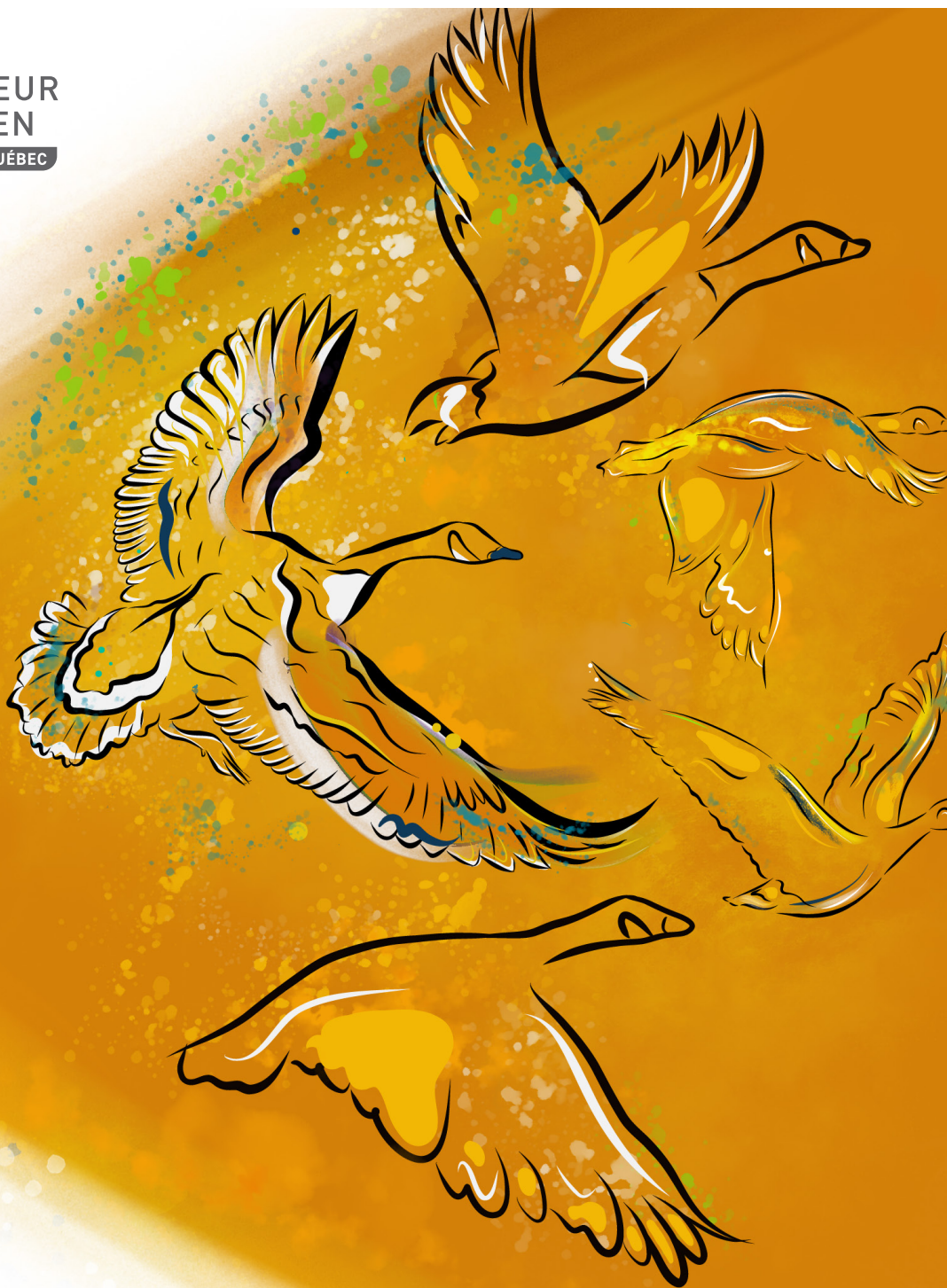




PROTECTEUR
DU CITOYEN

OMBUDSMAN DU QUÉBEC



PATHWAYS OF FIRST NATIONS AND INUIT CHILDREN, YOUTH AND FAMILIES IN THE YOUTH PROTECTION SYSTEM IN QUÉBEC

**SECOND FOLLOW-UP REPORT ON THE IMPLEMENTATION OF THE CALLS FOR ACTION OF
THE PUBLIC INQUIRY COMMISSION ON RELATIONS BETWEEN INDIGENOUS PEOPLES AND
CERTAIN PUBLIC SERVICES IN QUÉBEC: LISTENING, RECONCILIATION AND PROGRESS**

QUÉBEC, LE 4 JUIN 2026



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Cover design and illustration

Niaka Agence créative autochtone, by Valérie Laforce

Concerning the cover illustration

The passage of migratory birds has always marked the change of seasons and symbolizes movement, transmission and continuity. The distinguishing feature of Canada geese is their ability to keep up a "conversation" with their fellow travelers throughout their long trek, encouraging constant interaction, respect for everyone's place and collaboration within the group. The presence of young geese reinforces the symbolism by evoking youth, inclusion and the protection of children, reminding us of the importance of caring for future generations and including them in our shared movement. Valérie Laforce, who is of Abenaki origin, has been active in the First Nations community for more than ten years. In her cover illustration, the orange-yellow—evoking youth, vitality and hope—symbolizes collective determination, set against a background of delicate, arrow-shaped lines pointing towards a shared destination.

Mission of the Protecteur du citoyen

The Protecteur du citoyen ensures that the rights of citizens are upheld by intervening with Québec government departments and agencies and the various bodies within the health and social services network to rectify situations that are prejudicial to a person or a group of people. It also handles disclosures of wrongdoing relating to public bodies and reprisal complaints arising from these disclosures. Appointed by at least two thirds of the elected members of all political parties and reporting to the National Assembly, the Protecteur du citoyen acts independently and impartially, whether an intervention is undertaken in response to a complaint or a series of complaints or on the institution's own initiative.

Respect for individuals and their rights and the prevention of harm are at the heart of the Protecteur du citoyen's mission. Its preventive role is exercised in particular through its analysis of situations that cause harm to significant numbers of citizens or that are systemic.

Pursuant to the powers conferred upon it, it can propose amendments to acts and regulations and changes to administrative directives and policies with a view to improving them in the interest of the people concerned.

Call for action 138 of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress proposed to give the Protecteur du citoyen the mandate to assess and follow-up on the implementation of all the calls for action. On June 21, 2021, on its own initiative, the Protecteur du citoyen began its work of analyzing the implementation of the calls for action stemming from the work of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress.

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Summary

First Nations and Inuit children and youth are over-represented in youth protection in Québec: this is a well-known and widely documented reality. This report contributes to efforts to document these issues as part of the follow up on the calls for action of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress (CERP). In 2019, the CERP recommended that the Protecteur du citoyen monitor the implementation of all its calls for action. The Protecteur du citoyen is carrying out this mandate in co-construction with an Advisory Circle, composed of representatives of First Nations and Inuit organizations. This is its second Follow-Up Report, the [first](#) having been published in 2023.

Analyzing the pathways of children and youth in the youth protection system

Concerned about the persistence of youth protection issues and their major repercussions for First Nations and Inuit children, youth, families and communities, the Protecteur du citoyen and the Advisory Circle decided to dedicate this second Follow-Up Report to this public service. They specifically targeted 13 calls for action related to the trajectory of children and youth in youth protection, including preventive services and services offered upon reaching the age of majority.

This report pursues two important objectives. First, it sheds light on the issues by taking into account the diversity of factors that shape Indigenous realities, such as language, geographic remoteness, the effects of intergenerational trauma, urban contexts and the history of assuming youth protection responsibilities.

Second, the report presents concrete recommendations aimed at reducing the overrepresentation of children and youth in the youth protection system, while strengthening the capacity of services to promote the cultural continuity and safety of First Nations and Inuit children, youth and families.

Methodology

The issues related to the trajectory of children and youth in youth protection services are examined using a qualitative approach. Beyond the simple assessment of the implementation of the 13 calls for action, the analysis considers the various contexts, to highlight progress and identify ongoing challenges in First Nations communities, in Nunavik, in urban settings and within the youth protection services (DYPs).

Discussion groups were held to gather experiences and perspectives from these various settings. These discussions informed the observations developed for each setting, as well as overall findings. Based on these findings, the Protecteur du citoyen issued its recommendations and identified supporting elements, all of which require close collaboration with the First Nations and Inuit organizations concerned.

Several quotations from these discussion groups are included in the report. They help illustrate the complexity of the realities experienced and highlight the commitment of the participants to meeting the needs of the children, youth and families, in a manner that respect their individual and collective rights.

Essential conditions

During this process, the Protecteur du citoyen and the Advisory Circle defined four essential conditions for the 13 calls for action to be effectively implemented: respect for the right to self-determination in child and family services (including primary and secondary services), high quality collaborations with the healthcare and social services system, the implementation of the legal framework and the availability of reliable data.

The right to self-determination, recognized as a central principle, is grounded in the understanding that First Nations and Inuit are in the best position to identify the needs of their communities and the most appropriate ways to support families. Although there is a growing awareness in the field of this principle's importance, its implementation continues to give rise to tensions between the values and cultures of Indigenous communities and those of the youth protection services.

Meanwhile, the legal framework has evolved since the CERP's final report in 2019, at both the federal and provincial levels. While the concept of the interests of the child already existed, new factors now explicitly define the interests of a First Nation or Inuk child. All decisions concerning an Indigenous child must now be based on these considerations. The legislation also requires that cultural continuity and the specific historical, social and cultural realities of the First Nations and Inuit be taken into account in the provision of services.

From prevention to majority

For each of the 13 calls for action, the report first presents a review of the CERP findings and the Protecteur du citoyen's initial follow-up in 2023. This is followed by a summary of the consultations held with First Nations, organizations in urban settings, organizations in Nunavik and the directors of youth protection. Each section concludes with findings and supporting elements to consider. The 13 calls for action have been grouped into the following themes:

Prevention and crisis management services: The historical underfunding of preventive services has made the DYP the main gateway for children and families to receive local and psychosocial services of all kinds.

Family council: The purpose of setting up a family council in a child's life is to recognize and mobilize the expertise of First Nations and Inuit in caring for their children, as well as to empower families. Family councils can be a powerful lever for prevention and family reunification.

Exemption from maximum placement periods: Under the *Youth Protection Act* (YPA), the situation of a child placed outside their family must be reassessed after a certain period in order to determine a permanent life plan. Subject to the establishment of a family council, First Nations and Inuit children may be exempted from these maximum placement periods. This allows for greater consideration of Indigenous perspectives and values related to family, as well as the constraints they may face.

Intensive support for parents: Across all settings consulted, a consistent message emerged: the operational capacity to provide rapid, intensive support to parents following a child's placement is insufficient, even though such close support in the first few days is essential for maintaining the parent-child bond and preventing disengagement.

Indigenous foster families: The assessment and accreditation processes carried out by institutions create systemic barriers to the recruitment of Indigenous foster families, as they do not consider certain community realities. Although the application of some criteria has been relaxed and exemptions from ministerial criteria exists for Indigenous foster families living in communities, biases persist. Financial barriers continue to hinder the placement of Indigenous children with Indigenous foster families.

Cultural plan for children in non-Indigenous settings: The right to cultural continuity guarantees Indigenous children the right to maintain ties with their family, community, language, territory and traditions. Preserving these connections is essential to the child's well-being, even when placement in a non-Indigenous alternative setting is unavoidable.

Rehabilitation centres: The lack of places in rehabilitation centres particularly affects First Nations and Inuit youth, largely due to problems related to the availability of services in their language and the lack of interventions that promote cultural continuity and safety. The harmful effects of placing youth far from their community have a direct impact on their mental and physical health.

Post-majority services: Across all settings, preparation for the transition to adulthood for youth in care begins too late and is uneven and poorly coordinated. Services disruptions occur at precisely the time when these youth should be supported. Although more services are now available after the age of 18, this transition period remains a high-risk time for disaffiliation.

Recurring issues

The Protecteur du citoyen notes that, at all stages of the service trajectory, certain issues recur. The voices of children, youth, parents and First Nations and Inuit service providers are still too often insufficiently taken into account. The lack of early preventive services, for example in mental health and addiction services for both adults and youth, is another frequently mentioned issue, given its impact on the entire continuum of services. Access to social services is limited by available human resources, especially when a culturally safe approach is required.

The lack of recognition and compensation for the expertise of First Nations and Inuit health, social and community service providers undermines the capacity of public services to fulfil their obligations and honour their responsibilities under the legal framework. Decisions made within the youth protection system often underestimate the importance of the communities' cultural and social realities, such as multiple attachments, the role of the extended family, and the importance of territory and language in maintaining cultural continuity and the overall well-being of First Nations and Inuit children.

Throughout the work and discussions, First Nations and Inuit participants have emphasized key points. The difficulties experienced by children, youth and families are rooted in well-known social, historical and cultural determinants: persistent economic precariousness, residential insecurity, intergenerational trauma, the lack or difficulty of access to child and family services that foster cultural safety and the chronic underfunding of community and educational initiatives. Unless these root causes are recognized and addressed, the symptoms will continue to appear in First Nations and Inuit communities.

Recommendations of the Protecteur du citoyen

After its analysis, the Protecteur du citoyen issues recommendations and identifies supporting elements that aim, ultimately, to ensure that all public services offer First Nations and Inuit citizens services that are respectful of their rights, regardless of the place they live or the local availability of services.

The recommendations are intended, in particular, to strengthen collaboration between First Nations and Inuit social service providers and the broader health and social service system and to promote the consistent application of the legal framework, especially with respect to cultural continuity.

1. Context and methodology

The CERP, also known as the Viens Commission, released its final report in September 2019. Among its 142 calls for action, Call for Action 138 recommends entrusting the Protecteur du citoyen with the mandate to assess and follow up on the implementation of the calls for action until they are fully implemented.

The Protecteur du citoyen began this mandate in 2021. A specialized team within the institution performs the work in co-construction with an Advisory Circle composed of representatives from First Nations and Inuit organizations (see the list of members on the credits page). The Advisory Circle is a forum for dialogue, exchange and listening between First Nations, Inuit and the Protecteur du citoyen. It provides an opportunity to verify, in practical terms, whether the analyses and work of the Protecteur du citoyen align with the realities of Indigenous people and address their concerns.

1.1. Co-construction approach

The Protecteur du citoyen published its first CERP follow-up report in October 2023, providing an overview of the progress made on all calls for action, primarily by the Gouvernement du Québec.

Once this report was published, the Protecteur du citoyen undertook a joint prioritization exercise with the Advisory Circle to define the scope of the second follow-up report.

First, it was agreed that First Nations and Inuit communities should play a greater role. The members of the Advisory Circle felt that the voices of the communities should be at the heart of the process. Once this was established, it was decided that the report would focus on youth protection services. This decision reflects the significant impact these services have on youth, families and communities. It is also based on findings from the first follow-up report, specifically the lack of progress on calls for action related to youth protection and the need to promote self-determination to achieve tangible results.

Next, the Protecteur du citoyen and the Advisory Circle narrowed their focus to the 13 calls for action relating to the pathways of First Nations and Inuit children and youth in youth protection services in communities and urban settings. Prevention services and aftercare services are also included in the analysis. Thus, an overview can be drawn of the changes made, or still required, to reduce the overrepresentation of First Nations and Inuit children and youth in Québec's youth protection system, as well as the precariousness that can ensue, including as they transition to adulthood.

On November 6, 2025, the Protecteur du citoyen released a [situation report](#) on the implementation of the CERP calls for action. The 13 calls for action addressed in this report were not included in it.

1.2. Scope of the report

This report provides an analysis of developments surrounding the 13 selected calls for action (see Appendix 1) since the publication of the CERP report. The analysis considers the varied contexts in which social and youth protection services are provided.

The last few years have seen significant legislative changes, including the enactment of the federal *Act respecting First Nations, Inuit and Métis children, youth and families*¹ (ARFNIMCYF) and amendments to the provincial *Youth Protection Act* (YPA).²

It is imperative that the Protecteur du citoyen's analysis take these changes into account, as well as the years that have passed since the CERP report was published in 2019. The analysis must also consider the work that has been done, the unanswered criticisms, the ongoing challenges, and the initiatives and practices that are driving change.

With this in mind, the Protecteur du citoyen used a qualitative approach to assess the issues surrounding the 13 calls for action. This means that it did not limit itself to verifying the strict implementation of each call for action but rather examined the nature and scope of the changes observed in different contexts.

This made it possible to highlight the progress made, identify remaining challenges and, where necessary, make recommendations to support the continuity of government action.

1.3. Essential conditions

The Protecteur du citoyen, with the Advisory Circle, has identified four essential conditions for successfully implementing the 13 calls for action. The conditions are as follows:

1. Concrete support for the assumption of delegated responsibilities and for self-determination, in keeping with the spirit of the legislative framework.
2. Quality relationships and partnerships between First Nations and Inuit service providers and the health and social services network (HSSN), especially regarding youth protection.
3. The effective application of the ARFNIMCYF and Chapter V.1 of the YPA with a view to prioritizing the best interests of Indigenous children.
4. The availability of reliable ethnocultural data to track the pathways of First Nations and Inuit children through the system.

As part of the consultations conducted by the Protecteur du citoyen for this follow-up report, the perspectives of the various people consulted on the implementation of these essential conditions were considered. The resulting analysis, presented in Section 2 and subsequent sections, sheds light on the factors that can improve outcomes for children in the care of the DYP.

¹ *An Act Respecting First Nations, Inuit and Métis Children, Youth and Families*, SC 2019, c. 24. Formerly Bill C-92, hereinafter, "ARFNIMCYF".

² *Youth Protection Act*, CQLR, c. P-34.1. Hereinafter "YPA." Specifically, it was Chapter V.1 of the YPA that was amended.

1.4. Objectives

This report has two main objectives. On the one hand, it seeks to set out findings on the issues surrounding Calls for action related to the pathways of children and youth in youth protection services. These findings reflect the diversity of community realities in youth protection, which can vary based on many factors, such as the language spoken in the community, geographic remoteness, the effects of intergenerational trauma, the level of urbanization, whether the community is a signatory to a modern treaty such as the *James Bay and Northern Québec Agreement*³ (JBNQA), and the history of youth protection responsibilities.

On the other hand, the report aims to make concrete recommendations to help reduce the overrepresentation of First Nations and Inuit children and youth in youth protection, while building the capacity of services to promote the cultural continuity and safety of children, youth and families.

1.5. Methodology

From a qualitative perspective, the Protecteur du citoyen based its analysis on consultations held with various bodies. In January and February 2025, it announced its intention to hold focus groups to the various organization concerned by the thematic report. These focus groups were organized between March and June 2025 in collaboration with:

- The National Director of Youth Protection (NDYP);
- The Regroupement des centres d'amitié autochtones du Québec (RCAAQ);
- The First Nations of Québec and Labrador Health and Social Services Commission (FNQLHSSC);
- Nunavimmi Illagiit Papatauvunga (NIP);
- The Nunavik Regional Board of Health and Social Services (NRBHSS).

The data collected from these consultations have been analyzed. Complementary verifications were then conducted by way of email questionnaires.

In all, 110 managers and professionals working in youth protection or health and social services from 12 Native Friendship Centres in Québec, 22 First Nations communities or community organizations, 4 organizations in Nunavik, 16 health and social service institutions (including departments of youth protection), Santé Québec and the Ministère de la Santé et des Services sociaux (MSSS) participated in the data collection meetings (see the list of bodies consulted in Appendix 2). Two external consultants with expertise in youth protection also contributed to the analyses.

In keeping with the co-construction process that governs the CERP follow-up work, it should be noted that the Advisory Circle was involved in the analysis stage, and in the reflection that informed the recommendations and supporting elements. Discussions were held to validate the

³ *James Bay and Northern Québec Agreement*, November 11, 1975, reproduced in the *James Bay and Northern Québec agreement and complementary agreements*, Québec, Éditeur officiel du Québec, 1998.

findings and the relevance of the proposed supporting elements and recommendations. The relevant departments and agencies were also given the opportunity to provide feedback.

Ultimately, the work of documenting observed realities is part of an approach intended to facilitate the implementation of the CERP's Calls for action **in a spirit of institutional and relational humility based on listening and respect for the knowledge, experiences and priorities expressed by First Nations and Inuit**. With this in mind, the Protecteur du citoyen has put forward recommendations and supporting elements aimed at supporting the efforts and collaboration of all the bodies concerned by the issues raised in the consultations.

The approach adopted by the Protecteur du citoyen was guided by a widely shared observation: in the field of youth protection, many recommendations have already been made over the years by various bodies, commissions and expert groups. Rather than adding new ones, at the risk of further complicating the regulatory landscape, we have taken an approach that seeks to strengthen the implementation of existing regulations, ensuring that they are applied in a coherent and consistent manner.

As such, this is a two-pronged approach. On the one hand, it proposes a limited number of cross-disciplinary recommendations that address the findings common to all the consultations. On the other hand, it identifies specific supporting elements to provide concrete support for the efforts and collaboration of the various relevant bodies.

Structure of the report

The report starts with an overview of the current youth protection landscape for First Nations and Inuit, including the legal framework and observations from consultations. Then, the 13 Calls for action are grouped into seven themes related to the pathways of children and youth in youth protection services. Each theme is covered in its own section, divided into three parts. The first subsection provides context for the Calls for action by reviewing the CERP and the legal framework. The second subsection reviews the consultations with First Nations communities, urban settings and Nunavik. The section ends with a summary of the findings and supporting elements. Moreover, a total of six cross-disciplinary recommendations are discussed throughout the report, in one or more thematic sections. They are also presented together, before the conclusion.

1.6. Limitations and future follow-up

This report draws on contributions from many First Nations and Inuit communities and aims to reflect a variety of perspectives. However, it was not possible to include the voices of all communities and Nations, notably the Cree and the Naskapi. Therefore, it does not provide an exhaustive overview of the different contexts to consider, particularly regarding the specificities of the agreements to which they are signatories. Regarding Indigenous organizations in urban settings, only the perspectives of the Native Friendship Centres that are members of the Regroupement des Centres d'amitié could be documented, which does not reflect the full range of services currently available in these settings.

It is important to note that, in this report, the Protecteur du citoyen is not examining the tripartite negotiations but rather taking stock of the measures taken or not taken to address the needs put forward in the Calls for action for all the territories concerned.

Furthermore, the Protecteur du citoyen believes that, despite its desire to make this report reflect the realities on the ground as accurately as possible, some issues may not have been sufficiently explored to provide lasting solutions to the barriers hindering progress on the Calls for action. With this in mind, case studies may be developed in co-construction with various First Nations and Inuit representative and community organizations.

2. Overview of the current state of youth protection for First Nations and Inuit

Before presenting the results of the consultations on the implementation of the Calls for action, the Protecteur du citoyen would like to highlight some cross-disciplinary observations that emerged from the discussions and meetings held. These observations shed light on the progress of the work in relation to the essential conditions defined with the Advisory Circle and presented in section 1.3. This section therefore begins with a reminder of some of the findings made by the CERP regarding youth protection in relation to these conditions. It continues with a summary of the applicable legal framework before setting out the main findings from the consultations on the progress made in implementing the essential conditions.

2.1. What the CERP said

To begin, it is important to recall certain findings made by the CERP regarding youth protection and, more specifically, regarding the conditions necessary for the Calls for action to be implemented: respect for the right to self-determination in child and family services, the quality of collaborations with the HSSN, the implementation of the legal framework and the availability of reliable data.

Respect for the right to self-determination in child and family services⁴

Many of those heard at the CERP hearings described the right to self-determination as one of the cornerstones of reconciliation for Indigenous peoples. In the field of youth protection, this principle is based on the idea that First Nations and Inuit are best positioned to determine the needs of their communities and the most suitable solutions to address them. The overrepresentation of Indigenous children in youth protection stems in part from standards and practices that are out of step with Indigenous cultural, family and legal realities, as well as from a historical context marred by profound disruptions (residential schools, the *Indian Act*⁵, out-of-community placements, etc.) that have fostered lasting mistrust of the government.

In this context, self-determination is considered essential to promoting the safety, dignity and cultural continuity of the children, by recognizing Indigenous peoples' central role in the children's well-being. Without going so far as to recommend full self-determination in youth protection, Calls for Action 135 to 137 urged that agreements be facilitated to allow for the

⁴ Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, *Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: Listening, Reconciliation and Progress: Final Report*. Québec, 2019, p. 407. Hereinafter, "CERP Report".

⁵ RSC (1985), c. I-5.

partial or full delegation of the DYP's responsibilities to Indigenous communities under the former sections 37.5 and 37.7 (now sections 131.20 and 131.25, respectively)⁶ of the YPA.

Quality of collaborations with the HSSN⁷

The CERP found that collaborations between First Nations, Inuit and youth protection services were fragmented, uneven and all too often ineffective, due in large part to a lack of formal consultation with Indigenous authorities and bodies. Where structured processes were in place, the quality of decisions and community engagement improved significantly, but these practices were still not systematic across Québec. The CERP also noted a significant gap between certain YPA principles and their actual implementation. This gap was closely linked to the quality of collaborations, as ethnocentric practices continued to hinder the full and meaningful participation of communities, which is essential for applying these principles.

Implementation of the legal framework⁸

The CERP concluded that several aspects of the YPA's legal framework – such as the attachment theory, maximum placement periods, confidentiality rules, the primacy of parental responsibility and the definition of the child's best interests – were incompatible with Indigenous realities, conceptions of family and collective child-rearing practices, resulting in discriminatory effects. Furthermore, the CERP noted that, although the YPA allows some room for interpretation, practitioners and judges in the Youth Division use it sparingly, adhering strictly to the act's core principles.

Availability of reliable data⁹

The CERP felt that the data available on Indigenous children in youth protection were insufficient and unreliable. The data collection methods had significant shortcomings: inconsistent data, incomplete coverage of time periods and considerable regional variations in how information was compiled. The lack of systematic identification in clinical and administrative information systems, including the *Projet intégration jeunesse* (PIJ), led to fragmented data that were difficult for First Nations and Inuit to access and made children living outside their communities invisible. These shortcomings limited our understanding of overrepresentation, the planning of services and the assessment of outcomes. Call for

⁶ YPA, *supra*, note 2. Section 32 of the YPA allows for the delegation of key responsibilities – intake and handling of reports, assessment, referral and application of measures – while section 33 authorizes the delegation of one or more responsibilities other than those set out in section 32 (for example, the application of measures). Section 37.5 (now 131.20) allows for the establishment of a special youth protection program, by agreement between an Indigenous community and the government, under which some or all of the responsibilities of the DYP, as set forth in the YPA, are entrusted to the community. Section 37.7 (now 131.25) allows, again through the conclusion of an agreement, for certain responsibilities exclusive to the DYPs (section 32) to be delegated to community staff members. Finally, section 37.6 (now 131.23) allows for the conclusion of an agreement between an institution and an Indigenous community (or group) so that the community may recruit or assess individuals capable of fostering one or more children who are members of the community and who have been placed with them pursuant to a provision of the YPA. The agreement can set out any other responsibilities of the community or group with respect to the activities of these individuals, in accordance with departmental guidelines.

⁷ CERP Report, *supra*, note 4, p. 412.

⁸ *Ibid.*, pp. 408-417.

⁹ *Ibid.*, pp. 445-446.

Action 126 therefore recommended working with Indigenous authorities to make an annual calculation of the number of Indigenous children subject to the YPA and obtain any other data deemed relevant to accurately assess their presence in the system and how they are treated.

The roles of First Nations and Inuit women: an underdeveloped aspect of the CERP report

The discrimination experienced by Indigenous women was a decisive factor for launching the CERP, yet few recommendations in the final report are directly focused on them, which was very disappointing for Indigenous women's groups.¹⁰ The Protecteur du citoyen is therefore reiterating the importance of recognizing the essential role that Indigenous women play within their families and communities. In its 2023 report, it insisted on making women's safety a top priority, especially in police services.¹¹ This concern is directly in line with the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls (NIMMIWG), which demonstrated that violence toward Indigenous women has serious repercussions on family cohesion, cultural transmission and children's well-being. Thus, the role of women is not limited to the social sphere, it is fundamental to protecting children's rights and determining their best interests.

According to Québec Native Women (QNW), Indigenous women play a central role in the transmission of languages, values and cultures. They also serve as the primary points of contact for public services (DYP, health care, schools) and as the linchpins of family and intergenerational support networks. This role means they bear a significant emotional, administrative and institutional burden in terms of follow-up and care, which exposes them to increased institutional scrutiny.

Although this contribution is crucial to cultural continuity and the stability of children's life paths, it remains largely overlooked in pathway analyses and service assessments. A more comprehensive recognition of this role is, however, an important condition for improving the effectiveness of interventions and for ensuring that the best interests of the child are firmly grounded in their identity, family and community ties.

In this regard, QNW highlights the importance of integrating gender-based analysis (GBA Plus) into the assessment of prevention services and policies, as well as the qualitative documentation of Indigenous mothers' experiences. Recognizing and documenting the experiences of Indigenous women indirectly contributes to a better understanding of the conditions in which children's voices are heard. This view is in line with the guidelines of the Special Commission on the Rights of the Child and Youth Protection (SCCRYP), which puts the child's voice at the heart of the system: listening more closely to children and recognizing them as active participants in their own lives leads to fairer decisions that better serve their

¹⁰ See: Québec Native Women, ["Indigenous Women Forgotten by the Public Inquiry Commission Report,"](#) Press release, September 30, 2019. [Online] Retrieved March 10, 2026.

¹¹ Protecteur du citoyen, [Follow-up Report on the Implementation of the Calls for Action of the Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec: Listening, Reconciliation and Progress,](#) October 2023, p. 34 (p. 44 of the digital version). Hereinafter, "First CERP Follow-up Report".

interests.¹² It also echoes NIMMIWG Call to Justice 12.3, which calls for the “best interests of the child” to be defined and applied based on Indigenous perspectives and priorities, including those of the children themselves.¹³

2.2. Legal and practice framework

Federal law – *An Act Respecting First Nations, Inuit and Métis Children, Youth and Families* (ARFNIMCYF)

The coming into force of ARFNIMCYF in January 2020 has, on the one hand, legally strengthened the affirmation of Indigenous Peoples’ inherent right to self-government in the area of child and family services and, on the other hand, established national minimum standards to ensure the protection, well-being and best interests of all Indigenous children and their families.

Regarding the right to self-government, ARFNIMCYF provides that an Indigenous governing body¹⁴ can develop its own law after giving notice of intent to the federal minister and the relevant provinces. An Indigenous governing body may also advise the minister and the governments of each of these provinces to enter into a coordination agreement with it concerning, among other things, emergency services, child support measures, fiscal arrangements and any other measures necessary to effectively exercise its authority. ARFNIMCYF specifies that only Indigenous laws for which the Indigenous governing bodies have entered into, or have attempted to enter into, a coordination agreement acquire the force of federal law.¹⁵

Indigenous laws adopted in this way have the force of federal law and take precedence in the event of conflict.¹⁶ This framework allows communities to establish their own child protection systems, outside the scope of the YPA, based on their values and priorities. Although it was contested by Québec, the Act was upheld by the Supreme Court of Canada in 2024.¹⁷ To date, in Québec, only Opitciwan (*Loi de la protection sociale Atikamekw d’Opitciwan - Atikamekw of Opitciwan social protection law* [LPSAO]) and Uashat mak Mani-utenam (*Loi Tshisheuatishitau*) have enacted their own laws and are negotiating coordination agreements.

The minimum standards apply across Canada and have major implications for youth protection services. Youth protection workers must now adjust their practices to ensure, for example, that

¹² Special Commission on the Rights of the Child and Youth Protection, *Instaurer une société bienveillante pour nos enfants et nos jeunes : rapport final*, Québec, 2021, Chapter 9: Passer à l’action pour les enfants autochtones, p. 277. Hereinafter, “SCCRYP”.

¹³ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Volume 1b*, 2019, p. 194 [p. 197 of the digital version]. Hereinafter, “NIMMIWG”.

¹⁴ An Indigenous governing body is “a council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the *Constitution Act, 1982*,” ARFNIMCYF, *supra*, note 1.

¹⁵ ARFNIMCYF, *supra*, note 1, s. 20[3].

¹⁶ *Ibid.*, ss. 21 and 22.

¹⁷ *Reference re An Act Respecting First Nations, Inuit and Métis Children, Youth and Families*, 2024 SCC 5.

prevention services are prioritized to prevent placements. Three key principles guide the interpretation of the minimum standards set forth in the law:

- The best interests of the Indigenous child: Maintaining continuity in the child's relationships with their family, community and culture is an essential component of their best interests, just as much as their physical, psychological and emotional well-being.¹⁸
- Cultural continuity: In addition to ensuring continuity in the child's relationships with family, community and culture, services must not contribute to the assimilation or destruction of the community the child belongs to. The specific challenges of the child's region must be considered.¹⁹
- Substantive equality: This ensures that Indigenous children – including those with disabilities – their families and their representative bodies can exercise their rights without discrimination, that their views are considered and that jurisdictional conflicts do not result in gaps in services, in order to promote the achievement of comparable concrete outcomes.²⁰

The *Youth Protection Act* (YPA)

The YPA recognizes in its preamble that Indigenous communities are best positioned to meet the needs of their children and includes new provisions to support this recognition. Chapter V.1 provides for their systematic involvement from the moment a report is filed, prioritizes consultation with their services to prevent children from being taken into care by the DYP and requires the consideration of customary and traditional care as well as cultural elements – such as a holistic approach, extended family ties and access to the territory – in determining the best interests of the child.²¹ Family councils and provisions concerning the delegation of responsibilities²² also support the exercise of Indigenous decision-making authority. However, the YPA still applies to all First Nations without their own law, to the Nunavimmiut and to Indigenous people living in urban settings, except for members of the Opitciwan²³ and Uashat mak Mani-utenam²⁴ communities.

Guide de pratique clinique sur l'intérêt de l'enfant autochtone

The *Guide de pratique clinique sur l'intérêt de l'enfant autochtone*²⁵ (clinical practice guide on the best interests of the Indigenous child – hereinafter, *Guide sur l'intérêt de l'enfant autochtone*), published by the MSSS in 2025, begins by reiterating that the child's best interests are the

¹⁸ ARFNIMCYF, supra, note 1, ss. 9 (1) and 10.

¹⁹ *Ibid.*, s. 9(2).

²⁰ *Ibid.*, s. 9(3).

²¹ YPA, supra, note 2, ss. 131.1, 131.4, 131.7 and 131.8.

²² *Ibid.*, ss. 32, 33, 131.20, 131.23 and 131.25.

²³ The [*Loi de la protection sociale Atikamekw d'Opitciwan*](#) (LPSAO), pursuant to its section 4, applies to the Atikamekw of the community, regardless of where they live.

²⁴ *Loi Tshisheuatishitau*, s. 4: "This law applies to all Innu of UMM residing within the administrative region of Côte-Nord, including the community of Uashat mak Mani-utenam and the other Indigenous communities." (Translation).

²⁵ Ministère de la Santé et des Services sociaux (MSSS), [*Guide de pratique clinique – L'intérêt des enfants autochtones, le bien-être de leurs familles et des communautés : des concepts phares en protection de la jeunesse*](#), February 2025. Hereinafter *Guide sur l'intérêt de l'enfant autochtone*.

primary consideration in the application of the *Youth Protection Act*. The guide then further clarifies how self-determination should shape the intervention. It reaffirms the primacy of the minimum standards set forth in ARFNIMCYF in the event of a conflict and states that the YPA must be applied in recognition of the nations' authority to determine what is in the best interests of their children. This requires the active involvement of the communities from the moment a report is filed and throughout the intervention, as well as consideration of Indigenous laws, practices, customary care and traditions in the clinical assessment.

The guide also emphasizes that the possible adoption of Indigenous laws and the existence of separate legal frameworks underscore the need to recognize the nations as competent authorities and decision-making partners. Self-determination is presented as a cross-disciplinary principle that informs the assessment of the child's best interests, the organization of services and collaboration with communities to ensure that youth protection is implemented in a manner consistent with their values, family structures and worldviews.

In complement to the guide, other publications that provide guidance on various aspects of youth protection intervention in Indigenous contexts should be consulted.

The document *Lignes directrices sur le repérage de l'enfant issu des Premières Nations et Inuit*²⁶ seeks to ensure that all Indigenous children are identified as soon as a report is filed, so they can benefit from the specific protections set out in the YPA and the ARFNIMCYF. The identification must be systematic, regardless of the place of residence, using flexible criteria to avoid excluding children due to overly restrictive definitions. This identification ensures respect for the child's cultural identity, fosters community involvement and promotes practices that are better aligned with community realities and support cultural safety. Finally, the document aims to standardize practices to ensure consistent identification across Québec.

The document *Information sur les possibilités de collaboration et de services entre les Centres d'amitié autochtones et la protection de la jeunesse*²⁷ presents opportunities for collaboration between Native Friendship Centres in Québec and the DYP to better support Indigenous children and families living in urban settings.²⁸ Friendship Centres can be involved at every stage of the DYP's intervention, from supporting families and helping them understand the measures taken to finding solutions and providing support during major transitions (end of a placement, transition to adulthood).

Thanks to their bond of trust with Indigenous families, Friendship Centres play a key role in facilitating communication, promoting cultural continuity and referring the DYP to culturally appropriate foster families. They work in conjunction with Québec services, particularly by making those services more accessible and by contributing to prevention.

²⁶ MSSS, *Lignes directrices sur le repérage de l'enfant issu des Premières Nations et Inuit*, February 2025.

²⁷ MSSS, *Information sur les possibilités de collaboration et de services entre les Centres d'amitié autochtones et la protection de la jeunesse*, February 2025.

²⁸ Bear in mind that some communities have developed or will develop a law that applies to their members regardless of where they live. For example, see notes 23 and 24.

Finally, the *Fiche d'orientation sur la communication avec les Premières Nations et Inuit* outlines the communication obligations set out in sections 131.7, 131.8 and 131.15 of the YPA and section 12 of the ARFNIMCYF, and the *Fiche d'orientation sur le conseil de famille* explains the origins of the term “family council,” the diversity of practices it covers under the YPA and the responsibilities assumed by the DYP. They are presented in sections 3.1.1 and 3.2.1, respectively.

2.3. Review of consultations – General observations

Respect for the right to self-determination

Those who participated in the consultations explained that self-determination in youth protection is being exercised in different ways across Québec. Some First Nations are choosing to adopt a law under the ARFNIMCYF, while others prefer bilateral agreements that grant them specific responsibilities under the YPA, allowing for gradual autonomy tailored to their needs and pace (see Appendix 3 for a summary of community-specific details). First Nations seeking to adopt a law under the ARFNIMCYF are following rigorous, democratic, community-based consultation processes, notably to ensure that their laws reflect their own realities and do not inadvertently reproduce non-Indigenous approaches from the YPA.

This legal work is often complemented by parallel clinical efforts: drawing on the concerns and insights shared during consultations; teams develop services rooted in the community's cultural values and practices. These innovative services then inform the development of the legal framework, leading to concurrent changes in both practice and law.

As for support from the provincial government, First Nations communities and representatives from Nunavik reported a greater willingness to work together since the Supreme Court of Canada's ruling. Due to the non-disclosure agreements governing the negotiation of coordination agreements, the Protecteur du citoyen can only concretely assess government support for self-determination based on official positions, where the issue of the division of federal and provincial powers continues to play a central role. As will be discussed in the following sections, this position has a major impact on how institutions (CISSSs and CIUSSSs) understand their responsibilities regarding funding and service delivery, particularly when it comes to applying the principle of substantive equality.

Regarding respect for Indigenous Peoples' right to self-determination in practice, various trends have been identified. First, there is greater awareness of the importance of this principle. It is when this right is put into practice in specific cases that the views, values and cultures of Indigenous communities and the DYP often clash:

“Nous tendons vers une pratique qui sera différente. Tout ce qui est à construire, puis l'idéologie derrière, ça rentre encore plus en conflit avec la façon dont ils [la DPJ] l'appliquent [la LPJ] encore aujourd'hui. La transition est difficile aussi pour la communauté qui se voit dans les nouvelles modifications. Le manque de compréhension perdure. C'est arrivé récemment ... par rapport à un retrait d'enfants. L'orientation était très ferme, très cadrée. [...] Je mets carte sur table, mon mécontentement par rapport à la façon dont ils gèrent l'intervention. Et

le réviseur me nommait qu'il sentait que je ne respectais pas son rôle et son autorité. Et je lui ai dit : 'Je peux te croire que tu es inconfortable avec ce que j'oriente parce que moi je suis profondément inconfortable avec ce que toi, tu orientes.'" – *Participant, First Nation community*

Translation: "We're moving toward a different approach. Everything that needs to be built, and the ideology behind it, conflicts even more with the way they (the DYP) apply it (the YPA), still today. The transition is also hard for the community, which sees itself reflected in the new changes. The lack of understanding persists. It happened recently... concerning the removal of children. The guidance was very firm, very rigid. [...] I laid my cards on the table, voicing my dissatisfaction with how they were handling the intervention. And the reviewer told me he felt I wasn't respecting his role and authority. So I told him, 'I believe you when you say you're uncomfortable with what I'm suggesting, because I'm deeply uncomfortable with what you're suggesting.'"

In short, progress is being made in the exercise of the right to self-determination, but structural and cultural tensions remain, demonstrating that the transition is far from complete. Communities are engaging in rigorous processes rooted in their values to build models that reflect who they are, while governments and institutions sometimes struggle to adapt their practices or clarify their responsibilities in a context where the division of responsibilities remains contested.

This reality highlights the ongoing need for clearer collaboration mechanisms, relationships based on mutual trust and a sustained commitment to ensuring that Indigenous self-determination becomes a fully recognized and respected practice – not just an established principle.

Quality of collaborations with the HSSN

Regarding collaborations with youth protection services, most participants from First Nations communities have noticed an improvement since last year, particularly with the DYP serving their community. Several Friendship Centres have made similar observations, as have participants from Nunavik. The DYPs also share this impression. Improved collaboration appears to be linked to several factors, including:

- **The creation of positions with “navigator” or “liaison” functions.** A growing number of institutions reported having managers, professional coordinators, liaison officers, lawyers and specialized reviewers whose duties specifically include working with First Nations and Inuit organizations at various stages of the service pathway.
- **The existence of agreements, protocols and coordination tables or committees.** These mechanisms promote the alignment and coordination of efforts. However, according to many participants, establishing these mechanisms is not enough to guarantee equitable shared decision-making. Many pointed out that these mechanisms are primarily administrative coordination tools, lacking any formal, mutual recognition of expertise and any real sharing of decision-making authority. It is therefore important to distinguish between arrangements aimed at operational coordination and those that ensure the full and meaningful participation of Indigenous partners in key decisions regarding family pathways.

- **Formalization of communications.** DYPs that regularly update their records and contact lists reported that cases are processed more smoothly, allowing issues to be resolved in a timely manner at the appropriate level.
- **The availability of standardized clinical tools and access to formal training.** Most DYPs have implemented various initiatives to support their staff, including checklists, report templates or outlines, communities of practice, and training and awareness-raising sessions on the ARFNIMCYF. These tools and trainings are essential to ensuring that these obligations are incorporated into interventions.
- **Co-intervention practices and systematic community involvement.** Whether through additional field checks, team decision-making processes (TDMP), joint committees or pairing process, joint practices tend to reduce issues stemming from a lack of knowledge and understanding of First Nations and Inuit realities.
- **Settlement of issues related to access to case files / confidentiality matters.** Taking time to address these barriers to collaboration (such as establishing protocols for obtaining parental consent) is deemed especially important for building effective partnerships that promote the well-being of children and families.

Despite the above, most First Nations, Friendship Centres and Inuit participants noted that the quality of relationships with their counterparts at the DYP still depends largely on the people in place: managerial stability; senior management and staff awareness, openness and experience in dealing with Indigenous communities; the presence of Indigenous assistants at the DYP; and dedicated teams with specific expertise.

High staff turnover, especially in regions that use placement agencies, and the lack of communication between senior management and the field, have fragmented the efforts made. These frequent changes in personnel undermine the continuity of the bonds of trust with Indigenous partners and, combined with differences in practices across regions and the high mobility of Indigenous populations, make it difficult to ensure the consistency and continuity of services. Collaboration also becomes more difficult when workers from other health regions are involved: information asymmetries, delayed or missing communications, and collaboration mechanisms that need to be rebuilt almost entirely.

In Nunavik, clarifying roles and responsibilities in collaborations between different services is a well-known issue. The participants we met are also working to strengthen coordination, particularly to ensure consistent application of the ARFNIMCYF's minimum standards. Many initiatives, described in other sections of the report, show closer collaboration among NIP, the Inuulitsivik (IHC) and Tulattavik (UTHC) health centres, the DYPs on both coasts and the NRBHSS. For its part, the National Director of Youth Protection is working on a high-level strategy to better align its efforts in Nunavik, in response to ongoing issues.

Finally, although collaborations between youth protection services and Indigenous organizations have clearly improved in the past year, they remain fragile and unevenly developed. The formal mechanisms that have been established – liaison positions, formal committees, shared protocols and training – demonstrate that when clear structures are in place, collaboration becomes smoother and better aligned with First Nations and Inuit realities. However, reliance on key personnel, staff turnover and ongoing challenges when multiple health regions are involved undermine the stability and continuity of this progress. In this regard, the Protecteur du citoyen is making two recommendations (R-1 and R-2).

Implementation of the legal framework

The Protecteur du citoyen acknowledges the work accomplished by the NDYP (MSSS) to support the application of the minimum standards set forth in the ARFNIMCYF and Chapter V.1 of the YPA, in particular through the publication of departmental guidelines and clinical support tools covering all applicable provisions. It should be noted, however, that the explicit incorporation of the ARFNIMCYF into these documents has been a gradual process. The MSSS was initially reluctant to address them in its guidelines, believing that no concrete action could be taken amid the ongoing legal challenge. Sustained efforts by First Nations representative bodies have contributed to this shift, ultimately leading to the publication of the *Guide sur l'intérêt de l'enfant autochtone*, which incorporates all applicable legal provisions. In the opinion of the FNQLHSSC, however, the historical dimension is still not sufficiently considered. They view this gap as a cause for concern. The socio-historical traumas experienced by Indigenous peoples and their socioeconomic conditions must be considered by youth protection workers when determining the best interests of the child, yet the Guide offers little practical guidance on how this should be done.

An awareness workshop was also offered to support DYPs in communicating this content to their teams. Although the MSSS states that it prioritized a co-construction approach in developing this workshop, stakeholders have different opinions about it. The content was reportedly developed with input from a few First Nations representatives but does not reflect the full diversity of Indigenous peoples. According to some feedback, there is limited scope for adjusting the content. Furthermore, the workshop was given without the participation of Indigenous facilitators, even though the MSSS states that it made efforts to involve them.

At the same time, there are ongoing efforts to develop a new permanency planning framework; at the time of writing, two meetings had been held, and the mandate is to align the deliverable with the current legal framework and associated departmental guidelines.

Despite this progress, the Protecteur du citoyen does not have all the information needed to paint a complete picture of the implementation of the new legal framework. However, the data collected reveal both successes and recurring tensions. In terms of placement priorities, practices vary from region to region, particularly when the child is outside the community's territory. Reports include instances of incomplete or delayed identification, errors regarding designated persons, last-minute notifications and confidentiality concerns that limit communication with families.

Tensions in court have also been reported: on one side, the DYP supports requests for permanent plans; on the other, the parents' lawyers cite the importance of cultural continuity and identity. Many First Nations communities also reported that some reviewers (CISSS/CIUSSS) are reluctant to consider placements involving the extended family or to reassess placements to the age of majority when new information is brought, even though the legal framework allows this. An analysis of these situations reveals an institutional risk management approach that tends to prioritize stability, linearity and predictability of pathways, which limits openness to the relational, dynamic and culturally safe solutions put forward by communities and their organizations, even though they seek to better address the family and community realities of their members.

In general, maintaining cultural continuity remains a challenge, particularly about visits to the territory of origin, frequency of contact, language use and access to cultural role models.

These tensions reflect an imbalance between the importance placed on the concepts of stability and attachment, on one hand, and cultural continuity, on the other. People who took part in the consultations noted that lawyers and the judiciary had varying levels of understanding of these concepts and principles, and gave little consideration to the views of the child, the parents and the extended family, which complicates the process of revising permanent plans or making adjustments when new parental or community conditions arise.

In Nunavik, C-92 steering committees have been set up with NIP and communities of practice, particularly to bridge the gap between the field and the justice system. The “literal” application of certain principles, without sufficient operational tools, sometimes runs counter to the local understanding of the best interests of Inuit children.

In general, regions that have established specialized teams (legal, review, assessment/referral, application of measures) and operational guidelines have seen better adoption of legal changes, while elsewhere, the lack of common guidelines has led to significant differences in interpretation and practice. To promote the consistent application of the legal framework, the Protecteur du citoyen is making two recommendations (R-3 and R-4).

Issues related to the application of the legal framework according to the DYPs

- Lack of a provincial directory of contacts for all health and social service providers, including health centres, tribal councils, Native Friendship Centres, First Nations and Inuit community organizations, governing bodies, representatives and designated persons.
- Differences in interpretation regarding the information to provide when issuing a notice and defining a significant measure.
- Need for support and clinical tools (checklists, practice guides for the various intervention stages, availability of resource persons/specialists).
- Need for English translation of informational resources and clinical tools to meet the language needs of certain populations and partners.
- Need for normative and administrative guidelines on the application of the principle of cultural continuity.

Availability of reliable data

The consultations revealed that data availability, accessibility and quality vary greatly depending on the context, which limits communities’ ability to fully exercise their responsibilities and self-determination.

First, many communities emphasized the need for a system that can document a child’s entire pathway from prevention onward, as well as the impacts of all services provided, which the PIJ – a protection-focused system – does not allow. Some communities that are developing their own laws or models have therefore chosen to develop different, less restrictive information systems that meet their needs.

Furthermore, language barriers have significantly hindered the ability of many English-speaking communities (for example, in Nunavik, Listuguj and Akwesasne) to enter or access information in the PIJ. The fact that the PIJ and other platforms, such as the information system

for intermediate and family-type resources (SIRTF), are only available in French creates significant barriers. For example, the introduction of the PIJ apparently made Inuit community workers feel ill-equipped to handle data entry tasks.

Moreover, gaining access to the PIJ remains a complex, arduous and often lengthy process. Some participants said they have waited more than ten years to obtain access. This complexity forces communities to make multiple requests for complete information, to work with incomplete reports or, in some cases, to make do with missing or erroneous data.

Furthermore, many DYPs and communities pointed out that the quality of identification depends heavily on the information recorded when reports are received and processed and social emergency services step in – the initial point of contact (RTS/US) – and throughout the intervention. But the PIJ does not always allow certain key information to be adequately documented, which can lead to incomplete data or errors. Technical limitations, such as the inability to check certain boxes or indicate a mixed identity, create gaps between actual needs and the information available.

As such, many of the stakeholders we spoke to support adding more specific and standardized fields to the PIJ, including:

- A mandatory identification field as of the RTS/US, including the steps taken;
- The option to indicate a mixed identity;
- The ability to enter all communities, not just those in the region;
- The identification of contact persons in the community and in the urban social services organization, where applicable.

The Protecteur du citoyen was unable to confirm whether these additions have been made or are still missing in all or some health regions. Their integration could help ensure more comprehensive and consistent recording of identification data, while strengthening legal compliance, the quality of communications and the fulfilment of obligations toward children, families and their communities.

In short, the issues raised underscore that an adapted, accessible and representative data system is not merely an administrative tool; it is an essential condition for supporting self-determination, ensuring cultural continuity, improving the quality of services provided to Indigenous children and families, and gaining a better understanding of the pathways of children and youth throughout the service continuum.

3. Follow-up on Calls for action before placement

3.1. Prevention and crisis management services

Call for Action 127: Increase availability and funding for local services intended for Indigenous children and their families, including crisis management services, in communities covered by an agreement and in urban environments.

Call for Action 128: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the availability of local services intended for Indigenous children and their families, including crisis management services, in communities not covered by an agreement.

3.1.1. Background for the Calls for action

In its report, the CERP highlights the severe inadequacy of local services²⁹ provided to Indigenous children and families, a problem that has directly contributed to their continued overrepresentation³⁰ in the youth protection system. Long-standing gaps in funding for prevention services in First Nations and Inuit communities – widely documented in all settings – have made the DYP the main gateway to all types of local and psychosocial services.

In response to these shortcomings, the CERP issued Calls for Action 127 and 128, urging a concrete and equitable increase in the availability and funding of local and crisis management services in all communities, whether covered by an agreement or not, and in urban settings.

In its first CERP follow-up report, the Protecteur du citoyen discusses the funding allocated to increase the availability of prevention services. For example, according to the MSSS, the signing of the new 2018–2025 agreement on the provision and funding of health and social services made it possible to support several projects related to Call for Action 127, including the rollout of the Agir-tôt program and other child neglect prevention services for First Nations covered by an agreement. However, the information provided by the MSSS was incomplete because the front-line and second-line information systems are not interoperable: it was not possible to

²⁹ CERP Report, *supra*, note 4, pp. 446–449. In the CERP Report, the term “local services” seems to have been used to mean all prevention services offered to families in communities, whether at the primary, secondary or tertiary level.

³⁰ “The overrepresentation of Indigenous children in the youth protection system in Canada has been pointed out since 1981 (Johnston, 1983) and has been documented in Québec since 2007 (Tourigny et al., 2007). [...] These children are 3.5 times more likely to undergo assessment, 4.4 times more likely to have their assessment go to court and 4.3 times more likely to be placed in an alternative environment than non-Indigenous children (Hélie et al., 2022, p. 9; 11). The overrepresentation of Inuit children in youth protection is also a cause for concern. Recent statistics indicate that in 2022–2023, 17% of children in Nunavik were in the care of youth protection services (compared to 2.64% in Québec) and 10% of children in Nunavik were placed by the DYP (compared to 1% in Québec) (La Presse, 2023, online).” Source: *Guide sur l’intérêt de l’enfant autochtone*, *supra*, note 25, p. 5. Translation.

determine whether funding accounted for regional and urban realities or whether it helped reduce the number of children in the care of youth protection. The Protecteur du citoyen then deemed that the steps taken to implement the Call for action were insufficient.

With regard to First Nations not covered by an agreement, the MSSS reported that tripartite discussions were taking place as part of the work of the Partners' Committee on the governance process for First Nations health and social services in Québec, in accordance with the Canadian constitutional framework and the desire of First Nations to exercise self-determination in health and social services.

The preamble of the YPA states that the protection of children is a collective responsibility that requires collaboration among community resources to avoid the State's authority intervention in the lives of families. The YPA also specifies that health and social service providers play a key role in preventing the situation of First Nations or Inuit children from being taken in charge by the DYP.³¹

More specifically, subsection 131.1(d) of the YPA introduces the concept of priority intervention by providers of health services and social services to the community to prevent such taking in charge. Section 131.7 stipulates that as soon as a report is filed about an Indigenous child, and at each stage of the intervention, the DYP must consult with health and social service providers in the community regarding certain matters specified in the section. This section also emphasizes collaboration between the DYP and service providers at every stage of the intervention.

For its part, the ARFNIMCYF sets out a set of principles and standards that apply to the provision of child and family services to Indigenous children. It is important to note that these minimum standards apply not only to child protection services, but also to prevention and early intervention services. Subsection 14(1) states that preventive care to support the child's family takes priority over other services, to the extent that this is consistent with the best interests of the Indigenous child.

The documentation published by the MSSS, such as the *Guide sur l'intérêt de l'enfant autochtone*, also emphasizes the importance of collaboration between the DYP and Indigenous agencies and insists on the need to prioritize prevention services.³² Finally, the document *[Information sur les possibilités de collaboration et de services entre les centres d'amitié autochtones et la protection de la jeunesse](#)* explains the importance of collaboration between the DYP and the HSSN's local social services, on one hand, and organizations providing services to First Nations and Inuit in urban settings, on the other.

³¹ YPA, *supra*, note 2, preamble and s. 131.1.

³² *Guide sur l'intérêt de l'enfant autochtone*, *supra*, note 25, pp. 12-13.

3.1.2. Review of consultations

Recognizing the importance of prevention in reducing the overrepresentation of First Nations and Inuit children and youth in youth protection, the Protecteur du citoyen wanted to further examine issues related to the availability and accessibility of services, funding, collaboration and, more generally, compliance with legal obligations across various settings.

Prevention and crisis management services for First Nations

The consultations revealed an array of prevention and early intervention services for children, youth and families in First Nations communities not covered by an agreement. This diversity seems to be facilitated by the guidelines of the First Nations Child and Family Services (FNCFS) Program, which gives communities the autonomy to develop and deliver their services based on their priorities and needs. Consultation participants repeatedly mentioned that they now have access to a wider range of community services based on the cornerstones of cultural continuity and safety.

The First Nations Child and Family Services (FNCFS) Program – Under the responsibility of Indigenous Services Canada (ISC)

In 2016, the Canadian Human Rights Tribunal found that Canada had discriminated against First Nations children by underfunding the child protection system in the communities and requested that the FNCFS program be reformed. Since then, transitional measures have been introduced to reinforce the program and promote substantive equality and cultural continuity. These measures also aim to promote the primacy of the child's best interests in access to prevention, early intervention and protection services for First Nations children and families living on reserve or in Yukon.

Under these transitional measures, since April 1, 2022, the FNCFS program has granted each community \$2,500 (subsequently indexed) for every registered member living in the community. This amount is meant to cover the costs of developing prevention services (planning, set-up, recruitment, materials, etc.) and providing them (intervention, follow-up, support, workshops, training, etc.). The funded projects or services are part of the implementation and operationalization of the minimum standards set out in the ARFNIMCYF and the expanded availability of culturally adapted support or intervention.

Issues related to access to prevention services for Indigenous women

According to QNW, Indigenous women, especially mothers, are exposed to specific forms of vulnerability, particularly due to disproportionate scrutiny by youth protection services. Many are reluctant to seek psychosocial or material assistance for fear that a report will lead to an assessment of their parenting abilities, a dynamic that runs counter to the prevention objectives put forward in the CERP's Calls for action.

Socioeconomic realities – such as inadequate housing, poverty, intergenerational trauma, and limited access to culturally safe services – have a significant impact on family pathways and are often interpreted as parental risks rather than support needs.

Several studies and documents – including the NIMMIWG and United Nations General Recommendation 39³³ – have recognized that Indigenous women and girls are exposed to specific forms of institutional violence, as well as increased scrutiny and reports related to living conditions, which contribute to mistrust of institutions.

Women – especially single mothers – find themselves on the front lines facing these challenges. Various organizations are working to promote more appropriate and sensitive prevention services that are culturally safe.

Communities with greater autonomy in youth protection often mention their desire to implement an integrated vision of services in which prevention and protection form part of a continuum. Although the ways of integrating these two services vary, they often involve setting up an intake center that receives all requests for child and family services, and a preliminary assessment mechanism to refer clients to one service or the other, with a view to facilitating early intervention beyond youth protection. Establishing a bond and a relationship of trust from the very first contact is considered crucial.

Community and preventive child and family services offered in many Indigenous communities include a wide range of interventions focused on well-being, support and prevention. These include:

- In La Tuque, Manawan and Wemotaci, the [Atikamekw Onikam social services](#) team brings together a variety of professionals who provide intake services, assessments, psychosocial support, family and couples therapy, rehabilitation, foster care development and 24/7 emergency social services, as well as prevention and community activities such as parenting workshops and men's groups.
- [Maison de la famille Shaputuan Puamun](#), in Mashteuiatsh, provides culturally appropriate services for children, youth and their families that support health, development and well-being, including through a mother and child health program and specialized services.
- In Akwesasne, the [Department of community and social services](#) offers wellness services, including the *Akwesasne Family Wellness Program*, which supports people affected by gender-based violence, including women, men, non-binary people and children. The program offers accommodations, counselling, cultural support, advocacy, a 24/7 helpline and outreach services to prevent violence. A community support program also offers temporary financial aid to families with specific needs.

The models developed sometimes emphasize the importance of a family having the same support worker, whether in prevention or protection services, in a single building. In all cases, the ability to deliver services in an integrated manner seems to be key to success. Service integration helps clarify responsibilities for service funding and facilitates coordination and collaboration between prevention and protection services.

³³ United Nations, Convention on the Elimination of All Forms of Discrimination against Women, Committee on the Elimination of Discrimination against Women, [General recommendation No. 39 \(2022\) on the rights of Indigenous Women and Girls](#), CEDAW/C/GC/39, October 31, 2022.

“In our child and family services, we have two houses, under the same roof... If one worker of ongoing services has a file that needs services added on, they add on. And if there is a protection concern that’s has not been mitigated yet, we put it in the service plan that its mandatory, even though its prevention services.” – *Participant, First Nation community*

In communities where prevention and protection services are provided separately, issues stemming from working in silos are often cited. There are reports, for example, that a lack of collaboration and coordination among services contributes to overrepresentation in youth protection:

“Moi, j’ai fait un tour un peu partout. Il y a beaucoup de dossiers qui sont ouverts, dont beaucoup pourraient être en première ligne. Mais on ne peut pas fermer parce que le transfert ne peut pas se faire dans les communautés. [...] Mais des fois la population a peur de fermer parce qu’il y a des choses qui peuvent arriver après. Donc il y a une crainte par rapport à la fermeture de dossiers [concernant des familles] qui semblent avoir besoin de services mais pas de protection...” – *Participant, First Nation community*

Translation: “I’ve looked around a bit everywhere. There are a lot of open cases, many of which could be handled at the frontline level. But they can’t be closed because they can’t be transferred within the communities. [...] But sometimes people are afraid to close cases because of what might happen afterward. So there is a concern about closing cases involving families who appear to need services, but not protection...”

Another issue, this time raised by communities with no delegated youth protection responsibilities, concerns the failure of the DYPs to collaborate with them to quickly establish a safety net for families as soon as vulnerabilities are reported. The lack of early and proactive support is lamented, whether due to staff shortages or to the prioritization or closure of cases without consultation, contrary to the requirements of the ARFNIMCYF.

“We see that a family is struggling. We don’t like doing the report but we know we have to. If a child is being neglected, or if there are addiction issues. We have to do it. Youth protection says: “ok, we’ll take care of it”. And 6 months later, they let us know the child has been placed. Then why did they not let us work with the family during that 6 months? So I almost feel it's like part of the colonization again. Is it purposely not telling us?” – *Participant, First Nation community*

According to these communities, confidentiality obligations regarding case files are among the most frequently cited barriers to collaboration.

“Quand il y a un signalement, ils ne mettent pas toujours une intervenante de chez nous dans le dossier. Finalement on se fait appeler pour se faire dire : “On va fermer le dossier parce que vous êtes là...” Mais on n’est même pas au courant du dossier. Ils ne veulent pas nous dire quel est le problème.” – *Participant, First Nation community*

Translation: “When a report is filed, they don’t always assign one of our staff members to the case. Eventually, they call us and tell us, ‘We’re going to close the case because you’re there...’ but we don’t even know about the case. They won’t tell us what the problem is.”

Collaboration and information sharing in the best interests of the child

The YPA, as amended by Bill 15 in 2022, now allows DYPs to more easily share certain confidential information with health centre social services when such sharing is in the best interests of the child. The addition of section 4.6³⁴ and the revision of section 72.6 aim to provide flexibility to a confidentiality framework that was previously too rigid, which created significant barriers to collaboration.

These amendments are in response to the findings of the SCCRYP, which showed that an overly restrictive interpretation of confidentiality was detrimental to the quality of services, reinforced siloed work and often ran counter to the best interests of the child. These changes are in line with Chapter V.1 of the YPA and with the ARFNIMCYF’s minimum standards. These frameworks promote cultural continuity, the involvement of the extended family and the community, and a focus on prevention services to avoid unnecessary intervention by youth protection services.

The experiences of consultation participants, who reported barriers to information sharing due to confidentiality obligations, therefore seem to be legally unfounded and inconsistent with the spirit of the legislative framework.

Furthermore, concrete examples show that it is possible to support health centres in First Nations communities to facilitate their access to records in PIJ. For example, in the past year, the communities of Listuguj and Gesgapegiag were given support so they could register and gain controlled access to the PIJ system. However, such initiatives are not possible for Native Friendship Centres because the current regulatory framework³⁵ does not, currently, allow community organizations to register as such.

This problem manifests itself differently depending on the health region and even within an institution’s own territory. There have been reports of practices that demonstrate genuine collaboration and information sharing between report reception and processing (RTS) and the social services of the community where the reported child lives. For example, a DYP stated:

“Nous, [au service de] la RTS, ça fait au moins trois ans qu’on a eu l’idée de consulter les services – de la communauté – pour voir si la famille est connue et reçoit des services dès qu’on a un signalement. En fait travailler pour que l’application de la LPJ soit exceptionnelle. C’est sûr qu’il y a maintenant l’obligation de s’enquérir [auprès des prestataires

³⁴ YPA, supra, note 2, s. 4.6: “The conditions prescribed by law that must be met to communicate confidential information concerning the child or the child’s parents must be construed so as to facilitate the communication of that information where it is in the interest of the child or is intended to ensure the protection of another child.” See also the explanatory note on section 4.6 of the YPA published by MSSS and available online: Gouvernement du Québec, *Note: 1.0 – CONFIDENTIALITÉ - Dispositions générales et règle d’interprétation [art. 4.6 LPJ]*, 2023.

³⁵ *Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain*, CQLR, c. P-9.0001, r. 1.

de services de santé et de services sociaux offerts à la communauté], depuis l'entrée en vigueur du chapitre autochtone dans la LPJ... Mais chez nous, on a eu des événements qui nous ont mené à mettre en place un agent de liaison qui vient intervenir avec nous. Il appartient à la communauté et avec lui on va être capable d'orienter la famille vers des services de première ligne ou de les mettre plus en action que sur le mode défensif. Comprendre le sens, puis aller vers les services préventifs.” – *Participant, DYP*

Translation: “Here at RTS, it was at least three years ago that we decided to consult with the community’s services as soon as we receive a report, to see if the family is known to them and is receiving services. We’re working to ensure that the YPA is applied in exceptional cases only. Of course, with the entry into force of the Indigenous chapter of the YPA, we are now required to inquire... But here, certain events prompted us to appoint a liaison officer who works with us. The liaison officer is part of the community and helps us refer families to front-line services or take a more proactive approach with them rather than a defensive one. It’s about understanding the situation and moving toward prevention services.”

The [*Fiche d'orientation sur la communication avec les Premières Nations et les Inuit*](#) provides a detailed overview of the obligations under sections 131.7, 131.8 and 131.15 of the YPA and section 12 of the ARFNIMCYF concerning communication with health and social services providers, both within and outside the community. It serves as an essential resource for supporting efforts to inform all DYP staff about new and existing responsibilities regarding communication and collaboration with Indigenous organizations. In this regard, section 131.7 serves as a key tool for coordinating the various services and ensuring that priority is now placed on prevention services.

Although First Nations participants generally have a positive view of the FNCFS program and its funding, many believe that the amount provided per person remains insufficient to rectify historical inequities in access to prevention services. Some reported feeling increasing pressure from federal authorities to restructure primary prevention services in order to prioritize more intensive interventions focused on families in need (secondary and tertiary prevention). This does not necessarily align with the approach to prevention that some communities are trying to develop, which is to work with families with various needs, not just those most at risk.

According to several participants, funding mechanisms still fail to fully account for psychosocial needs, particularly in the areas of mental health and addiction, which require proactive measures to prevent placements. Some also pointed out that the FNCFS funding does not reflect the realities of communities where the basic infrastructure is still inadequate. As one participant put it, it is hard to imagine developing a local service offering with an annual budget

of \$2,500 per person, even indexed³⁶, when basic needs are not being met and communities still face physical and land-related constraints:

“Vous êtes favorisés quand vous êtes [près des] milieux urbains, dans vos régions, alors que nous on n’a rien, là, vraiment rien. Ce n’est pas juste qu’on est isolés, mais on n’a pas beaucoup de services comme vous avez. [...] [Pour la création d’infrastructure] ça dépend aussi des communautés, nous autres on n’a même plus de lots. Il nous reste une dizaine de maisons à bâtir, après ça on n’a plus rien.” – *Participant, First Nation community*

Translation: “You have better access to services when you’re [near] an urban area in your regions, whereas we have nothing – really nothing. It’s not just that we’re isolated; we don’t have many of the services you have. [...] [As for infrastructure development], that also depends on the communities. We don’t even have any lots left. We have a dozen houses left to build, and after that, there’s nothing else.”

Access to community-based specialized services also varies considerably from one community to another. Even when a community wants to hire professionals – such as occupational therapists or speech-language pathologists – there is no guarantee that it will be able to do so. These workers are in short supply, and recruitment and sustainable funding continue to pose challenges. Access to such services through the HSSN also remains limited. Overburdened services, geographic remoteness and poor relationships with public institutions make it difficult to reach agreements and establish service corridors. Despite these obstacles, many communities have pointed out the existence of service corridors for ID–ASD–PD³⁷ clientele, which are greatly appreciated by those who can access them.

Beyond remoteness, many participants cited ongoing challenges in interinstitutional collaboration and coordination. They describe situations where some professionals allegedly refused to provide or continue prevention services, citing provincial guidelines stating that HSSN institutions cannot directly intervene in communities not covered by an agreement, as these are under the exclusive jurisdiction of the federal government.³⁸ However, some families would still like to receive services through the HSSN for various reasons, including privacy concerns. When formal agreements are in place to address this need, the HSSN and community services work together, and services are generally delivered effectively. However, in the

³⁶ Indigenous Services Canada, *FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services*, section 8.2, First Nations and FNCFS Service Providers: “Pursuant to 2022 CHRT 8, the Tribunal amended the orders on actual costs to reflect that, as of April 1, 2022, prevention is funded at \$2,500 per person resident on reserve and in Yukon in total prevention funding in advance of the complete reform of the FNCFS Program funding formulas, policies, procedures and agreements. Canada shall fund the \$2,500 on an ongoing basis adjusted annually based on inflation and population until a reformed FNCFS Program is fully implemented.” [Online] Retrieved March 10, 2026.

³⁷ Intellectual disability, autism spectrum disorder and physical disability.

³⁸ MSSS, *Particularités des services aux Premières Nations et aux Inuits - Communautés non-conventionnées*: “The federal government is responsible for funding the health and social services offered in communities not covered by an agreement. Institutions in the Québec network do not offer services in these territories.” [Online] Retrieved March 10, 2026. Translation.

absence of such agreements, some parents have had their requests denied. As one First Nations participant explained:

“Ça faisait des années que la jeune était suivie dans le réseau [...]. Quand l’intervenante a su qu’elle était Autochtone, elle a dit : ‘On ne vous donne plus de services. Il faut que vous développiez votre programme dans la communauté. On ne donnera plus cet argent-là.’” – *Participant, First Nation community*

Translation: “The youth had been receiving services through the network for years [...]. When the caseworker found out she was Indigenous, she said: ‘We will no longer be providing you with services. You need to develop your own community-based program. We will no longer be providing that funding.’”

According to the individuals consulted, this type of response is particularly concerning, because it shows a lack of awareness of two key elements. First, there are real disparities in the services offered in different communities. Sometimes services are simply not available due to the accessibility issues mentioned earlier. Moreover, First Nations members are fully entitled to receive services covered by the Régie de l’assurance maladie du Québec, just like any other person residing in Québec.³⁹

Given the limited accessibility and at times tenuous collaboration with the HSSN, many First Nations representatives view the frequent use of Jordan’s Principle⁴⁰ as a reflection of the persistent inequities in access to health care, social services and specialized services for children. One participant summarized this situation as follows:

“Au niveau de nos services préventifs, si on regarde à l’extérieur de la communauté, une chance qu’on a le principe de Jordan pour offrir les services aux membres, parce que je ne suis pas certaine qu’ils auraient des services tant que ça.” – *Participant, First Nation community*

Translation: “When it comes to prevention services, if we look outside the community, it’s a good thing we have Jordan’s Principle, because I’m not sure our members would have access to as many services otherwise.”

Based on feedback from several participants, Jordan’s Principle remains one of the few mechanisms allowing for rapid response to short-term needs when community or HSSN services are lacking.

³⁹ However, it is important to note that First Nations do not have access to Québec’s prescription drug insurance plan because they have access to the Non-Insured Health Benefits Program.

⁴⁰ Indigenous Services Canada, Health care services for First Nations and Inuit, *Jordan’s Principle*: “Jordan’s Principle is a human rights principle largely defined by the Canadian Human Rights Tribunal (CHRT) to make sure that First Nations children do not face gaps or delays in accessing government services and are not denied government services because of their identity as First Nations children.” [Online] Retrieved March 10, 2026.

Neglect in Indigenous contexts: toward a new approach

The YPA defines child neglect as the failure of a child's parents or the person having custody of the child to meet the child's basic needs in one or more of the following areas: physical needs, health and education.⁴¹ Many studies have been conducted on the underlying causes of the overrepresentation of First Nations and Inuit children in youth protection following the retention of a report on the grounds of this form of endangerment. It has been shown that neglect and the risk of neglect in Indigenous contexts often stem from precarious socioeconomic conditions, which are themselves linked to colonial policies, structural inequalities and systemic racism.⁴² Therefore, rather than considering neglect as an individual parenting shortcoming, Indigenous child and family service delivery models view it primarily as a structural issue that requires preventive measures, culturally safe support and the strengthening of family and community capacities before any coercive intervention is taken.

Section 131.6 of the YPA, which came into effect in April 2025, states that "[...] any decision concerning a report for a situation of neglect or a serious risk of neglect in respect of an Indigenous child must take into consideration, in particular, the following factors:

- a) the measures taken by the parents to meet the child's fundamental needs and the cooperation offered to the providers offering health services and social services to the community, and
- b) the services offered by the service providers to support the parents in the exercise of their responsibilities and to help them meet those needs."

These obligations are set out in the *Guide de rédaction des rapports dédiés à la Réception et au traitement des signalements*.⁴³ According to information compiled from Santé Québec and the DYPs, these new obligations were communicated to their respective teams when the Guide was updated.

Crisis management services for First Nations

The consultations revealed that access to crisis intervention services varies significantly from one First Nations community to another, reflecting very different levels of autonomy and resources. Participants shared their insights on two levels of crisis intervention: front-line intervention (often related to parents' mental health or addiction issues) and second-line intervention by youth protection services.

⁴¹ YPA, *supra*, note 2, s. 38. Under this provision, serious risk of neglect also constitutes neglect.

⁴² First Nations of Québec and Labrador Health and Social Services Commission (FNQLHSSC), [*Research Report – Better understanding the phenomenon of child neglect in the context of First Nations in Québec - Component 4 of the Analysis of the Trajectories of First Nations Youth Subject to the Youth Protection Act*](#), Wendake, February 2022, p. 7. [Online] Retrieved March 10, 2026.

⁴³ Santé Québec, *Rapport RTS – Guide de rédaction*. Adopted at the Table des DPJ on September 30, 2022/Updated at the Table des DPJ on September 26, 2025.

Front-line crisis intervention is a brief, intensive approach aimed at supporting someone in acute distress. It begins with the creation of a bond of trust, an essential step in fostering openness and collaboration. The caseworker then collects data, which include a clinical assessment, an evaluation of the severity of the situation – particularly the potential for harm, risk of suicide, risk of decompensation and risk factors – as well as a comprehensive understanding of the individual's circumstances. Throughout this stage, the intervention also focuses on emotional regulation to help the person regain some sense of stability. Based on the information gathered, the caseworker works with the person to develop a concrete action plan aimed at immediately reducing the danger and mobilizing their resources. Once the crisis has been defused, post-crisis follow-up is provided within the community to maintain stability and prevent recurrences. Finally, based on the identified needs, the caseworker refers the person to the appropriate services or care, which may include a personalized referral or ongoing support.⁴⁴

Second-line crisis intervention refers to the rapid de-escalation of explosive family situations (ages 0–17) to prevent breakdowns and ensure safety, often through 8-1-1 (option 2, Info-Social). These services, such as the CAFE (Crise-Ado-Famille-Enfance) teams, offer 24/7 support, temporary placement and tools to help keep youth in their home environment.⁴⁵

Regarding front-line crisis intervention, some communities have their own emergency services that are available 24 hours a day and cover a significant portion of immediate needs. Services can be provided by mental health wellness teams within the communities, and experienced counsellors with an understanding of Indigenous cultural realities can be reached by calling the Hope for Wellness Helpline.⁴⁶ The staff typically consists of second-line workers who can be deployed quickly when a situation calls for it, which facilitates intervention consistent with the community's reality.

More often, however, participants cited a lack of front-line crisis management services, a shortage of staff to provide these services and a lack of clarity regarding which level of government is responsible for supporting the development of these community-based emergency services.

“C'est un enjeu majeur qu'on vit. Tous les services tertiaires qu'on appelle première ligne intensive, crise, il n'y en a pas, ça n'existe pas. Peu, je dois dire très peu. Vous savez, en région, on est très impactés par la pénurie de personnel en termes d'intervenantes. Autant première ligne que nous (protection de la jeunesse). On fait appel de façon extraordinairement élevée à la main- d'œuvre indépendante. On nous dit : 'On n'a pas les effectifs cliniques pour assumer ça.' Donc ce n'est pas du tout développé.” – *Participant, First Nation community*

⁴⁴ Gouvernement du Québec, Departmental orientations and *Manuel de gestion financière*, “[5921 – Intervention de crise dans le milieu 24/7 – Services sociaux généraux](#).” [Online] Retrieved March 10, 2026.

⁴⁵ CIUSSS de l'Ouest de l'Île de Montréal, [Service Crise-Ado-Famille-Enfance \(C.A.F.E\)](#), page last modified July 29, 2025. [Online] Retrieved March 10, 2026.

⁴⁶ [Hope for Wellness Helpline](#), page last modified August 5, 2025. [Online] Retrieved April 13, 2026.

Translation: “This is a major issue we’re facing. All the tertiary services we call intensive front-line or crisis management services – they don’t exist. There are very few, and I mean very few. You know, in the regions, the shortage of staff, particularly support workers, is having a huge impact on us. This affects both front-line workers and us (youth protection workers). We’re heavily reliant on independent labour. They tell us, ‘We don’t have the clinical staff to handle that.’ So this isn’t developed at all.”

“Services Autochtones Canada nous dit : ‘Non, on ne finance pas, c’est de la première ligne, donc vous ne touchez pas à ça.’ Et la première ligne nous dit : ‘On n’est pas financés, on n’a pas d’argent provincial pour [ça].’ Ça fait qu’on tourne en rond. Il n’y a rien qui se passe. On est coincés entre le fédéral et le provincial.” – *Participant, First Nation community*

Translation: “Indigenous Services Canada tells us, ‘No, we don’t fund that; it falls under frontline services, so it is not within your mandate.’ And the front-line staff tell us, ‘We don’t have funding; we don’t have provincial money for that.’ So we’re going in circles. Nothing happens. We’re stuck between the federal and provincial governments.”

According to participants, insufficient access to these services means that many situations escalate into reports that could have been avoided if adequate support had been provided earlier.

Some examples of collaboration were highlighted. For example, the partnership between the Lac-Simon Mino Tehewin health centre and the community organization Besoin d’aide, which offers suicide prevention services. Since the health centre does not provide emergency services outside of office hours, the organization takes over in the evenings and on weekends with action plans for at-risk individuals.

Finally, responding to crisis situations entails considerable costs, especially due to transportation to out-of-community services. A significant portion of community budgets is allocated to this, which limits the ability to invest locally in the development of prevention services. According to one participant, a single crisis intervention requiring emergency mental health services can cost up to \$15,000 due to a lack of on-site resources.

Regarding second-line crisis intervention, emergency interventions can be handled by the community or by Urgences sociales, particularly outside of office hours. In such cases, the standard intervention procedure is as follows: the police respond first, then contact the DYP if the situation warrants it. If emergency placement is necessary, the caseworker then contacts the placement coordinator to identify a foster setting in the area. According to several representatives from the DYP, community liaisons are not available outside of office hours. This can make it difficult to comply with section 131.8 of the YPA, which requires the DYP to notify the community before placing a child in care. In practice, the alternative is to leave a message and start the process again when offices reopen.

Prevention and crisis management services in urban settings

Native Friendship Centres offer a wide range of prevention services, from general support for children and families to more specialized interventions that complement those provided by youth protection. However, the consultations revealed an important distinction between, on the one hand, voluntary and culturally grounded prevention and, on the other hand, so-called preventive interventions made when a case has been opened with the DYP. Participants from Friendship Centres reported that they know the families well and emphasized that their early, non-coercive support has made it possible in many cases to quickly identify warning signs and avoid placements, thereby fostering greater cooperation from the families.

However, their prevention services are funded by non-recurring provincial funds obtained through various departmental calls for projects, each with its own reporting requirements. This instability in funding sources – which is especially pronounced in urban settings, where service offerings are largely dependent on calls for projects – complicates medium- and long-term planning, hinders team development and jeopardizes continuity of service, despite growing recognition of the vital role Friendship Centres play for families and institutions.

This funding model explains, for example, the development of the Mino Pimatisiwin initiative by the Val-d'Or Native Friendship Centre, which provides a wide range of health and social services. It offers several family support programs that bring together a variety of professionals – instructors of persons with disabilities, occupational therapists, nurses, midwives, doctors and speech-language pathologists – to provide comprehensive support to families.

However, not all Friendship Centres have the same capacity to provide prevention services. Most have nevertheless developed a range of cultural activities, which often serve as a starting point for addressing family issues that require preventive action. Ultimately, each Friendship Centre builds its service offerings based on the priorities identified by its members, the human and financial resources at its disposal, and the partnerships it manages to establish locally.

Integration of child and family services in urban settings: the example of Native Montréal

Native Montréal offers a range of services for Indigenous children, youth and families. For families, the agency offers holistic support that includes service navigation, access to wellness navigators, information on rights and benefits (particularly through Jordan's Principle), educational support and a family health clinic providing primary care.

In addition, thanks to an external partnership, a family coach provides in-home support to families involved with the DYP using a non-coercive approach that fosters greater adherence to intervention plan objectives.

For children, the agency offers educational and cultural programs, and youth benefit from a variety of programs that promote their development, leadership and connection to their culture. An education coordinator also serves as a liaison with schools to facilitate and expedite access to certain services.

Participants emphasized that they should be involved from the outset, to the extent that their human and financial resources allow, so the DYP does not have to step in and open a case. However, many Native Friendship Centre representatives are called on too late, after the situation has deteriorated, when they could have provided valuable assistance at an earlier stage. Some Native Friendship Centres have hired staff whose role is to provide information about their services to caseworkers:

“On a maintenant un poste de navigateur santé justice qui sert justement à ça. L'intervenante est en train de faire les liens avec la DPJ parce malgré qu'on parle de direction à direction, qu'on offre nos services, l'information ne coule pas jusqu'aux intervenantes. Chaque fois, l'intervenante fait : 'Wow, vos services, c'est incroyable'. Mais elle ne le savait pas.” – *Participant, Friendship Centre*

Translation: “We now have a health/justice navigator position specifically for that. She's currently establishing links with the DYP because, even though we communicate directly with the department and offer our services, the information isn't reaching the caseworkers. Every time, the caseworker says, 'Wow, your services are incredible.' But they didn't know about them.”

In many cases, it is hard for Friendship Centre staff to provide adequate support to families seeking their help because DYP professionals give them very little information on the situations at hand. This has also been reported by many First Nations communities. As a result, the Friendship Centers' ability to provide tailored support and make use of their expertise is limited.

Many participants also said they do not feel that their HSSN counterparts view them as equal partners. They believe that their expertise is not widely recognized and only called upon occasionally or for specific purposes. This type of collaboration weakens the relationship of trust and, in the long run, affects the quality and continuity of services provided to families.

“On a accompagné une maman qui était pour perdre son bébé à la naissance. La maman était beaucoup dans l'émotion et nous on essayait de l'aider à trouver des solutions. On a parlé de ressources autochtones, mais la personne qui prenait le dossier en charge devait immédiatement passer en Cour pour un placement de 30 jours en sortant de l'hôpital. Nous on avait une solution pour que la maman ait une ressource d'hébergement pour femmes autochtones et qu'on puisse continuer à l'accompagner dans ses démarches. La personne au dossier disait : 'Ben voyons, c'est quoi cette ressource-là? Je ne connais pas ce nom-là.' Donc, il y avait une méconnaissance et une non-reconnaissance des ressources autochtones : elle ne faisait pas confiance à la ressource autochtone et ne souhaitait pas voir cela comme une solution pour la femme.” – *Participant, Friendship Centre*

Translation: “We were supporting a mother who was going to lose custody of her baby at birth. She was very emotional, and we were trying to help her find solutions. We discussed Indigenous resources, but the caseworker had to go to court right away to obtain a 30-day placement order as soon as the mother was discharged from the hospital. We had a solution to ensure the mother would be able to stay at a shelter for Indigenous women and we could continue supporting her through the process. The caseworker said, ‘Hey, what is this resource? I don’t know that name.’ So there was a lack of awareness and recognition of Indigenous resources. She didn’t trust the Indigenous resource and didn’t want to see it as a solution for the woman.”

Collaborative initiatives established at the strategic level seem to promote better coordination of prevention services from the perspective of both the Friendship Centres and the DYPs. To ensure greater consistency in joint initiatives, a 2025–2027 action plan was developed by the Lanaudière Native Friendship Centre (CAAL) and the CISSS de Lanaudière. This plan focuses on establishing a “joint field presence” and advancing cultural safety practices. Work is also reportedly underway to establish agreements between the CAAL and the clinical departments that serve First Nations and Inuit clientele.

In Val-d’Or, a collaborative governance model bringing together the senior management of the Friendship Centre and the CISSS de l’Abitibi-Témiscamingue has made it possible to implement the Mino Pimatisiwin model mentioned earlier. Individuals consulted agreed that when the partnership is firmly established at the governance level, issues related to coordinating service delivery tend to decrease significantly.

Despite this progress, participants reported that knowledge of their services can lead some DYP caseworkers – who are often overburdened – to take a more hands-off approach. But this is not what Friendship Centres want. They wish to be involved and collaborate on prevention efforts, but there should not be a shift in responsibilities; the primary focus should be on changing practices at the DYP’s intake stage, particularly in how reports are received and processed.

“Parfois, on nous dit : ‘Ah, vous êtes là, on ferme le dossier.’ Dans le fond, ce dont on aurait besoin, c’est d’être encore plus soutenus, de travailler en collaboration avec l’intervenante de la protection, qui pourrait quand même poursuivre des choses avec la famille, puis nous pourrions continuer notre travail, là où, nous, on est bons.” – *Participant, Friendship Centre*

Translation: “Sometimes they’ll say, ‘Oh, you’re here. We’ll close the case, then.’ Basically, what we need is even more support, to work together with the youth protection worker, who could still follow up with the family, while we keep doing what we do best.”

Several Native Friendship Centres reported having productive collaborations with schools in their region with a view to stemming the risk that situations will deteriorate to the point where protective intervention becomes necessary. They reported having good working relationships with city schools, as information is shared with them directly, without being systematically reported to the DYP, which is in line with the policy of prioritizing prevention services. These

collaborations enable proactive action, sometimes preventing crises, and provide families with a safety net through the concerted efforts of various actors.

According to the participants we spoke with, from both DYPs and Friendship Centres, the level of collaboration depends heavily on the mutual trust established among managers. For this reason, some cities are currently working to “formalize” the role of Friendship Centres in the various stages of the youth protection pathway. In other cities, Friendship Centres feel they are not viewed as full partners. This inconsistency is observed not only between health regions, but also within institutions.

“Il y a des intervenantes qui veulent connaître le travail des Centres, qui ont envie de s’impliquer et de partager de l’information dans l’intérêt de l’enfant, alors que d’autres intervenantes sont beaucoup plus conservatrices dans leur gestion des dossiers.” – *Participant, Friendship Centre*

Translation: “Some caseworkers want to learn about the work the Centres do, are eager to get involved and are willing to share information in the best interests of the child, while others are much more conservative in how they handle cases.”

Crisis management services in urban settings

Regarding access to culturally safe crisis management services in urban settings, some Friendship Centres offer emergency or support lines to respond to crisis situations involving Indigenous individuals or families.

Some of these Centres have signed agreements with police services to be contacted when a call involves Indigenous people. Many other Friendship Centres expressed a desire to develop similar support or crisis management services to meet very real needs, but they pointed out that access to adequate, recurring funding remains a major issue.

Protocols are in place, such as in Lanaudière, where a tripartite agreement between the CAAL, the CISSS and police services has been concluded to facilitate collaboration with Friendship Centres when the police are called during a crisis. These protocols can include procedures for obtaining verbal consent for the sharing of information.

Nevertheless, both the DYPs and the Friendship Centres believe that further work is required to clarify procedures for working together when responding to crises involving First Nations or Inuit families.

Prevention and crisis management services in Nunavik

In Nunavik, a variety of social programs are offered by the community service departments of the Inuulitsivik (Hudson Bay Coast) and Tulattavik (Ungava Bay Coast) health centres. However, the services offered vary from community to community: some programs are not available locally, and many are centralized in Puvirnituq or Kuujjuaq. The organization and provision of social services are governed by the *Act respecting health services and social services for the Inuit and Naskapi*⁴⁷ (AHSSIN). Under the James Bay and Northern Québec Agreement, the

⁴⁷ CQLR, c. S-4.2.

provincial government is responsible for providing and funding health and social services. Furthermore, organizations in Nunavik can count on the support of the MSSS to effectively develop their service offerings, as set out in their respective strategic plans.⁴⁸

As a general rule, this funding is established in a multi-year agreement negotiated between the NRBHSS and MSSS. Some programs – particularly for addiction prevention – are funded by the federal government. Child and family community services are organized around three major programs covering a continuum from prevention and promotion to specialized support:

1. Prevention and promotion services encompass a range of initiatives focused on well-being and prevention, including family centres (five for the entire territory, some of which also serve as family shelters), life promotion, addiction prevention and community interventions to reduce sexual violence.
2. Local services, often referred to as front-line services, include services directly accessible within the communities, such as mobile intervention teams, 24/7 on-call services that include families in crisis, youth and adult mental health programs, early childhood programs – Illagiilluta and Tasiurtigiit – services for people with reduced autonomy, and ID-ASD-PD services.
3. Specialized services⁴⁹ such as sexual violence intervention, addiction treatment, rehabilitation, the Nitsiq+ Program, etc.

Consultations held in Nunavik shed light on several major issues concerning the accessibility and cultural appropriateness of prevention services for children and families. First, as noted earlier,⁵⁰ the DYP is still the main entrypoint to prevention services for Nunavimmiut families, including when a report is not accepted.

Moreover, in many small communities, prevention services remain limited and are often provided by a very small number of support workers who are expected to meet the needs of everyone from young children to seniors. Given that in 2021, 33.8% of the population of Nunavik was under 15 years old⁵¹, one participant reported:

“Ils couvrent 0-100 ans. Par exemple, à Ivujivik, il n’y a pas d’intervenantes jeunesse spécifique. Et le pourcentage de dossiers jeunesse dans sa charge, c’était moins de 5 %. Donc ça veut dire que le service n’est à peu près pas offert.” – *Participant, Nunavik*

Translation: “They cover ages 0–100. For example, in Ivujivik, there are no support workers specializing in youth services. And youth cases made up less than 5% of the caseload. So that means the service is virtually nonexistent.”

⁴⁸ MSSS, *Orientations relatives aux standards d'accès, de continuité, de qualité, d'efficacité et d'efficience – Programme-services Jeunes en difficulté, Offre de service 2007-2012*, 2007, p. 82: “[...] the support offered by the MSSS covers both front-line programs and programs more closely related to youth protection and young offenders. It consists of training, clinical supervision or the sharing of expertise in service organization.” [Online] Retrieved March 10, 2026. Translation.

⁴⁹ It bears mentioning that a significant shortage of DI-TSA-DP services for young people aged 8 to 18 in Nunavik has been reported.

⁵⁰ Commission des droits de la personne et des droits de la jeunesse (CDPDJ), *Report on the Implementation of the Recommendations of the Report on Youth Protection Services in Nunavik* March 2024, p. 19.

⁵¹ Nunivaat.org – Nunavik Statistics Program, *Nunavik in Figures 2025*, 2025, p. 11. [Online] Retrieved March 10, 2026.

The fact that so few prevention services are available to children, youth and families is a key issue highlighted by everyone consulted without exception. As one of them pointed out:

“When we did our consultation, it was very clear for the population that we needed to work on everything prior to Youth Protection involvement. We need to work on accessibility of those services.” – *Participant, Nunavik*

Added to this is a cross-disciplinary challenge: the very concept of voluntariness, which is fundamental to prevention services, is confronted with complex intercultural realities. Many Nunavimmiut are still wary of social services, convinced that accepting help could increase the risk of their children being taken into care by youth protection services. This mistrust is exacerbated by the fact that the vast majority of staff are not Inuit, which creates a significant cultural disconnect. In this context, expecting parents to readily accept services offered by non-Inuit – who often have little understanding of the social and family realities of Nunavimmiut – is simply not realistic.

This mutual misunderstanding is also evident in administrative procedures: the standard practice of closing a case after three attempts to contact the individual leads some caseworkers to interpret the situation in a biased way. The lack of response is seen as a refusal of services, or even as parental indifference, without considering the family’s specific contextual and cultural factors. For the people who took part in the consultations, this is a professional development issue. As one support worker put it:

“Il y a beaucoup de nouveaux. Il faut toujours refaire la sensibilisation à comment mieux demander. Sinon, les intervenantes vont mal demander, les Inuit refusent, la situation se dégrade... et là, il faut intervenir.” – *Participant, Nunavik*

Translation: “There are a lot of new staff. We constantly have to go back and explain how to make requests properly. Otherwise, the caseworkers ask the wrong way, Inuit people refuse, the situation deteriorates... and then we have to step in.”

Staff shortages are also affecting schools and childcare centres, where a lack of personnel can quickly lead to youth protection issues. One participant clearly illustrated this dynamic:

“Il y a tellement peu de ressources dans les écoles que le manque de ressources pour tout l'écosystème devient rapidement notre problème.” – *Participant, Nunavik*

Translation: “Schools are so understaffed that workforce shortages across the entire system quickly become our problem.”

Given these circumstances, many individuals consulted noted that the DYP has unwillingly become both the first and last entry point to services for many families due to insufficient front-line resources. Given these concerns, several consultation initiatives have been launched on both coasts of Nunavik to strengthen partnerships among the various stakeholders and ensure that everyone fulfills their preventive role. This is also the priority put forward by NIP, an organization currently under development dedicated to building a continuum of services tailored to Inuit culture and to youth and families in Nunavik. A Memorandum of Understanding

was signed by all relevant organizations in Nunavik in March 2025. Major transformation projects are underway, including the rollout of the Pigiaviliutik project in Inukjuak.

Pigiaviliutik, which means “where we begin,” is the first milestone in the rollout of a new intervention model and an integrated service pathway offered in Inuktitut in Nunavik. Based in Inukjuak, the project relies on several working committees that bring together NIP, community services and the DYPs of the two health centres. These committees review all stages of youth prevention and protection interventions to ensure that the principles of prevention and cultural continuity set out in the legal framework are implemented.

One of the projects currently underway aims to establish mechanisms that promote earlier, more structured involvement of services when there are reports of neglect or serious risk of neglect. The goal is to quickly mobilize prevention services or intensive family support interventions in the best interests of the child to avoid, when possible, the filing of a report or the opening of a youth protection case.

All these initiatives aim to improve the consistency of services, make approaches more culturally safe and enable earlier, more structured involvement of prevention services before and after a report is filed. The goal is to prevent youth protection cases from being opened when community-based solutions are available and to more appropriately respond to families’ needs early on, in their own environment and within their cultural framework.

This collective drive to develop community-based prevention services in line with Inuit values and culture comes at a time when teams must deal with frameworks, standards and programs designed for the non-Indigenous realities of the HSSN. The experience of implementing the Tasiurtigiit program (Agir tôt) in Nunavik clearly illustrates these tensions. The people we consulted described a demanding process that required multiple adjustments to ensure the program was both relevant and culturally safe for Inuit families.

While the outcome today is relatively positive and funding has stabilized, many believe that a model developed based on an Inuit framework from the outset would not only have been more coherent, but also potentially less costly. In practice, funding options for locally developed projects remain limited: to be approved for funding, a project must generally meet predefined government criteria that do not always reflect the needs or realities of the region. As one participant put it:

“Admettons qu’un programme se met en place localement et qu’on se dise que c’est une bonne idée. On le prend où le financement? On le présente et on nous demande : ‘Mais pourquoi vous ne faites pas du Agir tôt? Du SIPPE?’ Alors là, tu expliques que ça s’en inspire, que ça va dans le même sens. Ça respecte les mêmes principes. Mais non. Il n’y a pas de case! Et ça, c’est un enjeu qu’on rencontre souvent.”
– Participant, Nunavik

Translation: “Imagine that a program is being set up locally and people think it’s a good idea. Where do we get the funding? We present it and they ask us, ‘But why aren’t you doing Agir tôt? Or SIPPE [Integrated Perinatal and Early Childhood Services]?’ So we explain that it’s inspired by these programs, that it follows the same approach. It’s based on the same principles. But no. It doesn’t tick the right boxes. And that’s an issue we run into all the time.”

Against this backdrop, the role of Turaartaviit was established, with Inuit workers serving as cultural navigators. They facilitate connections between families, service providers and organizations, and help adapt services to local needs. Their goal is to embed Agir tât services within Inuit culture and to improve the accessibility, relevance and acceptability of interventions.

For participants in Nunavik, the rollout of Turaartaviit demonstrates the efforts required to gain recognition and support for adapted forms of intervention – efforts that require significant human and financial resources in an environment already marked by scarcity. This situation raises concerns about how efficiently MSSS programs are being adapted.

Conversely, from the MSSS's perspective, the Turaartaviit initiative has been presented as a success and a showcase project demonstrating how the Agir tât program can be adapted to northern realities. This project is being held up as an example of innovation born out of collaboration between the communities and the health network. This interpretation, however, contrasts with the experiences of the local stakeholders we met with, who said that this recognition was achieved only after a long process of negotiation and adjustments outside the established frameworks.

Participants from Nunavik noted that, in this context, they are partially making up for the shortfall in prevention funding by submitting more requests to the federal Inuit Child First Initiative in order to meet basic needs (e.g., food assistance). Although this program is widely appreciated, many have expressed concern about the narrowing of its scope and its long-term viability. In fact, the federal government has extended the initiative to March 2027 and indicated that it will be replaced by another mechanism thereafter. The announcement of this transition has created considerable uncertainty about the future availability of federal funding to sustain prevention services and address the socioeconomic inequalities affecting families in Nunavik.

Crisis management services in Nunavik

At the same time, participants raised concerns about crisis management services, which are currently provided through psychosocial emergency lines in each community and by Saqijjuq's mobile teams.⁵² Everyone agrees on the need for regional deployment, but this continues to be hampered by a shortage of personnel and a lack of housing to accommodate additional staff.

As part of this same movement, the Qiturngaq initiative – set to launch in 2026 in Puvirnituk once staff training is complete – aims to establish a more collaborative approach from the moment a crisis call is received. The goal of this approach is to reverse the current pattern of heavy reliance on youth protection services and instead promote the rapid mobilization of a continuum of local psychosocial services.

⁵² www.saqijjuq.ca: "Saqijjuq is a non-profit organization based in Nunavik dedicated to promoting healthy lifestyles, strengthening cultural connections, and rehabilitating individuals. Our goal is to enhance community safety, reduce the physical and psychological impact of substance abuse on families and communities, and provide alternatives to incarceration. We are committed to fostering intergenerational and community connections and ensuring the well-being of all." [Online] Retrieved March 10, 2026.

3.1.3. Findings and supporting elements – Prevention services

Finding 1 – Persistent inequalities in access to prevention services

Globally, the findings show that access to prevention, specialized and crisis management services vary significantly and continue to be a major issue in all three settings. It should be noted that this also applies to general services provided by the HSSN.⁵³

- **Difficult access to specialized services**, particularly due to labour shortages, geographic remoteness, a lack of service corridors, varying availability of prevention services in different areas and limited education and childcare resources.
- **Insufficient or misaligned funding**, due to funding amounts that do not account for infrastructure disparities, reliance on non-recurring calls for projects and a lack of financial support for culturally adapted models.
- **Unequal or delayed access to prevention services**, especially for families living in urban settings or small communities, where prevention services are limited or provided too late in a family's pathway.
- **Difficulty funding and sustaining local innovations**, particularly culturally adapted approaches, which hinders the development of practical solutions rooted in the realities of local communities.

Overall, access to prevention, specialized and crisis management services remain highly uneven in different territories, despite the emphasis placed on them in the legal framework, the availability of funding and access to Jordan's Principle. These structural disparities undermine early intervention capabilities, contributing to the persistence of risk situations and, ultimately, to the overrepresentation of Indigenous children in youth protection. In this regard, the Protecteur du citoyen is making two recommendations (R-5 and R-6).

Finding 2 – Insufficient collaboration on legal obligations

Many communities and organizations reported strong collaboration in areas where liaison officers have been put in place, where RTSs systematically consult with community service providers as soon as a report is filed and where integrated prevention/protection services are available. In these cases, legal obligations are more likely to be put into practice. Elsewhere, however, collaboration is described as insufficient or sporadic, particularly due to:

- A lack of knowledge about existing prevention and crisis management services;
- Misinterpretation of confidentiality rules, which are used as a barrier to collaboration rather than as a framework for necessary information sharing;

⁵³ Several reports have highlighted challenges related to timely access to basic services near where people live, unclear access mechanisms and, in some cases, a lack of continuity. The examples of the 24/7 psychosocial helpline (Info-Social) and the 24/7 community crisis intervention service are cited to illustrate gaps in certain regions of Québec. Source: Gouvernement du Québec, *Orientations relatives aux standards d'accès, de continuité, de qualité, d'efficacité et d'efficience des services sociaux du programme-services – services généraux – activités cliniques et d'aide*, 2013, p. 16. [Online] Retrieved March 10, 2026.

- An imbalance of power and lack of recognition and respect by the DYPs for services provided by community partners.

These shortcomings greatly hinder the development of a truly equal partnership, which is what First Nations and Inuit community service providers are seeking. Overall, the quality of collaboration aimed at prioritizing prevention remains uneven, too often dependent on personal relationships between managers and staff rather than supported by mechanisms designed to clarify roles and responsibilities. Yet Chapter V.1 of the YPA and the ARFNIMCYF both require all parties to work together to reduce overrepresentation in youth protection. The gap between the legal framework and actual practices poses a major challenge to equity, cultural safety and efforts to reduce the overrepresentation of Indigenous children in youth protection. In this regard, the Protecteur du citoyen is making one recommendation (R-2).

Finding 3 – Pressing need for support in clinical practices

The consultations revealed an overarching need for clinical support, training and clarification of practices, especially to promote culturally safe interventions that comply with the legal framework.

- **A lack of commitment to legal and clinical obligations**, with many teams failing to truly prioritize prevention services as required by the legislative framework, resulting in significant gaps between the intent of the law and practices on the ground.
- **Persistent barriers to information sharing**, particularly due to restrictive interpretations of confidentiality rules, which limits clinical collaboration, early service alignment and the ability to adequately support families.
- **Insufficient clinical information shared with community partners**, which limits their ability to intervene effectively, reduces service continuity and undermines recognition of their clinical role in families' pathways.
- **Major communication challenges**, especially around the concepts of voluntariness, risk management and assessment of neglect, requiring ongoing training, better mutual understanding and culturally adapted clinical tools.
- **Insufficiently flexible intervention models and funding frameworks**, forcing some settings to develop innovative roles or approaches without structural or financial support, revealing a glaring need for clinical, organizational and culturally appropriate support.

Overall, teams need training, culturally adapted clinical tools and standardized support mechanisms to promote consistent, safe interventions that comply with the legal framework, especially in complex situations of neglect and crisis. In this regard, the Protecteur du citoyen is making three recommendations (R-1, R-2, R-6).

Supporting elements – Prevention services

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning certain organizational and operational aspects of prevention services. They shed light on favourable conditions observed in the field and focus specifically on access to specialized prevention and crisis management services, access to the information necessary for the preventive monitoring of families, and issues related to a common understanding of key concepts that influence intervention practices.

1. Accessibility of specialized prevention and crisis management services

The analyses point to persistent gaps in access to specialized prevention and crisis management services in different territories and contexts.

In some settings, easier access is associated with:

- the existence of service corridors between public institutions and First Nations and Inuit service providers;
- clinical and organizational projects implemented regionally for crisis intervention and intensive follow-up;
- formalized partnerships between the HSSN and Indigenous community services, particularly in urban settings.

2. Access to relevant information for the preventive monitoring of families

The analyses reveal **recurring barriers to information sharing**, which limit the speed and coordination of preventive interventions.

In certain contexts, information exchange improves when:

- the legal frameworks governing information sharing are better understood and implemented;
- support services tailored to the realities of First Nations health centres and facilitating information sharing in accordance with legislative frameworks are available;
- service pathways in urban settings are subject to increased coordination with Native Friendship Centres;
- clinical and administrative tools facilitate communication between front-line and second-line services.

3. A shared understanding of concepts specific to prevention services

The analyses show that **differences in understanding persist regarding key concepts that may be more sensitive** (voluntariness, risk management, crisis management, neglect).

When better alignment of practices is reported, the following factors play a role:

- the existence of forums for dialogue between managers and service leaders from the HSSN and from First Nations and Inuit communities, aimed at establishing a shared understanding of concepts specific to prevention services;
- the use of shared guidelines or tools that promote a common and culturally safe interpretation of these concepts.

3.2. Family councils

Call for Action 110: Enshrine in the *Youth Protection Act* a requirement that a family council be set up as soon as an Indigenous child is involved in a youth protection intervention, whether or not the child is at risk of being placed.

3.2.1. Background for the Call for action

The establishment of a family council as soon as the DYP becomes involved in a child's life, as advocated by Call for Action 110, aims to recognize and leverage First Nations and Inuit expertise in the care of their children. By fostering a better understanding of the circumstances faced by children and families, the family council serves as a tool to promote culturally safe, collaborative decisions that ensure the children's development and safety, in accordance with the right of First Nations and Inuit peoples to self-determination in child and family services.

In its first follow-up report in 2023, the Protecteur du citoyen concluded that the implementation of Call for Action 110 had begun but was still unsatisfactory. The adoption in 2022 of the *Act to amend the Youth Protection Act and other legislative provisions*⁵⁴ introduced the concept of the family council into the YPA, with the addition of sections 131.9 to 131.13. This addition is a step forward. The amendment provides for a three-year delay before it takes effect to allow for the gradual adoption of this new obligation and a transition in practices. Work on implementing these legislative changes was still in its early stages in 2023, so the Protecteur du citoyen was unable to determine whether the Call for action had been fully carried out.

Responsibilities of the DYP concerning the creation of family councils

YPA, section 131.9: "In the following cases, the director shall inform the parents of an Indigenous child, and the child if he is 14 years of age or over, of the possibility of forming a family council:

- a) a provisional agreement provided for in Division II.1 of Chapter IV has been reached;
- b) it has been decided by the director, in accordance with section 51, that the security or development of the child is in danger; and
- c) prior to the review of the child's situation in accordance with section 57 or 57.1.

The council is formed in accordance with Indigenous custom or practice. Where such a council is not formed, the director forms it if the parents and the child, if applicable, request it; he then solicits the cooperation of the community or of an Indigenous agency in an urban area. The director is not bound by the obligations set out in the first and second paragraphs in the cases where a family council has already been formed.

For the purposes of this chapter, a family council also includes any other similar authority."

⁵⁴ *An Act to amend the Youth Protection Act and other legislative provisions*, SQ 2022, c. 11.

Sections 131.9 to 131.13 of the YPA came into effect on April 26, 2025, after the MSSS called on the DYPs to coordinate the transition with the communities and the organisations in urban settings within their jurisdictions, and following discussions with Indigenous representative bodies. During that same time, MSSS published a guidance sheet called *Fiche d'orientation sur le conseil de famille*.⁵⁵ This document explains the origins of the term “family council,” the range of practices it covers within the meaning of the Act and the responsibilities of the DYP.

Among other things, the DYPs are responsible for seeking the cooperation of First Nations and Inuit partners before forming a family council. They must also inform the parents and the child of the possibility of holding a family council. The guidance sheet also presents some operational measures designed to support the DYP in fulfilling its responsibilities.

The MSSS guidance sheet emphasizes the importance of effective communication and collaboration between the DYPs, the communities and Indigenous organizations in urban settings to ensure that all children can benefit from a family council if they so choose. These actors are invited to discuss and come to agreement on various issues, such as:

- the scope and role of the family council;
- the legal obligations of the DYP;
- the need to act with due diligence;
- avenues for ensuring smooth collaboration;
- means of recognizing and legitimizing existing or emerging practices;
- the various options available to the child and their parents, based on their preferences.

3.2.2. Review of consultations

Before presenting its observations, the Protecteur du citoyen wants to point out that at the time the consultations were held, between March and June 2025, the sections of the YPA concerning family councils were about to or had just come into effect, and the guidance sheet had begun circulating in the HSSN. Further meetings were held later in 2025, allowing representatives to assess the implementation of the new sections of the YPA. The feedback gathered reflects this transition period. It raises several questions regarding the implementation of the changes introduced by the YPA and, to some extent, their limitations.

⁵⁵ MSSS, *Fiche d'orientation sur le conseil de famille*, March 2025.

Family councils among the First Nations

First Nations participants had mixed reactions to the inclusion of family council provisions in the YPA. Some noted that the concept of “family councils” includes collective governance practices that have long existed in their communities. These practices were already in place without the involvement of the DYP. Moreover, the use of these practices is not limited to situations requiring protective measures:

“We have family centered circles in our community. We try to use that not just in protection, obviously. It can be a prevention type of activity. It really does give ownership back to the family. If a mom or a dad is struggling with an issue, with substance abuse or something like that, it’s often the aunties, the best friend, the grandmother that are telling the truth in the best interest of the child. So, it makes those family members accountable to each other.” – *Participant, First Nation community*

“It’s kind of like a family group conferencing. That concept is been around for many years. Either the family asks for it, or the clinical saying “how about we try this approach with the family and bring them together to discuss solutions?” It seems to be useful especially when we are working with a family that is vulnerable. How can we bring in the extended family? Sometimes cousins are considered like sisters... it’s really looking at the family not through the western lenses.” – *Participant, First Nation community*

“We use different forms [: the family meeting or the circle]. We can do a family meeting. It’s the same concept as a circle, but in the family meeting, all the information is documented and put into the file. Like behaviors of the family, if the parents are accountable, worries and concerns. All of it. In the Circle, most of the time, we bring in a facilitator to do that. And that information is not documented. What we can document is if there is a safety plan created, a placement plan, things like that, but no other information.” – *Participant, First Nation community*

Other participants noted that in their communities, the family council practice still needs to be established or at least strengthened. In some cases, it is being developed at the request of the DYP, which is committed to fulfilling its obligations under the YPA. Although these requests are made in compliance with the DYP’s obligations, they can disrupt the pace of community service development or require the reallocation of resources that would otherwise have been assigned to other priorities.

Family councils among the Atikamekw

The Agreement between the Conseil de la Nation Atikamekw and the Gouvernement du Québec, signed on January 29, 2018⁵⁶, and now applicable in Manawan and Wemotaci, provides that a family council can be established at the request of the director of social protection⁵⁷, who has the following responsibility:

- determine the reasons for the intervention;
- identify the steps to be taken to rectify the situation;
- designate members of the circle of support.

In Opitciwan, the family council is defined as a body bringing together those directly affected by a child's situation in order to support the child's development. The LPSAO, which came into force on January 17, 2022⁵⁸, stipulates that the family council aims to:

- gather the significant people;
- explain why the director of social protection is involved in the family's life;
- outline voluntary measures to resolve the problematic situation;
- allow for respectful discussion;
- ensure the commitment of all parties present;
- establish a circle of support, as needed.

For other communities, family councils are primarily established out of a collective desire to implement culturally safe processes. At the same time, alternative approaches are being developed to address situations requiring preventive or protective intervention. One First Nations community reported considering the development of family councils as part of its efforts to draft a youth protection law:

“Présentement, on est en train de former notre loi à nous. On est en transition. On voudrait que dans tous les services, tous les programmes en fait, que ce soit en première ligne ou en protection, qu'il y ait des cercles de familles. On veut vraiment donner la voix aux familles au lieu de décider pour eux. On essaie d'en inclure partout. C'est nouveau, mais ça va super bien. Puis, c'est vraiment ce que la communauté veut aussi.

⁵⁶ “Pursuant to section 37.5 of the *Youth Protection Act* (YPA), the Gouvernement du Québec is authorized to conclude an agreement establishing a special youth protection program applicable to a child whose safety or development is or may be considered to be at risk. This agreement can be concluded with a nation, a community, a group of communities or any other Indigenous group.” Source: Gouvernement du Québec, “[La protection de la jeunesse au cœur de nos priorités - Signature d'une entente entre le Gouvernement du Québec et le Conseil de la Nation Atikamekw](#),” January 29, 2018 /CNW Telbec. [Online] Retrieved March 10, 2026. Translation.

⁵⁷ Within the Atikamekw authority intervention system (SIAA), the direction of social protection (DPS) is responsible for watching over children and youth whose safety or development is or may be considered at risk. “The DPS carries out all the responsibilities of a DYP with regard to youth protection, guardianship and adoption.” Source: Atikamekw Sipi, [Système d'intervention d'autorité Atikamekw \(SIAA\)](#). [Online] Retrieved March 10, 2026. Translation.

⁵⁸ Conseil des Atikamekw d'Opitciwan, [Loi de la Protection sociale Atikamekw d'Opitciwan](#) [Atikamekw of Opitciwan social protection law – LPSAO], 2020. [Online] Retrieved March 10, 2026.

On a eu des consultations l'année passée par rapport à notre loi, puis c'est vraiment ce qui est souhaité." – *Participant, First Nations community*

Translation: "Right now, we're in the process of drafting our own law. We're in transition. We want all services – in fact all programs – whether they're front-line or child protection services, to have family circles. We really want to give families a voice instead of making decisions for them. We're trying to include them everywhere. This is new, but it's going really well. And it's really what the community wants, too. We held consultations last year about our law, and this is what people wanted."

For Anicinapek communities served by Mino Obigiwasin, Wawiya is already a well-established service. Wawiya is a gathering of immediate and extended family members, friends, loved ones and anyone else who is important to the child and family going through a difficult time.⁵⁹ Here, too, its use is not limited to protection situations.

One of Wawiya's objectives is to mobilize community resources and support around the family, expand the range of options and solutions that promote cultural safety and examine the situation from different angles in order to get a clear picture.

With the coming into force of the YPA's family council provisions, the Mino Obigiwasin team is looking at how to position Wawiya within the service pathway. There is concern that merging the two practices could undermine the meaning and relevance of Wawiya for the communities it serves. They are therefore considering maintaining a clear distinction between Wawiya and family councils:

"On essaie vraiment de s'adapter, mais il demeure qu'on est encore coincé dans un cadre strict, légal, comme d'oppression, où on met énormément de pression sur les intervenantes pour répondre à des délais, d'aller vite puis de débarquer. Donc, on est un peu à contre-courant présentement dans tout ça." – *Participant, First Nations community*

Translation: "We're really trying to adapt, but we're still stuck in a strict, almost oppressive legal framework that puts a lot of pressure on caseworkers to meet deadlines, work quickly and move on. So, we're kind of swimming against the current right now in all this."

Although the inclusion of family councils in the YPA reflects a desire to recognize practices that are considered traditional, many of the people we spoke with expressed reservations about formalizing them. For many, family councils are a way of exercising the right to self-determination. However, the inclusion of these councils in the YPA – along with the deadlines it prescribes – is viewed by some as a distortion of a meaningful practice recognized for promoting cultural safety. According to many participants, there is a risk that communities will no longer

⁵⁹ Mino Obigiwasin, Anicinape Child and Family Services, [*Wawiya – Fiche descriptive*](#), [Online] Retrieved March 10, 2026.

see family councils as legitimate governance structures, but as mechanisms imposed from outside:

“Les conseils de famille... Ils les ont cadrés alors que nous, on n’a pas de cadre. C’est encore la même affaire : c’est nous qui devons nous cadrer à ce qu’eux veulent. Il y a une résistance aussi, parce qu’on le force. C’est la représentation de l’autorité de la LPJ qui arrive, puis qui dit à une famille : ‘Là, il faut que vous vous preniez en main pour prendre soin de l’enfant’”. – *Participant, First Nations community*

Translation: “They structured family councils, but we have no structure. It’s the same old story: we’re the ones who have to adapt to what they want. There’s resistance too, because this is being imposed on us. It’s like the YPA authorities turning up and telling a family, ‘Look, you have to get your act together so you can take care of the child.’”

Representatives whom we met with individually in January 2026 shared an observation based on the experience of various family councils since May 2025: under specific circumstances, the council’s recommendations are disregarded. When the proposed solutions align with the values of the person reviewing the case at the DYP, it is generally simpler to reach a consensus on how to proceed and the measures to be put in place. Conversely, when the proposed solutions draw on concepts that are foreign to non-Indigenous caseworkers, such as the concept of multiple attachments, discussions become more difficult. The same is true when the solutions appear to compromise the child’s stability or involve increased risk management. In these cases, the person responsible for the review tends to base their decision on their own professional judgment and disregard the family council’s recommendations.

This dynamic is contributing to the growing disengagement of families, who feel that the outcome of the councils is predetermined.

“On consulte la famille, mais au final, c’est le réviseur qui décide. Donc, les familles, on le constate, elles sont beaucoup dans le ‘[pourquoi on] irait adresser ça, alors que dans le fond c’est pipé d’avance’. [...] Par exemple, on a une révision à faire, on le sait très bien ce que la famille va recommander [...] Mais on sait déjà que le réviseur, dans son orientation, ça ne fait pas partie de son orientation, à cause de ses craintes [...] Dans des situations faciles, quand ça ne rentre pas en conflit avec le besoin d’être rassuré, ou le besoin de mettre en place un rôle plus dans l’idéologie du DPJ, ça fonctionne quand même. Mais [quand on] est dans des choses picky, qui nécessiteraient une gestion de risque plus grande, dans des choses comme ça, là [les orientations du conseil de famille ne sont pas suivies].” – *Participant, First Nations community*

Translation: “They consult the family, but in the end, it’s the reviewer who decides. We can see that many families are wondering why they should even bother with this, since the outcome is a foregone conclusion. [...] For example, there’s a review coming up, and we know exactly what the family is going to recommend [...] But we already know

that the reviewer won't be on board due to certain concerns [...] In straightforward situations, when there's no conflict with the need for reassurance, or the need to establish a role more in line with the DYP's ideology, it works fine. But [when we're] dealing with difficult situations that require greater risk management, cases like that, [the family council's recommendations are not heeded]."

Yet the intention behind Call for Action 110 was precisely to recognize and restore decision-making power to the significant people in a child's life to help keep children in their communities. This principle is, after all, at the very heart of the concept of the family council. For these communities, it is of the utmost importance that these councils truly mobilize the community, for example by enabling the formation of a circle of support. Family councils bring about meaningful changes in practices and relationships with community services, in keeping with their own values and culture.

Lastly, among DYPs, reactions to the new legal requirements range from openness to ambivalence. Several DYPs said they were open to working with the communities and had initiated discussions with them about family councils even before the new YPA provisions came into force.

This is the case for the DYP of the CISSS de la Côte-Nord, which believes that involving the family council in reviewing and planning the child's permanency plan helps to ensure that decisions are made in the child's best interests. Another example is the DYP of the CISSS de l'Abitibi-Témiscamingue. It indicated that when a change in protective measures is necessary, the analysis carried out by the permanency planning committee – which includes reviewing placement options and consulting with the extended family and the community – can be supplemented by holding a family council. The council's recommendations, once presented to the reviewer, must be taken into consideration in the child's best interests.

Since September 2025, a pilot project authorized and funded for two years by the MSSS at the CISSS de Lanaudière has allowed the Conseil de la Nation Atikamekw (CNA) to organize family councils in urban settings, with the parents and child participating in preparatory meetings. It also plans to add an Atikamekw support worker for urban settings in 2026 to help ensure that the DYP's interventions are respectful of customs and traditions.

Conversely, other DYPs have expressed reservations. They feel uncomfortable playing a role in conducting family councils, even though this is what the YPA requires.

Regarding the recommendation in the guidance sheet stating that DYPs should seek the collaboration of First Nations and Inuit service providers at an early stage, a variety of approaches were observed: some were proactive, while others preferred to wait until they were contacted. Some DYPs are also wondering what to do when the community is unable to participate in a family council, despite the family's request.

Family councils in urban settings

In urban settings, many of the people consulted shared similar observations to those from First Nations communities. According to them, decisions made by family councils are rarely followed, and the DYP makes its decisions based on criteria that do not consider First Nations and Inuit culture.

“Dans le conseil de famille, on est censé tenir compte de ce qui s’est dit ou des engagements avant de décider. Mais ils avaient déjà décidé. On a tenté de rectifier le tir avant de passer à la Cour, mais la DPJ a quand même changé de position quand il était temps de passer à la Cour. Donc, non seulement le processus qu’ils tentent de mettre en place n’est pas respecté, mais c’est comme s’il [le conseil de famille] n’avait aucun pouvoir. Il n’y a pas de changements à part dire ‘on vous écoute’”
– *Participant, Friendship Centre*

Translation: “The family council is supposed to consider what was said and the commitments that were made before making a decision. But they had already decided. We tried to rectify the situation before going to court, but the DYP still changed its stance when it was time to go to court. So not only is the process they’re trying to implement not being followed, but it’s as if it has no power at all. Nothing has changed except for them saying, ‘We’re listening to you.’”

Other participants had discussions with the DYP concerning the implementation of family councils. After these discussions, one person expressed concern about being associated with placement decisions they oppose, simply because they are supporting the parents through the process. While participants say they want to collaborate with the DYP, they want to do so in a complementary capacity. They do not want to be seen as an extension of the institutional system, in order to preserve the essential bond of trust they have with families.

Some discussions also touched on the DYP’s obligation to hold a family council when no Indigenous community can organize one if the parents and the child request it. The nature of these discussions, which focused primarily on the DYP’s legal obligations rather than on the cultural and social basis of family councils, made some of those consulted feel uncomfortable.

“Il y a des pratiques culturelles dans un conseil de famille. Il y a des Aînés... Est-ce que c’est sain que ce soit la protection de la jeunesse qui porte des accusations contre un parent, mais qui organise aussi son conseil de famille ? Pour moi, c’est très préoccupant. Et l’adhésion de la famille à ce fameux conseil de famille sera aussi faible que pour toutes les autres interventions de la protection de la jeunesse.”
– *Participant, Friendship Centre*

Translation: “There are cultural practices involved in a family council. There are elders... Does it make sense for youth protection services to make accusations against a parent, but also organize their family council? I find this very concerning. And the family will be just as uncooperative with this so-called family council as they would be with any other youth protection intervention.”

Despite these reservations, some Friendship Centres wish to develop their capacity to hold family councils or support families. Others would like to actively collaborate, as proposed in the *Fiche d'orientation sur les conseils de famille*. However, concerns remain about the required funding and human resources, as well as the DYP's and justice system's consideration of the suggestions and decisions made by family councils. Past experiences in other areas suggest that institutions would not recognize their contribution and compensate them fairly for it.

Some processes developed within the HSSN, such as team decision meeting (TDM), "share philosophical foundations with certain Indigenous and community practices." For them to qualify as family councils, "the community or urban Indigenous agency must be involved and legitimize this approach."⁶⁰

According to professionals at Friendship Centres, the DYP tends to be unfamiliar with family council procedures and even seems to favour practices developed under the *Ma famille, ma communauté* program, which they are more familiar with. The TDM, which stems from this program, brings together equal numbers of family representatives, youth protection workers and family support resources. This process can be intimidating and feel invasive for families:

"La rencontre commence en énonçant tout ce qui s'est passé au dossier devant beaucoup d'inconnus et c'est très difficile. Je sais que ce sont des inconnus qui sont supposés être là pour aider, mais ce sont des personnes qui n'ont jamais été là, que la famille rencontre pour la première fois. Souvent, ce sont des personnes non autochtones, donc ça peut être super confrontant." – *Participant, Friendship Centre*

Translation: "The meeting begins by going over everything that's happened in the case in front of a bunch of strangers, and that's really hard. I know these strangers are there to help, but we've never seen them before – the family is meeting them for the first time. And they're often non-Indigenous, so it can feel really intimidating."

Some institutions include managers or department heads to simplify administrative procedures and speed up decision-making. Some Friendship Centres have highlighted the DYP's willingness to adjust its practices to create a safer environment for children and their families. However, this openness to change is uneven, varying considerably from one DYP or region to another, and can even differ from one person to another within the same organization.

⁶⁰ MSSS, *Fiche d'orientation sur le conseil de famille*, supra, note 55, p. 5. Translation.

For their part, the DYPs expressed concerns about the feasibility of holding family councils within the prescribed timeframes, particularly in big cities like Québec and Montréal, which take in children from Indigenous communities across Québec and Canada. Despite the experience gained through the *Ma famille, ma communauté* program, some DYPs reported that a paradigm shift was needed within their teams. According to one of them:

“Notre obligation est d’informer les familles. On a un travail à faire pour gérer notre tolérance au risque dans certaines situations, mais ça reste que c’est de l’empowerment pour les communautés pour prendre soin de leurs enfants.” – *Participant, DYP*

Translation: “Our duty is to inform the families. We have to manage our risk tolerance in certain situations, but ultimately this empowers communities to take care of their children.”

The DYP’s duty to inform parents about the possibility of forming a family council and to seek the collaboration of the community or an urban Indigenous organization can be complicated when the parents are from different communities, when only one parent requests a family council, when a youth aged 14 or older refuses or when multiple Indigenous laws may apply. These situations require coordinated interventions and consultation with the relevant Indigenous governing bodies, taking into account both the best interests of the child and the continuity of their cultural ties, within the framework established by the ARFNIMCYF (ss. 10 and 20–24).

Family councils in Nunavik

In Nunavik, all participants in the consultations stated that the establishment of family councils – Ilagiit Councils – is a priority. As NIP explains, the goal is for these councils to provide Inuit-led, community-based support to families, guided by Inuit values, with an emphasis on family strengths and placement prevention. The role of the councils is to facilitate decision-making by mobilizing family and community resources and identifying solutions that best serve the child’s interests.

Several factors have hindered NIP’s ability to provide these services. The first concerns a lack of physical resources. For example, the first Ilagiit Councils organized a few years ago were held at the DYP offices, which proved problematic due to the families’ mistrust:

“Ça confrontait trop, parce que ça se faisait dans un local de la DPJ. Les gens disaient : ‘Encore un local de la DPJ?’ Même en expliquant que c’est une initiative pour éviter un placement, c’était trop attaché.” – *Participant, Nunavik*

Translation: “It was too confrontational because it was in a DYP office. People were saying, ‘Another DYP office, really?’ Even when we explained that the purpose of this initiative was to avoid placement, the association was just too strong.”

This experience drove NIP to review its Ilagiit Councils development and rollout plan to ensure alignment with Inuit cultural values, a challenge compounded by the lack of suitable facilities to provide these services. Although NIP is currently unable to organize Ilagiit Councils for all families, the two DYPs⁶¹ are still required to inform families of this option, to collaborate with NIP when its involvement is necessary and, if needed, to offer a non-customary council if the family wishes.

Another obstacle that has been raised repeatedly is the lack of financial resources needed to hire and compensate qualified Inuit individuals for this key role. At the time of writing, services remained limited but functional: a coordinator was covering all of Nunavik, and funding had been secured to hire a facilitator based in Inukjuak. In addition, training materials for new staff were already prepared.

Participants also highlighted tensions regarding the amount of time NIP was taking to establish councils relative to the legal requirements set forth in sections 131.9 to 131.13 of the YPA. As one representative put it:

“We are in a process of hiring new facilitators that will at least cover the emergency part. Because it’s becoming more demanding from the services, and with the new amendment of the YPA, it’s becoming more demanding. So we are hiring at least to cover the emergencies.”
– *Participant, Nunavik*

According to the latest information gathered by the Protecteur du citoyen, the pressure exerted by the Youth Division of the Court of Québec seems to have subsided since the consultations. It seems that people have come to understand the constraints NIP is facing.

Nevertheless, all those consulted emphasized the importance of holding family councils early in the service continuum, as soon as a report is accepted. If the council is held too late – for example when a provisional agreement is concluded or when a decision is made regarding whether the child is in danger – families feel that they are not truly being consulted and that they are being trapped. The operational procedures set out in the YPA do not align with the needs and practices put forward by NIP in the development and delivery of its services.

Given this context, family councils were held in a more informal manner in the last quarter of 2025, under conditions more in line with the pace and needs of families:

“Ilagiit Councils held over the past few weeks have been conclusive, and feedback from families and service partners has been very positive. These early experiences confirm the relevance of the model and its potential impact when adequate resources are in place.” – *Participant, Nunavik*

Moreover, a working group was formed to review the service continuum and adapt the assessment and referral process for youth in need of protection, including by strengthening prevention services for cases of neglect or serious risk of neglect. This initiative, carried out in Inukjuak as part of Pigiaviliutik, aims to better align community intervention, youth protection

⁶¹ The Nunavik region has two DYPs: one for Ungava Bay (under the authority of the Tulattavik Health Centre) and one for Hudson Bay (under the authority of the Inuulitsivik Health Centre).

services and NIP, and is based on agreements that are currently being negotiated. Staff from NIP and the DYPs are working together on this committee.

The Nunavik DYPs have stated that they support NIP in establishing family councils. They have also pledged to respect the decisions made by these councils and to contact NIP promptly after accepting a report.

3.2.3. Findings and observations – Family councils

After analyzing the information obtained, the Protecteur du citoyen has made two general findings.

Finding 1 – Funding of community organizations and clarification of expected roles

The collaboration and active involvement of Indigenous community organizations are essential to the effective implementation of family council provisions. While this involvement is welcomed, no financial resources have been allocated to enable these organizations to take on this key role. Furthermore, in some cases, the roles are not clearly defined.

- **Funding:** It is essential to determine who is responsible for funding family council preparation and coordination, regardless of location. Funding must cover support for the parents, the child and other parties involved before and during the council and follow-up. This clarification is consistent with the recognition of First Nations' and Inuit's expertise and right to self-determination.
- **Clarification of roles:** There is a recurring need to more clearly define and communicate the roles and responsibilities expected of the DYP, the community or the Indigenous organization, in order to support more consistent and predictable collaboration. Several grey areas persist regarding roles and responsibilities in so-called "complex" situations: only one parent requests a family council, the parents come from two different communities, the child requests or refuses the measure, or the community or organization is unable to provide the necessary support. In all situations, it is important to ensure that the rights of children and families are respected by making the necessary adjustments.
- **Reluctance among DYPs:** Some DYPs are reluctant to engage in discussions aimed at establishing family councils due to concerns that it could undermine long-standing partnerships. This reservation also stems from the uncertainty surrounding this new initiative. Moreover, some DYPs feel that their teams lack the legitimacy and cultural expertise to "solicit" and hold family councils. This raises the question of the DYP's role and the sharing of responsibility, while still aiming to respect First Nations' and Inuit's right to self-determination.

Regarding funding issues related to the participation of First Nations and Inuit social service providers in the implementation of family councils, the Protecteur du citoyen is making one recommendation (R-6).

Finding 2 – Tensions between the legal framework and communities self-determination

Family councils can be a powerful tool for support, prevention, family reunification and empowerment for families and communities. However, formalizing this practice in the YPA poses a risk of tension between the legal framework and self-determination.

- **Autonomy of family councils:** Traditionally, these collective decision-making mechanisms do not require any outside review as long as there is consensus among the participants.
- **The YPA framework** imposes a certain pace and procedural logic, which can shift the perception from a support tool to a restrictive one.
- **Role of the DYP:** The DYP must take the family council's recommendations into account, but is not bound by them. It must nevertheless make every effort to respect the family council's proposals and maintain dialogue to ensure a shared understanding of the issues and solutions. If these efforts are not made, trust is undermined and family participation is hindered.
- **Refusal to hold a family council:** The new provisions of the YPA could be perceived as a coercive measure if the DYP interprets a refusal to hold a family council as parental disengagement. Even though family councils are not mandatory, refusing to hold one does not affect the application of maximum placement periods.

The central issue remains that empowering significant people and the community to fully exercise their decision-making authority in matters concerning their children is crucial because they are in the best position to do so.

Supporting elements – Family councils

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning the implementation of family councils. They shed light on the favourable conditions observed in the field, paying special attention to transparency regarding how their decisions are taken into account and their involvement in the service continuum.

1. Shared clarity on the roles and responsibilities associated with family councils

The analyses show **variability in the understanding and application of the roles and responsibilities associated with family councils**, which may affect equitable access to this mechanism depending on the region and context.

In some settings, an implementation perceived as more consistent and equitable is associated with:

- the existence of co-constructed guidelines that clarify the roles and responsibilities of DYPs and Indigenous community partners, including in urban settings;
- a focus on conditions that foster the establishment and maintenance of trusting relationships between families, public services and Indigenous community services;

- the clarification of funding arrangements for the organization of family councils, including the involvement of Indigenous community partners in preparations, family support and follow-up;
- the sharing of these guidelines with First Nations and Inuit institutions and social services providers;
- consideration of certain specific situations that may influence whether and how a family council is held, including:
 - situations involving parents from different communities;
 - requests made by just one parent;
 - situations where the child is reluctant or refuses;
 - geographical distance from the extended family;
 - or situations where the community chooses not to participate.

2. Consideration of decisions made by family councils

The analyses reveal that **the way decisions made by family councils are taken into account is a key factor** in gaining families' trust and ensuring the recognition of traditional practices.

In certain contexts, transparency and consistency are perceived to be greater when:

- there are procedures in place to document how proposals made during family councils are considered;
- feedback mechanisms promote communication between the DYP and community services regarding how decisions are followed up;
- qualitative and quantitative data are available to better understand how practices are changing to reflect legal obligations;
- a shared understanding of decisions is facilitated by the structured recording, in clinical and administrative tools, of information related to family council follow-up, particularly regarding:
 - the communication of information about the possibility of holding a family council (to whom and when);
 - the identification of the person or body responsible for soliciting and coordinating the council;
 - the decisions made by the family council;
 - explanatory notes recorded when some of the council's decisions are not approved.

3. Mobilizing the family council in the service continuum

The analyses suggest that the time at which a family council is proposed in the service pathway can influence the opportunity to involve the extended family and natural support networks.

In certain contexts, earlier and more integrated mobilization is associated with:

- the existence of mechanisms to consider preparing a family council when risk factors are identified for a First Nations or Inuit child and when this is consistent with the customs of their community;
- a better understanding, by staff working in prevention services, of certain concepts specific to the YPA and the ARFNIMCYF;
- the availability of explanatory tools on family councils, developed or adapted to be consistent with those used in the communities and leveraged as a mean of prevention for children and families.

4. Follow-up on the Calls for action related to placement

4.1. Exemptions from maximum placement periods

Call for Action 108: Amend the *Youth Protection Act* to exempt Indigenous children from the application of maximum periods for alternative living environments as stipulated in sections 53.0.1 and 91.1.

4.1.1. Background for the Call for action

The YPA sets a limit on how long a child can be placed in a setting other than with their parents. This is called the maximum placement period. The length of this period depends on the child's age. When the limit is reached, the child's situation is reassessed by the court to work out a permanent life plan that will give them stability.

Due to the communities' strong opposition to the application of these time limits in Indigenous contexts, Call for Action 108 requests that Indigenous children be exempted from maximum placement periods in alternative environments by amending the YPA.

This Call for action aims to review the importance placed on attachment theory, which the maximum placement periods are based on. As the CERP clearly demonstrated, emphasizing this theory in an Indigenous context is not appropriate, as it ignores the multiple attachments children form with several significant adults and the importance of the extended family.

Furthermore, the application of maximum periods does not consider the culture and realities of First Nations and Inuit families. Factors such as the concept of time, the extent of hardship and trauma, underfunding, the lack of intensive and prevention services and the housing shortage can sometimes make it difficult for families to change their situation in the time required.

In its first follow-up report in 2023, the Protecteur du citoyen noted that Call for Action 108 had been initiated but in an unsatisfactory manner. An exception to the maximum placement periods had been introduced for Indigenous children with the addition of sections 131.12 and 131.14 through the *Act to amend the Youth Protection Act and other legislative provisions*. This exception is conditional on the formation of a family council. Although this amendment partially addressed Call for Action 108, it was deemed unsatisfactory because it did not follow the CERP's recommendation or Indigenous representatives' requests for unconditional exemption. Furthermore, at the time of the 2023 report, section 131.12, although enacted, had not yet come into force, and the conditions for its application remained uncertain.

Sections 131.12 and 131.14 of the YPA finally came into force on April 26, 2025. In the absence of a family council, the maximum placement periods set out in section 91.1 apply. The fourth paragraph of section 91.1 specifies, however, that the court may deviate from these time limits

if it is in the best interests of the child and if a return to the family environment is being considered in the short term or if there are serious reasons to justify it.

Meanwhile, subsection 16(3) of the ARFNIMCYF requires that the possibility of reuniting an Indigenous child with a parent or, failing that, with another adult family member, be reassessed on an ongoing basis. The *Guide sur l'intérêt de l'enfant autochtone* notes that the frequency of reassessment can vary from case to case. It also states that:

"The DYP must comply with its statutory obligation to reassess the possibility of the child returning to their family (s. 16(3), ARFNIMCYF), even when a long-term alternative life plan has been established."⁶²

4.1.2. Review of consultations

The consultations revealed a wide range of issues related to the exemption from maximum placement periods on the condition that a family council is formed. This matter is all the more important because it lies at the intersection of communities' right to self-determination and the best interests of the Indigenous child.

Maximum placement periods for First Nations

Information gathered by the Protecteur du citoyen reveals conflicting perceptions of the effects of maximum placement periods. On the one hand, many DYPs feel that these provisions are no longer a problem for First Nations children and families. They argue that both they and the justice system are demonstrating greater flexibility when considering the best interests of the child. On the other hand – and this sentiment varies from one health region to another – First Nations participants said they feel pressure, especially from the justice system, to quickly establish a stable life plan. Some even indicated that clarifications had been demanded in court, despite the establishment of a family council.

It is therefore noteworthy that, during a meeting in March 2025 with the NDYP and the MJQ, a community requested a moratorium on the application of the maximum placement periods provided for in the YPA, without conditions. This measure aims to preserve the cultural continuity of youth. In response to this request, provincial authorities reportedly stated that they "must respect the current state of the law."

This critical view was echoed by other First Nations, who pointed out that maximum placement periods are out of step with their family, cultural and social realities. First, the prospect of losing hope for reunification after a given deadline is generally deemed contrary to the prevailing social norms in these communities:

"Il faut toujours donner la chance à ses parents, mais pour leur donner la chance, il faut les soutenir, il faut les aider dans leurs problématiques, puis essayer de forcer les choses pour qu'ils puissent se prendre en main afin de ravoir leur enfant." – *Participant, First Nations community*

⁶² *Guide sur l'intérêt de l'enfant autochtone*, supra, note 25, p. 22. Translation.

Translation: “You always have to give the parents a chance, but to give them that chance, you have to support them, help them with their problems and encourage them to take charge of their lives so they can get their child back.”

Furthermore, requiring the formation of a family council could be detrimental to communities that do not wish to adopt this practice, particularly in emergency situations or when family or community circumstances make it difficult to establish one. Some participants also mentioned that having to take a stance on sensitive matters involving loved ones can be upsetting. Others also pointed out that this requirement is highly unfair to parents who lack access to services, who do not have a supportive family network willing to get involved in formal processes or who, due to tensions, rifts or geographical distance, do not wish to pursue this approach.

“On l’entend même des intervenantes. Si tu veux créer un lien, c’est six mois, et amener la famille à aller chercher des services, c’est un an. Donc tu as déjà un an de passé dans un délai de placement. Ça n’a jamais été favorable aux familles en communauté pour qu’ils reprennent leurs enfants. Puis, je ne comprends pas qu’on mette en exception avec un conseil de famille, ça devrait juste être en tout temps, au rythme du parent.” – *Participant, First Nations community*

Translation: “Even the caseworkers will tell you this. It takes six months to build a bond and a year to get the family to seek services. So that’s already one year in the placement period. The system has never made it easy for families in the communities to get their children back. And I don’t understand why an exception is made with a family council—it should simply apply at all times, at the parent’s pace.”

In practice, this condition is primarily dependent on a family’s ability to enlist the support of loved ones and agree to follow a specific model, rather than focusing on the child’s actual needs. As such, requiring the establishment of a family council as a condition for obtaining an exemption from the maximum placement periods is inconsistent with the principles of substantive equality set out in the ARFNIMCYF.

In short, placement until majority, adoption and guardianship decisions are often viewed as problematic when made by an authority outside the community. Despite these concerns, many participants recognize that the minimum standards set out in the ARFNIMCYF now give them the leverage to ensure that such decisions are no longer imposed on them. Since the ARFNIMCYF now requires regular reassessment (Section 16(3)), some participants spoke about their most recent experiences with placement until majority decisions that had been made prior to the Supreme Court of Canada’s February 9, 2024 ruling on the validity of the Act:

“On les repasse tous régulièrement. Pas toutes les semaines, mais on questionne toujours : ‘Est-ce qu’on est en mesure éventuellement de retourner l’enfant dans sa famille?’. Pas nécessairement auprès de ses parents, mais chez une tante ou quelqu’un qui a lui changé son mode de vie et qui est maintenant disposé. [...] Est-ce qu’on peut mettre plus de sorties dans le milieu familial? Peut-être qu’il y a deux ans ce n’était pas possible, mais là on est rendus à le faire.” – *Participant, First Nations community*

Translation: “We reassess them all regularly. Not every week, but we always ask ourselves, ‘Will the child be able to return to their family at some point?’ – Not necessarily with their parents, but with an aunt or someone who’s changed their lifestyle and is now ready to take them in. [...] Can we organize more family visits? Maybe it wasn’t possible two years ago, but now we’ve reached a point where we can do it.”

“Tantôt je mentionnais le dossier où on a réussi à défaire la majorité [...] Tu sais, nous, on doit réviser les projets de vie en tout temps. On doit toujours se questionner, avec le maintien de l’attachement multiple. La juge a dit : ‘Depuis 12 ans, cet enfant-là vit dans sa famille d’accueil. Vous n’allez pas le retourner chez son père, ça n’a pas de bon sens.’ Mais nous, ça fait cinq ans à peu près que le père, ça va super bien. L’enfant va pratiquement chaque fin de semaine y passer tous les congés. Toujours. On s’est dit : ‘Ça n’a pas de bon sens de laisser cet enfant-là en famille d’accueil’. Donc, c’est sûr que ça s’est travaillé au fil des mois.” – *Participant, First Nations community*

Translation: “Earlier I mentioned a case where we managed to overturn a majority decision [...] You know, we have to review life plans all the time. We always have to ask ourselves questions, especially when it comes to maintaining multiple attachments. The judge said, ‘This child has been living with his foster family for 12 years. You’re not going to send him back to his father. That makes no sense.’ But we see that the father has been doing really well for about five years now. The child visits him practically every weekend and spends all his holidays there. Always. So we said to ourselves, ‘It makes no sense to leave this child in foster care.’ We worked on that case for months.”

Maximum placement periods in urban settings

Participants in urban settings reported that some DYP workers do not take into account the limited resources available to parents to address their challenges. As one Friendship Centre participant put it,

“Je ne vois pas beaucoup de dossiers où les intervenantes de la DPJ vont aller au-delà. Généralement, quand la durée maximale est atteinte, ils font une demande pour un placement à majorité, malgré le fait que ça peut être long d’avoir accès aux services, de faire tout son travail de cheminement sur sa trajectoire de guérison. [...] Ce n’est pas nécessairement reconnu que ça prend du temps.” – *Participant, Friendship Centre*

Translation: “I don’t see many cases where DYP workers go the extra mile. Usually, once the maximum period has been reached, they request a placement until majority, even though it can take a long time to access services and work through the healing process. [...] It’s not necessarily recognized that this takes time.”

On the same topic, many participants reported frequent requests to finalize a “stable” life plan for a child, even when the parents have followed the required measures. A Friendship Centre participant gave the following example:

“En ce moment, on a une famille d'accueil qui demande la garde complète, veut l'adoption d'un enfant. Mais les parents ont franchi toutes les étapes qui ont été demandées par la DPJ. Et ça fait plus d'un an que c'est à la Cour et qu'on anticipe. On a aussi eu vent par certaines familles d'accueil qu'il y a de la pression mise par des intervenantes de la DPJ pour des demandes de tutelle.” – *Participant, Friendship Centre*

Translation: “Right now, we have a foster family seeking full custody; they want to adopt the child. But the parents have done everything the DYP has asked of them. The case has been in court for over a year, and we're still waiting. We've also heard from some foster families that DYP workers are pressuring them to apply for guardianship.”

Many Friendship Centre participants also pointed out that it is still difficult to maintain frequent contact between parent and child during placement. They believe that reduced contact over long periods – especially in cases involving lengthy legal proceedings – weakens the parent-child bond and complicates the reunification process.

“Souvent, [les contacts] ne sont pas très fréquents, en fait. Et moins la protection de la jeunesse propose de contacts, plus c'est difficile de réintégrer l'enfant dans son milieu par la suite. Et durant le moment où on a de l'attente pour la Cour, c'est comme si, parce qu'il y a eu une proposition de contact par exemple de trois heures par semaine, on ne peut plus toucher à ça. C'est immuable, on attend la Cour. Parfois, on peut attendre six mois, huit mois, et ce n'est pas du tout dans l'intérêt de l'enfant; l'enfant, lui, il s'ennuie de son parent, peu importe les raisons pour lesquelles on propose un placement à plus long terme. L'enfant, lui, il a l'intérêt d'avoir plus de contacts avec son parent, puis c'est comme s'il n'y a pas de possibilité. Ce sont des situations qu'on vit souvent.” – *Participant, Friendship Centre*

Translation: “Often, [contact] isn't very frequent, actually. And the less contact youth protection proposes, the harder it is to reintegrate the child into their environment later on. And while we're waiting for the court's, it's as if – because there was a proposed contact schedule, say three hours a week – we can't change that anymore. It's set in stone; we wait on the court. Sometimes we can wait six months, eight months, and that's not at all in the child's best interest; the child misses their parent, regardless of why a longer-term placement has been proposed. It's in the child's best interests to have more contact with their parent, but it's as if that's not even a possibility. We encounter situations like this all the time.”

These participants pointed out that, with so many Indigenous children being placed in care and so few Indigenous foster families available, children are regularly placed in non-Indigenous environments, often outside their own communities, or even in other cities or regions. This geographical distance significantly complicates the maintenance of ties between the child and their parents, an issue that can be exacerbated when efforts to initiate and support contact are not implemented consistently. Examples were also shared to show that family reunification can sometimes be denied despite the youth's willingness and desire to return to their biological family.

“Elle veut vraiment venir rester avec sa famille paternelle chez sa kokom [grand-mère]. Elle veut connaître sa famille et sa culture atikamekw. C'est plus au niveau de la DPJ qu'ils sont réticents. Elle a des sorties acceptées par la Cour, mais à condition que ça se passe bien dans sa famille d'accueil. Tous les congés, fins de semaine, congés culturels, elle allait venir rester avec sa famille paternelle. On attendait vraiment ce moment-là depuis 14 ans, pour finalement nous faire dire qu'il y avait eu des changements encore. Que c'était trop tôt pour avoir un retour complet. On attendait la fin de l'année scolaire pour qu'elle retourne définitivement chez la famille de sa kokom atikamekw. Pour eux, c'est trop tôt, alors que c'est à la demande de la jeune qui veut réellement venir rester avec la famille ; donc, tu sais, c'est la DPJ qui a le dernier mot dans ce contexte-là.” – *Participant, Friendship Centre*

Translation: “She really wants to come stay with her paternal family at her kokom's [grandmother's] house. She wants to get to know her family and her Atikamekw culture. It's more the DYP who are reluctant. The court has allowed her to visit, but only on the condition that things go well with her foster family. Every holiday, weekend and cultural holiday, she would come stay with her paternal family. We'd really been waiting for this moment for 14 years, only to be told that there had been more changes. That it was too soon for a full return. We would have to wait until the end of the school year for her to return permanently to her Atikamekw kokom's family. For them, it was too soon, even though the youth herself really wanted to come stay with her family. So, you know, the DYP has the final say in this situation.”

The lack of sustained measures to maintain the child's ties with their parents during placement creates a contradiction: reunification remains the official goal, but without reasonable efforts to achieve it, this goal becomes difficult to attain. This observation is even more concerning in an Indigenous context, where the continuity of family, cultural and community ties is central to the child's best interests. The weakening of family ties runs counter to the requirements of the ARFNIMCYF, which provide for the preservation of these ties during placement, and has repercussions on the child's relationships, identity, sense of belonging and cultural continuity.

The lack of contact also affects parents' engagement and well-being, sometimes leading to depression, disengagement or a loss of stability in terms of employment or housing. These situations then result in greater demand for intensive services:

“Pour notre système d'intervention ça demande énormément de travail, ça prend de la proximité et ça prend un service intensif journalier chez cette famille-là par la suite. Quand on sait que ça arrive, on sait qu'on va avoir une année extrêmement chargée pour cette famille-là.”
– *Participant, Friendship Centre*

Translation: “Our intervention system involves a tremendous amount of work; it requires close contact and intensive daily support for that family going forward. When we know this is happening, we know we're in for an extremely busy year with that family.”

Moreover, biological parents are not always sufficiently informed about the obligation to periodically reassess the child's life plan or the fact that a placement until majority is not necessarily a final decision. Beyond the formal communication of information, the question is do the parents truly understand what is happening, particularly in terms of the practical implications of these procedures and the options available to them. In such situations, certain behaviours that might be interpreted as disengagement may actually reflect a sense of discouragement or unawareness of life plan reviews.

Furthermore, non-Indigenous foster families are not sufficiently informed about the obligation to regularly reassess life plans. In fact, some children reportedly ended up in foster care through the Banque mixte (mixed bank) program⁶³ without the foster families being informed of this obligation:

“On se rend compte qu'ils ne sont pas du tout au courant de l'obligation de réexplorer une réunification familiale sur une base régulière. Dans leur perspective, quand un enfant est placé à majorité, c'est l'équivalent de l'adoption, c'est fini, là. C'est vraiment un accueil.” – *Participant, Friendship Centre*

Translation: “We've come to realize that they're completely unaware of the obligation to regularly reassess the possibility of family reunification. From their perspective, once a child is placed until majority, it's the same as adoption – that's the end of it. This is a serious problem.”

In all these situations, Native Friendship Centres and urban organizations have served as a vital safety net for families. By helping set up family councils, Friendship Centres have succeeded in exempting certain cases from maximum placement periods when it was in the child's best interests.

⁶³ “Adoption under the Banque mixte program involves children who are at great risk of being abandoned and have been entrusted to a foster family by the DYP in order to be adopted. Under certain conditions stipulated in the Civil Code of Québec, these children may be declared eligible for adoption by the court.” Source: Gouvernement du Québec, [About adoption in Québec](#), [Online] Retrieved March 10, 2026.

Nevertheless, the RCAAQ emphasized the need to approach each family situation with sensitivity and to avoid generalizing. Although Native Friendship Centres work hard to promote family reunification, it is not always possible or desirable, even with ongoing support. Some parents still want to maintain meaningful ties with their placed children, and in many Indigenous communities, it is socially acceptable for a grandparent or loved one to take on the primary role in raising the child.

The RCAAQ also points out that the maximum placement periods must also be viewed from the child's perspective: they exist not only to provide parents with a framework for taking responsibility but also to allow the child to settle into a stable environment where they can maintain ties to their culture. To this end, greater consideration must be given to the child's voice, taking into account their age and maturity, and fostering conditions in which they can freely express what they truly want.

Finally, some of the observations made in urban settings differ from those made in the communities. Many participants feel that judges are more likely to exceed the maximum placement periods when it is in the child's best interests. The DYPs also noted that there is greater willingness to exceed these limits when it promotes the child's well-being.

Maximum placement periods in Nunavik

Information gathered from participants in Nunavik shows that maximum placement periods are almost impossible to meet, for several reasons. First, wait times and poor access to services in the region, particularly in addiction prevention and rehabilitation, mean that parents cannot meet the requirements within the prescribed timelines. Added to this, the intervention context is often characterized by urgency, significant judicial delays – even for priority cases – and staff shortages. As such, everyone involved agrees that strict adherence to maximum placement periods is unrealistic and that a certain level of flexibility is essential.

The DYPs feel that exceptions to maximum placement periods help alleviate certain difficulties associated with their application, particularly within the justice system. However, many caseworkers pointed out that, despite these exceptions, maximum placement periods have gradually normalized placement practices that continue to have discriminatory effects on Inuit families.

Last year, a joint initiative involving NIP, the NRBHSS, the DYPs and external partners conducted training and awareness-raising activities on the ARFNIMCYF's minimum standards. At the same time, NIP took a stand and requested that no applications for placement until majority be approved. This request was based mainly on the lack of human resources needed to ensure cultural continuity and the regular reassessments provided for in subsection 16(3) of the ARFNIMCYF. The judiciary and the National Director of Youth Protection were notified and reportedly supported this position. For children already placed until majority, the chosen approach is to reassess the possibility of family reunification during statutory reviews.

Meanwhile, the DYPs reported growing adherence to the ARFNIMCYF principles, as well as increased vigilance regarding placements made outside Nunavik, especially when family-type resources refuse to fulfill their cultural continuity responsibilities. Reports indicate that, thanks to this heightened vigilance, eight children have returned to the Hudson Coast in recent months.

4.1.3. Findings and supporting elements – Maximum placement periods

Finding 1 – A rigid interpretation of fundamental concepts

Despite the introduction of section 131.12 and the more flexible application of maximum placement periods by some DYPs when in the child's best interests (section 91.1, para. 4), the information gathered shows that decisions are still largely made on the same principles as before the legislative changes.

- **The continued reliance on non-Indigenous frameworks** in interpreting the concepts of attachment, stability and the best interests of the child, sometimes at the expense of cultural continuity, the maintenance of intergenerational ties and the child's access to their territory.
- **The difficulty for some caseworkers, lawyers and judges** to consider these concepts based on the cultural realities, extended family structures and multiple forms of attachment specific to First Nations and Inuit peoples.

Thus, although some legal and administrative leeway exists, additional efforts are needed to ensure that it is used in accordance with the principles and minimum standards of the ARFNIMCYF. In this regard, the Protecteur du citoyen is making two recommendations (R-2 and R-3).

Finding 2 – Lack of information concerning the minimum standards

Another key finding is the lack of information provided to non-Indigenous foster families concerning the minimum standards set out in the ARFNIMCYF, particularly the obligation to regularly reassess the possibility of family reunification.

- **Lack of clarity from the outset:** When the possibility of family reunification is not made clear from the outset, foster families develop expectations of permanence – often encouraged by the way mixed banks operate – which directly contradicts the principles of cultural continuity and self-determination. This misunderstanding creates tension and resistance and complicates the maximum placement exemption process.
- **Inconsistencies in decision-making processes:** Reports indicate that some foster families face pressure to apply for guardianship, which runs counter to the minimum standards and contributes to pathways aiming for placements stability rather than reunification. As a result, Indigenous children can find themselves caught up in inconsistent decision-making processes where the system's expectations conflict with the rights of communities and families.
- **Lack of consideration for the child's voice:** Not all children have the same needs or preferences regarding cultural continuity or returning to their community. For some, being reunited with their biological family is essential; for others, it raises fears or poses risks. The lack of safe conditions for seeking the child's input contributes to decisions that do not always reflect their best interests.

The challenges identified point to underlying tension between the minimum standards and the application of the YPA. Further action is needed to ensure that caseworkers place greater emphasis on the minimum standards. Otherwise, it may take several years to systematically apply these standards in the design and delivery of interventions for First Nations and Inuit children.

Finding 3 – Structural conditions that set parents up to fail

The data collected clearly show that the application of maximum placement periods puts Indigenous parents in a situation that is structurally set up for failure. In all the settings consulted, parents are expected to make progress faster than the available services allow.

- **Systemic barriers** – such as limited or no access to services, significant judicial delays, overburdened caseworkers, staff shortages and a lack of regular, ongoing support – create a fundamental disconnect between the requirements of the YPA and the actual circumstances parents are facing.
- **An even greater disparity in Nunavik:** In Nunavik, it is openly acknowledged that strictly enforcing time limits condemns parents to failure from the outset. They do not have the resources, time or support needed to meet the expectations within the prescribed timeframes. The result is a system where parents, despite their best efforts, are continually caught up by deadlines they cannot meet, creating a vicious cycle that has nothing to do with their parenting abilities and everything to do with the limitations of the institutional environment.
- **An institutional mindset:** Despite this situation, which is well known and documented, the system continues to insist on permanent life plans even when the parents follow the recommended measures. These practices reflect an institutional mindset that prioritizes permanent placement over family reunification, contrary to the fundamental values of First Nations and Inuit peoples, where hope, reintegration and family solidarity are never viewed as temporary or conditional.
- **Similar dynamics in court:** Exemptions from maximum placement periods are applied inconsistently from one region to another, leading to significant discrepancies and inequalities for families based on where they live. This legal instability reinforces the feeling that the system's rules do not take their realities into account and that they contribute to perpetuating structural conditions leading to failure.

All the findings related to maximum placement periods show that Indigenous parents are not only confronted with personal challenges, they are dealing with a system that, by its very design and operation, tends to place them at a disadvantage, in direct opposition to the values of support, reciprocity and family continuity that characterize the First Nations and the Inuit. This fundamental contradiction not only undermines the possibility of family reunification, but also the essential trust between families and the youth protection system. In this regard, the Protecteur du citoyen is making two recommendations (R-3 and R-6).

Supporting elements – Maximum placement periods

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning the application of maximum placement periods. They shed light on the favourable conditions observed in the field, paying special attention to the exemptions provided, issues related to information, the understanding of applicable standards and the informed participation of children, families and people involved in developing life plans.

1. Application of exemptions from maximum placement periods

The analyses reveal **issues related to the application of exemptions from maximum placement periods**, particularly regarding their interpretation and accessibility depending on family, community and territorial contexts.

In certain contexts, an application perceived as more equitable and better aligned with the child's best interests is associated with:

- a flexible interpretation of the framework governing exemptions, allowing for situations where the rapid mobilization of a family or community network is difficult or not desired by the family;
- attention paid to the well-being and comfort of relatives when family dynamics make their participation awkward or potentially harmful;
- consideration of practices specific to certain communities, which may prefer other forms of family or community mobilization than those provided for within the prescribed timeframe;
- recognition of geographical, relational or organizational constraints that may make it difficult to hold a family council within the prescribed timeframe;
- consideration of structural factors, such as the scarcity or inadequacy of services, that may influence parents' ability to fully engage in the steps necessary for the mobilization and success of the child's life plan.

2. Informed participation of children, families and other parties involved

The analyses show that, among the issues related to maximum placement periods, the quality of the information provided, the understanding of the applicable standards and the real possibility of participation by the various stakeholders are key.

Situations where more informed and meaningful participation is observed are associated with:

- the availability of practice guidelines that support children's ability to express their views in conditions that promote their safety and allow their voices to be better reflected in decisions that affect them;
- more structured collaboration arrangements with Indigenous community partners, mobilized at various key stages of the child's life plan;

- attention paid to certain practices that, in some situations, may place undue pressure on families or foster families and influence permanency decisions that do not align with the minimum standards;
- the use of information resources developed by First Nations and Inuit organizations to support a better understanding for parents, children and youth, as well as Indigenous and non-Indigenous foster families, of:
 - rights set out in the YPA and the ARFNIMCYF;
 - the minimum standards applicable to placements and permanent plans.

4.2. Intensive support for parents

Call for Action 118: Fund the development of intensive support services in urban environments and Indigenous communities covered by an agreement for parents of Indigenous children who have been placed in foster care.

Call for Action 119: Initiate tripartite negotiations with the federal government and Indigenous authorities to finance the development of intensive support services in communities not covered by an agreement for parents of Indigenous children who have been placed in care.

4.2.1. Background for the Calls for action

The testimonies received during the CERP hearings shed light on the many challenges Indigenous parents face in maintaining meaningful bonds with their children who are placed in alternative environments. The distance from the placement environment, the infrequency and short duration of supervised visits and the lack of financial resources available to parents are all clear obstacles to preserving family ties.

At the hearings, participants also pointed out that youth protection services were failing to adequately address these challenges, which regularly hindered any possibility of family reunification. As such, Calls for Action 118 and 119 recommend funding to develop intensive support services for parents of Indigenous children placed in communities covered by an agreement, in urban settings and in communities not covered by an agreement. In its first follow-up report in 2023, the Protecteur du citoyen concluded that no specific measures had been put in place to address these Calls for action.

Chapter V.1 of the YPA, which is now fully in effect, does not directly address the support available to parents. However, some mechanisms, such as the family council, make it possible to mobilize resources that can support them. Furthermore, the intervention of the DYPs must consider the realities faced by the parents, including socio-historical traumas and socioeconomic conditions that may influence their ability to maintain a bond with their children. Finally, the YPA emphasizes the importance of collaboration among the various services.

Both the YPA and the ARFNIMCYF contain many provisions that reinforce the importance of preventive care to prioritize keeping the child within their family environment and ensuring cultural continuity. The ARFNIMCYF specifically emphasizes the principle of the family unit,

provides for the regular reassessment of situations and mentions the concept of reasonable effort, that is, all actions caseworkers must take before placing a child. It also recognizes that maintaining ties with the parents, the extended family and the community is key to the best interests of the Indigenous child.

Thus, many of the provisions of both these laws should be interpreted and applied in a way that promotes parental support.

4.2.2. Review of consultations

Intensive support for parents from the moment a child is placed is crucial to maintaining family ties and supporting the possibility of the child returning to their family. The consultations helped shed light on current issues related to the provision of these services, including the capacity to deliver them and the quality of collaboration between the DYPs and Indigenous organizations.

Intensive parental support for First Nations

Many participants highlighted the lack of intensive support for parents whose children have been placed. From the very first days following a placement, these parents need ongoing support to maintain a bond with their child and prevent disengagement.

However, neither the communities nor youth protection services have enough staff or suitable premises to facilitate contact in a safe environment. Most of those consulted felt that the lack of rapid support weakens parental engagement: the longer the first contact takes, the greater the risk of disengagement.

“C’est sûr que nous, avec l’équipe, on se questionne beaucoup. Si l’enfant est placé le mardi, il faut que le mercredi il y ait un contact. Il faut que le jeudi, il y en ait un autre contact, pour que le parent ne se désinvestisse pas. Mais ça, ce soutien intensif là, on n’a pas les possibilités de ressources humaines pour le faire. On n’a pas les locaux pour avoir un lieu sécurisé et il n’y a aucun service d’offrir par les CISSS/CIUSSS de notre région. Il n’y a aucun organisme qui est capable de donner de l’intensité. On est toujours dans l’enjeu que les placements sont à long terme, parce que les parents se désinvestissent super vite, mais on n’est pas capables de donner l’intensité qui va faire en sorte qu’ils vont rester impliqués.” – *Participant, First Nation community*

Translation: “Of course, our team thinks about this a lot. If a child is placed on Tuesday, there should be contact on Wednesday. On Thursday, there should be contact again, so the parent doesn’t disengage. But we don’t have the human resources to provide that kind of intensive support. We don’t have premises to provide a safe environment, and the CISSS/CIUSSS doesn’t offer any services in our region. No organization can provide that level of intensity. We’re always dealing with long-term placements because parents disengage very quickly, but we’re unable to provide the intensity of support needed to keep them involved.”

Human resource shortages are evident throughout the service continuum. Recruiting staff such as specialized educator to provide the required intensity of services is particularly difficult. Caseworkers responsible for implementing measures struggle to obtain the services prescribed in court orders. This difficulty stems from the reallocation of resources toward interventions deemed a priority for the immediate protection of the children.

“Lorsqu’il y a une ordonnance, il faut la faire respecter. Donc, moi, si j’ai besoin de soutenir le développement de compétences parentales, il faut que je réfère. Mais si je n’ai personne en première ligne vers qui référer... Certaines de mes intervenantes prennent quand même le temps, elles font plus que leur mandat, mais c’est sûr que ça nuit dans d’autres sphères.” – *Participant, First Nation community*

Translation: “When there’s a court order, it has to be enforced. So, if I need to support the development of parenting skills, I have to make a referral. But if no front-line workers are available... Some of my staff are willing to go the extra mile – they do more than is required of them – but that inevitably takes a toll in other areas.”

“Ils ont des éducatrices en milieu familial. Je me demande comment elles sont utilisées, parce que quand je leur demande, ils nous répondent en nous demandant si nous, on peut y aller. Ils ont l’air tout aussi débordés! Je pense qu’ils ont deux éducatrices pour 220 dossiers.” – *Participant, First Nation community*

Translation: “They have home daycare workers. I wonder how they’re being used, because when I ask them, they respond by asking us if we can go ourselves. They seem just as overwhelmed! I think they have two workers for 220 cases.”

According to those consulted, addiction, mental health and parenting skills development services are the least accessible in the communities. The communities have few local resources to support parents after a placement, and they also face a lack of functional corridors to front-line public services.

“On a le programme en dépendance qui peut aider les parents, et on a aussi le programme en santé mentale, mais on manque d’intervenantes. C’est une autre problématique, parce qu’en santé mentale, il y en aurait beaucoup plus que ça [des besoins]. Puis, dans le réseau de la santé, c’est difficile aussi. [...] C’est impossible, les prêts de services.” – *Participant, First Nation community*

Translation: “We have the addiction program that can help parents, and we also have the mental health program, but we’re short on support workers. That’s another problem, because in mental health, there are far more needs. And in the health network, things are just as difficult. [...] It’s impossible to get services from other agencies.”

According to many participants, the lack of intensive support services has a direct impact on children. Some question the fact that children – rather than parents – are removed from their environment, even though the parents are the ones who need help. Furthermore, the geographical distance from therapy centers and the inability to maintain contact with their children can discourage parents from seeking help.

Even when parental support services are available within the HSSN, they are not always aligned with the values and culture of Indigenous families. One participant shared the story of a mother who had experienced this disconnect:

“Elle a dit : ‘Pendant cinq jours, je ne savais pas où étaient mes enfants. Ils m’ont donné des ateliers que je devais suivre et tout ça. Mais j’aurais aimé que la communauté soit impliquée plus au niveau des valeurs autochtones.’” – *Participant, First Nation community*

Translation: “She said, ‘For five days, I didn’t know where my children were. They gave me workshops to take and all that. But I wish the community had been more involved in terms of Indigenous values.’”

Despite these challenges, some participants offer or provide referrals to programs and services developed within the HSSN. The Triple P program (positive parenting program) and the Y’APP program (Y’a personne de parfait – nobody’s perfect) were mentioned. Several communities have also developed programs tailored to their specific needs to support parents, partly through funding from ISC’s First Nations Child and Family Services (FNCFS) program.

“We have a parenting program that we run for ten weeks, we take a break, then another ten weeks. So, it’s not just prevention families, but also CFS (Child and family services) families that are registered. She’ll bring in specialized people to talk about autism and behavioral issues, and will give tools and techniques, etc.” – *Participant, First Nation community*

Some communities that have greater autonomy or that already have their own child and family services law want to go further. They want to create intensive local intervention services that reflect the intensity of support families need.

“We have gone as far as the project proposal and the next step is to look at hiring a clinical supervisor that can initiate the team. We are envisioning two to three therapists and one clinical supervisor. The therapists would be working in the home, so more an intensive, for an hour, or going in the home during the crisis instead of going in the next day. Because then it’s already too late.” – *Participant, First Nation community*

Other communities also want to focus on intensive in-home support services, but especially to provide parental modelling. They want to tackle the issues of neglect or parenting skills in real time with parents of children with behavioural difficulties. Others have created liaison officer positions whose role is to support the parents of placed children:

“C'est sûr que ça aide des agents de liaison, ça a apporté vraiment un très gros plus aussi, parce que [ça a] permis, entre autres, de faire descendre la méfiance des parents, qui mettaient, avant ça, beaucoup trop d'énergie à juste lutter contre le fleuve, puis à en vouloir au système. Étant donné qu'ils sont dans une zone plus sécuritaire et de confiance, ils peuvent se centrer sur les difficultés qu'ils vivent, puis prendre conscience vraiment de l'impact, et de ce qui est possible. On les accompagne au pas à pas, si nécessaire. J'ai des agents de liaison qui vont avec des parents jusqu'à Québec pour leur permettre de faire des contacts supervisés, qui amènent les parents en thérapie à l'externe, dans des démarches légales. Les agents de liaison peuvent aller avec eux.” – *Participant, First Nation community*

Translation: “There's no doubt that having liaison officers on board has been a huge plus, too, because – among other things – it's helped reduce mistrust among parents, who used to spend far too much energy fighting against and resenting the system. Now that they are in a safer, more trusting environment, they can focus on the challenges they are facing and truly understand the implications and what can be done. We support them every step of the way, if necessary. I have liaison officers who accompany parents to Québec City to facilitate supervised visits, who bring parents to therapy sessions and who assist with legal proceedings. The liaison officers can go with them.”

As mentioned above, Québec Native Women points out that mothers play a central role in the cultural transmission, identity and childcare in Indigenous communities. Despite this fundamental importance, they often face discrimination or violence related to their identity, their gender and the lingering effects of colonial policies. As such, some participants highlighted the importance of having resources that can accommodate mothers and their children. In Wendake, a private centre funded through the FNCFS program supports mothers at risk of losing custody of their child. This type of resource should be more widely accessible, including after a placement, to help maintain the mother-child bond and support the development of parenting skills.

On another note, some participants reported being told that the services requested from the HSSN should be provided exclusively by the community. These responses create frustration and a sense of unfairness: how can it be that a parent has to insist to obtain a service to which every citizen should normally have access? One participant said she sometimes has to “fight” to have the parent recognized as a “resident of the territory.” The DYPs do not seem to be aware of such interactions in their institutions. In fact, they claimed to offer support services to parents of placed children from the communities they serve without discrimination or distinction.

Known needs

Measure 5.1 of the *2022-2027 Government Action Plan for the Social and Cultural Wellness of the First Nations and Inuit* reads as follows: “Enhance the accessibility, continuity and quality of services in the realm of general psychosocial, mental health, addiction, homelessness, and suicide prevention needs, in particular by supporting the signing of cooperative agreements between communities not covered by an agreement and institutions belonging to the health and social services network in their region.”⁶⁴

A call for projects was issued in May 2024 to HSSN institutions and their First Nations partners to develop collaboration agreements. Eight projects were selected and slated to begin in September 2024. However, following the analysis conducted as part of the departmental budget balancing exercise at the end of 2024, funding for the 2024–2025 fiscal year was not made available. No agreement had been concluded at the time of writing to fill the gap in specialized services for First Nations adults.

Despite this, some DYPs are aware that the support offered to parents is rarely used by First Nations parents. In their view, their services are less attractive from a cultural perspective than those offered by the community. One DYP noted that the intensity of services required is complicated by the size and remoteness of the territory served by some DYPs. In such cases, specialized services are not as easily deployed as they are in urban settings, for example.

Finally, the mental health and addiction departments of institutions that serve First Nations communities not covered by an agreement confirmed that there are no service corridors or agreements in place to provide specific services to First Nations and Inuit parents whose children have been placed in a non-Indigenous alternative environment. However, the 30-day priority service directive for children and parents aims to set up a mechanism that prioritizes referrals made by a DYP to all services intended for children and their families with whom the DYP is currently involved. Access to these services must be provided within 30 days.

Intensive parental support in urban settings

Although Native Friendship Centres offer many culturally safe parental support programs, several of the people we consulted highlighted a recurring lack of stable human and financial resources. This shortage limits the Centres’ ability to respond quickly and with the necessary intensity to the needs of parents after a placement. The challenges reported include the vast areas to be covered, the high volume of requests, the shortage of qualified staff and budgetary constraints. These obstacles especially affect the most vulnerable parents, who have difficulty accessing the transportation or childcare services required to take part in the activities offered.

Concerning DYP referrals to Friendship Centre services, practices vary considerably from one health region to another. In some regions, caseworkers regularly call on the closest Friendship Centre to the parents’ place of residence, while in others, these collaborations are rare. Many of the people we consulted wonder why these services are used so infrequently: are the

⁶⁴ Gouvernement du Québec, *Together for Future Generations: 2022-2027 Government Action Plan for the Social and Cultural Wellness of the First Nations and Inuit*, June 2022, p. 37. [Online] Retrieved March 10, 2026.

caseworkers unaware of them, or do they not recognize them? This raises questions about awareness of or understanding of section 131.7 of the YPA, which requires DYPs to collaborate with First Nations and Inuit community and urban organizations.

Intensive parental support: the example of the Lanaudière Native Friendship Centre (CAAL)

The CAAL has a partnership with a clinic staffed by a variety of professionals, giving it access to a range of expertise that it would not otherwise be able to provide to all the families it supports. Given the large number of families it serves, the CAAL is currently unable to offer daily intensive support provided by a dedicated support worker. The intervention model therefore relies on a multidisciplinary team made up of field-based psychoeducators, educator assistants and educators. These professionals work in the various settings where children and families spend time: schools, daycare centres and homes. Their role is to support all aspects of family dynamics and ensure service continuity across different environments. They also communicate information and coordinate interventions with the CAAL to ensure consistent and integrated care.

The formal recognition of services is a recurring concern for most of the Centres consulted. Although collaborations do exist, they are often ad hoc, utilitarian and informal, without any real participation by the Centres in the process or explicit integration into individualized service plans or clinical reports. As some participants summarized:

“On a beau revendiquer une reconnaissance de nos services, on [demande] juste de reconnaître l'expertise des organisations autochtones. [...] j'ai l'impression, quand je leur parle [aux gestionnaires], qu'ils comprennent, et que ça va finir par descendre sur le terrain. Mais il n'y a jamais rien qui redescend.” – *Participant, Friendship Centre*

Translation: “No matter how much we push to get recognition for our services, we’re just asking for the expertise of Indigenous organizations to be acknowledged. [...] I get the impression, when I talk to them [the managers], that they understand, and that it’ll eventually trickle down to the front lines. But it never does.”

“Comment pouvons-nous proposer un plan d'action où les parents vont vraiment, dans certains cas, prendre leur responsabilité et adresser des problématiques qui causent la violence familiale, si on est toujours dans des contraintes financières immenses et sans reconnaissance, aussi, de notre besoin de bâtir cette expertise?” – *Participant, Friendship Centre*

Translation: “How can we propose an action plan where the parents, in some cases, will genuinely take responsibility and address the issues that lead to domestic violence, if we’re always facing enormous financial constraints without any recognition of our need to build that expertise?”

“Souvent, ce qui arrive, c’est que la DPJ ne veut pas reconnaître nos services au Centre d’amitié. [...] Elle ne veut pas reconnaître ce qu’on fait pour les parents.” – *Participant, Friendship Centre*

Translation: “Often, what happens is that the DYP refuses to recognize the Friendship Centre’s services. [...] They refuse to acknowledge what we do for parents.”

Beyond formally recognized services, many of those consulted pointed out that Friendship Centres assume a significant relational responsibility with the families. This includes easing tensions between parents and institutions, maintaining bonds of trust and explaining institutional expectations. Although this role is key to the support provided to parents, it remains largely overlooked in mechanisms for recognizing expertise and allocating funding. Furthermore, Friendship Centres feel that cultural safety is not a responsibility that can be fully delegated. Instead, it must be treated as an overarching obligation of the network, including youth protection.

Another issue raised concerns the lack of clarity regarding the expectations placed on parents. For example, phrases such as “develop parenting skills” may appear in the file without specifying the need, observations or context that led to this expectation. Many of those consulted pointed out that the recurring use of this concept could also be viewed as stigmatizing, implying that parents lack skills, regardless of their background, knowledge or cultural reality. This lack of clarity and nuance means that even the Centres’ designated support workers do not always know how exactly to help the parent seeking their assistance when confidentiality is regularly invoked to prevent the disclosure of information on file.

It seems that both community and DYP workers are inadequately informed about the possibilities for sharing information, particularly when a parent consents to sharing certain information. This unfamiliarity with the mechanisms and guidelines, combined with sometimes underdeveloped relationships, limits the flow of essential information and complicates the delivery of truly tailored support.

Added to this are differing interpretations of the DYP’s role in providing “aid, counselling and assistance”⁶⁵, which, according to many of those consulted, tends to make parents feel like they have failed and become discouraged. Parents arrive with complex baggage and need close support, especially at the beginning of the intervention. But they do not always know about the local resources or the cultural measures they can draw on, which DYP workers do not systematically offer, and which are not always well known to them. One participant we spoke with recounted discussions she had with HSSN caseworkers:

“Ils m’ont dit : ‘Oui, mais notre travail, c’est de trouver des ressources pour l’enfant, de mettre des choses en place pour l’enfant. Et le parent doit aller chercher les outils dont il a besoin pour arriver à répondre à ces objectifs-là.’ Mais pour moi, tu ne peux pas séparer l’un de l’autre.”

⁶⁵ YPA, *supra*, note 2, s. 54: “The director may propose as voluntary measures that may be included in an agreement: [...] that a person working for an institution or body provide aid, counselling or assistance to the child and the child’s family;” s. 91: “Where the tribunal concludes that the security or development of the child is in danger, it may, for the period it determines, order the implementation of one or more of the following measures: [...] that a person working for an institution or body provide aid, counselling or assistance to the child and the child’s family.”

Si on veut que l'enfant aille bien et qu'on puisse bien répondre à ses besoins, il faut soutenir le parent dans la démarche et lui offrir le nécessaire pour qu'il puisse être en mesure d'atteindre ces objectifs-là. Mais pour la DPJ, ça va être essentiellement des check-in. Les parents sont laissés seuls dans ces contextes-là.” – *Participant, Friendship Centre*

Translation: “They told me, ‘Yes, but our job is to find resources for the child, to set things up for the child. And the parent has to go out and find the tools they need to meet those goals.’ But I don’t see how you can separate one from the other. If you want the child to be okay and to have their needs met, you have to support the parent in the process and provide them with what they need to achieve those goals. But for the DYP, it’s basically just check-ins. Parents are left on their own in these situations.”

Moving away from the concept of “reasonable efforts” required of youth protection services (s. 15.1, ARFNIMCYF), this divergence could also be explained by the overarching issue of a lack of human resources to meet the demand within the HSSN:

“Avec les listes d'attente, on s'améliore de façon générale dans l'ensemble des régions, mais de façon plus macro, c'est relatif ce qui a pu être fait dans les dernières années. On travaille fort pour donner une intensité en début d'intervention, à respecter les délais, les prises de contact. On est suivi quand même sur des indicateurs, de façon générale, par rapport à nos délais d'intervention, puis les références et tout ça. Mais ça demeure un défi général pour l'ensemble de nos suivis.” – *Participant, DYP*

Translation: “With waiting lists. We’re generally seeing improvements across all regions, but from a broader perspective, the progress made in recent years is relative. We’re working hard to ensure intensive support at the start of interventions, to meet deadlines and to follow up with clients. Our response times, referrals and other metrics are generally being monitored. But it’s still a general challenge for all our follow-ups.”

In any case, due to persistent mistrust of youth protection services – fuelled by experiences with interventions deemed unpredictable and opaque – staff at the Friendship Centres find it easier to contact parents directly after receiving a referral from the DYP.

For their part, several DYPs strongly emphasized the importance of collaborating with Friendship Centres and other Indigenous organizations in urban settings, recognizing that these organizations are better positioned to provide culturally safe services, particularly due to their knowledge of the families and their circumstances. The mental health and addiction program director of one institution reported calling on the integration officer for First Nations, Inuit and Métis clients when providing services to Indigenous parents. The officer then directs her caseworkers toward culturally appropriate mental health and addiction services.

In this regard, however, some of those consulted expressed concerns about a potential shift in responsibility for cultural safety and prevention toward the Friendship Centres. Although these Centres play a key role with parents, cultural safety cannot be viewed as a responsibility that can be delegated to them. Instead, it must be seen as an overarching obligation for the entire network, including youth protection services. On this point, participants noted that the legal obligations to collaborate and prioritize prevention require a transformation of DYP practices, particularly at the service gateway, including intake and report processing. Otherwise, the Centres' strong focus on early intervention and prevention risks masking a failure to make the necessary adjustments within public institutions.

Finally, participants also discussed the importance of developing specific resources for Indigenous mothers. For example, the Centre Asperimowin⁶⁶, in La Tuque, provides shelter for Atikamekw women who are victims of violence and their children, and is another example of an environment conducive to developing parenting skills that help maintain the mother-child bond. Participants pointed out that, while these prevention services exist, there is still a lack of resources to promote mother-child reconnection after a placement, especially when the placement is linked to social or structural factors rather than parental incapacity. In this regard, the further development of specialized, culturally grounded services designed to address the specific realities of Indigenous women seems necessary to support family reunification and counter the effects of persistent inequalities.

“Pour tout l'aspect de la petite enfance, on essaie de minimiser la séparation avec la mère, mais c'est souvent ça qui arrive. Parce qu'on n'a pas dans nos solutions, dans notre système, de lieux pour la mère et le bébé. Dans certaines situations, ça serait tellement aidant, puis, souvent, c'est là que la mère va reprendre des bonnes habitudes, et qu'il y a vraiment des possibilités de réhabilitation. [En ce moment], on cherche un milieu de vie pour l'enfant et non pas pour la mère et l'enfant. [...] On devrait avoir des endroits, peut-être plus petits, mais des maisons d'habiletés parentales, un endroit où tu peux prendre soin de ton enfant, en étant avec d'autres mères et des intervenantes qui sont là. Donc une espèce de transition avant d'aller dans ton propre logement.” – *Participant, Friendship Centre*

Translation: “When it comes to early childhood, we try to minimize separation from the mother, but that's often what happens. Because in our solutions, in our system, we don't have places for mothers and their babies. In some situations, that would be so helpful, and often, that's where a mother will pick up good habits, and there are real opportunities for rehabilitation. [Right now] we're looking for a place for the child, not for the mother and child. [...] We should have places, maybe smaller ones, but parenting skills centres, where you can take care of your child and be with other mothers and support workers who are there. A transitional place before your own home.”

⁶⁶ Atikamekw Sipi, [Centre Asperimowin](#). [Online] accessed on 14 May 2026.

Some participants also stressed the need for resources to support Indigenous men and fathers. One person explained that there are very few prevention resources available to many Indigenous men, and that, all too often, it is only when they become involved with the criminal justice system that they can actually get help.

“Le parcours des hommes, très souvent, ils ont tout fait, le centre jeunesse, ensuite ils sont judiciairisés. Donc, ils ont passé par tout ce système-là [...] Et pour vrai, ces hommes-là, ils ont été éduqués sur leurs droits en tant qu’individu en prison, c’est là qu’ils ont été le plus éduqués [et] qu’ils ont accès à d’autres ressources [...] Alors que ce n’est pas le centre jeunesse qui les a aidés. [...] Donc nous, on croit profondément que les jeunes et les hommes et les parents devraient avoir accès à des parcours qui rejoignent plus leur identité, plus tôt, au lieu d’être judiciairisés ou d’être obligés d’être dans une loi comme la protection de la jeunesse. Ça fait plus de sens pour des peuples autochtones.” – *Participant, Friendship Centre*

Translation: “Very often, these men have been through it all, from the youth centre to the criminal justice system. They’ve been through the whole system [...] And honestly, these men learn about their rights as individuals while in prison; that’s where they learn the most [and] gain access to other resources [...] The youth centre doesn’t help them. [...] So we firmly believe that youth, men and parents should have earlier access to pathways that better align with their identity, rather than being prosecuted or subject to legislation like the *Youth Protection Act*. That makes more sense for Indigenous Peoples.”

The same person described how an existing resource for Indigenous men can have a positive impact on their role as fathers and on the prospects for family reunification:

“Ces programmes-là, on en a un, nous, pour les hommes en territoire. Ça fonctionne. C’est le jour et la nuit pour les personnes qui passent dans ce type de parcours-là [et] qui sont des papas. La majorité, ce sont des papas qui vont là et ils reprennent leur rôle en tant que papa dans leur famille, et sont ancrés dans leur pratique, puis dans leurs valeurs autochtones. Donc, ils deviennent des modèles pour leurs enfants. Ce sont des ressources qui sont essentielles pour les autochtones. [...] Les hommes qui arrivent là, on les accompagne aussi dans leur dossier de DPJ. Dès qu’ils sont accompagnés, les intervenantes de la DPJ, elles nous écoutent plus. Je pense qu’elles commencent à nous connaître.” – *Participant, Friendship Centre*

Translation: “We have one of those programs for men in the territory. It works. It makes a world of difference for the fathers who go through it. Most of the people who go are fathers, and they reclaim their role as fathers in their families and become grounded in their practices and Indigenous values. So they become models for their children. These are essential resources for Indigenous people. [...] We also support the men who come here with their DYP cases. Once we’re involved, the DYP workers listen to us more. I think they’re starting to get to know us.”

Intensive parental support in Nunavik

The Nunavik youth protection representatives we consulted emphasized the critical importance of supporting parents during a placement. Despite this, they felt they were unable to provide such support. Chronic staff shortages, high turnover and the priority given to emergencies make it almost impossible to set up services for parents. As one participant summarized:

“On veut travailler les compétences parentales, la négligence, mais tout le monde est en train d’éteindre des feux. Donc, c’est difficile de donner suite à ces besoins-là.” – *Participant, Nunavik*

Translation: “We want to work on parenting skills and neglect, but everyone is busy putting out fires. So it’s hard to follow up on those needs.”

Health centres reported that all services for parents are available to parents with children who are placed under the YPA, and that early childhood teams work with the DYP when necessary. However, in many villages, there are no dyads of social workers and community workers, because no funding has been granted for this. Yet these dyads play an essential role in delivering targeted interventions that have a significant impact on the child’s development and family relationships. Their absence undermines the ability to provide more intensive and personalized support.

Several of the people we spoke with also had concerns about the limitations of the traditionally preferred voluntary approach. As in other parts of Québec, follow-up requires parents to demonstrate a willingness to commit, but experience on the ground shows that many Nunavimmiut parents lose all motivation as soon as their child is placed in foster care:

“Quand on place leur enfant, les parents ne nous croient pas qu’on va le retourner. Mais la confiance, ça se gagne lentement.” – *Participant, Nunavik*

Translation: “When their child is placed in foster care, parents don’t believe us when we say they’ll get them back. But trust takes time to build.”

Several participants pointed out that many Nunavimmiut parents have serious doubts that they will ever regain custody of their children. They find that current support measures make it seem as though the entire system is stacked against them. While the parents are experiencing serious personal and family difficulties – for which there are still very few truly culturally safe solutions – they see that many resources (childcare places, specialized services, etc.) are being mobilized to facilitate the placement of their child with a foster family. Such an intensity of services would not be granted to the grandparents or other significant Inuit third parties. Some participants see this as a double standard: on the one hand, the government claims to want to support Inuit families, but on the other, it expects Inuit families to go out and find services on their own, without necessarily doing anything to facilitate their access to them.

Recognizing that Inuit continue to be wary of youth protection services, participants reported relying on programs such as Satuigiavik, offered by NIP, to provide the intensive support that parents need. A joint working committee comprising staff from NIP and IHC has been tasked

with supporting the transfer of responsibility for requested support services – typically handled by the team in charge of implementing measures – to the NIP and Inuulitsivik Centre teams, which have historically focused on early intervention and voluntary services. The goal is clear: to provide, from the moment of placement, intensive support services to parents in a culturally safe environment that fosters trust with Inuit parents and families.

The need for specialized services is especially pressing for parents struggling with addiction. The Isuarsivik Recovery Centre in Kuujuaq offers accommodations and a range of services rooted in traditional Inuit knowledge and practices. However, the waiting list is extremely long, resulting in many consequences, such as fewer opportunities to maintain the parent-child bond. The waiting list also increases the risk of reaching the maximum placement period before the parent has access to the required services.

Since there are no other therapy centres in Nunavik, parents often have to leave the territory to seek help. However, these extended absences can have significant consequences, such as losing a job or feeling deeply uprooted.

4.2.3. Findings and supporting elements – Intensive support

Finding 1 – Insufficient capacity to offer early, continuous intensive support

Across all the settings consulted, a consistent message emerged: HSSN teams do not have the operational capacity to rapidly provide intensive support at the critical moment immediately following a child's placement. Although the importance of close support in the first few days is widely recognized for maintaining the parent-child bond and preventing disengagement, service realities hinder its implementation.

- **Many constraints in the field:** Shortage of support workers, high staff turnover, very high caseloads, prioritization of protection emergencies, distance and insufficient safe spaces for quickly arranging supervised contact. Furthermore, despite its legal obligations, the DYP often expects community partners to assume full responsibility for parental follow-up. Throughout the service pathway, service accessibility is problematic, especially when a culturally safe approach is required.
- **Obstacles to family reunification:** Parent-child bonds are weakened when contact is rare, delayed or arranged under unsafe conditions. Furthermore, many parents strongly doubt that the DYP values their efforts. Delays in accessing services carry the risk of exceeding the maximum placement periods. Finally, the DYP's nuclear family model limits the ability to involve the immediate and extended family.
- **Limited access to specialized services:** Whether in terms of addiction treatment, mental health care or parenting skills development, the services available are insufficient, delayed and sometimes inconsistent with the values and realities of Indigenous families. Waiting lists, the lack of local alternatives and limited transportation options often force parents to seek help outside their communities, leading to job loss, uprooting, disruptions of daily life and difficulty maintaining the bond with their children.

- **Promising initiatives build on:** Community-based parental support programs (including specific resources for Indigenous fathers to help them reclaim their parental role), liaison officers to assist parents with procedures and maintain trust, mother-child settings that strengthen parenting practices and maintain the parent-child bond, intensive in-home team projects focused on real-time interventions, all grounded in an approach that respects family realities and self-determination.

To support the various services in their ability to meet the needs of parents of placed First Nations and Inuit children, the Protecteur du citoyen is making one recommendation (R-6).

Finding 2 – Uneven and largely informal collaboration in the absence of formal recognition

Although collaboration between the DYPs and Indigenous organizations is essential, it is insufficiently structured. While many DYPs acknowledge that these partners are better positioned to provide culturally safe services, integration of these resources varies greatly from region to region.

- **Inconsistent referral to Indigenous services:** In some cases, referrals are common, while in others, collaboration is rare or even nonexistent.
- **Links that are often informal and poorly integrated:** Links frequently must be rebuilt due to a lack of stable, functional corridors with public services. Even when collaborations are positive, they often rely on the openness and goodwill of the caseworkers or managers in place, making them vulnerable to high staff turnover.
- There remains a **lack of clarity regarding the roles of the DYP and Indigenous organizations**, particularly the Friendship Centres, whose role is neither to replace nor to assume youth protection responsibilities. In certain more utilitarian collaborations, this distinction becomes blurred, which can lead to unrealistic expectations on the part of the HSSN toward the Centres, create confusion among families and undermine trust.
- **Differences in interpretation** regarding the “aid, counselling and assistance” function contribute to misunderstandings: some HSSN workers focus their interventions on the child, while Indigenous partners insist that support for the child and the family must go hand in hand to achieve protection goals.
- **Persistent mistrust of youth protection** has led several community organizations to prioritize direct contact with parents to overcome barriers to engagement.
- **Contrast between the communities’ experience and institutional discourse:** The communities are expected to provide certain services exclusively, which fosters a sense of unfairness, especially when parents are denied access to services to which all citizens should normally be entitled. At the same time, DYPs assert that their services are accessible to all without discrimination.

In this regard, the Protecteur du citoyen is making two recommendations (R-2 and R-5).

Supporting elements – Intensive support

The supporting elements presented below summarize the analyses conducted by the Protecteur du citoyen regarding certain aspects of intensive support services for parents involved with youth protection. They shed light on the favourable conditions observed in the field, particularly concerning the recognition and integration of First Nations and Inuit social and community services, as well as access to specialized services that promote cultural safety and continuity for the parents of placed children.

1. Recognition and integration of First Nations and Inuit social and community services in intensive support practices

The analyses reveal gaps in the recognition and integration of First Nations and Inuit social and community services within intensive support practices, which are likely to influence both access to services and the cultural continuity of interventions.

In certain contexts, a perceived reduction of these gaps is associated with:

- assessment and follow-up practices with parents that systematically explore their interest in all available services, including those provided by Indigenous resources;
- the clarification of the respective roles of the DYP and, where applicable, the Indigenous organization involved in supporting families;
- the involvement of Indigenous community partners, including Native Friendship Centres, in the development of individualized service plans when such participation is desired by the parents;
- a shared understanding of the concept of “aid, counselling and assistance,” taking into account the obligations set out in the YPA, particularly in terms of collaboration, as well as those set out in the ARFNIMCYF, including the concepts of reasonable efforts and priority to prevention services;
- more explicit planning of parent-child contact in intervention plans, including the number and frequency of contacts, as well as the means required to make them happen (transportation, accompaniment, logistical support) and clarification of the associated responsibilities.

2. Access to specialized services that foster cultural safety for parents of placed children

The analyses reveal that access to specialized services adapted to cultural realities is a key issue in supporting parents of placed children and promoting reunification pathways when these are being considered.

In certain settings, better access to services that are deemed to be culturally safe is associated with:

- the availability of centres, services, programs or resources for First Nations and Inuit mothers and fathers, designed and operated by and for First Nations and Inuit, enabling a holistic approach to the grounds for intervention and providing progressive support throughout the parental reunification process;

- the existence of service pathways that prioritize parents of placed children for access to specialized addiction, mental health and parenting skills services, in keeping with service prioritization guidelines;
- the implementation of psychosocial, material and cultural support measures that help strengthen parenting skills and remove certain barriers to reunification;
- the use of partnerships when the scarcity of specialized services, particularly due to recruitment difficulties, limits access to appropriate interventions.

4.3. Indigenous foster families

4.3.1. Background for the Calls for action

Call for Action 129: Clarify and change the eligibility criteria for Indigenous foster families, including the criteria for the physical environment and the follow-up done with foster families, so that those families can access the services they need to provide the best possible environment for the children.

Call for Action 130: Ensure that families and significant people who are not represented by an association and who foster Indigenous children receive financial compensation equivalent to family-type resources under the *Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreement*.

Call for Action 129 of the CERP recommends reviewing and adapting eligibility criteria with a view to eliminating systemic barriers to the recruitment of Indigenous foster families. The goal is to mitigate the effects of the shortage of Indigenous foster families and to create conditions conducive to keeping children within their extended families or communities.

Based on the testimonies given at the CERP hearing, this shortage can be partly attributed to the inadequacy of the criteria in the MSSS's *Cadre de référence – Les ressources intermédiaires et les ressources de type familial*, which fail to take into account the cultural and social realities of the communities, such as overcrowded housing or the difficulty of obtaining home insurance. Exemptions to these criteria have existed since 2016 for foster families in Indigenous settings. However, the complexity and lack of awareness regarding these exemptions limited their scope. In practice, the DYPs have the authority to waive certain criteria to promote placements in Indigenous settings. However, this was not done systematically, and as a result, barriers to accreditation – and the associated compensation and services – remained.

Call for Action 130 is closely linked to the previous one, as it targets inequities in the financial compensation of foster families and significant persons not represented by an association (represented families are referred to as family-type resources – FTRs). Specifically, this Call for action primarily addressed issues related to compensation for foster families in Nunavik, foster families in the approval process and those to whom a child has been entrusted under a voluntarily placement. Moreover, it was reported that, for all other foster families under CIUSSS and CISSS jurisdiction (generally represented by an association), administrative burdens discouraged many Indigenous foster families from claiming the compensation to which they were entitled.

As for families in Nunavik who are not represented by an association and are signatories to the JBNQA, the CERP reported that the standardized rate they were receiving, funded by the provincial government, was lower than the base amount given to families represented by an association. This rate was deemed largely inadequate and, above all, discriminatory.

In its first follow-up report, the Protecteur du citoyen noted that no new measures were underway to reduce the burden and simplify the exemption process. The procedures related to the *Cadre de référence – Les ressources intermédiaires et les ressources de type familial*⁶⁷ were still the same as in 2016. Meanwhile, the MSSS felt that it could not implement Call for Action 130, which concerns the unequal treatment of unrepresented Indigenous foster families. It argued that the compensation for FTRs reflects a different level of responsibility than that required of families and significant persons to whom a child is entrusted. However, no comparison of the “levels” of responsibility was provided to support this claim.

The minimum standards in the ARFNIMCYF, in effect since 2020, require that child welfare service providers must not apprehend a child solely on the basis of their socioeconomic conditions, including poverty, lack of adequate housing or infrastructure or the state of health of their parent or care provider (s. 15). This standard aims to eliminate discrimination and overrepresentation in youth protection stemming from the family’s socioeconomic situation.

Furthermore, the placement priorities set out in the ARFNIMCYF (s. 16(1)) and the YPA (s. 131.5) specify that, when placement is necessary, the extended family and community members must be given priority. Finally, drawing particularly on section 131.4 of the YPA, the *Guide sur l’intérêt de l’enfant autochtone* specifies that the choice of an alternative living environment must be made by considering the child’s needs (s. 3), perspective and factors specific to First Nations and Inuit children: cultural continuity, multiple attachments, access to the territory, socio-historical trauma and socioeconomic conditions.⁶⁸

Taken together, these guidelines indicate that every effort should be made to facilitate placement with members of the extended family or the community. In practical terms, it may be necessary to remove the socioeconomic barriers to such care arrangements.

What do the data say?

Since the placement priorities set out in the YPA took effect in 2022, data compiled by the Protecteur du citoyen show that there has not been a general increase in placements by the DYP with kinship foster families or with a significant person in targeted regions. In some regions, there was an increase of just over 5% between 2023 and 2025, and in others, there was a decrease of approximately 10 to 15% in placements in these settings. For the targeted regions, there has been an overall decrease of nearly 10% in placements with Indigenous foster families. This leads the Protecteur du citoyen to wonder about the existing barriers and the necessary measures to ensure that an increasing proportion of placements are made with the extended families of First Nations and Inuit children. The Protecteur du citoyen believes it is important for every health region to work on increasing the use of Indigenous foster families (in emergencies and longer-term situations) by taking concrete steps to remove barriers to the recruitment and retention of these families.

⁶⁷ MSSS, *Cadre de référence – Les ressources intermédiaires et les ressources de type familial*, mars 2016.

⁶⁸ *Guide sur l’intérêt de l’enfant autochtone*, supra, note 25, p. 21.

Percentage of Indigenous children placed in kinship foster care or with a significant person in certain health and social services regions⁶⁹

Regions	2023	2024	2025
Abitibi-Témiscamingue	72.7%	73.2%	57.1%
Côte-Nord	75.4%	71.4%	67.6%
Lanaudière	40%	26.9%	38.7%
Saguenay	36.4%	33.9%	42.1%
Total	74.4%	71.1%	65.7%

4.3.2. Review of consultations

The consultations revealed ongoing issues related to the recruitment, assessment and accreditation of Indigenous families who wish to become foster families. Discussions also touched on the diversity of approaches to managing this responsibility, as well as the various arrangements regarding compensation for Indigenous foster families.

First Nations foster families

To properly contextualize the observations from the consultations, we must first outline the various management and funding arrangements for foster families. Since the Protecteur du citoyen was unable to gather information from the Eeyou and Naskapi peoples, it cannot comment on whether what follows is representative of their situation.

Communities with delegated responsibility for assessing foster families

For First Nations communities not covered by an agreement that have been delegated responsibilities pursuant to section 131.23 of the YPA, there are a few possible arrangements for applying the criteria and compensating Indigenous foster families.

First, there are communities that assumed this responsibility before the adoption of the *Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements* (ARR).⁷⁰ Over time, these communities have developed procedures for assessing and accrediting foster families, which are categorized as either regular or kinship foster families. They believe these procedures are aligned with their understanding of the best interests of Indigenous children and the realities of the community. However, the compensation remains the same whether the foster family is regular or kinship.

⁶⁹ Available data shared by YPD (December 2025). It was not possible to provide a profile for all health and social services regions due to variations in data compilation practices.

⁷⁰ *Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements*, CQLR, c. R-24.0.2.

Consequently, these communities have very few complaints regarding compliance with MSSS criteria. However, the lack of foster families to meet demand remains a significant issue. To address this, these communities continue to recruit but are increasingly relying on support from extended family members to become kinship foster families – “kindred homes” or “customary care families.”

“One example I can give was family within our own community needed help to operate a transformation. They had a garage but they didn’t have any rooms. So we helped turning their garage into a room, using resources to support the home and the placement. Another example was a sister taking her nieces and nephews, who couldn’t afford rent in her place. So we supported her until she was able to get her feet grounded. I think those are exceptions when you are supporting a placement with family members.” – *Participant, First Nation community*

Indigenous Services Canada is responsible for funding residential resources (e.g., foster family, rehabilitation centre, childcare setting, etc.) in these communities. Compensation rates are based on the provincial average of payments made to foster families at the time the collective agreement was signed in 2012. The daily rates paid to families have been indexed twice a year since then. Most communities pay prospective foster families (awaiting assessment) at a rate of \$33 per day. Compensation increases to an average of \$99 per day after accreditation. Many find that the wait time for assessment, which can be up to six months in some communities, is a significant barrier for families with limited financial means.

Many consultation participants also said they did not know whether their foster families were still receiving compensation comparable to that of families represented by an association in the rest of Québec. They nevertheless expect the standardized rate to be subject to negotiations to ensure fair compensation for foster families across the province.

There is also the situation in Mashteuiatsh. Participants from this community explain that they must comply with both the MSSS criteria – which provide for certain exemptions for community-based foster families – and the CIUSSS-SLSJ criteria, particularly regarding the number of children that can be placed in a single home. But overall, they feel that the institution is receptive to their concerns:

“On est vraiment intégrés dans l’équipe ressource du CIUSSS. Mon intervenante, chez nous, qui fait le recrutement, assiste aux rencontres. On fait partie vraiment de leur équipe. C’est à elle à être bien préparée quand elle présente le dossier : ‘J’aimerais faire accréditer telle ressource. Voici nos particularités.’” – *Participant, First Nation community*

Translation: “We’re really integrated into the CIUSSS resource team. Our representative, who handles recruitment, attends the meetings. We’re really part of their team. It’s up to her to be well prepared when presenting a case to them: ‘I’d like to have this resource accredited. Here are the details.’”

Despite this flexibility, the community is also facing recruitment difficulties. Participants are questioning the impact of certain criteria and the lack of support offered to families, which seem to be hampering their ability to keep children and youth in the community. They are also thinking about ways to overcome these issues, particularly with a view to assuming full responsibility for youth protection services.

In Mashteuiatsh, foster families are also compensated by the federal government. However, as family-type resources (FTRs) represented by an association, their compensation after accreditation depends on the intensity of the services provided and the needs of the child, as assessed by the *Instrument de détermination et de classification des services de soutien ou d'assistance* (Support and Assistance Services Determination and Classification Instrument).⁷¹ It should be noted that Pekuakamiulnuatsh Takuaikan, the community's political and administrative body, in its brief to the CERP, expressed its dissatisfaction with the unionization of the foster families it manages under an agreement signed with the institution in 2009. According to this brief, unionization "has altered the relationship between the parties, shifting from an equal partnership to a paternalistic relationship based on superiority."⁷² Thus, the fact that the families are represented by an association is not viewed positively by the community.

Mino Obigiwasin currently offers social services under the YPA to the communities of Lac Simon, Pikogan, Kitcisakik and Long Point First Nation. As such, this organization has the same discretion as other communities in applying the MSSS criteria. In addition to offering youth protection services, a specific branch of Mino Obigiwasin, independent from the organization's clinical services, has been designated by these Anicinapek communities as the Indigenous governing body responsible for developing their youth protection law. In developing this new law, Mino Obigiwasin and its member communities are considering their own procedures for assessing foster families. Currently, foster families are paid by the federal government, but unlike in Mashteuiatsh, they are not unionized and are paid at the standardized rate.

For all the communities concerned, there is still work to be done to define the assessment and accreditation criteria for foster families. This initiative is part of their self-determination process. They emphasize that this exercise does not aim to "minimize" the requirements for families, but to establish criteria that balance the safety and needs of children with the unique realities of each community.

⁷¹ MSSS, *Instrument de détermination et de classification des services de soutien ou d'assistance*, 2012.

⁷² Pekuakamiulnuatsh Takuaikan, *Brief presented for the CERP hearings*, November 1, 2017, p. 38. Translation.

Communities with a special youth protection program (s. 131.20) or that have adopted their own law

For the three Atikamekw communities, foster families are assessed, managed and accredited by the CNA (Manawan and Wemotaci) or by Opitciwan community services. These services receive and assess applications from families, whether they live in the community or in urban settings. During the consultations, CNA participants highlighted the inapplicability of certain departmental criteria and decided to eliminate those related to the physical environment. As one participant explained:

“Tu ne peux pas construire, tu ne peux pas changer. La maison ne t’appartient pas. Elle appartient au Conseil [de bande]. Il fallait toutes les autorisations. À un moment donné, tu dis : ‘Tu vas mettre un lit double ou un lit superposé, puis tu vas les avoir, les enfants.’”
– Participant, First Nation community

Translation: “You can’t build. You can’t make changes. The house doesn’t belong to you. It belongs to the band council. You had to get all the authorizations. At a certain point, you say, ‘You’re going to put in a double bed or a bunk bed, and then you’ll get the kids.’”

Although these communities have full discretion to assess the foster families that apply, they also report a shortage of foster families to meet the needs of children or siblings when the extended family cannot take them in. The CNA is therefore exploring other options, including the assessment of non-Indigenous foster families, making sure to establish rigorous oversight to ensure the cultural continuity of placed children.

For its part, Uashat mak Mani-utenam decided in 2015 to stop assessing non-Indigenous families.⁷³ The community considers itself fortunate to have a large pool of kinship foster families (KFFs) and regular foster families (RFFs). Its representatives said they were taking various steps to help families get accredited (for example, assisting with pardon applications to meet the “criminal record” criterion when the situation warrants it) or to provide financial support to families taking in children with significant special needs.

Thus, about its pool of regular foster families, the Uashat mak Mani-utenam community only assesses and accredits prospective foster parents who are community members and live within the territory.

⁷³ Ellington et al. *Entre continuité et stabilité : une étude sur les trajectoires de placement des jeunes innus d’Uashat mak Mani-utenam au Québec*, Nouvelles pratiques sociales. 2025.

Communities with foster families managed by the CISSSs/CIUSSSs

At the time of writing, the communities of Kanesatake, Barrier Lake, Kebaowek, Timiskaming First Nation, Kawawachikamach and the Wolastoqiyik Wampanoag Nation were not responsible for assessing their foster families. It should be noted that several other communities have been delegated responsibilities, but lack the necessary staff to carry them out.⁷⁴ This is particularly the case for Odanak, Wôlinak, Essipit and Wendake.

In all these communities, the work is done by non-Indigenous staff authorized by the regional CISSS or CIUSSS. It is important to note that a regular foster family residing in these communities cannot choose to take in only children from their own community: they are part of the HSSN pool and receive the children assigned to them. According to one consultation participant, the inability to reserve spots for children from the community has been the subject of discussions between Wendake and the CIUSSS de la Capitale-Nationale, though no agreement has been reached.

Most DYPs responsible for services in these communities said that requests for exemptions from the MSSS criteria for Indigenous foster families are reviewed on a case-by-case basis, for both regular and kinship foster families.

According to the information compiled, the most requested exemptions were related to criterion 5 (lack of criminal record related to the role), 6 (financial stability), 8 (home insurance), 13 (bedroom), 14 (bathroom) and 15 (call system). In the opinion of the DYPs, exceptions are often granted, sometimes with the support of a report from the civil security and fire service.

Some DYPs reported working with prospective foster parents to ensure they meet the general criteria – for example, by supporting them with requests for pardons – particularly since the introduction of the new *Directive relative à l'application des critères généraux déterminés par le Ministre en RI-RTF*⁷⁵ (departmental guideline on the application of the general criteria for intermediate and family-type resources). This guideline specifies that it does not apply to Indigenous communities and that specific measures will be taken in accordance with Chapter V.1 of the YPA. The Protecteur du citoyen was unable to verify whether the DYP's perception of support and collaboration was shared by the communities involved.

The compensation of families, whether awaiting accreditation or already accredited, comes from the federal government but is paid by the CIUSSSs and CISSSs. Once accredited, families are compensated as FTRs, like families in Mashteuiatsh, based on the needs assessment scale in the *Support and Assistance Services Determination and Classification Instrument*.

During the consultations, it was reported that there were difficulties related to the terms of the needs assessment process and the associated compensation. First, while awaiting accreditation, a prospective kinship foster family receives just under \$30 a day. Assessment times vary from one region to another, ranging from three to twelve months. Under the current rules, prospective kinship foster families do not recover the difference between the base

⁷⁴ Hélie, S., Trocmé, S., Collin-Vézina, D., Esposito, T., Morin, S. & Saint-Girons, M. (2022). *Volet Premières Nations de l'Étude d'incidence québécoise sur les situations évaluées en protection de la jeunesse en 2019. Rapport EIQ/PN-2019*. Institut universitaire Jeunes en difficulté, 2022, p. 25.

⁷⁵ MSSS, *Directive relative à l'application des critères généraux déterminés par le Ministre en RI-RTF : Clientèle jeunes en difficulté*, departmental directive pursuant to section 29 of the *Act respecting the governance of the health and social services system*, May 26, 2025.

amount and the amount paid after accreditation, unlike regular foster families. However, if the assessment takes more than six months to complete, the families are given an additional amount that brings the daily compensation to \$51 until the assessment and, if applicable, accreditation.

Even once families have been accredited, the communities feel that their specific circumstances are not taken into account in the determination and rating form. The form is considered complex and there is little support from institutions to help ensure that certain realities facing First Nations children, such as cultural needs and intergenerational trauma, are recognized.

Consultation participants reported that regular and local foster families are dissatisfied, as they believe they are receiving a lower average rate than that paid to non-Indigenous foster families. Furthermore, the obligation to keep all invoices for child-related expenses adds an administrative burden and creates undesirable situations where placed children are treated differently within the family.

Foster families in urban settings

In urban settings, Indigenous foster families are generally recruited, assessed and accredited by the authorized personnel of the CISSSs and CIUSSSs, just like families in communities without delegated responsibilities. It should be noted that some communities can assess and accredit member families residing outside the community. For example, Uashat mak Mani-utenam said it assesses and accredits kinship foster families even if they live outside the community.

As mentioned earlier, according to the DYPs, requests for exemptions are rarely denied. However, the information compiled suggests that the DYPs do not consider exceptions to the criteria to apply to families residing outside the community, meaning that these families cannot benefit from allowances that can be granted by exceptions.

This is what Native Friendship Centres participants observed. Prospective Indigenous foster families, both regular and kinship, can be rejected for socioeconomic reasons:

“Parce qu’ils ne travaillent pas, ils n’ont pas une bonne job, ou leur maison n’est pas assez propre. Ce qu’il y a dans le frigidaire n’est pas considéré convenable pour les enfants, ce n’est pas assez santé. Il faut que ce soit parfait. Il faut qu’il y ait des légumes dans le frigidaire ou bien de la viande.” – *Participant, Friendship Centre*

Translation: “Because they don’t work, they don’t have good jobs or their house isn’t clean enough. What’s in the fridge isn’t deemed suitable for children. It’s not healthy enough. Everything has to be perfect. There have to be vegetables in the fridge, or meat.”

Recalling the recruitment process he went through himself, one participant described how the criteria related to the physical environment were strictly applied:

“L’intervenante est venue à la maison et j’ai trouvé ça pas mal sévère pour notre maison. J’ai été obligé d’acheter pour chaque pièce, je vous le dis bien, chaque pièce, un détecteur de fumée. J’ai dû suivre tout ce

qu'ils m'ont demandé. Je n'avais pas le choix, je ne voulais pas laisser partir mon petit-fils." – *Participant, Friendship Centre*

Translation: "The caseworker came to our house, and I thought she was pretty harsh in her assessment. I had to buy a smoke detector for every room, and I mean every single room. I had to do everything they asked me to do. I had no choice. I didn't want to lose my grandson."

These accounts reveal a gap between the DYPs' perception of the flexibility of their assessment and accreditation processes and that of prospective Indigenous foster families.⁷⁶

Urban Indigenous foster families are compensated by the provincial government based on the framework established by the ARR. Prospective local foster families face the same challenges as those in communities without an agreement, particularly regarding the time it takes to become accredited and the lack of retroactive compensation. Months can go by before they are properly compensated, and this gap remains if accreditation is denied.

A prospective local foster family awaiting assessment – a process that can exceed the regulatory six months in some regions – can receive a daily allowance of \$28.21 from the day the child is placed with them. The people consulted emphasized that accreditation delays place a significant burden on families. According to them, some perfectly suitable families simply do not have the financial means to sustain a process that can last several months. This reality also affects children with special needs. Access to Jordan Principle's provides valuable support in these situations.

The support provided to foster families also drew attention. For example, it was pointed out that HSSN institutions are not inclined to provide initial financial assistance to help families purchase what they need to foster children. For a family with limited financial means, having to buy a new mattress, diapers or winter clothing can be extremely difficult.

"There is no plan of recruitment for foster homes. We don't have those kinds of information sessions for First Nations families. Like, what is it? What is your role? Because they feel they don't want DYP in their life, so they tend to avoid taking children. Something must be changed to make it more accessible. I hear that some people take children on emergency basis with no clothes on their back. You need to have a few dollars in order to keep a child, no matter if it's an emergency. And if you need these dollars to dress this child until you get your check at the end of the month, it doesn't make you a bad foster parent. Right there, there is a barrier. You don't have the extra means to provide for another child." – *Participant, Friendship Centre*

Other participants mentioned obstacles related to access to transportation and the lack of respite of any kind to enable foster families to continue their commitment. Examples were cited of families with several additional children in their care, some of whom had special needs. These responsibilities are said to be insufficiently taken into account, which has a direct impact

⁷⁶ A recent study conducted by Lisa Ellington and Christiane Guay came to the same conclusions. See *Expériences, motivations et vécus des familles d'accueil autochtones au Québec. En milieu urbain. Faits Saillants*.

on the recruitment of new families and the retention of those already involved. As one participant explained:

“Il arrive que ces familles accueillent des enfants avec de nombreux rendez-vous, en raison de grandes difficultés, par exemple des TSA, ou de santé. Elles n’ont pas toujours de voiture, voire de permis de conduire. Ce sont souvent des mamans, des femmes extraordinaires, qui ont déjà trois ou quatre enfants, mais qui, finalement, se ramassent avec huit, puis dix enfants. Comment on soutient concrètement ces femmes-là? Comment pourrait-on recruter davantage de familles et de femmes comme celles-là? Il nous semble qu’il faut augmenter le soutien qu’on leur offre. De toutes sortes de formes : entretien de la maison, préparation des repas, service de transport, service de répit, camps culturels de jour à moindre coût, etc.” – *Participant, Friendship Centre*

Translation: “Sometimes families take in children who have a lot of appointments due to serious challenges, such as ASD or health issues. They don’t always have a car or even a driver’s licence. They’re often mothers – extraordinary women – who already have three or four children, but who end up with eight or ten. How can we offer tangible support to these women? How can we recruit more families and women like them? It seems to us that we need to offer them more support. All kinds of support: housekeeping, meal preparation, transportation services, respite services, low-cost cultural day camps, etc.”

One last issue concerns the lack of compensation for voluntary placements, that is, placements arranged before youth protection gets involved. It is not uncommon for a family member to spontaneously take in a child or youth they know. This is considered a positive development, as it prevents the child from being uprooted and helps maintain the bond with the biological parents. However, in such cases, the DYP provides no financial compensation or paid services. Many have spoken out against the unfairness experienced by these individuals:

“Qu’une famille d’accueil autochtone ou non autochtone reçoive une rémunération pour prendre soin d’un enfant, c’est normal. Mais qu’une jeune femme de 19 ans assume la responsabilité de l’enfant, vu que ça se trouve à être sa sœur, et ne reçoive pas d’aide financière, alors qu’elle va à l’école, c’est une iniquité je trouve. Et ça amène aussi un désengagement de la protection de la jeunesse par rapport à cette situation-là.” – *Participant, Friendship Centre*

Translation: “It’s only natural for a foster family, whether Indigenous or non-Indigenous, to receive compensation for caring for a child. But for a 19-year-old woman to take on the responsibility of caring for her younger sister, and not receive any financial assistance – even though she’s still in school – is simply unfair as far as I’m concerned. And it also leads to a lack of engagement from youth protection services regarding this situation.”

“De leur point de vue à eux, si l'enfant est dans un état de compromission parce qu'il s'est passé quelque chose, ils vont être reconnus plus facilement famille d'accueil, et là ils vont avoir un montant adéquat. Alors que s'ils le font de façon traditionnelle, prendre soin, éviter la DPJ, ils sont pénalisés” – *Participant, Friendship Centre*

Translation: “From their perspective, if the child is in danger because something happened, it will be easier for them to be recognized as a foster family, and then they'll receive adequate compensation. But if they do it the traditional way – taking care of the child and avoiding the DYP – they get penalized.”

This inequity has also been raised by some DYPs, which claim to have brought the issue to the attention of MSSS authorities. They reportedly argued for the importance of providing better support for voluntary preventive placements, as these help foster cultural continuity and reduce the overrepresentation of First Nations and Inuit children and youth in youth protection.

Foster families in Nunavik

In Nunavik, NIP has been responsible for the recruitment, assessment and accreditation of foster families since June 2024, with support from the NRBHSS. At the time of writing, negotiations were about to begin to formalize the delegation of responsibilities to NIP.

According to the child and family service delivery model put forward by NIP, the recruitment and accreditation of foster families is the first step toward full autonomy in youth protection. Since management was transferred to NIP, families have been able to apply online. Furthermore, the forms have been simplified and translated into Inuktitut, which facilitates access and encourages the participation of Inuit families, in accordance with the principle of self-determination. At the time of writing, there were no separate criteria for regular and kinship foster families.

Families awaiting accreditation receive \$50 a day per child, while accredited families receive \$100 a day per child. Despite NIP's efforts to process applications, several families remain on the waiting list due to the high volume of applications and the lack of staff to complete the assessments. To date, about 61% of foster families in Nunavik are accredited, while 39% are not yet accredited.

When the departmental criteria were reviewed in 2016, adjustments were made to adapt the framework to northern realities, in particular by removing housing-related requirements. Over the past year, new measures have been implemented to help keep as many Inuit children as possible in their communities. These initiatives include the Sanirquiniq exemption policy, approved by the NIP board of directors. Under certain conditions, this policy allows for more flexible accreditation criteria, particularly for families with criminal records that pose no threat to the child's safety.

The policy is administered by a four-member committee (NIP, the Tullatavik Health Centre, the Inuulitsivik Health Centre and a representative from the NIP Board of Directors) Committee members jointly make exemption decisions that were previously the sole responsibility of the DYP. When an exemption is granted, the family is accredited to care for a specific child and receives full compensation. This approach reflects Inuit values such as forgiveness and recognition of the potential for change, while placing the child's best interests at the heart of decisions.

According to the participants we met, compensation for foster families in Nunavik, which is the responsibility of the provincial government, remains a major issue. The amount of \$100 a day per child for accredited families and \$50 for non-accredited families is provided by NIP to meet the children's needs and offset the cost of living. However, this amount has never been officially recognized by the provincial government, which continues to fund services based on a daily rate of \$95 a day for accredited families and \$40.33 a day for non-accredited families. This difference in rates results in a deficit for health centres and illustrates a persisting inequality in the delivery of social services. There is currently no mechanism in place to account for the higher cost of living in Nunavik⁷⁷ within the service funding structure.

It should be noted that, according to the Indigenous Peoples Survey (2022), 41% of parents in Nunavik felt that their household income was not sufficient to meet their needs and 70% of children in Nunavik were living in a household that had experienced food insecurity in the previous 12 months (of which 58.1% had experienced moderate or severe food insecurity).⁷⁸

At the time of writing, further discussions with the provincial government were still expected with a view to ensuring fair and sustainable compensation for Inuit foster families in Nunavik and maintaining the trust of families and communities as well as the quality of the services provided.

Some consultation participants also reported not having any specific funding for voluntary preventive placements. However, they said they were increasingly relying on the provisions of the AHSSIN to make voluntary placements, and that this practice would be strengthened with the implementation of the Qiturnaq initiative (see the Prevention and Crisis Management Services section for more details). According to them, this measure offers a less intrusive alternative to immediate recourse to the YPA and better respects the pace and reality of families' lives.

There is still uncertainty regarding the funding for this legal measure. Participants have reported that social services do not currently have a dedicated budget to support these voluntary placements, despite the time and effort invested by staff in identifying suitable foster families. They feel that this lack of funding hinders the optimal use of a measure that is otherwise appropriate and beneficial for families.

⁷⁷ According to the research report *Price Dynamics and the Impact of the Food and Other Essentials Program*, (Lévesque & Duhaime, 2024), inflation and the fact that many products are not subsidized by the Food and Essential Goods program mean that price differences between Nunavik and southern Québec are still significant. Grocery prices are said to be 33.6% higher in Nunavik than in southern Québec, and in-store prices to have risen by nearly 20% between early 2002 and late 2023.

⁷⁸ Statistics Canada, Indigenous Peoples Survey – *First Nations children living off reserve, Métis children, and Inuit children and their families: Selected findings from the 2022 Indigenous Peoples Survey*, August 14, 2024, pp. 19, 21.

4.3.3. Findings and supporting elements – Indigenous foster families

Finding 1 – Assessment procedures in need of review

The Protecteur du citoyen notes that the DYPs feel that the departmental criteria do not pose a major problem. The Protecteur du citoyen also notes a certain degree of flexibility in the application of the physical criteria. However, the information gathered indicates that biases, particularly related to economic insecurity, continue to influence the judgment of caseworkers in certain regions.

The Protecteur du citoyen has been informed of an upcoming reform regarding the framework for assessing Indigenous foster families. The following factors should be considered in this reform:

- **The diverse experiences of the communities** should form the basis for this type of reform, regardless of their place of residence.
- **Co-construction:** Any reform must be based on a co-construction process with representatives of the communities concerned and with Native Friendship Centres.
- **Incorporate lesser-known or novel practices**, such as shared placements within the extended family, the involvement of a significant person in the child's life to avoid relocation or the structural adaptation of the home, for example, by collaborating with capital asset services, with Jordan's principle or with other relevant programs.
- **Beyond a new framework:** The risk that foster families will be rejected due to prejudices associated with economic insecurity will remain. Until we see fundamental changes in how we approach the issue of providing support to keep children in Indigenous communities, it seems crucial that someone from an Indigenous organization be systematically involved in handling cases to prevent any discrimination.

Finding 2 – Deficient support for recruitment and retention

All communities we consulted mentioned having difficulty recruiting foster families. Nearly all of them are unable to build an adequate pool of families for emergency situations. Most therefore focus on developing services centred on the extended family. Various forms of assistance are also available to support loved ones and help them take in a child or set of siblings.

A variety of needs and support services

Rather than requiring prospective foster homes to meet certain criteria, community social services focus on providing ways for children to remain with a family member or within the community. The supports currently offered or requested, regardless of the setting, include:

- Support for taking in a child and their siblings (mattresses, vouchers for clothing or diapers, etc.)
- Financial assistance for housing
- Assistance with home renovation or remodelling
- Transportation to appointments with specialists
- Financial assistance for childcare services
- Reduced-rate day camps
- Cultural camps
- Food services
- Respite services

These supports are essential for allowing placement in a family awaiting accreditation (KFF or RFF) or to ensure the viability of a voluntary placement. They take socioeconomic barriers into account and respect the minimum standards set out in the ARFNIMCYF.

- **Financial support:** These support services are federally funded and are therefore available to First Nations communities that have the necessary resources to develop and provide them and that are responsible for assessing foster families. On the other hand, these services are not available to Inuit communities or to Indigenous families living in urban settings, which creates significant inequity. Based on the current division of responsibilities, it is up to the provincial government to correct this inequity.
- **Institutional practices:** Recruitment challenges are also linked to institutional practices that prioritize quality control and contractual compliance at the expense of providing genuine, ongoing support tailored to families' realities. Within the HSSN, foster families are viewed as service providers bound by contract, which tends to obscure their life journeys, often marked by trauma, precariousness or intrusive institutional interventions. Failing to factor this in when providing support can weaken a family's commitment and exacerbate burnout or lead to withdrawal, even among families who are otherwise eager to take in children from their community. Greater collaboration with Indigenous organizations, including Native Friendship Centres, could be considered to support the recruitment of Indigenous foster families, based on a complementary partnership rather than a transfer of responsibility.
- **Promoting consistency in interventions:** Consistency in the assessments conducted by the HSSN fosters the development of specialized expertise, a better understanding of family and community dynamics and a climate of trust that is essential for recruiting and retaining Indigenous foster families.

Finding 3 – Persistent pay disparities

The Protecteur du citoyen acknowledges the intentions of the parties (federal government, provincial government and FNQLHSSC) to resume **committee work on the standardized rate** and deems it necessary that the government parties act promptly to adjust the daily amount paid per child to foster families in Indigenous communities.

However, several other issues related to the compensation of Indigenous foster families have been brought to light in this follow-up, most of which had already been documented during the CERP:

- The lack of a mechanism to account for the high cost of living in Nunavik;
- The lack of consideration for the difficult socioeconomic realities that Indigenous foster families may face;
- The obligation for some Indigenous foster families to join the collective agreement, and the complexity of the process for withdrawing from it;
- The lack of consideration of the specific needs of First Nations and Inuit children – including cultural needs – in the assessment of service levels provided by the classification tool;
- The non-retroactive nature of amounts owed for the first six months, during which local foster families await assessment;
- The lack of compensation for voluntary placements;
- The administrative complexity of expense reimbursement processes.

All these situations are the responsibility of the provincial government because, pursuant to the ARFNIMCYF, HSSN institutions are the child and family service providers responsible for managing regular and local Indigenous foster families.

Consequently, the Protecteur du citoyen believes that measures must be taken to comply with the obligations set out in the ARFNIMCYF, namely by safeguarding the best interests of the Indigenous child, ensuring placement within the extended family, prioritizing prevention services (such as voluntary placement) and promoting cultural continuity. In this regard, the Protecteur du citoyen is making one recommendation (R-6).

Supporting elements – Foster families

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning the recruitment, assessment and support of First Nations and Inuit foster families. They shed light on the favourable conditions observed in the field, particularly issues related to cultural safety and continuity, as well as factors likely to influence the recruitment and retention of these families.

1. Assessment and recruitment of Indigenous foster families

The analyses reveal **issues related to adapting assessment and recruitment practices for Indigenous foster families**, which may affect the cultural safety and continuity of placements.

Depending on the specific context, practices deemed to be more appropriate can be associated with:

- the integration of trauma-informed approaches into the assessment of Indigenous foster families;
- the consideration of practices developed by the communities to better reflect the realities experienced by prospective foster families;
- the application of assessment criteria that prioritize the identity of prospective foster parents over their place of residence.
- when the assessment is conducted by a CISSS or CIUSSS, consulting with community partners and establishing follow-up mechanisms to identify and analyze denials, particularly those based on socioeconomic considerations.

2. Support for Indigenous foster families

The analyses show that the availability and accessibility of culturally appropriate support measures are key factors in the recruitment and retention of Indigenous foster families.

In certain contexts, support for these families could involve:

- the provision of accessible psychosocial support that promotes cultural safety;
- the availability of support services, both individual and group-based, allowing families to share experiences and acknowledge the challenges they face;
- access to respite care services to help families stay committed over the long term;
- tailored support in complex situations encountered when fostering children.

4.4. Cultural plans for children placed in non-Indigenous alternative environments

Call for Action 121: Make sure that a cultural intervention plan is produced and implemented whenever an Indigenous child must be placed in a non-Indigenous alternative environment.

4.4.1. Background for the Call for action

Call for Action 121 deals with cultural continuity. This principle aims to preserve the cultural and linguistic anchors essential to a child's well-being, even when placement in a non-Indigenous alternative environment becomes unavoidable. At its core, the Call for action aims to create additional mechanisms to ensure the cultural continuity of a child placed in a non-Indigenous environment.

Since the CERP, legislative amendments have helped reduce this type of placement. With the entry into force of subsection 16(1) of the ARFNIMCYF in 2020 and of section 131.5 of the YPA in 2022, DYPs are now required to follow a priority order for placements. These legal provisions therefore reinforce their responsibility to make sustained efforts to keep the child in their community or with their extended family. It should be noted that the CERP had identified, through many testimonies, major shortcomings in the application of the obligation to prioritize placement with significant persons, an obligation enshrined in the YPA since 2006.

Cultural continuity: legal guidelines

Subsection 9(2) of the ARFNIMCYF states that “[a] cultural continuity is essential to the well-being of a child, a family and an Indigenous group, community or people; (b) the transmission of the languages, cultures, practices, customs, traditions, ceremonies and knowledge of Indigenous peoples is integral to cultural continuity; (c) a child's best interests are often promoted when the child resides with members of his or her family and the culture of the Indigenous group, community or people to which he or she belongs is respected; (d) child and family services provided in relation to an Indigenous child are to be provided in a manner that does not contribute to the assimilation of the Indigenous group, community or people to which the child belongs or to the destruction of the culture of that Indigenous group, community or people; and (e) the characteristics and challenges of the region in which a child, a family or an Indigenous group, community or people is located are to be considered.”

Section 131.3 of the YPA states that “Every decision made under this Act in respect of an Indigenous child and any other intervention concerning him made under this Act must foster the cultural continuity of that child. Institutions, bodies and persons having responsibilities towards a child under this Act and persons called upon to make such decisions shall consider, as one of the possible interventions to be made in respect of the child and his parents, having recourse to the available customary and traditional care, if made aware of it.”

Despite these legislative advances, as was demonstrated in the previous section, many obstacles stand in the way of First Nations and Inuit families who want to foster a child. In addition to socioeconomic factors, barriers to placement within the extended family or Indigenous community also arise from structural constraints in the youth protection system.

The result is that non-Indigenous foster families that are already accredited are often considered a more efficient option, although the DYP must respect the placement priority and document its reasons in this regard. To prevent the risks that placements outside the community of origin pose to the mental health⁷⁹ and identity development of children and youth in non-Indigenous alternative environments, the current regulatory framework (see box) recognizes the importance of ensuring cultural continuity.

The CERP put forward Call for Action 121 to ensure cultural continuity during out-of-community placements, drawing inspiration from established practices in Alberta and Nova Scotia.⁸⁰ In its follow-up to this Call for action in 2023, the Protecteur du citoyen requested that a directive be issued for all youth protection workers. This directive was deemed necessary to:

- 1) Systematize the use of follow-up procedures for actions aimed at cultural continuity across all health regions;
- 2) Resolve the confusion between the cultural intervention plan as defined by the CERP (a standalone plan with objectives, roles and responsibilities and follow-up procedures) and what the MSSS is proposing for the implementation of Call for Action 121 (integration of cultural resources into the intervention plan or the individualized service plan for youth over 14 years of age⁸¹).

Since that time, the MSSS has produced, in collaboration with many Indigenous and non-Indigenous specialists, the clinical practice guide entitled *L'intérêt des enfants autochtones, le bien-être de leurs familles et des communautés : des concepts phares en protection de la jeunesse*. This guide, released in February 2025, presents and explains to DYP workers the legislative provisions applicable to cultural continuity. It also explores the meaning of cultural continuity in specific contexts: the place of residence of the placed child, the level of familiarity with the child's language and culture, the range of cultural services offered by the community or local Friendship Centre, the importance of access to the territory and so on.

The guide represents a significant step forward in recognizing cultural continuity and provides caseworkers with useful conceptual and contextual guidelines. It remains relatively non-prescriptive, however, in terms of providing a specific framework for developing and implementing a cultural plan. Unfortunately, the Protecteur du citoyen does not have information on how widely the guide has been distributed to caseworkers.

⁷⁹ Statistics Canada. 2025. [*The importance of cultural continuity in foster care for the long-term mental health of Indigenous people in Canada*](#), November 18, 2025.

⁸⁰ CERP Report, *supra*, note 4, p. 432.

⁸¹ Pursuant to sections 103 to 105 of the former *Act respecting health services and social services*, now sections 389 to 391 of the *Act respecting the governance of the health and social services system*, CQLR, c. G-1.021.

Specifically, current regulatory documents do not sufficiently define the minimum components of a cultural plan, the expected objectives, the responsibilities of the various actors or the mechanisms for monitoring and assessing the plan over time. This lack of clear operational guidelines can lead to significant variability in practices and limit the actual scope of these plans for placements in non-Indigenous alternative environments.

4.4.2. Review of consultations

Given the importance of cultural continuity for children placed outside their community, the consultations addressed the matter of the voice of the child, the extended family and Indigenous social service providers. Discussions were also held on the cultural plan development process, the recognition of Indigenous organizations' expertise in cultural continuity and the importance of children visiting the territory.

Cultural plans among the First Nations

In general, participants have observed that the placement of children in foster families outside their communities or in non-Indigenous alternative environments has declined in recent years.⁸² In this regard, it is important to note that, in addition to the legislative amendments mentioned above, some communities adopted policies more than ten years ago aimed at eliminating out-of-community placements.

Other communities have only recently experienced these changes. In the past, many placements were made without regard to placement priorities. This has created specific challenges regarding how best to restore cultural continuity for these youth. Furthermore, in many communities, there are not enough foster families to meet the demand for placements. **For these youth, establishing conditions to maintain or create cultural continuity is therefore a fundamental issue.**

The use of a plan to ensure cultural continuity varies widely depending on the health regions and communities served by a given institution. Furthermore, in most communities, very few initiatives aimed at ensuring cultural continuity for youth placed in rehabilitation centres have been reported, and plans formalizing roles and responsibilities are rarer still. There are some exceptions, however. Listuguj with the Ginui Rehabilitation Centre – opened in 1985 – as well as Manawan and Wemotaci with the Foyer Mamo in La Tuque, have centres where culture is at the heart of all interventions.

Communities have a variety of ways of approaching their services and responsibilities to ensure the cultural continuity of children or adolescents placed in non-Indigenous environments. The community of Akwesasne provides families and children who wish to reconnect with the community's inherent beliefs and values with services offered by the Prevention House's Traditional Support Unit. Services are more limited when a youth is placed farther away, such

⁸² This was also observed in studies such as Hélie, S., Drapeau, S., Châteauneuf, D., Esposito, T., Noël, J., Poirier, M.-A., Saint-Jacques, M.-C. (2020). *L'évaluation des impacts de la Loi sur la protection de la jeunesse : Point de mire sur la réunification familiale et le remplacement*. Report submitted to the Ministère de la Santé et des Services sociaux, Institut universitaire Jeunes en difficulté, Montréal, Québec; Ellington, L., Guay, C., Pagé, G., Poirier, M.-A., Précourt, S., Garcia, E. & Vollant, N. (2025). *Entre continuité culturelle et stabilité : une étude sur les trajectoires de placement des jeunes innus d'Uashat mak Mani-utenam au Québec*. *Nouvelles pratiques sociales*, 34(2), 1–25.

as in Western Canada, but efforts are still made to maintain the connection to culture and language by sending books, for example. Customary care agreements, a practice first established in Ontario, are now essential for anyone placed in a non-Indigenous family.

Like customary care agreements, *Loi Tshisheuatishitau* – which, once in force, will govern childhood, youth and family services for members of Uashat mak Mani-utenam – provides for the development of an identity pride plan for children placed outside the community. This plan must include concrete measures to ensure the cultural continuity of the *Innu-auass* (child) and maintain ongoing relationships with the *Nikanish* (extended family), the community, the nation and the territory. The plan must also provide for follow-up to encourage family reunification as soon as possible and regularly seek the child's perspective and opinion on the essential measure (placement), both with and without the presence of the adults caring for them.

According to participants from Listuguj, cultural continuity is built first and foremost through simple actions rooted in daily life. When a youth living in Campbellton is going through a difficult time, the community helps them reconnect by pairing them with a cultural mentor or inviting them to the territory. Once there, surrounded by nature and exposed to traditional teachings, they have an opportunity to relax, refocus and reconnect with their identity.

Support does not always entail a formal intervention plan: it could be a cooking workshop with the child's parents, berry or salmon preservation lessons, or activities that bring families together around cultural practices. This indirect approach, which is gentler and less intimidating than a meeting in an office, helps youth even when they are not ready for therapeutic support. It maintains a living connection with the culture and community, even from a distance, and becomes a real safety net for youth and their families.

Participants from the Conseil de la Nation Atikamekw (CNA) report receiving many requests from youth protection workers (DPJ) to plan for cultural continuity. To better manage these requests and respond to them effectively, a flowchart was being developed at the time of the consultations. These participants reported that support requests do not consider the value of their expertise or the costs associated with the requested support. They are currently exploring ways to prevent their community resources from becoming overburdened.

Several participants from Innu/Innu communities in Côte-Nord and Saguenay–Lac-Saint-Jean questioned the relevance of developing cultural continuity plans. They doubt that the CISSSs or CIUSSSs are actually rigorously monitoring the objectives and measures. Moreover, non-Indigenous regular foster families do not seem to face any consequences when shortcomings are reported by the teams. Cultural continuity is generally treated separately from interventions with children and adolescents, which is problematic. The Innu/Innu participants feel it would be more appropriate to base the approach and interventions on the values and beliefs that are prevalent in the youth's culture of origin. They also emphasize that, for them, cultural continuity is rooted more in seasonal community-based activities, such as time spent on the land. These activities, when made accessible to youth in rehabilitation or foster care, are appreciated by both the youth and the foster families, who see them as an opportunity for regular respite.

Finally, support workers from communities without delegated youth protection responsibilities said that they sometimes feel powerless to support the cultural continuity of placed children and youth. Their expertise and cultural knowledge are reportedly often overlooked by their counterparts in youth protection and rehabilitation at their region's CISSS. As a result, they strongly doubt that the cultural continuity of placed youth is truly being ensured.

Cultural plans in urban settings

Participants from Native Friendship Centres reported that they are rarely asked to help develop cultural continuity plans. When DYP workers contact the Friendship Centres in their region, the purpose is usually to find out which of the Centre's activities the child or youth could participate in. Friendship Centres feel that their expertise should be leveraged to clarify what cultural continuity means for a given family in situations where it cannot be approached using a single, standardized model. Participants consulted pointed out that Indigenous realities are highly diverse and that cultural continuity can therefore manifest in many ways, depending on the needs, history and meaningful bonds specific to each child and their family. They noted that when such plans are developed, the child's voice and the meaning attached to culture by the extended family are often given little consideration.

Friendship Centres reported that DYP workers in large urban centres are unfamiliar with Indigenous cultures and languages. They said that DYP workers do not take the time – or have the time – to find appropriate ways to ensure a youth's cultural continuity. The autonomy of practitioners in this area is also criticized: adding a dreamcatcher or a picture of a polar bear to a bedroom simply cannot be considered an acceptable way to ensure cultural continuity.

Friendship Centres participants reported that some DYP staff questioned the relevance of community visits, deeming these environments "unsuitable" for the child. Parents are also sometimes discouraged from speaking to their child in their native language or in English during supervised visits, including at rehabilitation centres. Moreover, some supervised visits have reportedly been interrupted on the pretext that the staff do not understand the language being spoken (an Indigenous language or English).

The means for overcoming these obstacles to cultural continuity – whether they are related to human or financial resources – vary significantly from one DYP to another. Some DYPs reported that they cover the costs of enabling children placed far from their community to maintain contact, even though there is still some uncertainty about the availability of funding.

The communities and DYPs stated that expenses incurred to help placed children and youth maintain ties with their community of origin are handled on a case-by-case basis, on request, and are subject to negotiation. And in the opinion of those consulted, these requests are met with varying degrees of openness:

“Les parents ou des parties demandent que l'enfant fasse des voyages au Nunavik, puis la DPJ nous répond qu'elle ne pense pas que ça rentre dans la compétence du juge [...] d'ordonner que la DPJ finance des voyages au Nunavik. Et donc, ça, c'est un écueil important.”
– *Participant, Friendship Centre*

Translation: “The parents or parties ask for the child to travel to Nunavik, and the DYP answers that they don't think the judge has the authority [...] to order the DYP to fund trips to Nunavik. So that's a major stumbling block.”

Friendship Centres play a vital role in maintaining, strengthening and rebuilding the cultural identity of children and youth placed in urban settings, whether in non-Indigenous foster families or in rehabilitation centres. Their programs and activities offer these youth valuable opportunities to learn and thrive in an environment that fosters cultural safety.

Some Centres even have a youth committee that gets youth involved in planning and organizing activities. These committees empower youth to act and actively contribute to cultural continuity for their members. However, Friendship Centres alone cannot ensure the cultural continuity of youth placed in urban settings; both the DYP and First Nations and Inuit communities are responsible for ensuring that the rights of children and youth are respected.

Friendship Centres also work with non-Indigenous foster families on their own initiative. They raise their awareness of the importance of preserving the cultural identity of children and youth, and they support them so they can fully assume this responsibility, considering the diversity of Indigenous realities and what cultural continuity means for each child. Several of the people consulted, however, pointed out that this type of initiative should not rely solely on Indigenous organizations. Such support would benefit from being developed in collaboration with or even in co-construction with the DYP, to ensure more consistent implementation and to avoid placing the entire burden of cultural continuity in foster care on the Centres alone.

DYP staff also play a role in the rehabilitation of young offenders. They supervise community service and use culture as an intervention tool. However, the Centres pointed out that this role is often complex: the openness of staff at rehabilitation centres for youth with difficulties (RCYD) to the proposed outings and activities varies, and these are sometimes even considered a privilege.

Cultural plans in Nunavik

NIP receives information from the DYPs for all Inuit children whose parents are JBNQA beneficiaries. Specifically, when the parents reside in Nunavik, DYP workers from the Tulattavik Health Centre (THC) or the Inuulitisivik Health Centre (IHC) must contact NIP to find an Inuit foster home. When none can be found, they work with NIP and the child's family to develop a cultural continuity plan. The plan is then forwarded to the foster family so they can implement it.

When the parents of the reported Inuk child live in the South⁸³ and a decision is made to place the child with a foster family, the process is different: NIP develops a cultural continuity plan with the extended family, after which DYP workers in the territory where the parents live forward the plan to the foster family for implementation.

⁸³ In everyday speech in Nunavik, "the South" refers to the southern part of the province.

Ensuring cultural continuity for Nunavimmiut

In early 2025, NIP hired and trained a cultural continuity coordinator whose sole responsibility is to develop the cultural continuity service model. Based in Inukjuak, this position is currently the only one fully dedicated to this function. NIP does not currently have the necessary funding to deploy cultural continuity workers in the communities.

More specifically, efforts have focused on creating a structured framework, including a standardized cultural plan template for each child and guidelines to support its implementation. These tools aim to ensure the systematic involvement of the family, the extended family and the community, when appropriate and in the child's best interests.

NIP also receives and follows up on all placement notices issued under section 131.8 of the YPA. A designated team member is responsible for responding to these requests, including communicating with the families when appropriate. The roles and responsibilities related to cultural continuity are currently being formalized: the cultural plan template and the guidelines that go with it clearly define the responsibilities of NIP, the youth protection authorities, the families and the community partners. These documents must be submitted to the board of directors for approval. Pending their implementation, collaboration is based on case-by-case arrangements, including the participation of NIP staff in permanency planning committees.

For the past two years, NIP has been systematically making its staff available to the DYP to ensure that Inuit children have a meaningful plan for maintaining their cultural, family and community ties.

NIP is also working with Tasiurtigiit, the Montréal-based support group for families of Inuit children. Furthermore, NIP is involved in a research project with McGill University that aims to help Inuit youth placed at the Batshaw Youth Centre maintain ties with their communities of origin.

Based on the data obtained in December 2025, there were at that time 80 children in foster care outside Nunavik under the responsibility of the THC's DYP and 180 children under the responsibility of the IHC's DYP. Staff at both DYPs are working to develop cultural continuity plans for all children placed in the South. However, this work remains incomplete due to a lack of Inuit personnel.

Youth placed in rehabilitation centres in the South generally do not have a cultural continuity plan. In contrast, when they are placed in facilities in Nunavik, they have access to a variety of cultural activities.

The DYPs have noted that they have very limited resources to support youth outside Nunavik and help them keep their culture and language alive. They sometimes use materials produced by Tungasuvvingat Inuit (TI), based in Ontario, but these resources are insufficient to meet the needs and demand.

The DYPs have indicated that they do not have specific funding to provide regular and meaningful visits to children placed outside their communities, whether in the South or in another Nunavik village. In the Ungava region, it is estimated that a budget of approximately \$1.9 million would be needed to provide each child with four visits per year, including a companion. In Hudson Coast, where three annual visits per child are planned, the annual cost is just over \$4.3 million.

In addition to these amounts, there are expenses related to children's participation in traditional activities or stays on the land with Inuit guides and knowledge keepers. The cost of these activities, offered primarily by Saqijuq, is estimated at approximately \$50,000 per coast each year. Currently, these costs are covered by the two health centres, which has led to deficits. The DYPs have indicated that they are working with the NRBHSS to confirm the availability of MSSS funding to provide these services to children placed in non-Inuit environments.

All participants consulted emphasized the complexity of maintaining cultural continuity for an Inuk child who has been placed in the South for an extended period, while recognizing that such continuity can reduce the risks of an identity crisis in adolescence. Considering the shortage of qualified youth protection workers in Nunavik and the limited number of Inuit staff in child and family services, there is still much to be done to reduce the overrepresentation of children in youth protection and placements outside Nunavik.

According to the information received, no placements to majority are currently permitted in Nunavik due to the lack of resources available to carry out the regular reassessments required by subsection 16(3) of the ARFNIMCYF. Although this is now the preferred approach, it is important to bear in mind that in the past, many youths were placed to majority in non-Indigenous families outside Nunavik and spent years without contact with their community. Some of them even lost the ability to speak or understand Inuktitut.

In short, everyone agrees on the need for in-depth reflection to determine the best practices to ensure that visits are positive experiences and achieve the objective of maintaining or restoring the cultural continuity of Inuit children and youth placed outside Nunavik, while taking into account their individual experiences and perspectives.

4.4.3. Findings and supporting elements – Cultural plans

Finding 1 – The voices of children, parents, families, governing bodies and FNI service providers are still overlooked

- **A structural deficit:** Caseworkers continue to make decisions that run counter to the preferences and aspirations of youth and extended families. The voices of children, youth, families, governing bodies and social services providers are rarely considered in measures aimed at cultural continuity. The "participation" mechanisms set out in the legislative framework are not fully operational and do not seem to sufficiently address the power imbalances between HSSN staff and the First Nations and Inuit services providers.
- **Plans developed in silos:** The reluctance of many First Nations and Inuit professionals and support workers does not seem related to the tool itself, but rather to the way these plans are developed, often in silos, in checklist format, with no real Indigenous participation.
- **A more legitimate approach:** If Indigenous representatives played a central role in developing and monitoring these plans, the tools would be more legitimate and effective. The plans could then serve as key levers for preparing for reunification or return to the community.

- **The insufficient involvement of Friendship Centre staff and community organizations from various First Nations** in fostering understanding and rebalancing power dynamics reflects a lack of institutional recognition of their expertise and their essential contribution to creating culturally grounded spaces for dialogue.
- **Worrisome situations:** Some reported situations – such as banning the mother tongue during supervised visits and not permitting stays in the community – are particularly concerning. They illustrate not only a lack of staff training on the historical and contemporary impacts of colonization, but also the continued use of a non-Indigenous-centered approach and a lack of understanding of the minimum standards set out in the ARFNIMCYF.

Finding 2 – Expertise in cultural continuity must be valued, recognized and compensated

Disparities have been noted in the commitment of DYPs in implementing meaningful measures that promote cultural continuity and maintain ties with parents and the extended family, beyond simple visits to the community. These shortcomings seem to stem from a lack of knowledge and appreciation of the services offered by Indigenous organizations, rather than a lack of will.

- **Unpaid services:** Budgetary constraints and the long-standing lack of recognition of Indigenous knowledge and expertise mean that these services are often solicited without compensation. Despite these constraints, Indigenous organizations strive to meet needs with the resources at their disposal and inform non-Indigenous foster families of their responsibilities regarding minimum standards.
- **Few measures in rehabilitation centres** aim to ensure cultural continuity for youth and maintain their family ties, except for centres run by Indigenous communities. Positive initiatives in HSSN centres generally rely on individual engagement. In a context where a lack of space in rehabilitation centres can lead to placements in other regions or cities, distance poses an added challenge, complicating cultural continuity.
- **Recognizing the value of cultural expertise:** Many Indigenous organizations are developing job titles, flowcharts, service offerings, pilot projects and frameworks for cultural plans. The adoption and implementation of the principle of cultural continuity are therefore still in their infancy within the HSSN. Despite the existence of legal obligations, cultural continuity is still perceived as peripheral to youth protection interventions.

Finding 3 – Compliance is dependent on individual initiatives rather than systemic commitment

- **Financial planning:** Only the Nunavik DYPs have estimated the annual expenses for visits by Nunavik children in their care who have been placed in the South. Currently, each DYP responds on a case-by-case to requests made by families and Indigenous governing bodies.
- **Lack of information:** No informational materials are provided to inform parents of children placed outside their community about DYP's obligations in this regard. The lack of guidelines – particularly regarding transportation funding, visit preparation or visit frequency – makes it impossible to know what all children placed outside their community are entitled to.

- **Importance of regular visits:** The *Guide sur l'intérêt de l'enfant autochtone* stresses the importance of implementing measures to maintain the child's connection to their family, community, language, culture and territory of origin. In some families, cultural continuity requires regular visits to the community of origin, allowing children to be exposed to a wide range of cultural and linguistic practices.⁸⁴

With a view to promoting greater equity among health regions regarding respect for the specific cultural continuity rights of First Nations and Inuit children, youth and families, the Protecteur du citoyen is making two recommendations (R-4 and R-6).

Supporting elements – Cultural plans

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning certain conditions surrounding respect for the right to cultural continuity of First Nations and Inuit children and youth, particularly those placed with non-Indigenous foster families. They shed light on the favourable conditions observed in the field, focusing on the framework for practices related to these placements and the mechanisms identified to support the implementation of cultural continuity plans.

1. Framework for placements in non-Indigenous foster families and cultural continuity

The analyses show that enforcement of the right to cultural continuity of First Nations and Inuit children and youth placed in non-Indigenous foster families varies by environment, both in the initial assessment of families' capabilities and in the follow-up on commitments made.

Practices deemed to be more conducive to upholding this right are observed when:

- preliminary steps are taken to assess – in particular through checks and consultations with Indigenous community partners – the time available, capacity, motivation and commitment of non-Indigenous foster families to meet the child's specific cultural continuity rights;
- cultural continuity plans are developed in co-construction with the community, the extended family or Indigenous representatives and then appended to decisions for placement in non-Indigenous environments and to intervention plans, in keeping with the applicable ministerial guidelines; ongoing training activities for non-Indigenous foster families help strengthen understanding of First Nations and Inuit realities, including colonial history, the rights of Indigenous children and the principles set out in the ARFNIMCYF.

⁸⁴ For more on ways to ensure cultural continuity, see, for example, [*Le principe de continuité culturelle dans la Loi concernant les enfants, les jeunes et les familles des Premières Nations, des Inuit et des Métis \(LEJFPNIM\)*](#). 2025.

4.5. Rehabilitation centres

Call for Action 131: Invest to increase the number of available spaces where needed at youth rehabilitation centres in Indigenous communities covered by an agreement.

Call for Action 132: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the number of available spaces where needed at youth rehabilitation centres in Indigenous communities not covered by an agreement.

4.5.1. Background for the Calls for action

During the CERP, many testimonies highlighted the lack of spaces in RCYDs (Rehabilitation Centres for Youth with Difficulties) for First Nations and Inuit. In Nunavik, the difficulty in recruiting foster families led to an increased number of youths being placed in the residential units of rehabilitation centres. There were concerns that important decisions affecting the lives of Inuit youth were being made based on available spaces rather than on their needs. The shortage of support workers and educators was also cited as being detrimental to the mental and physical health of youth: once placed, they rarely receive the services to which they are entitled. When safety is prioritized over care due to a lack of staff, the consequences can be serious and even tragic, including suicide, as the CERP pointed out.

In its first follow-up report in 2023, the Protecteur du citoyen reported that the MSSS was not actively working to increase the number of spaces available in RCYDs in Indigenous communities covered by an agreement. The MSSS also stated that it did not have any information about these needs. The Protecteur du citoyen therefore concluded that no concrete initiative had been undertaken in response to Call for Action 131.

As for Call for Action 132, the MSSS stated that it was focusing its efforts on participating in tripartite discussions as part of the work of the Partners' Committee on the governance process for First Nations health and social services in Québec. Since priorities are determined by the FNQLHSSC and the content of Call for Action 132 is not included, no specific measures had been adopted. In short, no concrete action had been taken to address these two Calls for action.

Both the ARFNIMCYF and the YPA require that any decision concerning an Indigenous child be based on the best interests of the child, considering their cultural heritage, their family and community ties and the preservation of their identity, language and territory. These laws also emphasize cultural continuity and the adaptation of services to the historical, social and cultural realities specific to First Nations and Inuit. They specify, particularly in sections 11 (ARFNIMCYF) and 131.4 (YPA), that placements must promote these principles and that the services received, including in rehabilitation centres, must incorporate cultural factors and consider historical traumas and community living conditions.

Finally, the latest *Cadre de référence en Centre de réadaptation pour les jeunes en difficulté d'adaptation* provides that rehabilitation services must offer “services that are sensitive to and adapted to the cultural and socio-historical realities of youth from Indigenous and Inuit communities by respecting their identity, language, traditions and knowledge and by collaborating closely with the communities concerned to ensure culturally safe and meaningful

practices.”⁸⁵ In this regard, the MSSS specifies that current rehabilitation guidelines, both in Indigenous communities and throughout Québec, do not favour increasing the number of spaces in RCYDs. Instead, they emphasize strengthening early interventions and prevention efforts to help keep children in their families and communities, with placement being used only as a last resort and for as little time as possible.

Looking beyond the crisis: understanding what leads so many Indigenous youth to rehabilitation services

Throughout the work and discussions on issues related to youth with difficulties, one concern keeps coming up: Why do so many Indigenous youth find themselves in crisis, experiencing a breakdown or requiring placement in a rehabilitation centre? This is not simply an administrative or budgetary issue. It touches on the very heart of a collective responsibility.

The First Nations and Inuit point out that these challenges never arise out of nowhere. They are rooted in well-known social, historical and cultural determinants: persistent poverty, housing insecurity, intergenerational trauma, the lack of culturally adapted services and chronic underfunding of community initiatives. Until these root causes are recognized and addressed, the symptoms will continue to manifest among youth.

But one question remains unresolved: Do we really have the necessary funding to develop community-based early intervention services before situations escalate? The First Nations and Inuit stress that current resources are grossly insufficient to provide prevention services, family support and psychosocial support, let alone services based on a culturally safe approach.

Real change requires a fundamental shift in priorities: putting prevention funding first, supporting community initiatives, strengthening cultural and language services and fully recognizing the expertise of First Nations and Inuit in supporting their own children.

It is only by acting before a crisis arises—rather than after—that it will be possible to restore trust and offer these youth life paths that honour their potential.

⁸⁵ MSSS, *Cadre de référence en Centre de réadaptation pour les jeunes en difficulté d'adaptation - Bâtir l'avenir : des services de réadaptation pour les jeunes en difficulté et leur famille; La mission, la vision et les grandes orientations*, 2025, p. 1. Translation.

4.5.2. Review of consultations

During the consultations, participants referred to rehabilitation and supervision needs in both open and closed settings, generally without distinction. The following therefore concerns the range of services offered in these units as a whole, unless otherwise indicated.

Number of Indigenous youth placed in rehabilitation centres, by health region⁸⁶

Institutions	2023	2024
Abitibi-Témiscamingue	13	11
Bas-Saint-Laurent	0	0
Batshaw-CIUSSS de l'Ouest-de-l'Île-de-Montréal	10	15
Capitale-Nationale	20	21
Centre-Sud de Montréal	2	0
Chaudière-Appalaches	3	3
Côte-Nord	27	31
Gaspésie	3	7
Lanaudière	9	7
Laurentides	2	2
Laval	1	1
Mauricie et Centre-du-Québec	3	3
Montréal-Est	2	4
Inuulitsivik Health center and Tulattavik Health Center	128	131
Outaouais	0	4
Saguenay-Lac-Saint-Jean	1	1
Total	210	224

⁸⁶ Data shared by DYPs, December 2025

Rehabilitation centres for First Nations

The mission of the RCYDs is to provide every youth with a caring, stimulating, stable and safe living environment, as well as high-quality specialized services tailored to their needs and promoting their development and social integration.⁸⁷ According to most participants, however, these environments do not foster cultural safety and are not places where First Nations youth can receive quality services that truly support their development.

Furthermore, the lack of RCYD spaces for First Nations youth has persisted since the CERP. The directors of youth protection⁸⁸ have confirmed this, noting that the shortage of spaces affects the entire population. They recognize, however, that for First Nations youth, the lack of culturally safe environments further exacerbates the violation of their rights.

Many participants voiced particular concerns regarding First Nations youth who speak English as their first language or second language after an Indigenous language. This is because the lack of spaces in English-language RCYDs or group homes increases the frequency of placements in French-language rehabilitation centres. For some Indigenous youth, however, French is their third or even fourth language; it is neither their mother tongue nor the main language used at home, but rather a language used in school or for administrative purposes.

Under these circumstances, youth may find it even more difficult to express themselves and be understood. This highlights the importance of ensuring that cultural continuity and interventions account for the multilingualism of Indigenous youth in order to be effective and culturally safe.

Another criticized aspect is socialization. When youth are placed in a French-language centre even though their second language is English, they can quickly become isolated, as it becomes difficult – if not impossible – for them to communicate with the other youth in the centre. A youth program director illustrated the impacts for the youth:

“Si nous sommes en mesure de mettre en place des modalités pour que du personnel pouvant s’exprimer en anglais soit présent avec l’enfant, ce dernier se trouve néanmoins isolé du groupe de pairs, qui lui s’exprime en français. En ce sens, lors des moments de groupe, l’enfant peut se retrouver dans l’incapacité de communiquer avec ses pairs, si aucun de ces derniers ne parle anglais. Il est également difficile d’offrir des activités psychoéducatives en groupe, puisque celles-ci sont offertes en français. Cela impacte donc notre capacité de répondre aux besoins de réadaptation de l’enfant.” – *Youth program director*

Translation: “While we can arrange for staff who speak English to be on hand for the child, the child is nevertheless isolated from the peer group, which communicates in French. As such, during group time, the child may be unable to communicate with their peers if none of them speaks English. It’s also difficult to provide group psychoeducational

⁸⁷ Gouvernement du Québec, Services for youth in difficulty and their families, [Rehabilitation centre for young people with adjustment difficulties](#), [Online] Retrieved March 10, 2026.

⁸⁸ To lighten the text, the term “directors of youth protection” includes the directors of youth programs. In some regions, both roles are played by the same person, while in others, they are separate people.

activities, since these are conducted in French. This affects our ability to meet the child's rehabilitation needs."

This is compounded by challenges related to schooling, as centres that provide in-house educational services do so in the language of their administrative region. Even when efforts are made to enroll youth in external English-language schooling, these attempts are not always successful. As a result, youth may spend varying periods without access to educational services, or may have access to them in a language they do not understand.

"And that group home we are talking about is all in French, so we are pretty much taking English speaking children and sending them. It's like another form of residential schools. TV is in French, they are not allowed to watch English TV. All their schooling is in French, so they are behind when they go back to English schools." – *Participant, First Nation community*

Given this situation, some participants wondered how an assessment can be made, in any professional field, in accordance with best practices. The validity of some conclusions was called into question, not because of the professional qualifications of the person conducting the assessment, but because of their level of proficiency in English. Since assessment is the basis for determining a youth's needs and tailoring interventions, this shortcoming has serious consequences for the youth in question.

For all these reasons, several English-speaking First Nations communities are operating or wish to operate their own facilities for youth with difficulties. This is the case for Listuguj, which has been operating the Gignu group home since 2017. Other communities want to offer similar resources locally. For example, Kahnawake has developed a group home project for the community. While the project reportedly reached some administrative milestones, it ultimately could not be implemented as planned. In the meantime, the community has to deal with gaps in services for its youth. Although there is an agreement stipulating that the CIUSSS de l'Ouest-de-l'Île-de-Montréal (CIUSSS-ODIM) has supraregional responsibility for providing rehabilitation services in English, the demand for English-language services regularly exceeds CIUSSS-ODIM's capacity to meet it. Consequently, many youth end up being placed in French-language units administered by the CISSS-Montérégie-Est for varying lengths of time. This is one of the main reasons why the community wants its own group home: to protect the rights of these youth.

It is worth noting that the desire to have rehabilitation facilities run by and for First Nations is not limited to English-speaking communities. The vast majority of participants expressed this need or highlighted the added value of rehabilitation services established by First Nations and rooted in their culture and community life.

For example, the Conseil de la Nation Atikamekw has established its own RCYD, Foyer Mamo⁸⁹ for youth aged 12 to 17, which is very highly regarded by the people we consulted. A six-bed home has also been built in the community of Opitciwan. The community recently appointed a coordinator to develop cultural programming, and the home is scheduled to officially open in June 2026.

Finally, there used to be a group home in Uashat mak Mani-utenam. According to the information obtained, the home did not have the necessary resources to provide intensive supervision to youth at high risk. Based on the collaboration agreements, the CISSS Côte-Nord and the Côte-Nord DYP were supposed to quickly take these youth into care, but this commitment was not always honoured. Over time, the inability to transfer several youth at high risk created unsafe conditions for the youth and staff. With these situations mounting and no way to provide a suitable environment, the home had to be closed.

Collaboration agreement between Uashat mak Mani-utenam and Centre de réadaptation pour jeunes en difficulté d'adaptation de Sept-Îles

The community of Uashat mak Mani-utenam worked with the Centre de réadaptation pour jeunes en difficulté d'adaptation de Sept-Îles to develop an agreement providing several significant improvements for the First Nations youth residing there. First, it established the regular presence of liaison officers who can offer support in the language and according to the cultural values and practices of Innu children. This presence has reportedly played a key role in managing crises: the immediate intervention of a liaison officer helps defuse difficult situations and avoids the need for intensive supervision measures.

The agreement also led to the creation of an ongoing cultural activities program available to all youth in the units. These activities help reduce prejudice, combat racism and foster greater understanding among youth. Finally, the partnership has opened a channel for direct dialogue between the centre's managers and the community, making it possible to explicitly address ongoing issues and tensions between the RCYD's practices and the principles of cultural safety, and to negotiate specific adjustments to improve the services offered to Innu youth.

Another recurring issue concerns payments for RCYD spaces. In principle, the daily lump-sum payments made by the communities should cover all accommodation-related expenses. However, what is really included varies from region to region: transportation, clothing, eyeglasses, etc. This variability, combined with a lack of transparency and accountability, makes it difficult for the communities to understand exactly what they are paying for.

⁸⁹ Atikamekw Sipi, [Services sociaux Atikamekw Onikam – Foyer Mamo](#). [Online] Retrieved March 10, 2026

Participants also mentioned how the lack of specialized prevention services in their communities is affecting them. Without access to psychological, child psychiatric or other high-intensity services, placement in a RCYD is sometimes the only option, even when it does not reflect the child's actual needs. A participant described the situation of a youth who was placed in a RCYD for years, even though what she really needed was post-traumatic care:

"She was given a diagnosis of multiple personality disorder. In her childhood, she had many traumas. There are not enough services over there [dans le RCYD]. Of course, she was a danger to herself. Yes, she has those ideations. I understand the principle but obviously it was not working. She was stuck there [dans le RCYD] for so many years. So, I got her into a trauma center, and the voices are not there anymore." – *Participant, First Nation community*

Some participants reported a complete lack of services for children and youth with special needs. These youth must be placed outside the community, far from their families, to receive services. According to one participant, this cannot be considered a long-term solution:

"A child that requires 24 hours care, with high needs, is removed from his home, so he has no family and the province is saying 'no, they don't belong here. We can't keep him'. They have threatened to kick the child out at least once a year out of their rehabilitation center, but that's the only place that is closest to his needs. I have been negotiating saying, 'since this place doesn't exist, give us the permit to have our foyer for special needs and then we'll house him.'" – *Participant, First Nation community*

Despite the challenges of rolling out specialized services in communities where only a few youth need them, most participants want to have local group homes, including for youth requiring intensive supervision. Their goal is to support youth in their journey, facilitate access to specialized services and provide them with environments rooted in their culture to avoid the prejudices currently observed.

"[The service currently] does more harm than good. They arrive in bad shape, and they leave in bad shape. They don't come out 'I'm a better person with all these tools in my backpack'. That's what we would hope... but they come out more broken. Because of isolation, lack of family connections, language, and lack of support." – *Participant, First Nation community*

"As far as living conditions, the safety factor is a big one – we are aware that most group homes are breeding grounds for prostitution, gangs, sexual trafficking, challenges. You are risking one for another. You are risking keeping them at home, in the family with all the problems that come with it, or you put them in a group home that has other kinds of problem. It's not a good situation." – *Participant, First Nation community*

The MSSS has acknowledged the communities' desire to develop a comprehensive range of youth services on their territories but has emphasized that several important constraints must be considered. Beyond funding issues, the limited availability of buildings, the complexity and duration of construction projects – particularly, in some cases, due to the short thaw window –

and the persistent shortage of qualified staff are major obstacles to implementing such services. Furthermore, while the desire to establish group homes in the territories – including for youth requiring intensive supervision – is understandable, the MSSS believes that this type of setting is not suitable for all situations. When intensive supervision is required, it must be provided in a safe environment and in accordance with the regulatory requirements applicable to supervision measures.

Rehabilitation centres in urban settings

During the consultations, the Friendship Centres mainly discussed their occasional collaborations with some RCYDs. These collaborations reportedly helped improve access to cultural activities for the youth housed there. Usually, Friendship Centre workers travel to the RCYDs. According to the RCAAQ, these activities play an essential role in identity continuity and the rehabilitation process, especially for youth placed outside their community with few opportunities to stay in touch with their family and culture:

“Pour plusieurs jeunes hébergés à l’extérieur de leurs communautés, le fait de devoir naviguer entre deux cultures peut accroître leur vulnérabilité. Les Centres d’amitié autochtones leur permettent de conserver des repères culturels, de participer à la vie communautaire et de s’engager dans des activités qui favorisent la reconnaissance et l’expression de leur identité... les Centres d’amitié autochtones contribuent aussi à la réadaptation des jeunes contrevenants en supervisant des travaux communautaires... Les intervenantes misent sur les forces, les compétences et les aspirations des jeunes pour favoriser la guérison, la réparation et la réinsertion, en utilisant la culture comme levier d’intervention.” – RCAAQ

Translation: “For many youth housed outside their communities, having to navigate between two cultures can increase their vulnerability. Native Friendship Centres allow them to stay in touch with their culture, participate in community life and engage in activities that foster the recognition and expression of their identity... Native Friendship Centres also contribute to the rehabilitation of young offenders by supervising their community service... Support workers focus on the youth’s strengths, skills and aspirations to promote healing, restoration and reintegration, using culture as an intervention tool.”

Despite these benefits, most of the participants agreed that these activities alone are not enough to ensure true cultural continuity. Many obstacles make it difficult to hold activities regularly, including logistical challenges, transportation problems or, in some cases, the perception among staff members that these are privileges rather than fundamental rights. Furthermore, these initiatives are largely dependent on the placement location, including the presence of a Friendship Centre in the region and the rehabilitation centre’s openness to working with it. This dependence on local conditions limits equal access to activities and exacerbates disparities among youth.

In addition to these challenges, there have been reports of issues regarding the use of Indigenous languages. Participants reported that staff had asked youth not to communicate in their mother tongue, citing safety concerns, among other reasons. Participants were baffled by the lack of guidelines to reconcile the RCYD's supervision needs with the language and cultural rights of First Nations and Inuit youth.

Several were also concerned about the living conditions in the RCYDs. They cited the lack of access to nature and the land, the limited opportunities to recharge and the lack of contact with people from their communities of origin. To address these shortcomings, participants expressed a desire to strengthen collaboration with the RCYD, as articulated by someone who works at a Friendship Centre:

“J'essaie de faire en sorte qu'il y ait une petite passerelle... que les jeunes puissent au moins venir au Centre d'amitié [...] Ils pourraient par exemple venir au Centre à chaque midi et avoir un [sentiment] d'appartenance [...] Beaucoup de jeunes sont enfermés. Il y en a quelques-uns qui ont des petits droits et d'autres qui font des travaux communautaires dans mon Centre [...] C'est mon grand désir que les jeunes puissent venir dans leur droit de sortie, si c'est juste au Centre ou aussi en territoire.” – *Participant, Friendship Centre*

Translation: “I try to create a little bridge... so the youth can at least come to the Friendship Centre [...] For example, they can come to the Centre at lunch time and have a [sense] of belonging. [...] A lot of the youth are confined. Some have limited privileges, and others do community work at my Centre [...] My greatest wish is for youth to be able to come during their outing privileges, even if it's just to the Centre or to the territory.”

At the same time, both the Friendship Centres and some youth program directors said they do not have budgets allocated for activities that foster cultural continuity and safety. Some explained that they must tap into their general budget to organize outings or activities in partnership with the Friendship Centres.

Despite these limitations, some RCYDs have launched initiatives to mitigate the cultural, familial and linguistic isolation experienced by First Nations and Inuit youth. In some rehabilitation centres, Friendship Centre staff work with in-house teams to develop cultural plans with the youth and their families. Sometimes, a First Nations community will send its own staff to a rehabilitation centre in collaboration with the local Friendship Centre. There are also plans to establish a community of practice for rehabilitation educators in the Mauricie–Centre-du-Québec region. The aim is to further integrate cultural continuity into daily interventions and to strengthen educators' capacity to meet the obligations set out in the legislative framework.

Although these initiatives have been well received, most participants reiterated that they cannot fully replace the benefits of having rehabilitation services for youth in difficulty run by and for the communities and rooted in local cultures, languages and territories.

Rehabilitation centres in Nunavik

In Nunavik, the issues mentioned in the CERP Report⁹⁰ remain relevant. There is still a higher number of youth being sent to RCYDs. This situation remains partly due to difficulties in recruiting foster families and staff shortages in secure units, which shifts the focus from intervention and healing to management and control.

According to the data collected, about 90 youth from the Hudson Coast and 30 from the Ungava Coast are placed in rehabilitation centres each year. Most are placed in homes or units located in Nunavik, while others – including those with behavioural difficulties or who are under the supervision of the *Youth Criminal Justice Act*⁹¹ (YCJA) – may be housed in one of two units under the responsibility of the UTHC in Montréal: the open unit for girls (Ulluriaq Girls) or the closed unit for boys (Ulluriaq Boys). Up to 20 youth may also be placed in facilities operated by CIUSSSs in the south of the province, mainly the CIUSSS de l'Ouest-de-l'Île-de-Montréal (CIUSSS-ODIM), under its supraregional mandate.

Nunavimmiut youth placed in Nunavik facilities do not experience the same issues as First Nations youth. They enjoy a degree of cultural continuity: access to the territory is still possible, keeping in touch with family is easier and the use of Inuktitut is maintained. On the other hand, when these youth are transferred to units in the south of the province, they face challenges comparable to those of First Nations youth placed in Francophone facilities, especially in relation to language, access to education and the preservation of their culture.

According to participants, youth are sometimes placed in a transitional room in Nunavik while waiting for a space to open up in a RCYD that can meet their needs. In these rooms, they are supervised by security guards and do not receive the services they need. These stays can last a long time, resulting in serious violations of their rights. As one participant put it:

“Il y a quand même vraiment de grands impacts pour les jeunes qui sont dans ces salles de transition... un gros pourcentage termine en idées et propos suicidaires, de grosses crises, parce que ce n'est vraiment pas adapté. Alors c'est comme : 'Oui, on protège physiquement', mais il y a un coût en matière de santé mentale et de tout le reste.” – *Participant, Nunavik*

Translation: “There are still major impacts for youth in these transitional rooms... a large percentage end up having suicidal thoughts and making suicidal remarks, or experiencing severe crises, because the environment just isn't suitable. So it's like, 'yes, we're protecting them physically,' but there's a cost in terms of mental health and all that.”

⁹⁰ CERP Report, supra, note 4, p. 452.

⁹¹ *Youth Criminal Justice Act* (YCJA), SC 2002, c. 1.

The consultations revealed that the consequences of these placements do not fade away once a space is found elsewhere, particularly when it is outside Nunavik. Family visits are rare given the distance involved, which weakens family ties. This disconnect has major repercussions when the youth return to their community, because there is no mechanism in place to adequately prepare them for that transition.⁹²

The discontinuity of access to educational services is another major issue. When youth are placed outside their community, their schooling is often disrupted for a long period. In some cases, they have no access to schooling for the entire duration of their stay, which is a serious violation of their right to education.

Furthermore, the lack of specialized services for youth with specific needs in Nunavik significantly hinders their development. These youth have to be referred to the South and placed in RCYDs to receive certain services. However, even when they do access them, it is only for a short time, to comply with the time limits set for placements under the YPA, even though they need these services on a continuous or long-term basis.

Moreover, moving to the South does not guarantee access to adequate services. According to participants, some Inuit youth have received psychiatric services from a Francophone professional who does not speak fluent English – the second language of most Nunavimmiut youth. Other youth with special needs (ID – ASD) or with more complex needs have reportedly been referred to long-term care facilities CHSLDs due to the lack of suitable resources in Nunavik. Viewed together, these situations represent a significant departure from the intent of the James Bay and Northern Québec Agreement: to support the development of social services in Nunavik.

Finally, in recent years, issues related to the renewal of leases for facilities that a CIUSSS had made available to youth services in Nunavik – which the CIUSSS wanted to take back due to its own lack of space – triggered serious organizational and administrative problems in Nunavik. This situation arose in the wake of the emergency closure of Sapummivik in 2023, which forced regional authorities to implement numerous temporary solutions and exacerbated the already high pressure on residential placement capacities. All these developments confirmed the urgent need to stabilize the number of available spaces for Nunavimmiut youth.

In an effort to address some of these issues, the two Nunavik health centres and the NRBHSS adopted a clinical plan, which the MSSS subsequently approved. This plan has two main components: maintaining and improving the services offered directly in Nunavik and renovating a facility in Pierrefonds to relocate the two residential units currently in Montréal and open two new ones. Since its adoption, several important steps have been taken to move the plan forward. Ultimately, the plan aims to increase the number of spaces managed by the UTHC rehabilitation department to 115, 51 more than the 64 spaces available at the time of writing.

However, despite this progress, many obstacles are hindering the implementation of the clinical plan, even though all stakeholders recognize the urgency of better addressing the needs of Nunavimmiut youth. On one hand, the aims of the JBNQA and the decision by Inuit authorities to focus on developing services in Nunavik have established structural guidelines that are influencing deployment priorities. On the other hand, the costs and timelines associated with

⁹² For youth under the YCJA, the lack of spaces means that only the most severe cases are referred to secure centres. For the others, a place of open custody and extrajudicial measures are preferred.

the construction and renovation work are hindering the development of local infrastructure. The result is a real, palpable tension between the need for rapid solutions to secure residential placement spaces and the importance of following long-term guidelines aimed at strengthening services in Nunavik and maintaining consistency with the provisions of the JBNQA.

Moreover, it may be useful to recall the analysis of Justice Warolin in a ruling handed down on April 24, 2024, concerning the effects of placing an Inuk youth in a rehabilitation centre outside Nunavik:

“The Court is not seeking to determine what, if anything, is preventing the construction of centres in the North. The Court must, however, acknowledge that no other group of adolescents in Québec who require rehabilitation services is required to be placed so far from their community of origin. In addition to constituting systemic discrimination, the distance between the adolescent’s place of residence and their community, the complexity of travel and the severing of emotional and cultural ties run counter to the objectives of the Youth Protection Act and the Act respecting First Nations, Inuit and Métis children, youth and families.”⁹³

4.5.3. Findings and supporting elements – Rehabilitation centres

Finding 1 – Lack of spaces throughout the province, particularly in English-language RCYDs

The lack of spaces in RCYDs is a problem that affects the entire population. For First Nations and Inuit youth, however, the issue is even more pressing due to problems related to language, the lack of culturally safe interventions, funding for cultural activities outside RCYDs and other factors.

- **Severe shortage of spaces in English-language units.** Placing children in a unit where their first or second language is spoken would support their development.
- **Prioritizing the needs of youth:** Services in RCYDs must be available based on the needs of the youth, who should not be returned to their community too quickly under the pretext of making room for other youth. These needs must be addressed in a timely manner to prevent the youth’s situation from deteriorating.
- **Expanding front-line services** in the communities and urban settings would not only prevent placements, but also a surge in demand for increasingly specialized services. The youth would be able to have their needs met in a timely fashion, close to home and, above all, close to their families.

⁹³ [*Protection de la Jeunesse – 241661*](#), 2024 QCCQ 1511, par. 199. Translation.

Finding 2 – Adverse effects of distance

Placing youth far from their communities has a direct impact on their mental and physical health. Being physically (and socially) separated from their families, communities and culture leads to a loss of bearings and undermines cultural continuity and the preservation of family ties.

- **Lack of adequate services:** The lack of culturally safe services deprives youth of interventions tailored to their needs, which can contribute to their distress.
- **Right to participate in cultural activities:** RCYD staff do not always grasp the importance of participating in cultural activities, which is a fundamental right.
- **Right to education:** This right is sometimes violated during placement, either because schooling is not offered in the youth's second language or because it takes too long to access. Youth return to their communities with a significant educational gap that jeopardizes their academic progress. Youth who need adapted educational services (students with handicaps, social maladjustments or learning difficulties) are particularly affected by these negative consequences.

Finding 3 – Lack of stable, qualified staff

The lack of trained staff in RCYDs means that youth are not receiving culturally safe services. Consequently, it is not possible to carry out appropriate interventions that focus on the participation of the youth and their family.

- **Gaps in services:** Services are either inaccessible, poorly adapted or rarely provided in a timely manner, from a holistic perspective.
- **Significant differences among RCYDs** in terms of operations, the organization of cultural activities and the rules applicable to both youth and funding.

In this regard, the Protecteur du citoyen is making one recommendation (R-6).

Supporting elements – Rehabilitation centres

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning the organization and development of rehabilitation services for First Nations and Inuit youth. They shed light on the favourable conditions observed in the field, particularly concerning the alignment of services with community needs, issues specific to certain groups of youth and the tools identified to support appropriate practices that comply with legal obligations.

1. Alignment of services with communities needs and priorities

An analysis of the findings reveals challenges in aligning the provision of rehabilitation services with the needs of First Nations and Inuit communities.

A better alignment is observed when:

- consultations allow for the documentation of needs in terms of the desired number of spaces, the specialized services required and the preferred type of supervision;
- communities' preferences regarding service management are considered, whether services are provided within the community or elsewhere;
- collaborations with the HSSN support a complementary response to the needs of youth from different communities;
- considerations such as the geographic location of services, schooling, transportation and access to support resources are taken into account.

2. Rehabilitation services for youth from English-speaking First Nations and Inuit communities

An analysis of the documented cases reveals issues regarding access to rehabilitation services that violate the rights of youth from English-speaking First Nations and Inuit communities.

Responses deemed more appropriate are associated with:

- targeted consultations;
- coordinated identification of the necessary resources;
- the planning of timelines for implementation.

3. Rehabilitation needs of youth from Nunavik

The analyses reveal significant, persistent needs for rehabilitation services for youth from Nunavik in a context affected by specific obligations, including those stemming from the James Bay and Northern Québec Agreement (JBNQA).

In certain contexts, a more structured response is associated with:

- the mobilization of multilateral consultation mechanisms aimed at supporting the Nunavik Regional Board of Health and Social Services (NRBHSS) in the implementation of its clinical plan;
- the establishment of clear timelines for increasing the number of spaces required in Nunavik;
- consideration, in financial planning, of the high costs associated with the development and operation of infrastructure in the north.

4. Development of specialized expertise and practices for working with First Nations and Inuit youth

The analyses underscore the importance of supporting the development of specialized practices tailored to the needs of First Nations and Inuit youth placed in RCYDs.

Better support for staff and decision-makers is particularly associated with:

- the existence of communities of practice that promote the sharing of expertise, professional development and clinical support;
- access to training on the minimum standards set out in the ARFNIMCYF;
- support for developing collaboration agreements with communities and Native Friendship Centres;
- support for developing programs aimed at ensuring the cultural and linguistic continuity of placed youth.

5. Follow-up on Calls for action after placement

5.1. Post-majority services

Call for Action 133: Increase the level of and funding for post-placement services for indigenous children in communities covered by an agreement and in urban centres.

Call for action 134: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the level of and funding for post-placement services in Indigenous communities not covered by an agreement.

5.1.1. Background for the Calls for action

During the CERP hearings, many testimonies exposed significant gaps in the system's ability to adequately support First Nations and Inuit youth once they reach the age of majority after a youth protection placement. With no real preparation for autonomy and the transition to adulthood, many youth suddenly find themselves without support, without resources and in a highly precarious situation. The Calls for action issued by the CERP therefore urge youth protection services to fully assume their responsibility to support these youth beyond placement, by actively working to mitigate the negative effects of being in institutional care as they transition to adulthood.

The Calls for action call for increased funding and expanded services to prepare these youth for independent living and to provide them with ongoing follow-up and support after they leave the youth protection system. The objective is to reduce the risks of marginalization, criminalization or victimization and to strengthen the protective factors in their lives. These services must also support those who, due to long-term placement, have lost ties with their community, culture and language, by giving them tangible ways to reconnect with their identity and affiliations when their placement ends.

In 2023, the Protecteur du citoyen concluded that these two Calls for action had not been achieved, as no concrete measures had been taken to ensure that suitable services would be available in the various settings. There was no specific plan targeting Indigenous youth and nothing to suggest that existing provincial measures, such as the enhancement of the Programme Qualification des jeunes (PQJ - youth qualification program), were actually addressing their specific needs. Moreover, the lack of tripartite negotiations, due to constitutional constraints and the pending ruling on the ARFNIMCYF, prevented the implementation of a collaborative framework to ensure this continuity of services.

It should be noted that the ARFNIMCYF requires that services protect the best interests of the child, cultural continuity and substantive equality. Indigenous laws, for their part, may provide for specific post-placement and post-majority services based on these principles. The YPA

provides for the preparation of a plan to ensure the transition to independent living beginning at age 16⁹⁴ and demands that, for Indigenous children, all decisions and interventions promote cultural continuity.⁹⁵

Two programs are currently in place to support youth when they leave youth protection services. Although they pursue a common goal of facilitating the transition to independence, they are grounded in different approaches and frameworks.

The Programme qualification des jeunes (PQJ) [youth qualification program]

The PQJ, offered by the MSSS and implemented by Québec's CISSSs, CIUSSSs and RCYDs, is a provincial program available to all youth aged 16 to 25 who have received DYP services to support them in their transition to independence.

This program is based on a collaborative approach between the youth, their loved ones and community resources. Specialized teams, present in every CISSS or CIUSSS, provide personalized support and coordinate services to assist with housing, employment, training and the development of a support network.

Post-majority support services (PMSS) for First Nations youth and young adults⁹⁶

Since April 1, 2022, First Nations youth and young adults aged 16 to 25 (inclusive) who are or have been in care until the age of majority are eligible for post-majority support services from ISC's FNCFS program. PMSSs are for youth residing on or ordinarily residing on a reserve. PMSSs cover, among other things, activities and expenses for direct services to youth related to housing, education, employment, professional development or well-being.

⁹⁴ YPA, *supra*, note 2, s. 57.2.2.

⁹⁵ YPA, *supra*, note 2, s. 131.3.

⁹⁶ Indigenous Services Canada, [*Post-majority support services for First Nations youth and young adults*](#). [Online] Retrieved March 10, 2026.

5.1.2. Review of consultations

The consultations shed light on how the post-majority period⁹⁷ is critical for youth who have been in care and how it can lead to significant vulnerability, including the risk of homelessness, psychological distress, involvement with the justice system and the breakdown of family ties. They also revealed the specific needs of First Nations and Inuit youth.

Initiatives and insights related to this pivotal stage were presented, along with recent and promising developments observed in certain regions and the heightened attention being paid to the period surrounding the transition to adulthood. However, the consultations also revealed the many persistent challenges and the additional efforts needed to equip and support these youth.

Post-majority services for First Nations

During the consultations, many participants mentioned a structural lack of coordination and preparation regarding the implementation of post-majority services for youth under DYP supervision. Some participants said they were systematically informed too late that a placed youth was about to age out, sometimes only a few weeks before turning 18, which makes it impossible to set up preventive and coordinated strategies.

“Regarding aging out, they usually let us know three months before the youth turns 18. If we are lucky. [...] So it’s then up to us to look into post-majority care.” – *Participant, First Nation community*

The lack of a clear transition path between the HSSN and First Nations communities leads to service disruptions when DYP supervision ends, leaving the youth on their own. This situation is particularly concerning for those with specific needs, such as learning disabilities or mental health issues, which can make it difficult for them to become self-reliant.

According to the FNQLHSSC, the introduction of mandatory transition plans in the YPA should have created better conditions for collaborating with the communities. Despite this, the DYPs do not systematically reach out to them to discuss and plan these transitions. The discussions highlighted serious shortcomings in information sharing and service coordination as youth approach adulthood.

Moreover, some participants pointed out that, even when the communities are informed early, the information is sometimes accompanied by a shift in responsibility onto them. In the situations reported, information sharing seemed to serve less as a means of collaborative planning than as a way to reduce the HSSN’s level of involvement, especially in financial terms.

In one region, for example, a RCYD regularly refers 15- or 16-year-olds to the community’s post-majority program, rather than offering them the PQJ, citing the Centre’s lack of time or capacity and emphasizing the youth’s desire to be supported by community services. Informing

⁹⁷ For this report, the term “post-majority” is used, rather than “post-placement,” because it relates primarily to services offered to youth after they reach the age of majority and leave the system, as well as to measures designed to support their transition to independence. Although these are services for youth who have been placed in care, the term “post-majority” better reflects the interventions that take place outside the scope of the placement itself.

communities early on is still a welcome practice, but such early transfers, without making sure the communities can meet the demand, create the impression of premature disengagement by the HSSN. Indigenous Services Canada has reportedly reminded the community that expenses related to youth still under provincial jurisdiction are not the responsibility of the communities, except in the case of a service disruption. This situation raises issues concerning the principle of substantive equality, set out in paragraph 9(3)(e) of the ARFNIMCYF, which states that a jurisdictional dispute must not result in a gap in child and family services provided to Indigenous children.

A comparison of perspectives reveals a striking difference in perception. While participants from First Nations communities view the PQJ as fairly rigid and highly standardized, offering little flexibility to adapt interventions to the cultural, identity and community realities of Indigenous youth, many DYPs have an almost opposite view. For them, the PQJ meets the needs of youth, including First Nations and Inuit youth, because it begins with the youth's motivation, takes their cultural reality into account and promotes comprehensive support in collaboration with various partners when the youth consents. Some testimonies, however, acknowledged limitations, particularly when it comes to finding a residential environment that meets the youth's needs upon reaching the age of majority. This discrepancy between the flexibility perceived by some caseworkers and the experience reported in the communities underscores a gap between the program's intention and its implementation.

The difference in perceptions is even more striking when compared to how the FNCFS's post-majority support services are viewed. According to First Nations communities, these services allow them to tailor support to their own needs and priorities, reflecting a more flexible, culturally grounded approach that is aligned with their realities. One participant also emphasized that a post-majority program that is well adapted to the realities of the communities can have a major and positive impact on First Nations youth.

“[Je crois] qu'on va voir des changements au niveau des statistiques, puis des situations des jeunes qui sont suivis par la protection de la jeunesse jusqu'à leurs 18 ans. Parce que c'est vraiment une initiative incroyable, qui permet aux jeunes non seulement d'être pris en charge par leur communauté, mais en continuité, d'avoir le soutien nécessaire, pour répondre à leur besoin d'accompagnement tout en favorisant leur fierté identitaire. Parce que tous les nœuds qu'on voyait jusqu'à ce jour, c'est à cause de ça, ce manque de continuité culturelle dans l'accompagnement, qui était vraiment déficiente.” – *Participant, First Nation community*

Translation: “[I believe] we’re going to see changes in the statistics and in the situations of youth who are under youth protection until they turn 18. Because this is really an incredible initiative that allows youth not only to be taken into the care of the community, but also to receive the ongoing support they need while nurturing their pride in their identity. Because all the challenges we’ve seen up to now stem from that, from the lack of cultural continuity in support, which was truly lacking.”

Within the communities, several local initiatives point to the potential of proactive, culturally grounded approaches for youth. Funding provided through the various components of ISC's FNCFS program has made it possible to launch projects that demonstrate the communities' ability to innovate and develop services that align with their realities and priorities.

Example of post-majority programs in communities: a variety of approaches

Uashat mak Mani-utenam: The post-majority program was launched in November 2023. It has two components: the first, for youth aged 16 and 17, focuses on developing independence; the second, for youth aged 18 to 25, is based on an individualized plan linked to a life plan. To receive funding, youth must actively commit to achieving their goals; funding is determined based on a monthly spending plan. The approach is flexible and tailored to each case: some receive significant support, while others receive a supplement to help them reach their goals. About 50 youth are currently participating in the program. The goal is to promote independence through support tailored to the community's approach.

Listuguj: After abandoning the case-by-case approach, which was deemed difficult to sustain, the community opted for a more comprehensive strategy to assess the needs of youth reaching adulthood. A project to expand the community's rehabilitation centre is also underway to offer workshops, counselling, employment assistance and semi-independent apartments. A coordinator provides personalized support for youth aged 18 to 26, including after they leave the system, to address a variety of needs, particularly related to housing, education, psychological services and transportation.

Mino Obigiwasin's post-majority support program supports Anicinapek youth aged 18 to 26 who were in care until they reached adulthood. It aims to facilitate their transition to independence by offering personalized support, local services and tailored resources, as well as living environments that address some of these youth's needs and realities, while reinforcing cultural and community ties. Participation is voluntary and focused on regaining a sense of identity and developing a suitable life plan. Since the program began, 135 applications for post-majority services have been received; currently, around 120 youth are active at various levels within the program.

Kahnawà:ke: The community recently launched a post-majority support service. The team, originally consisting of a team leader, has expanded to include support workers who offer individualized support to youth aged 18 to 26. The service addresses various needs, but the most pressing issue is access to housing. About 30 youth were receiving support at the time of data collection, which is considered to be a good start for the first year. The program is still in development, as the transition from youth protection services to independence remains a challenge.

Although these are positive initiatives, they are recent, dependent on ISC funding and may face administrative, coordination and service continuity challenges. The communities consulted sometimes reported issues related to federal funding for the FNCFS program: many questions and administrative requirements, a tendency to standardize funding scales despite the changing reality of needs, eligibility criteria that are not adapted to youth placed outside their community and unstable funding that declines when placements are reduced, undermining the continuity of post-placement services.

For example, one community had to suspend a project to provide semi-independent housing units for youth aged 18 to 25 despite the availability of federal funding due to bureaucratic red tape and prolonged delays. The building that had been adapted could not be retained, depriving several youth of a housing solution and forcing the community to reinvest local funds to relaunch the initiative, further delaying its implementation.

In short, although many communities have developed inspiring post-majority initiatives, the people consulted felt that this progress is insufficient given the system's persistent shortcomings in preparing youth for adulthood. Without a structured vision and a clear allocation of responsibilities, too many youth continue to reach the age of majority without the support they need to successfully navigate this transition.

Post-majority services in urban settings

In urban settings, the people consulted generally agreed that leaving the care system is a major turning point for many youth. At 18, many of them find themselves without a safety net and, sometimes, with nowhere to go. This vulnerability is exacerbated by a lack of prior planning.

Many Friendship Centres are not informed of the youth's circumstances until they age out, which limits their ability to implement effective support strategies and offer them a safer alternative. Many Centres would like to be informed of the number of Indigenous youth in the care of the DYP in their region as soon as they turn 16, so they can plan appropriate services.

“Ça fait longtemps qu'on reconnaît l'importance d'être présents, puis d'offrir une gamme de services pour accompagner les jeunes dans leur trajectoire à cette période de vie tout particulièrement.” – *Participant, Friendship Centre*

Translation: “We have long understood the importance of being present and offering a range of services to support youth as they navigate this particular stage of their lives.”

Limited awareness among youth protection workers of available Indigenous resources in urban settings to support youth, along with a lack of recognition of the expertise of these resources, further adds to the challenges identified.

Moreover, the people consulted stated that some foster families abruptly withdraw their support when youth turn 18. These families are sometimes encouraged by ambiguous institutional messages suggesting that their responsibility ends at the age of majority. This sudden loss of support leaves youth vulnerable and makes it harder for them to make a smooth transition.

“On a entendu dans notre atelier des familles d'accueil qui rapportaient des histoires d'horreur, où elle se faisait dire par la DPJ en fait, qu'elles n'avaient pas besoin de garder l'enfant post-majorité, que quand l'enfant arrivait à 18 ans, que leur travail était terminé, puis qu'elle pouvait simplement mettre ses affaires dans une valise puis l'emmener à une station d'autobus. Encore une fois, il ne faut pas généraliser, mais il y a des propos comme ça qui circulent encore.” – *Participant, Friendship Centre*

Translation: “In our workshop, we heard from foster families who shared horror stories, where they were actually told by the DYP that they didn’t have to keep the child once they turned 18, that once that happened, their job was done, and they could simply pack the child’s belongings into a suitcase and take them to the bus station. Again, we shouldn’t generalize, but comments like that are still floating around.”

Indigenous youth have many needs after they leave the youth protection system. While many wish to return to their community of origin when they reach adulthood, others are reluctant to do so or are simply unable to, often due to the housing shortage, complex family situations or a sense of disconnection after spending many years in urban settings.

The needs related to cultural identity were a prominent theme in the consultations. Some youth who were in care until they reached adulthood or who were adopted experienced a profound cultural disconnect: sometimes cut off from their biological parents and prevented from visiting their communities, they now regret not having been able to learn their language and traditions or to keep in touch with their cultural roots. Some of them turn to Friendship Centres to find their parents or rebuild these ties.

“Ceux qui ont été placés jusqu’à la majorité, puis ceux qui ont eu une interdiction de contact avec leurs parents autochtones aujourd’hui, qui ont 18 ans, il y en a qui viennent au Centre d’amitié, ils disent : ‘J’aurais aimé ça parler ma langue maternelle, j’aimerais ça apprendre, je n’ai pas pu apprendre.’” – *Participant, Friendship Centre*

Translation: “Some of those who were placed in care until adulthood, and others who were forbidden from having contact with their Indigenous parents – who are now 18 – come to the Friendship Centre. They say, ‘I wish I could speak my mother tongue, I’d like to learn it, I wasn’t able to learn it.’”

The scarcity of post-majority services adapted to the realities of First Nations people in urban settings is a cause for concern. Availability varies considerably from one region to another, and in most cases, the DYPs take a general approach to post-majority services, with no cultural distinctions or dedicated funding. Indigenous youth therefore have access to the same services as all other youth, particularly through the PQJ.⁹⁸

⁹⁸ It should be noted that, in 2012, the Centre intégré de santé et de services sociaux de l’Abitibi-Témiscamingue (CISSS-AT) co-created, with support workers from the three Anicinapek communities, a support and transition tool for Indigenous youth entering adulthood (SAVA). The Protecteur du citoyen was informed that, although deemed comprehensive and relevant, the tool is no longer used today, largely because its lengthy and somewhat abstract structure was not well received by many youth. It remains, however, a useful guide for targeting areas for intervention and could serve as a starting point for other initiatives. On this topic, see: Goyette, M., Pontbriand, A., et al. (2012). *Outil SAVA : Soutien et accompagnement à la vie adulte des jeunes autochtones. Chaire de recherche du Canada sur l’évaluation des actions publiques à l’égard des jeunes et des populations vulnérables (CRÉVAJ)*, Montréal, 56 pages.

According to the experiences shared, the current models rely primarily on forms of community housing, with no cultural approach. Furthermore, the DYPs reportedly only receive limited funding to support these initiatives. Together, these factors contribute to the perception that services are unevenly accessible and poorly suited to the specific needs of First Nations and Inuit youth transitioning to independence.

Most of the DYPs consulted attributed the lack of specific measures to the small number of Indigenous youth recorded in their statistics. However, Friendship Centre participants qualified this interpretation, pointing out both the uncertainty surrounding the reliability of these data and the fact that, even if they make up a small proportion, Indigenous youth remain overrepresented in youth protection in Québec and have significant needs requiring special attention. This is supported by the obligation to uphold the principle of substantive equality, which calls for appropriate interventions regardless of statistical volume.

Having become aware of these facts and their obligations under recent legislative changes, some DYPs have started to develop specific initiatives. Although still in their early stages, these initiatives are paving the way for services that are more closely aligned with the realities of Indigenous youth.

For example, an agreement is reportedly being developed between Native Montréal and the CIUSSS-ODIM/Batshaw Centres to provide services to youth before they reach adulthood. It would provide for the sharing of statistical data to enable the planning of comprehensive support starting at age 15 or 16, whether the youth plans to return to their community or remain in an urban area after turning 18.

Several DYPs highlight the complexity of working with Indigenous youth who have endured personal and intergenerational trauma, as well as difficult experiences in the youth protection system. These realities undermine the relationship of trust and make it harder to maintain ties, especially since the system is based on standards and practices that are still largely non-Indigenous. Many youth return to their communities or withdraw from services to distance themselves from their past experiences, which creates gaps in post-majority support.

Several DYPs consulted acknowledged the need to strengthen collaboration with Indigenous organizations and to better inform youth placed outside their community about the resources that are available, both in their community of origin and in urban settings, in order to build a stronger safety net for them.

Some initiatives by Friendship Centres and urban Indigenous agencies have shown that it is possible to provide better support for the needs of youth after they reach adulthood, particularly through collaboration with and support from the HSSN. They also highlight the importance of developing closer ties with the various actors working with Indigenous youth, which would promote a more fluid flow of information and more appropriate referral practices:

- The **Anwatan-Miguan** project, managed by the Centre d'amitié autochtone de Val-d'Or, plans to build 23 transitional housing units for vulnerable Indigenous people in Val-d'Or. This project is aimed at various client groups, particularly youth who are leaving the youth protection system or turning 18, and whose transition to independent living may involve periods of instability. The goal is to provide a safe environment that promotes stability, independence and the continuity of cultural roots for these young adults. The first residents are expected to move in by July 2026.

- **Maison Mikiwamcic**, inaugurated on December 11, 2025, by Projets Autochtones du Québec, is a housing resource for First Nations, Inuit and Métis youth aged 18 to 30. Located in Montréal (Tiohtià:ke), it offers six bedrooms and common areas for a maximum period of 24 months. Residents, who are either transitioning out of youth protection services or pursuing their studies, receive support to help them become independent in a culturally safe environment, with the goal of preventing homelessness and promoting housing stability.

Post-majority services in Nunavik

Consultations carried out in Nunavik revealed a near-total lack of appropriate post-majority services, despite significant needs and the complex life experiences of Inuit youth in care. When they turn 18, these youth move from a protective framework to an institutional void, exposing them to high risks of homelessness, involvement with the justice system and psychological distress. This transition is exacerbated by the unique cultural and geographic realities of Nunavik, where returning to the North after a placement in the South is often accompanied by family breakdowns and difficulties in re-establishing community ties.

The resources available in Nunavik are insufficient in several areas: scarcity of supervised housing, shortage of qualified staff, unstable funding and limited infrastructure. The general lack of housing – for both youth and support workers – directly hinders recruitment, planning and service delivery in the communities.

Funds earmarked for capacity-building projects, such as Pathway to Autonomy, had to be redirected to address other, more pressing needs in the region. Waiting lists and a lack of adequate infrastructure to meet the needs of youth remain major obstacles to proactive planning.

“Une de nos idées pour un jeune de 17 ans qui, on sait, n’aura rien ensuite [était] d’appliquer pour une maison. Comme il y a une liste d’attente d’un an, on voulait le mettre à l’avance mais il a été refusé, car il n’a pas 18 ans.” – *Participant, Nunavik*

Translation: “One of our ideas for a 17-year-old who we know will have nothing after aging out [was] to apply for a home. Since there’s a one-year waiting list, we wanted to apply early, but he was turned down because he wasn’t 18 yet.”

With no other options, many youth are forced to return to their communities of origin, even though the problems that led to their placement are not resolved.

“On a passé 18 ans à te protéger d’un milieu et à 18 ans on dit, oh, too bad! Tu y retournes parce qu’on n’a rien d’autre à te proposer. C’est un peu ridicule, mais on n’a rien, il n’y a pas de logement.” – *Participant, Nunavik*

Translation: “We spent 18 years protecting you from that environment, and when you turn 18, we say, ‘Oh, too bad!’ You go back because there’s nowhere else to go. It’s kind of ridiculous, but there’s nowhere else – there’s no housing.”

Despite these difficult circumstances, the Protecteur du citoyen notes that teams on the ground are committed to finding solutions. For example, a position funded through the PQJ was reportedly filled recently, raising hopes for the start of a more structured service offering for youth on the Hudson Coast. There are also reports of ongoing efforts to develop initiatives that consider the needs of Nunavimmiut youth:

“On a développé [avec plusieurs partenaires du Nord] un programme. On regarde où aller chercher du financement et on est sur les comités du MSSS, l’instance Transition vie adulte. On commence à en parler au Nunavik, mais c’est sûr que le financement va être un débat.” – *Participant, Nunavik*

Translation: “We developed a program [with several Northern partners]. We’re looking into where to get funding, and we’re on the MSSS committees, the instance Transition vie adulte. We’re starting to talk about this in Nunavik, but funding is certainly going to be a point of debate.”

5.1.3. Findings and supporting elements – Post-majority services

Finding 1 – Insufficient preparation for adulthood and high risk of breakdown during transitions

Across all settings, transition planning begins too late and is uneven and poorly coordinated. Community partners often learn at the last minute that a youth is about to turn 18, which prevents any kind of proactive or coordinated planning. These shortcomings lead to service disruptions precisely at the time when these youth need support the most. Although more services are now available for First Nations youth after the age of 18, this transition remains a period when the risk of disaffiliation, social breakdown and homelessness is high.

- **This is a particularly concerning situation** for youth with special needs, such as learning disabilities or mental health issues that require additional support.
- **In Nunavik**, housing shortages, long waiting lists, staff shortages and insufficient infrastructure severely limit preparation for adulthood. Some youth even have to return to environments that have been deemed unsafe due to a lack of adequate resources.
- **Housing stands out as the most urgent need** across all the groups consulted. The youth face endless waiting lists, prohibitive costs and extremely limited availability of supervised or affordable housing. In this regard, the Protecteur du citoyen is making one recommendation (R-6).

Finding 2 – Culturally safe post-majority support: real progress, but still vulnerable

- **In First Nations communities:** Funding opportunities for post-majority support services under the FNCFS program show that a flexible, culturally grounded approach focused on regaining a sense of identity is seen as better aligned with the realities of youth. However, these initiatives are still in their early stages, dependent on federal funding and vulnerable to bureaucratic red tape that can delay or derail projects deemed promising by the communities.
- **In urban settings:** The options available to youth vary. Whether they choose to stay in the city or return to their community, identity becomes a pressing issue at this stage. Many wish to reconnect with their language, culture or biological parents after years of separation. Friendship Centres and Indigenous agencies can play a key role by providing cultural guidance, a connection with Elders, identity support and psychosocial support.

Supporting elements – Post-majority services

The supporting elements presented below summarize the analyses carried out by the Protecteur du citoyen concerning the organization and accessibility of post-majority services for First Nations and Inuit youth. They shed light on the favourable conditions observed in the field, particularly regarding preparation for adulthood, the identification of needs based on the experiences of youth and access to support measures that facilitate a gradual transition to adulthood for First Nations and Inuit youth who were in care.

1. Preparation for adulthood and transition planning

The analyses show that preparation for adulthood is critical to the continuity of First Nations and Inuit youth's pathways after being in care, particularly when transition processes are started late or unevenly across different environments.

A more structured preparation approach is observed when:

- transition processes are initiated during adolescence, allowing for gradual planning based on the youth's needs and plans;
- arrangements for contact, with the youth's consent, are made with the community of origin, a Native Friendship Centre or any other organization deemed relevant by the youth;
- institutional guidelines clarify the role of foster families beyond the age of majority and, when desired, support the maintenance of ties;
- those responsible for post-majority support services in the communities are involved in the development and implementation of transition processes;
- the steps taken, resources mobilized and decisions made in relation to cultural continuity obligations are explicitly documented in clinical and administrative tools.

2. Consideration of the needs expressed by First Nations and Inuit youth

The analyses reveal limitations in the documentation of the needs, priorities and perceptions of First Nations and Inuit youth regarding post-majority services.

In some settings, a better alignment between the services offered and expectations of youth is reported when:

- research or direct consultation is conducted with youth who have been in care;
- their input is used to document their experiences and actual needs after they reach adulthood;
- these insights are used to inform the adaptation of services with a view to achieving substantive equality.

3. Supervised housing and post-majority transition support

The analyses show that **access to adapted housing solutions** is a key factor in supporting the transition to adulthood, especially in preventing abrupt disruptions at age 18.

Transition pathways perceived as more stable are associated with:

- consultation processes with First Nations and Inuit representative bodies to document regional needs regarding youth access to housing;
- the availability of infrastructure construction or renovation projects managed and operated by First Nations or Inuit organizations;
- the existence of access criteria allowing for early application before adulthood, promoting a more gradual transition to adult life.

6. Cross-disciplinary recommendations

In light of its observations and findings, the Protecteur du citoyen believes that many of the issues raised cannot be resolved solely through ad hoc adjustments or case-by-case interventions. They call for cross-disciplinary, systemic and sustainable responses aimed at strengthening the HSSN's capacity to fully uphold the rights of First Nations and Inuit children, youth and families.

The recommendations set forth below are consistent with the Gouvernement du Québec's commitment to population responsibility. They aim to ensure equitable access to public services, promote cultural safety and comply with applicable legal frameworks (particularly the ARFNIMCYF, the YPA and the *Cultural Safety Act*⁹⁹). They highlight the need to clarify certain obligations, harmonize practices, reinforce coordination mechanisms and ensure greater accountability at the national and regional levels.

The Protecteur du citoyen emphasizes that the implementation of these recommendations requires close, ongoing and meaningful collaboration with First Nations and Inuit representative bodies, as well as with Indigenous health and social service providers, both in communities and urban settings. This collaboration is essential for co-constructing guidelines, tools and practices that take cultural and territorial realities into account and for helping to restore and maintain families' and communities' trust in public services.

⁹⁹ [*Act to establish the cultural safety approach within the health and social services network*](#), RLRQ, c. A-20.1.1.

Cross-disciplinary recommendations

All these recommendations must be based on close collaboration with the relevant First Nations and Inuit representative bodies.

R-1. That Santé Québec, in collaboration with the MSSS and the NDYP, consult with the First Nations and Inuit, as well as the HSSN departments responsible for youth protection, prevention services, foster care and rehabilitation centres for young people with difficulties, about their respective coordination needs.		
Objective	Key actions	Owners
Identify coordination needs and explore options, including the possibility of establishing a national authority, to improve the consistency and quality of services.	1. Hold structured consultations with HSSN departments responsible for youth protection, prevention services, foster care, rehabilitation centres for young people with difficulties and First Nations and Inuit representative bodies, to document coordination needs and explore possible approaches. 2. Evaluate the potential benefits of broader coordination, including with regard to: • The agility in developing training for the HSSN; • The faster dissemination of proven clinical guidelines and tools; • The pooling of data collection and indicator development needs related to the implementation of rights specific to First Nations and Inuit; • The broader access to resources developed through pilot projects; • The centralization and simplification of accountability mechanisms; • The strengthening of trust among partners.	Santé Québec MSSS NDYP Suggested FNI collaborators: FNQLHSSC Makiwik RCAAQ QNW Governing bodies Suggested HSSN collaborators: Targeted HSSN institutions Practice-based research centres Researchers/experts

R-2. That Santé Québec, in collaboration with the MSSS and the NDYP, establish collaboration mechanisms between First Nations and Inuit service providers and the HSSN, in keeping with the legal obligations set out in ARFNIMCYF and the YPA.

Objective	Key actions	Owners
Strengthen collaboration between First Nations and Inuit service providers and the HSSN.	1. Create a virtual directory of First Nations and Inuit social service providers in First Nations and Inuit communities and in urban settings; 2. Make the necessary legislative or regulatory changes to facilitate Native Friendship Centres' access to information on the cases of families they support in urban settings; 3. Co-create harmonization protocols for: • The prioritization of prevention services (s. 131.1(d), 131.6, 131.7, YPA, and s. 14, ARFNIMCYF), regardless of community affiliation and local availability; • The provision of notice to (s. 12, ARFNIMCYF) and collaboration with First Nations and Inuit service providers throughout the service continuum (s. 131.7, 131.8, 131.15, YPA), including a specific protocol for FNI children and families living in urban settings (s. 131.2); • The systematic documentation of services that are available and used throughout the service pathway, and specifically before any decision regarding neglect (s. 131.6, YPA), as well consideration of s. 15, ARFNIMCYF; • The effective application of the <i>Directive sur la priorisation des services aux enfants et parents dans les 30 jours</i> in the context of the First Nations and Inuit.	Santé Québec MSSS NDYP Suggested FNI collaborators: FNQLHSSC Makiwuk RCAAQ QNW NRBHSS Suggested HSSN collaborators: HSSN institutions Youth program departments DYP Table Practice-based research centres Researchers/experts

R-3. That the NDYP and the MSSS, in collaboration with Santé Québec and jointly with First Nations and Inuit representative bodies, clarify and strengthen the interpretation and application of certain concepts set out in ARFNIMCYF and the YPA.

Objective	Key actions	Owners
Promote decisions that are free from personal and institutional bias and ensure consistent interpretation and application of the legal framework.	- Develop departmental guidelines and related training to: - Clarify and strengthen the scope of principles and concepts, considering, where necessary, the cultural perspectives of First Nations and Inuit: “Substantive equality”; “Reasonable efforts” in the context of the placement of Indigenous children; “Family unity” and “ongoing placement reassessment”; “Multiple attachments” and “extended family” in the assessment of placement options and family reunification. - Strengthen obligations and establish clear guidelines, particularly on: - The frequency and content of placement reassessments, regardless of the duration of the placement; - The documentation requirements for actions aimed at reunification and maintaining ties with the extended family and significant people, from the beginning of the placement; - The implementation of gradual placement or reunification practices; - Expectations concerning accountability for actions aimed at family reunification at the individual and community levels. - Ensure the effective implementation of sections 11 to 17 of ARFNIMCYF and sections 131.1(d) and 131.6 to	NDYP MSSS Santé Québec Suggested FNI collaborators: FNQLHSSC Makiwvik RCAAQ QNW Governing bodies Suggested HSSN collaborators: HSSN institutions DYPs Youth program departments

	131.8 of the YPA in the HSSN by co-developing: • Training on the application of these sections (requirements, best practices, prohibited practices); • Tracking indicators to verify that obligations are effectively implemented in practice and to ensure greater accountability across all health regions.	
R-4. That the MSSS and the NDYP, in collaboration with First Nations and Inuit representative bodies, initiate work to establish guidelines for the implementation of the right to cultural continuity.		
Objective	Key actions	Owners
Ensure the equitable application of the principle of cultural continuity for children placed outside their community.	1. Co-develop departmental guidelines to facilitate the implementation of the principle of cultural continuity, including information about: • The rights of First Nations and Inuit children, youth and families; • The contribution of First Nations and Inuit women; • The obligations and responsibilities of the DYPs/NDYP to respect these rights; • The obligation to co-construct and co-evaluate, with First Nations and Inuit community partners, the objectives and measures set out in the cultural continuity plans, with the participation of the child's family; • The minimum guidelines concerning visits (frequency, duration, presence in the territory, exposure to traditional knowledge, use of mother tongue); • The explicit ban on practices that undermine cultural continuity; • The accountability mechanism for assessing compliance with the guidelines and reducing regional discrepancies.	MSSS NDYP Suggested FNI collaborators: FNQLHSSC Makiwvik NIP RCAAQ Governing bodies QNW Suggested HSSN collaborators: Santé Québec DYP Table Youth program departments Commissaire au bien-être et aux droits des enfants (CBDE)

R-5. That the MSSS, in collaboration with the NDYP, develop departmental guidelines that ensure equitable access and promote substantive equality and cultural safety with respect to prevention, crisis management, specialized and intensive parental support services for all First Nations and Inuit children, youth and families.

Objective	Key actions	Owners
Ensure that all HSSN services take concrete steps to fulfill Québec's population responsibility toward First Nations and Inuit citizens, regardless of community affiliation, place of residence or local availability of services.	- Promote equitable access and substantive equality in access to services for First Nations and Inuit children, youth and families, particularly regarding prevention, crisis management, specialized and intensive parental support services for all First Nations and Inuit children, youth and families. - Develop indicators to measure the impact of implementing the guidelines across all health regions.	MSSS NDYP Suggested FNI collaborators: FNQLHSSC Makiwvik RCAAQ QNW Suggested HSSN collaborators: Santé Québec Targeted HSSN institutions

R-6. That the MSSS work with the NDYP to establish the structural conditions necessary to ensure compliance with legal obligations toward First Nations and Inuit communities, families and children.

Objective	Key actions	Owners
Reduce or eliminate barriers to accessing prevention, intensive follow-up and support services that promote cultural safety and continuity for Indigenous families.	- Support the deployment of teams and partnerships with First Nations and Inuit social service providers, including in urban settings (s. 131.2, YPA), to ensure access to crisis intervention and intensive support services for the parents of children who have been placed or are at risk of placement, including through funding arrangements that are adapted to territorial realities and take structural disparities into account. - Support the establishment of family councils through support and compensation measures, considering the estimated actual costs associated with their implementation:	MSSS NDYP Suggested FNI collaborators: FNQLHSSC RCAAQ Makiwvik NIP NRBHSS Suggested HSSN collaborators: Santé Québec HSSN institutions

	• Family council preparation (e.g., network exploration, psychosocial and information support); • Conduct of the council (e.g., facilitation, transportation and accommodation of the family members, compensation of Elders, planning, etc.); • Plan follow-up. 3. Provide support measures for Indigenous foster families, whether regular or local, regardless of whether the placement is under the YPA, the YCJA, the <i>Act respecting the governance of the health and social services system</i> or the <i>AHSSSIN</i> (voluntary placements), including, in particular: • Unexpected expenses related to fostering a child; • Transitional allowances for prospective foster parents awaiting accreditation; • An adjustment mechanism that considers actual costs in communities, particularly in Nunavik. 4. Allocate dedicated resources for the implementation of cultural continuity, specifically to enable: • The maintenance of meaningful connections between each child placed in a non-Indigenous alternative environment and their family, community and territory of origin, based on an assessment of actual costs (transportation, accommodation, cultural support, high costs in Nunavik); • The recognition of First Nations and Inuit social service providers' expertise in cultural continuity, including in urban settings (s. 131.2, YPA). 5. Support the First Nations and Inuit social service providers in their efforts to assist youth in their transition to adulthood, including in terms of social and community housing, in addition to federal obligations in this regard.	
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Conclusion

Deeply concerned by the situation of First Nations and Inuit children and youth in Québec, the Protecteur du citoyen has dedicated this second CERP follow-up report to youth protection services based on priorities identified in consultation with the Advisory Circle. This approach stems from a simple yet demanding conviction: lasting change requires a nuanced understanding of the pathways experienced by children and their families, as well as full and complete recognition of the communities' expertise.

Data collected in collaboration with representative bodies of First Nations, Nunavik and Native Friendship Centres have provided a comprehensive picture of the journeys of children and youth within the youth protection system. The resulting analysis sheds light on both the changes currently underway and the scale of the work that remains to be done, in a context marred by persistent structural constraints and an enduring colonial legacy.

Various aspects of children's pathways are examined, taking the diversity of realities and contexts into account as much as possible. This analysis covers, on one hand, the range of services offered – from prevention services and rehabilitation services to post-majority services – and on the other hand, key issues such as family councils as tools for community empowerment, exemptions from maximum placement periods, the assessment and retention of Indigenous foster families and the implementation of the right to cultural continuity.

Across all the settings consulted, the lack of financial and human resources has been criticized for many years. The long-term availability and accessibility of adequate resources, particularly in terms of prevention, appear to be essential to reducing the overrepresentation of Indigenous children and youth within the youth protection system across all settings. Finally, each section of the report highlights the ongoing work and commitment of the communities to ensure that their children can grow up safely, with their rights, values and culture respected at every stage of the service pathway.

Advancing the right to self-determination and committing to collaboration

The findings presented throughout this report emphasize the essential conditions for implementing the 13 selected CERP's Calls for action. First, progress is being made in the exercise of the right to self-determination, but structural and cultural tensions indicate that the transition is far from complete. Communities are engaging in rigorous processes rooted in their values to develop service and intervention models and, in some cases, a legal framework tailored to their needs. Meanwhile, taking their own limitations and priorities into account, the management teams of the relevant HSSN institutions are working to adapt their practices or clarify their responsibilities in a context where the division of powers is still contested.

This reality demonstrates that we still need to build relationships based on mutual trust and strengthen the HSSN's commitment to recognizing and respecting the right to self-determination regarding child and family services. Trust and commitment go beyond simply

stating principles. These principles must be put into practice before, during and after the processing of reports, throughout the service pathway and in all health regions.

Regarding collaborations with youth protection services, the consultations noted an improvement, although such collaborations are still unevenly developed. The introduction of formal mechanisms – liaison positions, formal committees, shared protocols and training – demonstrates that clear structures contribute to smoother collaboration that is better aligned with First Nations and Inuit realities.

Conversely, in the absence of such measures, the quality of collaboration depends largely on the individual commitment of the people involved. In an environment with high staff turnover, this dependence threatens the sustainability of the progress made and jeopardizes its continuity.

Furthermore, collaboration continues to be hampered by persistent problems in accessing data on the pathways of the children being monitored. This limits the communities' ability to fulfill their role in supporting children and families and sustaining culturally safe services.

Aiming for family reunification, ensuring cultural continuity

The minimum standards set out in federal the ARFNIMCYF require regular reassessment of opportunities for family reunification when a child is placed in an alternative environment. In many regions, the lack of clear guidelines regarding the responsibility to maintain ties between the child and their parents during placement creates a contradiction: reunification is still the official objective, but without reasonable efforts and resources to achieve it, this objective is hard to attain. All too often, the parents of placed children do not receive the support and services they need to heal, develop parenting skills and regain custody of their children.

This finding is even more concerning given the importance of maintaining family, cultural and community ties to act in the best interests of Indigenous children. The weakening of family ties runs counter to the requirements of the ARFNIMCYF and the YPA, and has repercussions on the child's relationships, identity, sense of belonging and cultural continuity.

In general, the Protecteur du citoyen finds that maintaining cultural continuity remains a challenge, particularly regarding visits to the territory of origin, frequency of contact with the community and family, language use and access to cultural role models. The expertise of First Nations and Inuit social service providers, both in the communities and in urban settings, must be recognized and financially supported to achieve the aims of the legal framework.

Taking youth rights and needs seriously

Across all settings, there was considerable dissatisfaction with the HSSN's rehabilitation services and their quality. The issues raised included a lack of English-language school and psychosocial services, the difficulty or even inability to maintain ties with family and culture due to distance, the deteriorating mental health of youth due to inadequate services or limited access to nature, and the risk of criminalization due to inadequate supervision of youth that does not meet their needs.

New co-constructed rehabilitation options must be established and the range of prevention services available to youth and their families must be expanded to avoid placement in rehabilitation centres whenever possible. Also, priority must be given to preparing youth aged 16 and older for adulthood, as stipulated in the YPA. DYPs must carry out this responsibility in close collaboration with First Nations and Inuit social service providers.

Investing today to change tomorrow

For real change to happen, the matter of funding across the entire service pathway remains central. First Nations and Inuit communities have consistently pointed out that the resources currently available are woefully inadequate, undermining their ability to provide crisis prevention and intervention services, family support and psychosocial support to First Nations and Inuit parents. While access to family services that promote cultural safety and continuity has improved in recent years, it remains fragile because it depends on government commitments and priorities.

Lasting change requires a fundamental shift in priorities by the HSSN: making sustained, long-term investments in prevention, supporting initiatives carried out by and for First Nations and Inuit communities, and formally recognizing the expertise of First Nations and Inuit social service providers and governing bodies, as well as organizations in urban settings such as Friendship Centres, throughout their children's entire service pathway. Without these measures, the goals set forth in the legislative frameworks will remain difficult to achieve.

Only by meeting these conditions will it be possible to reduce the overrepresentation of Indigenous children and youth in the youth protection system. To this end, the Protecteur du citoyen is making six recommendations aimed at fostering lasting change and will closely monitor their implementation. The Protecteur du citoyen firmly believes that relationships based on collaboration, respect for the right to self-determination of First Nations and Inuit communities, and recognition of the rights and well-being of their children are key drivers of change and therefore calls on all stakeholders to collectively commit to this endeavour.

List of recommendations

The Protecteur du citoyen recommends:

- R-1. That Santé Québec, in collaboration with the MSSS and the NDYP, consult with the First Nations and Inuit, as well as the HSSN departments responsible for youth protection, prevention services, foster care and rehabilitation centres for young people with difficulties, about their respective coordination needs.
- R-2. That Santé Québec, in collaboration with the MSSS and the NDYP, establish collaboration mechanisms between First Nations and Inuit service providers and the HSSN, in keeping with the legal obligations set out in the ARFNIMCYF and the YPA.
- R-3. That the NDYP and the MSSS, in collaboration with Santé Québec and jointly with First Nations and Inuit representative bodies, clarify and strengthen the interpretation and application of certain concepts set out in the ARFNIMCYF and the YPA.
- R-4. That the MSSS and the NDYP, in collaboration with First Nations and Inuit representative bodies, initiate work to establish guidelines for the implementation of the right to cultural continuity.
- R-5. That the MSSS, in collaboration with the NDYP, develop departmental guidelines that ensure equitable access and promote substantive equality and cultural safety with respect to prevention, crisis management, specialized and intensive parental support services for all First Nations and Inuit children, youth and families.
- R-6. That the MSSS work with the NDYP to establish the structural conditions necessary to ensure compliance with legal obligations toward First Nations and Inuit communities, families and children.

Appendix 1 – Calls for action covered by this follow-up

Nº 108: Amend the *Youth Protection Act* to exempt Indigenous children from the application of maximum periods for alternative living environments as stipulated in sections 53.0.1 and 91.1.

Nº 110: Enshrine in the *Youth Protection Act* a requirement that a family council be set up as soon as an Indigenous child is involved in a youth protection intervention, whether or not the child is at risk of being placed.

Nº 118: Fund the development of intensive support services in urban environments and Indigenous communities covered by an agreement for parents of Indigenous children who have been placed in foster care.

Nº 119: Initiate tripartite negotiations with the federal government and Indigenous authorities to finance the development of intensive support services in communities not covered by an agreement for parents of Indigenous children who have been placed in care.

Nº 121: Make sure that a cultural intervention plan is produced and implemented whenever an Indigenous child must be placed in a non-Indigenous alternative environment.

Nº 127: Increase availability and funding for local services intended for Indigenous children and their families, including crisis management services, in communities covered by an agreement and in urban environments.

Nº 128: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the availability of local services intended for Indigenous children and their families, including crisis management services, in communities not covered by an agreement.

Nº 129: Clarify and change the eligibility criteria for Indigenous foster families, including the criteria for the physical environment and the follow-up done with foster families, so that those families can access the services they need to provide the best possible environment for the children.

Nº 130: Ensure that families and significant people who are not represented by an association and who foster Indigenous children receive financial compensation equivalent to family-type resources under the *Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreement*.

Nº 131: Invest to increase the number of available spaces where needed at youth rehabilitation centres in Indigenous communities covered by an agreement.

Nº 132: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the number of available spaces where needed at youth rehabilitation centres in Indigenous communities not covered by an agreement.

Nº 133: Increase the level of and funding for post-placement services for indigenous children in communities covered by an agreement and in urban centres.

Nº 134: Initiate tripartite negotiations with the federal government and Indigenous authorities to increase the level of and funding for post-placement services in Indigenous communities not covered by an agreement.

Appendix 2 – Bodies Consulted for This Report

Akwesasne Child and Family Services

Chibougamau Eenou Friendship Centre

Centre d'amitié autochtone de Lanaudière

Centre d'amitié autochtone Capetciwotakanik – La Tuque

Centre d'amitié autochtone de Sept-Îles

Centre d'amitié autochtone de Trois-Rivières

Centre d'amitié autochtone de Manicouagan

Centre d'amitié autochtone de Val-d'Or

Centre multiservices MAMUK

Centre de santé de Pessamit

Inuulitsivik Health Centre (DYP, community services department)

Ungava Tulattavik Health Center (DYP)

Centre de santé d'Essipit

Centre de santé de Mashteuiatsh

Centre de santé de Natashquan

Centre de santé de Wôlinak

Centre de santé Mino Tehewin (Lac-Simon)

CISSS de l'Abitibi-Témiscamingue (DYP, RTS-US)

CISSS du Bas-St-Laurent (DYP)

CISSS de Chaudière-Appalaches (DYP, RTS-US)

CISSS de la Côte-Nord (DYP, RTS-US)

CIUSSS de l'Estrie (DYP, RTS-US)

CISSS de la Gaspésie (DYP, RTS-US)

CISSS de Lanaudière (DYP, RTS-US, youth program department)

CISSS des Laurentides (DYP, RTS-US)

CISSS de Laval (DYP, RTS-US)

CISSS de la Montérégie-Est (DYP, RTS-US, youth program and public health activities department)

CISSS de l'Outaouais (DYP, youth program department, mental health and addiction programs department)

CIUSSS de la Capitale-Nationale (DYP, RTS-US)

CIUSSS du Centre-Sud-de-l'Île-de-Montréal (DYP, RTS-US)

CIUSSS de l'Est-de-l'Île-de-Montréal (RTS-US, youth program department, mental health, addiction and homelessness programs department)

CIUSSS du Nord-de-l'Île-de-Montréal (youth program department, mental health and addiction programs department)

CIUSSS de l'Ouest-de-l'Île-de-Montréal (DYP, RTS-US, youth program department, mental health and addiction programs department)

CIUSSS de la Mauricie-et-Centre-du-Québec (DYP, youth-family program department, adult mental health and addiction program department)

CIUSSS du Saguenay-Lac-St-Jean (DYP, mental health, addiction and youth programs department)

Conseil de la nation Atikamekw

Gesgapegiag Health and Community Services

Grand Council of the Waban-Aki Nation

Kahnawà:ke Shakotii'a'takehnhas Community Services

Kanesatake Health Center

Kebaowek Health & Wellness Center

Innu Takuaikan Uashat mak Mani-utenam (ITUM)

Listuguj Community Social Services

Mamit Innuat

Maniwaki Native Friendship Centre

Ministère de la justice du Québec

Ministère de la Santé et des Services sociaux

Native Montréal

Nunavimmi Ilagit Papatauvinga

Nunavik Regional Board of Health and Social Services

Santé Québec

Services sociaux Opitciwan

Services sociaux de Wendake

Timiskaming First Nation Health & Wellness Centre

Appendix 3 – Table of Youth Protection Responsibilities Held by FNI Communities in Québec (2025)

The following table summarises the information on responsibilities in the field of youth protection set out in the *Guide sur l'intérêt de l'enfant autochtone*.¹⁰⁰ It also draws on data available on the Indigenous Services Canada website¹⁰¹ concerning legislation on Indigenous child and family services.

Nation	Community	Signatory institution	S. 32	S. 33	S. 131.20	ARFNMICYF
Abenaki	Odanak and Wôlinak Governing body: Corps dirigeant Abénakis	CIUSSS de la Mauricie-et-Centre-du-Québec		X		Notice of intent
Anishnabeg	Barriere Lake	CISSS de l'Outaouais				
Anishnabeg	Kitigan Zibi	CISSS de l'Outaouais	X	X		
Anishnabeg	Kitcisakik, Lac-Simon, Pikogan, Long Point Governing body: Mino Obigiwasin	CISSS de l'Abitibi-Témiscamingue	X	X		Notice of intent
Atikamekw	Wemotaci, Manawan Governing body: Conseil de la nation Atikamekw			X		Notice of intent
Wendat	Wendake ¹⁰²	CIUSSS de la Capitale-Nationale		X		

¹⁰⁰ *Guide sur l'intérêt de l'enfant autochtone*, précité note 25, p. 37-39.

¹⁰¹ Indigenous Service Canada, [Indigenous child and family services legislation - Notices of intent to exercise legislative authority, requests to enter into a coordination agreement, and links to Indigenous child and family service laws](#), Date amended: 17 June 2026. [Online] accessed on 18 June 2026.

¹⁰² Although the agreement enables the Wendat Nation Council to exercise its responsibilities under section 33 of the *Youth Protection Act*, it does not currently have any staff working in the field of youth protection.

Innu	Essipit ¹⁰³	CISSS de la Côte-Nord		X		Notice of intent
Innu	Mashteuiatsh Governing body: Pekuakamiulnuatsh Takuhaikan	CIUSSS du Saguenay-Lac-St-Jean	X	X		Notice of intent
Innu	Matimekush-Lac John	CISSS de la Côte-Nord		X		
Innu	Nutashkuan Governing body: Direction des services sociaux	CISSS de la Côte-Nord		X		Notice of intent
Innu	Pakua Shipu Governing body: Regroupement Mamit Innuat	CISSS de la Côte-Nord		X		Notice of intent
Innu	Pessamit	CISSS de la Côte-Nord		X		Notice of intent
Innu	Uashat mak Mani-utenam	CISSS de la Côte-Nord		X		Loi Tshisheuatishitau adopted. To take effect in the future. Coordination agreements are currently being negotiated.
Innu	Unamen Shipu Governing body: Regroupement Mamit Innuat	CISSS de la Côte-Nord		X		Notice of intent
Innu	Ekuanitshit Governing body: Regroupement Mamit Innuat	CISSS de la Côte-Nord		X		Notice of intent
Mi'gmaq	Gesgapegiag	CISSS de la Gaspésie	X	X		
Mi'gmaq	Listuguj	CISSS de la Gaspésie	X	X		
Kanien'kehà:ka	Akwesasne	CISSS de la Montérégie-Est	X	X		

¹⁰³ Although the agreement enables the exercise of responsibilities under section 33 of the *Youth Protection Act*, the Council of the Essipit Innu First Nation does not currently have any staff working in youth protection.

Kanien'kehà:ka	Kanesatake	CISSS des Laurentides				
Kanien'kehà:ka	Kahnawà:ke	CISSS de la Montérégie-Est	X	X		
Wolastoqiyik	Wolastokuk/ Cacouna/ Kataskomik	CISSS du Bas St-Laurent				
Naskapi	Kawawachikamach ¹⁰⁴	CISSS de la Côte-Nord				
Eeyou (Cree)	9 communities	Cree Council Child and Youth Protection Centre	X	X		
Inuit	14 communities	Inuulitsivik/ Tulattavik				

¹⁰⁴ There is no youth protection agreement in place with any institution for this community, which is covered by a service agreement. This community is served by the CISSS de la Côte-Nord, and the responsibilities set out in sections 32 and 33 of the *Youth Protection Act* (LPJ) are carried out by the DPJ and authorised staff of the CISSS de la Côte-Nord.

Appendix 4 – List of Initialisms, Acronyms and Abbreviations

AHSSIN: *Act respecting health services and social services for the Inuit and Naskapi*

ARFNIMCYF: *An Act respecting First Nations, Inuit and Métis children, youth and families*

ARR: *Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements*

CAAL: Centre d'amitié autochtone de Lanaudière

CBEDE: Commissioner for Children's Well-Being and Rights

CERP: Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress

CISSS: Integrated health and social services centre

CIUSSS: Integrated university health and social services centre

CNA: Conseil de la Nation Atikamekw

CSDEPJ: Special Commission on the Rights of the Child and Youth Protection

DGTI: MSSS Direction générale des technologies de l'information

DYP: Director/Department of youth protection

FNCFS: First Nations Child and Family Services Program

FNI: First Nations and Inuit

FNQLHSSC: First Nations of Québec and Labrador Health and Social Services Commission

FTR: Family-type resources

GAPSCWFNI: Government Action Plan for the Social and Cultural Wellness of the First Nations and Inuit

HSSN: Health and social services network

ID-ASD-PD: Intellectual disability, autism spectrum disorder and physical disability

IHC: Inuulitsivik Health Centre

ISC: Indigenous Services Canada

JBNQA: *James Bay and Northern Québec Agreement*

KFF: Kinship foster families

LPSAO: *Loi de la Protection sociale Atikamekw d'Opitciwan*

MJQ: Ministère de la Justice

MSSS: Ministère de la Santé et des Services sociaux

NDYP: National Director of Youth Protection
NIMMIWG: National Inquiry into Missing and Murdered Indigenous Women and Girls
NIP: Nunavingmi Illagiit Papatauvunga
NRBHSS: Nunavik Regional Board of Health and Social Services
PIJ: Projet intégration jeunesse
PQJ: Programme qualification des jeunes
QNW: Québec Native Women
RCAAQ: Regroupement des centres d'amitié autochtones du Québec
RCYD: Rehabilitation Centers for Youth with Difficulties
RFF: Regular foster families
SCCRYP: Special Commission on the Rights of the Child and Youth Protection
TDM: Team decision meeting
UTHC: Ungava Tulattavik Health Center
YPA: *Youth Protection Act*
YCJA: *Youth Criminal Justice Act*



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