abuse allegations at the Home came to light.*

Perennial financial pressures caused the Board, during several periods of the Home's history, to consider the sale of land or the liquidation of assets. It will be recalled though, that the Home's incorporating legislation required that any such conveyances be for the "care, education, and proper training of members of the Afro-American race."<sup>315</sup> As mentioned earlier, one such conveyance was made for the benefit of the community, occurring back in 1951, when the Home sold one acre of property to the George Washington Carver Credit Union Limited, a Black-owned financial institution co-founded by Mr. Noel Johnston, (an industrial arts teacher) and Mr. J.A.R. (Ross) Kinney Jr.<sup>316</sup> The Home purchased the property back from the credit union in 1975.<sup>317</sup>

As early as the 1960s, there were suggestions that the Home consider selling assets as a means of addressing financial demands. One of the recommendations flowing from the 1962 Dick Report reviewing the Home's operations was to sell off Home property to liquidate debts and create programming.<sup>318</sup> Then, in 1968, the Government, in response to a request by the Home for public funds to build a training facility for residents, suggested the Home sell some of its land to build the facility.<sup>319</sup> By 1972, the Board's Casework Committee acknowledged the potential for land development to support programming, and the Dwyer Report the following year noted that it appeared as though the Department would not agree to any capital grants "as long as the Home continued to possess the valuable, unused acreage and assets so readily available for capital funding in its own right."<sup>320</sup> Yet the Board was reluctant to sell or develop existing property as it considered it "Black property and should remain so."<sup>321</sup>

Eventually, in October 1977, the Home did, at the suggestion of Board member Dr. Rev. W.P. Oliver<sup>322</sup>, sell land to the Black Cultural Society<sup>323</sup> as the future site of the Black Cultural Centre, which was constructed in 1983. It is noteworthy that Schedule B of the deed required that any buildings erected on the land by the Black Cultural Society be for "the protection and preservation of Black Culture in Nova Scotia" and that construction not be commenced before the Black Cultural Society obtained approval from the Home. Additionally, should the Black Cultural Centre cease to exist, the lands were to revert to the Home.

Then in 1983 – again in keeping with its community-minded objective – the Home's old H. G. Bauld Memorial School was repurposed to the Bauld Community Centre, a meeting place for local community groups.<sup>324</sup> The building was partly rented by the Watershed Association Development Enterprise (WADE), a Black community development group overseeing a job-entry program.<sup>325</sup>

The Board was mindful that leasing might be preferable to selling land, as the "selling of land would be detrimental to the (Black) communities thinking and beliefs."<sup>326</sup> In 1986, the Home signed a 99-year lease giving Nova Scotia Power an easement route for an eastern transmission corridor over Home lands for \$19,280 per annum.<sup>327</sup> Over the years, they also signed renewal leasing agreements with WADE.<sup>328</sup>

During this same time period, the Board set its sights on restoring the “old Home” building. At the Board’s 1990 annual planning session<sup>329</sup> they decided that utilization of a refurbished old Home facility would allow the flexibility to provide a multi-purpose centre that could meet the needs of the Black working-class community. For example, the building could house such groups as the Black Educators Association (BEA), the Association of Black Social Workers (ABSW), the International Order of Daughters of the Empire (IODE), the AUBA, BUF, and WADE. The idea was to utilize these tenant groups as resources for the Home. The Halifax Regional Development Agency was considered a possible funding source for the completion of the restoration project for the old Home site.<sup>330</sup>

Land development was also identified as a key issue and the goal was to use it for the benefit of the Home and the community. It was felt that the Board’s plans to embark on an Economic Feasibility Study and Development Plan for the Old Home site must include the Home’s main *raison d’être*: childcare. If this mandate was not addressed “in an organized and planned fashion, then, over time, this function could be eroded, and the Home would lose its capability to respond to the needs of our youth in an effective and relevant manner.”<sup>331</sup> The feasibility study was to be administered by the Program Committee to ensure grassroots input, a full assessment of current operations, and their possible expansions potential.

But financial difficulties stalled progress on restoration of the old Home. The biggest obstacle facing the Board at the 1991 planning session was the Department’s proposed budgetary cuts and salary reduction. “It was felt that a 9.8 [per cent] reduction in staff, combined with lower occupancy and the closure of the group home, would signal an end to the Home, as we now know it.”<sup>332</sup> Given the economic climate at the time, there was no consensus reached on restoring the old Home.

Yet, during a 1993 planning session, the Board contemplated community meetings to talk about the proposal for a “J.A.R. Kinney Complex” that would see the refurbishing of the old Home building. However, the Board was aware that the “Black community feels the NSHCC [the Home] is working in isolation,” so the Board considered whether the Home’s objectives related to the future of the Black community and whether these lands were owned by the Black community.<sup>333</sup>

A Fund Resource Committee was next established by the Board to consider various funding sources. The committee suggested that the fundraising broadcast, gospel fest, and book came under their mandate. The author and publisher of the book, titled *Share and Care, The Story of the Nova Scotia Home for Colored Children*,<sup>334</sup> agreed that all royalties from sales be turned over to the Home.<sup>335</sup>

Early in 1997, two special Board meetings were convened to discuss possible land development,<sup>336</sup> but it appears nothing came of the ideas which included:

- Building a golf course, which was rejected as being too costly, cost prohibitive for community members, and “not in keeping with what the Home is doing”;

- Rezoning for residential purposes;
- Seeking experienced partners to build a seniors housing facility;
- Leasing land to HRM for development of a sports field.

The following September 1998, the Home did sell seven acres of land to Eastgate Shopping Centre Limited (ESCL) for \$104,913,<sup>337</sup> with the only restriction being to not develop real estate for the operation of bars or gambling establishments and not to lease or sublease to tenants who operate bars or gambling establishments.<sup>338</sup> The parcel was zoned commercially (C-4) but was never developed and remained vacant. The parcel had been listed for sale by ESCL several times over the years (2005: \$149,000; 2015: \$329,900; and 2017: \$1,194,000). The property is currently for sale as three parcels totalling \$1,399,700 (two parcels for \$249,900 and one for \$899,900).<sup>339</sup> It is worthy of note that there is no proviso in the deed that the property be used for the “care, education, and proper training of the Afro-American race”<sup>340</sup> or for the benefit of the Black community, as required by the incorporating legislation of the Home.

In that same year, the Board made its initial application to have the old Home declared a heritage property.<sup>341</sup> Interestingly, while gathering information for the Old Home Heritage Status article,<sup>342</sup> a reporter with *The Chronicle Herald* “stumbled” onto the story of alleged maltreatment of residents at the Home throughout the 1950s and the 1960s.<sup>343</sup>

Meanwhile, refurbishing work on the old Home continued. By 2002, the Cumming Annex (brick section) and the adjoining (link) wood section were demolished and the West Wing (main structure) was completely refurbished on the outside. Work then slowed as approvals and permits were needed for onsite septic and water supply connections, and the cost for extending these services were prohibitive for the Home.<sup>344</sup>

At their 2002 annual general meeting,<sup>345</sup> the Board once again considered several initiatives related to the Home property:

- Locate the Afrocentric Learning Institute (ALI) on Home property, which “would fulfill the dream of lawyer James R. Johnston”;
- Operate a foundation at arm’s length that could contribute to the Child and Youth Care Programs;
- Sell 25 acres to City Heights Church, which was located nearby;
- Partner with Black Artist Network of Nova Scotia (BANNS) in the development of the Preston Cultural Festival initiative;
- Build an outdoor recreation commons.

It appears the only option pursued was the idea of a foundation. In a discussion paper prepared for the November 2002 Board meeting, one of the objectives of the foundation was to “remove assets, such as land and investments from the balance sheet, so that these assets are not used

to fund operations."<sup>346</sup> Draft bylaws were even prepared<sup>347</sup> but the application was eventually rejected in 2004 as the name "Nova Scotia Home Foundation" was too general and required "a descriptive element to indicate the type of business to be carried out by the company."<sup>348</sup> By December 2004, it was thought that the "outstanding lawsuit might present a legal impediment to move assets into a Foundation."<sup>349</sup>

Early in the 2000s, the Board decided to make another attempt to have the old Home site declared a heritage property. But it was not until 2006 that two recommendations were brought to the Board for consideration:<sup>350</sup>

- Subdivide the old Home site property to include the Henry G. Bauld Memorial Centre, the old Home, and the cottage;
- Apply for registered heritage status on the old Home "subdivided site," comprising approximately seven acres.

Finally, in August 2006, the HRM heritage property planner met with Board members to "revisit the NSHCC's [the Home's] initial application for registered heritage status for the original orphanage building."<sup>351</sup> The first application several years earlier had been denied. It was now thought that the additional facts would allow the Home to qualify for heritage status "while maintaining the best interests of the Home."<sup>352</sup>

## Living Conditions

A full account of the living conditions encountered by residents of the Home is challenging due to a lack of documentation. For the majority of the Home's operation, Nova Scotia's child welfare legislation mandated child care institutions to be licensed. Such licensing required regular inspections and evaluations of child care facilities like the Home. We expected to find documentation demonstrating such regular evaluations of conditions of the Home. We did not.

The historical documentation that was maintained over the decades of the Home's existence is largely dedicated to operational aspects of the Home (funding, infrastructure, etc.). For a child care institution, there is very little directly related to the actual care of the child.

What we have learned from the experiences of children placed in the Home has been derived from a review of their sparsely completed case files, but mostly from the firsthand narratives of former residents who lived there and who have shared their experiences with the Inquiry. They shared their stories with us as adults, decades removed from living in the Home. While the conveyance of these difficult stories decades later has been cathartic and an important step towards healing, it also serves as a reminder that their firsthand voices as children will never be heard.

Numerous former residents shared their experiences directly with the Inquiry through sharing circles and regular “tea and talks.” Many former residents who participated in the class action settlement also explicitly agreed that the experiences they shared within that process could be provided to the Inquiry. We are thankful for those who shared their stories. We undertook a careful review of each and every experience conveyed to us.

In addition to the first voice of those who lived there, our understanding of the experiences of children within the Home has been shaped by listening to family members of former residents and from the broader African Nova Scotian community. We heard the impacts of intergenerational harms resulting from the experiences of former residents of the Home.

The firsthand experiences of former residents speak to a lack of diligence from the adults and systems assigned to care for them. This is epitomized by the scarcity of historical documentation concerning the conditions endured by children placed in the Home.

We were able to locate a patchwork of historical documentation of the conditions of the Home. Much of this documentation is summarized in our earlier review on the operations of the Home. What little documentation exists nonetheless highlights the stark conditions to which residents of the Home were subjected. This documentation reinforces the firsthand accounts of the former residents who shared their experiences with us.

The accounts of former residents reveal an institution in which children were subjected to conditions below what Nova Scotians ought to expect from child care institutions.

### **A. Children were cold:**

Living conditions at the Home were challenging from its origins. A January 8, 1927, letter from Henry Bauld to the Director of Child Welfare suggests inadequate funds to meet the physical needs of the building since its origin:

To say nothing of the present condition of the Plant, let us go back to the opening in 1921 – the Main Building was then but half finished...I quite well recollect you expressing in the early stages the need for Storm Doors, Hardwood Floors, etc. and where would funds come from to do these necessary things if they were not collected.<sup>353</sup>

We heard experiences of former residents of the Home in the late 1930s and 1940s. Among their strongest memories were the cold temperatures within the Home during those years. Removing their clothes for bath time was especially unpleasant given the cold temperatures within the Home. One former resident recalled being told by staff that removing their clothes in cold conditions was to “toughen” them for the winter months. The cold temperatures were such that children would keep warm in the evenings by sleeping many to a bed.

Exacerbating the impacts of a poorly heated institution was the clothing provided to the children. Many former residents have shared with us their recollection of not being provided proper winter clothing. A female resident who lived at the Home for eight years in the late 40s/early 50s reported to us her recollection of having never been given a warm sweater or jacket. Several others have expressed similar memories.

We heard from numerous former residents about being sent outside in winter months without winter jackets. They advised that when faced with these conditions, they would huddle together for warmth on a large rock on the Home's property. The rock retained some warmth from the sun and would serve to further shelter these children from the wind and cold.

Former residents' shared memory of not being given appropriate winter clothing is supported by historical documentation. Several Home visits/inspections from 1947 to 1949, including one from the Provincial Director, noted the absence of children's coats and boots in the Home's cloakroom.<sup>354</sup>

Concerns about inadequate clothing for children in the Home were raised to the Director of Child Welfare as early as 1954, as documented in a letter from A.P. Hunt, Executive Director of Yarmouth County Children's Aid Society to F.R. MacKinnon on March 22, 1954:

I think also investigations should be made as to the type of clothing that the children are forced to wear as (young girl) was sent out from the Home looking like a tramp with an old ragged coat on about 4 inches too short for her and too tight. Several dresses were all too tight and short, in fact her petticoat was about 2 inches below her dress. She had practically no underwear. She had an old nightdress made out of a flour bag. I am wondering what they do with the \$8.00 that they are receiving..

Mr. Hunt wrote that he was raising the complaint "with reluctance" but noted that he was doing so because the young girl his agency had sent there "has been frightened there at the Home" and that "this same complaint has come to me from some of our former wards who were discharged from this Institution."<sup>355</sup>

A May 16, 1966, *Study of the Nova Scotia Home for Colored Children*, authored by social worker Rosemary Rippon, Coordinator of Foster Home Services, notes the following:

Children would seem to have few, if any, personal possessions, with little individual storage space in which to keep them. Most of the children come into the Home without any personal possessions. Those that have are soon worn out or broken.<sup>356</sup>

The old Home building had coal furnace–powered hot-water heating provided by radiators. The new Home buildings, electric heating. Based on reports from former residents, temperatures in the Home seemed to improve with the move to the new Home.

A discussion of the cold temperatures within the Home cannot be concluded without reference to the reports of former residents that staff used temperatures as a form of punishment; some indicated that they would be locked outside the Home for hours on end in the winter months without coats or shoes for punishment.

## **B. Children were hungry:**

The scarcity of appropriate food was another strong theme we heard from former residents who resided within the Home.

Despite evidence of the Home running a large and productive farm for many decades,<sup>357</sup> children residing in the Home during those years uniformly reported not seeing the yield come mealtime. Many reported feeling “starved” while resident at the Home. Numerous former residents described losing significant weight during their placement at the Home. They would receive comments to this effect from their families upon being discharged from the Home.

Former residents shared with us experiences of working all day maintaining the crops and animals, only to see what they reaped and sowed go elsewhere. To combat the hunger, many former residents resorted to sneaking food intended for the livestock (pigs and cows). If caught, they would be subjected to physical punishment.



NSA, Bob Brooks 2019001408

The Home was built with a kitchen and a cook had always been a member of the permanent full-time staff. Staff of the Home dined at the Home.

As noted in our earlier review of the Home’s operations, there was some indication in a 1948 inspection report that the Home’s kitchen was ill-equipped to service the dining needs of the children living in the Home at the time:

The kitchen stove seems too small to do much roasting of meat or preparing a full course meal for 64 children plus a staff of 10. There are two small pantries off the kitchen where an electric refrigerator is kept. The small quantities of food kept in this refrigerator would only be sufficient for the staff not for the 64 children.<sup>358</sup>

In the face of inadequate facilities, documentation showing early concerns about provision of inadequate food to children within the Home is not surprising. Reporting on a lunchtime visit in February 1948, when he arrived apparently unannounced, Director of Child Welfare Fred R. MacKinnon wrote:

There was nothing on the table except fish chowder in bowls and a pitcher of chowder on the table. There was no bread and butter or milk, either on the table or “Nanny” Fowler] was absent. I saw the cook [Mrs. Morton] who told me the menu for the noon meal was fish chowder, bread and milk – the bread and milk appearing on the table later. There was no butter on the bread. She told me that for breakfast they had oatmeal, porridge, milk and bread, and for supper they would have macaroni with milk and bread. According to her they get two apples a day.<sup>359</sup>

On September 13, 1948, social worker Lillian Romkey (a Departmental employee), wrote the following in a visitation report:

Food: Here is the big weakness in the Home. There is too much difference between the food given the staff and the children. Worker [Romkey] told Mrs. Lucas [“in charge of girls”] that she was going to stay to see the children eat their lunch. Worker heard an order for bread to be cut and buttered as a result of the remark. The youngsters had for dinner fish chowder and bread and butter, nothing else. ... One young lad, about 11 years old, remarked to Mrs. Martin [“in charge of boys”] that there was no fish in his bowl. Mrs. Martin said there was a lovely piece of fish in the big enamel pitcher in front of his place. She took a soup ladle and went dipping for the piece of fish. She did not find it. The soup seemed to consist of many fishbones, potatoes and milk. ... The staff had for dinner vegetable soup, fried halibut, carrots, sliced tomatoes, pickles, potatoes, fresh apple pie, etc.

It was useless to ask what the children got for the different meals as worker got the impression that the menus were being made up as they were being told. Mrs. Lucas told that the children got cornflakes every morning and after worker saying “Do they get a hot cereal in winter?” she was told that they got cream of wheat. With this they are supposed to get bread and molasses or bread and jam.<sup>360</sup>



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Ms. Romkey returned to the Home on October 28, 1948, specifically to see what was being fed to residents at lunch. She was left with the impression that the menu was altered to reflect her presence. Nonetheless her observations were documented as follows:

The youngsters were seated around their tables which were covered with white oilcloth and each child had an oilcloth bib around his neck. After blessing they put their dessert spoons into some kind of thick boiled soup. It was comprised of potatoes and turnips cut in big squares which was boiled in water. The water made this concoction seem like a soup. We looked carefully into the bowls which were in front of us and no sign of meat could be seen. However one lad had a bone which was from plate beef. There to add to this there was large slices of bread and butter, some of which were covered with a thin spread of jam. Mugs of milk were also given the children. It was most evident that the milk and bread were not the regular noon dessert. This whole meal was full of starch. It is strange that there are no apples being used to make applesauce of. It would seem that a dessert is an unheard-of thing amount the children. The staff was having roast chicken for their dinner.<sup>361</sup>

Ms. Romkey documented a reported *"belief that the children are not receiving adequate food."* She recommended that the Board of the Home be approached over the concern. No documentation was found to suggest that anything was done to explicitly address the concerns.

A letter dated January 5, 1959, from Ross Kinney to F.R. MacKinnon advises that the Home does *"not have the (kitchen) space to carry through recommendations made by the Nutritionist, Nutrition Division."*<sup>362</sup>



NSA, Bob Brooks 20190011400

The experiences relayed by former residents denoted an ongoing inadequate provision of food for children of the Home. We heard from several former residents of the 1950s about how they would be provided powdered milk only, notwithstanding working on an active dairy farm.

A female resident who lived in the Home for four years in the late 1960s reports no memory of being provided any food beyond oatmeal and broth. A male resident of the early 1970s told us that "paste sandwiches" (made of flour and water mixed together, between two slices of bread) were the lunchtime norm.

We heard how children in the Home adopted survival-behaviours in the face of inadequate food provisions. The 1973 consultation report by Dwyer described the dining area as an area of "rushed mass feeding."<sup>363</sup>

In the face of scarce food provisions, mealtime in a “rushed mass feeding” environment would often result in conflicts among children. The experiences shared by former residents — in the face of competition over limited food — were that fights over food were commonplace. We heard how former residents would have to fend off others from their food at each mealtime. We heard how children learned to eat their meals as quickly as possible, while covering their plates to defend the food from other hungry residents. We heard how mealtime was poorly supervised by staff, thereby leaving hungry children to fend for themselves over limited food.

Many former residents shared with us that this learned behaviour would stick with them as adults; that even today they struggle to eat slowly and to casually enjoy a meal.

Reports of systemic food inadequacy among former residents diminished in the 1980s. However, as with warmth, the withholding of food was used by staff throughout the operation of the Home as a means of punishment. Former residents report throughout the decades, including the 1980s, being regularly denied meals as a form of discipline. We heard how being sent to bed without lunch and supper was commonplace.

A 1987 memorandum of Althea Tolliver to staff at the Home made note that food intended for residents was “disappearing and not being used by our residents.” She cautioned that “this must stop immediately.”<sup>364</sup> The natural suggestion of Ms. Tolliver was that staff were taking residents’ food for themselves.

### **C. Children lacked planned activities and programming:**

Historically, recreation was outdoor and mostly improvised by former residents. We have seen, for example, photographs of young children rolling abandoned tires around the grounds of the Home.



NSA, Bob Brooks

Swings and see-saws were located on the grounds of the Home shortly after it opened its doors. It was reported at the June 1929 annual meeting that “A new playhouse has been built to shelter [the residents] from the sun and to provide for their outdoor play.”<sup>365</sup>

Former residents reported to us that, during the summer months, when weather permitted, outdoor recreational/play opportunities were mostly sufficient. The resilience and imagination of children allowed them to play and resource their own amusement, notwithstanding a lack of supervised or organized recreational programming.

Indoor recreational opportunities were a different matter. When weather would not permit going outside, children

would be subjected to long spells of inactivity and boredom. Former residents report the playrooms being poorly stocked with toys and very little in terms of programming at the Home. This firsthand reporting is supported by a number of historical documents.



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A July 6, 1947, report by Lawrence T. Hancock (visitor, Department of Public Welfare) stemmed from his visit to the Home on that date. After noting the recreational conditions, he made the following recommendation:

“That toys, games and playthings be provided for the children to use in the playroom.”<sup>366</sup>

More than a year later, this recommendation appeared not to have been followed. A September 13, 1948, report by social worker Lillian Romkey made note of the following, stemming from a recent visit she made to the Home:

There is no clothing nor toys lying around. One wonders if the children just sit on the benches in the play room without moving because nothing is out of place. Of course there were no toys nor play materials around to be used.



NSA, Bob Brooks 2019001405

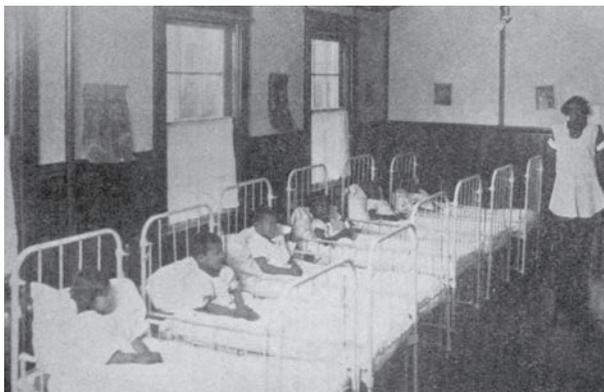
For programming, the Home often relied on outside, community resources. A May 16, 1966, *Study of the Nova Scotia Home for Colored Children*, authored by social worker Rosemary Rippon, Coordinator of Foster Home Services, noted:

The children can take part in their school's extracurricular activities and there is a Cub Pack. All the children attended camp last year at Big Cove. Local service groups organize outings and parties for the children.<sup>367</sup>

A similar discussion of such external programming was contained in a 1969 brochure provided by the Home:

For social activities, there is a playground and play pavilion on the grounds which are reasonably equipped. We have a small gymnasium in the basement

of the new wing [Cumming Annex]. Older girls and boys are members of CGIT groups, Cubs and Boy Scouts. If there are sufficient boys, we usually enter a team in minor league baseball. Service clubs, armed forces personnel, church and other groups often provide parties and picnics. During the summer the older boys are given a two-week holiday at the YMCA camp.<sup>368</sup>



NSA Library, VF 159-26

A letter dated January 5, 1959, from Ross Kinney to F.R. MacKinnon (Department of Child Welfare) asked for funds to permit the Home “to achieve the childcare standards as set forth by the Nova Scotia Department of Child Welfare.” Relevant to programming, his letter to F.R. MacKinnon advised of the following:

- Nursery and pre-school children’s Department is under standard
- There is not the room to permit normal laying out of the children’s clothing and materials for present day activities
- There are not any provisions for a living room or a quiet place for the children to study, read or relax. Very difficult to take advantage of any training in music, crafts, etc.
- Space is inadequate for the different age groups, especially the boys, for indoor games and hobbies. One playroom 18’ by 23’ with a nine-foot ceiling for about four age groups.<sup>369</sup>

These accounts were confirmed and reflected in an April 1973 report by several students at the Maritime School of Social Work (supervised by their field instructor) who visited the Home for a study, and observed the following:

There appears to be a lack of activity within the Home and we feel that this is an area that should be recognized. Playthings are at a premium due to breakage and the lack of suitable storing area.<sup>370</sup>

They were further highlighted by the Dwyer Report:

There are no sports or recreational programs in operation at the Home. Facilities and equipment are available or easily attainable but lack of staff input



NSA, Bob Brooks 201906020

or development. There are no games, educational arts or cultural programs in operation at this time. There are a number of rooms which could easily be converted and adapted for these purposes but again the lack of staff input, expertise and interest prohibits this development. Counselling and behavior modification programs are almost non-existent because of the lack of training, competence and experience of the staff in such areas.

...

Apart from a limited tutoring service, Sunday School, T.V. and a few games, there is very little programming provided for the children at the Home. The childrens' needs go far beyond the basics of food, clothing, shelter, cleanliness and religion. Therefore, there should be no excuse for not developing and operating creative resource programs particularly during evenings, weekends and holidays.<sup>371</sup>

The above referenced historic documentation, revealing a lack of appropriate recreation and programming opportunities for children in the Home from as early as the 1940s to the 1980s, aligned with the firsthand accounts of former residents who have shared their experiences with the Inquiry.

Former residents have reported to us that the lack of organized programming and activities led children in the Home to make their own recreation. We heard how children would leave the grounds of the Home (in groups or individually) to walk to nearby marshy lands ("Crowmland" as it was known) and/or a large rock in the woods ("the Rock" as it was affectionately known by former residents). The children reported escaping to entertain themselves for hours through activities like singing and picking berries.

The 1978 relocation to the new Home led to the provision of an outdoor basketball court, a baseball diamond, and a playground at the new Home site.

Children in the Home would occasionally go into the community for such activities as swimming, skating, and bowling. We learned that these sorts of offsite activities were not entirely capable of mitigating the daily boredom inflicted on former residents. Looking back, many former residents feel that the day-to-day boredom they experienced led to the frequency of physical fights and sexual activity among the residents.

Starting in the late 1970s, numerous female residents reported being required to perform sexual acts upon male staff in order to be allowed to participate in such programming. We heard from former residents how many such abuses took place in the Home's van when male staff would transport a former resident to extracurricular activities.



NSA, Bob Brooks 201905007

#### **D. Children were harmed and abused:**

The following discussion about abuse at the Home cannot be had without initially acknowledging that many former residents shared some favourable memories within the Home. For example, numerous former residents have expressed having lasting memories of staff who provided them with moments of care and concern in an otherwise difficult and stressful atmosphere.

However, every former resident who has shared their experience with us has expressed being exposed to various forms of abuse and neglect as a child within the Home.

Former residents over the decades at the “old Home” have vivid memories of bath time; of being required to wait in a long line before being placed in a bathtub with dirty, discoloured water. The bath water would not be changed during the mass bathing of up to 40 to 50 children consecutively. We heard how the bathwater was cold and soiled for those children near the end of the line. Several former residents described faeces floating in the bathwater. Objections to this by the children would be met with punishment by staff.

Toothbrushes were similarly shared. As late as the 1960s, former residents report sharing their toothbrush with as many as twelve other children (with hand soap being used as toothpaste).

Former residents of the early decades have shared with us the fact that they do not recall ever having their birthday celebrated or acknowledged in the Home. Many do not recall celebrating holidays like Christmas. While they were aware that it was Christmas due to the fundraising work of the Home's choir, many former residents do not recall celebrations extending to them as children.

Some former residents would be permitted to see their families over Christmas. We heard from former residents who recalled returning to the Home with gifts given to them by their families, only to have those gifts confiscated from them by staff.

As discussed earlier, many former residents shared being deprived their basic needs (food and warmth) as a form of punishment by staff. Forms of discipline included being sent to bed hungry and being locked outside with inadequate clothing. Moreover, it was reported to us that food was withheld by some staff unless the resident would comply with sexual acts. Food was used as a manipulative tool. For example, several female former residents shared how a male staff member asked them to meet in a stairwell and would provide them with cookies in exchange for sexual acts.

Former residents reported that staff of the Home would lock them in closets or dark rooms or the root cellar as forms of discipline. They reported being locked in these confined, dark spaces for indefinite periods. The length of such confinement was significant, ranging from hours to an entire day.

Former residents throughout the decades described being subjected to regular belittlement and disparaging comments by staff of the Home. Among the more frequent statements were phrases like, “you’re stupid,” “you’ll never amount to anything,” “you’ll end up on your back like your mom,” and “your family doesn’t want you.” Race-based name calling was described as commonplace.

Former residents have described staff calling them names depending on their personal characteristics, like “honkey,” “cracker,” “bushy hair,” and “Chinaman.”

There was a racial component to the treatment to which former residents were subjected. Almost every former resident reported to us that skin colour was an important consideration in the treatment a child received; that there was an informal racial hierarchy.

The darker a child’s skin colour, the less likely he or she would receive favourable treatment. On the other end of the spectrum, Caucasian and Aboriginal former residents reported to us that they were subjected to worse conditions because of their skin colour.

Highlighting the importance skin colour played in the treatment of former residents was what was described to us by former residents as the “paper bag test.” Former residents were taught to hold a paper bag to their face; the ideal skin tone was the one which most closely resembled the colour of the paper bag. It was perceived among former residents that those whose skin colour most matched the paper bag would receive more favourable treatment by staff. Staff made this well known to the children.

Former residents reported how the actions and behaviours of staff, in promoting a hierarchy of favouritism among the children, led to daily mistrust and uncertainty among residents. Children were encouraged and occasionally rewarded by staff for fighting the less-favoured residents.

We heard how favoured residents would be used by staff to both supervise (“tattle”) and punish less-favoured residents.

Repeated by many former residents was also the regular scheme by staff, wherein they would force residents to name which staff they liked the best. In the face of these regular questions, former residents describe being placed in an untenable dilemma: they faced retribution by the staff who were not their named “favorite” in the form of physical abuse or the systematic withholding of privileges.

Former residents of the Home recalled witnessing or being subjected to regular fights between former residents. These fights were often actively encouraged by staff, who would orchestrate a dispute between residents. Or else staff would overtly demand that former residents fight each other. Refusal to comply to a demand to fight would be met with physical abuse by staff. It was felt by many that these orchestrated fights were done for the amusement of staff and to foster the prevalent atmosphere of distrust among residents; an atmosphere which exacerbated the stress already felt of living in the Home.

Residents of the 1940s, 50s, and 60s described being subjected to regular physical abuse by staff in the form of being slapped, punched, and hit with broom handles and switches (flexible branches off trees on the property). Residents during these decades consistently reported being required to go into the woods and pick out the switch with which they would be beaten.

Among the most common “offenses” attracting punishment throughout the decades was wetting the bed. This was a common occurrence among the children in the Home. Consistent bedwetting in late childhood is known to be a byproduct of trauma. Former residents who wet their beds described being subjected to harsh ridicule and physical abuse the following day.

Many former residents have reported to us that they were subjected to sexual abuse while at the Home. Such abuses were reported to have been inflicted as early as the late 1930s and continued into the late 1980s.

The sexual abuses described by former residents of the Home occurred on a continuum from above-clothes touching to forced oral sex to violent sexual assaults. Numerous former residents, both female and male, reported being vaginally or anally penetrated against their will by male staff. Many reported being subjected to regular sexual acts without consent. This sexual abuse was described by former residents to have continued through the 1980s.

Perpetrators were both male and female. Victims were male and female. Notable is that we heard from both male and female former residents that they were subjected to sexual abuse by female staff members. This seems to have been more prevalent up to the 1960s.

We heard from former residents that the sexual abuse was not only inflicted on them as teenagers; many described being victimized as young children.

We heard from former residents how the aforementioned bath time was associated with sexual abuse. Many reported inappropriate touching of their genitalia by staff while they were naked for bathing.

Significant sexual abuse was described as taking place at night. In the old Home building, where residents were housed in large dormitories, former residents relayed being woken in the night by staff and molested in their dorm bed or else taken to a more private area. In the new Home buildings, where residents were housed in semi-private rooms, the nighttime sexual abuse would often take place in an empty semiprivate room during evening rounds. Looking back, many former residents expressed feeling unsafe at nighttime, knowing that the Home was sparsely staffed only with those who would abuse them.

Numerous former residents have described how certain male staff would force them to engage in sexual acts with other residents in the presence of and under the direction of the staff. One former resident described this form of abuse as being part of an orchestrated “sex show.”

The abuse was not restricted to the confines of the Home. Several female residents of the 1970s and 1980s have told us they were subjected to sexual abuses offsite by male staff responsible for driving the Home’s van. The sexual abuse would take place in the back of the van. Sometimes male staff would offer drives in their personal cars, only to subject female residents to abuse offsite.

In addition to being subjected to sexual abuses, several female former residents have expressed that they were induced into prostitution directly through the involvement of a particular male staff member employed by the Home. One such resident describes this staff member picking her up in the Home’s van after she ran away. When she expressed that she did not wish to return to the Home, he gave her another option by dropping her off at the apartment of the man who would soon become, as she describes, her “pimp.”

This male staff was described as “offering” the female former resident an opportunity to escape the abuse she was experiencing at the Home by entering into prostitution. Not knowing what she was getting into, the former resident reported gladly being given the occasion to leave the Home.

Those former residents induced into prostitution out of the Home described how the systematic sexual abuses inflicted on them as children in the Home facilitated entry into that way of life. They shared feelings of being taught as children how their bodies were to be used for sexual pleasure. Looking back, they felt that the male staff who sexually abused them in the Home were manipulating their vulnerabilities by grooming them for prostitution and sexual exploitation.

Another female resident from the early 1980s separately has described how this same male staff member drove her to a nearby gas station and introduced her to a man who would lure her into prostitution and become her “pimp.” Looking back, this former resident is confident that the

male staff set up this meeting in advance with the express purpose of luring her into prostitution.

We heard from several former residents in the 1980s how males from the nearby community would be “invited” into the Home by male staff. They would be introduced to female residents as “friends” of the staff. We heard how several former residents would ultimately be recruited into prostitution by these individuals.

Many former residents reported being sexually abused by other children in the Home. Some former residents have identified themselves as having sexually abused other children while resident in the Home. With much introspection in adulthood, they see this as a byproduct of learned behaviour, merely acting out on younger children what was being perpetrated on them by the adult staff. Nonetheless, extreme feelings of guilt remain.

The abuse described and experienced by former residents of the Home is reflected in historical documentation, albeit sparsely, starting as early as the 1950s. These records indicated a certain level of knowledge on the part of the care institutions responsible for the children they placed in the Home.

A March 22, 1954, letter from A.P. Hunt (of the Yarmouth County Children's Aid Society) to F.R. MacKinnon advises as follows:

As I have received several other complaints about the children being abused and ill-treated at the Nova Scotia Colored Home. I feel it is time that a thorough investigation was made as to just what is going on there. (A girl our agency placed there) has a number of stripes on her back and also a bad bruise on her leg. The girl claims that she has been beaten with a switch and with a broom stick. She has also intimated that there is another little girl there who was beaten so badly the other day that she cried for mercy.<sup>372</sup>

On March 31, 1954, Mr. Hunt followed up on his earlier letter with another to F.R. MacKinnon, noting additional allegations of abuse being inflicted on children at the Home:

Mr. XXX Halifax, who is known to your office, made a complaint with reference to the abuse received by his children from the Home. If you were to contact him he undoubtedly would verify this statement.<sup>373</sup>

A June 10, 1983, memo from Wilfred Jackson (the Home's executive director) to staff made note of the following:

Please be aware that at the last meeting of the Board of Directors it was decided to launch an internal investigation into alleged child misuse and/or abuse in this Home.

It appears, that one of the members of the Board of Directors has been approached by former residents about mistreatment while a resident in our Home.<sup>374</sup>

In late June of 1983, a former resident reported that a male staff member sexually assaulted her at the Home. She reported that this sexual assault happened following the drive back from a doctor's appointment. On the drive back to the Home, the employee driving her offered to give the resident a tour of the "old Home." She accepted. The June 24, 1983, incident report described the sexual assault that would follow:

Both proceeded out of the car and into the Home. (Staff) gave (Resident) a tour of the building, stopped in the dorm to unzip (resident's) pants. (Resident) said "don't, you shouldn't be doing this", but (staff) continued and laid (resident) down on an old mattress [sic], then pulled down his pants. Both engaged in sexual intercourse. Later they left the building and returned to the Home. In the car (staff) told (resident) not to say anything, as he would get into a lot of trouble.

The resident reported the sexual assault to others in the Home. An internal investigation was conducted which substantiated the sexual assault. Records show that the staff member resigned from the Home. Despite knowledge of the assault, the former resident was never contacted by the police.<sup>375</sup>

### **E. Children had nowhere to turn for help:**

Former residents of the Home have a consistently shared experience of living in an environment where abuse was widespread. Aggravating the harms were feelings of isolation and the perceived indifference of those ultimately responsible for their well-being.

Former residents report the Home was poorly supervised. For example, we heard how certain children would sneak off to the aforementioned "Crowslan" or "the Rock" in the woods after breakfast and not return until dinner. And their day-long absence would seemingly go unnoticed by staff.

Many former residents reported how staff were indifferent about their school attendance after the H.G. Bauld Memorial School was closed. Homework was not encouraged. In this environment, we heard how many children simply stopped attending, or caring about, school.

A tragic example of the poor supervision provided by staff was an experience relayed to us by several former residents in the late 1960s. They report how older residents orchestrated an assault on a younger boy, where, for a lengthy period, children were encouraged to throw boots and shoes at him as he lay in a corner. One former resident told us that he left the room to scream for staff to come to the boy's aid. They did not come.

It was relayed to us that after a lengthy period of assault, the boy became motionless. Only then did supervising staff enter the room. The boy was taken to hospital. The former residents were informed a few days later that he had passed away. Indeed, this deceased boy's sister confirmed to the Inquiry that he passed away while resident at the Home. In the face of these firsthand witness accounts, it was surprising that we found no documentation of this incident or the boy's death.

The perceived indifference to the atmosphere of abuse extended outside of the Home as well.

Many former residents have shared with us how they consistently and routinely ran away from the Home. This is uniform across the various decades. They described being found by staff driving around (or by police officers) and returned to the Home. Some reported to us of having told police officers of the abuse being inflicted on them, but to no avail. They would be returned, and their situation would not change despite having the strength to report it to authorities.

Similarly uniform are the reports of former residents throughout the decades of not being visited in the Home by their child care workers who placed them there. Many reported being simply dropped off by their worker, and never seeing that person again. Others say that if a worker would occasionally visit, questioning about their well-being would take place in the presence of staff of the Home. For fear of retribution by staff, these former residents described being scared to disclose the abuse around them.

In short, former residents uniformly feel that they were neglected by the people in the Home and the people who placed them in the Home. They had nobody to whom they could turn for much-needed help and comfort, or to report the systemic abuses being inflicted on children in the Home.

#### **F. Children felt isolated and disconnected:**

Many former residents have expressed having feelings of isolation while living at the Home. They felt isolated from their families and the broader community. Many former residents expressed that staff within the Home would often isolate them from siblings who entered the Home with them. We heard frustrations of how interactions among siblings was actively discouraged or, at best, not supported.

The Home's location itself was isolated. This meant that the children's opportunities for interaction with their families and the community was limited. One former resident in the late 1940s described the isolation like living on an island.

Former residents have shared with us that visits from family members were discouraged. They were permitted occasional letters, telephone calls, and sometimes brief visits. Former residents report that these contacts with outside family members were usually supervised by staff.

The children rarely went out into the Black community except to attend Sunday worship. If

there were recreational opportunities, they would more likely involve interaction with Caucasian populations than with the Black community.

Former residents who resided in the “old Home” up to the 1960s described being “loaned out” to households in the nearby community (who they believed were family and friends of staff). On such days, they would be required to do such tasks as cleaning house, serving food, or working on the farm. They would receive no remuneration for performing these tasks.

The May 16, 1966, Rippon Report noted concerns over isolation of the children. In noting that children attended church once a month on average, Ms. Rippon writes:

I do not feel that this is often enough, particularly for the children who attend the H.G. Bauld Memorial school on the premises, where little contact is had with the community outside the school.<sup>376</sup>

The H.G. Bauld Memorial School closed in 1969. Before its closing, residents in the Home lived and attended school on the remote site of the Home. Their circle of contacts all resided or worked on the site of the Home.

After its closing, children in the Home began to attend public school. While attendance at public school would lessen the physical isolation of children in the Home, it magnified the psychological isolation they felt. Almost uniformly, former residents reported to us that they were stigmatized in public school as a “Home Kid” by other children and teachers alike. They reported feeling not welcomed in public school. Few made friends outside of other former residents.

Some former residents reported attending public school with evident physical injuries (such as bruising) and that they were never questioned by teachers about the source of the bruising. To some, this added to their feelings of isolation.

Former residents shared with us how the psychological isolation from their teachers and peers in public school resulted in an indifference towards schooling. Many stopped attending.

That the closing of the H. G. Bauld Memorial School in 1969 did not end the isolation is supported by a 1973 study from students at the Maritime School of Social Work (supervised by their field instructor) who visited the Home. They observed the seclusion of children in the Home from their community and wrote in their report:

More involvement with the community is seen as being essential – and involvement with the Black community as being imperative. By community we mean not only their immediate area, but also the larger community in which these children live.<sup>377</sup>

## G. Children felt their experiences were behind a facade:



NSA, Bob Brooks

Telethon

A strong theme in the experiences relayed by former residents was a feeling that they were required by staff to “put on a show” for the eyes of the general public.

The annual telethon served as a symbolic example of this. As discussed earlier, the Home solicited funds from the public through an annual broadcast. Starting in the 1930s and ending in the 2000s, former residents would be required annually to dress up and perform songs over a radio, and eventually T.V., broadcast. They were made aware of the importance of their performance and the expectation was that they smile and outwardly appear cheerful and well cared for.

Former residents have reported that if they did not

partake fully in the outward facade, they would be punished later at the Home – usually by way of a physical beating.

This fundraising broadcast remains in the memories of children required to participate in it, due to the dichotomy of their outward happy appearance and inside turmoil resulting from residing in the Home. In other words, they reported of crying on the inside as they smiled on the outside.

Former residents reported feeling that the fundraising broadcast was but an example of the Home’s efforts to mask the actual conditions in which children were living. We heard how if staff were made aware of outside visitors, children would receive extra care that morning in terms of clean clothes and food. They would greet visitors in a hall and would be required to smile and appear to be in good cheer.

Into the 1960s, prospectus foster parents would attend the Home sometimes in search of a child. Residents of the Home described lining the walls, in their best clothes, while the visitors would carefully select whom they wished to take home. This was especially traumatizing for siblings who risked, and indeed sometimes experienced, being split from each other in an instant.



NSA, Bob Brooks

Telethon

## **H. Children were resilient:**

The experiences relayed to us by children formerly placed in the Home were uniformly traumatic. We cannot conclude a discussion on these experiences without commenting and reflecting on the remarkable resilience shown by children in the face of a highly distressing environment.

We heard stories of care and concern amongst former residents. Former residents reported sacrificing their own well-being to protect other children. Some would be beaten for refusing to fight other residents. Some would risk stealing food to share with others. We heard how former residents would attempt to deflect known sexual abusers from likely targets by putting themselves in harm's way.

These are some of the few survival strategies described by former residents. We want to acknowledge the strength and bravery, care, and concern shown by the former residents to each other. Despite the abuse and neglect which encircled them, children of the Home seemingly found strength in unity.

## Endnotes:

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- <sup>4</sup> Harvey Amani Whitfield, *North to Bondage: Loyalist Slavery in the Maritimes*. Vancouver: University of British Columbia Press, 2016.
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- <sup>11</sup> NSA, RG 1, Vol. 112, No. 23–25, Microfilm No. 15262.
- <sup>12</sup> NSA, Commissioner of Public Records, RG 1, vol. 422, no.22 (microfilm no. 14563)
- <sup>13</sup> NSA, Commissioner of Public Records, RG 1 vol. 422, no. 33 (microfilm no. 15463)
- <sup>14</sup> Peter Evander McKerrow, Mary I. Allen Boyd, and Frank Stanley Boyd. *McKerrow: a Brief History of the Coloured Baptists of Nova Scotia, 1783–1895*. Halifax, N.S.: Afro Nova Scotian Enterprises, 1976, p. ii
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- <sup>17</sup> Bridglal Pachai, *Beneath the Clouds of the Promised Land: The Survival of Nova Scotia's Blacks, Volume II: 1800–1989*. Halifax, NS: The Black Educators Association of Nova Scotia, 1991 p.63
- <sup>18</sup> Peter Evander McKerrow, Mary I. Allen Boyd, and Frank Stanley Boyd. *McKerrow: a Brief History of the Coloured Baptists of Nova Scotia, 1783–1895*. Halifax, N.S.: Afro Nova Scotian Enterprises, 1976, p.V
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- <sup>34</sup> RI Research File, Document 41 "Letter to Chairman, Halifax Industrial School from the Superintendent of Neglected & Delinquent Children, Aug 6, 1917; Document 42, "Letter to Premier Murray from Blois, Superintendent of Neglected & Delinquent Children, Aug 10, 1917;
- <sup>35</sup> Minutes of the 65<sup>th</sup> Meeting of the African Baptist Association of Nova Scotia, September 7–10, 1918, "The Second Annual Report of the Ways and Means Committee of the AUBA"; Lafferty, Renée. *The Guardianship of Best Interests: Institutional Care for the Children of the Poor in Halifax, 1850–1960*. Montreal, QC: McGill-Queen's University Press, 2013, pp. 80–81.
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- <sup>48</sup> *An Act for the Protection and Reformation of Neglected Children*, SNS, 1906 c 54 (*Children’s Protection Act*, 1906)
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- <sup>51</sup> *An Act to incorporate the Children’s Aid Society of Halifax, County*, SNS 1906, c 76.
- <sup>52</sup> *An Act to incorporate the Children’s Aid Society of Halifax, County*, SNS 1906, c 76, s. 2.
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- <sup>64</sup> *An Act to provide for the Reform of Juvenile Offenders*, SNS 1890, c 23, s. 1.
- <sup>65</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 2 and 6 (*Children’s Protection Act*, 1912).
- <sup>66</sup> *An Act to Incorporate the Nova Scotia Home for Colored Children*, SNS, 1915, Chapter 107
- <sup>67</sup> <https://nslegislature.ca/legislative-business/bills-statutes/types-of-bills>

- <sup>68</sup> *An Act to Incorporate the Nova Scotia Home for Colored Children*, SNS, 1915, Chapter 107, at ss. 2.
- <sup>69</sup> *An Act to Incorporate the Nova Scotia Home for Colored Children*, SNS, 1915, Chapter 107, at ss. 2.
- <sup>70</sup> The position title was changed sometime prior to 1917 from Superintendent of Neglected and Dependent Children to Superintendent of Neglected and Delinquent Children.
- <sup>71</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 6 (*Children's Protection Act*, 1912).
- <sup>72</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 7 (*Children's Protection Act*, 1912).
- <sup>73</sup> Renée Lafferty, *The Guardianship of Best Interest: Institutional Care for the Children of the Poor in Halifax 1850–1960* (Montreal: McGill-Queen's University Press, 2013): 41.
- <sup>74</sup> *An Act to Incorporate the Nova Scotia Home for Colored Children*, SNS, 1915, Chapter 107.
- <sup>75</sup> NSA, Nova Scotia, Superintendent of Neglected and Delinquent Children, *Annual Report* (1920).
- <sup>76</sup> NSA, Nova Scotia, Superintendent of Neglected and Delinquent Children, *Annual Report* (1921).
- <sup>77</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 (Amendments to the *Children's Protection Act* in 1950 introduced the new short title to the legislation "*Child Welfare Act*").
- <sup>78</sup> *An Act to Amend Chapter 2 of the Acts of 1950, the Child Welfare Act*, SNS 1954, c. 52.
- <sup>79</sup> *An Act to Amend Chapter 31 of the Revised Statutes, 1967, the Child Welfare Act*, SNS, 1968, c. 18.
- <sup>80</sup> Renée Lafferty, *The Guardianship of Best Interest: Institutional Care for the Children of the Poor in Halifax 1850–1960* (Montreal: McGill-Queen's University Press, 2013): 192
- <sup>81</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 at ss. 1.
- <sup>82</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 at ss. 5.
- <sup>83</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 at ss. 9.
- <sup>84</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 at ss. 54–55.
- <sup>85</sup> *An Act to Amend and Consolidate Chapter 166 of the Revised Statutes, 1923, The Children's Protection Act*, SNS, 1950, c 2 at ss. 53.
- <sup>86</sup> *An Act to Amend Chapter 31 of the Revised Statutes, 1967, the Child Welfare Act*, SNS, 1968, c. 18 at ss. 1(2).
- <sup>87</sup> *An Act for the Protection and Reformation of Neglected Children*, SNS, 1906 c 54 at ss. 7 (*Children's Protection Act*, 1906).
- <sup>88</sup> *An Act to Revise and Consolidate the Adoption Act, the Child Welfare Act, the Training Schools Act and the Youth Training Centre Act*, SNS, 1976, c 8, ss. 2(m) (*Children's Services Act*, 1976).
- <sup>89</sup> *An Act to Revise and Consolidate the Adoption Act, the Child Welfare Act, the Training Schools Act and the Youth Training Centre Act*, SNS, 1976, c 8 (*Children's Services Act*, 1976).
- <sup>90</sup> *An Act to Revise and Consolidate the Adoption Act, the Child Welfare Act, the Training Schools Act and the Youth Training Centre Act*, SNS, 1976, c 8 at ss. 44–66 (*Children's Services Act*, 1976).
- <sup>91</sup> *An Act Respecting Services to Children and their Families, the Protection of Children and Adoption*, SNS 1990, c 5 (*Children and Family Services Act*, 1990).

- <sup>92</sup> *An Act Respecting Services to Children and their Families, the Protection of Children and Adoption*, SNS 1990, c 5 at ss. 13 (*Children and Family Services Act*, 1990).
- <sup>93</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS 1912, c 4 at ss. 22 (*Children's Protection Act*, 1912).
- <sup>94</sup> *Of Juvenile Delinquents and the Protection of Children*, RSNS, 1923, c 166, at ss. 27(1) and 27(4) (*Children's Protection Act*, 1917).
- <sup>95</sup> Renée Lafferty, *The Guardianship of Best Interest: Institutional Care for the Children of the Poor in Halifax 1850–1960* (Montreal: McGill-Queen's University Press, 2013): 97–98.
- <sup>96</sup> Provincial Capital Grants, \$20,000 on July 2, 1959, and \$20,000 on August 31, 1960.
- <sup>97</sup> Task Force Report, *A Brief History of Family and Children's Services in Nova Scotia*, 1987, page xii.
- <sup>98</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 7 (*Children's Protection Act*, 1912).
- <sup>99</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 22 (*Children's Protection Act*, 1912).
- <sup>100</sup> *An Act to Consolidate and Amend the Law Relating to Juvenile Offenders and the Protection of Children*, SNS, 1912, c. 4 at ss. 21 (*Children's Protection Act*, 1912).
- <sup>101</sup> Minutes of the Fifty-fifth Annual Session of the African Baptist Association of Nova Scotia, September 5–9, 1908.
- <sup>102</sup> Robin W. Winks, *The Blacks in Canada: A History*, (Montreal: McGill-Queen's University Press, 1971): 348–349.
- <sup>103</sup> Minutes of the 65<sup>th</sup> Meeting of the African Baptist Association of Nova Scotia, September 7–10, 1918.
- <sup>104</sup> <https://www.bankofcanada.ca/rates/related/inflation-calculator/> (\$1000 in 1921 = \$14,123.71 in 2019).
- <sup>105</sup> Acadia University Special Collections, "Minutes of the African United Baptist Association of Nova Scotia", 117<sup>th</sup> Session, August 15–17, 1970, Executive Report.
- <sup>106</sup> See: Acadia University Special Collections, "Minutes of the African United Baptist Association of Nova Scotia", 117<sup>th</sup> Session 1970; 118<sup>th</sup> Session 1971; 119<sup>th</sup> Session 1972.
- <sup>107</sup> *An Act to Revise an Act to Incorporate The Nova Scotia Home for Colored Children*, SNS, 1978, c 64.
- <sup>108</sup> *An Act to Incorporate the Nova Scotia Home for Colored Children*, SNS, 1915, Chapter 107.
- <sup>109</sup> *An Act to Incorporate The Nova Scotia Home for Colored Children*, SNS, 1915, c. 107.
- <sup>110</sup> NSA, RG 72, Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 97.2, Letter from MacKinnon to S.Pyke, Acting Minister of Public Welfare, May 29, 1959.
- <sup>111</sup> By-Laws, Nova Scotia Home for Colored Children, February 14, 1924.
- <sup>112</sup> By-Laws, Nova Scotia Home for Colored Children, October 4, 1928.
- <sup>113</sup> *An Act to Revise an Act to Incorporate The Nova Scotia Home for Colored Children*, SNS, 1978, c 64 at ss. 6–12.
- <sup>114</sup> Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds Book 490, page 821, Doc. 1392, Deed, William McKenzie to HM the King, March 11, 1919.
- <sup>115</sup> NSA, *Report of the Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1920: page 77. NSA, VF 159, no. 26, 1929 Promotional Pamphlet, "The Nova Scotia Home for Colored Children", page 4.
- <sup>116</sup> HF, Box 40–056, "Blueprints (Old Home) Originals"; NSA, RG 3 Vol 66, "Nova Scotia Executive Council", Letter to Clerk of Executive Council from Blois; The Children's Protection Act, Section 80, Chapter 2 of the Acts of

- 1917; NSA, RG 3, Vol 66., numbered as 1242, Order in Council Papers for 16 Oct 1919; RI, Research File, Doc 1, Contract for the complete erection of the Nova Scotia Home for Coloured Children.
- <sup>117</sup> NSA, RG 3, Vol. 223, Pg. 277, Micro 23951, Order in Council, January 28, 1921.
- <sup>118</sup> Acadia University, AUBA Minutes", ABA Minutes, 1920, page 22, ABA Minutes, 1921 page 14.
- <sup>119</sup> NSA, *Report of the Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1920: page 77–78.
- <sup>120</sup> NSA, MG 20, "N.S. Home for Coloured Children – Reports, Programmes, Minutes, 1917–78, (scattered)". Promotional Pamphlet entitled Tenth Anniversary of the Nova Scotia Home for Colored Children, page 3; RI, Research File, Doc 2, Promotional Pamphlet, "What They Say About Us..." 1940, page 4; NSA, RG 72, Vol 198, File 6, Doc 38.2, Letter from Henry Bauld, NSHCC President to E H Blois, January 8, 1927.
- <sup>121</sup> RI, Research File, Doc 4, "Changes Made at Children's Home", (unidentified newspaper cutting, autumn 1922).
- <sup>122</sup> NSA, Brian Cuthbertson Fonds, 2011–010/003–05, Halifax Regional Municipality Historical Research Report: Nova Scotia Home for Colored Children, Brian Cuthbertson, May 1998, page 7; RI, Research File, Doc 3, Obituary Jas. A.R. Kinney.
- <sup>123</sup> NSA, VF 159 no. 26, 1929 Promotional Pamphlet, "The Nova Scotia Home for Colored Children", page 4–10.
- <sup>124</sup> NSA, *Annual Report of the Superintendent of Education For Nova Scotia*, 1927.
- <sup>125</sup> NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1927: page 108.
- <sup>126</sup> RI, Research File, Doc 4, "Changes Made at Children's Home", (unidentified newspaper cutting, autumn 1922).
- <sup>127</sup> NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1924, page 73.
- <sup>128</sup> Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds Book 572, no. 372, page 348, Deed, HM the King to Nova Scotia Home for Colored Children, February 15, 1929.
- <sup>129</sup> NSA, RG 3, Vol. 226, Micro 23954, Order in Council, Book 30, Page 50, February 11, 1924.
- <sup>130</sup> NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1924, page 81. NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1925, page 72–73.
- <sup>131</sup> NSA, RG 72, Vol 198, File 6, Doc 38.2, Letter from Henry Bauld, NSHCC President to E H Blois, January 8, 1927.
- <sup>132</sup> NSA, VF 159 no. 26, 1929 Promotional Pamphlet, "The Nova Scotia Home for Colored Children", page 13–15.
- <sup>133</sup> NSA, RG 72, Vol 198, File 6, Doc 38.2, Letter from Henry Bauld, NSHCC President to E H Blois, January 8, 1927; Doc 38.4, Letter from NSHCC President Bauld to EH Blois, December 26, 1926;
- <sup>134</sup> RI, Research File, Doc 17, Letter from Director of Child Welfare to NSHCC President Bauld, December 30, 1925.
- <sup>135</sup> HF, Box 40–248, "Old ledger 1919–1970", Minutes of Special Meeting for Directors of NSHCC, October 3, 1928, Doc 4–9.
- <sup>136</sup> Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds No. 2678, Book 635, page 263; page 541, Mortgage, 1 Oct 1928, NSHCC to Mortgage Corporation of Nova Scotia; Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds No. 190, Book 800, page 541, Release of Mortgage, 29 Jan 1940, Mortgage Corporation of NS to NSHCC.

- <sup>137</sup> NSA, *Reports of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia, 1921–1931*.
- <sup>138</sup> NSA, MG 20, “N.S. Home for Coloured Children – Reports, Programmes, Minutes, 1917–78 (scattered)”, Promotional Pamphlet entitled *Tenth Anniversary of the Nova Scotia Home for Colored Children*.
- <sup>139</sup> HF, Box 40 057, “Board of Directors: Minutes: 1928, 1957–1985”, Board Minutes, January 12, 1966.
- <sup>140</sup> NSA, MG 20, “N.S. Home for Coloured Children – Reports, Programmes, Minutes, 1917–78, (scattered)”, Promotional Pamphlet entitled *Tenth Anniversary of the Nova Scotia Home for Colored Children*.
- <sup>141</sup> “Colored Children’s Home Operating Successfully”, *Halifax Mail Star*, March 14, 1955.
- <sup>142</sup> “Remarkable Institution Appeals for Funds”, *The Mail-Star*, December 3, 1960, “Broadcast Successful; objective doubled”, *The Mail Star*, December 16, 1976, “\$32,000 pledged to N.S. Home for Colored Children”, *Halifax Chronicle-Herald*, December 12, 1985, “Home fundraiser nets \$40,000”, *The Mail-Star*, December 11, 2001.
- <sup>143</sup> “Telethon helps home with operating costs”, *The Mail-Star*, December 9, 1985. “Colored Children’s home radio, TV Broadcast set”, *Halifax Chronicle-Herald*, December 5, 1972.
- <sup>144</sup> NSA, MG 20, vol. 750., “N.S. Home for Coloured Children – Reports, Programmes, Minutes, 1917–78, (scattered)”, Promotional Pamphlet entitled *Tenth Anniversary of the Nova Scotia Home for Colored Children*.
- <sup>145</sup> NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1940, 1946, 1948, 1949.
- <sup>146</sup> RI, Research File, Doc 5, *History of the Nova Scotia Home for Colored Children, 82<sup>nd</sup> Anniversary 1921–2003* by Wilfred Jackson, Executive Director, NSHCC.
- <sup>147</sup> Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds Book 803, page 497, Deed, Mortgage, 29 Jan 1940. NSHCC to Nova Scotia Trust Company; Nova Scotia Land Registry (Halifax County), Service Nova Scotia: Property Online, Registry of Deeds Book 860, no. 3887, page 569, Release of Mortgage, 27 Oct 1943, Nova Scotia Trust Company to NSHCC.
- <sup>148</sup> Renée N. Lafferty, *The Guardianship of Best Interests: Institutional Care for the Children of the Poor in Halifax 1850–1960* (Montreal: McGill-Queen’s University Press, 2013): 175.
- <sup>149</sup> F. R. MacKinnon, *Reflections: 55 Years in Public Service in Nova Scotia* (Halifax: Fernwood Publishing & Maritime School of Social Work, 2004): 63. (The other deputy head appointed in 1947 was Hiram Farquhar who held responsibility for Old Age Pension and Blind Person’s Allowance. Both jointly managed the Welfare Branch until 1959, at which time MacKinnon becomes Deputy Minister – a post he holds until 1980).
- <sup>150</sup> Renée N. Lafferty, *The Guardianship of Best Interests: Institutional Care for the Children of the Poor in Halifax 1850–1960* (Montreal: McGill-Queen’s University Press, 2013): 177–8.
- <sup>151</sup> HF, Box 40–061, File “NS Association Child Caring Institutions”, 1957 Constitution.
- <sup>152</sup> NSA, RG 72 Vol 198, file 6, “Nova Scotia Home for Colored Children”, Doc 42, Letter from Colchester County CAS to MacKinnon, February 14, 1948; Doc 44, Letter from CAS Kings County to MacKinnon, February 17, 1948; Doc 45, , Letter from CAS Kings County to MacKinnon, February 17, 1948; Doc 60, Letter from CAS Annapolis to MacKinnon, March 3, 1948.
- <sup>153</sup> RI, Research File, Doc 6, Unidentified newspaper report, “70 Children Are Lodged in Home”, October 19, 1946; NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1946.
- <sup>154</sup> NSA, RG72, Vol. 198 File 6 “Nova Scotia Home for Colored Children”, Doc 22, Visit Report by MacKinnon, February 4, 1948.
- <sup>155</sup> NSA, RG72, Vol. 198 File 6 “Nova Scotia Home for Colored Children”, Doc 39, Report by Lawrence Hancocck, Department of Public Welfare. NSA, R.G. 72 vol. 198 file 6, “Nova Scotia Home for Colored Children”, Doc 65, Inspection Report by Lillian Romkey, Social Worker, September 13, 1948.

- <sup>156</sup> NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children", Doc 65, Inspection Report by Lillian Romkey, Social Worker, September 13, 1948.
- <sup>157</sup> NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children", Doc 66, Memo from MacKinnon to Romkey, October 4, 1948. NSA, *Report of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia*, 1947.
- <sup>158</sup> NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children" Doc 84, Summary Report to MacKinnon by JR Casey, January 15, 1958; . NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children", Doc 87, Letter from NSHCC Secretary-Treasurer Burgoyne to MacKinnon, January 17, 1959; NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children", Doc 81, Summary Report by JR Casey, December 12, 1956.
- <sup>159</sup> RI, Research File, Doc 5, *History of the Nova Scotia Home for Colored Children, 82<sup>nd</sup> Anniversary 1921–2003* by Wilfred Jackson, Executive Director, NSHCC. NSA, RG72, Vol. 198 File 6 "Nova Scotia Home for Colored Children", Doc 22, Visit Report by MacKinnon, February 4, 1948.
- <sup>160</sup> NSA, R.G. 72 vol. 198 file 6, "Nova Scotia Home for Colored Children", Doc 65, Inspection Report by Lillian Romkey, Social Worker, September 13, 1948.
- <sup>161</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 67.1. Letter from Board President Cumming to F.R. MacKinnon, Director of Child Welfare, October 6, 1948.
- <sup>162</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 67.1. Letter from Board President Cumming to F.R. MacKinnon, Director of Child Welfare, October 6, 1948.
- <sup>163</sup> NSA, *Reports of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia, 1921–1949*.
- <sup>164</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 66, Memo to Lillian Romkey from MacKinnon, October 4, 1948.
- <sup>165</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 67.1. Letter from Board President Cumming to F.R. MacKinnon, Director of Child Welfare, October 6, 1948.
- <sup>166</sup> NSA, *Reports of Superintendent of Neglected and Dependent Children for the Province of Nova Scotia, 1921–1949*, page 131.
- <sup>167</sup> NSA, *Reports of the Department of Public Welfare, 1954–56*.
- <sup>168</sup> HF, Box 40–058, "Correspondence", Letter from Kinney to the Department of Public Welfare, January 16, 1954.
- <sup>169</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children" Doc 76.2, Letter to MacKinnon from A.P. Hunt, Executive Director, March 22, 1954.
- <sup>170</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 76.6, Letter to MacKinnon from J.R. Casey re: complaint about N.S. Home for Coloured Children, April 12, 1954.
- <sup>171</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 77, Letter to Miss Casey, Departmental Secretary from J.A. Ross Kinney, July 12, 1954.
- <sup>172</sup> NSA, RG 72 Vol. 198 File 6, "Nova Scotia Home for Colored Children", Doc 81, Summary on Visit to Nova Scotia Home for Colored Children by J.R. Casey, December 12, 1956.
- <sup>173</sup> HF, Box 40–058, Correspondence 1953–1965, Letter from Kinney to Department of Public Welfare, January 16, 1954; HF, Box 40–058, Correspondence 1953–1965, Letter from Children's Aid Society of Shelburne County, October 2, 1959; HF, Box 40–058, Correspondence 1953–1965, Letter from President of NSHCC dated November 7, 1957; HF, Box 40–058, Correspondence 1953–1965, Letter to Ross Kinney dated December 2, 1957.
- <sup>174</sup> HF, Box 40–058, Correspondence 1953–1965, Letter from Kinney to Department of Public Welfare, January 16, 1954;

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- <sup>176</sup> NSA, RG 72 Vol. 198 File 6, “Nova Scotia Home for Colored Children”, Doc 84. Memo to MacKinnon by J.R. Casey re: Visit to the Nova Scotia Home for Coloured Children, January 15, 1958.
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- <sup>180</sup> NSA, RG 72 Vol. 198 File 6, “Nova Scotia Home for Colored Children”, Doc 89.2, Report of Investigation re Children at the Nova Scotia Home for Coloured Children by J.A. Grandy January 26, 1959.
- <sup>181</sup> “Plan Expansion Preston Home”, *Chronicle-Herald*, May 2, 1959.
- <sup>182</sup> HF, Box 40–248, “Ledger Book”, Report on Operation of the Nova Scotia Home for Colored Children Prepared by Mr. E.J. Dick, page 1–4.
- <sup>183</sup> HF, Box 40–057, “Board of Directors: Minutes 1928, 1957–1985”, Board Meeting Minutes, April 9, 1962.
- <sup>184</sup> HF, Box 40–248, “Ledger Book”, Special Meeting of the NSHCC Board, February 6, 1960; HF, Box 40–248, “Ledger Book”, AGM Minutes May 21, 1963.
- <sup>185</sup> HF, Box 40–248, “Ledger Book”, Report on Operation of the Nova Scotia Home for Colored Children Prepared by Mr. E.J. Dick, page 2.
- <sup>186</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Minutes from Special General Meeting of Home, June 14, 1962.
- <sup>187</sup> HF, Box 40–248, “Ledger Book”, Report on Operation of the Nova Scotia Home for Colored Children Prepared by Mr. E.J. Dick, page 1–4.
- <sup>188</sup> HF, Box 40–248, “Ledger Book”, Report on Operation of the Nova Scotia Home for Colored Children Prepared by Mr. E.J. Dick, page 8.
- <sup>189</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Minutes from Special General Meeting of Home, June 14, 1962.
- <sup>190</sup> HF, Box 40–248, “Ledger Book”, Minutes from Special General Meeting of Home, February 27, 1963.
- <sup>191</sup> HF, Box 40–248, “Ledger Book”, Minutes, Special Committee “Education”, March 5, 1963.
- <sup>192</sup> HF, Box 40–248, “Ledger Book”, AGM Minutes May 21, 1963.
- <sup>193</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Appeal Letter, September 3, 1963.
- <sup>194</sup> NSA, Ernest Majury, *The Report of a Survey of Child Welfare Services in Nova Scotia and Recommendations* (Halifax: Nova Scotia Department of Public Welfare, 1964).
- <sup>195</sup> NSA, Ernest Majury, *The Report of a Survey of Child Welfare Services in Nova Scotia and Recommendations* (Halifax: Nova Scotia Department of Public Welfare, 1964).
- <sup>196</sup> NSA, Nova Scotia, Director of Child Welfare. Annual report. 1960–1965.
- <sup>197</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Doc 18, Letter to Kenney from MacKinnon, March 18, 1966.
- <sup>198</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Doc 20, Letter to MacKinnon from Kinney, April 4, 1966.

- <sup>199</sup> HF, Box 40–248, “Ledger Book”, Minutes, AGM, June 28, 1965.
- <sup>200</sup> NSA, RG 72 vol 38 file 26, “Home: Home for Coloured Children”, Letter from Fraser Ross to Board Members October 28, 1965. HF, Box 248, “Ledger Book”, Minutes, Special General Meeting, September 30, 1965.
- <sup>201</sup> HF, RG 72 vol 38 file 26, “Home: Home for Coloured Children”, Doc 4, Letter to Harding from Johnson, November 12, 1965.
- <sup>202</sup> HF, RG 72 vol 38 file 26, “Home: Home for Coloured Children”, Doc 5, Letter to Akerley from Harding, November 30, 1965.
- <sup>203</sup> HF, Box 40–056, “Board Minutes 1966–1973”, Special General Meeting, January 12, 1966.
- <sup>204</sup> NSA, RG 72 Vol 53 File 27, “NSHCC”, Doc 23, Inspection Report by Rippon, 1966.
- <sup>205</sup> NSA, RG 72 Vol 53 File 27, “NSHCC” Doc 23, Inspection Report by Rippon, 1966.
- <sup>206</sup> “Segregation Ends at Colored Home”, *The Mail Star*, September 8, 1967.
- <sup>207</sup> HF, Box 40–057, “Board of Directors: Minutes: 1928, 1957–1985”, Minutes, Directors Meeting, Feb 6, 1967.
- <sup>208</sup> HF, Box 40–248, “Ledger Book” Minutes, March 7, 1968
- <sup>209</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Doc 28.5, Letter to Premier from Grayson, October 23, 1967.
- <sup>210</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Doc 28.2, Letter to MacKinnon from Johnson, January 4, 1968.
- <sup>211</sup> NSA, RG 72 Vol 53, file 27, “NSHCC”, Doc 29.3, Letter to Victor Blenus from MacKinnon, January 25, 1968.
- <sup>212</sup> *An Act to Amend Chapter 31 of the Revised Statutes, 1967, the Child Welfare Act*, SNS, 1968, c. 18
- <sup>213</sup> Charles Saunders, *Share and Care: The Story of the Nova Scotia Home for Colored Children* (Halifax: Nimbus 1994), 125–126.
- <sup>214</sup> HF, Box 40–248, “Ledger Book”, Report on Operation of the Nova Scotia Home for Colored Children Prepared by Mr. E.J. Dick, page 6.
- <sup>215</sup> HF, Box 40–248, “Ledger Book”, Minutes, Annual Meeting, July 9, 1969.
- <sup>216</sup> HF, Box 40–056, “Board Minutes 1969–1972”, Board Meeting Minutes, March 4, 1970; HF, Box 40–061, “Human Rights Commission, 1997”, Letter from AUBA to Grayson (Secretary, NSHCC), March 2, 1970
- <sup>217</sup> HF, Box 40–061, “Human Rights Commission, 1997” Information brief to Board of Directors, NSHCC from Human Rights Commission, April 14, 1970.
- <sup>218</sup> HF, Box 40–058, “Correspondence: Dec 1966 to Nov 1974 (Bob Butler)”, Letter to Croft from Gesner, Human Rights Officer, July 6, 1970; HF, Box 40–058, “Correspondence: Dec 1966 to Nov 1974 (Bob Butler)”, Letter to Croft from Gesner, Human Rights Officer, July 30, 1970.
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