



INQUIRY RESPECTING THE TREATMENT, EXPERIENCES AND OUTCOMES OF INNU IN THE CHILD PROTECTION SYSTEM

English Transcript

Volume 47

*Commissioners: Retired Judge James Igloliorte, Dr. Mike Devine and
Anastasia Qupee*

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CLERK (Battcock): The hearing is now in session.

COMMISSIONER IGLOLIORTE: Thank you very much.

We're going to start a little bit early without the interpretation, but when they attend, we'll ask them to review some of what has transpired.

You're gonna notice in the – from the Commissioner's perspective, a little bit more of an urgency now that we are on – moving towards the final leg, the final year of the Inquiry. We have taken great pains to make sure that community members especially could be heard, and they could present to the Inquiry the important information we should receive.

From here on in, everyone will recognize that we're receiving formal witnesses, formal testimony, round tables and fewer community sessions. As a consequence, we feel as Commissioners that we should try and establish a little bit more of a stringent pace, to give the message that it's important to get our work done.

I wanted to say good morning, and I'll first ask all counsel, beginning to my left, to introduce themselves.

You can turn on your speaker.

K. MOSHER: Hi, Kayla Mosher, representing one of the families.

COMMISSIONER IGLOLIORTE: Thank you.

A. FITZGERALD: Good morning, Commissioners.

Andrew Fitzgerald, for the information – sorry, not the information, the Child and Youth Advocate.

COMMISSIONER IGLOLIORTE: Thank you very much.

P. WARREN: Good morning, Commissioner.

Philip Warren on behalf of the Province of Newfoundland and Labrador. Welcome to you back. I think this is your first time sitting in a hearing.

I'd also like to point out this is Sara Dow. She is the new Assistant Deputy Minister of – in CSSD, responsible for overseeing the Inquiry. I don't think you've had a chance to meet her. But she's here to participate as well.

COMMISSIONER IGLOLIORTE: We're honoured to have you here. Thank you so much.

K. PECK: Good morning.

Kelly Peck for the Attorney General of Canada.

COMMISSIONER IGLOLIORTE: Thank you, Ms. Peck.

J. ASHINI: Jolene Ashini, Innu Organizations.

COMMISSIONER IGLOLIORTE: Tshinashkumitin.

C. URQUHART: Good morning.

Caitlin Urquhart, Commission Counsel.

COMMISSIONER IGLOLIORTE: Thank you.

We also want to sincerely thank the community and the Youth Centre as well for welcoming us back here. This is a formal hearing today respecting – the Inquiry Respecting the Treatment, Experiences and Outcomes of Innu in the Child Protection System. This is the fourth time and the fourth week that we have held our formal hearings here in Sheshatshiu, and we were last here in February a year ago – two years

ago – January last year, and June last summer.

We've been grateful to the community for welcoming us very warmly to continue our work. And we will have Elders here. We recognize that Tshaukuesh is travelling and can't make it. We expect to see Elder Penote Antuan before the day is over.

We are having today invited witnesses, and this will be a chance for the community, for all counsel, to speak to us about their history, their experiences, their knowledge, and we're especially grateful to all counsel for the way in which they've arranged these proceedings for today.

I want to thank our big boss, Ruth Steele, and her sidekick, Paula Battcock, on the administrative side.

Thank you for our technicians, Curtis and Darrell from Eastern Audio, and everyone who is attending here from the community.

COMMISSIONER DEVINE: Thank you, and good morning, everybody.

The first thing I wanted to do this morning is to welcome Jim back, Commissioner Igloliorte, as the Chair of the Commission. We're of course delighted to have him back, with the knowledge, skills and experience that he brings from his many years as a judge, and the legal expertise he brings to that and, of course, he's, you know, he's well – very familiar with the Labrador Coast. So we're – great to have him back, and Anastasia and I, as the other Commissioners, are delighted as I would say that everybody is. It's good to see Jim back.

The first thing I wanted to do this morning was to indicate the witnesses that we have for this week. So first up is Lyla Andrew, and Lyla is here. Lyla has lived in the community since 1978, and, of course, we've heard part of her testimony earlier, and we'll hear the rest of it for the first few

days in this session. She's currently the CYFS community liaison social worker with IRT, or the Innu Round Table.

After Lyla, we'll hear from a panel of three current or retired provincial public servants about their time working with the department of child – of children services and social development. And these three people are Ms. Wanda Lundrigan, Michelle Shallow and Jennifer Barnes.

Before we call the witnesses, we'd like to begin our work by honouring Innu culture and heritage. And, Jim, I think it might be appropriate when the Elder comes that we can, if it's – if we can, Caitlin – hesitate, just take a break, and have the prayer said at that time?

COMMISSIONER IGLOLIORTE: Done. Thank you.

COMMISSIONER DEVINE: Thank you.

We're glad to be back in Sheshatshiu. In total, the Inquiry has held seven weeks of community meetings in Natuashish and Sheshatshiu, hearing stories and experiences from about 100 people.

We are grateful to each – yes, we are grateful to each community member who spoke during these sessions, these community meetings, for sharing their truths and their experiences. We have a small token of our appreciation to present to them, and we ask, please see anyone with the Inquiry, for those who have spoken, to – in order to receive your gift of appreciation from the Inquiry.

COMMISSIONER IGLOLIORTE: Okay?

COMMISSIONER DEVINE: Okay.

COMMISSIONER IGLOLIORTE: Thank you, Sir.

I notice that Nympha is here; Nympha Byrne is one of our interpreters. And when Anne

shows up, you and Anne can review some of the things we've already said, Nympha, in a few minutes' time. I'll just continue in English for a moment.

We want to remind Innu people in this community and in Natuashish that if they feel they'd like to continue to present to the Inquiry, they're quite free to do so. And all you have to do to arrange that is speak to our hearing clerk, Paula Battcock, right here to my right.

We recognize that many times we learn of the issues that the community has to deal with, but we also see the strength of the community, especially in the last days and weeks where they have challenges to address. And we want to assure you that we will respect anything that you require of us, and we recognize that you have priorities and values that we need to learn about, and the importance is to appreciate that the well-being of everyone living in Sheshatshiu is important and vital to the Inquiry. What you're doing takes a lot of strength, and we commend you for your leadership in taking action in issues that you see require such action.

We've always had the support of Elders, and we've also had the support of Innu leadership right from the beginning. So we're happy to be here this week, and we will learn a lot from experienced people about how they've addressed issues in the past and, more importantly, how we can move towards a future where Innu have ownership and are able to take over some of the many responsibilities of child protection.

COMMISSIONER DEVINE: Also, it's important to be here in the – to community hearings to hear from people, and we realize and understand, certainly from all the stories that we have heard, as I mentioned a few minutes ago, and it's so important from an Inquiry perspective to do no further harm. It's kind of one of our key – keystone points, because we have to hear

them and to learn from the people's experiences themselves.

We want to acknowledge the healing services team, lead by Edward Nuna in Sheshatshiu and Ivy Pijogge- – I hope I have the name right – Andrew –

COMMISSIONER IGLOLIORTE: Perfect.

UNIDENTIFIED SPEAKER: Yeah.

COMMISSIONER DEVINE: – in Natuashish. These folks can sit with you, listen to you or just support you. And, of course, we have Sean Allen here this week again to provide clinical support. We have a tent set up outside. I'm not sure if it's completely finished yet, but if not, it's a work in progress. So that's a quiet place for people to go if they find some of the – they're having some difficulties.

We invite everyone and anyone to use these supports whenever they can or need to, and think about self-care during this week in terms of the testimony. So not only the services here, but family, friends that you can lean on if you need help.

COMMISSIONER IGLOLIORTE: Thank you, Commissioner.

Everyone will notice that Commissioner Qupee is absent. She is watching at home. She is not feeling well today and sends her regrets.

We will now take a short break in order for you to get yourself a coffee, and then we'll be starting our video in just about 10 minutes.

Thank you very much.

Recess

[Inquiry in progress at start of recording.]

COMMISSIONER IGLOLIORTE: – proceeding to the stage now where we will

view the testimony of our next witness, and I'll ask our counsel – lead counsel – Ms. Urquhart, to introduce that – the session.

C. URQUHART: Thank you, Commissioner.

Our first witness today, as Commissioner Devine mentioned, is Lyla Andrew. And as you alluded to, these – this testimony has been pre-recorded, so we'll be watching a video today. And that allows the translation to happen simultaneously. So anyone who wants to listen in either Sheshatshiu or Mushuau Innu-aimun can get a set of headphones from the back of the room, and there is sheets that say which channel for each language around – circulated around the room, so please help yourself to those.

Ms. Andrew started her testimony last June in 2024, and at that time, she spoke a bit about coming to Labrador in 1977 and the Innu who mentored and guided her in that time. And she also spoke about some of her experiences – early experiences living and working in Sheshatshiu and building her family here.

So with that bit of background, I'll ask our technicians to queue up the video and we will – we'll see sort of the rest of what Ms. Andrew had to say.

[Video played.]

Page 1	Page 3
1 February 17, 2025 2 3 Caitlin Urquhart: 4 I believe you are still affirmed, Lyla, but just 5 out of an abundance of caution, I'm going to 6 re-affirm you. 7 Lyla Andrew: 8 Okay. 9 10 <u>MS. Lyla Andrew, RE-AFFIRMED</u> 11 12 Caitlin Urquhart: 13 Wonderful. So to start, what I'd like to do is, 14 I'm going to sort of summarize some of the 15 evidence that you gave in June of last year, and 16 I'll ask you to kind of confirm the accuracy of 17 what I'm saying or how I'm framing it, and then 18 we'll kind of move on from there. 19 20 So I'm not going to summarize everything, but 21 just the parts that are kind of material to what 22 we'll be speaking about today. 23 24 So, firstly, you testified that from the period	1 where a family member or significant other was 2 caring for a child, and Social Services would 3 provide sums of money to assist that alternative 4 carer in providing for the child. 5 6 Does that seem like a fair statement? 7 Lyla Andrew: 8 Yes. I think that is also a fair, accurate 9 statement. 10 Caitlin Urquhart: 11 Okay. I'm sort of summarizing some of what you 12 had said in June here. So the other thing that 13 you noted was that the vast majority of cases are 14 sort of dealt with within the community. 15 However, you either at the time or later became 16 aware that there were some adoptions or children 17 removed from the community. However, those 18 situations seemed to be predominantly sort of 19 driven or managed by, I think you mentioned, the 20 medical system, the priest, and the school as the 21 sort of the actors or the agencies that were 22 involved in those adoptions or removals for the 23 most part. 24
Page 2	Page 4
1 of sort of 1977 when you came into the community 2 to around 1984, your experience or what you 3 observed was that the vast majority of situations 4 that we would now say there was a child or 5 children in need of protection, or children who 6 needed some sort of -- yeah, the current 7 definition would be in need of protection, were 8 predominantly dealt with within the family or 9 communities. So it wasn't an external state, an 10 external factor. The families or communities 11 addressed those situations within the family or 12 the extended family or community. Is that 13 accurate? 14 Lyla Andrew: 15 Yes, I think that is my observation, and I think 16 it's accurate. 17 Caitlin Urquhart: 18 And from the time that the Social Services office 19 was established and you started working there in 20 Sheshatshiu in '79 to about '84, during that time 21 the primary way in which Social Services was 22 involved in those situations would have been 23 through the Child Welfare Allowance, which was a 24 means sort of similar to what is now kinship. So	1 Lyla Andrew: 2 Obviously, those actions took place. But as far 3 as the Social Services department being directly 4 involved, at least the Social Services that 5 existed in Sheshatshiu and Davis Inlet at the 6 time, I have no recollection that there was 7 involvement in those kind of significant 8 interventions in Innu families. 9 10 And it's also really important to remember that 11 the communities were still really, really insular 12 in the sense that there were not people 13 travelling every day to Goose Bay, going outside 14 of Labrador. And Innu, primarily the language 15 that was being spoken in the village, in the 16 homes, in social activities, it was Innu-aimun. 17 It wasn't English. 18 19 And so those of us that worked for systems, in 20 particular, those of us working for Social 21 Services at the time, we wouldn't have had a way 22 to really know what was going on unless community 23 members were bringing it forward. And people 24 were coming forward because they had very limited

Page 5

1 income. They weren't coming forward with stories
2 to say so and so isn't looking after their child.
3 It felt very much like there was some - I don't
4 know how would I call it - almost an equality of
5 poverty and an equality of material goods and
6 services.

8 In other words, people had very little and what
9 they had, they shared. People lived in large
10 family groupings. I mean, it was not unusual to
11 have three generations of families living
12 together. And it was a time, I think by the late
13 '70s, early '80s, I think the Innu were very low,
14 in terms of at a very low place in terms of being
15 able to challenge these very powerful forces that
16 were at play; be that the school, the church, and
17 other government systems. It certainly was early
18 days of Innu developing government, Innu
19 government, and so I think there was certainly a
20 focus on that. But there had been profound
21 changes.

23 When it came to families facing issues with
24 rearing up children, that really wasn't coming to

Page 6

1 the Child Welfare authorities. I mean, it just
2 wasn't. And that really contrasts with today in
3 many respects, but then this is many, many
4 decades later and the changes have continued at a
5 tremendous pace.

7 I think about Innu coming into the community in
8 the late '50s, early '60s, trying to continue on
9 with what they imagined their life paths would
10 be, and coming to the realization that life in
11 the village was just not like life in Nutshimit
12 had been.

14 So I think a lot about what it must have meant
15 for grandparents and young parents. I don't know
16 how they could have been prepared for the
17 circumstances they were in, but I know that the
18 way Innu lived in small extended family groups in
19 the country, they would have been very reliant on
20 one another when issues came up. And so I think
21 that's what was still happening at that time in
22 the community. And I know there were efforts
23 made by leadership in the community, I suppose it
24 was political leadership, elected leadership, to

Page 7

1 help people start going back into the country.
2 So Gatuishinont (phonetic), the outpost camp
3 program, was ongoing in the early '80s. And I
4 can remember float planes coming up to the dock,
5 the then dock in Sheshatshiu and people,
6 families, entire families getting ready to go
7 into the country. And I think many, many people
8 understood that they needed to return to the
9 country to those activities and that time
10 together where there would be a sense of being
11 connected, being very connected.

13 I think that's what came very clear in
14 Sheshatshiu was people started to be very
15 disconnected. Disconnected from every aspect of
16 their lives, and especially parenting, because
17 kids were sent to school. I try to imagine if I
18 had been raised up by my parents and grandparents
19 in a communal camp, a nomadic camp in Nutshimit,
20 the way all the generations of Innu before had
21 been, what must it have felt like to then figure
22 out, well, I'm not raising my child. They're
23 going off to school every day, and someone else
24 is talking to them, and it's not in my language

Page 8

1 and it's not about the things that are important
2 to me. It has nothing to do with my experience,
3 them going to school. It has absolutely nothing
4 to do with my lived experience.

6 I think that that was a time when people were
7 already very traumatized by the few years of
8 being in settlements. So they were weak, I
9 think. You know, I think that's understandable.
10 You know, again, in the country, as I've come to
11 understand it, hunters will hunt. They will go
12 out from the camp to try and find food. And
13 women and children will take part in all the
14 activities to maintain, you know, their physical
15 well-being.

17 Children would be learning. They would
18 constantly be learning from adults about how to
19 become competent Innu in the various tasks, and
20 they'd be hearing the stories about their history
21 and about the significance of places. Those were
22 all very powerful things.

24 And I think Innu went back into the country in

Page 9	Page 11
1 the late '70s and early '80s. I think the 2 leadership understood that things had become very 3 bad, had become very, very hard for people. And 4 they were being pulled away from all of the 5 strength of their culture. 6 7 Yeah, at the same time they were experiencing 8 abuse at the hands of the priest. I mean, that's 9 well-documented. Fr. Pearson was apparently an 10 extremely abusive man. There was abuse by the 11 priest in Davis Inlet. You know, even moving 12 forward out of the '80s, I mean, that abuse 13 continued with priests and teachers. 14 15 And it seems to me, looking back, that there was 16 an inordinate amount of sexual abuse ongoing by 17 non-Innu people who came into the community. 18 Caitlin Urquhart: 19 Like do you want to speak more about that now, 20 because I think if you -- I know you wanted to 21 address that issue. Do you want to go into it 22 now? Because obviously it's physical abuse, 23 sexual abuse there. You had some comments. 24 Is now a...	1 was very public. I mean, the priest was not 2 worried that people would see him wielding a bat 3 at someone's father, someone's spouse. This was 4 public abuse. 5 6 I think a lot of the abuse of boys was more 7 hidden from view. And I think there were many 8 people who grew up and could not speak, could not 9 acknowledge that these things had happened to 10 them. 11 12 We know there are other individuals who 13 subsequently took individuals to court. But in 14 such a small place, I mean, I remember some of 15 the documents... I would have said the 16 population when I came to Sheshatshiu was between 17 4 and 500. I would have said closer to 400, but 18 I think there were documents introduced in the 19 early days of the hearings that maybe gave a 20 population of around 500, maybe in the early 21 '80s. 22 23 This very small community had to have so much 24 harm ongoing, like people who were in the
Page 10	Page 12
1 Lyla Andrew: 2 I don't know if I want to speak about it now. I 3 wish I didn't have to speak about it at all, but 4 I think it has to be spoken about. 5 Caitlin Urquhart: 6 Absolutely, yes. 7 Lyla Andrew: 8 Because I don't think the generation today really 9 understands that. It's not a history they lived. 10 And I look at grandparents today who I know were 11 abused as children then, and I think it has had a 12 profound effect on how they have lived their 13 lives, including the involvement of child 14 protection in their lives as parents and as 15 grandparents. 16 17 It had a start. It had a start in these very 18 abusive, for the most part, non-Innu men who were 19 living and working in the community of 20 Sheshatshiu and Davis Inlet, and who, I think, 21 understood the vulnerability of people. They 22 understood that children were vulnerable because 23 parents were struggling with all of this change. 24 Parents were being abused. In many respects it	1 communities ostensibly to help. So it's as if a 2 situation was set up, sort of an us and them. 3 It's as if the non-Innu that came into the 4 community, regardless of their intentions, so 5 many of them were doing harm that it's very 6 understandable that people learned to be very 7 suspicious and very distrustful of non-Innu 8 people. And yet it was the non-Innu people who 9 held the power. 10 11 Certainly when it came to Social Services and 12 income, it was non-Innu people, those of us that 13 worked in Social Services, who had the power over 14 whether or not a family received, you know, not 15 family allowance, Child Welfare Allowance. There 16 was huge power invested in the few non-Innu 17 people who were living it the community in those 18 roles, particularly as a priest and teachers and 19 the medical folks associated with the hospital in 20 Northwest River. I think they had inordinate 21 power because the Innu themselves were, as I said 22 earlier, at a very low point with, really, their 23 culture falling down around them. They were 24 trying.

Page 13

1 Caitlin Urquhart:
 2 And just to touch on that briefly, my
 3 understanding is that there was expectation that
 4 in order to access family allowance or Child
 5 Welfare Allowance, that children had to go to
 6 school essentially and that families were
 7 expected, essentially, to stay put in the
 8 community rather than go out on the land in
 9 Nutshimit in the way that they traditionally
 10 would have.
 11
 12 I think you mentioned the last time as well about
 13 wage earners, you know, if they worked to go out
 14 into the community that they would lose their
 15 jobs. So there was a lot of financial pressure
 16 essentially to remain in the community.
 17
 18 Is that kind of the way that you understood
 19 things?
 20 Lyla Andrew:
 21 Again, if we think about, where was it that
 22 things that every family needed - food, some
 23 income, clothing - where was that going to come
 24 from? And if we think about who held the reins

Page 14

1 over all those things? It was non-Innu people.
 2 So the school principal, it was very clear, she
 3 tried to make sure that children attended school
 4 every day. And I think there was an element of
 5 you people who work for Social Services should be
 6 truancy. You should be doing truancy officer
 7 work. And my understanding was that that would
 8 have been taking place on the island as well.
 9 But it was clear that there were some children
 10 and some families that were trying to resist the
 11 power of the school and of the priest to make all
 12 the decisions about what they should and
 13 shouldn't do.
 14
 15 But, you know, if there was clothing coming into
 16 the church, the people that were going to get
 17 that clothing would be the people that were most
 18 associated -- who would get it first, who would
 19 have first access, would be the people who were
 20 more associated with the church as opposed to
 21 those families that were less associated with the
 22 church.
 23
 24 You could see those rifts as they grew over time.

Page 15

1 Again, small community and you could see. And it
 2 must have been unbelievably hard for some people
 3 to feel that there were these rifts growing
 4 between Innu. Those that, you know, were more
 5 likely to associate with the priest and those
 6 families that were trying to maintain more of a
 7 distance. And I think families really, really
 8 felt that.
 9
 10 It must have been extremely hard in a small place
 11 for people to feel that for the first time some
 12 Innu were looking down on other Innu. And what
 13 was it all about? It was about basic
 14 necessities. This wasn't about who was going to
 15 get the newest car. Nobody had a car. Nobody
 16 had a vehicle. But, for example, it was about
 17 food and clothing and whatever it was that came
 18 with knowing and associating with the people that
 19 were in power, in essence. Yeah.
 20 Caitlin Urquhart:
 21 So you mentioned that, I believe, there were
 22 civil and criminal charges against some of the
 23 priests and school teachers in both communities
 24 for physical and sexual abuse of children.

Page 16

1 So I just want to make sure, I know that you had
 2 kind of wanted to raise that. And I believe that
 3 we have some records and many of them are public
 4 of those cases. And as you noted, it's a small
 5 community to have quite so many sort of
 6 situations of abuse.
 7 Lyla Andrew:
 8 Yeah. I mean, I certainly think so. In the
 9 midst of it, it didn't seem like, oh my goodness,
 10 that's the fourth priest, or that's the third
 11 teacher or, you know, the fourth brother. So in
 12 the midst of it, it didn't seem like -- you know,
 13 you'd focus on an individual situation. And I
 14 watched people get stronger, I watched people
 15 drive out a priest at one point where there were
 16 allegations made that he had harmed a child, the
 17 little girl. And I remember that priest wasn't
 18 in the community very long.
 19
 20 So people began to gain -- I remember watching
 21 that, but I just feel like the scope of the harm
 22 that was happening seems to me, in retrospect, to
 23 be overwhelming. And it didn't just stop because
 24 a priest went to jail or a school teacher went to

Page 17	Page 19
1 jail, or a school teacher, you know, took his 2 life the day before the court case was to start. 3 That had huge impact on the children that were 4 harmed because there was no process for them to 5 be able to address the harm they experienced and 6 the confusion that they were living with. 7 8 It was as if, okay, that's over now, and there 9 was so much else going on. And I think that one 10 of the things that obviously was going on, one of 11 the context of the community, and this isn't any 12 surprise, is that there was a great deal of 13 alcohol misuse in both of the Innu communities. 14 And that was also going on and that also became a 15 context in which I think Innu people, who 16 themselves were hurting and had been hurt and 17 were feeling very much like they did not control 18 their lives, that in that context they began to 19 hurt one another. And so then the abuse of Innu 20 children by Innu adults began. And that 21 remained, I think, fairly hidden for a long time. 22 But it created a village in which there was all 23 this ugliness, and, you know, there wasn't really 24 any outlet for any of that.	1 the harm that they did see, the power of an angry 2 priest that he had over the decisions that people 3 would make day to day, that's still 4 reverberating, I think, throughout the community, 5 even though it's probably a community of 22, 2300 6 people now. 7 Caitlin Urquhart: 8 Well, and we've heard many stories obviously that 9 relate to these harms, and really the echos, as 10 you say, of that throughout the community. So I 11 just want to make sure you had an opportunity to 12 say kind of what you needed to on that. I think 13 that's a really helpful context. As you say, 14 it's important that people understand that as the 15 backdrop. 16 Lyla Andrew: 17 Well, I guess, then, when we're talking about 18 families and a non-Innu system, trying to assist 19 families, ostensibly set up to try and assist 20 families, I mean, just common sense to me says 21 right off the bat, well, nobody was trying to 22 address that. 23 24 Social services did not come into the communities
Page 18	Page 20
1 I think that most children, young adults, kept it 2 to themselves. I know it affected their 3 relationships. I know it impacted their own 4 parenting. It literally set the course for so 5 many people's lives. 6 7 I still think the harm is reverberating, but it's 8 a different generation now. And it's not written 9 down, you know, this history of harm in the Innu 10 communities. I'm not aware that it's written 11 down, but I think Innu need to understand the 12 context. Innu themselves need to understand this 13 context. It's not just non-Innu that need to 14 understand it, but in this inquiry what has 15 happened to Innu children, to their parents, to 16 grandparents, it was set in motion when decisions 17 were made that Innu should no longer live as they 18 had lived for thousands of years. That set into 19 motion. 20 21 And the other processes say of residential 22 schools, although there were children, yes, that 23 went into the dormitories, what was happening 24 right there in the villages for people to see,	1 of Sheshatshiu and Davis Inlet to try and address 2 all this harm that was ongoing. It was to try 3 and -- you know, if I put the best spin on it, it 4 was to try and help people to adjust, to adapt to 5 this profound change that seemed to be the way of 6 the future. 7 8 You know, again, there are government documents 9 that talk about how, you know, we need to prepare 10 the Indians for what is to come. They need to 11 become like us. And the system that I became a 12 part of in '79, it was not set up to address that 13 level of harm. Not only was it not set up, there 14 was absolutely no understanding. No 15 understanding whatsoever. 16 17 The frustrating thing, when I think about it now 18 is, especially in this day and age of Facebook 19 and multi social media, there was harm going on 20 with Innu people across the country, across North 21 America, but Innu didn't know about that. Didn't 22 have any way, really, to know about the fact that 23 there were other people who had also lived their 24 cultures on the land and had been displaced. And

Page 21	Page 23
1 that there were residential schools and that the 2 desire was to make sure that people did not 3 continue that hunting and gathering way of life. 4 5 Maybe if people had more awareness they might 6 have understood what they were up against, but 7 people just didn't have that awareness. They 8 couldn't have that awareness. 9 10 So the system, when you think about it, you know, 11 it was about the very most basic things. 12 Generally, grandparents or parents would come 13 forward and say I don't have any food, and, you 14 know, young couples might say I don't have 15 anywhere to live. We don't have anywhere to 16 live, it's too crowded. 17 18 There were efforts being made in the community, 19 by the community. People were trying to help 20 themselves and to help one another in a good way. 21 Should we pause for a minute? 22 Caitlin Urquhart: 23 Yes, if you don't mind. 24	1 that money should be deducted. 2 3 But, really, no rents were being paid so 4 ultimately what that meant was that the elderly 5 or, you know, the more vulnerable, the person who 6 was deemed to be the homeowner was getting less 7 income, less social assistance money and that was 8 having impacts on the elderly and the children, I 9 think you mentioned in particular, in your 10 testimony in your June. 11 12 Is that an accurate sort of summary? 13 Lyla Andrew: 14 I just think it meant less money overall going 15 into a household. So, you know, three 16 generations could, and did and do, live 17 comfortably in a tent together. There is no 18 doubt about that. 19 20 In the village, if you had three generations then 21 living in a home and these were home -- house, 22 you know, these were not very adequate structures 23 to begin with, what it really was about, the 24 policy was about how the Newfoundland government
Page 22	Page 24
1 2 (Off the Record) 3 4 Caitlin Urquhart: 5 Thanks, everyone, for accommodating. I want to 6 pick up on, you were speaking a little bit about, 7 you know, multigenerational families and the 8 non-Innu system. I wanted to come back to sort 9 of the end of your testimony in June. 10 11 You were speaking about the policy, the social 12 assistance policy around a homeowner and a 13 lodger. And just again to confirm what you had 14 said in June. Three other Social Services 15 employees, staff at Sheshatshiu had essentially 16 taken a stand against implementing this policy 17 that didn't reflect the reality of Innu families, 18 where there were multigenerational households and 19 the policy suggested that funds should be taken 20 out or deducted from the, quote, unquote, 21 homeowners or the person who is considered the 22 homeowner for the other families living in the 23 home as the concept of the idea was that they 24 would be paying rent to the homeowners and so	1 saw families. They saw families as a mother and 2 a father and so many children. 3 4 I came to be very aware that that's not what an 5 Innu family was. It was not a mom and dad and 6 two and three or even four children. It was a 7 very much bigger group of people and it wasn't 8 necessarily that everyone was directly blood 9 related. Because the practice of Innu making 10 decisions about how to help Innu children, for 11 example, who maybe lost a parent or were part of 12 a set of twins, children would be raised by other 13 people, other Innu people, not necessarily direct 14 blood relatives. 15 16 And people all the times talk about people who 17 are maybe, I would say, their third and fourth 18 cousins, well, that's my brother. And in some 19 cases people who are not even directly blood 20 related, that's my brother, that's my sister. 21 22 And so these policies from the department in the 23 day just didn't reflect -- yes, they did not 24 reflect reality because they had never been

Page 25	Page 27
1 developed for Innu. They were just imposed on 2 the Innu at that point in time because that's 3 what was available. And there really wasn't any 4 thought, as far as I can see, given to changing 5 the policies. It was the job of us at Social 6 Services to implement these policies. 7 8 And that's why something like the family 9 allowance, the Child Welfare Allowance, it 10 required the agreement of a parent to say, yes, I 11 need support and help for my children to be cared 12 for. A parent didn't need -- there was no legal 13 process that they had to go through in terms of, 14 you know, a court process. And in many cases, 15 the parent really was struggling, probably with 16 alcohol misuse and so they did not help and their 17 children needed help. 18 19 And so older Innu people, generally grandparents, 20 were very protective of their grandchildren. And 21 I know they were aware. I might not have been 22 aware. They understood the stories of children 23 who had been taken away and never seen again. 24 They had lived the power that non-Innu had.	1 understanding among the non-Indigenous people in 2 North America that it was pretty much their right 3 to be able to determine the fate of Indigenous 4 people. I mean, that was kind of a given, that 5 idea of superiority. That's what we were all 6 taught in school, this idea of, you know, the 7 superiority of people who came to, you know, 8 places like Labrador from Europe and made their 9 way. And most of them would have died. I think 10 they would have died off if the Innu hadn't 11 helped to show them ways to adapt in the climate. 12 13 So this system, you know, of Social Services, it 14 just seems... I can look back on it now and see 15 how it was so inadequate. So the stand that we 16 took, it just didn't make sense. You couldn't 17 look at people and know how they lived and 18 understand that they had needs, most basic needs, 19 and at the same time not be honest about the fact 20 that, well, what we were trying to do just didn't 21 make any sense. 22 23 So, as I said before, we were replaced by other 24 people because I really believe there was still a
Page 26	Page 28
1 It is hard to imagine, I guess, that two or three 2 people in these systems, the head doctor, a 3 priest and a school principal, could have so much 4 power but they did. 5 6 And I think I told that story, I think I did but 7 it is hard to remember now the story about the 8 first Innu woman that I met coming back when I 9 came. 10 Caitlin Urquhart: 11 Yeah. I remember that. 12 Lyla Andrew: 13 Just, you know, that will forever stay with me as 14 an example of the world seemed upside down to me. 15 And it was like how is it possible that a few 16 people can have so much power over a larger group 17 of people? 18 19 I think there were obviously lots of things that 20 I did not understand. And I also didn't 21 understand how this was not an experience that 22 was unique to the Innu, this lack of power. I 23 didn't understand colonization. I didn't 24 understand that, you know, there was a general	1 desire on the part of certainly some Innu 2 individuals to want to help. They wanted to 3 help. And I don't know that taking that stand. 4 I suspect, I guess we hoped we'd bring about 5 change. We just weren't able to bring about 6 change. 7 8 As I said, again, I think this bubble that was 9 Sheshatshiu, where there was very little that I 10 understand about what was going on outside the 11 culture. When I lost my job and we lost our 12 jobs, I remember receiving a letter not that long 13 afterwards from BC, from the time Spallumcheen 14 Band asking if I wanted a job with them saying 15 that I was acting in a way that they thought 16 would -- it lent credibility to how I might 17 operate in their community. And I remember being 18 flattered but also -- 19 Caitlin Urquhart: 20 But instead you took a job with the Innu. With 21 Innu organization. 22 Lyla Andrew: 23 Well, yes, I did because at that time we had a 24 child and I had made a decision sort of -- it

Page 29	Page 31
1 just so happened that I had made a decision, I 2 guess, this is going to be my home. That was a 3 decision that I had made in large part because my 4 husband said "I'm not going anywhere. If you 5 think I am, I'm telling you that I'm not." So 6 that helped me to make my own mind up. And I 7 made a decision, no, this is where I'm going to 8 try and be. 9 10 Yes, that opened other doors that I didn't 11 necessarily know would be open to me. And that 12 was a good thing when I think back on it. Yeah. 13 Caitlin Urquhart: 14 So in that period -- so that was 1984 when the 15 four of your were let go from Social Services. 16 And you then began working with Innu 17 organizations. And we have a number of different 18 reports and various things that you worked on 19 during that time. 20 21 I guess, in terms of, do you recall what your 22 first role was when you started after that move 23 from Social Services? What organization were you 24 working with first going off?	1 Caitlin Urquhart: 2 Perfect. So we'll look at some of those in one 3 second. So, firstly, in 1990, you had put 4 forward a proposal to do an assessment of the 5 training needs of the staff at the Innuwass Home. 6 Is that how you pronounce it? 7 Lyla Andrew: 8 Innuwass. 9 Caitlin Urquhart: 10 Innuwass Home in Sheshatshiu? 11 Lyla Andrew: 12 Yes. That was one of the first -- it was a group 13 home for young Innu offenders, as they would have 14 been labelled. And I think like the time, I can 15 picture the first home, the physical house is no 16 longer there. It was the home of -- it was the 17 family home of the late Daniel Ashini. His 18 parents' home was on the edge of a hill 19 overlooking the graveyard and that became... I'm 20 trying to think if it became... 21 Caitlin Urquhart: 22 I'm just going to, so for the record, the exhibit 23 number for the proposal to do the assessment is 24 P-107 and P-108. Janelle, if you could please
Page 30	Page 32
1 Lyla Andrew: 2 I think it was the Band Council. It was called 3 the Band Council, Sheshatshiu Innu Band Council 4 at the time as opposed to -- the term "First 5 Nation" wasn't being used. And that's what I 6 think. 7 8 The Indian Alcohol Program had already been 9 established when I arrived in the community in 10 1977. And I think as the Indian Alcohol Program 11 continued to evolve, I was able to work there as 12 a helper with the Innu who themselves were 13 providing services to community members. It was 14 really a self-help organization. It was called 15 Innu Uauitshitun, Innu helping Innu. 16 17 You know, someone with my background, I would be 18 able to write proposals. I could write letters. 19 And that was the contribution that I might have 20 been able to make. So that's essentially what I 21 did, while the Innu themselves offered any kind 22 of counseling or sort of front-line services 23 generally. 24	1 pull that up. Sorry, Clerk. And for you Lyla, 2 myself, and the commissioners, that will be at 3 tab 58 of your exhibit books. 4 5 And actually, before we do that, I'm just going 6 to briefly go to... Can you please open P-064. 7 And then we'll look at P-108 after. So in this 8 exhibit I just wanted to note this will be at tab 9 14 in the exhibit books. 10 11 This is a letter from the Director of Policy 12 Development for Intergovernmental Affairs 13 Secretariat regarding a letter regarding the 14 National Native Child Care Commission. And I 15 just wanted to read one sentence here as 16 background. 17 18 It just says, this is the second paragraph, "A 19 fundamental policy of this province is that 20 services are made available to all residents of 21 the province irrespective of ethnic origins." 22 23 And that sort of sentiment that the policies need 24 to be somewhat universal I think it is

Page 33	Page 35
1 interesting. And I would like, then, to go to 2 P-108, which, as I noted, was at tab 58 of the 3 exhibit books. That's Volume 3. And this is the 4 report itself that you prepared, Lyla. 5 6 And on page 3 at the very bottom of the page, 7 there is a sentence here that is highlighted, and 8 I appreciate if you could just read that right to 9 the end of the page there. 10 Lyla Andrew: 11 This last paragraph? 12 Caitlin Urquhart: 13 Yeah. Well, yeah, read that paragraph. 14 Lyla Andrew: 15 "It is absolutely necessary to view the Innuwass 16 Home as being completely unique from any of the 17 other group homes within the provincial Social 18 Services system. An earlier report by this 19 writer attempted to describe the uniqueness of 20 the Innuwass Group Home and could be a useful 21 reference. This is not to say that the needs of 22 the Innuwass Home, its staff and residents are 23 more pressing than those of any other group home, 24 but that the needs are different. The staff and	1 taught. That's what I believed. That I had 2 something to give that the Innu didn't have. But 3 I began to realize that the learning process 4 was -- my assumption was very wrong. 5 6 In fact, I don't think what we were trying to 7 share with Innu had any value, unless we could 8 see the value of Innu knowledge and we were 9 prepared to understand that Innu had a very rich 10 culture and history. And we needed to learn what 11 that was from Innu. 12 13 I mean, some people might call that -- I don't 14 know. We needed to understand there was 15 strengths. Obviously, I just spent time talking 16 about what a very depressed and traumatic state 17 that most Innu people lived in when I came into 18 the community in the late '70s. And, but that 19 did not mean that there weren't tremendous 20 strengths. It's just that that had been under 21 attack and it was a sustained attack over a 22 number of years. It's remarkable what a short 23 period of time it was really. 24
Page 34	Page 36
1 residents of the home are Innu of the Innu 2 culture. Therefore, it follows there will be 3 very real differences in the training package 4 proposed for the Innuwass home than that of other 5 provincial group homes." 6 Caitlin Urquhart: 7 Thank you. 8 Lyla Andrew: 9 You want me to keep reading? No? 10 Caitlin Urquhart: 11 I think that's all for right now. I just wanted 12 to touch on this briefly. On page 5, you go on 13 to speak about the training process is sort of a 14 two-way learning process where non-Innu staff are 15 learning from Innu while also teaching Innu. And 16 that it has to be sort of a two-way street. And 17 I think that echoes in later reports as well, but 18 that's one of your findings in this report. 19 Lyla Andrew: 20 Yeah, I think that would be my experience going 21 into the Innu villages of Sheshatshiu and Davis 22 Inlet was that the non-Innu were there to give 23 something over to the Innu. We were there as the 24 people that had -- I mean, that's just what I was	1 I think today we talk sometimes about how Innu 2 lacked confidence. And Innu do lack confidence. 3 Many Innu do lack confidence because their own 4 experience is more about hurtful things, harmful 5 things, as opposed to about the strengths of Innu 6 culture. 7 8 I don't know if you're Innu and you've only grown 9 up in a village which is a place of distress, 10 that unless you have spent time on the land and 11 observed how strong people are and in every 12 aspects of their lives. You know, it is not just 13 the physical activities where people were strong 14 but the sharing, the communal aspect of culture 15 because the Innu culture is very much a culture 16 that is focused on the well-being of the 17 collective. 18 19 And that's not what the systems -- the helping 20 systems don't focus on the well-being of the 21 collective. The child protective system zeros in 22 on individualized families. And I think my 23 culture, the culture that I grew up in, you know, 24 Western European Canadian culture is very focused

Page 37	Page 39
1 on individual families and their well-being. But 2 that's not Innu culture. That is not the culture 3 that sustained hundreds of generations of Innu 4 families. It is very much a collective culture, 5 a communal culture. 6 Caitlin Urquhart: 7 And in this report you pointed to the need for 8 Innu staff to gain some understanding of the sort 9 of state of research on child and adolescent 10 development and behaviour. And likewise, for 11 non-Innu staff to gain an understanding of Innu 12 child and adolescent development and behaviour. 13 So that kind of shared understanding. 14 15 And I know you want to speak about sort of Innu 16 understandings of child and adolescent 17 development as well. So I wondered if you want 18 to elaborate somewhat on some of those things 19 that you've come to know over your time. 20 Lyla Andrew: 21 Okay. Yeah, I do think it is very important to 22 talk about that. There isn't a readily available 23 resource or access to readily available resources 24 that would have helped me or today would help,	1 I observed children in the country. It was play 2 but it was learning through play. So there was a 3 lot of structure to it, I think. A lot of 4 learning by example. I mean, obviously little 5 children, in particular little girls, but it 6 didn't have to be little girls, but little girls 7 might learn to make little bread. So their 8 mother might be making the bread or grandmother 9 or an older sibling and then they would be able 10 to take a little piece and get it ready and put 11 it on the stovetop to make bread. 12 13 They were constantly observing. Children were 14 constantly observing and then experimenting. And 15 it wasn't as if they were being -- I think the 16 way children -- I didn't see children being 17 disciplined, I saw them being laughed at. They 18 would be laughed at and, you know, maybe 19 sometimes being made fun off but it wasn't harsh. 20 It wasn't discipline. It wasn't you've done that 21 wrong. 22 23 And I saw children who had a great deal of 24 attention from adults of different ages, not
Page 38	Page 40
1 you know, younger people. There are not the 2 resources that we can just go to and say, well, 3 this is how Innu raised children up. I mean, 4 there are legends. There are the stories that 5 have been shared and passed on. That's all, you 6 know, oral. And so the only place to really 7 experience any of the elements of communal 8 culture, of healthy Innu culture, is living in 9 the country with extended family and observing 10 what child rearing is like. 11 12 Some of those elements you could see, I could see 13 in the '70s when I came to Sheshatshiu, children 14 being very free. And adults really, it's almost 15 the opposite of hovering over children, because 16 children would have been around what most of us, 17 as parents, would think of as dangerous things, 18 as fires and axes and knives and, you know, near 19 the water, living near the water. And yet 20 children played and would have little chores. 21 And those chores might involve going and getting 22 some water in the bucket and bringing it back up 23 so it could be using for cooking and washing. 24	1 necessarily their own, maybe a grandmother, but 2 maybe another older Innu woman. And if that 3 child was at play and that older Innu was sitting 4 down, she might tell a story or comment on the 5 child. Or maybe if she was knitting the child 6 would observe that and maybe be given a chance to 7 hold... 8 9 I just observed a closeness and a connectedness 10 across generations that I hadn't experienced 11 myself growing up. And it didn't matter what 12 camp I had the privilege to be in, I kept seeing 13 these things over and over. And I saw children 14 as very much the center of everything that was 15 going on. 16 17 I mean, it would be easier, for example, for 18 adult men and women to clean a caribou. That's a 19 big animal. It requires a lot of strength. And 20 I have a picture that I have in my head because 21 it is on the wall in our home but it is of our 22 daughter and her cousin each holding the legs of 23 a caribou while it's being cleaned. They were 24 small children but they were a part of that

Page 41	Page 43
1 activity. 2 3 There weren't activities, oh, this is only for 4 adults. Children don't get to do this. Children 5 don't get to see this. Children don't get to 6 hear about this. There wasn't that sense that 7 they needed to be protected from some harm. In 8 fact, children were very much a part of all 9 activities. And that's not how we organize our 10 lives now in a village setting. And I think 11 that's very sad. 12 13 And I would also add that a lot of the things 14 that I was observing about children's development 15 significant things about their development, in 16 particular their identity as worthwhile competent 17 people, those are also things that I observed 18 going on in Nutshimit. 19 20 Again, it is about the relationships, the 21 closeness of relationships, the connectedness. 22 And I didn't understand until much, much later on 23 that a lot of the things that Innu were doing and 24 a lot of the things that they did because I guess	1 And what I understood was that researchers today 2 know that that's an optimal way to soothe a 3 child, to make a child feel secure. And I can 4 remember hearing that and thinking how is this 5 possible because how did Innu know this? 6 7 And all I can say is it was experience. I mean, 8 through experience a grandmother would talk to a 9 mother. And even little kids, a little child, an 10 older sibling could be a younger sibling and pull 11 the rope or rock that swing. And it's completely 12 portable. You tie it to a stick in the corner of 13 the tent and, you know, with a couple of strings 14 and a bit of wood to hold the blanket open. And 15 it was like this light bulb went off in my head, 16 that Innu understood things through their lived 17 experience over generations that most of us as 18 non-Innu didn't get the chance to learn or 19 experience because these practices were replaced 20 by things which were more socially acceptable. 21 22 So the idea of putting a child in a crib, if you 23 could afford a crib, would seem -- you know, 24 that's what I thought as a young mom, was maybe,
Page 42	Page 44
1 they understood the value of it, through 2 experience, because that's what it was, would 3 also be supported by scientific research, 4 research about brain development. 5 6 The Innu didn't know anything about brain 7 development but I remember learning about early 8 brain development and having an understanding 9 that Innu understood this. They didn't have CAT 10 scans and pictures of what was going on in the 11 brain to understand this, but they understood 12 this. They practiced this. And I remember, you 13 know, learning that the ueuepishun, which is Innu 14 swing. 15 Caitlin Urquhart: 16 I believe there is one in the picture behind you. 17 Lyla Andrew: 18 Yes. There would be a ueuepishun pretty much in 19 every tent in the camp because there would be 20 children in every tent pretty much. And a baby 21 would be swaddled and put in that ueuepishun and 22 then the baby could be rocked and lulled to 23 sleep. 24	1 you know, my child should sleep in a crib. But 2 when we were in the country, as other kids came 3 along, I began to realize, no, you can have a 4 ueuepishun in your house. You can have it and 5 you can put it outside in the summertime and 6 child will feel secure and safe in that. 7 8 And then when you respond to that child, because 9 you're living in a very small space inside a 10 tent, you're going to know when the child is 11 distressed. You're going to be there and 12 somebody is going to pick that child up and 13 comfort that child or rock the child longer until 14 the child understands, you know, falls back to 15 sleep. 16 17 I'm not making it sound very scientific but 18 science would say that the Innu understood these 19 things. And I actually think that that's a 20 really important thing for us to think about when 21 we are talking about not only the harm that Innu 22 experienced by being made feel that their ways 23 were inferior. And I think that's a profound 24 message for the Innu grandparents.

Page 45	Page 47
1 I think Innu grandparents knew. Those that, you 2 know, had lived all their lives in the country. 3 And even Innu parents understood many of these 4 things, but when it came time to raise children 5 up in the village the same elements of day-to-day 6 life no longer existed and so I think these very 7 strong ways of raising up children, having them 8 present all the time and giving them 9 opportunities to experiment, taking them out to 10 learn how to help picking boughs or to set snares 11 or to walk long distances, all of these things 12 contributed to health and well-being. 13 14 And, you know, I reflect on that now and I think 15 that was very rich. And parenting now seems very 16 impoverished. It's like we have to buy things 17 for children. 18 19 I remember how creative I thought Innu children. 20 The first summer that I was in -- maybe I spoke 21 about that already. I don't know. 22 Caitlin Urquhart: 23 And I'm just going to get you to pause just for a 24 moment just because I think that was a long	1 were always playing. And I think there's 2 continual comments now about how unhealthy so 3 many children are because they are so attached to 4 video -- to electronics, video games and how that 5 impacts their behaviour. Because, again, science 6 and brain development would say these are having 7 negative impact on children's brains. But it 8 almost as if -- and I know some people might 9 criticize me for romanticising Innu live in 10 Nutshimit which was hard. I cannot imagine what 11 it would have been like in times when there was 12 very little to eat, to share, but I feel like 13 they had perfectly intact culture. And the 14 experience of them moving into the village was 15 the beginning of -- we know it was the beginning 16 of the colonization process. Certainly, it was 17 an element of the colonization process. 18 19 Colonization was taking place, you know, even 20 before the Innu were moved into a village with 21 resource development happening on their land and 22 people not having an awareness of that and that 23 changing river systems, for example, so that the 24 Innu who would have traveled up the end of Grand
Page 46	Page 48
1 stretch, and for the translators to be able to 2 catch up. 3 Lyla Andrew: 4 Sure. 5 Caitlin Urquhart: 6 We'll just take a quick breath and then we can go 7 back to... And they can cut things as needed to 8 give them more time. 9 Lyla Andrew: 10 Absolutely. 11 Caitlin Urquhart: 12 But you did speak a bit about children playing 13 with sticks and whatnot and being very creative 14 with those in June. Now, I don't want to stop 15 you from elaborating on that if there was 16 anything? 17 Lyla Andrew: 18 I guess all of these things were connected and 19 integrated into Innu day-to-day life in the 20 country. And I think it became certainly -- I 21 did see children being very creative. Parents 22 didn't have the money to buy toys and children 23 weren't taking part in organized recreational 24 activities but they were always outdoors. They	1 Lake to go into the country on the river system 2 that way, that was all negatively impacted by the 3 development of the Upper Churchill. And I think 4 that's why the band then began to fly people in. 5 It wasn't because they had unlimited resources. 6 But they knew that the way Innu had gone into the 7 country had been, for many families that went 8 into the Mishkamow (phonetic) area, it had 9 already been damaged, destroyed their ability to 10 use those river systems. 11 12 So, yeah, I see a huge contrast between how Innu 13 culture was so healthy, people were naturally 14 connected and in good ways that helped to form 15 healthy identity for children, and the contrast 16 with what Child and Family Services has been 17 focusing on for the last four decades which are 18 families that are disconnected where children are 19 disconnected from caregivers. So I see a big 20 contrast. 21 Caitlin Urquhart: 22 And I see that as somewhat as a through line in 23 terms of the sense that you've reflected, that 24 some of the letters reflect on, that the Province

Page 49	Page 51
1 took an approach that was very much 2 one-size-fits-all type of a policy. And that you 3 and others were advocating through these various 4 different reports and processes for a approach 5 that considered the unique circumstances of the 6 Innu. And that there was a different -- that a 7 different tack sort of needed to be taken for 8 Child Welfare and Social Services for Innu. 9 10 So I'm going to move on to the next report which 11 was the "Whose Life is it Anyway" report from 12 1992. That one is P-116 and for you and the 13 Commissioners that's at tab 66 of your book. And 14 the full title is "Changes to the Delivery of 15 Social Services in Sheshatshiu and Utshimassit: 16 Whose Life is it Anyway." 17 18 And that was prepared for Innu Nation and the 19 Newfoundland Department of Social Services by 20 you, together with Louisa Penashue and Natash 21 Andrew, your field workers. 22 23 And you provide some background around the sort 24 of circumstances of the community. Your first	1 services." 2 3 You go on to say, "This group or committee would 4 be the authority in each village out of which 5 would come all decisions regarding Innu family 6 and children's services. Essentially, the work 7 of this committee would be the forerunner to an 8 Innu family and children services agency. The 9 establishment of such an agency seems to be more 10 of a long range plan." 11 12 So that was your recommendation in 1992. Can you 13 speak to the sort of development of the sort of 14 committees and joint boards and where things went 15 from there? Or did you want to say anything to 16 this report before we go into that? 17 Lyla Andrew: 18 You know, the opportunity that the inquiry has 19 presented me personally to go back over and read 20 some of these documents and see things that I 21 wrote trying to assist the Innu to take down 22 walls, the concrete brick walls that I too was 23 experiencing but not in the same way that Innu 24 were, it's been a privilege.
Page 50	Page 52
1 section is about sort of how things came to be 2 where they were at that time, in 1991-'92. And 3 the context of colonization and colonialism. 4 5 And on page 8, there is a quote there, and just 6 after the quote you wrote that "Clearly Social 7 Services has been one, but not necessarily the 8 most significant agents of the colonial 9 relationship. In the course of field work, the 10 role of the education system and the church were 11 most often cited as significant systems of the 12 colonial relationship." 13 14 So throughout this report you discuss how that 15 sort of non-Innu system of Social Services has 16 created a relationship of sort of dependency and 17 has stripped away responsibility from the Innu. 18 And I want to go into your recommendations. And 19 this, let's say, 1992. And go to page 19. And 20 here under 1.1, "Organizational authority and 21 responsibility" you recommend that "In both the 22 villages Utshimassit and Sheshatshiu, a group of 23 Innu should be convened for the purposes of 24 directing all Innu family and children's	1 Part of that privilege to look at this now is 2 tinged with sadness because when I think about 3 the fact that this was 1992, none of this -- it 4 seems as if these ideas and these recommendations 5 fell on, I don't know, deaf ears. I don't even 6 know if it was deaf ears. I don't know. 7 8 What I do know is the legislation for Child and 9 Family Services which recognized Innu as being 10 unique, that didn't happen until 2019. So I 11 don't know how many years between 1992 and 2019 12 there are, but that's pretty much a generation. 13 That's a generation, 25 years. And it is very 14 sad. I used to think to myself maybe I need to 15 get a PhD. Maybe I need to go back to school, 16 get a PhD and then when I speak I will carry with 17 it authority that I don't have. You know, I'm 18 just an MSW. What's that? But if it was 19 Dr. Andrew, because in my culture that counts for 20 something to be a doctor. 21 22 I didn't go back to school for lots of reasons. 23 One of which was, I couldn't think who would I 24 work with that would have an understanding about

Page 53

1 the things that I'm observing when I'm in the
 2 country. Because that's where so much of my
 3 understanding came from. But it took until 2019
 4 to get the Province to recognize... That came
 5 after other national processes.
 6
 7 I mean, I know you don't change the legislation
 8 in a calendar year. Legislative change takes a
 9 long time. But I think it speaks to the power,
 10 the status quo, as long as there were some things
 11 coming to the Innu. This is 1992, and
 12 politically, you know, I'm not even sure where
 13 the Innu were at this point in time because this
 14 is before Vale and Muskrat Falls and all those
 15 developments.
 16
 17 But I know the Innu at that point were engaged in
 18 tripartite processes with the federal government
 19 and the provincial government. And that was at
 20 the insistence of the Innu because the Innu were
 21 trying to... Politically, I do know that Innu
 22 were working towards being recognized as having
 23 equivalency to that of the status Indians across
 24 the country so that their relationship wouldn't

Page 54

1 be just going to the Province to expect the
 2 Province to support whatever it was the Innu...
 3 Politically the route was to work with the
 4 federal government.
 5
 6 I'm not sure at which point... So registration,
 7 and Innu discussing should we be registered?
 8 Should we not be registered? I mean, these were
 9 huge issues which would have huge implications
 10 and this was all going on around this time. So
 11 there were discussions going on also about
 12 schooling and Child and Family Services being the
 13 two systems which were having a very profound
 14 impact, and not necessarily in a good way, on
 15 Innu children.
 16
 17 These two systems, Innu were completely outside
 18 these systems. Completely on the outside looking
 19 in. I don't even know if there were any windows
 20 were Innu to look in. It is just kids were going
 21 to provincially run school and the Province was
 22 running Child and Family Services. And yet, I
 23 understood that the policies and the legislation
 24 that they were using were simply imposed on the

Page 55

1 Innu. They had nothing whatsoever to do with
 2 reflecting Innu culture, Innu understanding of
 3 the world.
 4
 5 I see where at the beginning of this report, I
 6 looked at it now where I talked about the two
 7 worlds. And I've come to see, it is actually one
 8 of my children that said to me but there aren't
 9 two worlds. There's the perspective that you as
 10 a non-Innu person bring to the same world that we
 11 as Innu people live in. It is not two worlds, it
 12 is one world but the perspective can be
 13 profoundly different. The view of that world can
 14 be profoundly different.
 15
 16 At this point, non-Innu were still maintaining, I
 17 think, provincially and federally that they knew
 18 better. Their perspective was at that point
 19 still we do know better than you, based on all of
 20 our experience with schooling and the development
 21 of Child and Family Services. We do know better.
 22 But the Innu always knew. No, you don't know
 23 better for Innu. You might know better for your
 24 own children and so you might have had

Page 56

1 generations to work up a Child and Family
 2 Services system or an educational system. But
 3 that doesn't mean when it is imposed on us that
 4 it's going to work for us. So there has always
 5 been that flaw.
 6
 7 I don't know. This seems like a very simple
 8 idea. You let Innu make decisions about Innu
 9 children and the services that would be required
 10 by a family. And it seems like a simple decision
 11 because that's exactly what the Province was
 12 doing. The Province, on behalf of provincial
 13 children, Newfoundland children, was making
 14 decisions. It was -- the system was bigger than
 15 what I'm proposing here, a committee.
 16
 17 The idea was very clearly that the only people
 18 that should have the right to be directing how
 19 Innu families should be supported at the point in
 20 time when they needed supports were Innu people.
 21
 22 I don't know if you'd call that a radical idea at
 23 the time, but obviously, there isn't anything
 24 radical about it. It is just how you view the

Page 57	Page 59
1 world. And Innu were never saying we want to 2 tell people who live in Newfoundland how they 3 should raise their children and how they should 4 intervene when there are family challenges. Innu 5 have never said that. And I don't think they 6 ever will. 7 8 But this is pretty basic, pretty fundamental. 9 And there was a point in time, and I can't date 10 it now, might even have been earlier. As a part 11 of this tripartite group there were committees 12 established. One of them was around education 13 and one was around Child and Family Services. 14 And those committees were looking at ways to, I 15 suppose, mitigate the harm that was happening in 16 the communities. 17 18 It's awful to say "mitigate" because that kind of 19 implies, well we, have to expect harm and we'll 20 just try to make it less. But the committee on 21 Child and Family Services, at one point when the 22 provincial government organized Child and Family 23 Services under the health authority - so I'm not 24 sure of the date again, but I know there is a	1 Sheshatshiu. And I know that it felt like we 2 were right there and I can remember being very 3 excited about that, but then things seemed to 4 fall apart. Governments changed. There were 5 probably disagreements and significant 6 disagreements, I would imagine, between Innu and 7 provincial government and perhaps federal 8 government. I mean, I don't have all the times 9 in my head straight. But there was an 10 understanding that moving towards this was 11 possible and then it fell off the table and it 12 took a long, long time before it came back on the 13 table. 14 Caitlin Urquhart: 15 I wonder if that might be an appropriate moment 16 to pause. And we'll take a brief break. 17 18 (Off the Record) 19 20 Caitlin Urquhart: 21 And as I mentioned before we broke, we are going 22 to go through a few letters and documents now and 23 just kind of look at the progress or the 24 instances where some kind of Innu community or
Page 58	Page 60
1 document here somewhere that does have the date 2 so we'll probably get to that - was agreeing, and 3 maybe it was a step towards this, was that there 4 could be a joint board. 5 6 So at that point in time it would have been the 7 health authority board would governed what was 8 happening with Child and Family Services. So at 9 that point, there was agreement with the 10 tripartite group that Innu would work toward an 11 Innu Child and Family Services board which would 12 have joint membership. Innu members, non-Innu 13 members. And they would only, as a board, make 14 decisions about Child and Family Services in the 15 two Innu communities. 16 17 So in '92, that would have been -- was that the 18 time -- '92 there would have been the move from 19 Davis Inlet to Natuashish. 20 Caitlin Urquhart: 21 In 2002. 22 Lyla Andrew: 23 Oh, 2002. So that's ten years earlier. Okay. 24 So it would have been Utshimassits and	1 committees or Innu committee or child services 2 agency where those ideas were sort of taking 3 shape and when they had sort of some momentum and 4 how we had gotten to where we are now. 5 6 So I'd like to start at P-066 for Lyla, myself 7 and the commissioners, that should be at tab 16 8 of the books. This is a letter from 1990; is 9 that right? 10 Lyla Andrew: 11 Um-hum. 12 Caitlin Urquhart: 13 From 1990. It is prepared by Ethel Dempsey of 14 Social Services Department and writing in 15 response to a letter that they received noting 16 concerns of the native population of our province 17 it says. 18 19 It indicates here, in the second paragraph, six 20 lines down that -- well, actually, I'll start 21 here. So the concerns of the -- this is second 22 sentence, third line here. "The concerns of the 23 native population of our province received 24 considerable deliberation. The committee has

Page 61	Page 63
1 wrangled with the issues of Child Welfare 2 committees," much like you had proposed, "not 3 just for northern communities but also for the 4 province as a whole. The committee feels that 5 there is no need for enabling legislation for 6 those committees in order for them to be 7 established in an advisory position." 8 9 So one question that I had for you was just 10 whether I understood your recommendation to be 11 that this committee would have decision-making 12 authority and would be more than an advisory 13 committee. 14 Lyla Andrew: 15 Oh, yeah. I think that from my perspective that 16 was a given. And I'm looking at this letter from 17 Ethel Dempsey back in 1990. I'm not sure what 18 Wayne Penny's letter, who was the regional 19 director for -- I'm assuming regional director 20 for Child and Family Services at the day, she 21 goes on to say "Overall the committee has no 22 major objection to the concerns raised in your 23 correspondence. However, the committee does not 24 see cultural or ethnic heritage to be the utmost	1 better than other people, you are ways are 2 superior, you just don't give that up because 3 somebody says, oh, you were brainwashed or you 4 were taught to believe this. But that's not 5 true. 6 7 I mean, where does the belief come from that Innu 8 are as worthwhile as any other people? I mean, 9 it comes from them and this is a non-Innu person 10 saying how could cultural and ethnic heritage be 11 utmost consideration in determining the best 12 interest of the child? I mean, I have learned 13 that that's the crux of the whole thing. 14 15 That's 1990 and I know there were a few other 16 little adjustments made. So this letter is in 17 response to legislative review which is a process 18 that's going on again right now in the province. 19 20 I suspect that all these deliberations were not 21 taking place with Innu participating in the 22 deliberations, which is different. When the 23 legislation in 2019 came into being, you know, we 24 had, we, the Innu, had an opportunity to present
Page 62	Page 64
1 consideration in determining the best interest of 2 the child." 3 4 And I guess when I read that, it just reinforces 5 what I think they thought, which is that 6 non-Indigenous people know better than Indigenous 7 people about what's in the best interest of 8 Indigenous children. And so that's, for me, 9 saying if Wayne was saying Innu would like to do 10 this, then she's saying back to him, well, we 11 don't agree that Innuwass is the most important 12 thing when it comes to the best interest of a 13 child. 14 15 And when I say that, like when I say that out 16 loud it seems kind of silly. Like it seems silly 17 to me. It's like saying, well, for a Chinese 18 parent, the fact that their Chinese, what does 19 that have to be with the best interest of their 20 child? Maybe I'm not saying that well but I 21 think it's crazy. But I know that that was the 22 prevailing feeling and in many respects that's 23 still there. I mean, when you have been 24 socialized in school to believe that you are	1 a lot of positions about how the legislation 2 should change and how there should be recognition 3 that Innu was a unique culture. 4 5 And at this point in time people are still, you 6 know, talking about natives and it is as if a 7 native is -- you know, this native is the same as 8 native. They're not white people. They are 9 natives. And, you know, 1990. Again, how long? 10 About 25, a generation ago. No, that's not. 11 1990 and now? 12 Caitlin Urquhart: 13 Thirty-five years? 14 Lyla Andrew: 15 How many? 16 Caitlin Urquhart: 17 Thirty-five years. 18 Lyla Andrew: 19 Thirty-five years. Yeah, I'm sure there are 20 people who -- anyway, yeah. 21 Caitlin Urquhart: 22 So just to say that was obviously something that 23 was being advocated for in the early '90s was 24 this type of committee with, as you indicated in

Page 65	Page 67
1 your report, some decision-making authority and 2 the Province was sort of looking at a committee 3 with an advisory power. 4 5 So just in terms of the, I would say, two of the 6 stakeholders of the tripartite discussion were 7 thinking about the authority as somewhat 8 different in terms of what the expectation was 9 for that kind of committee. So in 1998, there is 10 that. So it's part of a legislative review 11 process. In 1998, there is a Child, Youth and 12 Family Services Act enacted that does include 13 culture as one of the considerations under the 14 best interest. So that's sort of an early sort 15 of precursor, I guess I would say, to some of the 16 things. Perhaps a more -- it is broader language 17 than what was being advocated for, but it does 18 include culture as an aspect. So that's one 19 change that was made in that time. 20 21 Then in around that time, so the late '90s to 22 early 2000s, there are a number of different 23 things happening in terms of Innu Healing 24 Strategy and the various services coming into	1 open-ended. Canada and the Province are 2 discussing this arrangement because we both 3 concluded the Innu communities do not have the 4 capacity to assume responsibility for Child and 5 Family Services at this time and Indian and 6 Northern Affairs Canada does not have the 7 resources to deliver these services in the 8 community. We proposed that the Agreement should 9 expire March 31st, 2003, at which point it could 10 be renewed." And I think this is important, that 11 "This would confirm the transitional nature of 12 this arrangement and signal to the Innu our 13 commitment to working with them to develop their 14 own services." 15 16 So it's clear that during this period in time the 17 development of Innu services was contemplated. 18 So that's in 2002 that that's sort of coming 19 online. You would have been working with the 20 Innu organizations at that time. 21 22 Did you have any awareness or sort of knowledge 23 of these moves, the shift to federal funding, the 24 sort of idea or the push, I would say, towards
Page 66	Page 68
1 play through those tripartite agreements. And 2 one thing I wanted to turn to is a letter that 3 was written in 2002. It is P-140 and that will 4 be tab 90 in your book there. 5 6 So this is a letter from the Assistant Deputy 7 Minister of Labrador and Aboriginal Affairs to a 8 counterpart in the federal government, the 9 Assistant Deputy Minister of Socioeconomic 10 Policies and Programs Sector at Indian and 11 Northern Affairs. And this is in response or 12 it's part of a negotiation that's taking place 13 about an agreement for funding of Child and 14 Family Services for the Labrador Innu. 15 16 In this letter, one of the things that is of 17 note, first the Province notes -- on page 2, the 18 Province raises a number of concerns. One being 19 that they are concerned that there is not 20 adequate funding for non-in-care services. In 21 number 3, they address a concern that the 22 agreement will not result in an enhancement of 23 services to the communities. And number 4, they 24 specifically state that "The current draft is	1 Innu services? Did you have any information or 2 involvement in that in around that time? 3 Lyla Andrew: 4 I would say, no, I didn't. I'm looking at this 5 letter now, this letter from 2002, and I see the 6 individuals who are CC'd and none of them are 7 Innu. So it's this same pattern of provincial 8 government talking to federal government. It's 9 all about the Innu but the Innu are on the 10 outside. And that, again, was my overwhelming 11 sense, it was always the Innu were on the 12 outside. And I don't know how -- I mean, this is 13 coming from the Province. It is 2002. I went 14 back to work for the Province in late 2004 or 15 early 2005 in the hopes that there might be the 16 opportunity to see an Innu child and family 17 services agency develop. But out of that 18 existing CYFS, or whatever it was called at the 19 time, out of the existing provincial services. 20 But just the very fact that no one Innu is a 21 party to this letter, I don't know -- you know, 22 you have to ask yourself the question, well, if 23 you want to signal to the Innu -- what was that 24 sentence again?

Page 69	Page 71
1 "This would confirm the transitional nature and 2 signal to the Innu our commitment to work with 3 them to develop their own services." 4 5 Well, maybe you just say it. Maybe you just say 6 it outright because this letter is not shared 7 with anybody Innu that I'm aware of. I don't 8 know Ron Sparkes. I mean, some of these people I 9 do know. Boyd Rowe was the head of Lab Grenfell 10 Health. Eric Maldoff, he became the chief 11 federal negotiator. I'm not sure if he was that 12 at the time of the tripartite tables. They were 13 called Meng (phonetic) Table. I know the Meng 14 Table did come to an end with the IRT starting up 15 2013, 2014 because there was a lot of frustration 16 with the Meng table. 17 18 But, again, I know that the funding agreement at 19 this point in time was a bilateral funding 20 agreement. I do know that. And at this point in 21 time we're still talking about the bilateral 22 funding agreement, the service level agreement 23 with the current agency director, Amanda Rich, 24 finally being invited to be at the table as this	1 a committee. 2 3 So were you aware at that time, this would have 4 been just before you returned to the health 5 authority to work for the Child and Family 6 Services? Were you familiar with it? 7 Lyla Andrew: 8 Yeah. I was not familiar with the cabinet 9 directive because the first time I saw this was 10 when I was given these exhibits for the inquiry. 11 But I knew as a participant in the main table 12 meetings, these trilateral meetings with the 13 federal government and the province of the day, 14 that the committee agreed that this was what was 15 going to be worked on. And although I was 16 working for the Sheshatshiu Innu First Nation at 17 the time, I would attend these meetings. I 18 believe they were quarterly meetings. And, you 19 know, as I said a bit earlier, the meetings were 20 very focused on the many challenges with both 21 Innu education and Child and Family Services. 22 And so this was not something that was my 23 full-time job to work on, but it was something 24 that I saw as there would be things taking place
Page 70	Page 72
1 agreement is signed, but we're not at a bilateral 2 agreement, obviously, between the federal 3 government and the Innu yet. And the Innu have 4 not been at the table to date to know about the 5 funding agreement between how much money comes to 6 the Province for the Innu. 7 Caitlin Urquhart: 8 So I'll ask you to turn now to P-067. And this 9 is tab 17 of your book. So this is a memo, a 10 cabinet directive and memorandum to Executive 11 Council regarding the establishment of the 12 development and operations of an Innu child youth 13 and family services agency. And approval is 14 given in this directive to negotiate the 15 establishment of a provincial/Innu child, youth 16 and family services board, so a joint board, with 17 the Innu Nation to oversee the development and 18 operation of an Innu child, youth and family 19 services agency." 20 21 So that's in 2003, a decade after your report in 22 1992, calling for decision making to essentially 23 be vested in Innu that now there is a cabinet 24 directive to negotiate the establishment of such	1 behind the scenes. And I made a decision at the 2 end of 2004, so that's a year after this, that I 3 would go back to work for Child and Family 4 Services under the Labrador Health Authority. 5 And I can remember believing that it would not be 6 too long before an Innu child and family services 7 agency board, a joint board, would be developed. 8 And I could picture, you know, some of the 9 non-Innu people that might be invited to be on 10 that board. I could be picture some of the Innu 11 people that might be invited to do that work. 12 And I was optimistic, hopeful, perhaps I was 13 naive because I was probably that too. You can 14 be hopeful and naive and optimistic all at the 15 same time. 16 17 I can remember saying to colleagues within Child 18 and Family Services you're going to see big 19 change. Change is coming. Significant change is 20 coming. 21 22 The goal was never -- this wasn't an end goal to 23 have a joint board, but it was -- I saw it as a 24 significant step toward Innu control of Innu

Page 73	Page 75
1 child and family decision making. 2 3 I guess in my own mind I thought, okay, the 4 non-Innu that would go on a board would have 5 financial, maybe they would have a lot of 6 financial expertise. Because if you're going to 7 run an agency, all those kinds of services, human 8 resources and finance and technology, you know, 9 you need assistance with all that. 10 11 When it came to issues around -- not issues but 12 when it came to what would services look like and 13 when would you intervene, I think I naively 14 thought those would be the things that the Innu 15 on the board would be most concerned with. 16 17 And I had a great deal of hope and I remember 18 talking to people about this. And it didn't 19 happen. And I can remember in subsequent years, 20 I mean that's 22 years ago, during the last 22 21 years kind of thinking to myself, did I 22 misunderstand? Did I make that up? The late 23 Delia Connell was the chief operating officer of 24 Lab Grenfell at the time. And I knew her	1 organize around what would an Innu child and 2 family services agency look like. And there was 3 no funding to assist with that kind of 4 developmental work at all. 5 6 And so I was quite surprised when I saw this 7 cabinet directive. And on the one hand it made 8 me realize, yeah, I wasn't wrong. I did remember 9 that history correctly. But again, how 10 frustrating. You know, again an entire 11 generation of children have grown up. And it is 12 the Province and the federal government who 13 continue with their agreement bilaterally and the 14 Province continues to have the mandate to deliver 15 the services that are and can be most intrusive 16 in the lives of Innu children and families. But 17 I guess that's history. You know, looking back 18 at history. 19 20 And I know you said there have been changes. 21 There were changes in subsequent pieces of 22 provincial legislation and you mentioned the 23 culture was an element that was included. 24 Was it helping to determine the best interest of
Page 74	Page 76
1 professionally and she was on the committee. She 2 would be at the committee, the Child and Family 3 Services at the main table, and I believed her 4 that this was something that she wanted to work 5 toward. And I trusted that. 6 7 And now that I see the actual copy of this 8 directive to the cabinet, it's really the only 9 proof that I have that at those meetings this is 10 what those of us that where Delia was doing this 11 work in Child and Family day in and day out and 12 she wanted to see this happen. And it just 13 didn't happen. And I certainly also didn't see 14 any -- this was provincial. I didn't see, I was 15 not aware of any federal funding that would have 16 supported this either because federal funding for 17 prevention services, which has allowed us to 18 begin -- which is, in large part, allowed Innu to 19 begin the first advocacy on behalf of Innu 20 families, that didn't happen until 2017. So 21 again, a long time coming for anybody to put 22 their money where their mouths were because Innu 23 tried for a long time to leverage some kind of 24 funding which would allow Innu to begin to	1 children? 2 Caitlin Urquhart: 3 Yes. 4 Lyla Andrew: 5 And then, again, it's about the importance of the 6 word we use and what's the meaning behind them. 7 Because I think about that and how does a social 8 worker who -- for the most part, the social 9 workers that have come to work in the Innu 10 communities are not of the Innu communities. 11 They don't live in the Innu communities. They 12 never have. They are educated in universities 13 where Innu culture is not taught. And I don't 14 even think the history of colonization is 15 necessarily taught in schools of social work. 16 But those social workers come to Sheshatshiu, and 17 I don't doubt they have good intentions but how 18 would they understand and make meaning out of how 19 Innu culture is in the best interest of an Innu 20 child? 21 Caitlin Urquhart: 22 And I think it goes back to, I believe that's the 23 letter from 1990. And you sort of took issue 24 with the statement that the committee does not

Page 77	Page 79
1 see cultural ethnic heritage to be the utmost 2 consideration in determining the best interest of 3 the child. Which in the 1998 iteration of the 4 legislation, culture is amongst a number of 5 factors in one of the factors for considering the 6 best interest. 7 8 And again, you're saying that the prism or the 9 lens or the person interpreting those factors is 10 either a social worker or a judge or someone 11 presumably non-Innu. So by virtue of that kind 12 of dilution or it being relegated to sort of a 13 sub-issue and filtered through that perspective, 14 it's not adequately sort of prioritized in terms 15 of how you understand what is in the best 16 interest of the child. 17 18 Is that fair? I think that that's kind of where 19 you were getting at, right? 20 Lyla Andrew: 21 Yeah. Still you can write the culture into the 22 legislation but the Innu were still on the 23 outside. 24	1 sort of then and that early 2000s period. And 2 then I wanted to ask you about the Innu zone and 3 various other things. 4 Lyla Andrew: 5 Sure. 6 Caitlin Urquhart: 7 We'll start with just kind of what you observed 8 when you came back into that sort of Social 9 Services position. 10 Lyla Andrew: 11 Yeah. As it happens, it wasn't all about a clear 12 vision of what I wanted to do and where I wanted 13 to go. In the fall of 2004, Jack Penashue, I 14 believe Jack became the social health director 15 for the Sheshatshiu Innu First Nation. He had 16 graduated as a social worker and rightfully was 17 returning to his home and taking on these 18 responsibilities. 19 20 I had been a mentor to the previous -- acting in 21 a mentor role to the previous social health 22 director, Mary May Osmond, the late Mary May 23 Osmond. And I didn't see the same role for me 24 continuing with Jack as the director of social
Page 78	Page 80
1 Caitlin Urquhart: 2 So I think that's an important point to 3 understand. And as you mentioned, later on in 4 some of the more recent legislation there were 5 consultation with Innu, more specifically on the 6 wording of those acts. 7 8 We're going to stay in this time period, sort of 9 2004. I just wanted to bring you back to that 10 time period. So you were working with Child and 11 Family Services under the health authority at 12 that time, and sort of two pieces. One, I 13 wondered if there was, you know, 15 years that 14 she'd been out of the -- almost 20 years that 15 you'd be out of the health authority or out of 16 the Child, Youth and Family Services and you're 17 coming back, whether there were any significant 18 differences? 19 20 I mean, obviously you were in Social Services 21 initially which provided the somewhat different 22 range of services than when you came back or when 23 you joined on in 2004. So if you could speak 24 somewhat to some of the differences maybe between	1 health. And because I had been working with the 2 late Delia Connell on these issues at a 3 tripartite level, I still had a real personal and 4 professional interest but the personal and the 5 professional had all been mixed together, but it 6 was just I genuinely had a real interest in where 7 is this going and what might I be able to do to 8 bring about meaningful change. 9 10 So I spoke with Delia. And at the time, the 11 legislation laid out certain -- it laid out the 12 health authority. So there were four -- were 13 there four or five health authorities? No, maybe 14 there were five. Central, eastern, western and 15 Labrador. So maybe I might be missing out. 16 Eastern, western, central. 17 18 Anyway, the legislation allowed for a regional 19 director for Labrador. One position. And I had 20 no interest and no experience or ability to take 21 on the role of a regional director for all of 22 Labrador. And so I spoke to Delia about the fact 23 that my only interest was in the Innu 24 communities. And she agreed that that would be

Page 81	Page 83
1 something that the health authority would 2 support, and the legislation was changed to allow 3 for, I think, a fifth regional director. 4 5 So there was a regional director in Labrador for 6 all of Labrador, except the two Innu communities, 7 and then I was the regional director for the two 8 Innu communities which meant that I held the 9 custody of Innu children. And I think the 10 biggest -- I mean, there was a significant change 11 from when I had left -- been fired really. I 12 think the first signal of change was I had a 13 phone call from a provincial bureaucrat who I 14 guess had looked at my résumé and realized that I 15 had been previously fired by the Province and 16 wanted to know, you know, was I taking this 17 seriously and would I work with the Province and 18 so forth and so on. 19 20 Because even though the health authority was 21 responsible for CYFS, there was a department of 22 CYFS and there was a provincial director. Ivy 23 Burt was the provincial director of the day. And 24 I came in into a very busy office in Sheshatshiu	1 people that I would say were allies to those Innu 2 people who were talking about what reconciliation 3 and Indigenous Child Welfare meant. 4 5 So they were starting from the perspective that 6 something was very wrong. It wasn't even that 7 systems were broken because the systems that were 8 being experienced by Innu people across the 9 country, whether you were Dene or Gitksan or 10 whoever you were, these were not Innu systems. 11 They were non-Innu systems being imposed on Innu 12 people. So we weren't talking about broken 13 systems. 14 Caitlin Urquhart: 15 And just to clarify for the record, when you're 16 using the term "Innu," you're using it in its 17 meaning as Indigenous people? 18 Lyla Andrew: 19 Yes. 20 Caitlin Urquhart: 21 Not specifically the Innu of Labrador, for 22 example? 23 Lyla Andrew: 24 Yes.
Page 82	Page 84
1 that was covering both Davis Inlet and 2 Sheshatshiu. And there was a great deal of 3 skepticism on the part of -- I remember this. 4 The social workers, thank goodness they were open 5 enough about it. But they were skeptical that I 6 was able to bring anything useful to the table 7 because they thought I was very focused on adults 8 and the opinion of Innu adults, as opposed to the 9 experiences of Innu children. 10 11 But early, at some point in 2005, I found out 12 that there was going to be meeting, a national 13 meeting in Ontario led by Cindy Blackstock called 14 "Touchstones of Hope," which was about 15 reconciliation in Indigenous Child and Family 16 Services. And Ivy Burt had been invited to that 17 meeting. She was the only one from Newfoundland 18 and Labrador that was invited. And I made the 19 case to her that I wanted to attend that meeting, 20 and I did. 21 22 That was a significant experience for me because 23 I was, for the first time, in a room mostly other 24 Innu people from across the country but also	1 Caitlin Urquhart: 2 I just wanted to clarify for the record. 3 Lyla Andrew: 4 Sure. And I came away from that meeting with a 5 renewed sense that the Innu were not off track. 6 The Innu had a vision that was shared by 7 thousands of Indigenous people across this 8 country. They had experiences that were shared 9 by thousands of people across Canada. But the 10 difference was, yes, there were differences in 11 history. So that it had been generations and 12 generations of Indigenous people across the 13 country living on reserves, experiencing children 14 being removed and put into residential schools. 15 And so I knew that the weight of the experience 16 for a lot of other Indigenous peoples was -- in 17 some ways it felt like it was heavier, that there 18 were multiple generations of Indigenous children 19 that had been harmed by provincial systems across 20 the country. 21 22 But I also saw that there was hope because in my 23 experience it felt like Innu were closer to being 24 able to experience the health of their culture.

Page 85

1 They weren't absorbed. The Innu weren't absorbed
 2 by big cities, like Montreal and southern Ontario
 3 cities or Winnipeg or Vancouver where there are
 4 these huge communities, sadly, of people who live
 5 off reserve, live homeless. This was not
 6 something at that time, 2005, we weren't talking
 7 about homeless Innu people. There was no such
 8 thing. And people could still and were still
 9 going into Nutshimit. And I saw a lot of hope
 10 for the Innu, where I didn't feel it was like --
 11 became aware that language for so many people
 12 across the country, language was being lost at an
 13 alarming rate. And there were people who no
 14 longer did speak their language because their
 15 parents didn't speak the language to them.

16
 17 So, again, this was 20 years ago and these were
 18 experiences of people right across this country,
 19 other Indigenous people. So having the
 20 opportunity to attend that Touchstones of Hope
 21 conference and see Cindy Blackstock make, along
 22 with so many other Indigenous women and men
 23 working in child and family, helping work, basic
 24 helping work, helping their own people, it was

Page 86

1 something that really, for me, was, I don't know
 2 if you'd call it a light bulb moment. It was
 3 just an experience that led me to believe that
 4 the Innu are not alone in this work and in some
 5 ways if they are able to focus on the health of
 6 their culture and the things that they know about
 7 the strengths of their culture, they are in maybe
 8 even a better position than some of the people
 9 across the country where it seems like that is
 10 lost. It's gone and they're trying slowly to get
 11 it back. People who simply have been colonized
 12 for decades and decades, as opposed to the Innu
 13 who had only been put in settlements in the '60s.

14
 15 So that was very different than what it felt like
 16 to work for the Department of Social Services
 17 back in the late '70s, early '80s. There was
 18 this understanding on my part that there was
 19 something much larger going on here that the Innu
 20 could be a part of, should be a part of. And
 21 people were using a language that I had never
 22 heard before. You know, the language of
 23 truth-telling, which was the first step in
 24 reconciliation. So this is before the Truth and

Page 87

1 Reconciliation Commission Report which was ten,
 2 11 years later. But it was the idea that
 3 non-Innu, we need to tell our stories to
 4 non-Innu. They need to know what our experience
 5 is. And thinking about that, the idea that
 6 these -- I mean, I knew the stories were valuable
 7 but here was a movement of Indigenous people
 8 saying this is the way we're going to be able to
 9 build up effective child well-being systems from
 10 the ashes of really children being harmed, being
 11 sent to the United States, being, in essence, you
 12 know, what we now know is scooped out of
 13 communities. And I didn't see that that was the
 14 predominant Innu experience, which isn't to
 15 diminish the fact to whom the Innu individuals to
 16 whom that happened. Obviously, that was a
 17 paramount experience, a very significant
 18 experience. But the scope of that had not
 19 happened to Innu. And I think large part, credit
 20 needs to be given, really, to that generation of
 21 Innu grandparents who, in the '60s and '70s and
 22 into the '80s really stepped up for their
 23 children.

24

Page 88

1 And the number of children coming into care in
 2 2005, when I started back, there were still very
 3 few children coming into care. Predominantly,
 4 children were being supported through Child
 5 Welfare Allowance.

6

7 So that was something that had some similarity in
 8 many ways with what was happening at the end of
 9 in '79, '80, up to 25 years later that is still
 10 what was happening. I think the social workers
 11 that came along after me and the way they were
 12 organized, they did their best to prevent Innu
 13 children from coming into care. And did their
 14 best to encourage and support other Innu family
 15 members to care for children if they needed that
 16 care.

17

18 And again, you know, the legislation, I think,
 19 allowed that. Child Welfare Allowances were
 20 meant to be short term. But they weren't short
 21 term. I mean, there were children that were
 22 raised up on Child Welfare Allowances with Innu
 23 family members. And foster families were few and
 24 far between in the early 2000s, I think.

Page 89	Page 91
1 Caitlin Urquhart: 2 I think that would give us a good time to break. 3 So we'll break now for lunch and we'll come back 4 to sort of speaking about the numbers of children 5 in care and how that sort of changed over time 6 when we come back. Thank you. 7 8 (Lunch Break) 9 10 Caitlin Urquhart: 11 So welcome back and thank you for your patience 12 there. Before we broke, Lyla, we were talking a 13 little bit about the numbers of children being 14 who were in care. 15 16 So we spoke earlier that sort of the predominant 17 way that the children and families were involved 18 for a long period or certainly from the period of 19 sort of the late '70s to early '80s was through 20 Child Welfare Allowance. So through sort of 21 familial kinship types of placements that didn't 22 involve the courts. And that it was a fairly 23 rare thing for a child to be taken into care in 24 that early period.	1 really don't. I remember the Child Welfare 2 Allowance but that almost seemed more like a 3 financial program. And in the early years that's 4 where things started. It was with financial 5 programs. Social workers doing welfare, social 6 assistance. And Child Welfare seemed to be kind 7 of on the side of that. 8 9 I know that in the '90s, in Sheshatshiu anyway, 10 there was some very strong community workers. I 11 mean, Rose Gregoire was a very strong woman who 12 had no fear about trying to ensure that children 13 were not being taken out of the community. Not 14 being removed from their parents and taken out of 15 the community. She might look for alternatives 16 for children to be outside of a home if she 17 wasn't able to help a mom or a dad address some 18 challenges that were impacting the child. 19 20 But at a community level when you had really 21 strong workers, I think the focus was very much 22 on how do we keep children as close as possible 23 to their families and to the community. 24
Page 90	Page 92
1 Lyla Andrew: 2 Yes. 3 Caitlin Urquhart: 4 And so I don't know how much you can speak to 5 what was happening in the interim but certainly 6 when you got back into Child, Youth and Family 7 Services and anything you can speak to in terms 8 of how that number may have changed over time 9 from what you observed. 10 11 And I did mention, as well, that we will have the 12 sort of hard numbers or the more accurate figure 13 certainly from 2000 onward, so it doesn't have to 14 be a high degree of accuracy or specificity, but 15 just in general what did you observe with that? 16 Lyla Andrew: 17 I think one of the things I became aware of after 18 the fact was how different legislation and the 19 emphasis in different legislation would impact 20 what it was workers on the ground were doing. 21 Obviously the mandate would be whatever the 22 legislation was. 23 24 I don't remember Child Welfare legislation. I	1 And legislation up until the 2000s -- so I don't 2 know if this was new legislation in 2005. I 3 don't know where it came, but there used to be -- 4 when I started back in late 2004, 2005, there was 5 like a Family Services program. And it just kind 6 of in some ways was how to prevention focus. It 7 has a focus on trying to help families that were 8 identifying issues that were getting in the way 9 of them being able to parent to the best of their 10 ability. And sometimes there was financial 11 support provided. But it was an emphasis on this 12 sense that there was some help that could be 13 provided. And when there was a particular 14 situation - and this may have come up earlier in 15 my testimony. I can't remember now - there was 16 the death of a small child in Newfoundland. 17 There was a report, the Markesteyn Report, after 18 this child and his mother because she was a 19 doctor. And a Newfoundland woman, I believe, but 20 had been in the states, came up to Canada and 21 having been charged with, I believe, the murder 22 of her husband in the states. 23 24 Anyway, these circumstances were highly unusual

Page 93

1 circumstances. And when this tragedy took place
 2 and Zachary Turner was killed by his mother, when
 3 she killed herself, walking out into the ocean,
 4 drowning them both, that created a public, I
 5 don't know if the right word is "outcry," about
 6 how could something so horrendous happen? How
 7 did this happen?

8
 9 And I know that in light of that, I mean,
 10 obviously, the focus was on how social workers
 11 and the CYFS system failed this little boy, but
 12 it felt like nobody would say -- two things
 13 struck me. One was, what does this situation,
 14 this tragic situation with this one child, have
 15 in common with Innu children and the harm that
 16 their families have experienced and that they are
 17 experiencing? And I could see nothing in common.
 18 But I was thinking about dozens of children, over
 19 time dozens and dozens of children and this was
 20 one child. And it's not that -- and it felt like
 21 this means the lives of Innu children are less
 22 important than the life of this little boy whose
 23 mom happened to be a doctor, his dead dad was a
 24 doctor, and the paternal grandparents took on a

Page 94

1 fight to try and understand what had happened
 2 because their loss was tragic. Their only son
 3 was killed and then their only grandson was
 4 killed.
 5
 6 But I didn't see how this would bear. I had no
 7 idea how this would bear on Innu children and
 8 families. But when the law changed, the child
 9 protection law became just that, became a law
 10 about focusing on protection. In other words,
 11 Zachary Turner was not protected by the system
 12 and his mother, when we knew there were issues,
 13 when the system knew there was issues with his
 14 mom's behaviour and choices, et cetera, et
 15 cetera, he wasn't protected to the extent that
 16 she was able to -- I believe he was in care but
 17 she was still able to get him and take him and
 18 kill him.
 19
 20 And so the legislation became about what it is
 21 that parents do or are at risk of doing which
 22 will harm their children.
 23
 24 So it's not that it became -- the idea of trying

Page 95

1 to support families through any kind of family
 2 services, that seemed to be completely rejected.
 3 And there was also a point when, I think, the
 4 provincial legislation, in many respects, was
 5 being asked to do everything. If kids were
 6 acting out in school, if there was an issue with
 7 a soccer coach, all of that was coming to the
 8 plate of Child and Family Services. And there
 9 was also a reaction to the fact that we can't be
 10 doing everything.

11
 12 And I know that back then any kind of focus on
 13 prevention was completely gone and the Province
 14 was very clear, the legislation is not about
 15 prevention. The legislation is about protecting.
 16 So it is about workers in the system receiving
 17 reports of harm or potential harm and acting to
 18 investigate those reports. And again, it was
 19 about what is this parent doing or failing to do
 20 to keep their child safe.

21
 22 And that, then, becomes very much an issue around
 23 what is safety and what are the resources that
 24 parents have to help meet the basic needs of

Page 96

1 their children and raise their children up in a
 2 way that they would want to.
 3
 4 I am very aware that as more Innu started to come
 5 out of the community and maybe come to St. John's
 6 to go to school or for medical reasons, just more
 7 outside of the village itself, that there were
 8 things that would be very normal and acceptable
 9 in the village. Like a little one walking around
 10 outside in a diaper in the summer. Just
 11 literally wandering outside. And yet if that
 12 same -- I became aware of a situation where there
 13 was a toddler outside wandering around. He lived
 14 in a home here in St. John's with his parents who
 15 were going to school, and the neighbours saw him
 16 outside in a pamper. And obviously, the streets,
 17 some of the streets in St. John's are much
 18 busier, maybe, than some of the streets in
 19 Sheshatshiu, that's a given. But that would be
 20 reported to -- that was reported to CSSD as
 21 opposed to the neighbour who had the concern
 22 going and speaking to the parent.
 23
 24 So I felt like there was a point when what was

Page 97	Page 99
1 acceptable and an element of healthy Innu 2 culture, children having a lot of freedom to be 3 out and about in a place where they didn't live 4 on a street with strangers, they lived on a 5 street with usually family, other people who know 6 who they were, that CSSD became more of a 7 policing, had more of a policing function, even 8 though we weren't the police. But it felt like 9 that was happening. 10 11 And I know that I wasn't the only regional 12 director at the time who saw this as a 13 significant change. I mean, I know other people 14 saw it. And it really shifted away from trying 15 to assist families to address issues and moved 16 toward interventions that were aimed at getting 17 children out of bad situations. 18 19 And one of the things that -- again, hard to 20 remember what I might have said a couple of 21 months ago, but when -- just give me a minute now 22 I just lost my thought. Just a sec. 23 24 Oh, it's about reasons behind why children would	1 Lyla Andrew: 2 Yes. And so there were cases that were coming 3 forward to CSSD about children being harmed 4 sexually by other Innu people. In some cases 5 family members and in other -- so in some cases, 6 yes, a parent. And in other cases it would be 7 other family members. And so if a parent was 8 seen to have protected a child but that still 9 happened to the child, someone else had still 10 sexually harmed their child, that would be a 11 criminal matter which would go forward to the 12 police. But then you would have all these other 13 emotional and distress because it wasn't 14 strangers harming Innu children, it was other 15 Innu. 16 17 But predominantly, Innu children, over all the 18 years, coming to the attention of CSSD, right up 19 until the current time, it's about neglect and 20 lack of what's seen as lack of appropriate 21 supervision. That's what garners the reports 22 from the RCMP, from grandmothers phoning up. 23 Reluctant to phone, saying I agreed to babysit 24 but that was on Friday night and it is Tuesday
Page 98	Page 100
1 come to the attention of -- so early days of 2 Social Services in Sheshatshiu, children are 3 coming to the attention of me and the other 4 workers because family members are looking to get 5 help with meeting their needs, their most basic 6 needs. They're coming forward. There is very 7 little of us going out. 8 9 Now, I said school tried to get us to go out and 10 make sure children were attending school but we 11 would resist that. 12 Caitlin Urquhart: 13 And this is in the period, so the late '70s to 14 early '80s to, like, mid-'80s. 15 Lyla Andrew: 16 Yes, '80s. Yeah. And I suspect that that focus 17 on family service continued on. Although I know 18 very well, I know that I talked much earlier 19 about the impact of sexual abuse in the 20 community, that that started to come out much 21 more in the '80s and the '90s. And people began 22 to discuss that. 23 Caitlin Urquhart: 24 Became aware of it.	1 and I can't stay. I don't have any food for the 2 children. 3 4 And so, I mean, we now have research that shows 5 that Indigenous children come to the attention of 6 child protection authorities for very different 7 reasons than non-Indigenous children come to the 8 attention of child protection authorities. It's 9 very rare for an Innu child to be physically 10 assaulted. But I don't think physical punishment 11 was a part of Innu family life, was a part of 12 Innu parenting. 13 14 As I said earlier, children were laughed at, they 15 might be made fun of but they certainly weren't 16 spanked or physically harmed. 17 Caitlin Urquhart: 18 So can we follow that through line a little bit. 19 So you just mentioned that sort of period of when 20 you were in Social Services until '84. Then 21 following on from that, obviously you were still 22 working -- you know, you were involved in the 23 field work in the Child Welfare space and 24 whatnot.

Page 101	Page 103
1 2 Was there a period, say, between '84-'85 and I'll 3 put it at 2000, were you aware of changes in the 4 number of children coming into care during that 5 period or as far as you could tell fairly stable 6 at that point? 7 Lyla Andrew: 8 I think 2000 was a significant year. There was a 9 great deal of gas sniffing happening in 10 Sheshatshiu. And I recall very vividly I was 11 working for the Sheshatshiu band at the time and 12 we were having a director's meeting, which was 13 not an unusual event. And we were sitting in a 14 boardroom in the Band Council building and one of 15 the workers came in and said she just seen a 16 five-year-old gas sniffing along with an older 17 sibling. 18 19 And at that point I just think there was 20 something about the age of that child and the 21 harm that everybody assumed was happening that 22 would lead up to a child that's five years old 23 standing with a bag of gas over their face. 24	1 Now, that didn't happen -- the idea that that's 2 what should happen came up that day. And I know 3 that subsequently -- and it may even have been 4 before that. I'm sorry, I can't be specific 5 about the dates. But efforts were being made in 6 the community. The Innu Uauitshitun building was 7 opened up so that kids who were sniffing could 8 come there at night and sleep. 9 10 Efforts were made to try and ensure the overall 11 safety of children when there were clearly 12 children whose parents did not have the capacity, 13 for whatever reason, to keep their children from 14 misusing solvents. And but there wasn't any 15 treatment program and so it felt like we need to 16 see children have the opportunity to be treated. 17 18 There were tragedies in relation to gas sniffing. 19 There were children that died as a result of 20 fire. And it was just that. It was a tragedy. 21 But in 2000 the Sheshatshiu band made a decision 22 and involved CYFS to the extent that children 23 came into care. There was a setup of houses with 24 workers up in Goose Bay in the barracks. The
Page 102	Page 104
1 I mean, they could be mimicking an older sibling. 2 They could be just experimenting. They wouldn't 3 know they're experimenting and they wouldn't know 4 the potential harm, possible harm. 5 6 So at that meeting it was decided we've seen 7 enough of this. We've seen it with teenagers. 8 And it wasn't the first time there had been gas 9 sniffing in the Innu community. There were Innu 10 adults at that point in time saying I gas sniffed 11 a bit when I was a kid. But it didn't reach the 12 proportions that it did at this point in 2000. 13 14 The Sheshatshiu Innu band made a decision, and 15 I'm not sure how this decision was made, but the 16 decision was made to go to CSSD. And at that 17 point, CSSD was under, as far as I recall, 18 Labrador Grenfell Health. So this was in 2000. 19 Leadership and elected leaders and program 20 leaders in the community, they insisted that 21 CSSD, CYFS - I think it was called CYFS at the 22 time - take responsibility for these children and 23 remove the children from their parents' care. 24 Take the children and keep them safe.	1 community didn't have resources to figure out 2 where children were going to stay and so there 3 was a major effort made to ensure that children 4 would be away from the community, away from 5 access to solvents. 6 7 And as this was happening in -- so it was 2000. 8 People are still in Davis Inlet. The band there 9 made a very different decision and the decision 10 was that children would be sent out here to 11 St. John's to the Grace Hospital. And they were, 12 children who had been actively sniffing and were 13 thought to be sniffing. And so there was a 14 process at that time where children were 15 hospitalized. I'm sure there were recreational 16 activities organized for them. 17 18 I mean, they weren't hospitalized in the sense 19 that they were -- the Grace at that point, I'm 20 not sure if it was an empty space. I'm not 21 really sure because I wasn't involved. I never 22 came out. But Dr. Rosales was involved in that. 23 He began to do assessments around FASD and on 24 young people, trying to determine if, you know,

Page 105	Page 107
1 Fetal Alcohol Syndrome was something that some of 2 these young people were living with. 3 4 And the treatment in relation to actual sniffing, 5 the Innu reached out to an agency in Calgary, 6 Alberta - I think it's called Wood's Homes to - 7 look for help to figure out what do we do? 8 9 I also know that the community took, at one 10 point, a number of young people. I think maybe 11 more Mushuau Innu youth than Sheshatshiu Innu 12 youth. Although there could have been 13 Sheshatshiu Innu youth. And they took them north 14 to Kamestastin where there was lots of access to 15 gas, but the young people were engaged in 16 Nutshimit activities, were engaged in just living 17 from the land. And those young people were 18 observed to not have been using gas. Whereas, if 19 they were in the village, if they were in Davis 20 Inlet indeed they were misusing gas. 21 22 So there was also work done. I believe George 23 Rich went to Australia to look at the ways they 24 had a tried to do deal with a different kind of	1 Caitlin Urquhart: 2 I wanted to clarify that. 3 Lyla Andrew: 4 That's my understanding of what happened. I 5 mean, I wasn't working with CSSD directly at the 6 time but I'm pretty sure there were two different 7 approaches. And I remember the late Bart Jack, 8 Senior, saying this at a meeting many years 9 later, that we never really kept track of what 10 happened, you know, on an individual basis. 11 People might have been able to say, well, I know 12 this child came back forth and so forth and so 13 on. But there was no real record of what was the 14 effectiveness of this. But the community was 15 again reacting to significant harm with young 16 people being the ones to say -- clearly, I think 17 they were saying something is wrong. 18 19 I would say both communities were working very 20 hard to try and address alcohol misuse. And I 21 think solvent misuse came about as almost a last 22 resort for young people that were unable to get 23 ahead of alcohol. That it was just accessible. 24 Obviously, with chain saws and ski-doo's and
Page 106	Page 108
1 -- using a substance other than gas which 2 wouldn't have the properties that were making 3 children high. 4 Caitlin Urquhart: 5 Like opal gas, yeah. 6 Lyla Andrew: 7 Yeah, opal. Yeah. So Innu themselves were, I 8 think, terribly frightened by the behaviour that 9 they saw. 10 Caitlin Urquhart: 11 Can I just clarify one point? 12 Lyla Andrew: 13 Sure. 14 Caitlin Urquhart: 15 So the Sheshatshiu Innu Band Council at the time, 16 they made the decision that children would come 17 into the care of CSSD. Whereas, Mushuau Innu 18 Band Council determined that children would not 19 come into the care of CSSD but they would 20 voluntarily be sent to the Grace with the 21 agreement of parents? 22 Lyla Andrew: 23 Yes, with parent's agreement. Yes. 24	1 vehicles. And it was a very obvious sign of 2 distress of a large number of children. 3 Caitlin Urquhart: 4 So can I ask you, what did you observe, if 5 anything, was the difference between sort of the 6 number of children who were in care? When you 7 came back in 2004, for example, did it make a 8 difference that Sheshatshiu Innu First Nation had 9 those children brought into care? Did that 10 result in greater numbers of children being in 11 care a few years later as compared to the 12 situation in Davis or Natuashish, as it then was? 13 Did that distinction make a difference later on? 14 15 I mean, obviously Bart Jack is saying we didn't 16 track but generally. 17 Lyla Andrew: 18 But I think looking back, I think what happened 19 was that was the first time that very large 20 numbers of children from both communities were 21 set out of the communities. 22 23 So the Mushuau Innu children were sent to the 24 Grace and Sheshatshiu Innu children were sent up

Page 109

1 to barracks, and then some of them into foster
2 homes outside the community. But they were still
3 out of the community.

4

5 And I think when I look back on it, there still
6 were not that many children in care in 2004. The
7 end of 2004, when I started, there was still a
8 lot of children, way more children on Child
9 Welfare Allowances. But I think there was
10 established the sense that if a child is acting
11 out and a parent is desperate, CSSD is there,
12 CYFS is there and it would be them you would go
13 to. So it began a time which, I think, has
14 continued to date, there wasn't a reliance
15 anymore on grandparents to pick up where maybe
16 parents were not able to parent.

17

18 And, you know, grandparents. I can remember in
19 the later maybe 2007, '8, '9, a number of
20 grandparents with teenagers coming forward and
21 saying it was fine when he was little but now
22 he's not little anymore, and if I won't give him
23 money when he wants money, or if he wants some
24 kind of, I don't know, a game or something, you

Page 110

1 know, maybe this, he's getting out of hand and
2 he's threatening me. Grandparents were
3 frightened. And it seemed as if there had been
4 this shift from grandparents having a level of
5 authority and an ability to exercise that
6 authority over children. And I don't mean in a
7 mean way. I mean in a way that when the child
8 was younger there was a lot of respect for the
9 grandparent but as the child became a teenager,
10 there were a lot of grandparents coming forward,
11 and parents coming forward, very concerned about
12 activities their children were engaged in. And
13 over time we've seen that number -- we've seen
14 the age of children decrease, children with
15 parental concern, where there's concern about
16 what the child is engaging in.

17

18 I mean, I think the school was also observing
19 behaviours in children and they didn't have the
20 resources to address those behaviours so they
21 would make CSSD aware that children were acting
22 out. And it wasn't so much that they were
23 necessarily making child protection reports, but
24 they were adding to the picture that there is

Page 111

1 concern about children whose behaviours hadn't
2 seen before. Some of these acting out
3 behaviours, they just hadn't been seen before.

4

5 And I remember being at a gathering, and I can't
6 date this but someone will know, children had
7 been out at Poundmaker's Lodge in Alberta and
8 there was a welcoming home when those children
9 came home and a celebration. And I think that is
10 where some children who had been involved in gas
11 sniffing eventually, with parental agreement, had
12 gone to Poundmaker's Lodge. And I can remember
13 being at this gathering - and I think it's at the
14 site now of Natuashish, actually, but it was
15 before Natuashish was built - and being told that
16 there wasn't a word to -- you know, in English
17 people were saying "gas sniffers." "They're gas
18 sniffers." There was no word -- there weren't
19 words in Innu-aimun to describe the behaviours
20 that Innu were witnessing of their young people.
21 And to me that was a sign that there was just
22 significant breakdown in Innu family structures
23 and in the ability of Innu parents and
24 grandparents to cope with the harm that they saw

Page 112

1 their children getting into and which they felt
2 they couldn't -- they didn't know how to address
3 and they were afraid.

4

5 And I think it is understandable that when Innu
6 parents were afraid and they didn't know where to
7 turn, that they would turn to CYFS because it was
8 the agency in the middle of the communities. It
9 was the only provincial agency really left, you
10 know, beside the school until that was taken over
11 by Innu, and that's where the resource was for
12 helping children. That was it.

13

14 The community services for alcohol misuse were
15 really focused on adults, primarily. And that
16 also makes sense.

17

18 So, again, if I'm reflecting on child and family
19 services as an agency trying to address the harm
20 that the legislation set out, that legislation
21 never anticipated large groups of children gas
22 sniffing, large numbers of young people literally
23 threatening to harm themselves because they were
24 so distraught. I don't think that that was an

Page 113	Page 115
1 experience anywhere else in this province. And 2 yet, the mandate that was still the -- you know, 3 there was still an expectation this is what CYFS 4 will do. It will try and address these issues 5 and completely unrealistic expectation. 6 Caitlin Urquhart: 7 I think you noted in your testimony in June that 8 Social Services addressed sort of individual 9 issues rather than a community that was suffering 10 harm or a community that was suffering the 11 impacts of intergenerational trauma. And that's 12 kind of the same kind of issue but on a different 13 scale. You were talking about it in the context 14 of the late '70s, but it is a similar challenge 15 when you're talking about a community or these 16 large groups of children suffering and how do you 17 address a community problem. Whereas, everything 18 in the legislation had focused on nuclear 19 families and sort of individual issues rather. 20 So sort of echo of that. 21 22 So one of the challenges then is you noted that 23 the focus after Turner and when the legislation 24 changed, I believe in 2009, that's when they took	1 meant. Because until -- I'm trying to think now 2 when the first child was sent out to Roddickton. 3 Very few children actually came into care and 4 were sent away when they were young. They were 5 teenagers that were being sent away in particular 6 to Ontario or to Ranch Ehrlo. And I'm going to 7 assume, when data comes together, that these 8 would be, for the most part, children 14, 15 9 years of age. And in many cases they were being 10 sent away as almost a behavioural solution 11 because parents were feeling huge fear. I think 12 that was a driver. I don't think anybody 13 willingly came forward to CSSD and said "take my 14 child out of the community." And this was still 15 at an age -- 16 was the age of leaving care, and 16 I think that didn't change until 2019 either. 17 And so there were organizations in Ontario. They 18 were known as therapeutic foster homes and they 19 took children. They took children and those 20 children might spend a year or so. And then when 21 they reach the age of 16 they would return home. 22 23 And there wouldn't necessarily be anything that 24 different at home but in some cases, in some
Page 114	Page 116
1 out the prevention and the focus turned more to 2 protection. 3 4 So how did those numbers from your perspective 5 change throughout that time period? The numbers 6 of children in care compared to in the... 7 Lyla Andrew: 8 Well, there was still the opportunity to provide 9 -- and I don't know when it changed from a Child 10 Welfare Allowance to a kinship care. I can't 11 remember. But whether it was Child Welfare 12 Allowance or kinship care, that was a voluntary 13 agreement on the part of a parent that their 14 child would go with a family member and could 15 live with a family member and be supported by -- 16 and be financially supported. That family member 17 would be financially supported to care for that 18 child. 19 20 And what happened, as there was no prevention, 21 many family members would say "I can't control 22 this child either." You know, might be a 23 grandparent not wanting to see their child come 24 into care, even if they understood what that	1 situations the children themselves, their 2 behaviours did change, maybe they had matured a 3 little bit. And I would say in every situation 4 it was never -- there might be one instance where 5 a child didn't return home right away, but there 6 were very few instances children didn't return 7 home as soon as they turned 16. Most children 8 did return home and most parents were absolutely 9 relieved that their children were returning home. 10 11 Because I also think, like in many societies, 12 there was starting to be judgment. I think there 13 were Innu parents that were starting to feel they 14 were being judged by other Innu parents because 15 how their children were acting out. 16 17 I mean, I think people were very frustrated. Gas 18 sniffing, for example, was never criminal and I 19 think people were looking for a solution. CSSD 20 really didn't have a solution and I think people 21 thought, well, again, what if it was criminal. 22 But you weren't going to -- what's the criminal 23 route? It would be putting people in jail. And 24 so I just think there was confusion and

Page 117	Page 119
1 frustration and hurt and predominantly fear. 2 3 And I know that I had parents who came to me and 4 said "You have to take my child into care." "You 5 have to take my child into care." They've been 6 in treatment programs, which are voluntary. All 7 the treatment programs for young people, that I'm 8 aware of in this country, are voluntary programs. 9 10 And whether that's Ranch Ehrlo, if a child is 11 going to run away, they're going to run away. 12 Whether that was Wood's Homes or any of the 13 facilities in Calgary, it would be up to a child 14 to participate in the programming to the extent 15 that they were able to do so. And so there were 16 children who, the Health Commission in 17 Natuashish, as well as the Social Health 18 Department in Sheshatshiu, made referrals to many 19 of these helping programs. And if children 20 didn't want to stay in those programs they would 21 come home. And people understood that if their 22 child came into care that the circumstances 23 wouldn't be voluntary circumstances any longer. 24	1 threatening. I don't think that any of us really 2 understood the implications of agreeing to send 3 children away. 4 5 And in particular, the piece we did not think 6 about was, what is the message for the children? 7 What is the message they are taking? Are they 8 taking the message "My parents are really trying 9 to help me. That's why they're sending me away"? 10 Or are they taking the message "My parents don't 11 care about me and they just want to carry on with 12 their own, you know, choices about drinking or 13 drugging and they just want me out of their 14 hair"? What were the messages that children were 15 taking from those decisions made on their behalf? 16 17 But as I say, it was very rare for children, up 18 until 2019, to stay beyond the age of 16 in any 19 of the foster care in-care situations because 20 that was the end of care. And I think there was 21 an understanding that having a child return home 22 to a situation that was very difficult for that 23 child, and they returned home at 16 with no 24 additional resource, that probably placed
Page 118	Page 120
1 And when I say "people understood," I don't know 2 that the implications were -- because I think it 3 would be one -- I mean, I think about the fact 4 someone saying "Please take my child. I am 5 afraid my child will commit suicide. They've 6 been in treatment program and the program has 7 said that they are attempting suicide. So my 8 child has come home but I am now scared, so take 9 my child." 10 11 And I don't think people, myself included, I 12 don't know that I really understood the 13 implications. What was the message that this was 14 giving to the young people who were being -- who 15 parents were asking "please take them into care." 16 And I think it's too much to expect that they 17 would be able to think through those implications 18 because they were (inaudible), I think these 19 families were dealing with trauma. Whether it 20 was the collective trauma of the community they 21 had grown up, the individual trauma they 22 themselves might have experienced as children 23 before they became parents, and then the trauma 24 of having a child who is self-harming and	1 children at risk. 2 3 In some instances, parents made significant 4 changes and in other instances parents didn't and 5 children had to go back to whatever those 6 situations were. You know, I can think of one 7 exception where a child stayed -- a couple of 8 situations where our children chose to stay a bit 9 longer, but for the most part... 10 11 So there was a point where, I'm thinking maybe 12 2012, 2013, there would have been probably, at 13 times, 40 children living outside the province of 14 Newfoundland. In foster homes in Ontario, there 15 was a series of foster homes known as Broken 16 Arrow Residential Treatment Services and mostly 17 in smaller southern Ontario communities. And 18 that system was set up in such a way that 19 children would be in the foster home and foster 20 parents would have access to workers for the 21 children who might take the children to school. 22 They were child care workers. So there was 23 respite and there was child care offered. 24

Page 121	Page 123
1 And there was nothing like that available to Innu 2 children in the Innu communities of Sheshatshiu 3 and Natuashish. There was no comparable services 4 to support foster families. So it seemed like 5 the children, for the most part, that remained in 6 foster homes in Sheshatshiu were younger 7 children. And if there were behavioural issues, 8 whether that was gas sniffing or just sort of -- 9 not just "sort of," but children that would 10 simply not respect their parents' wishes about 11 coming home, living at home, going to school, I 12 think there was just a huge amount of confusion 13 and hurt and anger. And this all occurred in, 14 really, less than a generation. 15 16 And then the other thing that I don't know if 17 anybody could have seen coming was drug misuse. 18 And so it likely started with, what do they call, 19 those soft drugs. I guess, if I'm using the 20 right term, maybe weed. And again, that was 21 something that I think parents saw behavioural 22 changes in some ways. And again, were concerned 23 that it was substances that were being used by 24 their children.	1 need for services for this population, which 2 still has not -- whether that was day care 3 supports. 4 5 I have a grandson who was born in 2000 and was 6 one in one of the first -- it's still the same 7 day care centre. It's been renovated but he was 8 one of, I think, seven or nine children. And I 9 think that's still the capacity of the day care 10 centre, you know, 20 years later. 11 Caitlin Urquhart: 12 So we'll come back to that. But I just want to 13 sort of close the loop on one of the points you 14 were making. 15 16 So in terms of the reasons that people were 17 accessing or were contacting CSSD for services in 18 the earlier stages, it was predominantly -- I 19 guess the reports would be considered neglect or 20 lack of supervision, as you mentioned. And it 21 seems to me that you're suggesting that over 22 time, from around 2000 on, you started to see an 23 increase in the numbers of people coming because 24 they were having difficulty, basically, asking
Page 122	Page 124
1 At this point in time I think the other thing 2 that was happening, or not happening, was that 3 very few parents were going into the country with 4 their children. 5 Caitlin Urquhart: 6 And just to clarify, so we're talking here around 7 2012. So just the period after the new 8 legislation, after Turner and just before CYFS 9 moved from the health authorities back to line 10 department. 11 Lyla Andrew: 12 A new department. Line department, yes. 13 Caitlin Urquhart: 14 Just in terms of the sort of situating in the 15 time line. And you're saying at that stage you 16 observed an increase, it seems like, from -- 17 Lyla Andrew: 18 I observed an increase in families needing help. 19 Obviously, the population was growing rapidly at 20 both Sheshatshiu and Natuashish. It was not 21 unusual between Sheshatshiu and Natuashish 50, 22 60, 70 births a year between these two small 23 communities, young families. So there was a 24 general increase in population, an equally great	1 for services for their child because they 2 couldn't access the same level of services or 3 because the services are voluntarily the child 4 wouldn't stay. 5 Lyla Andrew: 6 They saw behavioural issues and they were trying 7 to figure out how do we get help with these 8 behavioural issues. So we started to notice -- I 9 would say I observed a lot of 12-, 13-, 10 14-year-olds starting to -- parents coming 11 forward with children at that age. And we also 12 saw numbers of young children, babies, where 13 neglect and lack of supervision would have been 14 considered an issue, not because of anything the 15 babies did or didn't do but because of birth 16 parents not having adequate resources to parent, 17 being themselves caught up in substance misuse, 18 including gas sniffing. And so that it was 19 almost that there were two focuses of concern. 20 It wasn't an issue of neglect or even lack of 21 supervision with most of the older children. It 22 was more about that older children were making 23 decisions for themselves and these were not the 24 same decisions their parents wanted them to make.

Page 125

1
2 And then there were babies coming into care where
3 there was a real concern about the capacity of
4 the birth mother to parent. And in some cases
5 that was birth mothers who had been sniffing gas
6 and maybe a month before babies were due we would
7 receive a report saying that they had no prenatal
8 care and there was concern. The baby was due to
9 be born.

10
11 And in Natuashish where it has been a practice
12 for a long time now for pregnant women to come
13 out of the community about a month before babies
14 are going to be delivered. I think the nurses
15 were concerned that they were sending out mothers
16 who had no care. And so they weren't in a
17 position to be passing on to the health authority
18 any information about mom's progress.

19
20 Now, again, I'm not talking about every birth
21 mother by any means but there were significant
22 numbers of young mothers. And I remember a
23 particularly distressing period. It was
24 distressing for everyone. There were three young

Page 126

1 women who had been gas sniffing and then had no
2 prenatal care, and their three babies were born
3 within a week of each other one summer. And that
4 meant that social workers received these reports
5 from the hospital saying, well, "This baby is
6 here and this baby is showing signs of distress
7 following -- we're not sure what substances mom
8 might have ingested during pregnancy but baby is
9 in withdrawals." We would get those reports and
10 there was no preparation whatsoever. Because I
11 know families must have been aware that these
12 babies were going to be born. For the most part,
13 parents must have been aware but I think they
14 didn't know what to do. They just didn't know
15 what to do.

16
17 After the fact, obviously, there would be anger
18 and frustration. No arrangements would have been
19 made. To carry a baby and the majority of
20 pregnant Innu women are carrying babies and
21 they're making plans for their babies, for buying
22 supplies that they need, for where they're going
23 to live when they leave the hospital, you know,
24 looking forward to rearing up that child. But

Page 127

1 there were a number of young people, young
2 mothers and fathers, going through pregnancy with
3 really no plan whatsoever what was going to
4 happen when baby was born.

5
6 The bar was set pretty low in that it was obvious
7 that removing the babies right at birth from the
8 hospital and not being able to say to the
9 hospital staff -- because we didn't have any -- I
10 left CSSD in 2015, but there wasn't really a
11 smooth communication between, say, the hospital
12 and CSSD.

13
14 So when I say "the bar was set low," we got to
15 the point where if we could reach out to a mom
16 and say what are your plans? And I'm not sure
17 when this legislation came in either, but there
18 was a point where CSSD, through their own
19 legislation, was able to approach a parent and
20 say would you work with us to make a plan.

21
22 But if a parent had not had any children, if it
23 was a first child and they didn't have any
24 children, the law was that if they didn't want to

Page 128

1 work with CSSD you just had to let it go. You
2 were not able to open a case file and try and
3 make plans with other family members, et cetera,
4 et cetera. That was again on the mother.

5
6 I mean, again, isolating a young woman, about to
7 have a baby, when they have been making some very
8 poor choices for themselves and you know they are
9 making poor choices. But these were laws that
10 applying across the province. I don't know if
11 there was another community that would have had
12 three young women who had been gas sniffing
13 deliver their babies in the same week at the same
14 hospital. So that in some ways it was a crisis.
15 It was a crisis, certainly was a crisis for these
16 children. But it was at that point in time that
17 if we could identify someone, a family member,
18 who would take the child then that's what
19 happened.

20
21 Again, and I think this was a difference with --
22 I know this was a difference with the Innu zones
23 and the other zones in the province, that as
24 legislation changed -- and again, this would be

Page 129	Page 131
1 in that period post-2000 coming up to the change 2 in 2019, the significant changes in 2019 -- oh, 3 what was the point I was going to make there? 4 I'm sorry. Can we stop for a minute so I can 5 remember? 6 Caitlin Urquhart: 7 Yeah, the difference. You were saying about the 8 difference with the Innu zone. It was different 9 from the other. Just hoping that... 10 Lyla Andrew: 11 Yeah, and that's what it was, that was the point. 12 But that was the difference? Oh, isn't it 13 amazing how something can misfire like that? 14 Caitlin Urquhart: 15 I mean, you've been on a role, so take a moment. 16 Lyla Andrew: 17 What was that difference? 18 Caitlin Urquhart: 19 I'm sure Ann and Nympha will be grateful for a 20 lull. 21 Lyla Andrew: 22 It's gone. It might come back. I think it's 23 gone but it might come back. Yeah, yeah. I 24 mean, I didn't even have that much difference	1 And I know what was happening in the Innu zone, 2 that I was setting aside those things as less 3 important than trying to find an Innu family, 4 less important certainly when it came, say, to 5 foster families. You know, the tick boxes. 6 There has to be a bedroom for every child. I 7 mean, there have never been a bedroom for every 8 child in an Innu home. I mean, there is no such 9 thing. It wouldn't even be a goal, I don't 10 think, for every child to their own bedroom. 11 Maybe today but that just wasn't important. And 12 so if there was a space for a child and the Innu 13 workers and myself felt, okay, that's a safe 14 home, that's where we would put a child. 15 16 But we didn't do the paperwork. We didn't follow 17 the expected processes. And I'm sure that was 18 very hard for the people that were trying to -- 19 who expected that that's what a regional director 20 or a zone manager would do. Because when CYFS 21 became the line department and we left Lab 22 Grenfell and became a line department, there was 23 a lot of criticism of that system under the 24 health authorities. There had been the
Page 130	Page 132
1 with the other zones to be honest with you. But 2 there was some significant differences. What was 3 this one that I was going to say? 4 Caitlin Urquhart: 5 You were speaking about how other communities 6 wouldn't have -- or you weren't aware of any 7 other communities that had sort of the youth, 8 this type of crisis. And that you've tried to 9 identify someone within the family to take a 10 child. 11 Lyla Andrew: 12 Oh, I know what it was. That there were systemic 13 changes. And this might be reflected in 14 practices across the country, that as more 15 information or ideas came to the Province and 16 they were looking at continuing to build child 17 protection systems, that it tightened up -- in 18 some ways it seemed that the rules were 19 tightening. But at the same time there were 20 systems being introduced to help make 21 assessments, structured decision-making and 22 other -- even foster home approval processes that 23 became very structured. 24	1 Markesteyn Report and there was just a lot of 2 criticism. 3 Caitlin Urquhart: 4 The Deloitte Report as well. 5 Lyla Andrew: 6 Deloitte, yes. And a decision was made to create 7 13 zones across the province. And one of those 8 zones was the Innu zone. So it really didn't 9 change but I was the only remaining director. 10 The other four directors, I guess their jobs were 11 made redundant. And I kept my job. I'm not sure 12 why because I'm pretty sure those other zone 13 managers tried very hard to follow government 14 policies around foster home approvals and 15 documenting investigations. And that 16 accountability is really important but I didn't 17 feel that the very detailed assessment process 18 that was being applied across the province should 19 be applied to families in the Innu zone. 20 21 Again, I felt like, yes, we inhabit the same 22 world as the other children and families in 23 Newfoundland, but there are profound differences 24 in how people think and feel in the history and

Page 133	Page 135
1 in the scope of trauma that the communities have 2 experienced. And therefore, once again, imposing 3 processes that did not reflect the Innu 4 experience, were not meaningful in my opinion. 5 That was my opinion. And I didn't apply them. 6 And I know that that was hard on the staff that 7 worked in the Innu zone with me because they were 8 expectations that they were supposed to live up 9 to in terms of following these processes and yet 10 my heart and my mind was not there, that these 11 processes should be followed. 12 13 And I know there's been refinements to those 14 processes but they still continue. And certainly 15 when I left CSSD in 2015, part of it was because 16 I couldn't do what they wanted me to be doing. 17 It just didn't make any sense anymore. 18 19 There was no one -- it didn't feel like there was 20 anyone else that was advocating for the kinds of 21 change that was needed. And maybe that's because 22 no one else within Innu leadership was working 23 within the system at that point in time. And so 24 the things that were happening, the anger, the	1 Lyla Andrew: 2 Yes. 3 Caitlin Urquhart: 4 So we'll take just a brief break. 5 6 (Off the Record) 7 8 Caitlin Urquhart: 9 We'll return from the break. You can finish your 10 thought on that situation which a social worker 11 was asked to leave the community. 12 Lyla Andrew: 13 And I'm not really sure what prompted me to use 14 that example. 15 Caitlin Urquhart: 16 So you were saying there was no one else really. 17 So you were doing advocacy at the time and didn't 18 feel that you could do what CSSD was asking you 19 to do. And there was no one else really working 20 within the system was how you had put it. 21 Lyla Andrew: 22 Yes, I do remember saying that. And it did feel 23 like it was the Sheshatshiu office and the 24 Natuashish office against the world. In some
Page 134	Page 136
1 response to what was happening with parents 2 protesting and those sorts of events that were 3 going on, hunger strikes, I didn't necessarily 4 see those in the same way or as having the same 5 impact. It was kind of like the Province was 6 just kind of riding those out. We'll ride them 7 out. We'll just stay focused on guiding the ship 8 and we'll ride out these things and these 9 challenges. 10 11 And I know that at one point a social worker was 12 -- the direction came from band leadership that a 13 social worker, they know longer wanted her 14 working in the community of Sheshatshiu and there 15 was a BCR drawn up to get her out of the 16 community. And when we met to discuss that with 17 the regional director and others, it was based on 18 the fact that she had been involved in a 19 particular case that had been a very distressing 20 case, the death of a child, but she wasn't the 21 social worker that was involved in that case. 22 Caitlin Urquhart: 23 Can we pause for just one second? 24	1 ways that's the way it felt. And I know there 2 were good people in the system who also wanted to 3 see change, social workers on the ground, some of 4 the people in the provincial office. However, 5 there just was not the will. 6 7 Up to when I left CSSD in 2015, it didn't feel 8 like there was the political will or the 9 professional will on the part of the social 10 workers who were running the department to make 11 the changes that it was obvious to me that needed 12 to be changed. 13 14 I think I started off by saying earlier, it 15 wasn't that the system was broken, the system 16 continued to be imposed. But it was a system 17 that was completely outside of any kind of 18 meaning for Innu. And outside of any real 19 capacity to address the level of trauma that 20 families were living with as a collective. And I 21 didn't see that that was going to change. And 22 what I saw was families, Innu people becoming 23 increasingly angry and increasingly frustrated. 24 But I think they were frustrated and angry in a

Page 137

1 lot of areas of their lives because the community
 2 was also -- you know, in 2015, I think the school
 3 board was just starting out, the Innu school
 4 board.
 5
 6 So, I mean, it wasn't as if the only thing going
 7 on in the lives of Innu was Child and Family
 8 Services. For me, yes, that was my life. But,
 9 you know, Innu were dealing with hunting bans and
 10 poor graduation rates and attendance rates in the
 11 provincial schools and all these other really
 12 significant life issues. And I just think
 13 generally people were angry and frustrated. And
 14 sometimes that level of anger and frustration had
 15 to come out. And I think in this particular
 16 instance there was tragedy and the advocate did a
 17 report, the Child and Youth Advocate did a
 18 report. And I think it was an extremely poorly
 19 done report and I'd be prepared to speak a little
 20 bit more about that at some point. But it also
 21 showed, okay, here is the advocate and she's not
 22 advocating -- she wasn't, in my opinion,
 23 advocating for Innu children. And it just all
 24 culminated in elected leadership banning a social

Page 138

1 worker from the community when she hadn't been
 2 the social worker who was involved in the case to
 3 begin with. But I think there were other reasons
 4 people were maybe unhappy with, you know, how she
 5 was doing her job. But she didn't have any
 6 directly to do with the death of the child that
 7 came under the Advocate's scrutiny.
 8 Caitlin Urquhart:
 9 And just for the record, that's the Stolen Life
 10 report?
 11 Lyla Andrew:
 12 Yes.
 13 Caitlin Urquhart:
 14 So that is Exhibit P-047 which is at tab 4 of the
 15 exhibit books. So we will pause there, unless
 16 there is anything further you wanted to say,
 17 we'll wrap up for the day. Excellent. All
 18 right. So we're all finished.

19
 20 (Inquiry is adjourned to February 18, 2025)
 21
 22
 23
 24

C. URQUHART: Thank you, Commissioners.

I just want to take a quick moment to clarify something from that video. The exhibit referred to, P-116, one-sixteen, is the same exhibit as P-045. So it will be in your books at P-045. One version was missing a page, so we've consolidated the two and you'll find that in your book at P-045.

Also I just wanna take this opportunity to enter some exhibits for the upcoming videos. So I'll enter P-081, P-126 and P-152 – 152 – to P-168. So just entering those batches of exhibits for the upcoming videos and witnesses.

COMMISSIONER IGLOLIORTE: Thank you.

Madam Clerk, enter those please.

Okay, are we rolling, Bob?

[Video played.]

COMMISSIONER IGLOLIORTE: I'll remind the public, especially – counsel are aware of this – that we're trying to find from the witnesses, whom we believe, and that includes Ms. Andrew, the upcoming provincial witnesses – that this is not Court TV.

We're here to look at the impacts on Innu, and especially to determine the systemic issues that we will make recommendations upon. We're not impugning – we will not be impugning anybody's character, we won't be doing cross-examination in a way that will question the veracity of what they said. We know what happened. We're aware of the trauma of Innu generally. What we want to do is to find a way to come to a better appreciation of how the child protection system can work.

I'll ask the technicians now to continue with the tape.

Okay, we can proceed.

[Video played.]

Page 5	Page 7
1 The context, to me, was everything. If you're 2 dealing with traumatized communities, I think 3 you're going to see elements of risk that are not 4 seen throughout the province, in a system where 5 child welfare, as I understand it, is not 6 something that would -- it would apply to 7 everyone, but it would be assumed that only a 8 certain percentage of the population would ever 9 require Child Protection Services. A very small 10 -- let's say 10 percent would. And maybe it's 11 even smaller than that. So but you would presume 12 that most families are managing. Yes, they need 13 resources on a continuum of needs that any family 14 would have, but in the Innu communities, which 15 are documented as colonized communities, with all 16 of the impacts that came with that, to try to use 17 a tool that would be used everywhere else in the 18 province was, at the outset, setting us up, I 19 felt like, for an interpretation that might not 20 be very valid. 21 22 So in this report, I wanted to indicate that I 23 didn't really fully understand the purpose of the 24 review, but I was directing the staff to take	1 context, but, and I think I was being consistent, 2 because although I didn't start off understanding 3 in the beginning the unique context, because I 4 didn't understand anything, anything at all, 5 about Innu history. But by 2006, I certainly had 6 a much increased awareness of Innu history and of 7 Innu health. And so much of that came about as a 8 result of the experiences that I had living with 9 my extended family and other Innu in the Country 10 over many years, and experiences in different 11 places in Nutshimit. And all of that was context 12 for this particular piece of work. 13 Caitlin Urquhart: 14 Before we get into the numbers, you've mentioned 15 before in a previous conversation about the way 16 in which risk came to be defined and assessed 17 through these tools. And, you know, you've 18 alluded to it here, but I wonder if you could 19 elaborate a little bit about why that framework, 20 to you, didn't make sense in the Innu context, or 21 why that framework sort of applied differently or 22 was challenging to apply in the Innu context. 23 Lyla Andrew: 24 The risk framework is very individualized. And
Page 6	Page 8
1 part in this review. And it was a focus on high 2 risk cases. 3 4 And for me, defining high risk was a challenge 5 from the beginning, and so I actually said, "It 6 is clear it is a challenge in the Innu zone to 7 define high risk, and that different districts 8 and different regions and individual social 9 workers might define risk differently. And each 10 social worker would be right in terms of their 11 own assessment of risk, because the context of 12 the workplace and communities across the province 13 is not the same. The Innu zone is unlike any 14 other provincially. The first language of 15 clients is not English. The only language of all 16 the social workers is English. The history of 17 the Innu in relation to the delivery of social 18 services, now Child, Youth and Family Services, 19 is unlike any other provincially. And this 20 review process only served to emphasize this. 21 Therefore, the analysis of the data needs to 22 reflect this fact. 23 24 I mean, I was placing this in this unique	1 so it's based on assumptions, I think, that the 2 child and family you're dealing with is an 3 individual child and family. And there's nothing 4 outside that individual child and family that 5 really has bearing. That the parents have 6 control for their children. That they're in 7 their custody. It's up to them to navigate this 8 world on their own or with resources. You know, 9 if they're seeking out resources, find resources. 10 But it's very individualized. And I think that's 11 the way of the world, provincially, is that Child 12 and Family Services focuses in on individual 13 families. And whatever else is happening in the 14 community of Gander really doesn't have bearing 15 on that particular family. They're responsible 16 for how they parent, the decisions they make, et 17 cetera, et cetera. 18 19 I believe that Innu culture and the current Innu 20 villages, communities reflect a very different 21 way of seeing the world. And that's literally 22 based on 1000s of years of history. It's not 23 like, okay, well, 100 years ago. But 100 years 24 ago, and for hundreds of years before that, 1000s

Page 9

1 of years before that, Innu lived in large family
2 groupings and took care of their survival needs,
3 they took care of rearing up children, and it was
4 a collective process. And if anywhere, that
5 little adage, it takes a community to raise a
6 child, really applied to Innu culture, because
7 that's exactly what Innu culture did.

8
9 And there are many, many examples of that, of
10 Innu children who, following a tragic drowning of
11 family, other Innu would step up and say, "You'll
12 be a part of our family now." And there were no
13 interventions by formal systems. And that was
14 something -- that was taken care -- I mean, those
15 were life-and-death situations, and those were
16 taken care of and managed by Innu. And I don't
17 think that because the Innu as a people were, in
18 essence, forced by circumstances to move into
19 villages in the '60s, and see much of their
20 culture being dismantled, certainly the spiritual
21 base was, tremendous efforts were made to
22 dismantle that, those efforts are ongoing, so
23 that, you know, formal religion was pushed by the
24 individuals that had the power over, you know,

Page 10

1 community members. And all of that, to me, has
2 bearing on when you have a system of organized
3 help focused on Innu people. And that's what
4 Child and Family Services was. It was a system
5 organized around the idea that there would be
6 some individual families in any community
7 anywhere that would need help from time to time.

8
9 When that was brought to bear in the Innu
10 communities at the very outset, one can see that
11 that's just not going to work. Because you try
12 as hard as you might, if people see themselves a
13 part of something bigger than it's mom and dad
14 and our two kids, if they see themselves as
15 something bigger than that, and they seek and
16 they are expecting to receive support and help
17 from a larger group than that, if what you're
18 assessing is what it is mom brings to the table
19 or what it is dad brings to the table, you're
20 missing a huge amount of potential support and
21 strength.

22
23 And as well, if what you're doing is looking at
24 issues that are deemed to put children at risk,

Page 11

1 like family violence, family violence does not
2 take place in a vacuum. And the system, at one
3 point I can remember -- this is another
4 difference, I suppose, between the early days of
5 Social Services. And, you know, generally, once
6 there was an understanding and research had been
7 done and there was an understanding that
8 violence, partner violence, even if an
9 individual, a parent, mom or a dad, never
10 physically harmed the child, that there was
11 significant harm to children witnessing family
12 violence, even being aware that, you know, there
13 is family violence going on from very, very young
14 children up to older children.

15
16 So when the legislation took -- for example, that
17 became one of the elements of a child is deemed
18 to be at risk of harm, or is harmed as a result
19 of family violence, now we had the RCMP coming
20 forward with all of the reports that they would
21 receive about family violence. So they would be
22 the first responders in situations of family
23 violence, but the system would then make sure
24 that those reports had to go to see to CSSD, so

Page 12

1 that there would be interventions on behalf of
2 the children.

3
4 Again, you know, you just had more eyes looking
5 at individualized situations and following their
6 mandates to say, well, now this happened, we've
7 either removed the parent and they now have a
8 court order of no contact with the mother. Well,
9 then we'd become aware that the mother would be,
10 many, many cases, saying. And this is an element
11 of partner violence. "I don't want to lay
12 charges." "I need my partner." "He's back
13 home." "Kids would be upset." Might be the sole
14 wage earner. Those kind of situations would
15 become more complex.

16
17 So, obviously, you can have family violence in
18 any community in the province, but I have to put
19 the Innu communities smack dab in the middle of
20 the context. That they are communities that have
21 experienced colonization. They are communities
22 that in their early years were traumatized by the
23 actions of many of the powerful non-Innu people
24 who had control over Innu lives, every element of

Page 13	Page 15
1 Innu lives. 2 3 And I think that is not an experience normally of 4 non-Innu people in this province. And I think 5 unless you understand what that control must have 6 felt like for people to have to get a license to 7 cut wood. I mean, these things seem -- you know, 8 license to kill an animal, to feed, I suppose, to 9 some people, those things seem acceptable. But 10 to Innu, I think it's kind of like, this is 11 ludicrous. And that's why you had elderly Innu. 12 I remember, you know, court actions, people 13 charged, an elderly Innu would say "It feels like 14 when I live in Sheshatshiu that I'm in jail." 15 16 You know, that's a way of viewing yourself in 17 relation to the world that living in a village 18 where you're not in jail, you can come and go. 19 But to Innu people who were used to living on the 20 land it could feel like being in jail with that 21 level of control over your everyday actions. 22 23 So all of that is a very long way of saying I 24 didn't have a lot of confidence or even	1 and the trauma that I have tried to describe, 2 that I believe the Innu have lived with since 3 coming into villages. 4 Caitlin Urquhart: 5 So I think you said to me in your pre-interview 6 and I just want to kind of put it to you that you 7 flag that essentially, in other communities, risk 8 might be useful, as you say, because there is 9 only a small percentage of the community that may 10 have risk factors. Whereas, in the Innu 11 communities, the fact of being in a traumatized 12 community means that everyone has risk. 13 Lyla Andrew: 14 Is impacted by that. Yes, yes. 15 Caitlin Urquhart: 16 So that the risk factor sort of is so ubiquitous 17 as to almost be meaningless in a way. Like how 18 do you tease out... 19 Lyla Andrew: 20 Yes, exactly. How do you say, well, that family, 21 you know, the parents are still drinking, the 22 grandparents are so -- sorry. 23 Caitlin Urquhart: 24 No, that was me. I'll repeat that, just because
Page 14	Page 16
1 understanding in what we're doing. But I also 2 didn't have the skills or the capacity at the 3 time to say, "Look, let's look out west for 4 tools." 5 6 I describe my focus in 2006, and before that, and 7 subsequent even, as it was like my head was kind 8 of down looking at all these concerns, and I 9 didn't look up for years to read. I knew, 10 because 2005 I'd gone out, Touchstones of Hope. 11 I knew that there were other communities 12 struggling, but I also knew they were struggling 13 with many of these same issues, you know, in 14 Saskatchewan, Manitoba. You know, provincial 15 agencies, just like the one I worked for, were 16 working on many of those reserves. And I had no 17 connections with those agencies, but I knew there 18 were other Indigenous people trying to bring 19 about change, trying to change these huge systems 20 that generally were operating for all of the 21 people in a province. But it's very different 22 when they would be imposed on smaller communities 23 that had experienced -- certainly out west, 24 residential schools and all the trauma of that,	1 my... 2 (Technical difficulties.) 3 Caitlin Urquhart: 4 What do you mean by "ubiquitous"? That it's sort 5 of experienced by everybody, in terms of all of 6 the households would be at risk based on the fact 7 of this collective trauma of colonization. And 8 then some of those symptoms of that that you've 9 talked about, substance misuse, as well as all of 10 these abuses from -- the sort of (inaudible) 11 effects from the abuses of people in power, the 12 physical and sexual abuse of children and all 13 that, and the symptoms of those kind of 14 collective traumas, mean that the risk is kind of 15 everywhere. Everyone, in some way or another, is 16 at risk. So it makes it a less useful tool, 17 essentially, because, how do you differentiate. 18 19 So I think that in terms of your assessment here 20 of which cases are high risk, that's one of the 21 challenges, is -- you know, or medium risk, when 22 maybe the baseline of what you're referring to 23 might be different than what other communities 24 are considering as kind of the normal, the

Page 17

1 baseline level of risk.
 2 Lyla Andrew:
 3 Yes, yes. And it would also suggest that if you
 4 were going to place value, numerical value, or
 5 saying the scope of these issues is, you know,
 6 very high in this community, in turn, it would
 7 make sense that you then say, well, then, the
 8 resources that are needed to respond to that
 9 would have to be equally high. But that was
 10 never the case.
 11
 12 I believe, you know, you have high risk
 13 caseloads. You're identifying that the entire
 14 community is at risk because of, I think, the
 15 expression. I remember being told at one point
 16 it was as if - and I would say this was in the
 17 late '70s, early '80s - the Innu were on their
 18 knees as a result of being collectively knocked
 19 down. But we had individualized systems like
 20 Child and Family Services that would say to a
 21 family, "Well, you know, you need to run. You
 22 need to run with this. You need to address the
 23 alcohol misuse that you've been using, and that's
 24 the way you're going to get your kids back. And

Page 18

1 that's that."
 2
 3 And certainly, there were Innu trying to assist
 4 with some of that service delivery. But again,
 5 these were entire communities that were impacted.
 6 It's not that people could say, you know, might
 7 be able to say in some small community in
 8 Newfoundland, well, we know that that family, I
 9 mean, there's chronic alcoholism in that family.
 10 We all know that family. But it impacted every
 11 family, even families that were no longer --
 12 parents were no longer misusing substances. That
 13 didn't mean that their children had grown up in a
 14 stable, consistent home feeling safe all the
 15 time. Didn't mean that their children had dealt
 16 with the harm that they experienced when they
 17 were younger. And that as teenagers, they
 18 weren't really angry.
 19
 20 I mean, when I think about the collective impacts
 21 of colonization, from an adult perspective I can
 22 only imagine the anger that that ensues. You
 23 still have to live your life day to day. You
 24 still have children you have to provide for. But

Page 19

1 inside there must be this accumulating anger that
 2 what can I do about these situations? Here come
 3 these non-Innu people saying that I'm placing my
 4 child at risk.
 5
 6 Yes, I hurt my wife. I hit her, but I would
 7 never touch my children. And I know workers
 8 would hear that, but the risk factor, family
 9 violence, tick. The box is ticked. You know,
 10 substance misuse, I will leave my children. My
 11 parents look after my kids. Yes, I went off on a
 12 binge, but my kids were with my mother, and they
 13 were fine. Substance misuse, risk factor, tick.
 14 And it would just -- yeah.
 15 Caitlin Urquhart:
 16 And I think you mentioned this a bit when you
 17 were talking about the children being sent out.
 18 Similarly, you're saying, what message is this,
 19 in terms of suggesting that that individual is
 20 the problem, rather than looking at the systems
 21 of colonization --
 22 Lyla Andrew:
 23 And that was a very concerned message to think
 24 that children would be thinking, I'm the problem.

Page 20

1 Because I didn't meet any -- I have not yet met
 2 any Innu parents that don't love their children,
 3 but I have met quite a few Innu parents who did
 4 say "my child needs to come into care. Their
 5 health and their behavior is too scary. Children
 6 have taken their own lives. I do not want my
 7 child to be the next child who takes their life."
 8
 9 And that's another context that is not shared
 10 with the rest of this province, this tremendous
 11 fear that as suicides happened and there would be
 12 -- what's that expression when one suicide
 13 follows another suicide? Almost like there's an
 14 expression for that. It's like groupings. But
 15 that's not the term. I don't have the proper
 16 term. It's not coming to me. But, and that
 17 happened in Sheshatshiu, where you'd get, you
 18 know, unfortunately, in a very short period of
 19 time, a couple of suicides. And I mean, even
 20 some of these people are children. They're
 21 children. And so combined with that anger that I
 22 think is carried by many, many Innu people, is
 23 this fear that no matter what they do, that their
 24 child is going to be impacted by the death of

Page 21	Page 23
1 another child. That their child is going to 2 experience the same thing. And I think that 3 drove parents to CSSD, and CSSD did not have any 4 resource. 5 6 So taking children into care and placing them out 7 of the community, on the one hand, that could be 8 viewed as a safe situation for that child, but on 9 the other hand, how do you assess the risk that's 10 associated with loss of connection, loss of 11 relationship to people who maybe only speak your 12 first language. Loss of place, loss of identity. 13 I mean, all of those things are also about the 14 safety, the safe development of an individual 15 child's identity. And sending children away gave 16 the message that to keep you here, you're not 17 going to be safe here. There's someplace else 18 that's safer. 19 20 And I think that's very hard for both. That's a 21 very hard message for both children and adults. 22 But I know it must hit children very differently, 23 because maybe they haven't fully taken on their 24 Innu identity yet, and to be getting these	1 many cases they are placed with families outside 2 of Sheshatshiu and Natuashish (and in some cases 3 outside the province) that have no understanding 4 or appreciation of Innu culture and Innu 5 immediate and extended family relationships." 6 7 And he goes on to say, in the second last 8 paragraph on this page, "It is my view that this 9 devolution issue must be addressed with much 10 greater urgency and I would like to meet with you 11 at the earliest possible date to discuss options 12 for accelerating the devolution." 13 14 He talks about some interim measures, and goes on 15 to say "An increasing number of parents and 16 community individuals are coming to me expressing 17 alarm about the best interests of Innu children 18 who have been removed from their families and in 19 many cases placed in culturally inappropriate 20 environments." 21 22 And goes on to sort of stress the importance of 23 this issue. So that sentiment that you were 24 identifying, I think, was also being stated very
Page 22	Page 24
1 messages that Innu are not as good enough. Innu 2 can't keep children safe. Innu drink too much. 3 Innu people fight too much. Those are very, very 4 damaging messages for Innu children to receive. 5 And because of that, we have to send you away. 6 Caitlin Urquhart: 7 Well, I'd like to do -- so we're going to come 8 back to this exhibit, but I'm going to just 9 continue with the thread of what you're speaking 10 to, and go to Exhibit P-070, which will be at tab 11 20 of your book. And on the second page here, 12 this is a letter from Daniel Ashini. And it is 13 dated January 15th, 2007, to the Minister of 14 Health and Community Services. And speaks 15 exactly to that concern. 16 17 In the first paragraph here, the Innu Nation 18 president, the then Innu Nation president, 19 indicates that "The problem is two fold. In the 20 first place, it has to do with what many Innu 21 people and families have explained to me is the 22 unwarranted removal of children from families. 23 In the second place, the problem is the 24 inappropriate placement of removed children as in	1 plainly, really, by the leadership of the day. 2 This is obviously 2007, so it's a little bit 3 later. But that there is a cost or there is a 4 real challenge with what they've referred to as 5 inappropriate placements, or placements where 6 Innu culture and Innu immediate and extended 7 family relationships aren't properly understood 8 and attended to, I guess. 9 10 So I think I just wanted to sort of flag that. 11 I'm sure you would have been generally aware, as 12 you mentioned that there were a number of 13 different things going on. There was some anger, 14 or I don't know if "backlash" is the right word, 15 but like, there was mounting pressure, I guess, 16 from Innu leadership about these issues in that 17 time. 18 Lyla Andrew: 19 Yes, yeah. I don't know that I'm really 20 responding to a particular question, but I think 21 it's fair to say that any president of Innu 22 Nation - and at the time Daniel was the president 23 of Innu Nation, the late Daniel Ashini was the 24 president of Innu Nation - that his job was to

Page 25	Page 27
1 respond to Innu members who would come to him and 2 say, this is an issue and what are you going to 3 do? There was an expectation that Innu 4 leadership would respond. 5 6 But as the president of Innu Nation, it was an 7 expectation that Innu-elected leadership would 8 respond to all of the issues that were coming to 9 their plate and impacting their community. 10 11 And I would say that by this time, by 2007, there 12 were probably maybe 40, 50, foster homes in 13 Sheshatshiu. The community probably had more 14 foster children who were living in the community 15 of Sheshatshiu in terms of numbers of community 16 of 2000 -- wasn't even 2000 people in 2007. 17 There wouldn't have been that much of a 18 population. But probably there were more Innu 19 children in the Innu communities, in foster homes 20 than in any other communities in the province of 21 comparable size, way more. And so it became 22 increasingly difficult - I think I did mention 23 this yesterday - for placements. 24 Behavioral-related placements children that were	1 fester. 2 3 So this is 2007 -- 4 Caitlin Urquhart: 5 And I wonder, actually, if we can just go back. 6 So I just wanted to kind of flag that as sort of 7 echoing what you had been saying, and go back to 8 the previous exhibit, P-069, and just refer to... 9 10 So you said, and I'm paraphrasing, that you would 11 think that high risk would mean higher resource 12 needs. And this is, again, what you're alluding 13 to when you just said behavioral placements and 14 babies and very young children were hard to place 15 in the communities because those types of 16 placements require additional resources. 17 18 I'm assuming that's the reason, as you said, 19 respite care, child care, there's additional 20 resources that are needed to be able to provide 21 appropriate placements for those types of 22 circumstances. 23 Lyla Andrew: 24 Not only that, but you could anticipate, if
Page 26	Page 28
1 acting out, very difficult to place them. 2 Because there would be the assumption kids would 3 have a safe place to stay, but they would get up 4 and go to school in the morning, and foster 5 parent maybe would go to work, and that quite 6 often wasn't the case. 7 8 And similarly, with babies and very young 9 children, it was very hard to support that kind 10 of an arrangement because of the amount of effort 11 that would be required from a foster parent. 12 13 In some cases, if you didn't have child care, it 14 would mean you couldn't go to work. So, but that 15 didn't mean - that doesn't mean today, and it 16 doesn't mean then - that there's anything 17 inaccurate about these statements. But to me, I 18 see it falling on deaf ears because I don't know 19 how the provincial minister and the Province, in 20 terms of all of their dealings with the Innu on 21 issues like hunting and, you know, resource 22 development and justice and all of these issues, 23 everything wasn't going to be dealt with. And 24 this was one that continued to, I believe,	1 parents were dealing with intergenerational 2 trauma issues, and perhaps misusing substances, 3 that at some point that was going to come to a 4 head. But CYFS was structured in such a way that 5 it's only when the concern came in the form of a 6 child protection report. So something bad has 7 happened, or it's anticipated that something bad 8 is likely to happen, there'd be a child 9 protection report, and then there'd be this 10 response to that concern. 11 12 There was no prevention. So there was no focus 13 on how does CSSD assist families that we know are 14 at risk? It's one thing to document there's all 15 this risk, but when you're only coming at it at 16 the point there's a crisis, chances are you are 17 not going to be very effective. You're dealing 18 with a crisis. It's the worst time perhaps in a 19 family's life. 20 21 I cannot think of, you know, short of -- you 22 know, people go to jail, adults go to jail, bad 23 things can happen. But I think one of the worst 24 things that could happen is for someone to come

Page 29	Page 31
1 to you and say, "You're not doing a very good job 2 of taking care of your children, and so we're 3 going to take your children from you." 4 5 I mean, the message that people are hearing is 6 that, it might be couched in nicer ways, "We're 7 here to help with the safety plan." Like today, 8 we'd be saying "We're here to help with a safety 9 plan. Who can help you out?" But at that point 10 in time, it was "Your children are not safe. 11 They can't stay with you because they're not safe 12 and we don't have any more resources here." 13 Caitlin Urquhart: 14 And I want to sort of stick on that resources 15 like, just to focus on that for a moment and to 16 look at what's page 18, or, sorry, 19 of this 17 exhibit. You'll see there's the review of the 18 statistics and the child protection caseload, the 19 number of social workers. So you have in 20 Sheshatshiu, four social workers. And 21 Natuashish, two social workers. The average of 22 that caseload per social worker in Sheshatshiu 23 being 56. And in Natuashish being 59. 24	1 indicated here. So the Natuashish caseload is 41 2 percent assessed as high risk. And the average 3 caseload per social worker is 59 cases. 4 5 So just in terms of the actual resource need, if 6 you were going to attempt to reach that sort of 7 ten high risk cases per social worker, and then 8 for anyone doing the generalized it would be 20 9 to 25, you're certainly going to need quite a few 10 more social workers to meet that. 11 Lyla Andrew: 12 And then there's still the fact that who are 13 these social workers? And what is their 14 understanding of the people, the families, the 15 communities that you would be hoping they would 16 work in? 17 18 And at that point in time, the Innu had already 19 undertaken a review, at Sheshatshiu anyway, of 20 the need for social work education for Innu 21 people. And there was no funding. At this same 22 process, this trilateral process that the late 23 Daniel Ashini refers to in his letter, already 24 the request had gone to that table to request
Page 30	Page 32
1 Do you happen to know off the top of your head, 2 what would be a kind of ideal or the target 3 number for caseloads for social workers, 4 approximately? 5 Lyla Andrew: 6 My understanding when I was working for 7 provincial government was for high risk cases, it 8 would have been 10. 9 Caitlin Urquhart: 10 Right. 11 Lyla Andrew: 12 And for a generalized caseload, 20-25 would be 13 optimal. But this report is about high risk 14 cases. I haven't done the math. I know there 15 were lots of times that social workers -- because 16 this does not take -- you know, you've got the -- 17 I don't know how you did your math there. I 18 don't know if it's just these numbers here? 19 Caitlin Urquhart: 20 Yes, yeah. Yes. 21 Lyla Andrew: 22 So 59 -- 23 Caitlin Urquhart: 24 And then the percentage of high risk is actually	1 that social workers -- that there be support for 2 the training of Innu people who wanted to become 3 social workers and teachers. The same request 4 went in for teachers as well. 5 6 As I said earlier, both of those institutions, 7 those systems were seen as having tremendous 8 impact on Innu children and families, and not 9 necessarily a good way. So Innu people knew, if 10 we can gain more understanding of the ways that 11 we might be able to help, then that's a resource 12 we need. 13 Caitlin Urquhart: 14 Right. 15 Lyla Andrew: 16 Because that's going to take time. But at the 17 time the federal government was unwilling to 18 invest in that process. 19 Caitlin Urquhart: 20 So in some ways, there's sort of a twofold issue. 21 One is, on its face, applying the provincial 22 system and the non-Innu sort of lens, you see 23 that greater resources were needed in the 24 community from sort of social workers.

Page 33	Page 35
1 But on the other hand, you're saying that the 2 that sort of Innu specific for Innu, whether it's 3 Innu social workers or other sort of resources 4 that would address the particular context were 5 also needed. So it's not just, you know, add 6 five more social workers, or whatever the number, 7 I didn't do the math, but that particular number. 8 9 There's also this other layer that you've 10 mentioned throughout, which is just that you're 11 still applying a non-Innu system to Innu and that 12 has... 13 Lyla Andrew: 14 And the decision makers about who are going to 15 make decisions about what's in these Innu 16 children's best interests, the decision making 17 still lies with non-Innu decision makers. 18 Caitlin Urquhart: 19 Right. 20 Lyla Andrew: 21 And there was an awareness that that's a basic 22 part of this issue that was known before this. 23 That was put out on the table for everybody to 24 think about and know about well before this point	1 was a brick wall. 2 Caitlin Urquhart: 3 And there are, as we've discussed, various 4 attempts over time to bridge that gap, to work 5 towards devolution. And I wanted to bring us now 6 to P-072. That'll be at tab 22 in your book. 7 And this is an information note from 2010. I 8 believe, October 10, 2010. And on page 3, it 9 speaks about -- so this is a budget or an 10 information note about provincial support for the 11 Labrador Innu. 12 13 And if you scroll down a little bit further, 14 please, there's a section here on Child, Youth 15 and Family Services. It indicates that staff 16 resources, including an increase in the number of 17 social work positions in Labrador were completed 18 in the wake of the operational review that we 19 referenced earlier, in the Turner Review, which 20 we also you referenced earlier. 21 22 In addition, there was the director position for 23 the Innu communities that you held, and it 24 indicates -- and the final point, that the
Page 34	Page 36
1 in time. 2 Caitlin Urquhart: 3 Well, in your report, in 1992, you said that, 4 right? So fully a decade, over a decade before. 5 Lyla Andrew: 6 But there was no bridge. Like in my head I'm 7 thinking, what process could any former president 8 of Innu Nation have used as a bridge between that 9 Innu organization? Because that is absolutely 10 where people would go, would be to the Innu 11 Nation. And today, you know, people still go to 12 elected leadership. When they are looking to see 13 change brought about, they go to Innu leadership. 14 But there was no process in place for anyone Innu 15 to bring a focus to how do we build this bridge 16 between two very, very different perspectives? 17 Innu children and families in need of supports 18 and services, Innu leadership wanting Innu 19 children and families to receive adequate 20 appropriate supports and services and the federal 21 government, who is funding the provincial 22 government, to deliver supports and services to 23 those Innu children and families. There was no 24 bridge -- is the only way. It was a wall. It	1 government continues to participate in 2 discussions on devolution to the Innu. 3 4 So that's in 2010. And at that time, as I 5 understand it, there was some sort of further 6 push around devolution. Would you have been 7 aware of that at the time? 8 Lyla Andrew: 9 I think the short answer is no. I mean, this is 10 an information note coming from the Department of 11 Labrador and Aboriginal Affairs. So that's not a 12 department that, in 2010, when I was working for 13 the Child, Youth and Family Services department, 14 I don't know if they were talking to each other. 15 Obviously, there's reference here to the 16 supports. 17 18 I do know that there was a bilateral agreement in 19 place, I'm almost positive by 2010, so that the 20 funding for all of the services to Innu children 21 in care, and the operations that was provided by, 22 I suppose, at the time, I don't know what 23 department, Indian Affairs, Northern INAC, Indian 24 and Northern Affairs Canada.

Page 37	Page 39
1 So the Province was receiving money to provide 2 those services but the Innu were not -- 3 certainly as an employee of the department, I 4 wasn't privy to the budget or anything to do with 5 the budget or decisions about how many social 6 workers there would be. But all of the other 7 things that I've already talked about. I mean, 8 you could have -- yeah, it's just that the flaw, 9 the basic flaw existed from the very outset, 10 which was that Innu had no opportunity at that 11 time to have any involvement in decision making 12 about Innu children and families. 13 14 And I don't know if there were opportunities 15 lost, whereby Innu Nation or the First -- I mean, 16 both bands have health commissions. But, again, 17 I don't think there was ever any funding made 18 available to where the focus would be on Child, 19 Youth and Family Services, which is obviously 20 connected to everything else. In terms of how a 21 family does at the end of the day, if they don't 22 have enough food, and they don't have housing, 23 and they have very unstable income, all of those 24 things are going to impact parenting.	1 governments, departments go through all these 2 evolutions. They don't start off with a perfect 3 system of delivering anything, whether that's 4 health services or social services. It's pretty 5 much trial and error for a long time. 6 Caitlin Urquhart: 7 Absolutely. So I'm going to focus on what kind 8 of a next stage, I would say, of that evolution. 9 As you said, it didn't -- so you weren't really 10 involved in the devolution talks that were 11 happening around that time. But in 2012, the 12 CSSD, or CYFS (as it then was), and the two First 13 Nations entered into Memorandums of Understanding 14 that were predominantly, I guess, around 15 information sharing. But you would have been at 16 CSSD at the time. 17 18 So can you speak to your understanding of sort of 19 how that came about, and then what the 20 implication was for those on the ground working 21 within CSSD at the time. 22 Lyla Andrew: 23 The establishment of the line department, can you 24 remind me when that was? The line department?
Page 38	Page 40
1 But, you know, I know that -- I'm trying to see 2 the Labrador Comprehensive Innu Healing Strategy. 3 I mean, I know that was being developed. I was 4 certainly aware of that. There's one sentence 5 here about that. And but, again, that was 6 established outside of the two communities in 7 Goose Bay with, again, a large numbers of 8 non-Innu people in decision-making roles. And I 9 think that the potential to have a process -- it 10 was lost through that process. 11 12 I'm sure that was -- you know, sometimes I can 13 only imagine Innu leadership being in positions 14 where they think, okay, you know, we're in a 15 process here, so-called of devolution, and we'll 16 take these steps because this is what's being 17 offered as a process. And it's not until you 18 reflect on how that didn't work that you can say, 19 well, that didn't work. But at that point, the 20 money is spent. Hopefully you've learned some 21 lessons. 22 23 So I can't fault Innu leadership. I mean, you 24 know, provincial governments, federal	1 Caitlin Urquhart: 2 So my understanding is that the Innu -- or 3 Labrador was the last to integrate, and they came 4 over, they were fully under the line department 5 in March 2012. 6 Lyla Andrew: 7 Okay. And that's significant, because what was 8 happening was that all sorts of things were 9 bubbling up in both the communities with families 10 being disgruntled, angry, frustrated with the 11 fact that the continual, ongoing nature of the 12 child and family system continued to be applied. 13 To people on the ground, and to me too, it didn't 14 seem that we were making any progress at all. 15 The issues were all there. But when those issues 16 start to bubble up so that chiefs are being 17 involved, families are going to chiefs, and 18 chiefs are then talking to ministers, or the 19 premier, taking their responsibility to represent 20 community members and going forward to do that. 21 They weren't coming to me to ask for change, but 22 I think they knew very well that my capacity as a 23 zone manager to bring about change was pretty 24 limited. So they were going to the people that

Page 41	Page 43
1 they knew were decision makers. 2 3 And I think that first MOU in 2012 was an effort, 4 it was the very first effort to look, in terms of 5 actually coming to, you know, a piece of paper. 6 I mean, there was that earlier effort, much 7 earlier effort, to try and get a board 8 established. Who knows where we might have been 9 by 2012. Because what was that, 1992 to 2012? 10 That's a long time. We'll never know what might 11 have happened again in all that length of time. 12 13 But by 2012, you know, again, I think there were 14 people that were protesting. They were going to 15 a Innu leadership. Innu leadership had to 16 respond. And that MOU, I think, was the 17 department's effort to say, okay, we do recognize 18 that we have to work on the relationship. 19 20 I remember the document yesterday which was sent 21 to all non-Innu people saying we've got to signal 22 to the Innu. But the document didn't go to Innu. 23 So, I mean, how are they going to get that 24 message? But the MOU was like a message from the	1 know, I think the intentions were genuine, but it 2 just didn't result in significant change. And if 3 anything, that just fostered more frustration on 4 everybody's part, I think. 5 6 And again, it's like what were we learning? This 7 doesn't go far enough. It's not enough to really 8 begin that shift. And if you think about it, a 9 department that -- at that point, 2012, CYFS was 10 the only provincial department still in the two 11 Innu communities. Everything else was long gone. 12 All the other departments that had at one point 13 been in the community were gone, and that was the 14 only one left. And it just didn't live up to the 15 hope that I think the signatures had, and that I, 16 as someone who would be impacted on a day-to-day 17 basis, also had for this. 18 Caitlin Urquhart: 19 Are there any concrete examples of sort of where 20 or how it seemed to fall down, or how it didn't 21 sort of meet that expectation? 22 Lyla Andrew: 23 I believe at the time Jack Penashue was the 24 Social Health Director. And I think one of the
Page 42	Page 44
1 Province to the Innu to say, okay, we recognize 2 that there are issues here that we need to work 3 on together. So it was the initial attempt to 4 build a bridge, I think. 5 6 And again, being the optimistic, hopeful, naive 7 person that I am, I hoped that that would be a 8 helpful step. 9 Caitlin Urquhart: 10 And just before you go on, just to make sure that 11 I say it for the record, those MOUs can be found 12 at P-037 and P-038. And those are tabs 2 and 3 13 of the exhibit books. And I don't think we need 14 to refer to them specifically now. I just wanted 15 to put that on the record so that everybody knows 16 where to find them. 17 18 All right. So you had hoped that this would 19 create a shift. And what was the experience? 20 Lyla Andrew: 21 Well, it didn't create much of a shift. And 22 maybe having hope, and then not having much come 23 of it was even worse because hopes were raised. 24 I guess that's what I'm saying. And again, you	1 things the memorandum did was give some false 2 hope that Innu could be more involved in decision 3 making. And I can remember Jack and I meeting on 4 occasions to talk about situations and if we 5 couldn't come to a shared understanding about 6 what the intervention should be, then the 7 memorandum didn't leave us anywhere to go. And 8 so CYFS would prevail. The mandate hadn't 9 changed at all. 10 11 And I guess that's the main thing. The 12 legislation remained absolutely the same. This 13 was years and years before the change to the 14 legislation, which recognized Innu children and 15 Innu representatives, as, you know, being written 16 into the law of the Province to say that their 17 work was to advocate. 18 19 So there was really no one who was in a position 20 to be able to say, well, it says here that I can 21 do this. That we have this authority. There 22 wasn't any authority that changed. Nothing 23 really changed. And I can only imagine, you 24 know, the frustrations for the chiefs and for the

Page 45	Page 47
1 health workers on the ground. So it was the 2 first attempt. 3 Caitlin Urquhart: 4 So following that first attempt, which, as you 5 said, didn't quite meet with the expectations, 6 the CYFS, as well as the First Nations, then 7 entered into a working relationship agreement. 8 That was in 2015, and that can be found at P-050, 9 or tab 6 of the exhibit books. 10 11 So you noted that there was, you know, some sort 12 of disappointment around how that initial MOU 13 ultimately -- around the implementation. And so 14 that was a first attempt. This is kind of the 15 next iteration, a few years later. 16 17 Can you speak a bit to kind of how that came 18 about, and then the impact that that had? And I 19 guess the changes that it had in your role. You 20 then were seconded and whatnot. So speak a bit 21 to this time period. 22 Lyla Andrew: 23 I think it's telling. It's important that just 24 the very name that was given to this agreement.	1 hearing about that are out of the community. And 2 that was a joint undertaking. 3 4 There was a joint committee established between 5 CYFS and the Innu First Nations, which included 6 health directors, to look at issues that were 7 bubbling up in the community to try and figure 8 out how can we address some of these issues. The 9 goals are laid out. There was a notice and case 10 planning process that was laid out, as well as 11 the idea of prevention services and engagement 12 with CYFS. 13 14 And if I remember, there was also -- 15 Caitlin Urquhart: 16 Can I get you to pause just on notification and 17 case planning? 18 Lyla Andrew: 19 Sure. 20 Caitlin Urquhart: 21 Can you just elaborate a little bit on what that 22 is. 23 Lyla Andrew: 24 Notification would be -- basically, it's about
Page 46	Page 48
1 We moved away from Memorandum of Understanding, 2 which is very up in the air, to say, call it a 3 Working Relationship Agreement. So this brought 4 it down. I think there was an attempt made with 5 this agreement to bring it down to how, on the 6 ground, there would be specific initiatives that 7 would be undertaken between the Innu and CYFS to 8 bring about that shift that we all wanted to see 9 toward Innu decision making. 10 11 Now, did it go again as far as people wanted it 12 to, no. But there was a willingness on the part 13 of the two chiefs. I remember one of the chiefs 14 was newly elected, and he said, "I don't know 15 anything about what this agreement is." But I 16 remember him saying, "I believe that, you know, 17 the leadership that came before me thought there 18 was value so I will, you know, put my name to 19 this in the hopes that there is value." 20 21 And there were, as I say, I think, four 22 initiatives. One was what was called an Out of 23 Community Review. Because leadership wanted to 24 know where are all these children that we keep	1 information sharing. So it's how is CYFS going 2 to notify Innu of concerns that they have with 3 particular families? How are they going to 4 ensure that Innu can, it says here, contribute 5 and be meaningfully involved in decision making 6 by CYFS. 7 8 And again, it was notification in case planning 9 was the idea but -- I think, the idea that there 10 was this brick wall. It existed. And on one 11 side of this brick wall were the Innu and on the 12 other side was CSSD. And none of us had 13 sufficient strength to knock down that brick 14 wall. And so there was hope here that there 15 would be an increasing strength on both our 16 sides, that we might be able to chip away at that 17 wall, if I could put it that way again. 18 19 Again, it was a hopeful document. It personally 20 was a document that I had interest in, because I 21 realized that I was at the end of my time with 22 CSSD. That I wasn't able to contribute any 23 longer. I didn't feel like I could contribute 24 any longer to trying to bring about meaningful

Page 49	Page 51
1 change while working with CSSD and so I had made 2 a decision to leave. And timing is such that I 3 had the opportunity to be seconded by the Innu 4 Roundtable Secretariat. The CYFS transition 5 coordinator was leaving her role. That was Wendy 6 White that was leaving her role for personal 7 reasons. And I didn't move into that role. A 8 new role was created. And I left September -- I 9 started at the IRT October, November. So it was 10 the end for me at CYFS and the beginning for me 11 over at the IRT. 12 13 And one of the things that there was an awareness 14 of, the MOU, no one had any responsibility to do 15 anything about the MOU. It's not written in the 16 Working Relationship Agreement, but the fact that 17 I was seconded, and the Province paid my salary, 18 I think for the first two years I was at the IRT, 19 actually, there was an understanding that, as 20 this -- you know, the job title was Innu Liaison 21 Social Worker, that I would undertake some of the 22 work of trying to make this Working Relationship 23 Agreement as meaningful as possible. And so 24 that's where I started.	1 Department of Child, Youth and Family Services. 2 And it was challenging again. I don't know if it 3 states this somewhere, in this agreement. But 4 it's just clear that the mandate still rested 5 with CSSD. 6 7 So if push came to shove, CSSD would carry the 8 day. You know, their decisions would prevail. 9 But, again, we might have been able to take away 10 the top couple of layers of that very high brick 11 wall by at least taking time to come together on 12 a regular basis. The regional director was 13 involved in the joint committee, and we had 14 regular meetings, you know. And there was some 15 overlap with the Memorandum of Understanding, 16 because it was shortly after I started that we 17 did Out of Community Review. 18 Caitlin Urquhart: 19 Right. 20 Lyla Andrew: 21 We actually did that, and we were able to look at 22 numbers. And that was done jointly with Social 23 Health staff from the Sheshatshiu First Nation. 24 So for the community of Sheshatshiu, anyway, we
Page 50	Page 52
1 And somebody needed to do that. But I think, 2 again, the expectations were completely 3 unrealistic. I remember meeting with a Social 4 Health staff member, like pretty much my first 5 day of work, and they wanted to know what I was 6 going to do about an individual situation between 7 CYFS. And, you know, again, it was another 8 situation where there wasn't agreement about the 9 decisions that would be making about the 10 interventions going forward. There was 11 disagreement. So what was I going to do? 12 13 And I realized that I had limited -- I don't want 14 to say I had limited ability. I mean, I had 15 knowledge of the family, I had knowledge of CSSD, 16 but I was dealing with a different -- a different 17 Zone Manager was now in place in both communities 18 because there had been changes made in the last 19 -- I can't remember when a zone manager for 20 Natuashish was created. It might have been 2014 21 or even 2015. But it was decided that two zone 22 managers were needed. One wasn't enough. And 23 the Zone Managers were, understandably, not from 24 the Innu communities. And their employer was the	1 looked at children that were placed outside the 2 community, and we came to conclusions about 3 children that could -- were placed outside the 4 community and who could be returned immediately 5 to Sheshatshiu because all they needed was a 6 safe, physical space to live in. They didn't 7 have needs that were seen as going unmet if they 8 didn't live in Sheshatshiu. These were children 9 who could be transitioned back to the community 10 if there was a physical space available for them 11 to reside. And I think there were probably about 12 14 children on that list. 13 14 There were also children on that list where a 15 decision was made that at this time they require 16 more services and supports for their own 17 well-being than can be met living in the 18 community of Sheshatshiu. And because that was a 19 decision that was made jointly with Innu Health 20 workers for the band, I think it felt like there 21 was more - what's the word I'm looking for, 22 more - more meaning and more understanding behind 23 that decision. That sometimes there are needs of 24 children, regardless of whether they are Innu or

Page 53	Page 55
1 non-Innu, that the services need to be directed 2 at the needs. And so there were a number of 3 children that it was felt needed to remain where 4 they were in the foster home. And sometimes 5 those were children with significant medical 6 needs that were deemed to need to live close to 7 medical care. 8 9 And so those kinds of very specific -- under that 10 process of Out of Community Review -- that wasn't 11 under the Memorandum of Understanding. The Out 12 of Community Review was a part of this Working 13 Relationship Agreement. And that was a useful 14 exercise because of the collaboration that was 15 taking place. 16 17 What we didn't figure out is, once we'd reached 18 those conclusions, and we said, well, we could 19 bring these children home, whose responsibility 20 was that to figure out? How was that going to 21 happen? And ostensibly, the custody of those 22 children was with CSSD, but if they didn't have a 23 foster home for those children, they didn't have 24 a foster home for those children. And that was	1 remember meeting again with Jack Penashue and one 2 of the chiefs to look at how -- and in 3 Natuashish, with Kathleen Benuen, trying to 4 figure out what could we do to ensure that there 5 would be an additional resource? 6 7 And in Natuashish, Kathleen agreed to extend the 8 use of the women's shelter, youth shelter, 9 saying, well, we could use one room and set it up 10 for, you know, a parent, and presumably, a mom 11 and a child. If that child could then receive 12 the support and services from the women's 13 shelter. But it would be under the umbrella of 14 CFS. So that was actively explored. 15 16 And in Sheshatshiu, we were exploring the idea of 17 taking a house that had been abandoned and trying 18 to fix it up so that physically it would be 19 adequate space. And we talked about hiring sort 20 of a house mother, and Innu staff, to be paid to 21 support a placement for an Innu child. And both 22 of those ideas required more financial resources, 23 and at that point in time those financial 24 resources were not forthcoming. And so those
Page 54	Page 56
1 frustrating. But again, it pointed out that it 2 wasn't as if there was no resource. There still 3 is, and there was then, a very significant 4 resource of foster homes in the community, but 5 just not enough. 6 7 Again, with a very growing population, I think 8 most people in Newfoundland and Labrador are not 9 living in communities where half the population 10 is under 19. And both of the Innu communities, 11 so Sheshatshiu has a population over 2000 now. 12 More than half those are children 19 and younger. 13 That's not the sort of normal balance of non-Innu 14 communities. I think it's very much the balance 15 that you would find in a lot of Indigenous 16 communities with a very high birth rate. And so, 17 again, the resource issue was there. 18 19 Now, we know that within a couple of years, much 20 more work was done on creating placement 21 resources that are Innu, established in the 22 communities now. But at that time, aside from 23 CYFS, there were no resources. And there was no 24 funding for resources. Because I very distinctly	1 very early efforts to increase the placement 2 resource went. But Innu were willing. It's just 3 they didn't have the means. And the Province at 4 that time, I'm not saying they weren't willing, 5 but I don't think they had the means -- well, the 6 means were not forthcoming to set up those kind 7 of situations. 8 9 So, you know, we were left with the idea, okay, 10 well, now that these children are out of the 11 community, we're really stuck as to how to bring 12 them home, because there is no plan for that, if 13 we've recommended it. So that is that. 14 Caitlin Urquhart: 15 Yeah, yeah. And then you say, how do you bring 16 them back? And one of the pieces that obviously 17 happened following that review, I believe it was 18 in 2018 that the emergency placement home and 19 group homes in the communities that are Innu run 20 opened up. 21 Lyla Andrew: 22 Creating 17 spaces for Innu children and youth, 23 so that either they wouldn't have to leave the 24 community if they needed alternative living

Page 57	Page 59
1 arrangements, or they could create possibly 2 spaces for children to return to the community 3 who had no other option with a foster home. 4 5 And we now know that, you know, those homes are 6 full, and the home in Natuashish is full. And 7 there's another home opening, what's called a 8 hybrid home opening in Happy Valley-Goose Bay, 9 both an EPH and a group home for Mushuau Innu 10 children in April 1st. So it's just around the 11 corner. Yeah. And that's under the Mushuau Innu 12 emergency -- it's a Mushuau resource, funded by 13 the Province, but Innu-led. All the decision 14 making is with the Innu. 15 Caitlin Urquhart: 16 But the board of directors. 17 Lyla Andrew: 18 Yes. 19 Caitlin Urquhart: 20 And like, I believe, the majority of the workers 21 and the staff and everything and leadership of 22 that organization are Innu. 23 Lyla Andrew: 24 The majority are Innu. Absolutely. They're not	1 So what was your experience? Now, you're within 2 IRT, within the Innu Roundtable Secretariat. At 3 that time in 2018, 2019, you were part of a 4 prevention team; is that correct? 5 Lyla Andrew: 6 Uh-hum. The IRT received its first funding for 7 prevention 2016, 2017. So up to that point, so 8 2015, 2016, there was just me in a role at the 9 IRT, again, just trying to build that bridge 10 between the Innu. Can you take down that brick 11 wall, build a bridge, whatever analogy you want 12 to use. And I use both of them interchangeably. 13 But significantly -- and I cannot underemphasize 14 the significance of the Truth and Reconciliation 15 Commission and its report and those Calls to 16 Action about the history and experience of 17 Indigenous people across this country with 18 residential schools, the forced removal of 19 Indigenous children from their parents, for no 20 other reason than that their parents were 21 Indigenous. That was the reason. If you were 22 Indigenous, your child was being moved into a 23 residential school. And you could hide, as some 24 people, I think, probably tried to do by, you
Page 58	Page 60
1 all Innu with the understanding that -- I mean, I 2 know they're looking for people with skills and 3 training in childcare, and they are hiring some 4 non-Innu people, but the emphasis is still these 5 are Innu-run, Innu-led facilities where 6 Innu-aimun is spoken. And the Innuness of the 7 children and their connection to Innu family and 8 Innu kin is fostered. That's the whole goal. 9 Caitlin Urquhart: 10 So, I guess, in 2018, the new legislation was 11 passed. It came into effect in 2019. So that's 12 why sometimes the years are -- you know, we say 13 that's in 2019 because that's when it started, 14 took effect. 15 16 So at that time, as you noted, obviously there 17 was some advocacy around that legislation and 18 ensuring that it included elements of cultural 19 continuity, an Innu representative or an 20 Indigenous representative for Indigenous matters 21 with Indigenous children. You've referred to 22 that a few times. That's at P-062, just to flag 23 it. 24	1 know, going out into the bush. And RCMP were 2 agents of removing children. Social workers were 3 agents of removing children. And when that 4 report was released, as a country we could no 5 longer say, "Oh, we don't know about this, so 6 there's nothing we can do." I mean that laid it 7 out. 8 9 And for those of us that had the opportunity to 10 attend any of the hearings that were held where 11 people testified, and I did have the opportunity 12 to go to Halifax to attend a hearing and watched 13 people speak about their own experiences, you 14 could not come away from that and not be moved 15 about that horrible chapter in the history of 16 Canada. And it's beyond not being moved. 17 18 I mean, the stories for me, the impacts of that 19 experience, I saw similar impacts for Innu 20 people. Even though there was not an identified 21 residential school identified by the Province as 22 a -- and the federal government, sorry, as a 23 residential school, there were the dorms. And I 24 have coworkers and know of community members who

Page 61	Page 63
1 have spoken about that horrible experience being 2 in the dormitory. 3 4 Again, that predates my involvement with CSSD, 5 but there were obviously children in that dorm, 6 and I've heard them tell stories about there was 7 a cable car across the river, and sometimes 8 parents were not allowed to see their children, 9 and children would literally see them across the 10 river, because the dorm was built. And it still 11 stands. The building is still there. It's on 12 the edge of one side of the river where it's 13 narrow, and children could see their parents 14 across the river, but they couldn't be with them. 15 They could see them, but they couldn't be with 16 them. And I think that was a form of torture. I 17 don't know how else a child would experience 18 that, how else they would understand, why is my 19 parent over there but I am not able to be with 20 them. And I'm not sure how parents understood 21 that, because that wasn't applied -- I don't know 22 how that was applied. It didn't happen to every 23 Innu child, but it did happen to some Innu 24 children.	1 And so I think that what the TRC did had ripples 2 across this country. And I think there were 3 individuals in systems who took up the idea that 4 now that we know we need to do better. Because 5 they couldn't say anymore, we don't know. It was 6 laid out in volumes. Now that we know we need to 7 do better. 8 9 And I think that that is reflected in some of the 10 processes that have happened since 2018. Like 11 the placement resources that have been brought to 12 bear, that Innu and I talked about well before 13 the TRC recommendations came out, but which seem 14 to fall on deaf ears. Because a lot of these 15 Calls to Action and recommendations as a result 16 of the residential school experience, they're 17 common sense. You can't treat people as if they 18 are inferior and less human and not expect harm. 19 And then if you try and address -- if the people 20 that try to address that harm are the same people 21 who have applied the harm in the first place, of 22 course it's not going to work. 23 24 So for me, that was the prompt. If a prompt was
Page 62	Page 64
1 So I'm not sure where I was going with that, just 2 thinking the TRC and the importance of the first 3 five Calls to Action, of the 94 Calls to Action, 4 were all about the legacy of the Child Welfare 5 system. And literally, that's a legacy that goes 6 back more than 100 years; certainly out west. 7 Well, I don't know, it might even be longer than 8 that. But those first five Calls to Action speak 9 to the fact that if you're going to be working in 10 Child Welfare in Indigenous communities with 11 Indigenous families and children, you need to 12 understand the history of the people that you're 13 going to be working with. And you need to have 14 the training and the knowledge that would enable 15 you to understand the trauma that people lived 16 through. 17 18 And that's, you know, why it's so important to me 19 that there be an understanding about the fact 20 that these communities that I came to in the late 21 '70s, 1977, that they were communities that were 22 living trauma as a result of being moved off the 23 land and into sedentary villages. 24	1 needed, if a push was needed -- it seems to me, I 2 mean, I can't prove it obviously, but it seems to 3 me that that push came about post the release of 4 the Truth and Reconciliation Commission Report 5 and its Calls to Actions. 6 Caitlin Urquhart: 7 Which is ten years ago this year now. We have 8 just a few minutes left and I'm finished with my 9 questions, so I wanted to just open the floor and 10 give you an opportunity to speak to anything that 11 you wanted to ensure the Commissioners heard that 12 you haven't yet had an opportunity to say. 13 Lyla Andrew: 14 The one thing that I wanted to mention - and this 15 is very sort of process-specific, but it follows 16 from what we were just talking about a few 17 minutes ago, the Working Relationship Agreement - 18 is that for about a year through COVID, COVID 19 times, in June 2021, the two band chiefs and the 20 Minister of CSSD, signed a Protocol. And in many 21 ways the Protocol, it built on the Working 22 Relationship Agreement because it is a Protocol 23 about how we work together. 24

Page 65	Page 67
1 Caitlin Urquhart: 2 And just for the record, that one is at P-049, 3 and it's tab 5 of the Commissioners' books. Go 4 ahead. Sorry. 5 Lyla Andrew: 6 I know that as a party to working on the 7 Protocol, along with folks from CSSD and others, 8 I don't know if I really understood what the 9 potential was. But we're now starting to review 10 that Protocol that was built in that we should do 11 a review after three years. Well, it's after 12 three years now, but we're also trying to do a 13 lot of other things at the same time. 14 15 So I think what is most significant is how there 16 is now an opportunity for Innu decision making. 17 We've moved beyond Innu input or Innu 18 consultation or Innu collaboration to actual 19 opportunities for Innu to work with CSSD. 20 21 It means some of these decisions may be developed 22 independent from CSSD, and then maybe shared with 23 CSSD and advocated with CSSD. But between the 24 legislation of 2021, provincial legislation,	1 and address. 2 3 But the Working Relationship Agreement, at its 4 most basic, says that Innu, by law, will be 5 involved in making decisions about Innu families 6 that are involved with Child and Family Services 7 or at risk of becoming involved with Child and 8 Family Services and the prevention. 9 Caitlin Urquhart: 10 And this is in the Protocol. 11 Lyla Andrew: 12 Yes. And so Innu staff, social workers, we had a 13 training for our front-line staff just a week 14 ago, a couple of weeks ago, in the elements of 15 the Protective Intervention Program, as it's 16 called. And so that's the program that CSSD has 17 set up so that if a grandmother calls about a 18 concern in her home, CSSD is going to assess that 19 call to figure out -- they're going to do an 20 investigation, they're going to determine if they 21 screen it in, then that family comes on the 22 Protective Intervention Program. 23 24 But before that CSSD social worker goes out to an
Page 66	Page 68
1 which created the role of Indigenous 2 representatives, we call them Innu 3 representatives, who can actually advocate on 4 behalf of a Innu people, they have a legislative 5 mandate to do that. 6 Caitlin Urquhart: 7 And just to clarify, that's the legislation under 8 2018, 2019. 9 Lyla Andrew: 10 Oh, so I said 2021 but that was my mistake. 11 Yeah, 2018, 2019. It actually came into effect 12 in 2019 and that's when we hired in both 13 communities Innu representatives. 14 15 And, you know, the opportunity for advocacy work 16 through the funding of prevention has continued 17 to grow at an astonishing rate. In some ways, 18 it's very sad. Again, you know, Innu waited so 19 long. Innu weren't waiting. Innu didn't have 20 any choice, but there was the understanding of 21 what was needed, and no response to that. No 22 real, genuine response to that need was 23 forthcoming. And now the pace is tremendous, 24 because there is so much harm and mistrust to try	1 Innu home, they have to call Prevention Services. 2 They have to call to make the Innu 3 representatives aware that they've had a concern 4 brought forward. Whether that comes from a 5 community member or the RCMP or the school, 6 they're obliged to call first and that creates an 7 opportunity for Innu to respond to an Innu 8 family, whether that family wants the Innu to 9 respond or not. And in some instances they 10 don't. 11 12 Again, this is the worst day of your life. 13 You've got people that are coming to your door to 14 say "We've heard, you know, stories about your 15 parenting, and we're concerned." 16 17 But, so for the first time since I've been 18 involved with the very first office of Social 19 Services in 1979, Innu people have the 20 opportunity and the obligation to respond. And I 21 think that's a huge responsibility. I think it's 22 a responsibility that the Innu have to have. And 23 it's been advocated by Innu for a very long time 24 that they have that responsibility. There are

Page 69	Page 71
1 resources there that we did not have until a few 2 years ago to help us carry out that 3 responsibility. And it's still an extremely 4 challenging position to be in, because it is 5 going to take time. 6 7 Innu are working to build a system of supports 8 and services that needs to reflect Innu culture, 9 healthy Innu culture. And healthy Innu culture 10 is about the connections that people have, that 11 Innu have. The connections that are internal, 12 body, mind, spirit, but also the connections that 13 people have with the land, the environment around 14 them, other community members. And so, you know, 15 there's a lot of unlearning. Many of us learned 16 things about the way to respond to help, and 17 unlearning is really hard, But there's a need for 18 a lot of unlearning. 19 20 And it's one thing for Innu workers, and myself, 21 to say, "Well, this is the way it was done. So 22 we don't want to do it this way. This was 23 hurtful. This was harmful." 24	1 and grandparents and kin to make all the 2 decisions that are necessary to ensure that Innu 3 children grow up in a good way within Innu 4 culture. Yeah. 5 Caitlin Urquhart: 6 Thank you. I think that's a lovely note to end 7 on, to think of the path forward and the hope for 8 the future. 9 10 So we'll wrap then for today. And as I said, 11 there may be others who will have questions. I'm 12 sure there will be others who have questions for 13 you when we call you in April. 14 Lyla Andrew: 15 Okay. 16 Caitlin Urquhart: 17 Thank you. 18 Lyla Andrew: 19 You're welcome. 20 21 (Testimony of Lyla Andrew concludes.) 22 23 24
Page 70	
1 Well, then, what do we want to do? How can we 2 assist? What are the expectations that we need 3 to build up, because at the end of the day, if 4 we're holding - and we are - Innu are holding the 5 non-Innu system accountable, trying to hold 6 non-Innu systems as accountable for so much harm? 7 8 Innu, in developing their own systems, also need 9 to be accountable to fellow Innu. That is a very 10 hard place to be, where you know you need to be 11 accountable to your neighbour, to your sister, to 12 your mother, potentially, or your grandmother for 13 decisions that you're making about how they are 14 rearing up children, Innu children in a good way. 15 16 And so we're on that path. I think it's not an 17 easy path. And the Innu made a decision in early 18 2020 to undertake work towards full jurisdiction. 19 20 And obviously, there are many times when I look 21 back over the last almost 50 years where I 22 couldn't imagine what that would look like, but 23 that's the path that Innu have decided they are 24 going to be on to reclaim their right as parents	

COMMISSIONER DEVINE: Well I guess first and foremost, to thank Lyla for sharing with us all her knowledge in these many, many years she's been in the community. And it's very helpful to the Inquiry to have, you know, the knowledge and information that she has shared with us as we look at, you know, this Inquiry and what the future might be for the Innu.

And as Caitlin mentioned, you know, it was good to see you end on a very hopeful note there. So that's about all I have to say for now. I may have a question or two when we get into tomorrow.

Thank you very much, Lyla.

COMMISSIONER IGLOLIORTE: Is it okay to talk with that on there?

C. URQUHART: I don't think we have anyone listening to the –

COMMISSIONER IGLOLIORTE: All right, thank you.

Thank you all for your co-operation, especially all the counsel here who have to drive back to their homes this evening. Thank you for the people, our lead counsel and others who worked on this process to get this done. Thank you very much to Lyla. You'll be gently cross-examined tomorrow. The morning is set aside for cross-examination.

And I just want to point out that our interpreter, Anne, was actually ill and could not make it for that reason today. And a reminder that we're grateful for your co-operation in the schedule that we applied today and that you have accepted, and we've pretty well done it on time. So that's your formula for the next three to four days.

Okay, drive carefully and we'll see you tomorrow.