

**MEETING WITH INNU ROUND TABLE
HALIFAX, NOVA SCOTIA – MARIOT HARBOUR FRONT
JUNE 28, 2018**

PURPOSE OF MEETING

The main Innu Round Table will convene for its 22nd meeting to facilitate Innu priority-setting, and to review work plans, budgets and implementation for a number of tripartite programs.

PARTICIPANTS

ISC

- Joanne Wilkinson, Assistant Deputy Minister, Child and Family Services Reform, National Headquarters
- Christopher McDonnell, Atlantic Regional Director General
- Nathalie Levesque, Director, Education, Social, Governance Programs and Individual Affairs, Atlantic Region
- Barbara Robinson, Director, Intergovernmental Relations and Partnerships
- Geoff Cole, Director Lands, Environment and Economic Development
- Debra Keays-White, Regional Executive Officer, First Nations and Inuit Health Branch
- Pam Gough, Senior Program Officer, First Nations and Inuit Health Branch
- Shannon Chambers, Director, Policy and Planning, First Nations and Inuit Health Branch

OTHERS

Innu Nation and Innu Round Table Secretariat

- Grand Chief Gregory Rich
- Deputy Grand Chief Etienne Rich
- Chief John Nui, Mushuau Innu First Nation
- Chief Eugene Hart, Sheshatshiu Innu First Nation
- Kylie Rose, A/Executive Director, Innu Round Table

Newfoundland and Labrador

- Susan Walsh, Assistant Deputy Minister, Children, Seniors and Social Development
- Jackie Whelan, Regional Director – Children, Seniors and Social Development
- Judy White, Indigenous Affairs Secretariat

AGENDA

The meeting will begin at 8:30 and conclude at 3:30. The agenda is attached. There are two agenda items of interest to the Child and Family Services Reform Branch:

1. Action List Update: Child Youth and Family Services - Sub-Committee Update
2. CFS Reform

Participation of the Child and Family Services Reform Branch is only required for the agenda item on CFS Reform.

CONTEXT/FEDERAL OBJECTIVES

- This meeting provides the opportunity to engage with Innu First Nations and the Province of Newfoundland and Labrador on federal efforts to reform child and family services, as well as to seek initial views and provide an update on planned engagement to co-create federal legislation on Indigenous child welfare.
- While there are ongoing funding and operational concerns with both parties (see Annex for background information), discussion may be elevated to focus on broader issues regarding CFS reform and the Six Point Plan, such as shifting the programming focus to prevention and early intervention and considering avenues for Innu First Nations to exercise jurisdiction over child welfare matters.

1. Child Youth and Family Services – Sub-Committee Update

Status

- As per the agenda, updates will be provided with regards to: Children, Seniors and Social Development statistics; Labrador Innu prevention initiatives; *Children and Youth Care and Protection Act* legislation change (province lead); and status of the Inquiry.

Labrador Innu prevention initiatives

- Following Budget 2016, the Child and Family Services Program expanded prevention-based funding to program recipients.
- This included new funding of approximately \$3.1 million to the Innu Nation for prevention-based programming, support to enhance the terms of the Working Relationship Agreement, and for the development and phased implementation of emergency placement options for the two Innu communities of Sheshatshiu and Natuashish.
- ISC provided \$1,058,000 for capacity building and transition funding in 2017-2018 for the Sheshatshiu Group Home as a Level 4 placement facility.
- Sheshatshiu First Nation also submitted a funding proposal for capacity development for two Emergency Placement Homes with the estimated cost of \$1.2 million. This will be discussed at the IRT CFS Working Group on June 26th.
- The Department has already provided an initial allocation of \$800,000 towards the \$1.2 million funding capacity development proposal for one Emergency Placement Home in Natuashish.

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Legislation Change

- The *Children and Youth Care Protection Act* was passed in 2011 and has undergone a review, with significant changes to be tabled in early 2018. The new legislation, the *Children, Youth and Families Act*, underwent second reading on May 15, 2018. The proposed bill contains significant updates aimed at:
 - Improving information sharing;
 - Enhancing the focus on preserving the family unit;
 - Expanding permanency options for children and youth in foster care;
 - Strengthening service delivery to Indigenous children, youth and their families;
 - Identifying and supporting youth in need of protection; and,
 - Developing a licensing regime for out of home placements.

Innu Inquiry

- On July 5, 2017, the Government of Newfoundland and Labrador and the leaders of the Innu Nation; Mushuau Innu First Nation and Sheshatshiu Innu First Nation, entered into a memorandum of understanding (MOU) in support of an inquiry into the treatment, experiences, and outcomes of Innu in the province's child protection system.
- Terms of Reference for the inquiry were developed jointly between the province of Newfoundland and Labrador and the Innu participants, and shared with Canada on September 19, 2017. Canada declined the invitation to be a party to the MOU because the federal government has historically not participated in provincial inquiries.
- Canada has agreed to participate in the provincially-constituted inquiry on the treatment, experiences, and outcomes of Innu in the child protection system.
- On April 4, 2018, the Minister confirmed in writing the intent of the Government of Canada to fully participate.
- The Minister, Deputy Minister and Region have communicated with the Innu Nation and Province in writing and person to set out broad parameters for Canada's participation. Negotiation with the two parties, including legal counsel, is ongoing, but it is expected that the Inquiry will be formally called by the Province in the fall.
- Canada has committed to participate in the following ways: apply for standing to the inquiry; provide documentation that is requested by the inquiry parties and is in Canada's possession and control; identify potential witnesses with knowledge of the federal role in the provincial child protection services; ensure that a senior representative is present at all inquiry proceedings; and, work collaboratively with the parties to address the inquiry's recommendations.
- On June 14, 2018 Deputy Minister Tremblay called the Provincial Deputy Minister Aubrey Gover to clarify Canada's participation.
- As requested, Canada will provide comments on the draft Terms of Reference, in order to: 1) seek the removal of any reference of Canada being a party to the inquiry; and 2) seek removal of any reference of Canada providing funding.
- Canada has committed to provide funding of up to \$250,000 directly to the Innu to support their participation in the inquiry. Canada is reviewing their funding requests.

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Canada will not fund expenditures normally covered by a province under its Public Inquiries Act, such as for translation services.

- Canada, as a participant, will not appoint Commissioners.

Key Messages

- **I am excited to hear about the work being done to support Innu to keep children with their families, and connected to their communities and cultures, which aligns so well with the federal vision for reform of child and family services and the Six Points of Action.**
- **The Government of Canada welcomes the opportunity to participate in the provincially constituted Inquiry (consistent with the Government of Canada's past participation in other provincial inquiries), and commits to providing financial support directly to the Innu for their participation in the inquiry. (*defer to Atlantic Region on any specific questions*)**

2. CFS Reform

Status

- The CFS Reform deck and speaking points are attached.

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**MEETING WITH THE PROVINCE OF NEWFOUNDLAND AND LABRADOR
HALIFAX, NOVA SCOTIA – DELTA BARRINGTON, MACKINLAY ROOM
JUNE 29, 2018**

PURPOSE OF MEETING

To discuss the current funding landscape in the Province - what the Department provides to the Province, and First Nations directly, and what the Province delivers, including any gaps. The goal being to determine what outcomes we are seeking to achieve for all First Nation children and families, given current federal investments, including for community well-being.

PARTICIPANTS

ISC

- Nathalie Levesque, Director, Education, Social, Governance Programs and Individual Affairs, Atlantic Region
- Joanne Wilkinson, Assistant Deputy Minister, Child and Family Services Reform, National Headquarters

OTHERS

- Susan Walsh, Assistant Deputy Minister, Child and Youth Services
- Rick Healey, Assistant Deputy Minister, Policy and Programs
- Jennifer Barnes, Provincial Director, In Care and Adoptions
- Jackie Whelan, Regional Director, Labrador
- Harman Khurana, Assistant Deputy Minister, Corporate Services and Performance Improvement Branch (to call in)

AGENDA

The meeting will begin at 8:30 and conclude at 11:00 am. An informal agenda has been developed by the Region, including:

1. Review of CFS reform (following on presentation at the Innu Round Table;
2. Update from the Province, including legislative changes to the *Children and Youth Care Protection Act* and projected outcomes for Indigenous child welfare; and,
3. Next steps, including planned discussion on the federal-provincial CFS funding agreement.

CONTEXT/FEDERAL OBJECTIVES

- This meeting is intended to help establish a better relationship with the Province, and to come to a better understanding of resourcing requirements to meet shared priorities, in support of reform.
- While the Province may wish to discuss funding decisions in detail, it is recommended that discussion remain at a high-level in the context of CFS reform and that any technical issues be deferred to a follow-up meeting at the working level, including both NHQ (Margaret Buist's team) and the Region.

Key Messages

- **I understand that there are funding pressures that the Region is working with you to resolve, and that the Department has worked to ensure that the funding the Province receives for operations meets your needs.**
- **I have also been encouraged to hear about the steps the federal and provincial governments are taking to support the Innu to keep children in their communities and connected to their cultures.**
- **I would like to hear your vision for child and family services reform and what outcomes you are working to achieve to improve the well-being of First Nations children and their families.**

ANNEXES

Annex A: Background

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Background

- The Province provides child protection services to Innu First Nations byway of a federal funding agreement for maintenance and operations, since there are no CFS agencies in the two Innu communities.
- While neither the Province nor Innu First Nations are eligible for CFS funding on actuals, as per the CHRT orders, operational funding to the Province has increased over the last five years, and ISC provides considerable direct funding to the Innu and Innu Round Table Secretariat to improve capacity to deliver prevention services.
- ISC reimburses the Province for the actual cost of maintenance and also provides operational funding to the Province to administer the delivery of protection services. While we have seen a decrease of maintenance expenditures over the last five fiscal years, the Province has continuously requested additional operations funding:
 - Maintenance expenditures have been **decreasing** in the last five fiscal years: from \$9.469M in 2013-2014 to \$6.5M in 2017-18.
 - Annual operational funding has been **increasing** over the last five fiscal years: from \$970,475K in 2014-15 to \$3.4M in 2017-18.
- In addition to the funding provided to the Province, ISC has also been providing an increasing amount of prevention funding to the Innu communities:
 - \$1,141, 080 M in 2016-17.
 - \$2,926,676 M in 2017-18.
- Although the Innu have expressed the desire to one day exercise jurisdiction for CFS, the Province has indicated that until they are confident that there is enough capacity in an Innu organization to meet legislated standards, they will not agree to delegate this responsibility.
- Over the past decade the Innu have protested what they view as the invasiveness of the province's child protection services. There has also been controversy over the continuation of child protection issues, in particular in Natuashish, where gas sniffing has been a recurring problem. As a result, the Province and the Innu have developed a Memorandum of Understanding to work together on child protection strategies, and have implemented a strategy in the past several years that involves a heightened presence in Natuashish in particular.

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