Public Inquiry Respecting the Treatment, Experiences and Outcomes of Innu in the Child Protection System

IN THE MATTER OF the Investigation into the Treatment, Experience and Outcome in the Child Protection System of JACOB COLLINS (deceased on February 6, 2020)

BEFORE Commissioners James Igloliorte, Anastasia Qupee and Dr. Michael Devine

Submissions on behalf of Virginia Collins Re Investigation into the Death of her son Jacob Collins

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I. Overview

1. On February 6, 2020, Jacob Collins took his own life at the Labrador Corrections Centre (hereinafter the "LCC"). He was twenty-two (22) years of age and had been incarcerated as a result of a mental health crisis in his hometown of Natuashish, where he experienced a psychotic break.

2. Following Jacob's death his mother, Virginia Collins, began seeking answers as to how the system had failed him since he had been taken into care many years earlier. After he returned to his mother's care, he was in deep distress and experienced serious mental health challenges. After he aged out of care, the only people who she could turn to for help were the RCMP. The final failure was the inability to keep him safe even within the LCC after he was placed there.

3. On April 27, 2022, the Inquiry Respecting the Treatment, Experiences and Outcomes of Innu in the Child Protection System Order (hereinafter the "Order") established the Inquiry Respecting the Treatment, Experiences and Outcomes of Innu in the Child Protection System (hereinafter the "Inquiry"). Pursuant to s. 4(2) of the Order, the Inquiry was established to, among other things,

> investigate the death of an Innu child, youth or adult who experienced time in care or custody and who meet the following criteria:
>
> (a) the child, youth or adult was under the age of 25 at the time of death;
>
> (b) the child, youth or adult died on or after September 30, 2007; and

(c) a parent or, where appropriate, other next of kin of the child, youth or adult consents to the investigation and attests to the belief that the child's, youth's or adult's time in care or custody contributed to their death.

4. On February 4, 2022, Ms. Collins issued a statement of claim in the Supreme Court of Newfoundland and Labrador alleging that the death of Jacob Collins was directly caused by the negligence of staff at the LCC. This legal action could only address the immediate acts that led to Jacob's death, but Ms. Collins believed that the failures that led to her son's death were longstanding and systematic. She felt that his time out of the province in a foster home had put him on the path that led to his suicide, but those questions were too broad to be properly addressed through the *Newfoundland and Labrador Fatal Accidents Act.*

5. On October 21, 2022, Ms. Collins was granted limited standing to participate in the Inquiry as part of its mandate to investigate specific deaths of Innu youths, as noted above. Jacob would be one of six such deaths the Inquiry would focus on.

6. Specifically, the Inquiry decided it would investigate:

i. The availability [of] services for parents and children in Natuashish;
ii. The effects of the approach taken by the group home placement;
iii. Mental health services (or lack of) provided to Jacob while at the group home placement;
iv. Support and resources provided to the group home placement by Children, Seniors and Social Development (hereinafter "CSSD");
v. Appropriateness of the skills, training and supervision of group home placement staff; and
vi. Communication between group home placement, CSSD and the parents while Jacob was at the group home placement.

7. Ms. Caitlin Urquhart, counsel for the Inquiry, worked with counsel for Ms. Collins to establish these issues and to assemble the documentation necessary for a proper investigation. The Inquiry hired Kenn Richard and Tara Petti as their investigators. Both investigators worked jointly on all six death investigations, but it was Kenn Richard, Lead Investigator, who was the primary investigator into the life and death of Jacob Collins.

8. The Investigators Report (hereinafter the "Report") found the following systemic issues in this case under specific topics within their mandate to investigate:

    1) In relation to options to meet Jacob's needs for mental health services and supports and whether there were alternatives to going into care and to going out-of-province:
        a) Pre-existing conditions/legacy of colonialism; and
        b) The disempowerment of Innu on matters impacting their lives.

    2) Jacob's experience with out-of-province placements, including Broken Arrow residential Treatment Services (hereinafter "BARTS"), and including mental health services:
        a) The trauma of out-of-province placement;
        b) Behaviour management approaches substituting for treatment; and
        c) The risks associated with western based cognitive/emotional tests for Innu youth in care.

    3) Barriers to CSSD monitoring and supervision of the BARTS foster home and lack of courtesy social workers while in Ontario:
        a) Misdirection of scarce resources;
        b) Confusion as to the formal responsibility for Jacob's well-being; and
        c) Lack of accountability.

4) Whether the long-term BARTS foster home caused Jacob harm:
   a) The trauma of child removal; and
   b) Care compromised.

5) Reintegration planning and support for Jacob when exiting care and custody of the manager, including youth services:
   a) The need for a holistic planning process for youth with mental illness exiting care;
   b) The criminalization of mental health symptoms.

6) Communication and barriers to communication between CSSD and Jacob, and CSSD and his mother:
   a) The need for clear, consistent and accurate reporting to families, the youth in care, and all those providing services to the youth.

7) Jacob's access to Innu culture including land-based activities, Innu language (Innu-aimun), community connection and family connection:
   a) Lack of recognition and support for Innu culture in out-of-province placement; and
   b) Need for more opportunity for youth in out-of-province placements to connect with family and community.

9. The Report was accepted by Ms. Collins. She was in agreement with its perspective and its findings. Ms. Collins believes that acknowledging and addressing the systemic issues identified by the Report is an opportunity to fix the system and to save the life of the next Innu child who is in Jacob's situation. We implore the Commissioners to accept the Report and its recommendations.

10. During the week of July 14-18, 2026, the Inquiry had a hearing scheduled to specifically address the death of Jacob Collins and the Report. Following receipt

of the Report, and in consultation with Ms. Urquhart and Inquiry staff, Ms. Collins determined that the hearing would take the form of a circle. During this circle, led by Commissioner Dr. Mike Devine, and co-facilitator David Penashue, counsel sat in an outer circle and took a (literal) back seat to the family, Government officials and social workers who had been involved in the case.

11. The circle hearing was a vulnerable, emotional and challenging experience for Ms. Collins, but one that she is grateful to have experienced. She felt heard and acknowledged in a way a formal hearing could not have done. Ms. Collins wishes to thank those who participated and contributed. Bureaucrats and others shared their own personal tragedies and wept with the family. It was powerful, profoundly honest and provided needed healing and hope. The prayers that began and ended every session, and the ceremony performed by Nympha Byrne at the end of the process allowed Jacob's spirit to guide the process. Ms. Collins especially noted the keen attention and deep undivided listening done by Commissioner Devine. He made her feel heard in a way she had not felt before. Commissioners Qupee and Igloliorte brought a great depth of calm, understanding and gravitas to the weeks' proceedings, and their commitment to the circle process gave it the dignity required for it to function. David Penashue grounded it in the history and culture of the Innu with profound reflections and an infectious desire to share Innu ways with all present. This circle was a blessing and we wish to thank the Inquiry for the chance to participate. We trust that the hope felt on July 18, 2026 will carry forward as the Inquiry makes its recommendations, and Government goes about enacting them.

II. Systemic Issues

(i) Option to Meet Jacob's Needs for Mental Health Services and Support and Whether There Were Alternatives to Going into Care and to Going Out-of-Province.

12. The investigators accurately canvass these issues at pages 5-8 of their Report. It is clear from their Report that "Ms. Collins was not engaged with the CSSD in a way that served to prevent her children from coming into care". Instead of supports, Ms. Collins found a system that offered no support to her or her son other than placement outside Ms. Collins' home. Ms. Collins badly wanted care for Jacob who was exhibiting increasingly worrying behaviour and had dealt with addiction issues. After some short-term placements, it was decided he should be placed at BARTS in Ontario.

13. The systemic failures are discussed in the Investigators Report, and we adopt those comments and criticisms. Many of these factors are common among the experiences of all six (6) death investigations; such as the legacy of colonialism and the disempowerment of Innu on matters impacting on their lives. The issue of the lack of services available for Innu in Labrador takes on special importance in Jacob's case we believe. In this case we heard about the total lack of appropriate services for a boy like Jacob. It was determined that the only facility available in Newfoundland and Labrador was the Hope Valley facility in Grand Falls, but even this was seen as insufficient because it did not incorporate Innu cultural considerations. In the result, BARTS was selected. We will deal with this placement at BARTS shortly, but it is clear there was need for a facility like Hope Valley in Labrador with a strong connection to Innu language and culture. Ideally this would be led and staffed with well-trained Innu staff in their own community. There should have been supports like this available to Ms. Collins. She was an intelligent and dedicated parent. There were absolutely no complaints or concerns

with her care of her son. Removal should not have been encouraged in this case, but rather treatment for Jacob and support for Ms. Collins should have occurred. That option would have been better for every person involved and would not have wasted significant resources in a system desperate for funding. Instead of supporting her, Ms. Collins was made to feel low and like a failure to CSSD staff, and the only solution offered to her was removal of Jacob from her care.

(ii) Jacob's Experience in Out-of-Province Placements, Including BARTS and Mental Health Services.

14. The experience Jacob had at BARTS and the experience that was reported back to Ms. Collins were drastically different. Ms. Collins was told of a happy boy who was well integrated and thriving in Ontario. He was playing soccer and deeply engaged in the Cadets. She was repeatedly told how well Jacob was doing in Ontario, and she was made to feel he was being treated better and being given opportunities she could never provide for him. Time and again she consented to Jacob remaining in care because she thought he was doing so well.

15. The truth was very different. Jacob was deeply homesick and unhappy. He felt alienated in his foster home, and was treated as a small child, despite being a young man who towered over his foster mother. He tried to run away but was returned. He had alarms on the door and window of his room and was treated as a prisoner. He was monitored all day with a private worker at school. Despite being an underweight adolescent boy, his diet and food was closely monitored, to the point that he was disciplined. An example of this was when an incident report was made because he put an extra spoonful of jam on his toast.

16. When interviewed by the investigators, social worker Lindsay Farrell noted that BARTS was selected as they "were seen as more appropriate as they promised more emphasis on culture and family". This view was misleading. While "Broken

Arrow Residential Treatments Services" implied an aboriginal connection and a residential treatment program, neither was true. BARTS was really just a foster home with a poorly-trained support worker who went to school and activities with Jacob. There was no Innu cultural connection - indeed, Jacob was forbidden to speak Innu-aimun, except during calls home to his mother. Jacob's family had very limited contact with him. His mother had to fight to visit him, and his calls home were strictly monitored. He lost his connections with his cousins and uncles who were close with him. He was given no chance to maintain any friendships or connection in his life other than occasional calls with his mother.

17. There was a single psychological assessment. He never attended addiction or other counselling during all his years in Ontario. Both the Aboriginal connection and treatment services implied in BARTS name appear to have been more skillful marketing than reality in Jacob's experience. He needed cultural connections, real treatment and counselling. He was consistently denied both while in care.

18. As soon as Jacob was allowed to make his own decisions, he left BARTS and returned to his mother. While he missed soccer and Cadets, his desire for genuine cultural and family connection and the lack of a positive relationship in the foster home, made him want to return to Natuashish. Upon his return, he began experiencing psychotic episodes. Ms. Collins is still unsure if this was evident while he was in Ontario. If it was, then this mental distress went untreated or even undetected there.

(iii) Barriers to CSSD Monitoring and Supervision of the BARTS Foster Home and Lack of Courtesy Social Workers while in Ontario.

19. This issue has been canvassed adequately by the Investigators Report. Ms. Collins' concern was not whether Ms. Oakman or someone from a Children's Aid Society reported to CSSD. Rather her concern is that she was effectively misled by CSSD

based on the selective nature of the information provided to her. For example, incident reports made it to CSSD but never reached the family. While a courtesy social worker may have provided CSSD more information as to how Jacob was doing, we doubt it would have helped in this case, because CSSD seemed primarily concerned with ensuring Jacob remained in care, rather than accurately informing Ms. Collins about his situation.

(iv) Whether the Long-Term BARTS Foster Home Caused Jacob Harm.

20. Because of his placement at BARTS, Jacob Collins' connection with his family, community and culture was harmed. He was restricted from speaking his own language at the home. He was treated like a convict: followed and monitored all day and with alarms on his door and windows at night. He was forced to be subservient to a foster mother who failed to treat him with an age-appropriate level of independence or respect. Most critically, he was not given much-needed counselling, which might have shown early warning signs and would have provided support for the serious mental illness he was developing.

21. The Investigators Report rightly points to the mental distress caused by a placement in southern Ontario. They note "his early onset mental illness must have been exacerbated by this move". Ms. Collins agrees. The opportunities provided to Jacob during his placement were certainly beneficial for him. He enjoyed both soccer and Cadets, but that cannot negate the serious harm done to him during his placement at BARTS.

22. While at BARTS Jacob was not allowed to communicate with his aunts, uncles, cousins or close friends. He was only allowed to call his mother and these calls were limited. He was homesick and lonely. This isolation and degradation of all his important relationships seem cruel and counterproductive.

23. When CSSD allowed Ms. Collins to visit Jacob in Ontario, she had to go alone. She had no support and Jacob was not able to re-establish any other relationships. When Ms. Collins witnessed Jacob's fear of being heard speaking Innu-aimun and saw the alarms on his door and restrictions on his food, she was very angry. She says she wanted to immediately remove him and take him home. But she was alone in a distant province. She was afraid she would be arrested. She felt powerless to help him.

(v) Reintegration Planning and Support for Jacob when Exiting Care and Custody of the Manager, Including any Youth Services.

24. Jacob returned to Natuashish with no plan in place for him. He had not been given the opportunity to remain connected to his community while away. He was given no chance to speak with his close friend during the years he was away. When he returned, he had to struggle to regain the connections that had been lost. Losing those friendships made reintegration more difficult than it should have been. He would have stayed in care, but for whatever reason there was an unwillingness to move him out of the home where he was in constant conflict with the foster mother. He had wanted to change homes for years but was consistently ignored. He appears to have felt that the only way to be heard and be respected was to leave care. As soon as he returned to Natuashish he lost his connection with Tuskers and BARTS.

25. Jacob should have been home frequently for visits if he had to live away from Natuashish. While leaving was a shock, returning years later after so many crucial developmental years away was also difficult. His mental illness was undiagnosed in Ontario, and no support was provided to him for this. While the Government had been willing to pay for a one-on-one worker to be with him, and even attend school with him in Ontario, they offered no similar support to Ms. Collins. Jacob

spiralled out of control, with many hospital visits as he experienced hallucinations and suicidal thoughts.

26. The Investigators noted the known impact of severe dislocation on Jacob's mental health in relation to his placement in Ontario. The same must be true of his chaotic and unplanned return to Natuashish after many years away without language and cultural supports or sufficient and widespread family connections.

27. Maintaining a widespread and strong connection with the community and the extended family is especially important in the context of Innu communities. Jacob should have been given greater access to his extended family during his stay in Ontario, both through frequent visits home and regular contact with family during a routine week in Ontario. This is important to ensure a child's transition is as natural and stable as possible. In Jacob's case, there clearly needed to be additional mental health and behavioural supports provided to Ms. Collins when she was asked to take over the task that several full-time staff had been working on just days before.

28. Ms. Collins should have been offered similar support in terms of a worker to what had been available, at least on an interim basis upon Jacob's return, which could then be reduced gradually to assist both mother and child and to give the return the best chance of success. This should have included some counselling for both the child and primary caregiver. Such counselling would increase the chance at a smooth transition. In Jacob's case, it might also have identified the nature of his emerging mental health crisis which had gone undiagnosed at BARTS.

29. Ms. Collins has reflected that absolutely no transition supports were given to her. When Jacob returned it was unclear whether he would stay in Natuashish or return to BARTS. Ms. Collins noted that he was dropped off "like a hot potato" – a problem that CSSD was quick to leave with her and forget. There was no plan,

no support and seemingly no interest in Jacob once he decided he did not want to return to the acrimonious relationship with his foster mother.

30. When we look at Jacob's case, it is especially tragic because it is clear that both he and his mother worked hard to make the transition here a success, but did so unsupported and against the backdrop of Jacob sinking deeper into his psychosis.

31. Jacob's mental illness made re-establishing his relationships more difficult. If he had been allowed to maintain his close friendships while away, he would have returned to a community where he already had a peer support network, but CSSD denied that to him. Now he was trying to rebuild that while going through the naturally alienating experience of deep psychosis. Likewise, his deep connections with his great uncle Damien and his Uncle Gabrielle had been weakened by many years where there was no communication. This, again, reduced the connections he had and felt which could have been a great comfort to him in his struggles.

32. Ms. Collins worked to successfully provide a stable home despite the trauma she had endured in their early years. She succeeded in this and led a life which could be an example for Jacob. For his part, Jacob brought his love of soccer back to Natuashish with him and encouraged others. Despite his hospitalizations and challenges, he successfully graduated high school in his own community. Both Jacob and Ms. Collins put tremendous effort into making his return successful. Even if other supports had not been present, we are left to wonder if he might not have lived had better mental health support been there for him when he first got home.

(vi) Communication and Barriers to Communication between CSSD and Jacob, and CSSD and the Applicant.

33. The Investigators Report accurately describes issues of communication that occurred due to the use of English. It was part of the communication failure by

CSSD toward both Jacob and Ms. Collins, but it was also a symptom of a department that did not really want their opinions and did not care to listen.

34. Jacob spent years explaining the difficult relationship he had with his foster mother. His concerns were never taken seriously. He was left in this unhealthy relationship with no means to advance his independence or his self-autonomy. He had been seriously contemplating returning to BARTS due to his attachment to soccer and involvement in the Cadet movement, but the resistance to finding him a compatible home stood in the way. His sense that CSSD did not care what he thought or how he wanted to live contributed to his chaotic return to Natuashish because he was not fully open with his plans. It appears he may not have discussed fully and freely his return to Natuashish even when he had decided to return because he did not want to give CSSD the opportunity to convince him to stay at his BARTS foster home.

35. Ms. Collins also notes the communication failure with CSSD. This has been one of the most distressing aspects of this death investigation for Ms. Collins - realizing the falsely positive portrayal of Jacob's life in Ontario that she was given. She feels she was misled and bamboozled into repeatedly signing her son away under voluntary custody agreements. She was told in great detail how well Jacob was doing in school, soccer and Cadets. She was repeatedly told how happy he was and the opportunities he was getting. To her, it felt as if she was being told she could not do for him what he needed. Her interactions with the CSSD social workers consistently made her feel like a failure of a mother, unworthy of caring for her own son. We should remember that nowhere in the file was Ms. Collins' ability to parent Jacob questioned. She was consistently referred to as a dedicated and competent parent. Despite this reality, that was not the message Ms. Collins received.

36. CSSD was supposedly consulting with Ms. Collins about whether Jacob would remain in care. His placement was voluntary in theory, but that is not how it appeared to Ms. Collins. She was always alone when dealing with CSSD. She never had support. The social workers would arrive – not to consult for her genuine opinion, but for her permission for what they were planning to do. Ms. Collins has described how the social workers always arrived with the paperwork and orders ready to be signed. They made her feel she had no choice. They did not offer any real choices. Rather, they simply wanted her to rubber stamp the course of action they had already chosen. This is not consultation or reciprocal communication. The documents were always in English and it was not made clear that there were any real choices. If workers wanted to give parents a real choice, then either the documents should be crafted after the meeting to reflect the choice the parent made, or multiple documents should be offered to the parent either to consent to the placement or to refuse to consent. Anything less can feel like real compulsion to a parent dealing with CSSD, especially given the colonial legacy and complex relationship many Innu have with the child protection system.

37. Ms. Collins was not told about the full extent of Jacob's challenges at BARTS or the depth of his homesickness. He was not given the freedom to speak in his own language. Ms. Collins felt he was told not to bother his mother or concern her. She only realized his fear of speaking Innu-aimun around his foster mother and the alarms on his door and window when she went to visit him in Ontario.

38. CSSD also failed to communicate with Ms. Collins about regular visits. She was consistently the one who had to push for these visits to happen. CSSD failed to keep up with Jacob, and so, even when in care, it was Ms. Collins who bought him clothes and other things he needed in Ontario. Otherwise, he was simply given clothes he did not want to wear to school. Even this basic level of communication and respect was lacking. Obviously, this would be important to a 14 or 15-year-old boy worried about making a good impression in a new school in a strange

community. The most critical failure to communicate, however, must be the failure to have had someone with a close counselling relationship with Jacob. Whether through CSSD or BARTS, he needed to discuss the trauma he had witnessed and experienced as a child. That relationship was never offered and that work was never done. It would have offered the best opportunity to have diagnosed and managed Jacob's mental illness at the early stages of its development.

39. Ms. Collins highlights what is perhaps the most shocking communication failure - the failure of the foster mother in Ontario to speak with Ms. Collins directly. While they reported to BARTS, and in turn to CSSD, the foster parents did not call Ms. Collins and inform her of what was occurring, as would be normal practice. She was left with only Jacob's perspective, and he hid his pain. He saw himself as the man of the house, and he was protective of his mother and her emotions. He did not want to worry or upset her. It is incredible to imagine that Ms. Collins could have her son live with this family for years and, yet, have to rely on the flawed third-party reports to know what was happening. Communication failures plagued every aspect of this case and are found at every level of the system.

(vii) Jacob's Access to Innu Cultural Land-Based Activities, Innu Language (Innu-aimun), Community Connection and Family Connection.

40. I am certain that the importance of Nutshimit (land), Innu culture more broadly, and family connection has been understood by all participants in this Inquiry after the many articulate and impassioned addresses heard from the Innu community. The Investigators Report notes the lack of Innu culture when Jacob was at BARTS. Jacob was totally divorced from his home and no trace of his culture was accessible to him, not even his own language.

41. It was also noted by the investigators that Jacob was not given anything close to sufficient time with his family and community. This was addressed under previous headings, but the importance of this above all other issues should be noted. It is terrible to have a young Innu boy find himself a "stranger in a strange land", as the investigators put it, when away from his community. But it must be ensured that they are never made to feel a stranger - disconnected - from their own land, own family and own people. While Jacob worked at re-establishing his connections when he got home, it was an added worry and challenge that he should not have been handling, and its impact on his fragile mental health will remain unknown.

III. Conclusion

42. Ms. Collins has put a lot of energy into this Inquiry in the years since it began. For her, it is not only about her son Jacob. She is still living with the effects of this system, and her other son, who was also sent away to Ontario, is living out the same pattern of addictions, self-harm and repeated incarceration as Jacob did. Even now, her younger son is incarcerated at the Labrador Corrections Centre, and she is left with the agonizing worry that he will take his life in that building in the same way his brother did.

43. Those worries have combined with the uncertainty and guilt any parent would feel after their child's suicide to put her in a very dark place over the years since Jacob's death. The hearing circle was the most healing experience that has happened since Jacob's death. The circle made her feel free to fully share without fear of judgment, shame or condemnation. She felt totally supported and safe. This may be the greatest accomplishment of the Inquiry. Ms. Collins still struggles with the darkness and grief of this tragedy. That may always be the case. But she has found it easier since the circle. She still gets angry at the way she and her son

were treated, but that is balanced by a greater understanding of those failures and by the hope that this Inquiry can make the changes the Innu need.

Dated on April 15, 2026 at St. John's, Newfoundland and Labrador.

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