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**Comité permanent des affaires autochtones et du développement du Grand Nord**

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Ⓢ (1105)

*[Français]*

**Le président (M. Bruce Stanton (Simcoe-Nord, PCC)):** Bonjour, députés, invités et témoins. C'est la 31<sup>e</sup> rencontre du Comité permanent des affaires autochtones et du développement du Grand Nord.

*[English]*

This morning we welcome Mary Quinn, Christine Cram and Odette Johnston, each from the department. Christine is the assistant deputy minister, education and social development programs and partnerships sector. The rest you have on your notice paper.

This, members, is on the topic of child and family services, a topic that we have had before our committee not too long ago, back in the spring, but we are back to deal with some specific questions on the topic.

As is customary, we begin with a 10-minute presentation. I assume there will be just one presenter for 10 minutes. Then we'll go to questions from members.

Before we do that, members, I just want to give you advance notice that we have a couple of items of committee business to deal with. We'll be looking to have at least 20 minutes at the end of the meeting. We'll see how our questioning goes, but we'll have to finish off at 20 minutes to the hour in order to consider committee business.

*[Français]*

Nous commençons avec Mme Cram.

**Mme Christine Cram (sous-ministre adjointe, Secteur des programmes et des partenariats en matière d'éducation et de développement social, ministère des Affaires indiennes et du Nord canadien):** Merci de nous avoir invités, mes collègues et moi, à prendre la parole devant votre comité, monsieur le président. Nous profitons de l'occasion pour mettre à jour vos membres relativement à nos efforts continus en vue d'améliorer les services à l'enfance et à la famille des premières nations dans les réserves. Le rapport de la vérificatrice générale de mai 2008 a soulevé de nombreuses questions importantes à propos de la gestion des services à l'enfance et à la famille des premières nations. De plus, nous avons élaboré un plan d'action pour répondre aux recommandations de la vérificatrice générale.

*[English]*

As well, the Standing Committee on Public Accounts made seven recommendations. The first recommendation was to provide the public accounts committee with a detailed action plan on the implementation of the Auditor General's recommendations. Deputy Minister Wernick provided the public accounts committee with the March 31, 2009 update on implementation in a letter to the committee dated April 30, 2009. The Government of Canada tabled its response to the report of the public accounts committee on August 19, 2009, which indicated that our department has responded to a number of the public accounts committee's recommendations while others are under review and analysis.

I can assure Committee members that we recognize the seriousness of the matters raised in these reports, and that we are committed to building healthier, stronger first nation families and communities. We are particularly concerned with the safety and well being of first nations children.

[*Français*]

Aujourd'hui, j'aimerais vous parler brièvement de nos partenaires dans le financement du Programme de services à l'enfance et à la famille des premières nations ainsi que mettre le comité à jour sur ce que fait le ministère pour aborder les recommandations du rapport du Bureau du vérificateur général ainsi que celles du Comité permanent des comptes publics.

[*English*]

We do not work alone in supporting the First Nations Child and Family Services program. Three parties are involved. Provinces have jurisdiction over child welfare both on and off reserve and, where appropriate, they delegate this authority to first nations child and family service agencies and first nations staff.

Indian and Northern Affairs Canada provide funding to first nations, to their first nations child and family services agencies, and to the provinces to support the delivery of culturally appropriate child welfare services on reserve, including costs related to children brought into care.

INAC is in the process of reforming its First Nations Child and Family Services program by implementing an enhanced prevention-focused approach on a province-by-province basis. This new approach provides first nations child and family service agencies with improved capacity to provide prevention-focused services to on-reserve first nation children, and is consistent with the findings in academic literature and with provinces that have largely refocused their child welfare programs from protection to prevention. Studies have shown that early intervention improves family cohesion and stability, leading to better life outcomes for children and families. INAC has made progress in this area through tripartite frameworks in five provinces.

Budget 2006 marked the beginning of the transition of the First Nations Child and Family Service program to an enhanced prevention-focused approach with a financial commitment of \$98 million over five years for Alberta first nations child and family service agencies. With the new funding for Alberta, reports indicate that there is already a shift in case loads, an increase in families accessing prevention programming, and a rise in permanent placements. INAC is currently in the early stages of conducting a formative evaluation of the enhanced prevention-focused approach in Alberta, which will be done in collaboration with the Province of Alberta and Alberta first nations.

Budget 2008 provided an additional \$115 million over five years to implement the new approach in Nova Scotia and Saskatchewan, and Canada's Economic Action Plan provided an additional \$20 million over two years to transition both Quebec and Prince Edward Island to move to the enhanced prevention-focused approach. Total program expenditures are expected to be \$560 million in 2009-2010, which equates to a funding increase of 190% since 1996-1997. With five provinces under the new approach, 45% of first nation children living on reserve are or will be receiving expanded services. We continue to work with remaining jurisdictions to transition to a prevention-focused and culturally appropriate approach to child welfare on reserve, and the objective is that all will be ready by 2013.

[*Français*]

Tandis que le travail est en cours sur le renouvellement des programmes et la transition vers une approche axée sur la prévention rehaussée, nous travaillons aussi dans une autre voie afin de renforcer la gestion et la responsabilisation des programmes afin d'assurer que leur financement mène à des résultats améliorés pour les enfants et les familles des premières nations.

[*English*]

With respect to the Office of the Auditor General report, INAC is now preparing its September 30th update on progress, which will go to INAC's audit committee on December 8th, 2009. The Auditor General made ten recommendations, and the department is taking steps to address them all. We have updated the program authorities, introduced new reporting requirements, articulated a guiding principle on culturally-appropriate services, worked closely with provinces to ensure agencies are meeting provincial legislation and increased compliance activities.

As well, we have had a preliminary meeting with first nations partners to discuss program performance indicators, and preliminary work is underway to develop a national data management system. We are also making progress in implementing Jordan's Principle, along with Health Canada. That department has clarified the availability of Non-insured health benefits to eligible first nations children in INAC-funded care.

In terms of the seven recommendations of the Public Accounts Committee, we have responded to or addressed three recommendations. As mentioned, we have provided the Public Accounts Committee with an update on implementation of our Action Plan in response to the Auditor General and have addressed two other recommendations, which are similar to those in the Auditor General's report, and relate to culturally appropriate services and the development of performance measures.

Recommendation 2 calls for the department to conduct a comprehensive comparison of its funding to provincial funding by December 31, 2009. The Government of Canada agrees with this recommendation; however, as indicated in our government response it will be conducted on a phase basis. The first phase will consist of a comparison of jurisdictions that are already under the enhanced prevention focused approach. The second phase will consist of jurisdictions that have not yet transitioned to the new approach and will require a substantial amount of time and work with the provinces and First Nations. This phase is expected to be completed by 2012.

Recommendations 4, 5 and 6 generally concern provincial comparability and funding. The Committee recommends revising the funding formula for those first nation agencies or First Nations who have not yet transitioned to the new approach, basing the funding formulas on need, and fully costing the funding modal. With respect to recommendation 4, the revision of funding formula directive 20-1, the department recognizes that there is a greater need for prevention focused services and we are exploring options with respect to the funding formula for those jurisdictions that have not yet transitioned to the new approach.

In terms of recommendation 5, on ensuring the funding formula is based on needs, the enhanced prevention focused approach ensures needs are met by providing stable funding for both protection and prevention services. Also, as outlined in our government response, the direct costs of maintaining children in care out of parental home is based upon need and not on an assumed percentage of children in care. With respect to recommendation 6, fully costing the program, this analysis is done on a province by province basis as the program is reformed by taking into account the related costs in caseload ratios in the provinces.

Another issue of concern to the Auditor General and this committee is Jordan's Principle. As you will recall, Jean Crowder's motion on Jordan's Principle was adopted by the House of Commons in December 2007, with the support of all parties. The federal government has defined Jordan's Principle as a child first approach for children with multiple disabilities in need of multiple service providers. Indian and Northern Affairs Canada and Health Canada are working with the provinces to implement Jordan's Principle so that the care of children with multiple disabilities will continue even if there is a dispute between governments, concerning responsibility, and payment of service.

In Saskatchewan and Manitoba, first nations are actively involved in discussions to implement Jordan's Principle. On September 5, 2008, the province of Manitoba announced it had reached an agreement with the Government of Canada to implement Jordan's Principle. As part of the agreement, a joint Manitoba/Canada steering committee is working on an implementation framework for Jordan's Principle. This Committee has participated in case conferencing for several disabled first nation children and developed both a dispute resolution report and a report on services available to first nation children. They are now actively pursuing engagement with first nations.

⌚ (1115)

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On September 16, 2009, Canada, the Province of Saskatchewan and the Federation of Saskatchewan Indian Nations announced their tripartite document entitled "Interim Implementation of Jordan's Principle in Saskatchewan" which sets out the parameters to develop, over the immediate term, a dispute resolution process, and over the longer term, to examine broader issues that could have an impact on first nation children with disabilities. Canada is continuing to engage with the remaining provinces in implementing Jordan's Principle.

⌚ (1120)

[*Français*]

Seulement en adoptant une approche de partenariat, AINC peut soutenir les services qui sont comparables à l'échelle provinciale et culturellement appropriés de façon à répondre aux besoins des collectivités.

Mes collègues et moi-même feront de notre mieux pour répondre aux questions que vous pourriez avoir sur le travail que nous avons accompli ainsi que les étapes que nous suivrons pour aller de l'avant. Merci beaucoup.

**Le président:** Je vous remercie de votre présentation.

Nous procéderons maintenant à la première question avec M. Bagnell pour sept minutes.

[*English*]

**Hon. Larry Bagnell (Yukon, Lib.):** *Merci, monsieur le président.*

Thank you very much for your comprehensive presentation. It's very helpful.

My first question you may not be able to answer, but if you can't, could you endeavour to get me the answer? Under the land claims Carcross/Tagish First Nation, which is in my area, has the ability to take down that authority, and they've chosen to do that, but apparently it has been a long drawn-out process, far longer than they would like, with the federal government.

Do you have any update on the status of that and if that will move along quickly?

**Ms. Mary Quinn (Director General, Social Policy and Programs Branch, Department of Indian Affairs and Northern Development):** Thank you for the question.

We are familiar with the issue and I believe our deputy has written to the first nation. He did meet with them and he had a concern about the size of what some of the first nation agencies would be, given that there are some issues around size and how those agencies could attract and keep staff and do that kind of thing. Nonetheless, the deputy made it very clear in his letter that we will fulfill our self-government obligations and if that is what the first nation chooses to do, that is certainly what we are amendable to.

I guess we could see if we can get a copy of that letter to you and then get a mini schedule up to date on where the situation is at.

**Hon. Larry Bagnell:** Okay, that would be good. Could you just take back the message that we're very keen on that proceeding as quickly as possible.

My second point is could you just update me a bit on Aboriginal Head Start, with your understanding of it? A few years ago it was a very excellent program of the federal government. We have a number--maybe four--in my region but there is a lot more demand for it because it's such a good program. Is the funding increasing so that more people can take advantage of it? I am curious about the present status. I know there were some minor funding increases but the local committee allocated them to the four existing Aboriginal Head Start operations as opposed to accepting applications from the new ones that wanted some.

**Ms. Christine Cram:** Thank you for the question.

Head Start is a Health Canada program, so I have to say I'm not really up to date on what their plans are, but we'd be glad to raise that with Health Canada and get back to you.

**Hon. Larry Bagnell:** All right. If you could get back to the committee with anything you find out, that would be wonderful.

My next question if this. I'm not sure if Jean has the same question, but in your speech you said the federal government has defined Jordan's Principle as a child first approach for children with multiple disabilities in need of multiple service providers. My understanding of that debate was when a child needed something we did not want them to get shuffled between different governments. We wanted it to be child first, and served. I don't remember our saying only with a child of multiple disabilities. It could be one disability, or it could be no disabilities. It was just a child that was sick that needed the service.

I don't remember it being multiple service providers necessarily. In fact, I think with Jordan it was one service provider that wasn't getting paid that he couldn't go to. It was one service, so this seems like a fairly constrictive and limiting approach versus what I thought the spirit of Jordan's Principle was: just when there is a child who needs service, whether with a disability or not, that he be served by someone and then we'd figure out later who paid for it.

⌚ (1125)

**Ms. Christine Cram:** Thank you for the question.

When we looked at how the federal government could go about implementing Jordan's Principle in working with provinces what we found was that the issues coming up in terms of service provision were related to children with multiple disabilities needing multiple service providers. The problem was how did you organize to get all those service providers providing the services to that child.

Jordan himself had multiple disabilities and the challenge was that the family, as I understand it, wanted Jordan to be able to return to his community as he was in a hospital. Because all the parties couldn't get together to agree how that could be done and how they could provide the services and who would pay for it Jordan remained in hospital and he died in hospital.

So in looking at the spirit of Jordan and how we'd go about implementing it we had to agree on how we would approach it. So we came up working with the other partners and provinces, children with multiple disabilities needing multiple service providers and then how could you make that service provision happen for them.

In the two agreements that we have reached with Manitoba and Saskatchewan what they've agreed is to phase things so that the first phase is focusing on those children with multiple disabilities and requiring multiple service providers because they are in the most need. Then to look on a second phase what are the gaps related to other children?

**Hon. Larry Bagnell:** That's not in your speech, so does this mean that a child with one disability that only needed one service provider but the service provider thought they shouldn't pay so they wouldn't give the services is just going to fall between the cracks?

**Ms. Christine Cram:** No. What actually happens now is in those provinces where we have arrangements we use a case conferencing approach. So when a case comes forward you don't know whether it will be a Jordan's Principle case meaning there is a dispute between the various parties. So children who aren't getting, or feel they are not getting the appropriate services come forward to these case conferencing processes. Then that case conferencing process attempts to line up all the services that child needs regardless of the number of disabilities or what services they need.

We don't have to go into a dispute resolution mechanism unless there's a dispute somewhere. That dispute resolution mechanism says that whichever party is providing the service now will continue to do so so they won't stop those services. Governments or service providers will sort it out after.

[*Français*]

**Le président:** Merci, monsieur Bagnell.

Maintenant, nous poursuivons avec M. Lévesque, pour sept minutes.

**M. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** Bonjour, mesdames.

C'est assez rare que l'on dit bonjour seulement à des dames. J'en suis heureux, aussi.

Je regarde les chiffres accordés à différentes provinces. Les données en chiffres m'apparaissent un peu échevelées.

Existe-t-il des tables où les montants sont identifiés pour chaque province?

**Mme Christine Cram:** Oui, nous pouvons vous donner des chiffres par province.

**M. Yvon Lévesque:** D'accord.

Si je comprends bien, à la page 4 de la version française, vous dites que le Plan d'action économique du Canada a octroyé une somme supplémentaire de 20 millions de dollars durant deux ans. Ce sont 20 millions de dollars par année, pendant deux ans ou 20 millions pour les deux ans?

**Mme Christine Cram:** Pour les deux ans.

**M. Yvon Lévesque:** D'accord.



Les communautés du Québec prétendent avoir reçu seulement la moitié de ce qu'elles avaient dit avoir besoin pour cette activité.

Le Québec s'est doté d'une mise à jour sur la loi, en juillet 2008. Croyez-vous que les montants accordés jusqu'à maintenant combleront les impacts de la loi du Québec sur les communautés, pour leur permettre de respecter cette même loi?

⌚ (1130)

**Mme Mary Quinn:** Je vais essayer de répondre à votre question. Les fonds alloués aux agences dans la province de Québec sont de 60 millions de dollars sur cinq ans. Nous avons établi ce montant avec l'Assemblée des Premières Nations et la province de Québec. Lors de nos discussions avec les provinces et les premières nations, nous avons des lettres d'appui. Par exemple, nous avons une lettre du ministre provincial et de l'organisme de M. Picard. Ces lettres indiquaient qu'il s'agissait d'une annonce très importante qui avait été faite au mois d'août dernier à l'égard de ces fonds. Donc, dans cinq ans, nous allons réévaluer la situation.

En ce qui a trait à la législation provinciale, c'est la province qui a la juridiction pour les agences.

[*English*]

--their authorities, they delegate their authorities to the agencies.

[*Français*]

Donc, les discussions font partie du processus avec la province et l'Assemblée des Premières Nations. Nous pouvons donc assurer que les fonds vont soutenir les services prévus.

**M. Yvon Lévesque:** Je proposerais d'abord qu'il y ait un suivi identifié pour chacune des provinces. On entend les premières nations qui disent: On a eu seulement la moitié de ce qu'on demandait. Vous me dites que les premières nations du Québec se sont déclarées satisfaites directement à vous alors qu'ailleurs elles disent que c'est insatisfaisant. Surtout concernant le fait que la loi du Québec ait été modifiée et qu'il y ait des obligations supplémentaires à respecter. Cela fait partie des budgets que vous leur donnez.

**Mme Mary Quinn:** L'annonce du ministre Strahl a été faite au mois d'août dernier. Donc, le montant est connu. Toutefois, les agences sont encore en train de développer leur plan. Donc, lorsque les plans seront rédigés, les fonds seront transférés. Nous pouvons donc considérer que l'annonce a été faite et que les fonds seront transférés aux organismes. Il nous faut obtenir les plans d'abord.

**M. Yvon Lévesque:** Vous parlez de 20 millions de dollars pour les deux premières années, donc un total de 40 millions de dollars. Cependant, vous avez parlé de 60 millions de dollars sur cinq ans. Donc, si vous donnez 40 millions de dollars pour les deux premières années, cela veut

dire que pour les trois autres années, il vous restera 20 millions de dollars à verser. Mon calcul est-il exact?

**Mme Mary Quinn:** Il s'agit d'un total de 20 millions de dollars sur deux ans et un total de 60 millions de dollars sur cinq ans.

Excusez-moi, mais je me suis mal exprimée, au départ.

**M. Yvon Lévesque:** Donc, avec ces données, on pourra réagir plus adéquatement.

**Mme Mary Quinn:** Oui, parce que les fonds qui ont été annoncés sont pour la prévention. Il y a deux ans, nous avons commencé, au Québec, des projets pilotes dans quelques communautés afin qu'elles soient mieux préparées relativement au système de prévention. Nous avons obtenu de meilleurs résultats avec le système de prévention qu'avec le système de protection

**M. Yvon Lévesque:** Versez-vous des fonds à un ministère spécifique dans les provinces, comme celui du Bien-être et services sociaux, par exemple?

**Mme Mary Quinn:** *[inaudible]* Après cinq ans, nous allons réviser la situation et nous allons continuer. Il ne s'agit pas seulement d'un projet de cinq ans.

**M. Yvon Lévesque:** Merci.

*[English]*

**The Chair:** *Merci, Monsieur Lévesque.*

Now we'll go to Ms. Crowder for seven minutes.

🕒 (1135)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Thanks, Mr. Chair.

And thanks for coming and updating the committee.

I want to make a quick comment on Jordan's Principle. Of course, I know you're well aware that the motion passed in the House was not limited to complex medical disabilities. That was never the intention of the motion. It was to put first nations children first so that they were treated on an equitable basis, as children off-reserve are treated. I just wanted to put that out there. It is great to see some progress, even though it's narrowed the scope of Jordan's Principle, that at least some of the provinces are coming to the table and discussing it.

In the Auditor General's report, in exhibit 4.1, she outlined that there are a number of challenges facing first nations children. They include: socio-economic..., jurisdiction, legislation, program design, access to and availability of services, and emerging issues. And in the past year we've had a number of cases where children were apprehended because of severe mouldy

conditions in homes. There was a group in Mr. Duncan's riding.... A significant number of children were apprehended because of the conditions in the homes.

Our experience, of course, in the past has been that often departments, even within departments, end up working in silos. So in the enhancement provisions, are you looking more broadly at housing, education, water, all of the other impacts on the liveability of homes for first nations children on-reserve?

**Ms. Christine Cram:** That's a very good question, Ms. Crowder.

I will start by saying that we could probably improve our coordination. But just like the health outcomes, there is a real recognition that poverty and other reasons are at the base of a lot of poor outcomes. That's why, for example, in Canada's economic action plan, there was money for water, schools, housing--

**Ms. Jean Crowder:** Sorry, I appreciate that. So let's put the political announcements aside for a minute.

I want to know, practically, how your department is coordinating with other areas to tackle the poverty issues that are impacting on the apprehension of children. My understanding is that, significantly, children are apprehended for poverty-related issues more often in first nations communities. Is there a working group? What kind of practical things are happening to do that coordination?

**Ms. Christine Cram:** I can't speak in detail about what happens in every child and family service agency. But with our move to the enhanced prevention approach, we were trying to have more money available for agencies so that they could focus on prevention. One way to focus on prevention is to have strong people--I don't know what you call them--child and family service workers, social workers working with them. Their job is to work with the communities and, as much as possible, try to keep the child in the family home.

**Ms. Jean Crowder:** Sorry, but at a policy level and at a departmental level, the agencies don't have the wherewithal to build new houses. Or even in the case of North Island, there was no mechanism to find new houses on-reserve. These kids were taken out of their homes because of the severe mould. They were apprehended.

**Ms. Christine Cram:** Just to answer that, the community makes decisions. As you know, the communities make decisions on housing. They have housing authorities that have the ability to decide on the priority on the housing. The government, as you know, provides the funding for that purpose.

I agree. It probably needs better linkage to make those decisions happen. But a community, one would hope, would be making decisions on priorities based on need.

**Ms. Jean Crowder:** But back to what's happening in the department, there isn't an official kind of process to do those linkages.

We know that communities are underfunded for housing. They might set priorities, but they only get a certain percentage to build new housing. They simply can't meet the need in the community.

But in the department, when you're looking at services for children, are you working with the folks in the department who deliver housing money?

**Ms. Christine Cram:** In our department, I'm the ADM responsible for housing, water, schools, the social programs. And that was done deliberately to ensure that when those policy initiatives and programs are developed, we are trying to do that.

I admit that we could probably do a better job.

**Ms. Jean Crowder:** So tell me, practically, what's happening on the ground in your department around doing those linkages. You're the ADM.

🕒 (1140)

**Ms. Christine Cram:** I'm the ADM responsible, and I have different DGs responsible for different aspects.

**Ms. Jean Crowder:** So they all get together and talk about—

**Ms. Christine Cram:** We work together. In fact, the department works on all—any policy coming forward, there is a policy committee, which all executives in the department look at them and are looking for exactly the things you're talking about.

I would just say the challenge is that we don't the delivery on the ground. We provide the funding. Thus, we can try to ensure that it encourages that kind of thing, but those decisions as to who gets what house, is going to be made at a community level.

**Ms. Jean Crowder:** We've seen horizontal initiatives in other departments. For example, there's supposed to be a gender lens over policy. There's supposed to be, but we know it's often a checkbox. When we talk about child-first principles and child welfare services, is there a child-first principle across the department when you're making decisions? Is there some sort of horizontal initiative around child first?

**Ms. Christine Cram:** I'd have to say there isn't. That would probably be a good idea, just as you do a gender lens. I think we also do an environmental lens. It would probably be a very good idea to do a child-first lens. I think that's something the government could very much do.

**Ms. Odette Johnston (Director, Social Programs Reform Directorate, Department of Indian Affairs and Northern Development):** I just wanted to say, in terms of what we're doing on Jordan's Principle, we do have a group we work with at Health Canada where, if we are made aware of a case, we have identified focal points in both departments, in our regional offices. When these cases are brought to our attention, we then branch out and look at what program is

implicated in our particular departments. We look to see if we can resolve the case through that approach and do the case conferencing. What's important is that we need to be made aware of these cases.

**Ms. Jean Crowder:** That's good to know. So if we have cases, we should contact you. That would be wonderful.

**The Chair:** Thank you very much, Ms. Crowder.

Now we'll proceed to the final question in the first round. That's to Mr. Duncan for seven minutes.

**Mr. John Duncan (Vancouver Island North, CPC):** Thank you very much.

Good morning everyone. Seeing as how an example was brought up in my riding, I think I must say something. I've indeed been to the community. I've been in the houses that you talked about, Jean. I've talked with the Chief and talked with the then-band manager, and also with the mayor of the adjacent community. This story is a lot more complicated than how you've described it. It usually is. Indeed, there was a budget for remediation. There is a budget for remediation. Indeed, there are other issues here.

Capacity and governance is always part of the equation. Certainly, I'm aware of things we're trying to do on that front as well. I think that's vitally important.

On a national scale, the INAC negotiations and dealings to implement the First Nations Child and Family Services program has to deal with all of the provinces, the territories, and all of the first nations and their delivery agencies. I wonder if you could describe the scope of that. I think it helps to portray why these comprehensive tripartite agreements are so important.

**Ms. Mary Quinn:** Thank you for the question.

The government with the Government of Alberta and the First Nations in Alberta started implementing the Enhanced Prevention Model in 2007. We work on a province by province basis because as you mentioned, the provinces are different. Their legislation is different. The First Nation agencies, there are 108 of them now, but not so many years ago. There was no where near that number. So we're dealing in a three party situation because there is no one size fits all answer and since 2007 to August past, the government has announced five jurisdictions where the prevention model is in place.

So we need the province at the table because the province has jurisdiction for child welfare and it's the province that delegates its authorities to First Nation child and family service agencies and the province is accountable for compliance in that regard. The federal government funds the operation and provides under the enhanced model for the maintenance and prevention services that the agencies offer, so we're there as the funder. And the First Nations themselves are there of course as they run the agencies in a culturally appropriate manner that's designed to best meet the outcomes of children and families.

So it is something that we're doing on a province by province basis. It's a challenging area of public policy and risk management for the workers involved in it and we are hopeful that if we can continue along the path that we've started by 2013, we will have gotten in the five remaining provinces to implement this approach.

🕒 (1145)

**Mr. John Duncan:** Just another layer on that. I guess because you're operating with provincial and territorial legislation and standards that change over time, it's in a state of flux, so these negotiations will have to be ongoing once there agreements are in place, correct?

**Ms. Mary Quinn:** That's absolutely correct. The provinces some time ago started moving to a prevention model and that's where the best practices learned were presented to us starting with the Province of Alberta. But even though there was quite a shift some years ago to prevention, many of the provinces have I'd say in the last two years adjusted their legislation as well. New Brunswick for example introduced some new legislation about a year ago, and not so many months ago, New Brunswick announced that Bernard Richard, their child advocate is doing a review of child and family services aspects of child and family services. So there could be new legislation after that too.

When the funding is provided to the provinces for the enhanced model, it's on a five year basis towards the end, well not right at the end but towards when the end is in sight, we'll sit down and see what the situation is again. But because it's the three parties, the three parties meet two or three times a year to see what's going on, to see if there are issues. For example, in Quebec and in Prince Edward Island where the funding was announced in August, those three party tables as we call them will be important in the regularity of their meetings over the next year because workers need to be hired, needs to be there, and dollars need to get out the door. So by bringing the three parties together, it's a way of keeping up with the momentum, seeing what changes are and seeing what issues are. So it's very much an opportunity for dialogue and monitoring.

**Mr. John Duncan:** How much time do I have left?

**The Chair:** About 45 seconds or less.

**Mr. John Duncan:** I was going to split my time with Mr. Rickford.

**The Chair:** There's very little left. We'll come back to Mr. Rickford. Mr. Rickford is the next one up for your side.

We'll now go to the second round of questioning. We'll begin with Mr. Russell, for five minutes now.

**Mr. Todd Russell (Labrador, Lib.):** Thank you, Mr. Chair.

First of all can you give us just a brief definition of what we mean by "kids in care"? We hear this term all the time. What is the definition that the department uses? What is the current figure

of First Nations children in care? Comparatively, how does this compare with non-aboriginal Canadians? Just very quickly, just to give us a frame.

**Ms. Mary Quinn:** Thank you.

For children in care, there's basically two aspects in Child and Family Services. One is protection and one is prevention, the model we're moving toward. But on the protection side, when a child is removed from the home, that's what children in care refers to. They're taken out of the home. They could be in a variety of settings. They could be in a foster home, they could be in a group home or they could be in an institution. But they're basically removed from the home, and the idea is to focus more on prevention models, so that, where it's appropriate, the child can stay in the home, and he or she and the parents have the supports or you use prevention so that they'll get back into the home more easily.

In terms of the number children, I have it, and it's an important number, and, for some reason, I'm not finding it.

☉ (1150)

**Ms. Odette Johnston:** In 2008-09, there were 8,788 children in care on reserve and this represented 5.4% of the children; and the off-reserve, or non-aboriginal, was 0.92%.

**Mr. Todd Russell:** Now, there's an ongoing dispute about the comparability of services and the comparability of money, basically. The department has taken a particular view; first nations have taken another view, that they don't get the same amount of resources to offer similar services as a provincial child welfare agency. The department has quarrelled with it, I would think, at least from some of the reading I've done, have quarrelled with some of that. But in every model that you've put forward you have continually increased the budget, noting that there is greater need. That, to me, admits that there is greater need. So I somehow think that you're arguments in the past don't hold much water.

There's an ongoing case before the Canadian Human Rights Tribunal, as I understand it, between the Child and Family Caring Society of Canada and the Department of Indian Affairs about this very issue. Now, the basis of it, I think, is a race-based type of case, as I understand, discrimination based on race—I'm not totally familiar with the case.

Can you give us an update on where that particular case...? I'm not asking you to comment on the particulars of it, but just give us an update as to where that is in the process, and also what kind of involvement the department is having, your particular shop is having, in that case.

**Ms. Mary Quinn:** Thanks.

In terms of comparability, yes, certainly, the government has been putting additional funds to First Nation Child and Family Services since 2007 on a regular basis. So there's the base funding, but that incremental funding is going to the prevention model. And because we arrive through those discussions with the provinces and with the first nation organization in the

province, and there's some agreement, our view is that funding is comparable, in terms of, particularly, the cost of running an operation, the kinds of caseworkers that are needed, the ratio of children to caseworker, and that kind of thing.

We do provide funding for a resource person in the agencies, because I think where you'd see a difference is in the provinces there may be ministries of child and family service or a ministry of social services, where Child and Family Services sit, so there is a breadth of activities in that regard. So what we do is provide funding, because, in the federal government, of course—and Mr. Bagnell mentioned Aboriginal Head Start—there's other services to access in the federal government, and someone may need to find their way around that to be able to access health programming or human resources.

In terms of the complaint, there's two issues that are going on. There's the Tribunal. The complaint has been referred to the Canadian Human Rights Tribunal. There's been an initial hearing by the Tribunal on September 14, and their hearings will resume on November 16.

The second thing that's going on is that the federal government has sought a judicial review of the jurisdiction, if you will, of the Human Rights Commission in dealing with this complaint, given that the federal government views itself. Our responsibility is to fund the services, and we work with the province and we work with the first nation agencies who run the agency. So we're not a direct service provider. We fund, but we don't influence. We don't set the standards.

There was an initial hearing held in the beginning of September. I can't say when we're expecting a decision, but we're expecting in the next several weeks that there'll be a development, in terms of the issue of the judicial review.

🕒 (1155)

[*Français*]

**Le président:** Merci, madame Quinn et monsieur Russell.

Maintenant, nous allons à M. Rickford pour cinq minutes, puis à M. Bouchard.

[*English*]

**Mr. Greg Rickford (Kenora, CPC):** Thank you, Mr. Chair, and thank you to the witnesses today. Very briefly by way of background, I'm the son of a family of more than 250 children actually from my family's years of being involved with the Children's Aid Society and foster parents. Subsequent to that I was a nurse in isolated first nations communities across the country, primarily in a great Kenora riding and have a lot of experience dealing with some of the great agencies that work under some difficult circumstances from time to time. So being involved in the coordinating of care for children under those circumstances is well known to me.

My background goes to Health Canada and in their new model that was implemented under Minister Clement, they developed clusters and the great thing about those clusters is that it



allowed programs within a certain cluster to give communities the chance to identify certain priorities and perhaps shift funding from one program to another because elements of a program could fit into something else. Aboriginal Head Start is a good example of that, and various pre-natal programs are as well.

In my understanding of some of the key features of the Enhanced Prevention Focused Approach is that there are indeed streams of funding. As I understand it, they would be operations, prevention, and maintenance, and there appears to be that similar sort of flexibility to shift funds from one stream to another. For the benefit of this committee, could you just take the rest of my time to make a brief statement about those three streams, and then describe or expound if you will on what it means to be able to shift funds from those and how that affects, I'm sure positively, the priorities of the stakeholders who are involved in the process. Thank you.

**Ms. Odette Johnston:** Thank you for the question. What we have are these three funding streams. One is for prevention activities, to try and keep families together and children in the home. Then we have operations funding which is to support the operations of the agencies. That includes rent and other expenses such as director's salaries. Then we have maintenance costs which are specifically to pay for the costs of children in care.

When we developed this process, we had asked that they develop, first of all, a framework that would guide the overall objectives in moving forward on prevention in a particular province where this is happening. Those frameworks closely model what the province is doing but they also take into account the aspect of cultural appropriateness and what is important to be done in the first nations communities. When we get funding then they take that and they develop business plans. So the business plans have to be appropriate for what is needed in the communities served by those agencies. We provide the funding to them. We look at the maintenance costs that they've funded. So for example, in Quebec, we will look at the maintenance costs that they incurred last fiscal year. That will go into the agreement on top of the additional funding for operations and maintenance. Then as they go throughout the year, they have the flexibility to move funds within those three streams, which is not something that happened before.

So if in fact they are doing much better on the prevention side, they will still have the maintenance dollars to assist them to do extra activities on prevention, if you will. If however they're seeing maybe a little bit of an increase on the maintenance side, they have the flexibility to move. So they have to adapt based on what's happening in each of the communities and the expectation is that our regional people, in conjunction with the provinces, meet with them on a regular basis, at least three times throughout the year, where they review the progress against those business plans, and so they can discuss any shifts that need to occur.

⓪ (1200)

[*Français*]

**Le président:** Vous avez le temps pour une brève question, 30 secondes.

[*English*]

**Mr. Greg Rickford:** Trente secondes? So the statement could be made then that but one of the great things, not just the key features, about this is that it's very much community driven. It allows them to identify their own priorities and in this process that is to a certain extent just by virtue of the jurisdictions involved still at a grassroots or community level, driven by their priorities and not by the priorities of other jurisdictions that are involved in this process.

Is that a fair statement?

**Ms. Odette Johnston:** Definitely.

[*Français*]

**Le président:** Merci, monsieur Rickford.

Maintenant, nous accueillons M. Bouchard au comité.

**M. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Merci, monsieur le président.

Bonjour.

Comme mon collègue a dit, je suis heureux de vous voir aujourd'hui, comme témoins.

J'en suis à mon premier comité, ici.

Ma première question... Vous avez dit avoir un modèle uniforme au niveau d'ententes que vous signez avec certaines provinces, mais que, dans d'autres, c'est différent. Alors, j'ai cru comprendre que votre modèle n'est pas uniforme. Il est variable dans chaque province.

Également, au niveau des fonds financiers alloués pour chaque province, est-ce différent? Aussi, sur quoi cela repose-t-il? Comment en arrivez-vous à déterminer que, par exemple, au Québec, il y a 60 millions de dollars sur cinq ans? Est-ce en fonction du nombre d'enfants dans chaque province?

J'aimerais avoir un peu plus de détails sur la façon dont se répartissent ces fonds financiers apportés à chaque province.

**Mme Mary Quinn:** Merci, monsieur Bouchard, pour les questions.

Le programme est dans un état de transition, disons. Nous avons beaucoup parlé du nouveau système de prévention et des fonds qui ont été annoncés dans les budgets. Cette formule s'applique dans cinq provinces. Il y a une autre formule — elle est toujours en vigueur, mais nous l'appelons la vieille formule —, où il y a des fonds pour les opérations et pour la protection, mais il n'y a pas beaucoup d'espace pour la prévention. Donc, c'est notre but de travailler avec ces

provinces où cette formule est en place, pour les amener dans le nouveau système, quand nous aurons les fonds.

C'est la formule de la directive 20. C'est une formule où nous faisons des calculs comme le coût des ressources dans une agence: la directrice ou le directeur, les avocats de temps en temps, les personnes qui s'occupent des ressources humaines et les personnes qui travaillent avec les enfants. Ici, nous regardons la population des enfants âgés de moins de 18 ans. Nous faisons des calculs concernant le nombre des Premières nations dans une province. Nous avons aussi des considérations pour les lieux, c'est-à-dire que nous regardons si les agences sont dans un endroit isolé. C'est l'une des caractéristiques de la formule.

L'autre caractéristique est les coûts de protection. Ici, il n'y a pas beaucoup de calcul. Nous recevons des factures et nous les payons. Cet élément de la formule est très simple.

Ⓛ (1205)

**M. Robert Bouchard:** D'accord.

Je donnerai la parole à mon collègue, pour utiliser le temps.

**M. Yvon Lévesque:** Vous avez mentionné plus tôt que la loi en place pour le Québec était la responsabilité du Québec. Vous avez raison. Cependant, le fédéral doit s'assurer que les jeunes vivant sur réserve ont les mêmes possibilités que ceux vivant hors réserve. Nous avons ici une responsabilité financière et de fiduciaire. L'écart existant entre le retrait des enfants de leur maison dans les réserves et hors réserve démontrent l'urgence d'agir.

Je vous poserai deux questions. Vous me répondrez par la suite.

Quelles sont les principales raisons de retrait? Est-ce la violence, la salubrité ou la promiscuité?

La part de prévention du fédéral doit-elle être jumelée avec d'autres types d'investissements, tels le logement et l'éducation?

[*English*]

**The Vice-Chair (Mr. Todd Russell):** A very short response.

[*Français*]

**Mme Christine Cram:** Merci, monsieur Lévesque. C'est un peu une question semblable à celle de Mme Crowder dans le sens que la raison pour laquelle il y a des enfants *in care*, c'est à cause d'autres raisons, c'est la pauvreté, le manque de logement, comme vous l'avez dit. C'est pourquoi le ministère ne peut pas juste travailler sur les services à l'enfant et aux familles, mais aussi dans d'autres domaines comme le logement, l'éducation et tout cela. C'est ce que fait le

ministère. Il faut avoir des approches compréhensives et aussi travailler avec d'autres ministères comme celui de la Santé publique et Santé Canada.

[*English*]

**The Vice-Chair (Mr. Todd Russell):** Thank you for that.

We'll now turn the floor over to Mr. Clarke for five minutes.

**Mr. Robert Clarke (Desnethé—Missinippi—Churchill River, CPC):** Thank you, Mr. Chair. I'd like to thank the witnesses for coming here today and taking the time out of their busy schedules to appear before the committee.

With this issue with family services I'm very interested in hearing some of your statements here today. I started out in the RCMP in 1990 and have lived and worked on first nations reserves and also in the non-aboriginal communities. I had first-hand dealings with provincial family services and also with first nations family services. Unfortunately I had to do quite a few apprehensions and I got to see the worst of the worst. At time I had to take it upon myself to make the call to do an apprehension. I've seen the frustration not only from the provincial system but also from the first nations family services as well. When I saw them first start out the people working with first nations family services didn't have the resources, the manpower, weren't readily available because of the funding.

This is where my colleague pointed out the increase in funding and I'm looking over some of the numbers here. I'm just hoping you're going to be able to clarify it because what I've seen is almost a catch-up. What can you do to catch up except fund the program?

My question is can you break down the funding formula for first nations family services? It will help explain what the funding allotment is right now.

**Ms. Christine Cram:** I think I talked about how much we expect to provide this year which was \$500+ million. I would say our problem is we're funding the wrong things. Most of the 190% increase in funding is related to taking children into care for their protection. What we have to do is spend way less on protection and way more on prevention. In order to do that you have to start having incremental resources put into prevention so that those prevention services can start being provided and then less children are taken into care. So what our challenge has been and what we're trying to do is change the incentives.

Right now an agency can get any amount of money they need for protection because they make a decision to take a child into care and we pay the bill. So that's why the dollars have been going up and up. In fairness to them they haven't been able to start investing in prevention.

They are making, as you know from your job, some of the most, if not the most difficult decision on a daily basis. That is the decision to take a child into care or not and they have to do it on the basis of the safety of that child. I've the utmost admiration for what they do on a day-to-

day basis. So what we want to do is equip them with the tools to be able to provide those prevention services, work with the families so that their children can stay with their families.

We want to see over time a real shift from the investments that are put into protection now into prevention. Those business plans that are being negotiated under the enhanced prevention model permit that shifting. So we would hope when we go to look at those five years from now we'll have seen a real shift in those resources and how they're spent.

🕒 (1210)

**Mr. Robert Clarke:** Would you be able to quickly explain the funding formula?

**Ms. Mary Quinn:** For the funding formula under the enhanced prevention model there's the three components as we mentioned. There's the operation of the agency figuring out the salaries for that and the salaries for the case workers. There's the protection services which Ms. Cram mentioned are the costs that are continually increasing because that's taking kids out of the home and putting them in care. Then there's the prevention model. That's the element of the funding formula that is new since 2007 and that will allow the agencies to plan ahead and we sit down with the province and the organization that represents the first nations so that we can determine what kind of case workers they need, the ratio of case workers to kids, what kind of prevention services they want to provide and how they will ensure they are culturally appropriate. I'm forgetting two things that I wanted to say...

So by sitting down and having those discussions we can come to a pretty good idea of what we need in terms of incremental dollars. There can always be unfortunate peaks but we know the general trend on maintenance and protection. It comes back to the issue of provincial comparability. It's only by sitting down province by province and with the first nations organizations that we can see what kind of prevention services the agencies see themselves offering and what kind of capacity they need to get there and how and where are they going to find these workers.

The five-year business plans, apart from being an accountability issue, allow the agencies to not go on a year-by-year basis.

**The Chair:** Thank you, Mr. Clarke. Thank you to my vice-chair as well for filling in temporarily. Always appreciate.

Ms. Crowder, five minutes.

**Ms. Jean Crowder:** Thank you.

Before I get to my question I just wanted to make a point that the numbers you talked about in terms of the number of children in care being an average of 5% in my own province of British Columbia in the 2008 Auditor General's report 51% of the children in care were aboriginal. So I know it varies from province to province but I think it's important to state that in some provinces aboriginal kids are way over represented as kids that have been apprehended.

You touched briefly on it in your presentation and I wanted to go back to the response from the public accounts committee on the 6% because I'm a bit confused. In the Auditor General's report she indicated that the 6% of unreserved children placed in care was how the funding formula...but in fact in the five provinces they looked at it ranged from 0% to 28% in 2007 of kids in care. In the response to the public accounts committee the department noted that the 6% average of children in care calculation is one of many factors used to model operations.

Is the 6% still being used? How do you adjust for the fact that in some cases there may be way more than 6% kids in care from that particular reserve?

⊙ (1215)

**Ms. Mary Quinn:** Thank you. In terms of the 6% the Auditor General raised it and the public accounts raised it in terms of developing a formula based on need. The program is in transition and no matter which funding model we're talking about--in one model there's two components and in the other there's three--but in the operations component is where we use the 6%. It is still being used. There is an average of 5.4% this year but as you mentioned you know there are communities that have higher percentages.

**Ms. Jean Crowder:** Just so I'm clear, the 6% is used in all cases for operations?

**Ms. Mary Quinn:** It's not the only calculation. There is the operations component, the protection and the prevention. So two components are based either on actuals or what first nations agencies see themselves doing in terms of prevention but the 6% is used in that operations component along with those other things I mentioned like the number of kids and number of first nation communities and the possible remoteness.

**Ms. Jean Crowder:** So in protection and prevention, protection is the actuals, right?

**Ms. Mary Quinn:** That's correct.

**Ms. Jean Crowder:** And the prevention is negotiated.

**Ms. Mary Quinn:** Then the 6% is fed into the part of the formula on the core operations. That the public accounts committee also specifically looked at this directive 20-1 and said we really need to look at this because it's the funding formula with only two components and there is scope for prevention dollars but there's very limited scope for prevention dollars because the formula is prior to the shift of prevention. So we've undertaken through the committee's recommendation to look at the formula. We are at early stages in that but in the mean time we'll continue to use the 6%.

**Ms. Jean Crowder:** In the review process, I know some other numbers around 2013 is when you're expecting to have all provinces on board. Over the next four or five years, there could be significant numbers of kids going through the system. In provinces that don't have the prevention model, there is still this ongoing disparity.

**Ms. Christine Cram:** This is why in our response to the Public Accounts committee we said we'd look at 20-1 to see what we should be doing on an interim basis.

I would just also mention on the 6%, the reason why, is that it was felt that what you wanted to do was at least have a base of stable funding for agencies, so that for an agency that actually had very small percentage of children in care—like 1% or 2%—you didn't want them to be penalized, in fact, by having so few kids in care. It's a good thing that they do. So how do you establish what a base amount would be, on which there are other elements in the formula.

**Ms. Jean Crowder:** I'm probably running out of time.

**The Chair:** You've got time for one very brief question.

**Ms. Jean Crowder:** Do you have any statistics on outcomes for kids who have been in foster care, in terms of educational attainment, employment, contact with the justice system, health outcomes? Anecdotally, I think what we hear is that kids who have been in foster care for the longer term don't do that well.

**Ms. Christine Cram:** Thanks for the question. I think that British Columbia has actually done some research on that. We can certainly dig it up. I remember reading that research. I think that the Children's Advocate British Columbia put that in one of her reports. I'd be glad to find it for you.

**The Chair:** Thank you Ms. Crowder and witnesses.

We're going to go to Mr. Payne for five minutes, followed by Mr. Bagnell. Those are the last speakers I have on the list, so if any others want to speak again or for the first time, please let me know.

Let's go to Mr. Payne for five minutes.

**Mr. LaVar Payne (Medicine Hat, CPC):** Thank you, Mr. Chairman.

I'd like to thank the witnesses for coming today. It's important to be able to get things right from the horse's mouth, so to speak. I was looking over your address notes on page 5 in particular, on the Alberta First Nations Child and Family Services agencies, and new funding in particular. The reports indicate there is already a shift in caseloads, an increased number of families accessing prevention programming, and a rise in permanent placements.

I wonder if you could give us a little bit more detail and how you see this. Is it turning out to be successful?

⌚ (1220)

**Ms. Odette Johnston:** I think it was mentioned previously that we are in the process of starting an evaluation of the Alberta model. We're hoping to get more detail. However,

anecdotally, the province had advised us within the last six to eight months that they've already seen a shift to families accessing family enhancement quicker than they did when they introduced their model in the province.

We've also seen a shift in the types of care that are being provided. What we've said is that the move towards prevention is going to happen over time. If we can actually make a difference in even shifting from institutional care to other types of care, that that's going to be a success for us as well. What we've seen in Alberta is that they're shifting from foster care to kinship care. Kinship care is where they're actually remaining with families and in communities, which is a positive thing. I think we're already starting to see that.

We've heard anecdotally as well from some of the agencies in Saskatchewan, that they're seeing that shift already.

**Mr. LaVar Payne:** Do you know if Alberta or Saskatchewan have any concrete numbers available?

**Ms. Christine Cram:** In Saskatchewan it's a bit early because they've just implemented it. In Alberta, we're working with them to try to get some concrete numbers. We are hoping in the next number of months to have some more concrete data. Unfortunately we don't have it in our hands at this point in time.

**Mr. LaVar Payne:** Well, it would be very interesting for the committee to get that kind of information. I see it as quite positive in terms of what's happening.

I have another question. This is regarding the agreements in place. Have we been using those as models for the other provinces? Not necessarily in a cookie-cutter mode, but certainly, this has to be worked out with the provinces as well as the first nations. In that aspect, is this helping us to move more quickly in terms of developing these tripartite agreements for the rest of the provinces that do not have one in place at this point?

**Ms. Odette Johnston:** There's no doubt that when we started with Alberta, there was the framework that was developed. It was based on the provincial business plan. We have to use that as an example as we move forward in other jurisdictions. It's a little bit of a delicate situation, however, because each jurisdiction wants to develop one that is more appropriate, and there is some sensitivity that we're not actually implementing the Alberta model across the country.

What we are doing is developing ones based on the legislations and standards of each jurisdiction. It definitely sets out almost a template for going forward with other jurisdictions. We have adapted them based on why this is happening, the circumstances in each of the jurisdictions, the way forward and what the parties intend to do about it together.

**Mr. LaVar Payne:** I understand that certainly each jurisdiction needs to have their own, but I thought this is quite a positive step in terms of being able to help implement this across the country and the provinces that don't have those agreements now, and as you say, maybe using it



as a bit of a template, but certainly adjusting it for the needs of their provinces and their first nations people, of course.

Thank you.

[*Français*]

**Le président:** Merci, monsieur Payne.

Maintenant, monsieur Bagnell pour cinq minutes, puis M. Dreeshen et M. Lévesque.

*Mr. Bagnell.*

[*English*]

**Hon. Larry Bagnell:** Thank you. I have a quick thought that you don't have to respond to, but following up on something that Jean Crowder said, it's an embarrassment in Canada that some people don't have drinking water, and that fortunately as you probably know, the plan to rectify it has been ongoing for the better part of the decade. I would hesitate to even suggest that it's part of an economic action plan. It'd be embarrassing in a country as rich as Canada that someone doesn't have clean drinking water in that unhealthy situation, and you would have to suggest that the only way they can drinking water is through an economic action plan.

My question has nothing to do that, however. It's related to the children in care. What percentage of aboriginal children in care are in aboriginal families, that are placed in families?

🕒 (1225)

**Ms. Odette Johnston:** No, we can't. We don't have that figure. What I also wanted to mention is that in fact when we talk about aboriginal children in care, those may be served by provinces as well. The stats that we've provided are those related to first nations children that are served by agencies for on-reserve. There's definitely that distinction, because we do not provide services to first nations off-reserve or Métis. They are served separately by the province.

**Ms. Christine Cram:** Sorry. I was checking to see amongst those that we fund if we could tell you the numbers in institutional care versus foster home versus kinship care. Unfortunately we don't have those statistics.

**Hon. Larry Bagnell:** Okay. I understand that you don't have the exact figures, but working intimately with the file, I would assume that you could confirm that there are numbers of children in care that are not in other aboriginal homes.

**Ms. Christine Cram:** What we could do is that we'll see what we have in the way of data we could provide.

**Hon. Larry Bagnell:** This is my last question. Could you describe briefly the difference in the prevention model, as to the old model. What do you do to prevent these unfortunate situations?

**Ms. Christine Cram:** In the prevention model, what happens is that you work with a family to address some of the concerns that they have. They might have a substance problem, for example, that's resulting in a violent environment. I'm just providing this as an example. It perhaps result a violent household. It could be a variety of things. What you do with a prevention model is that there are resources available, and you develop programs, and you refer the family to the programming that they need in the hopes that they can address whatever the challenges that are causing concern about the safety of the child in the family home so that the child can remain there.

There's a whole range of different interventions that are possible, and they have to be tailored to the particular circumstance. Thus, with an emphasis on prevention, we're trying to direct more resources to those kinds of services and interventions.

**Hon. Larry Bagnell:** So in those provinces where that's now in place, are you seeing a distinct reduction in children having to go into care?

**Ms. Christine Cram:** That's what we're seeing now. We're already seeing in Alberta a reduction in the number of children in care, but also a shift in the type of care. They're going from higher cost institutional care to more appropriate kinship kind of care, which is good, because it's also a challenge. In kinship care, you need to get families that are able to take in other children, for example, that are in the community, and part of that is to provide the support mechanisms that they need to be able to have additional children, on a temporary basis, in their families.

**Hon. Larry Bagnell:** So just briefly, in the provincial model, then, given that the first nations spend all the limited money they have on housing already, if you come to a situation in mould, in the old model you take the child away. In the new model, prevention, what are you doing so that child doesn't get taken away?

**Ms. Christine Cram:** This is where, Ms. Crowder, we had a discussion on that. What we try to do, and the Child and Family Services Agency tries to do, is to have that child in a safe situation. But they need to work with the communities to be able to allocate the housing resources on those kinds of priorities.

**The Chair:** Thank you, Mr. Bagnell, Ms. Cram.

Now, we'll go to Mr. Dreeshen, for five minutes.

Mr. Dreeshen.

**Mr. Earl Dreeshen (Red Deer, CPC):** Thank you very much, Mr. Chair.

Thank you for coming here for us to hear your presentation today.

I was especially interested in some of the issues that you'd spoken about with respect to children in care.

Perhaps earlier you may have got cut off somewhat when you were talking about the clean drinking water, and the types of things that have been happening, also, as far as schools and that.

I was just wondering if you could start by trying to let us know just where things have been going this last little while.

🕒 (1230)

**Ms. Christine Cram:** Thank you for your question.

Just maybe on clean drinking water, I'd like to start by there's been additional investments, \$165 million, into water and waste water facilities, but I think the really good news is that there's been a reduction in the high-risk water systems from approximately 196, I think, to 46. So that's very, very positive news, and we continue to make progress in that regard.

There was also a recent announcements of investments, \$200 million on the construction of new schools and major school renovations, as well, a total of \$400 million on housing, and that's split between CMHC and INAC. INAC has \$150 million of that.

To me, these are all very important investments, which will lead to better situation for children, because they're all aimed at reducing poverty and improving quality of life.

**Mr. Earl Dreeshen:** Thank you.

My question that I wanted to speak of, I'm a former educator, and I'm interested in the interjurisdictional cooperation that, of course, exists when it comes to children. Again, you don't have to be an educator to know some of the problems that young first nations people have. Now, of course, I was teaching off-reserve, so I recognize the difference that exists there, but I just want you to speak and come back to what you were discussing with regards to Alberta, and just how Alberta's total funding allocation is allocated to each of the reserves, and then how can we identify how that funding is being placed?

**Ms. Christine Cram:** And you're speaking of funding for Child and Family Services?

**Mr. Earl Dreeshen:** Yes, sorry.

**Ms. Christine Cram:** Okay.

Actually, the funding goes to the Child and Family Service Agencies. So in Alberta, with the introduction of the enhanced prevention model, what we did was work out what would be the appropriate funding formula for Alberta. And it's based on a number of components: the number of children, the number of communities...anyway, various elements go into that formula. And then how it works is those formula are applied to each of the agencies. So you have an overall

way of funding, and then you apply those various elements of the formula, and that determines how much each of the agencies get in Alberta. And then they develop a business plan on what they hope to achieve with that amount of funding. And we're looking at what can they do, in terms of reducing the number of children in care, moving them out of institutional to kinship, and what kind of prevention services they are going to provide.

So they're business plan comes in, and then it's reviewed in the context of the amount of funding they have. And then it's agreed to and they implement. And as Odette and Mary mentioned, there are about three meetings a year to discuss progress against those plans.

**Mr. Earl Dreeshen:** So again, is that the model other provinces and territories are then looking at? How far have we gone into that process with other jurisdictions?

**Ms. Christine Cram:** We've now concluded with five provinces, and I would say the overall approach is very similar. What you have to do in each province is look at what the cost factors are. Social workers may be paid a different amount in a particular province, so you'd line up with what the salaries are for those social workers. The numbers of children may be different. The province may have different legislation that it requires, and so you have to line up the funding and the approach to be with whatever it is in that particular province. So in each case there are some overall principles on what the formula is, but the numbers that it will kick out will be different, province by province.

**Mr. Earl Dreeshen:** For my own information, I'm just wondering if you could perhaps give me a bit of an example of the real life situation for on-reserve children who are having difficulties and need that protection. Can you more or less run me through what happens to the children and how they cope?

⌚ (1235)

**The Chair:** We're really out of time there. If you can make that a short response, if that's possible, then we'll carry on.

**Ms. Odette Johnston:** I think the protection workers will review the case and make an assessment on what the risk is, the safety for that particular child. If it's deemed that it is going to be high risk, then they will take a look at whether they need to be apprehending these children.

[*Français*]

**Le président:** Merci, monsieur Dreeshen.

Maintenant, la dernière question va à M. Lévesque.

**M. Yvon Lévesque:** Merci, monsieur le président.

Je suis heureux de pouvoir vous poser une autre question, et c'en est une d'éclaircissement. Si je comprends bien, le principe de Jordan demande que les enfants soient pris en charge et

soignés, et que les paliers de gouvernement négocient par la suite leur part de responsabilité financière. Est-ce que je comprends bien?

**Mme Christine Cram:** Oui, vous comprenez très bien. C'est la situation où ou les gouvernements n'étaient pas d'accord de payer pour certains enfants. Le principe dit que, malgré qu'il y ait des conflits entre les gouvernements, l'organisation qui est responsable de l'enfant à ce moment continuera de donner des services.

**M. Yvon Lévesque:** D'accord. Par contre, les négociations en cours, par exemple, avec le Manitoba sont-elles le contraire du principe de Jordan? Je m'explique. S'il y a entente, il n'y a donc plus besoin du principe de Jordan?

**Mme Christine Cram:** Je dois dire, monsieur Lévesque, que je ne comprends pas pourquoi au Manitoba vous pensez que c'est contraire au principe de Jordan. Selon moi, il y a un processus. On regarde chaque enfant qui a des problèmes avec les services, ce dont il a besoin, qui doit donner des services. C'est vraiment pour régler les conflits et s'assurer que l'enfant reçoive les services adéquats.

**M. Yvon Lévesque:** Oui, mais je l'amène dans le sens où, actuellement, vous êtes en négociation avec le Manitoba. Si vous vous entendez avec le Manitoba, le principe de Jordan ne s'applique plus.

**Mme Christine Cram:** Il y a déjà un processus existant au Manitoba. Si quelqu'un dit qu'un enfant est un cas de Jordan, c'est un enfant qui ne reçoit pas les services nécessaires. Il y a un processus avec tous les gouvernements, les premières nations et les organisations qui donnent des services de regarder la situation et trouver une solution, de s'assurer que les enfants reçoivent les services dont ils ont besoin.

**M. Yvon Lévesque:** Les ententes se prennent sur la part de responsabilité des parties ou combler les déficits des coûts, le cas échéant.

**Mme Christine Cram:** Oui, alors l'entente est vraiment de s'assurer qu'il y a un processus où tout le monde travaille en collaboration pour s'assurer que les services sont donnés comme il se doit et qu'il y a un processus pour régler le tout à la fin. On va continuer à donner des services, mais à la fin il y aura un processus pour prendre la décision à savoir quel gouvernement devra payer ou non.

**M. Yvon Lévesque:** Vous n'avez pas juste l'air fines, mesdames, vous l'êtes. Merci.

**Le président:** Merci, monsieur Lévesque.

De la part des députés, je vous remercie de vos présentations aujourd'hui.

[*English*]

We're going to go into some committee business here now, so you can take your leave and we'll continue on. It's very informative, and I think you have noted some of the follow-up items which we'd appreciate, I must say. All the members do appreciate it when you get back to us on those items. *Merci beaucoup.*

Members, we've got one notice of motion in front of us for committee business. As is customary on discussions of committee business involving notices of motion, we stay in public. I would like to, before we begin though, just advise members in regard to our travel dates for the study on northern economic development. This, of course, has been approved by the Liaison Committee and the House, so the travel dates will be:

Monday, November 16 to Friday, November 20: trip to Whitehorse and Yellowknife.

In the week immediately following, will be the trip to Iqaluit.

🕒 (1240)

[*Français*]

C'est du 23 novembre au 25 novembre.

[*English*]

So you can put those in your calendars. As soon as we have the detailed itinerary from the logistics officer, we'll get that out to you.

Just as a final note, continuing this week we actually have our first meeting on the study of northern economic development on Thursday morning at 11:00. We begin with Minister Strahl and representatives from CanNor, the Canadian Northern Economic Development Agency. That will be a televised meeting, we believe--that has yet to be confirmed--but we'll be there on Thursday morning, this week, at 11:00.

Let's proceed now, there being no other questions, to the notice of motion. I invite Madam Crowder to speak to the motion, and then we'll proceed from there.

**Ms. Jean Crowder:** Thanks, Mr. Chair.

I think for members of the committee who have been around for awhile, we did have Mr. Sapers come before the committee a couple of years back, based on his report.

**The Chair:** For the record, Mr. Sapers is the corrections officer.

**Ms. Jean Crowder:** He's the correctional investigator. Although this report is 2008, we haven't had an opportunity to have him come before us again. I note in his report that there are still significant challenges for aboriginal offenders. In particular, I was approached by Elizabeth Fry, who indicated that aboriginal women were seriously over-represented in maximum security

and in segregation. I just wanted to note in the correctional investigator's report that he indicated that the percentage of aboriginals has increased from 2.5% in 1987 to almost 20% of the population in prisons now. He also indicates that aboriginal women are often incarcerated in a facility with higher security levels than required due to unresponsive and discriminatory risk needs and assessment tools. He went on to say that the Correctional Services's own statistics confirm that correctional outcomes for aboriginal offenders were not improving in many areas that the Correctional Service could positively influence.

Finally, he said the department had indicated that it has now set up the National Aboriginal Advisory Committee. That was part of my suggestion, that we hear not only from the correctional investigator, but also from the department about progress, and Elizabeth Fry.

That's the rationale for my motion. I'm hoping the committee will support at least looking at this aspect of significant challenges with aboriginal people in prison.

**The Chair:** Just before we go into the discussion here, and I'll take speakers, for purposes of clarification, Ms. Crowder, is it your intent, then, you mentioned a subsequent meeting, are you looking for a full two-hour meeting on the first count, and a second two-hour meeting for the two other representatives?

**Ms. Jean Crowder:** I would suggest that in two hours we could probably do the investigator and the department, an hour each. I would suspect we probably would need an hour with Elizabeth Fry.

**The Chair:** Okay, so one-and-a-half meetings, essentially.

**Ms. Jean Crowder:** Yes, and again I know the committee has an agenda, so it would have to fit in wherever there's a gap in the agenda.

**The Chair:** Okay. Any questions?

Mr. Duncan.

**Mr. John Duncan:** I was not aware that Mr. Sapers had come before the committee previously. I was actually quite puzzled by the motion, from the standpoint that this is Public Safety. It's corrections officers. It's under a completely different department. When I look at the standing orders and our mandate, it would indicate that it's not something we would be dealing with unless we're dealing with something somehow related to the recommendation, but within the mandate of our committee and our department. So far, I've heard nothing that would indicate that's the case.

**The Chair:** Ms. Crowder.

**Ms. Jean Crowder:** If I could just respond. The fact that part of the challenge we've got is that the conditions in aboriginal communities from coast to coast to coast actually contributes to their incarceration rates, and then the high rates of recidivism because, in part—I wouldn't

attribute all to this—the services they get within the system don't help their reintegration into their communities. I would suggest that because we're looking at broad, socio-economic conditions, that it does fall within the mandate of this committee to look at it. I'm not looking at it just from the Correctional Services perspective.

🕒 (1245)

**The Chair:** Mr. Duncan.

**Mr. John Duncan:** If I may respond, if that's the case, you're actually asking for a lot more than a meeting and a half. To put that context into your motion, you couldn't do it within an hour and a half with two witnesses both dealing primarily with Corrections, which falls under Public Safety.

**Ms. Jean Crowder:** If I could respond, I wouldn't presume to judge what the committee would choose to do with the witnesses that come before committee. The committee could choose to look at further aspects of this, but I would suggest that this is an informational piece for the committee, and that they could then decide whether there was further work required.

**The Chair:** Okay.

Go ahead, Mr. Duncan.

**Mr. John Duncan:** If I may add, what your motion refers to is the 2008 report. The 2009 report will be tabled, presumably, next month. Would it not be appropriate to bring this back to committee once we know what the 2009 report indicates? That would be the report from Howard Sapers, the Correctional Investigator for 2009.

**Ms. Jean Crowder:** I would suggest we should go ahead and invite Mr. Sapers at any event, and if there's a radical improvement in 2009, I think would all roll over in shock, because of course over the last couple of years, his reports have not indicated significant improvements. By the time he actually comes before the committee, that other report and it might be a celebratory thing, but I would doubt it.

We also know how challenging it is to actually schedule people's time into this committee. I would just say we should support my motion and invite Mr. Sapers to come before the committee.

**The Chair:** Mr. Russell.

**Mr. Todd Russell:** Thank you, Mr. Chair.

I don't think the timing can be distinct from whether Mr. Sapers appears or not. I mean, we can agree with this particular motion to invite him and talk about his 2008 report, but it may not happen until he has tabled his 2009 report. One doesn't predispose taking away what Ms. Crowder is proposing to the committee.



When it comes to the business of the committee, I don't think because it's called the Correctional Report that it distinctly lies within the purview of security or corrections. For instance, the United Nations Declaration on the Rights of Indigenous Peoples could fall under Foreign Affairs or the Justice committee. Just because it has a name attached to it doesn't necessarily mean that it falls outside the purview of this particular committee.

The report itself does talk about programming that is culturally relevant to aboriginal people. It does directly talk about the incarceration rates of aboriginal people. It does directly talk about the incarceration rates when it comes to women, and the treatment of aboriginal women, specifically. That, I think, does fall within the purview of this particular committee.

From a technical vantage point, I don't see anything stopping us from entertaining this particular motion.

Outside the technical arguments of trying not to have Mr. Sapers appear or to talk about this particular issue, is there any fundamental issue other than that, that others around the table have? Technically, I don't think it falls outside the purview of this committee at all.

**The Chair:** Okay.

Are there any other comments?

Are there any other questions or are members ready for the question?

Okay.

All those in favour of the motion?

Opposed?

(Motion agreed to)

**The Chair:** I think that's all we have for today so we'll see you--

Pardon me.

Larry, go ahead.

**Hon. Larry Bagnell:** Could I just ask a question about what the subcommittee decided to do with these huge lists of witnesses and how that's going to be determined?

⌚ (1250)

**The Chair:** Yes.

Because it's such a large list—and we thank you, by the way, for submitting some suggestions—myself and the analysts are going to work at that list based on the suggestions that have been made. We may be back in touch with you, Mr. Bagnell, about some specific questions about Whitehorse in the next day or so. But we'll put together a draft witness list for the study in the days ahead and we'll get that back to committee, hopefully by Tuesday of next week.

*C'est ca?*

Mr. Rickford.

**Mr. Greg Rickford:** Mr. Chair, with respect to the Whitehorse portion of the trip, could I just ask that the member who makes his hometown there to make some recommendations on where we might stay?

**The Chair:** The likelihood is that the hotel accommodations are going to be fairly narrow in terms of what we have in choices. But certainly for eating establishment, yes, we'll be looking to the member for Yukon for some good advice there.

Thank you very much for the good questions.

*Merci beaucoup.*

The meeting is adjourned.