

BN-2016-00209
Regular Circulation
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March 15, 2016

**Information Note
Labrador and Aboriginal Affairs**

Title: Out of Province Placements for Innu Children in Care.

Issue: To provide information on a possible protest concerning out of province placements for Innu children in care.

Background and Current Status

- On March 12, 2015, Deputy Grand Chief of Innu Nation, Simeon Tshakapesh, on Facebook, demanded the return, by Monday, March 14, 2016 of children that have been placed out of province for treatment by CYFS.
- The Deputy Grand Chief stated that should CYFS not comply with this deadline, he would lead a grassroots movement to expel CYFS from Natuashish, and if the RCMP intervened, the RCMP would also be expelled.
- This follows upon a Monday, March 7, 2016 meeting amongst the Grand Chief of Innu Nation, the Deputy Grand Chief, the Chief of the Sheshatshiu Innu First Nation, and a representative of the Chief of the Mushuau Innu First nation (Natuashish) and other Innu elders, band councilors and officials, the Minister of CYFS and various provincial officials at CYFS offices in St. John's.
- As a result of that meeting it was agreed that follow-up action would be taken on a number of items, including: urging the federal government to make federal Enhanced Prevention Funding available to the Innu communities; working on enhancing the relationship under the CYFS MOU between CYFS and the Innu communities; seeking to have that MOU translated into Innu Aimun; and, consulting the Innu on the upcoming review child protection legislation.
- The noted MOU has recently been revised to better reflect the needs of the Innu.
- GNL continues to work with the federal government and the Innu through the Innu led Innu Roundtable on various issues of importance to the Innu including CYFS.
- GNL continues to negotiate self-government with the Innu, which includes self-government in relation to CYFS matters.
- Reducing the number of Aboriginal children in care and improving outcomes for Aboriginal children in care is a national challenge. Last summer, the-then Premiers approved a report on these issues can be found on the Council of the Federation's website.
- That report notes the Natuashish Community Enhancement Program (fly in/fly out) and WPO's Aboriginal Violence Prevention Grants as best practices.

Analysis

- As of the end of January, there were 32 children in CYFS out-of-province placements (OPP), mainly for solvent abuse and mental health issues. Of these 32, 15 are Aboriginal children, and of these, most are Innu.
- Many Innu OPP have the support of the children's parents.
- OPPs are only done when satisfactory services do not exist for that child in the province.
- OPPs are monitored at least monthly and children return to the province when their treatment is completed, or when suitable services exist within the province for their treatment, or when they become of an age when they can and wish to terminate the OPP.
- Children in OPP are visited by CYFS staff regularly, and family visits and visits home are arranged when clinically supported.
- Concerns regarding OPPs can be reported to the supervisor in the Innu communities or to the Innu zone manager.
- The Deputy Grand Chief may have a particularly acute interest in this matter.
- There have been two issues in recent weeks regarding removals of young Innu children. The children were placed with family members as soon as the Innu social health staff helped in identifying suitable placements. There had been attempts to engage Innu social health staff prior to these removals. However, there were communication challenges, language barriers and other factors in both cases that CYFS is working very hard to eliminate with the noted revised MOU relationship.
- At the above noted Ministerial meeting, there were concerns raised that children in OPP were being medicated unnecessarily. This concern was immediately identified to regional staff who are reviewing every OPP medical management protocol. CYFS expects a report on this matter by March 18, 2016.
- CYFS will extend the funding of the liaison social worker position with Innu Roundtable to help in service coordination and planning for Innu children into 2016-17. A CYFS staff person is on leave from CYFS to do this work for Inn at a cost of \$100K for 2016/17.
- There appears to be a lack of support for the views of the Deputy Grand Chief in Natuashish.
- The Natuashish CYFS supervisor spoke with Mushuau (Natuashish) band Chief Greg Rich on Saturday evening (March 12). The Band Chief said that he will not be evicting anyone from the community and that he will be confronting Simeon on this matter. He stated Simeon has no authority to evict anyone from the community and that himself and leadership have no issue with CYFS. Chief Rich does not believe that Simeon has any supporters in relation to this matter.

- Key messages are attached as Annex A.

Action Being Taken:

- Chief Rich is hoping to be back in the community tomorrow (Sunday) and back in his office on Monday, March 14. The Innu Zone Manager is in Natuashish on Monday, March 14. Chief Rich indicated that he would like to invite Simeon to a conversation with him, CYFS, and RCMP in an attempt to give him an opportunity to discuss his issues. CYFS staff will be available to meet and advised Chief Rich of same. Hopefully the meeting will diffuse the situation.
- If not, CYFS is developing a contingency plan for the protest. The local RCMP detachment is being kept apprised of the planning.
- CYFS is planning to meet the Innu in coming weeks to address MOU specific issues.
- CYFS, LAAO and IGAS are assessing how to advance access to federal Enhanced Prevention Funding.

Prepared/approved by: A. Gover/D. O'Brien/R. Cochrane/H. Jacobs/S. Dutton

Reviewed by: M. Collins/E. Day, Cabinet Secretariat

March 12, 2016

Cabinet Secretariat Comment:

- CYFS advises that there has been no further negative reaction since Natuashish CYFS supervisor spoke with band Chief Greg Rich on Saturday evening (March 12) and that CYFS staff have since had a positive meeting with Simeon Tshakapesh.
- The Communications Branch advises the key messages attached are being revised by CYFS and will be provided directly to the Premier's Office.

Key Messages: Annex-A

- While I cannot discuss specific cases, I can say we value our relationship with the Innu, and we recognize that that community support is central to CYFS service delivery.
- It is recognized nationally that we must strive to reduce the number of Aboriginal children in care and improve outcomes for Aboriginal children in care.
- The Council of the Federation last year approved on a report on these very objectives.
- Provincially, we are working hard on many fronts to realize these goals with the Innu.
- Minister Gambin-Walsh met last Tuesday with the Innu Leadership to discuss how we might enhance our working relationship on CYFS issues, and the Minister is following up on issues raised at that meeting.
- CYFS has revised the CYFS MOU with the Innu communities and will be meeting in the near future to work towards the enhanced implementation of that revised MOU.
- We continue to work with the Innu and the federal government at the Innu-lead Innu Roundtable to discuss community issues, including CYFS issues.
- We support Innu access to federal Enhanced Prevention Funding to the Innu, to help reduce the number of Innu children in care.
- CYFS is a topic of self-government negotiations with the Innu.
- Children are only placed out of province, when there is no suitable in-province option for those children.
- Out of province placements are monitored at least on a monthly basis.
- CYFS is always open to hearing any concerns with regarding out of province placements and these should be conveyed immediately to CYFS staff.
- Out of province placements are terminated when there are suitable in-province options or out of province programming has been completed.
- While we do want to work with the community and constantly want to improve our service delivery, we also firmly believe improving outcomes for Aboriginal children is best served by a spirit of cooperation, not confrontation, by all persons. Impeding access to CYFS services is not likely to assist those children most in need.