

APPENDIX 1

Sacred Story Investigation and Systemic Review Methodology

This appendix describes in more detail the approach the RCY took in conducting the three strands of work – the Sacred Story Investigation, the Systemic Review and Engagement – and in braiding the work together through collective sense-making.

Ethical Approach and an Indigenous Perspective

The Representative's over-arching intention was to conduct the work in a manner that best mitigated the risks of causing any further harm while at the same time honouring Colby by harvesting the lessons that could be learned from his story.

RCY was committed to conducting its work in a decolonized and relationally accountable way to the extent possible while fulfilling its mandate, and considerable effort was put into preparation for the Sacred Story Investigation and review. Entirely decolonizing its practices is a journey that the Office humbly acknowledges may never be complete, but

the approach taken to the investigation and review represents another significant step in RCY's decolonization work.

In addition to having Indigenous representation on the Investigation and Systemic Review teams, time was taken to ensure that investigators and reviewers were aware of the context, both historic and current, within which the work was taking place. Awareness of intergenerational harm and ongoing inequities was an important social justice frame for the RCY's work.

Where possible, RCY sought to gather and make meaning of information by considering the views of those impacted by the work, building relationships and enriching its understanding of different perspectives. Cree scholar Shawn Wilson describes this preparation as to be in good relationship with

the knowledge you will carry, those you will walk with, and all of creation.¹

We are stronger when we paddle together.

We are relevant when we know where we are going.

We are wise when we follow the Sacred Laws: teachings.

As well, in conducting the work, the teams sought to use Two-Eyed Seeing and apply Indigenous research methodologies. An Indigenous worldview is circular and understands that everything is connected. That understanding helps make sense of complex situations. Mi'kmaw Nation Elder Albert Marshall, when describing Two-Eyed Seeing, stated it *"can require 'a weaving back and forth' between knowledges, which draws upon abilities to meaningfully and respectfully engage in an informed manner in collaborative settings."*⁶ Canadian Indigenous scholars Ashley Hayward and Erynne Sjoblom note that ensuring relationships are established and carried out in a way that is meaningful to Indigenous peoples *"is a crucial component of what defines ethical research with Indigenous peoples ... for research to be transformative, meaningful, and reciprocal to community, it must endeavor to uphold Indigenous ethical principles and protocols. Research must acknowledge that Indigenous communities and people know what is best for their own communities."*⁷

Sacred Teachings

The three Cultural Advisors – Deb Foxcroft, Judy Wilson and Hereditary Chief Wedlidi Speck - engaged to provide advice and guidance to the Sacred Story Investigation and

Systemic Review provided insights and perspectives on the design of the work and how it could be conducted in a good way. Under their guidance, this project was undertaken with the following principles in mind:

The Cultural Advisors also wove their teachings and knowledge together to present RCY with Sacred Teachings that have been applied to RCY's day-to-day work on the Sacred Story Investigation, Systemic Review and Engagement processes. These teachings build on RCY's own value base of the "Six Rs" of relationship, respect, relevance, responsibility, reciprocity and repair.²

The Sacred Teachings offered by the Cultural Advisors and which underwove the work on the Sacred Story Investigation and Systemic Review are:

Relationship: All sacred beings are part of the web of life, the universe, the air, land and sea. We are one. We show respect to this wisdom by acknowledging every living thing as sacred. All mothers, fathers and children are sacred. To be in a relationship with another requires respect, openness, curiosity and understanding. We must live, work, and respect each other, and celebrate our sameness and our differences. In this way, we are following in the footsteps of our ancestors.

Respect: We are taught to be mindful of our steps and actions when we walk through life. As we look upon nature, animals and other sentient beings, let our thoughts be guided by gratitude and reverence. When we see each thing in Creation as beautiful, special, sacred, and part of our family, we treat them with

¹ Preparing for the Research Ceremony: Indigenist Researcher Training

² The RCY's Six Rs were in turn informed by Verna Kirkness and Ray Barnhardt's seminal

1991 work on the Four Rs of First Nations' Higher Education

care, loving attention, and gentleness, and then we know respect.

Relevance: The ancestors designed a way of life based on relevance. What they dreamed, designed and delivered was connected to the needs of the people, their families, and their children. Identity, culture, rights, and leadership responsibility were based on what was being called for and needed. Relevance shaped our naming ceremonies and harvesting practices. Cultural markers found on the land, in the sea, and place names illumine the importance placed on what was needed, what was important, what was being called for, and what was relevant.

Responsibility: The leaders and the older people of the village shared the work to keep the villages healthy, safe, and flourishing. The spring, summer and fall seasons were busy times for the families: they harvested medicines, berries, fish, and all kinds of food. In winter, when the weather was cold, the families gathered inside the houses where fires burned brightly, and rituals and ceremonies were held. Each member of the family had a responsibility to do their part. This is when children learned about where they came from, and what really mattered to the family. The family members made sure everyone was 'response-able' and had the knowledge, skills and ability to do their part. Mentorship through a constellation of family members guided the children along their learning path.

Reciprocity: The wisdom of the Elders describes a way of life based on reciprocity. From the moment they woke, until they lay back down for the night, they expressed gratitude – for safe passage through the night, and to the generosity of Mother Earth, Father Sky, Grandfather

Sun, Grandmother Moon, Uncle Stars and Aunt Moon. The harvest of a tree for building a house, carving a mask, making a cradleboard, or canoe – prayers of gratitude were said, acknowledging the sacrifice being made so we humans could be well. There were various ways used to structure the thinking of harvesters to ensure this special relationship was maintained. People were named after rivers, whales, eagles, trees, and the act of harvesting. Through this exchange, a bond and a sacred balance was maintained in the Universe.

Repair/Restore: Indigenous cultures had ways to address problems, fix mistakes and correct indiscretions. When things happened, they called upon the village Elders, healers and wise ones to guide them through truth-telling and accounting for decisions made and actions taken. Accidents require a ceremony to strengthen the spirit of the injured, while other matters may require an apology, compensation and corrective means to demonstrate accountability and responsibility. Repair to individuals, families, clans and tribes was essential to community well-being. Being in a good relationship with nature and everything in it was paramount.

Three learning sessions were presented to RCY staff as part of the methodology and included extensive reading material and learnings on circle agreements.

Sacred Story Investigation

Comprehensive Review

An RCY Comprehensive Review (CR) is a review and analysis of the paper and electronic files as well as relevant policies and procedures concerning a child. A CR informs RCY's decision regarding whether or not to launch a s.12 investigation under the *RCY Act*.

A full investigation requires a tremendous amount of resources and staff time and, therefore, RCY typically conducts only one full investigation at any given time.

The CR for Colby examined all MCFD file information for Colby and his family from prior to Colby's birth up to his death. It included an examination of the experiences and services provided to Colby's siblings as well as to him and his parents. Upon review of the CR, it was determined that the policies and practices of a reviewable service contributed to the death of Colby and the Representative decided to proceed to an investigation.

The CR identified several themes or key focus areas: inter-partner and family violence; family and caregiver supports; kinship care and out of care options; children and youth with support needs; workforce capacity; child welfare policies and procedures; interagency practices, including communication, coordination and planning; and resumption of jurisdiction over child welfare by Nations and transitional decision-making as part of that process. Related areas of concern also included parental mental health and substance use and the effects of the COVID-19 pandemic. These themes informed the design of the Investigation including who would be interviewed and what questions would be asked as well as the key focus areas for the Systemic Review – see below.

The RCY decision to proceed to an investigation was supported by the First Nations Leadership Council, which cited the *"horrible systemic breakdowns that contributed to this child's death."*⁹ As well, the FNLC urged RCY to look at the broader systems and how they are failing (or supporting) children and youth – particularly First Nations children and youth – and voiced its support for a systemic/structural investigation, including

whether racism or fiscal discrimination was at play in decisions, practices, etc.

Investigative Process

In June 2023, the Representative began planning how best to meet with local Indigenous leadership to ensure that cultural protocols were honoured as part of the investigation. A local Nation leader was contracted to support this relational work and inform the Representative of local protocols.

In July 2023, RCY began the process of informing leadership from the Ministry of Health, the Ministry of Education and MCFD that staff involved in Colby's story would be interviewed. Material was provided before the interviews, including a question-and-answer document that explained the purpose of, and process for, the interviews. Interviews with staff from the Ministries of Health, Education and MCFD used a more traditional western approach but were informed by Indigenous methodologies. In addition to asking for facts, investigators asked open-ended questions to seek the wisdom of interview subjects' own experiences and recommendations for a future system of care.

Decolonizing the Investigation and Interview Process

Methodologies in the Sacred Story Investigation aligned with a Two-eyed Seeing approach and the Cultural Advisors provided support and mentoring to the Investigation team as well as cultural learning sessions.

The approach for interviews with the family and Indigenous community members and leaders was guided by the Cultural Advisors and their teachings and the typical interview approach was modified to make the process more respectful as well as providing the opportunity for the telling of stories and making of recommendations by each

participant. The pre-interview process requiring interviewees to “affirm” or “swear” they are telling the truth was also adapted to allow for traditional indigenous ways (oral truth-sharing agreement).

Family and community interviews included ceremony, food and offers of cultural support, and the location for interviews was carefully chosen to enhance emotional safety and ensure anonymity. The length and pace of the family interviews was determined by family – several interviews lasted six or more hours.

Documentation Review

As part of the CR and Sacred Story Investigation, all relevant files in MCFD’s database, the Integrated Case Management (ICM) system, were reviewed. This database includes legal documents, worker notes, agreements and significant volumes of many other types of information. As a result, calculating the number of documents reviewed as part of this project was not possible. An individual ICM file varies in length and can contain hundreds or even thousands of documents, depending on the length of involvement of a child and/or family in B.C.’s child-welfare system.

Completion of the CR took RCY’s five-member investigation team more than seven months. Thousands of additional documents were reviewed once the full investigation got underway.

Systemic Review

The purpose of the Systemic Review was to examine in more detail the several areas of child and youth well-being systems identified in the CR analysis. The Systemic Review included:

- an in-depth review of B.C. policies and practices, review of current reports and literature, and an inter-

jurisdictional scan for each of the identified systemic issues;

- a review of child and injury death cases to identify other children’s stories documenting similar systemic issues;
- a review and analysis of Coroner’s Inquests Child Death Review Panel and RCY Reviews and Investigations records to identify and understand trends and patterns related to the systemic issues;
- consideration of relevant and supplementary research undertaken and commissioned by the RCY.

Policy and Practice, Jurisdictional and Literature Review

A significant stream of work under the Systemic Review was the in-depth review of B.C. policies and practices, review of current reports, seminal works and grey literature, and a scan of other jurisdictions to better understand the key systemic issues identified and determine what could be learned from others, including promising practices.

The RCY retained external contractors to undertake the reviews in the areas of: family and inter-partner violence; family and caregiver supports; child welfare policies and procedures; and interagency practices. For the area of kinship care and out of care options, the RCY seconded a current member of the BC Public Service with extensive understanding and experience of this area to undertake the review. To better understand the context, and evolving and emerging child welfare practice, reviews of the history of Child Welfare in B.C., and Child Welfare Reform were also commissioned.

For children and youth with support needs (which is woven into the family support

chapter of the report), the Representative drew on internal ongoing, comprehensive and in-depth work that the Office is leading in the area of CYSN. For the area of jurisdiction and resumption of inherent rights over child welfare by First Nations, the work was undertaken internally by RCY as was work on accountability and quality improvement.

The review of Workforce Capacity is also being undertaken internally within RCY. The workforce review is extensive, involving a review of relevant literature, past reports, a survey of MCFD social workers and team leads (a total of 739 MCFD practitioners participated in the survey), focus groups of MCFD social workers and team leads (12 Focus groups with 49 participants), and analysis of findings of literature and reports and surveys and focus groups. Given its scope and significance, the Workforce review has evolved into a separate companion report to the Sacred Story Investigation and Systemic Review. An interim report, which will be the first of two Workforce reports, is to be released shortly after the report of the Sacred Story Investigation and Systemic Review. A more detailed and comprehensive report is expected in late fall 2024.

For each of the areas of focus, as part of the review of the current state and policy and practice in B.C., the Office also reviewed and gathered information through comprehensive intranet searches of public bodies websites to extract available information, and through s.10 requests to public bodies. In all 22 s.10 requests were submitted to four public bodies, resulting in the receipt of 5,915 documents.

Key contextual questions were provided to guide the work of the reviewers and RCY executive and staff supported and contributed to the work of the reviewers. A RCY executive staff member acted as an advisor to each reviewer and in some cases

RCY staff undertook specific supporting research.

In their work, reviewers were asked to specifically consider Indigenous viewpoints and perspectives. Reviewers also undertook interviews and one on one conversations with leaders, experts and practitioners in their area and in some cases reached out to learn from those with lived experience and to gain an indigenous perspective (29 interviews and conversations were held by reviewers).

Other children's stories

An extensive search of RCY records and files, both of completed CRs and an in-depth file analysis identified several children and families whose stories illustrated similar issues to Colby's story and were emblematic of systemic issues in the child and youth well-being sector.

These stories are highlighted throughout the report, underscoring that Colby's story, and the broad systemic issues it reveals, is not an outlier, as well as identifying additional issues in the system that require attention.

Data Analysis

A former child and death coroner was commissioned to review and analyze findings and recommendations of Coroner's Inquests and Child Death Review Panels between the years of 2014 to 2023 to identify findings and recommendations relevant to the systemic review themes. This analysis affirmed that the identified themes and findings underlying the Sacred Story Harvest and Systemic Review were present in many cases.

Additionally, RCY Reviews and Investigations team extracted supplemental data on kinship care (including for out of care and the Extended Family Program) from relevant

records to further analyze and understand caregiver relationships. Cases examined included 30 children and youth, almost three-quarters of them Indigenous, who had experienced critical injury or death while involved with B.C.'s child-welfare system. RCY also looked at how many of these children and youth had come from two generations or more of intergenerational child welfare involvement.

Supplemental Research

Other research commissioned by RCY from public post-secondary institutions informed the Systemic Review. This included research and review conducted under RCY's Keeping Families Safely Together initiative which informed the family support area of the

Systemic Review, as well as the report's recommendations.

In addition, research commissioned by the RCY on grief and Loss in childhood helped to inform this project. This research evaluated the literature on grief and loss in childhood and adolescence by asking and answering a series of questions followed by exploring factors that influence child outcomes and to begin a discourse on how best to support young people in B.C. who face losses.

Topics covered under the Keeping Families Safely Together initiative included:

- a look at colonialism and how its legacy has shaped the foundations for Indigenous early childhood in B.C.
- an examination of colonialism and disruption in belonging in the context of refugee newcomer children and families
- a review of the importance of family, community and place in children's identity and development, speaking to the emergence of "individualism" and the concept of "family autonomy" in western political thought and its ongoing influence on public policy
- an examination of the multiple interconnected spheres of influence on children's health, well-being and development in understanding child development
- a consideration of the social determinants of health, describing how child health inequities are created by the inequitable distribution of power, money and resources, resulting in upstream social, environmental and economic challenges.

Engagement

Working sessions and presentations

Through January to May 2024, the Representative held working sessions and presentations with a range of organizations to provide information on the Sacred Story Investigation and Systemic Review and obtain input on whether the work was covering the right themes and priority areas. Follow-up sessions were also held to review findings and discuss emerging areas for recommendations.

This included **15** working sessions and presentations, including four in-person sessions, with

- Indigenous leadership and service organizations - First Nations Leadership Council (3 sessions), Our Children Our Way Society (3 sessions), Métis Nation BC (2 sessions), BC First Nations Justice Council;
- child and youth serving and advocacy organizations - The Federation of Community Social Service Agencies of BC, Provincial Association of Residential and Community Agencies (PARCA), First Call and the Children's Forum;
- ministries and public bodies (2 sessions).

Online Community Engagement

In addition to the working session and presentations, through February to May 2023, the Representative undertook comprehensive efforts to reach out and engage broadly with those committed to supporting positive change in outcomes and well-being of children -- practitioners, caregivers and foster parents, advocates, team leaders, program managers, clinical supervisors, executive leaders and others.

Phase One of this on-line "community" engagement involved hosting four, three-hour

virtual sessions open to a range of individuals interested in contributing to the review. The goal of Phase One was to provide information on the Systemic Review and receive input to the priority areas of interest. Email invitations to the sessions were sent out to all organizations and individuals on RCY's partner/stakeholder list and those expressing interest in the Office's work. A separate on-line session was also held with members and partners of the Our Children Our Way Society (including Directors and staff of Indigenous Child Welfare Service Agencies) and with RCY staff including advocates serving children, youth and their families.

Phase Two of the on-line engagement involved going back to the participants and interested parties to review findings of the Systemic Review work and emerging areas for recommendations.

In all, eight online sessions were held and 402 individuals participated in the sessions.

RCY's Systemic Advocacy, First Nations, Métis and Inuit Research team undertook comprehensive analysis of the input from the online sessions to identify key themes and priority areas which informed the findings and conclusions of the Systemic Review.

Surveys

In addition to the workforce surveys undertaken as part of the Workforce Capacity work and outlined in the interim report expected to be released following this Sacred Story Harvest and Systemic Review report, the RCY undertook three other surveys to gather insights from families and community to support and inform the work of the Systemic Review.

Three surveys specific to family and kin with experience in the care system; the community service sector; and foster and group home caregivers were distributed through various

stakeholders³. The survey period was from May 3 to May 22, 2024 and the RCY received 335 responses in total – 211 to the foster and residential caregiver survey; 44 to the family and kin carer survey; and 80 responded to the community service provider survey.

Results were tabulated and analyzed and incorporated into the Systemic Review analysis and findings.

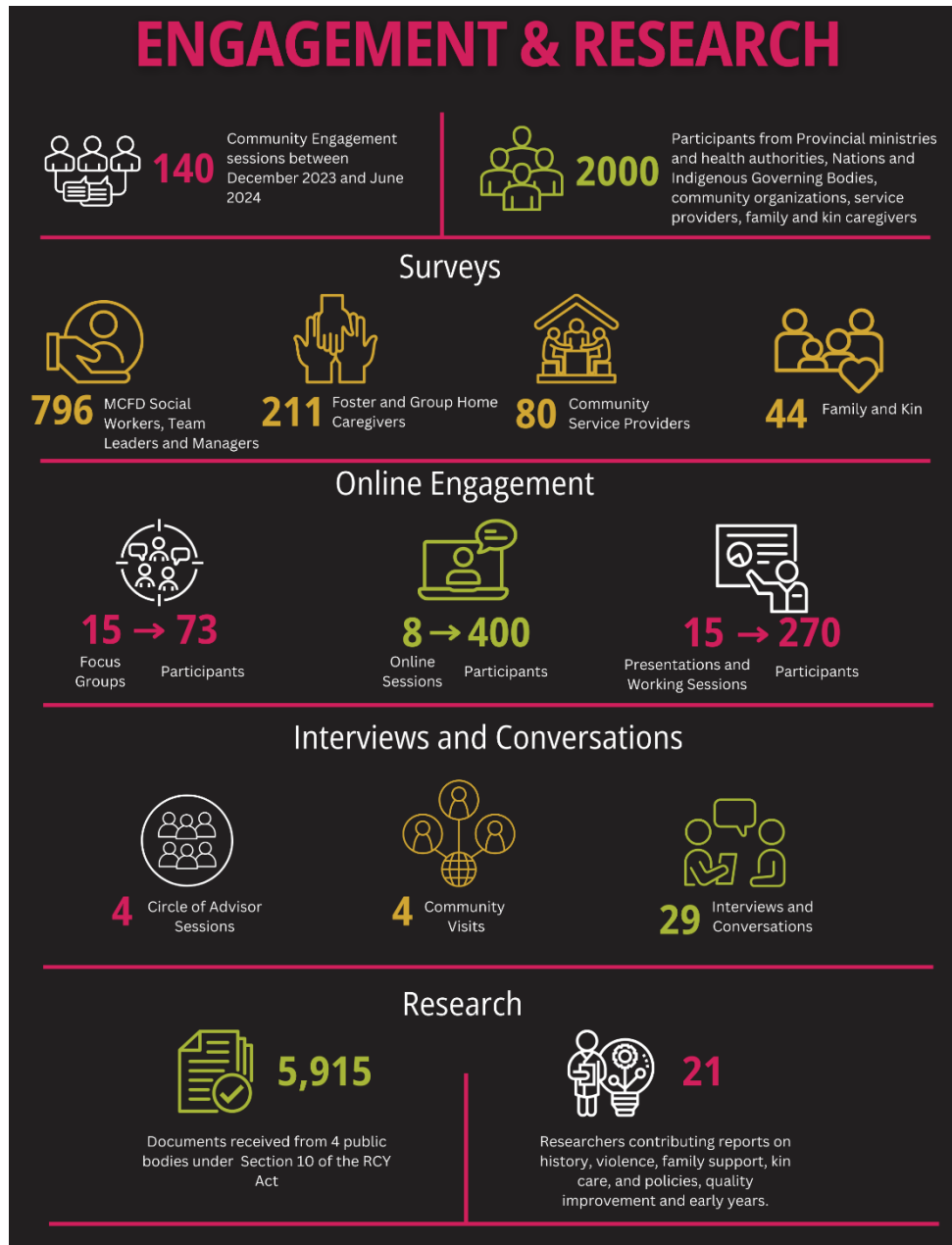
Focus groups

To delve deeper into some of the themes and priority areas identified in the engagement sessions and surveys, the RCY also held focus groups with families with lived experience of the child welfare system (one focus group and 12 participants) and with staff from Child and Youth Advocacy Centres from around the province (two focus groups and 12 participants). These were in addition to the 12 focus groups held with direct service providers and team leaders as part of the Workforce Capacity work.

These sessions allowed participants to share their experiences, challenges, and perspectives in a detailed and nuanced manner. This mixed-method approach ensured a balanced and thorough understanding of the current state of the child welfare system, combining statistical analysis with rich, narrative accounts to identify areas for improvement.

³ Note: Results should be interpreted with caution as they only reflect the views and situations of those who participated in the surveys and may not represent the entire

population of foster and residential caregivers, family and kinship carers involved with MCFD and community service providers in the province.]



Collective Sense-Making

Throughout the Sacred Story Investigation and Systemic Review attention was given to ongoing collective sense-making to consider and understand the findings, to ensure that the various streams of work were connected, aligned and integrated, and that the “braids” of work were woven into a whole.

The Sacred Story Investigation team met bi-weekly with the Representative and members of RCY Executive to review what had been learned through interviews as well as any newly identified records. The Cultural Advisors were added to these meeting in April 2024 to provide additional guidance as the analysis and sense-making process deepened.

Weekly meetings to provide an update on developments, coordinate efforts and address outstanding matters were held between the Representative and reviewers. Regular bi-weekly meetings were also held between the Representative, RCY executive advisors and staff, and reviewers to share information and findings. Throughout the process, the Representative, senior reviewers and RCY executive convened special meetings to focus on key areas.

In March 2024, the entire project team including the Sacred Story Investigation team, the Systemic review researchers and RCY advisory and executive staff came together in a two-day in person session to share what had been learned to date and to identify common themes and begin to align findings.

The Investigation team, RCY executive and the Cultural Advisors held several “sense-making” sessions as the Investigation process drew to a close to coalesce findings and inform the development of recommendations. Sense-

making included – but was not limited to – a review of interviews, systemic review research papers, previous RCY reports, input from engagement sessions and evidentiary documents from public bodies.

Stories, evidence and emerging themes were categorized and analyzed according to the Systemic Review themes. An understanding of the importance of placing the information and experiences into historical and current context was a significant part of the methodology as the RCY team examined questions as: Why was violence so pervasive? What impeded professional and community members from intervening? What circumstances lead to the caregivers actions?

As well, the Representative also formed a “Circle of Advisors” – a group of Matriarchs, Elders, First Nations leaders, as well as others with specific experience, expertise and knowledge in areas relevant to the systemic review – all who care about the transformation of the child welfare system. As people who have significant knowledge, influence and ability to see the big picture from a systems’ perspective, members of the Circle of Advisors provided guidance to help strengthen the systemic review report and recommendations, as well as to identify what needs to be built in to help lead to change. Three virtual meetings and one in person meeting of the Circle Advisors were held between May 2024 and July 2024.

Cultural Advisors

- Deborah Foxcroft
- Hereditary Chief Wedlidi Speck
- Judy Wilson

Circle of Advisors

- Dr. Danièle Behn Smith

- Dr. Cindy Blackstock
- Halie Bruce
- Dr. Peter Choate
- Dr. Matthew Carwana
- Cheryl Casimer
- Irwin Elman
- Dr. Helaina Gaspard
- Dr. Margo Greenwood
- Dr. Bonnie Henry
- Adrienne Montani
- Sarah Morales
- Dr. Gwen Point
- The Honourable Steven Point
- Dr. Jamie Piercy
- Tracy Porteous
- Cherly Thomas
- Dr. Nico Trocmé