



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF SOCIAL SERVICES

ST. JOHN'S

March 31, 1993

Mr. Bryan Purcell
Administrator
Community Corrections Services

RE: Dual Designation,
Sheshatshiu and Nain Group Homes

Pursuant to your communication to me of March 19, 1993, and our meeting of yesterday's date, this will confirm our decision and agreed upon process to pursue the dual designation of the above two residential facilities to meet the special care needs presented to the Youth Corrections and Child Welfare Programs by aboriginal youth.

As we discussed, you will undertake the following process:

- (a) Discuss and clarify with the Department of Justice the pros, cons, liabilities, and complications, etc., of having open custody youth and child welfare wards residing in the same facility, especially in light of their earlier legal opinion dated December 5th, 1990.
- (b) Discuss with the Regional Director and others involved with Youth Corrections and Child Welfare Programming in the Labrador Region to determine their perceptions and expectations of how this dual operation might work.
- (c) Pursue indepth discussions and consultation with the Division of Child Welfare to determine their desires and intentions in this regard and to ensure that any initiative recognizes the parameters of the Child Welfare Act.
- (d) Once this information is gathered, it would be timely to engage in another review with the Department of Justice.
- (e) Prepare a presentation for the consideration of the Executive.

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Given the very special needs of the aboriginal youth of Labrador, we must proceed expeditiously on this matter. In other words, lets do it quickly, so that more youths are not criminalized in order to get the services they need. As we discussed yesterday, there is recognition that this approach can have much payoff in the long term and if successful in this direction, might be expanded in the future to provide community outreach with the ultimate goal of reaching youths before they come into care or custody.

So as not to overburden the process, possibly you could negotiate with the Regional Director and the Aboriginal Leaders to initiate this process first for Sheshatshiu/Davis Inlet and later advance it for Nain/Hopedale.

I look forward to being appraised of your progress on this initiative at our next regular meeting.


SHARRON CALLAHAN
Director
Division of Youth Corrections

SC/lm

c.c. Wayne Penney, Regional Director
Elizabeth Crawford, Child Welfare
George Skinner, Assistant Deputy Minister
Noel Browne, Assistant Deputy Minister



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF SOCIAL SERVICES

ST. JOHN'S

March 19, 1993

Ms. Sharron Callahan
Director
Division of Youth Corrections

RE: Dual Designation:
Sheshatshiu and Nain Group Homes

This is further to Mr. Wayne Penney's recent correspondence to you on the above-noted matter.

As you know, the matter of dual designation or multi-use of facilities has been an issue for a long time. The Department has gotten a legal opinion on the matter which, while confirming the legality of such placements, had expressed strong cautions about them on the policy level. This opinion generally confirmed the position of the Department of Social Services on this matter and, subsequently, the Divisions of Youth Corrections and Child Welfare issued a directive to the field prohibiting such placements.

In my view, the Department should, in general, continue to support this policy stance particularly as it relates to low supervision environments such as foster homes, but also with respect to most group homes. The differing ages, behavioural patterns, needs, developmental levels and legal statuses of the children and youth involved, suggest strongly that this is a very sound general policy direction.

Notwithstanding the above comments, however, I feel very strongly that this general policy ought to be modified in the case of Nain and Sheshatshiu. When it comes to the design and delivery of services to children and adolescents, these native communities are a special case. The Division of Youth Corrections and the Labrador Region have gone to great lengths to establish community based residential services in these communities to serve the communities' needs and the larger population of Innu and Inuit people respectively. ||

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The service plan for Nain and Sheshatshiu saw these homes as the nucleus for a primarily non-residential Youth Corrections (and overlapping into Child Welfare) service network with strong native control and community ownership, a strong outreach and service development role, use of traditional native approaches (with supports) and a long-term goal of reducing the high incidence of unmet social/personal/developmental needs among children and youth in these communities and the unnecessary criminalization of many of these young people. In this scenario, a dual designation of these homes is, in my view, absolutely essential. Therefore, I think the Department should move to establish this expeditiously, always keeping in mind the need to ensure that the legitimate policy and residential care issues as identified in the past are given due consideration and are adequately met.

The official legal sanctioning of a dual designation is technically very simple to put into place; however, given the identified policy concerns and their very real effect on the quality of the service and upon the well-being of the children and young persons involved, it is essential to plan this process carefully. In this respect, I am in complete agreement with Mr. Penney's observations about the importance of developing clear guidelines to control the use of dually designated placements and of involving staff and boards in this process. As well, it is imperative that the two Divisions at Headquarters be very actively involved in this process and I will assume that you will want me to take the lead in this, on behalf of the Division of Youth Corrections. The planning process should also include reference to the Department's legal advisors in the Department of Justice as necessary.

The final point I would make is that the planning process, while it has to be approached with care and thoroughness, need not be - and should not be - lengthy. To ensure this, I believe that the Divisions and the Region need to come quickly to a consensus as to how generally to proceed and to seek the support of the Executive for this. After such support has been secured, the wheels should be put into motion to expeditiously address the detailed planning issues and, in particular, to develop an acceptable set of guidelines. In line with Mr. Penney's comments, I think this could best be accomplished by having the Region take the lead and involving district staff and representatives of the boards and, possibly, the communities. As well, the Division of Youth Corrections would be directly involved in the discussions and would provide advice and consultation on legal, policy and program issues. The Division of Child Welfare would also be involved, in a similar role.

-3-

I would appreciate your feedback on this suggested policy position and recommended course of action.



BRYAN PURCELL
Administrator
Community Corrections Services
Division of Youth Corrections

BP/jmh

cc Mr. Wayne Penney

Bryan,

*for follow up + discussion.
Also, in view of legal
opinion from Justice, we need
to consult*



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

DEPARTMENT OF SOCIAL SERVICES

*them; consultation**with other provinces where**CW/40 services share**group homes would be*

1993-02-19

Mrs. S. Callahan
Director

Division of Youth Corrections
Department of Social Services

Labrador Regional Office
215 Hamilton River Road
c/o Elizabeth Goudie Building
Happy Valley/Goose Bay, LB
AOP 1E0

*beneficial; we will need to
communicate with Wayne and provide a
position (in consultation with CW) soon
in view of the politically sensitive issues of
Davis Inlet + other aboriginal peoples -
see attached background material S.*

**RE: Duel Designation - Group Homes
Sheshatshit and Nain**

This will serve as a follow up to our recent discussion regarding duel designation of the above noted facilities. I believe the recent situation concerning children in Davis Inlet points to the need to be flexible in our use of these resources.

I am interested in reaching an understanding that we can use discretion in having a mixed child welfare and young offender population. Staff and Boards are generally supportive of this approach. Obviously there is a need to regulate this combined use and I see these guidelines being developed best in consultation with staff and the group home boards.

I would appreciate if you could advise me on the status of this.

Yours truly,

Wayne Penney
Regional Director

WP/de

cc: Mr. G. Skinner

cc: Mr. T. Stapleton

cc: District Managers, Nain & Sheshatshit

FEB 25 1993



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF JUSTICE

REC 07 1991

P.O. BOX 8700
ST. JOHN'S
A1B 4J6



Our File No. _____

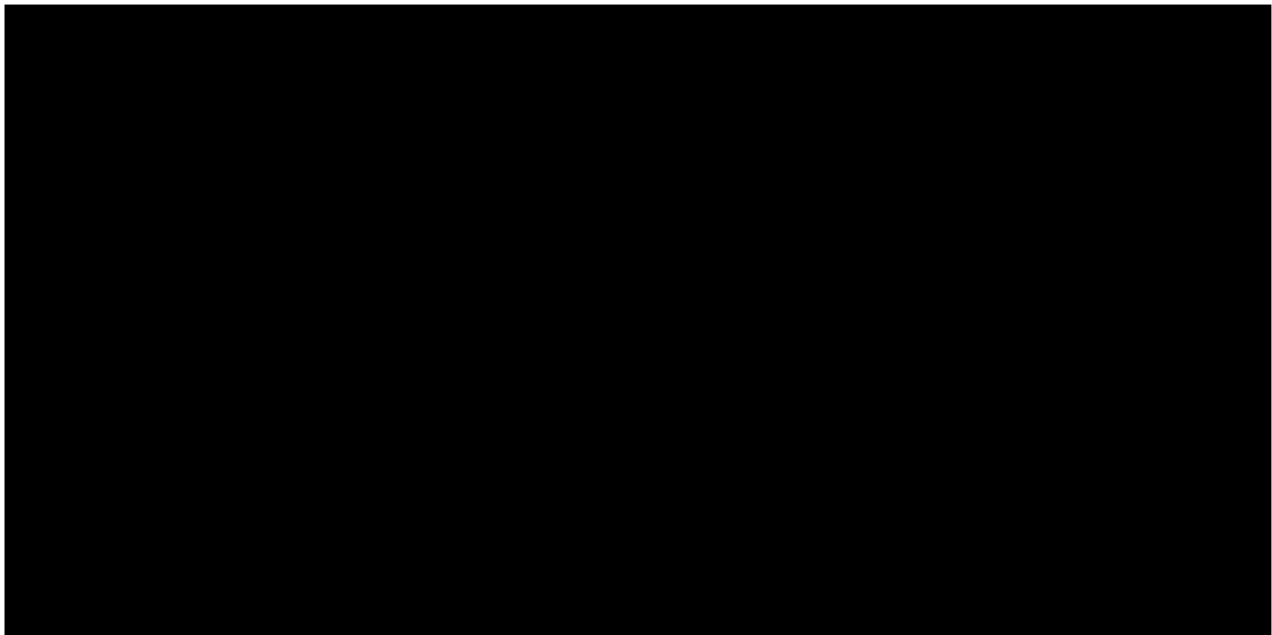
5 December 1990

Mr. Leslie MacLeod
Provincial Coordinator
Community Residential Services
Division of Youth Corrections

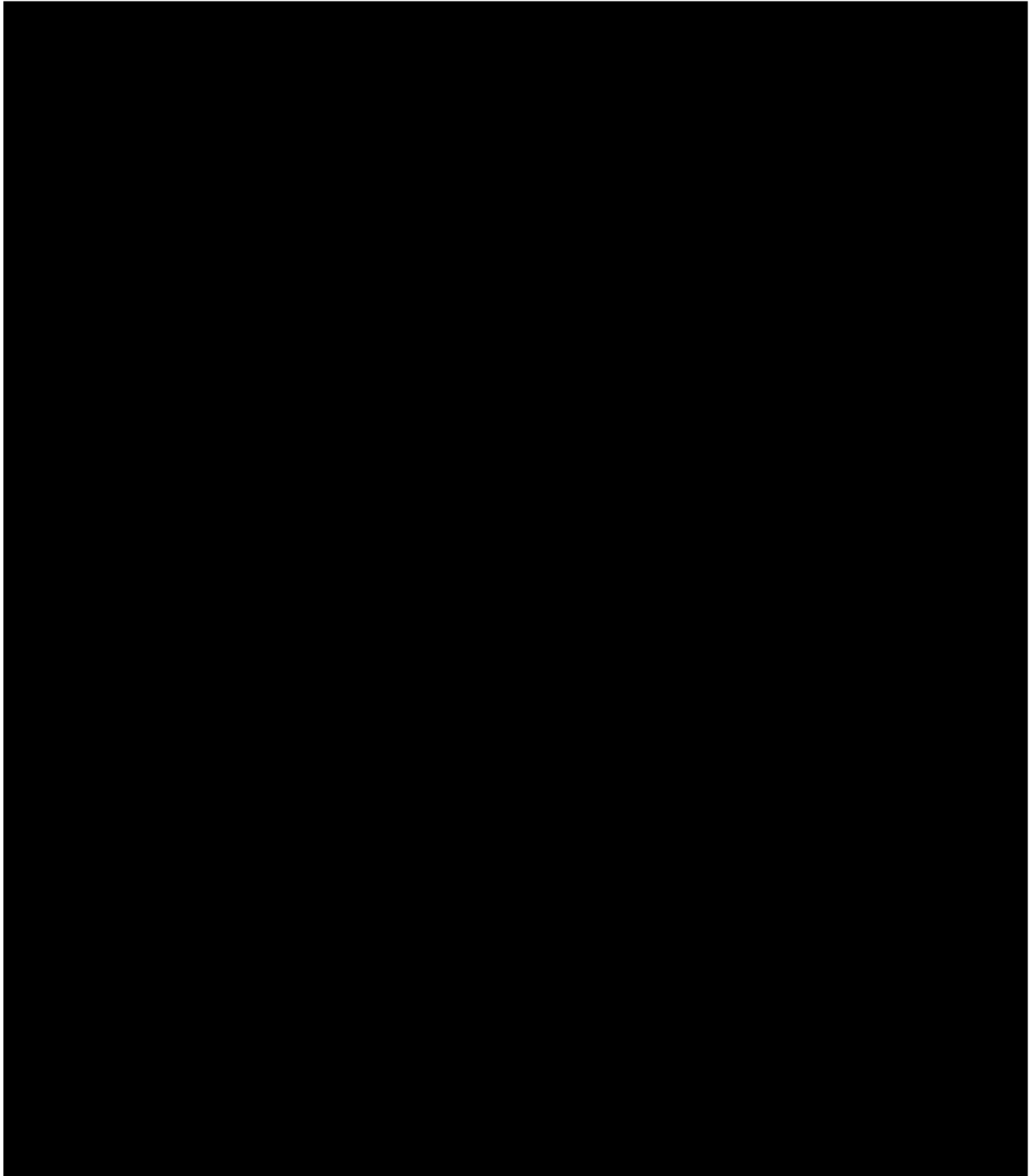
**RE: Designation of open custody facilities for
use in emergency child welfare cases**

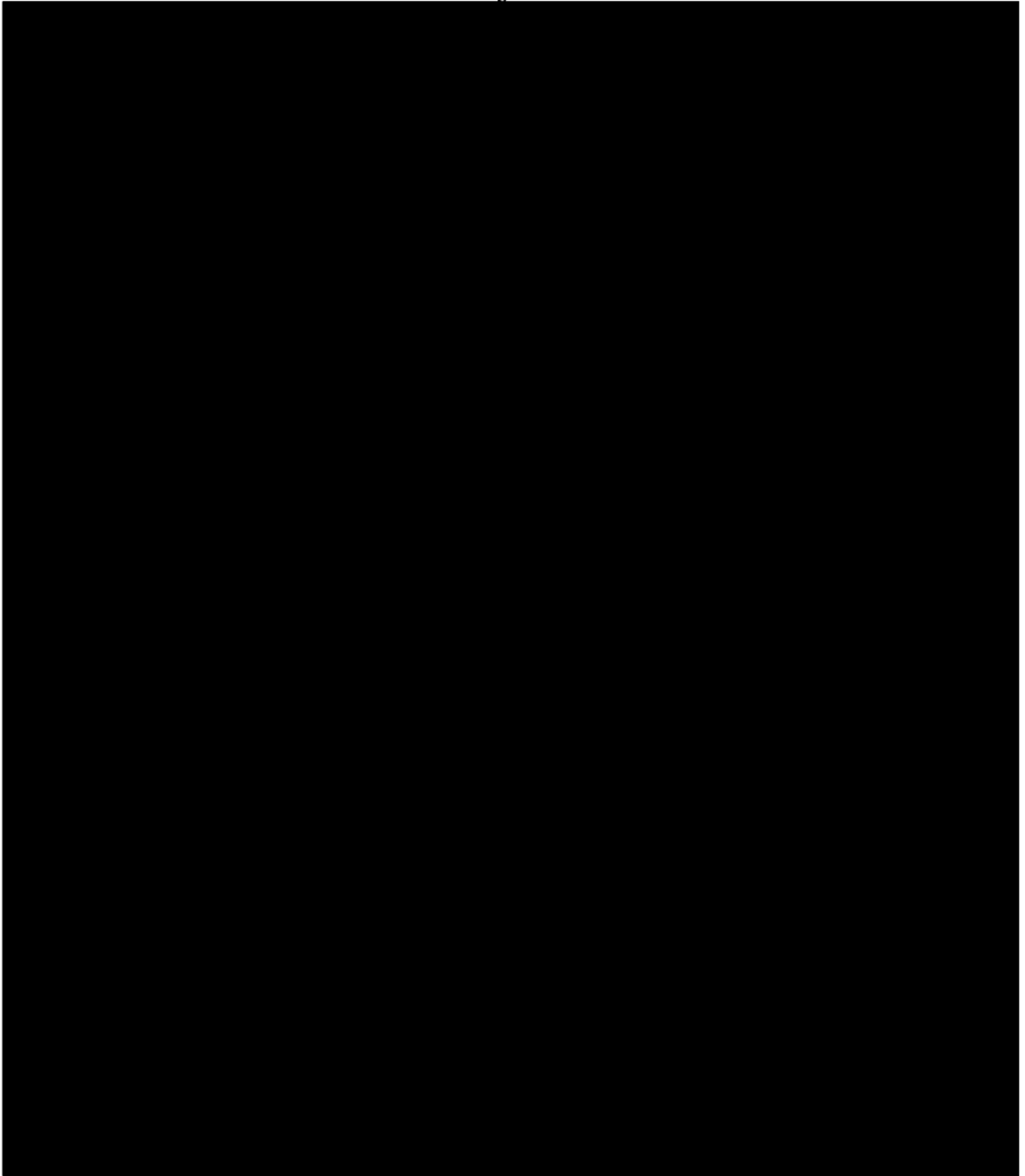
Dear Ms. MacLeod:

The following is a legal opinion in response to your request dated November 20, 1990.

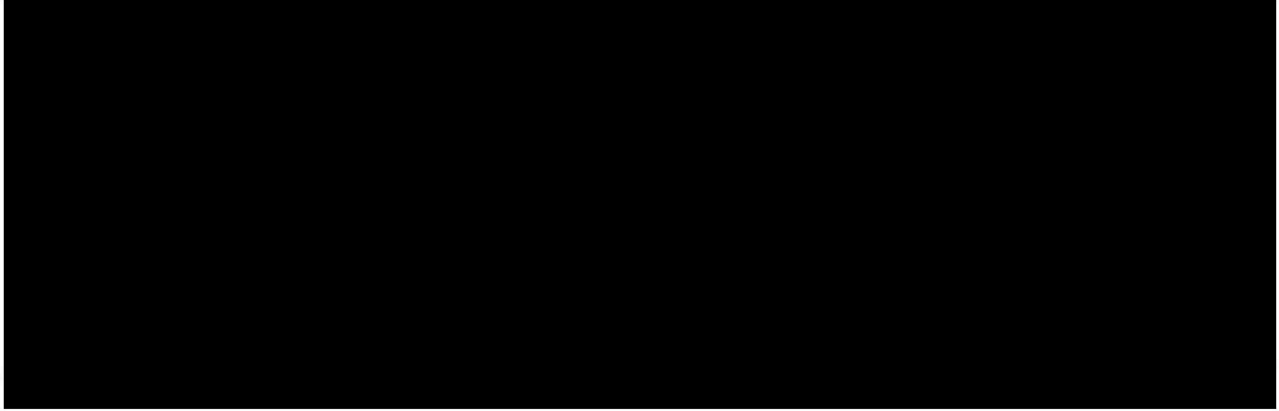


2010





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Yours truly,

Veva Moulton

Veva Moulton
Solicitor

VM/do



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF SOCIAL SERVICES

Memo To: Regional Directors
From: Sharron Callahan
Re: Cross Program Placements, CW and YC

Further to the joint memo dated September 19, 1991, under signature of Terry Stapleton and myself, I thought it beneficial if you had a copy of the legal opinion of the Department of Justice to this issue. As a result of receiving this opinion, consultation was held with the Executive and it was concluded that given the cautions issued by the Department of Justice, the Department of Social Services would be well advised to follow this advice. Despite the apparent difficulties both Terry and I realize this may pose for your regional services delivery system, the decision has been reached that Child Welfare Wards and Youth Corrections youth are not to be housed in the same facility or foster home.

Please feel free to circulate this legal opinion as you see fit within your region.

S. Callahan
SHARRON CALLAHAN
Director of Youth Corrections

1991 09 25
/sf
Attachment

cc. T. Stapleton
cc. B. Tulk

*Beaton,
for your information*



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF SOCIAL SERVICES

*9/10/83
Sharon,
Thanks
Buck*
ST. JOHN'S

*9/10/26
D.M.
for your info
& selection
Thanks
Buck*

MEMO

91-10-01

TO: Regional Directors
District Managers

DATE: September 19, 1991

FR: Terrence Stapleton
Director of Child Welfare

Sharron Callahan
Director of Youth Corrections

RE: Cross Program Placements

As you may be aware, both Child Welfare and Corrections have been concerned for some time about the placement of Child Welfare wards and young persons serving open custody sentences in the same foster home at the same time.

Discussions between the Divisions and consultation with the Department of Justice have resulted in the decision that a foster home is not to be licensed for use by the Child Welfare and Corrections Program at the same time.

You are, therefore, requested to ensure that homes licensed in your Region/District are licensed for one program or the other. Persons being utilized for both programs must be advised of this decision and requested to choose under which program they wish to operate.

In order to prevent disruption to current Child Welfare or Correction placements, persons with children/youth from both programs in their home, may continue for the duration of these placements. No new children are to be placed into these homes. The persons involved should be made aware of the policy and advised that no new placements will be made until the child/children from one program have left the home and a single program has been selected.

If it is anticipated that the dual function of a home will continue for more than three months, please contact the divisional persons involved for further consultation.

Terrence Stapleton

TERRENCE STAPLETON
Director of Child Welfare

Sharron Callahan
SHARRON CALLAHAN, MRS.
Director of Youth Corrections

EC/mo'r



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF SOCIAL SERVICES

Labrador Regional Office
215 Hamilton River Road
c/o Elizabeth Goudie Building
Happy Valley/Goose Bay, LB
A0P 1E0

1993-02-19

Mrs. S. Callahan
Director
Division of Youth Corrections
Department of Social Services

RE: Duel Designation - Group Homes
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I would appreciate if you could advise me on the status of this.

Yours truly,


Wayne Penney
Regional Director

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cc: Mr. G. Skinner

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FEB 25 1993