



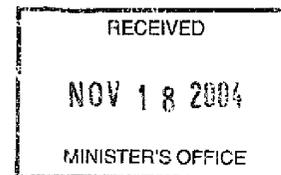
**Office of the Child and Youth Advocate**  
 PROVINCE OF NEWFOUNDLAND AND LABRADOR

CODE #	2004-11-228		
C.C. 1.	JO	4.	AB
2.	LVB	5.	
3.	CC	6.	
REGISTRY <input checked="" type="checkbox"/>			

FYI

November 15, 2004

The Honourable John Ottenheimer, M.H.A.  
 Minister of Health and Community Services  
 P. O. Box 8700  
 St. John's, NL A1B 4J6



Dear Minister Ottenheimer:

At the outset, my sincere thanks for the opportunity to meet with you in your new portfolio recently and to have again the benefit of your outstanding courtesy and cooperation. It is always a pleasure to meet with you, and I know that together we will have many successes with respect to the children and youth in our Province, for whom we have a shared responsibility.

I look forward to our future meeting with staff when we will be in a better position to discuss the many issues that challenge some of our children and their families.

In the meantime, as you know we discussed the issues of our Aboriginal children and young people in Labrador and the terrible consequences that are occurring that result in great risks to the health and safety and frequently death of young persons through suicide. As you and I agreed, it is time we renewed efforts to begin the long process of the restoration of the Aboriginal people, which must begin with children. You will recall I told you of my attempts about a year ago to facilitate a collaborative approach with respect to these problems. At that time I met with your predecessor and officials, and I subsequently wrote a letter that I am attaching together with the reply some months later. Rather than again outline the history, I feel this letter will give you a reasonable understanding of my efforts.

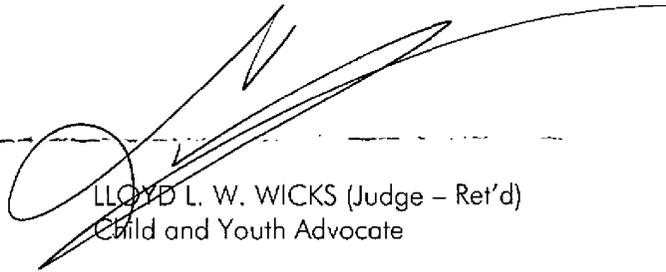
I remain confident that this is a good first step, as we discussed in our recent meeting. This Office has full authority under the Child and Youth Advocate Act to go ahead on its own and carry out an investigation. This, however, will be costly and time consuming, and I am not sure will achieve, in the short run at least, any better outcome for our Aboriginal children. If it becomes necessary to go that route, we will have little choice. However, I was heartened by your strong desire to move with appropriate haste to try and find resolutions to these horrendous problems, so I look forward to our continued discussions in hope that a new beginning can occur.

Page 2

I very much look forward to further meetings to meet these objectives. Your comments will be very much awaited, and I thank you for your support.

Kind personal regards.

Yours sincerely,



LLOYD L. W. WICKS (Judge - Ret'd)  
Child and Youth Advocate

Attachments



OFFICE OF THE CHILD AND YOUTH ADVOCATE  
PROVINCE OF NEWFOUNDLAND AND LABRADOR

---

February 5, 2004

The Honourable Elizabeth Marshall, M.H.A.  
Minister of Health and Community Services  
P. O. Box 8700  
St. John's, NL A1B 4J6

Dear Minister Marshall:

I would like to thank you for the opportunity to have met with you and officials of your Department on January 27, 2004, to discuss issues related to the Innu children of Sheshatshiu and Natuashish. As I indicated to you at that time, over the course of the last several months our office has had opportunity to visit both communities and we have had discussions with numerous individuals and agencies regarding the needs of children and youth in these communities. It is apparent that there are many dedicated groups and individuals who are attempting to address the many social issues which exist in these communities and there has been progress made on some issues. There remains, however, significant risk to the children and youth in these communities. The following summarizes factors which our office has identified related to children and youth.

- Children continue to be at risk due to parental influences related to addictions and lack of supervision and involvement in the lives of their children. As a result, they are themselves engaging in solvent and drug abuse as a means of escape.
- Child, Youth and Family Services are delivered from a crisis management perspective and there is little or no prevention and early intervention services. Child protective services significantly fall short of meeting legislative and provincial practice standards. There exists a significant lack of alternate care resources for children and in Sheshatshiu it has been indicated that while there are thirty caregiver homes, few of those are licensed. Questions have also been raised regarding the approval process for child welfare placements which is the most common placement resource in both Innu communities (there are 114 such placements in Sheshatshiu and 58 in Natuashish). In both these instances the appropriate placement supervision is not provided. The ability to intervene is severely impacted by the shortage of trained professional staff.

Page 2

- Record keeping presents a major challenge particularly as the offices do not have access to the provincial registration system.
- There is indication that there is a lack of inter-agency collaboration in the assessment of and planning for children at risk.
- Natuashish lacks the basic resources required to support children, youth and their families. Of particular note are the lack of appropriate crisis services such as a women's shelter and a safe house for children and the non-existence of a court house in the community. The latter has created significant issues in hearing matters related to Child, Youth and Family Services.
- There exists a significant lack of cooperation and trust between the Band leadership and Health Labrador which is impacting on the services provided to children and youth.
- Jurisdictional issues particularly related to federal and provincial governments create fragmentation and confusion regarding responsibilities.

As I indicated to you during our meeting, I am aware that there is significant activity occurring related to long term planning in these communities including the Healing Strategy and Reserve Status. We have also heard of significant work happening at the community level which is aimed at addressing issues related to the health of the community. With this in mind we still believe that a process must be put in place which will address the immediate risk to these children and families. We cannot ignore that Child, Youth and Family Services to children and youth at risk in these communities are falling significantly short of meeting the legislative and program standards. In my opinion, there is a great risk for potential tragedy. The standards applied with respect to these problems would be unacceptable elsewhere.

Given the scope of the legislative mandate of the Office of the Child and Youth Advocate, it is imperative that I, as the Advocate, take appropriate steps to review or investigate individual and systemic issues where it appears to be necessary. There would seem to be two or three options in the methodology of how this might be accomplished. Firstly, this office could proceed independently to carry out the investigative process as envisioned by Section 15 of the Child and Youth Advocate Act. Secondly, Section 16 provides for similar review and investigation upon referral from a Minister or the Lieutenant-Governor in Council. A third method might be one of collaboration along the lines I suggested at our meeting of January 27, 2004.

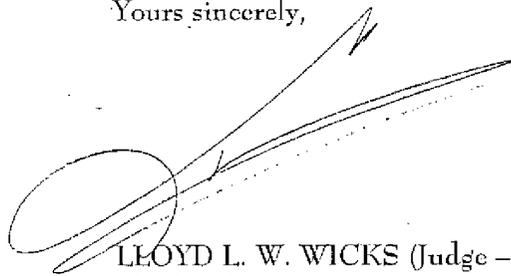
Page 3

I am quite prepared to follow the course of the first option, but given the concerns expressed to me by others, I thought it useful to at least explore the third option. This process would see the Child and Youth Advocate, as an independent entity, facilitate a process along the following lines.

1. That there be a roundtable discussion with all relevant partners to identify the issues facing children and youth and identify strategies to address these issues from a short term perspective.
2. While there would be similarities in the processes taken for both communities, there are significant enough differences to warrant separate meetings for each community.
3. The process of coming together must begin with opportunities for key individuals to meet with community leaders and members to gain an understanding of the issues and identify who would bring these issues to a larger roundtable discussion.
4. It is essential that the process provide opportunity for empowerment of the citizens of these communities. It needs to be a process that reflects their ownership and not another attempt for a "white man" fix of their problems. Our role is to facilitate and to walk beside them to make their dreams a reality.

Of course we will be engaging in discussions with other Agencies but meanwhile, I understand from our meeting that you will be discussing this matter with Health Labrador staff. I look forward to hearing from you regarding your Department's interest or involvement in the suggested process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'LLOYD L. WICKS', with a large, stylized flourish extending upwards and to the right.

LLOYD L. W. WICKS (Judge - Ret'd)  
Child and Youth Advocate

11/12/2004 14:27 789-729-0121

MINISTER HEALTHCOMM

PAGE 01/02



GOVERNMENT OF  
NEWFOUNDLAND AND LABRADOR

Department of Health and Community Services  
Office of the Minister

April 15, 2004

Mr. Lloyd Wicks  
Child and Youth Advocate  
Suite 604, TD Place  
140 Water Street  
St. John's, NL  
A1C 6H6

Dear Mr. Wicks:

This is to acknowledge your proposal of February 5, 2004 to facilitate round table discussions with all relevant partners to identify the issues facing children and youth in Sheshatshiu and Natuashish and to identify short term strategies to address these issues.

Currently there are discussions on-going among the Innu, federal and provincial government representatives and the Health Labrador Corporation relating to a number of initiatives including the Innu Healing Strategy and delivery of child, youth and family services. The Innu are engaged in consultations in both communities, funded by the Department of Indian and Northern Affairs, to provide information and gather input on the delivery of services.

The Department of Health and Community Services continues to work with the Health Labrador Corporation concerning the delivery of child, youth and family services across the Labrador Region. Funding has been allocated in Government's recent budget to allow the Health Labrador Corporation to recruit additional social workers for aboriginal communities. It is anticipated that as these positions are filled that services to the communities can be enhanced.

The Health Labrador Corporation has been working to establish interagency collaboration and partnership among stakeholders, including community leaders in both Innu communities. Health Labrador Corporation has been able to establish a good working relationship with the Sheshatshiu Innu First Nation. However, it has been less than one year since Health Labrador Corporation has been able to recruit and retain two social workers to reside on a permanent basis in

11/12/2004 14:27 789-729-0121

MINISTER HEALTHCOMM

PAGE 02/02

2

the community of Natuashish. The Band Council Chief in Natuashish has resigned and election of a new Band Council is pending in May 2004. The Health Labrador Corporation will begin working with the new Band Council as soon as they are in place.

In view of the on-going initiatives among the relevant partners, it would appear that many of the issues you have identified are already under consideration or review. As discussions progress, there is recognition that the partners/stakeholders clearly define jurisdictional accountabilities for the delivery of services in these communities. I believe that the current initiatives are building blocks to that end.

Sincerely,



**ELIZABETH MARSHALL, C.A., M.H.A.**  
Minister

/dh



2004-11-228

GOVERNMENT OF  
NEWFOUNDLAND AND LABRADORDepartment of Health and Community Services  
Office of the Minister

DEC 20 2004

Mr. Lloyd L.W. Wicks (Judge - Ret'd)  
Child and Youth Advocate  
Office of the Child and Youth Advocate  
Suite 604, TDPlace  
140 Water Street  
St. John's, NL A1C 6H6

Dear Mr. Wicks:

I am writing further to our recent meeting and your follow-up correspondence of November 14, 2004. Since our meeting, I have been advised that Ms. Lynn Vivian Book, Assistant Deputy Minister and Ms. Ivy Burt, Provincial Director of Child, Youth & Family Services met with Ms. Marilyn McCormack and Ms. Paula Burt from your office on December 2, 2004. I understand that they discussed a number of issues of mutual concern to the Office of the Child and Youth Advocate the Department of Health and Community Services, and Regional Health and Community Services Boards. They agreed to continue discussions on a regular basis both at the provincial and regional levels. I believe that this type of on-going communication will be beneficial as we attempt to work together on issues that affect children and youth and their families in our Province.

In your letter you specifically indicated your interest to facilitate a collaborative approach to address issues that you have identified through your work in the Labrador Region. I believe that there have been some significant developments in Labrador since February 2004 when you wrote to the former Minister of Health and Community Services. Some of these include:

- the addition of new staff resources in Labrador, including a social work position for Nain, Hopedale and Makovik;
- the hiring of Lyla Andrew by the Health Labrador Corporation as Director of Child, Youth and Family Services for the communities of Nauashish and Sheshatshiu. I am advised that Ms. Andrew has written to you regarding her position;
- a joint presentation by the Innu Chiefs of Natuashish and Sheshatshiu to the Minister's

Advisory Committee on the *Child, Youth and Family Services Act*.

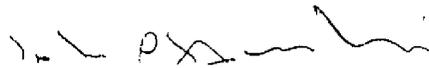
- initiatives with the community of Sheshatshiu, including the closure and on-going re-development of the group home for community corrections, and support of facilitated discussions in the community that included a commitment to children's issues;
- on-going discussions with provincial and federal partners concerning service delivery in the Innu communities; and,
- recent meetings among representatives of the Division of Child, Youth and Family Services, the Health Labrador Corporation and the Directors of the Innu Health Commissions in Natuashish and Sheshatshiu to discuss collaboration at the case and community level.

I have copied you on two letters that I have written recently to my federal counterparts to reiterate the importance of and our support for moving forward with the second phase of the Innu Healing Strategy.

During the recent meeting, your officials indicated that the Office is preparing a report on Labrador issues as a result of your community clinics, visits to the region and involvement in individual advocacy. I look forward to receiving this report. I am recommending that officials of your office, the Department of Health and Community Services and the Health Labrador Corporation meet to discuss this report and determine how your Office may work collaboratively with the Department, service providers, and the community leadership in relation to matters that are impacting the health, safety and well being of children.

I trust this approach will enable us to work on these important issues.

Sincerely,



**JOHN OTTENHEIMER, Q.C., M.H.A.**  
St. John's East District  
Minister

/db