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Standing Committee on Aboriginal Affairs and Northern Development

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CANADA

Standing Committee on Aboriginal Affairs and Northern Development

NUMBER 031



2nd SESSION




40th PARLIAMENT

EVIDENCE

Tuesday, October 20, 2009

[Recorded by Electronic Apparatus]

* * *

 (1105)

[Translation]



The Chair (Mr. Bruce Stanton (Simcoe North, CPC)):

Honourable members, invited guests and witnesses, welcome to the 31st meeting of the Standing Committee on Aboriginal Affairs and Northern Development.

[English]

This morning we welcome Mary Quinn, Christine Cram, and Odette Johnston, each from the Department of Indian Affairs and Northern Development. Christine is the assistant deputy minister, education and social development programs and partnerships sector.

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

Members, I want to give you advance notice that we have a couple of items of committee business to deal with. 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.

[Translation]

We will begin with Ms. Cram.



Ms. Christine Cram (Assistant Deputy Minister, Education and Social Development Programs and Partnerships Sector, Department of Indian Affairs and Northern Development):

Thank you for inviting my colleagues and I to appear before your committee, Mr. Chair. We have come here today to bring your members up to date on our continuing efforts to improve First Nations Child and Family Services on reserve.

The Auditor General's report of May 2008 raised many serious matters concerning the management of First Nations Child and Family Services and we developed an Action Plan to respond to the Auditor General's recommendations.

[English]

In addition, 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. In a letter to the committee dated April 30, 2009, Deputy Minister Wernick provided the public accounts committee with the update on implementation we completed on March 31, 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 had responded to a number of the public accounts committee's recommendations, while others remained 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.

 (1110)

[*Translation*]

I would now like to briefly talk about the partners involved in funding First Nations Child and Family Services and update the committee on what the Department has been doing to address the findings of the Office of the Auditor General's Report recommendations as well as those of the Public Accounts committee.

[*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, their first nations child and family services agencies, and 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 services 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 caseloads, 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 2009-10, which equates to a funding increase of 190% since 1996-97.

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.

[*Translation*]

While work is under way on program renovation and the shift to the Enhanced Prevention Focused Approach, we are also working to strengthen program management and accountability to ensure that the funding is leading to improved results for First Nation children and families.

[*English*]

With respect to the Office of the Auditor General report, INAC is now preparing its September 30, 2009 update on progress, which will go to INAC's audit committee on December 8, 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 our first nation partners to discuss program performance indicators, and preliminary work is under way 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 model. 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 the parental home are 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 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 and Canada steering committee is working on an implementation framework for Jordan's Principle. This committee has participated in case conferencing for several disabled first nations children and developed both a dispute resolution report and a report on

services available to first nations children. They are now actively pursuing engagement with first nations.

  (1115)

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 nations children with disabilities. Canada is continuing to engage with the remaining provinces in implementing Jordan's Principle.

  (1120)

[*Translation*]

Only by taking a partnership approach can INAC support services that are provincially comparable and culturally appropriate, in keeping with the needs of communities.

My colleagues and I will do our best to answer any questions about what we have done and our next steps as we move forward.

Thank you very much.

The Chair:

Thank you for your presentation.

You have seven minutes, Mr. Bagnell.

[*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 amenable to.

I guess we could see if we could get a copy of that letter to you and then get a *mise à jour* up to today 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? I know 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 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 completely 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.

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 that 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 a child with multiple disabilities. It could be one disability, or it could be no disabilities. It was just a child who was sick who needed the service.

I don't remember it being multiple service providers necessarily. In fact, I think with Jordan it was one service provider who 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: 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.



Ms. Christine Cram:

Thanks 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 service provision issues that were coming were related to children with multiple disabilities needing multiple service providers. The problem was how to organize all of those service providers to provide 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. He was in hospital. Because all of the

parties couldn't get together and agree on how that could be done and how they could provide the services, and who would pay for them, Jordan remained in hospital and died there.

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

In the two agreements we have reached with Manitoba and Saskatchewan, they've agreed to phase things so that the first phase focuses on those children with multiple disabilities and requiring multiple service providers—because they are most in need—and then looking in a second phase at the gaps related to other children.



Hon. Larry Bagnell:

Although this is not in your remarks, does this mean that a child with one disability who only needs one service provider is going to fall between the cracks if the service provider thinks they shouldn't pay, and therefore doesn't give the service?



Ms. Christine Cram:

No.

Actually, what happens now is that in those provinces where we have arrangements, we use a case conferencing approach. When a case comes forward, you don't know whether it will be a Jordan's Principle case, meaning one in which there's a dispute between the various parties. So children who aren't getting the appropriate services, or feel they aren't getting them, come forward to the case conferencing processes. Then those case conferencing processes attempt to line up all of the services those children need, regardless of the number of their disabilities or the services they need.

We don't have to go into a dispute resolution mechanism unless there is a dispute somewhere. The dispute resolution mechanism says that whatever party is providing the service now will continue to do so. So they won't stop those services. Then governments or service providers will sort it out afterwards.

[*Translation*]



The Chair:

Thank you, Mr. Bagnell.

Mr. Lévesque, for seven minutes.



Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ):

Good day, ladies. Rarely do we have an opportunity to welcome only women.

The figures showing the amounts allocated to the different provinces seem rather jumbled. Are there any charts showing a breakdown by province?



Ms. Christine Cram:

Yes, we can breakdown these figures for you by province.



Mr. Yvon Lévesque:

Good.

You note on page 5 of your presentation that "Canada's Economic Action Plan provided an additional \$20 million over two years [...]. Is that \$20 million a year for two years, or \$20 million for two years?"



Ms. Christine Cram:

That is over two years.



Mr. Yvon Lévesque:

I see.

Communities in Quebec contend that they have received only half of what they said they needed for this activity. Quebec updated its legislation in July 2008. In your opinion, will the money allocated thus far minimize the impact of Quebec's legislation on communities and help them comply with this act?



Ms. Mary Quinn:

I will try and answer your question.

A total of \$60 million over five years has been allocated to agencies in the province of Quebec. We arrived at this figure in consultation with the Assembly of First Nations and the Province of Quebec. When we engage in discussions with the provinces and with First Nations, we always have letters of support. In one letter, the provincial minister and the agency that Mr. Picard belongs to expressed support for the very important announcement made in August and for the amounts awarded. We will re-evaluate the situation in five years' time.

As for the provincial legislation, the agencies come under provincial jurisdiction.

[*English*]

They delegate their authorities to the agencies.

[*Translation*]

Through our discussions with the provinces and with the Assembly of First Nations, we can be confident that the funds will be used to support planned services.



Mr. Yvon Lévesque:

I recommend that a separate follow-up be done for each province. This would help us tremendously, since First Nations have told us that they have received only half of what they were originally requesting. You say that Quebec First Nations have personally told you that they were satisfied with the outcome, whereas we are hearing quite the opposite from other parties, particularly in light of the amendments to Quebec's legislation and the additional obligations that must be met. This is all part of your funding program.



Ms. Mary Quinn:

Minister Strahl's announcement came in August and the amount was made public. However, agencies are still in the process of developing their plans. Once these have been drawn up, the funds will be transferred. As I said, the announcement was made and the funds will be allocated to the agencies. First, however, the plans must be finalized.



Mr. Yvon Lévesque:

You mentioned \$20 million for each of the two first years, for a total of \$40 million. You also talked about \$60 million over five years. If you allocated \$40 million during the first two years, that leaves \$20 million for the remaining three years. Is that correct?



Ms. Mary Quinn:

I'm sorry, but I guess I didn't make myself clear initially. A total of \$20 million is being allocated over two years, with a grand total of \$60 million over five years.



Mr. Yvon Lévesque:

With the correct figures, we can respond more appropriately.



Ms. Mary Quinn:

Indeed. The announced funding is earmarked for prevention activities. Two year ago, we launched a number of pilot projects in a few Quebec communities to help them better prepare for the prevention approach. The prevention system produces better results than the protection system.



Mr. Yvon Lévesque:

Do you allocate funding to any provincial ministry in particular, for instance, to health and social services?



Ms. Mary Quinn:

We will review the situation after five years and pursue our initiatives. This is not merely a five-year program.



Mr. Yvon Lévesque:

Thank you.

[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.

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 conditions, 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 end up working in silos, even silos within departments. 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 more often for poverty-related issues in first nations communities. Is there a working group? What kinds 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 individuals—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.... I mean, the agencies don't have the wherewithal to build new houses. Or even in the case in 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 in 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 going back to what's happening in the department, there isn't an official kind of process to make those linkages.

We know 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 certainly do a better job, probably.



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 who are 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.... For any policy coming forward, there is a policy committee, which all.... The executives in the department look at them and are looking for exactly the things you're talking about.

I would say the challenge is that we don't do 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 the 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, as we do a gender lens. I think we also do an environmental lens on things. It would probably be a very good idea to have 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):

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 department. We look to see if we can resolve the case through that approach and do the case conferencing. But what's important is our 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.

We'll now 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.

Since an example from my riding was brought up, I think I should say something. I've indeed been to the community. I've been in the houses you talked about, Jean. I've talked with the chief and talked with the then band manager, as well as 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, because I think it would help 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 and their legislation is different. As for the first nation agencies, there are 108 of them now, but there were not so many years ago. There was nowhere near that number.

So we're dealing in a three-party situation because there is no one-size-fits-all answer. Since 2007 to August past, the government has announced five jurisdictions where the prevention model is in place.

We need the province at the table because the province has jurisdiction for child welfare. 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. 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.

It is something 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. If we can continue along the path we've started, we are hopeful that by 2013 we will have gotten the five remaining provinces to implement this approach.



Mr. John Duncan:

I have just another layer on that. Because you're operating with provincial and territorial legislation and standards that change over time, I guess it's in a state of flux, so these negotiations will have to be ongoing once agreements are in place. Is that correct?



Ms. Mary Quinn:

That's absolutely correct. Some time ago, the provinces started moving to a prevention model. That's where the best lessons learned, the best practices, were presented to us, starting with the Province of Alberta. Even though there was quite a shift some years ago to prevention, I'd say that in the last two years many of the provinces have adjusted their legislation as well.

New Brunswick, for example, introduced new legislation about a year ago. Also, not so many months ago, New Brunswick announced that Bernard Richard, their child advocate, is doing a review of aspects of child and family services. 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 that time when the end is in sight, we'll sit down again to see what the situation is. But because there are the three parties, the three parties meet two or three times a year to see what's going on and 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 the meetings over the next year, because workers need to be hired, the capacity needs to be there, and dollars need to get out the door. Bringing the three parties together is a way of keeping up with the momentum and seeing what the changes and the issues are. It's very much an opportunity for dialogue and monitoring.



Mr. John Duncan:

How much time do I have left?



The Chair:

You have less than 45 seconds.



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.



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's the definition the department uses? What is the current figure for first nations children in care? How does this compare with non-aboriginal Canadians? Very quickly, can you just give us a frame?



Ms. Mary Quinn:

For children in care, there are basically two aspects in child and family services. One is protection; the other is prevention, the model we're moving toward. On the protection side, when children are removed from the home, they are referred to as "children in care". They're taken out of the home. They could be in a variety of settings. They could be in a foster home, a group home, or an institution. But they're removed from the home. The idea is to focus more on prevention models. This way, where it's appropriate, the child can stay in the home, and he or she and the parents have the proper supports.

 (1150)



Ms. Odette Johnston:

In 2008-09, there were 8,788 children in care on reserve. This was 5.4% of the children. The off-reserve, or non-aboriginal, was 0.92%.

**Mr. Todd Russell:**

There's an ongoing dispute about the comparability of services and money. The department has taken one view. First nations have taken another—that they offer services similar to those provided by a provincial child welfare agency but don't get the same amount of resources. The department has quarrelled with some of that, according to the reading I've done. But in every model you've put forward, you have continually increased the budget, noting that there is greater need. To me, that shows that there is greater need. So I think that your past arguments don't hold much water.

There's an ongoing case before the Canadian Human Rights Tribunal on this very issue. It's between the First Nations Child and Family Caring Society of Canada and the Department of Indian Affairs. As I understand it, It's about discrimination based on race. I'm not totally familiar with the case. Can you give us an update on where that case is in the process? Is your shop involved in it? I'm not asking you to comment on the particulars.

**Ms. Mary Quinn:**

As to comparability, since 2007 the government has been regularly putting additional funds towards first nations child and family services. That incremental funding is going to the prevention model. We conduct these discussions with the provinces and the first nations organization in the province. There's an agreement. Our view is that the funding is comparable with regard to the cost of running an operation, the kinds of caseworkers that are needed, and the ratio of children to caseworker.

We provide funding for a resource person in the agencies. Where you'd see a difference is in the provinces. There may be ministries of child and family services or a ministry of social services where child and family services sit. So there is a breadth of activities in that regard. What we do is provide funding. There are other services to access in the federal government—Mr. Bagnell mentioned the aboriginal head start program—and people might need to know their way around pretty well to find them.

As for the complaint, there are two issues. First, the complaint has been referred to the Canadian Human Rights Tribunal. The tribunal had an initial hearing on September 14, and their hearings will resume on November 16. Second, the federal government has sought a judicial review of the jurisdiction of the Human Rights Commission in dealing with this complaint. Our responsibility is to fund the services, and we work with the province and the first nations agencies who run the agency. 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 think there'll be a development in the judicial review issue sometime in the next few weeks.



[*Translation*]

**The Chair:**

Thank you, Ms. Quinn and Mr. Russell.

You have five minutes, Mr. Rickford.

[English]



Mr. Greg Rickford (Kenora, CPC):

Thank you, Mr. Chair, and thank you to the witnesses today.

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 the 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. In their new model that was implemented under Minister Clement, they developed clusters. The great thing about those clusters is that they allow 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 and various prenatal programs are good examples of that.

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 type of flexibility to shift funds from one stream to another.

For the benefit of this committee, could you 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 to 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 directors' 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, they then take that and develop business plans. The business plans have to be appropriate for what is needed in the communities served by those agencies. We provide the funding to them and we look at the maintenance costs that they've funded. For example, in Quebec we will look at the maintenance costs that they incurred in the last fiscal year. That will go into the agreement, on top of the additional funding for operations and maintenance. Then, as they go through the year, they have the flexibility to move funds within those three streams, which is not something that has happened before.

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 a little bit of an increase on the maintenance side, they have the flexibility to move. 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, will meet with them on a regular basis--at least three times throughout the year--to review the progress against those business plans, and they can discuss any shifts that need to occur.

  (1200)

[*Translation*]

The Chair:

You have 30 seconds left.

[*English*]

Mr. Greg Rickford:

The statement could be made, then, that it's not just one of the key features, but that one of the great things about this is that it's very much community-driven. It allows them to identify their own priorities in this process, which is to a certain extent, just by virtue of the jurisdictions involved, still at a grassroots or community level, and driven by their priorities and not the priorities of other jurisdictions involved in this process. Is that a fair statement?

Ms. Odette Johnston:

Oh, definitely; definitely.

Mr. Greg Rickford: Thank you.

[*Translation*]

The Chair:

Thank you, Mr. Rickford.

I will now turn the floor over to Mr. Bouchard.

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):

Thank you, Mr. Chair.

Like my colleague, I too am happy to meet you. This is the very first meeting of the committee that I have attended.

First of all, as I understand it, there is no standard agreement that you sign with the provinces, because the situation varies from one province to the next.

Is this also the case with the funding allocated to each province? What kind of funding criteria are in place? For example, how do you determine that Quebec will receive \$60 million over five years? Are your calculations based on the number of children in each province? I'd like to hear more about how funding is allocated to the provinces.

Ms. Mary Quinn:

Thank you for your questions, Mr. Bouchard.

The program is in transition, so to speak. We have talked a lot about the prevention focused approach and about the funding announced in the budgets. The formula used applies to five provinces. However, the old formula, if you will, is still in place and funding is provided for operations and for protection services. However, it does not leave much room for prevention services. Our objective, therefore, is to work with the provinces in which that formula is already in place, in the hopes that they will integrate the new system when funding becomes available.

The funding in question is referred to as Directive 20-1. When we use that formula, we calculate certain things, such as the cost of an agency's resources, that is to say the compensation paid to a director, to lawyers on occasion, to persons in charge of human resources and to individuals working with the children. We take into account the number of children under the age of 18 years. Our calculations are based on the number of First Nation members in a province. We also take location into account. In other words, we consider whether the agencies are located in a remote area. This is one aspect of the formula.

Another consideration is the cost of providing protection. This does not involve many calculations. We receive the bills and we pay them. It's really very simple.

  (1205)

Mr. Robert Bouchard:

Fine.

I will let my colleague use my remaining time.

Mr. Yvon Lévesque:

You mentioned earlier that the legislation in force for Quebec in fact comes under Quebec's jurisdiction. You are correct. However the federal government has an obligation to ensure that young people living on reserves have the same opportunities as those living off reserves. It has both a financial and a fiduciary responsibility. The urgent need to act is clear when we compare the number of children in care on reserves with the number in care off reserves.

I have two questions, and you can answer them later.

What are the main reasons for removing children from their homes? Violence, health concerns or promiscuity?

Should federal prevention services be combined with investments in other areas such as housing and education?

[English]

The Vice-Chair (Mr. Todd Russell):

Please make it a very short response.

[Translation]

Ms. Christine Cram:

Thank you, Mr. Lévesque.

That question is similar to the one asked by Ms. Crowder. There are other reasons why children find themselves in care: poverty, the lack of housing, as you said, and so on. For that reason, the

department cannot work solely with child and family services. It must also focus on areas such as housing and education. That is what the department is doing. It must adopt a comprehensive approach and work with departments such as Health Canada and with the Canada Public Health Agency.

[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.

On this issue with family services, I'm very interested in hearing some of your statements today. I started out in the RCMP in 1990, and I 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. I got to see the worst of the worst. At times, I had to take it upon myself to make the call to do an apprehension. I saw the frustration, not only from the provincial system but also from the first nations family services, because I saw them first start out: the people working with first nations family services didn't have the resources, didn't have the manpower, and weren't readily available because of the funding.

My colleague mentioned the increase in funding. I'm looking over some of the numbers here. I'm just hoping you're going to be able to clarify this, because what I've seen is almost a catch-up. At times, just what can you do to catch up except fund the program?

So can you break down for us the funding formula for first nations family services? As well, can you explain what the funding allotment is right now?



Ms. Christine Cram:

I think I did, in my speaking notes, talk about how much we expect to provide this year, and that's \$500-and-some million.

I would say our problem is that 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 putting incremental resources into prevention so that those prevention services can start being provided, and then less children are taken into care.

So our challenge, and what we're trying to do, is to change the incentives. Right now an agency can get any amount of money they need for protection because when they make a decision to take a child into care, we pay the bill. 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 decisions on a daily basis--namely, whether or not to take a child into care. They have to do that on the basis of the safety that child.

So I have the utmost admiration for what they do on a day-to-day basis. What we want to do is equip them with the tools to be able to provide those prevention services and work with the families so that the children can stay with their families. We want to see, over time, a real shift so that the investments that now are put into protection are put into prevention. Those business plans that are being negotiated under the enhanced prevention model permit that shifting. We would hope that when we go and look at those, say, 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 are three components, as we mentioned. There's the operation of the agency--figuring out the salaries for that and the salaries for the caseworkers. There are protection services, and as Ms. Cram mentioned, the costs are continually increasing. 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. It will allow the agencies to plan ahead. We sit down with the province and the organization that represents the first nations so we can determine what kind of caseworkers they need, the ratio of caseworkers to kids, and the kinds of prevention services they want to provide and how they will ensure that they are culturally appropriate. I'm forgetting two things that I wanted to say.

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 for 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 kinds of prevention services the agencies see themselves offering, what kind of capacity they need to get there, and how and where they are 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. It is always appreciated.

We'll go to Ms. Crowder for five minutes.

Ms. Jean Crowder:

Thank you.

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

You touched briefly on this in your presentation. I wanted to go back to the response from the public accounts committee on the 6%, because I'm a bit confused. The Auditor General's report indicated that the 6% of on-reserve children placed in care was how the funding formula.... In fact, in the five provinces they looked at, the percentage of kids in care in 2007 ranged from 0% to 28%. In the response to the public accounts committee, the department noted that the 6% average for the children-in-care calculation was 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% of kids in care from a particular reserve?

  (1215)



Ms. Mary Quinn:

Thank you.

In terms of the 6%, the Auditor General raised it, and the public accounts committee 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 are two components and in the other there are three--the operations component is where we use the 6%. It is still being used. There was an average of 5.4% this year, but as you mentioned, 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 operations, there is protection, and there is prevention. Two components are based either on actuals or on what first nations agencies see themselves doing in terms of prevention. The 6% is used in that operations component along with those other things I mentioned, such as the number of kids and the number of first nations communities and the possible remoteness.



Ms. Jean Crowder:

In protection and prevention, protection is the actuals, right?



Ms. Mary Quinn:

That's correct.



Ms. Jean Crowder:

And the prevention is--



Ms. Mary Quinn:

It's what we sit down and talk about.



Ms. Jean Crowder:

--negotiated.



Ms. Mary Quinn:

The 6% is then fed into the part of the formula on core operations.

The public accounts committee also specifically looked at directive 20-1 and said that we really need to look at this, because it's the funding formula with only two components. There is scope for prevention dollars, but there's very limited scope for prevention dollars, because the formula is prior to the shift to prevention. So we've undertaken, through the committee's recommendation, to look at the formula. We are at early stages, but in the meantime, we'll continue to use 6%.



Ms. Jean Crowder:

In the review process.... I know around 2013 is when you're expecting to have all provinces on board. In the meantime, 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 directive 20-1 to see what we should be doing on an interim basis.

I would also mention on the 6%, the reason is that it was felt you wanted to have a base of stable funding for agencies so that an agency that had a very small percentage of children in care, like 1% or 2%, would not be penalized by having so few kids in care, and it's a good thing that they do. 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:

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 we hear 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 done some research on that. We can certainly dig it up. I remember reading that research. I think that the child advocate for 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. They 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 the new funding. 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 more detail and how you see this. Is it turning out to be successful?



Ms. Odette Johnston:

I think it was mentioned previously that we are in the process of starting an evaluation of the Alberta model, so we're hoping to get more detail. However, anecdotally, the province advised us within the last six to eight months that they've already seen a shift to families accessing family enhancement quicker than when they introduced their model in the province.

We've also seen a shift in the types of care being provided. We've said 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's going to be a success for us as well. We've seen in Alberta 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 positive. 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.



Mr. LaVar Payne:

Do you know if Alberta or Saskatchewan have any concrete numbers available?



Ms. Christine Cram:

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



Mr. LaVar Payne:

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 regarding the agreements in place. Have we been using those as models for the other provinces? That's not necessarily in a cookie-cutter mode; obviously 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 a provincial business plan, and we have used that as an example as we have moved 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 not actually implement the Alberta model across the country. But what we are doing is developing one based on the legislation 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 in the provinces that don't have those agreements now--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.

[*Translation*]



The Chair:

Thank you, Mr. Payne.

Mr. Bagnell.

[*English*]



Hon. Larry Bagnell:

Thank you.

I have a quick thought that you don't have to respond to. Following up on something that Jean Crowder said, it's an embarrassment in Canada that some people don't have drinking water. Fortunately, as you probably know, the plan to rectify that has been ongoing for the better part of the decade, so I would hesitate to even suggest that it's part of an economic action plan. It would

be embarrassing, in a country as rich as Canada, to suggest that the only way someone who doesn't have clean drinking water can get drinking water is through an economic action plan.

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

  (1225)

Ms. Odette Johnston:

No, we don't have that figure. What I also wanted to mention is that when we talk about aboriginal children in care, those may be served by the provinces as well. The stats that we've provided are those related to first nations children who are served by agencies for children 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:

I was checking to see, from among 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 who are not in other aboriginal homes.

Ms. Christine Cram:

What we could do is see what we do have in the way of data that we could provide.

Hon. Larry Bagnell:

Okay.

This is my last question. Could you describe briefly the difference between the prevention model and the old model? For example, what do you do to prevent these unfortunate situations?

Ms. Christine Cram:

In the prevention model, you work with a family to address some of the concerns they have. They might have a substance problem, for example, that's resulting in a violent environment. I'm simply providing this as an example. It could perhaps result in a violent household. It could be a variety of things. In a prevention model there are resources available. You develop programs, and you refer the family to the programming they need in the hope they can address whatever the challenges are 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 care, which is good. It's also a challenge. In kinship care you need to get families that are able to take in other children and that are in the community, and part of that is to provide the support mechanisms they need to have additional children on a temporary basis in their families.



Hon. Larry Bagnell:

So just briefly, in the provincial model, given that the first nations spend the limited money they have on housing already, if you come to a situation, for example, with mould, in the old model you'd 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 we, with Ms. Crowder, had a discussion on that. What we try to do, and what the child and family services agency tries to do, is have that child in a safe situation. But they need to work with the communities 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. Earl Dreeshen (Red Deer, CPC):

Thank you very much, Mr. Chair.

Thank you to the witnesses for coming here to give us your presentation today. I was especially interested in some of the issues that you spoke about with respect to children in care.

Perhaps earlier you may have got cut off somewhat when you were talking about clean drinking water and the types of things that have been happening, schools and so on. I was just wondering if you could start by trying to let us know where things have been going this last little while.



Ms. Christine Cram:

Thank you for your question.

On clean drinking water, I'd like to start by saying there have 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 positive news and we continue to make progress in that regard.

There was also a recent announcement of investments--\$200 million for the construction of new schools and major school renovations, and a total of \$400 million for housing, which is split between CMHC and INAC. INAC has \$150 million of that.

These are all very important investments that will lead to a better situation for children because they're all aimed at reducing poverty and improving quality of life.



Mr. Earl Dreeshen:

Thank you.

I'm a former educator and I'm interested in the interjurisdictional cooperation that 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 wanted you to come back to what you were discussing with regard to Alberta, how Alberta's total funding is allocated to each of the reserves and how we can identify how that funding is being placed.



Ms. Christine Cram:

Are you speaking of funding for child and family services?



Mr. Earl Dreeshen:

Yes, sorry.



Ms. Christine Cram:

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 the appropriate funding formula for Alberta. It's based on a number of components--the number of children, the number of communities. Various elements go into that formula. How it works is that those formulas are applied to each of the agencies. So you have an overall way of funding, and then you apply the various elements of the formula, and that determines how much each of the agencies gets in Alberta. Then they develop a business plan on what they hope to achieve with that amount of funding. We're looking at what they can do in terms of reducing the number of children in care, moving them out of institutions into kinship, and what kinds of prevention services they are going to provide.

So their business plan comes in, and then it's reviewed in the context of the amount of funding they have. 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 that 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 would 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 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--



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 a high risk, then they will take a look at whether they need to be apprehending these children.

[*Translation*]



The Chair:

Thank you, Mr. Dreeshen.

We will now go to Mr. Lévesque.



Mr. Yvon Lévesque:

Thank you, Mr. Chair.

I'm happy to have the opportunity to ask you another question. In fact, I would like you to clarify something for me.

If I understand correctly, according to Jordan's Principle, children receive care and treatment and subsequently the various levels of government negotiate their share of the financial responsibility. Is that correct?



Ms. Christine Cram:

Yes, you are correct. In some cases, government do not agree with the idea of covering the costs for certain children. According to this Principle, despite jurisdictional disputes opposing governments, the organization responsible for the child at a given time continues to dispense services.



Mr. Yvon Lévesque:

Wouldn't you say that the negotiations currently under way with Manitoba run counter to Jordan's Principle? What I mean is, if an agreement is in place, then there is no longer any need for Jordan's Principle.



Ms. Christine Cram:

I have to say, Mr. Lévesque, that I do not quite understand why you think the situation in Manitoba runs counter to Jordan's Principle. There is a process in place. The case of each child with service-related problems is weighed. We determine what the child needs and who should dispense the services. It is really a matter of resolving disputes and ensuring that the child receives the proper services.



Mr. Yvon Lévesque:

You say that you are currently in negotiations with Manitoba officials. However, if you reach an agreement with them, Jordan's Principle will no longer apply.



Ms. Christine Cram:

A process is already in place in Manitoba. If Jordan's Principle applies in the case of a child, it is because that child is not receiving the necessary care. The process, which involves all governments, First Nations and service providers, consists of evaluating the situation and ensuring that the children receive the necessary care.



Mr. Yvon Lévesque:

The agreements centre on the level of responsibility of the parties or on who will cover any financial shortfall.



Ms. Christine Cram:

The aim of the agreement is to ensure that a process is followed and that everyone works together. The goal is to ensure that the proper services are and will continue to be provided and that a decision-making process is followed to determine which level of government must cover the financial cost.



Mr. Yvon Lévesque:

Ladies, not only do you look kind, but you genuinely are kind. Thank you.



The Chair:

Thank you, Mr. Lévesque.

On behalf of the members, I want to thank you for your presentations to the committee today.

[English]

We're going to go into some committee business now, so you can take your leave, and we'll continue. It's very informative, and I think you have noted some of the follow-up items, which we 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 in discussions of committee business involving notices of motion, we stay in public. Before we begin, though, I would like to advise members with regard to our travel dates for the study on northern economic development. This of course has been approved by the House liaison committee and the House, so the travel dates will be Monday, November 16, to Friday, November 20; that will be the trip to Whitehorse and Yellowknife. In the week immediately following will be the trip to Iqaluit.



[*Translation*]

It will take place from November 23 to November 25.

[*English*]

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

This is the final note. Continuing this week we have our first meeting on the study of northern economic development, on Thursday morning at 11 o'clock. 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.

There being no other questions, let's proceed 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 a while, 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 is the 2008 report, we haven't had an opportunity to have him come before us again. I note in his report there are still significant challenges for aboriginal offenders. In particular, I was approached by the Elizabeth Fry Society, who indicated aboriginal women were seriously overrepresented in maximum security and in segregation. I just wanted to note the correctional investigator's report indicated 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 the Correctional Service'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 it has now set up a national aboriginal advisory committee. Part of my suggestion was that we hear not only from the correctional investigator, but also from the department about progress, and the Elizabeth Fry Society.

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--and I'll take speakers--for purposes of clarification, Ms. Crowder, 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 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.

Are there any questions?

Mr. Duncan.



Mr. John Duncan:

I was not aware that Mr. Sapers had come before the committee previously, but 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, part of the challenge we have is that the conditions in aboriginal communities from coast to coast to coast actually contribute to their incarceration rates, and then the high rates of recidivism. I wouldn't attribute it all to this, but in part, 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, it does fall within the mandate of this committee to look at it. I'm not looking at it just from the correctional service 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:

I wouldn't presume to judge what the committee would choose to do with the witnesses who 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:

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 the committee once we know what the 2009 report states? 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 in any event. If there's a radical improvement in 2009, I think we 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 will be out. 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. So I would just say that 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.

The timing can be distinct from whether Mr. Sapers appears or not. We can agree with this particular motion to invite him and to talk about his 2008 report. It may not happen until he has tabled his 2009 report, but 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 that because it's called the "correctional" report 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 talks about culturally relevant programming to aboriginal people. It directly talks about the incarceration rates of aboriginal people. It directly talks about the incarceration rates when it comes to women and the treatment of aboriginal women specifically. I think that does fall within the purview of this particular committee. So 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 talk about this particular issue, is there any other fundamental issue that others around the table have? Technically, I don't think it falls outside the purview of this committee at all.



The Chair:

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

(Motion agreed to) [See *Minutes of Proceedings*]


The Chair: I think that's all we have for today.

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—we, meaning me 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 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 establishments, 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.

