

**CANADIAN HUMAN RIGHTS TRIBUNAL**

**BETWEEN:**

**FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA  
and ASSEMBLY OF FIRST NATIONS**

**Complainants**

**- and -**

**CANADIAN HUMAN RIGHTS COMMISSION**

**Commission**

**- and -**

**ATTORNEY GENERAL OF CANADA  
(representing the Minister of Indian and Northern Affairs)**

**Respondent**

**- and -**

**CHIEFS OF ONTARIO and  
AMNESTY INTERNATIONAL CANADA**

**Interested Parties**

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**AFFIDAVIT OF CINDY BLACKSTOCK**

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I, Cindy Blackstock, of the City of Ottawa, in the Province of Ontario, make oath and say as follows:

1. My name is Cindy Blackstock, PhD. I am the Executive Director of the First Nations Child and Family Caring Society of Canada ("the Caring Society") and an

Associate Professor at the University of Alberta and as such have personal knowledge of the matters hereinafter deposed to, save and except where the same are stated to be upon information and belief and as to such matters, I verily believe them to be true.

2. It is my role as the Executive Director of the Caring Society to provide support to First Nations representatives and agencies regarding First Nations child welfare. I believe that I am well qualified to provide such support. I have been honoured to receive over 25 awards for my work by Aboriginal and non Aboriginal organizations. These awards include recognitions from First Nations and First Nations organizations across Canada, an Honorary Doctorate degree from the University of Northern British Columbia, a National Aboriginal Achievement Award for public service, the Canadian Association of Social Workers Outstanding National Service award and several awards for excellence in scholarship. Attached as **Exhibit "A"** to my affidavit is letter from the Assembly of First Nations congratulating me for my accomplishments.

3. On December 9, 2009, I was invited by the Chiefs of Ontario to attend a meeting with David McArthur at the offices of the Minister of Indian and Northern Affairs ("INAC") regarding child welfare funding in Ontario. I was one of the five individuals who had been invited by the Chiefs to attend the meeting as a technical aid.

4. I followed all of the proper security procedures in order to enter INAC's offices and was given a visitor's pass. I conducted myself in a professional manner at all times as is my custom.

5. Upon my arrival to the INAC office, Mr. McArthur entered the reception area to allow each guest to enter the meeting room. When I identified myself before entering the meeting room, Mr. McArthur told me that he was aware that I had a number of "issues" regarding child welfare including a human rights complaint relating to First Nations child welfare before the Canadian Human Rights Tribunal ("the Tribunal") and that he would rather meet with me another time. Although Grand Chief Randall Phillips and I insisted that I was not there to discuss other children welfare issues, including the tribunal, McArthur made it clear that he would refuse to meet with the Chiefs of Ontario if I were present.

6. I was asked to wait outside the meeting room, in the reception area, during the meeting. A security guard was then sent to supervise me as I waited in the reception area for the meeting to conclude. I took a seat on a couch facing the reception desk and the security guard positioned himself directly on the other side of a coffee table separating the couch from the main reception area. I estimate he was no further than 1.5 metres from where I was sitting. To my knowledge, I was the only private citizen in the reception area.

7. No other individual invited to provide technical support to the Chiefs was excluded from the meeting even though they were apparently not included on the invited guest list prepared by INAC for the meeting. On December 15, 2009, I wrote a letter to Minister Chuck Strahl asking for an explanation as to why I was excluded from the meeting. Attached hereto and marked as **Exhibit "B"** to this affidavit is a true copy of this letter.

8. I was told by Grand Chief Randall Phillips who attended the meeting, and I verily believe, that Mr. McArthur made it clear he was not happy with them for having invited me to the meeting. I was also told that Mr. McArthur raised his voice

at him and the other Chiefs when he was saying this. It is considered extremely disrespectful in First Nations traditions to disrespect Chiefs in such a way.

9. On December 22, 2009, the Caring Society filed a motion with the Canadian Human Rights Tribunal requesting to amend its human rights complaint against INAC. The Tribunal never responded to the motion and the motion was never argued. Attached as **Exhibit "C"** to this affidavit is a copy of the appendix the Caring Society is wishing to add to its complaint.

10. I do not believe that the Respondent or the Department of Justice will be prejudiced in any way by the amendment of this complaint. The Respondent has been well aware of my concerns about the behaviour of INAC officials since December 15, 2009. The Respondent was also made aware of the Caring Society's intention to seek to amend the complaint on December 22, 2009 when it received the Caring Society's motion record.

#### **Retaliation since December 2009**

11. Since December 2009, I have learned that INAC has continued to retaliate against me personally and the Caring Society. Through various Access to Information and Privacy Act Requests, I have learned, for example, that INAC and Department of Justice officials monitored my personal and private Facebook page without my consent taking note of my personal postings and those of others who post on my page for at least six months and likely longer. Internal INAC e-mail correspondence obtained pursuant to the Privacy Act clearly links the surveillance of my personal Facebook page and Twitter account with trying to discover "other motives" for filing the First Nations child welfare human rights case. In early 2010, the Department of Justice even filed screenshots of my personal facebook page as evidence before the

Tribunal. The document included the names and comments of at least two of my personal acquaintances.

12. Attached as **Exhibit "D"** to this affidavit are various documents that I received through my Access to Information and Privacy Act Requests. These documents include, by way of example, an email written by an INAC official who monitored my participation at a conference and sarcastically described the presentation I made as "the Cindy Blackstock show" and a "tour de force". The documents also include various email exchanges between INAC and Department of Justice officials which confirm that my personal facebook page was being monitored.

13. I personally am not a complainant in the First Nations child welfare human rights case against Canada and as such I can see no legitimate reason for Canada monitoring my personal Facebook and Twitter accounts to find "other motives" for the case. Additionally, records suggest INAC officials intensely follow me during the course of my work in ways that cannot be characterized as usual for the Department.

#### **Impact of the retaliation**

14. I have dedicated my entire career to researching and promoting the wellbeing of First Nations children and families. I am recognised as being one of foremost experts in Canada on these matters. It is my role as Executive Director of the Caring Society to provide evidence-based advice and assistance to First Nation's representatives and organizations regarding these matters so that they can provide better care and support for First Nations children in need. I take this responsibility to heart. There is no greater insult than to deprive me of the opportunity to provide

support to those who seek my assistance to help ensure the safety and well being of First Nations children and families.

15. Prior to filing the human rights complaint, I was regularly consulted by INAC officials and worked collaboratively with the department on studies and projects in order to help improve the outcomes of First Nations children in care. The actions of INAC and the Department of Justice described above are preventing me and the Caring Society from fulfilling our roles to help First Nations children most in need. I believe that INAC's actions are a form of retaliation against me and the Caring Society for filing a human rights complaint under the *Canadian Human Rights Act*. I can see no other reason for this reprehensible behaviour.

16. The numerous transgressions by Canada into my personal life create discomfort as I prepare to present myself as a witness before the Tribunal on the hearing on the merits. I believe that the Tribunal has a responsibility to ensure that its hearings are fair and equitable. To me, this means ensuring that witnesses who testify in human rights adjudications are not intimidated by the parties involved. I believe that the intimidating conduct of government officials towards witnesses might impact the fairness or perceived fairness of the process. This could undermine the faith Canadians have in their human rights system.

17. I also believe that Canada's behaviour may discourage and frighten members of the public and organizations who have, or are considering, filing legitimate discrimination complaints against Canada pursuant to the *Canadian Human Rights Act*. It sends the message that Canada will undertake disturbing measures to address legitimate human rights complaints that fall outside of the established procedures of the *Canadian Human Rights Act* and Canadian courts.

18. I make this affidavit in support of a motion to amend the human rights complaint presently before the Tribunal.

SWORN before me at the City of )  
Ottawa, in the Province )  
of Ontario, on this 5 day of )  
July, 2012 )  
[Signature] )  
Commissioner for taking affidavits, etc. )

[Signature]  
CINDY BLACKSTOCK

Assembly of First Nations

Assemblée des Premières Nations



This is Exhibit ... A ..... referred to in the  
 affidavit of Cindy Blackstock.....  
 sworn before me, this 5<sup>th</sup>.....  
 day of April..... 2012.....

*[Signature]*  
 A COMMISSIONER FOR TAKING AFFIDAVITS

November 30, 2009

Cindy Blackstock M.M., PhD  
 CEO  
 First Nations Child and Family Caring Society of Canada  
 Suite 302 - 251 Bank Street  
 Ottawa ON K2P 1X3

Dear Ms. Blackstock,

On behalf of the staff and executive of the Assembly of First Nations I wish to extend our heartfelt congratulations to you upon receiving the prestigious Atkinson Foundation's Economic Justice Fellowship.

First Nations across this country have long recognized your work in the field of child and family services and are indebted to you for your long-standing advocacy on children's rights. The pursuit of justice is a monumental task and the leadership you have provided is inspiring to us all. We can think of no one more deserving of receiving this honour.

Respectfully,

Shawn A-in-chut Atleo  
 National Chief





December 15, 2009

**COPY BY EMAIL SENT DECEMBER 16, 2009: ORIGINAL BY COURIER**

The Honourable Chuck Strahl, P.C.  
Department of Indian and Northern Affairs  
10 Wellington Street  
Gatineau, Quebec  
K1A 0H4

This is Exhibit B referred to in the affidavit of Linda Blackstock sworn before me, this 5<sup>th</sup> day of July 2012

*[Signature]*  
A COMMISSIONER FOR TAKING AFFIDAVITS

Dear Mr. Minister,

**Re: Meeting with Chiefs of Ontario**

The purpose of this letter is to bring to your attention a troubling incident that occurred in your office last week. I am the Executive Director of the First Nations Child and Family Caring Society ("Caring Society"). The role of the organization is to provide advice and assistance to First Nations groups and agencies on child welfare issues. In 2007, the Caring Society, in collaboration with the Assembly of First Nations, filed a human rights complaint against the Department of Indian and Northern Affairs Canada for providing a lower and discriminatory level of child welfare services for First Nations children on reserves than is provided to non-Aboriginal children.

On December 9, 2009, I was invited by the Chiefs of Ontario to attend a meeting with David McArthur at your office regarding child welfare funding in Ontario. I was one of the five individuals who had been invited by the Chiefs to attend the meeting as a technical aid. I followed all of the proper security procedures in order to enter your office and was issued a visitor's sticker. Upon our arrival, Mr. McArthur met us in the reception area in your office. As you attended at the Special Chiefs Assembly on December 10, 2009 with a host of technical aids I know you would extend the same courtesy to Chiefs when they choose to bring technical support. I was proud to be in their presence as the Chiefs of Ontario have demonstrated great leadership for the children and families in their communities. When I identified myself before entering the

meeting room, Mr. McArthur told me that he was aware that I had a number of "issues" regarding child welfare and that he would rather meet with me another time. Although Grand Chief Randall Phillips and I insisted that I was not there to discuss other children welfare issues including the tribunal, Mr. McArthur made it clear that he would refuse to meet with the Chiefs of Ontario if I was present. A security guard was then sent to supervise me as I waited in the reception for the meeting to conclude. It is my understanding that INAC officials classified my presence as a security breach.

This was an awkward and demeaning experience for me and more importantly it interferes with my ability to perform my role as a technical advisor on First Nations child welfare issues. I have dedicated my entire career to First Nations child welfare and I am recognised nationally and internationally as being the foremost expert on First Nations child welfare in Canada. It is my role as the Executive Director of the Caring Society to provide support to First Nations representatives and agencies regarding child welfare matters, including funding questions.

I take this responsibility to heart. As such, there is no greater insult than to deprive me of the opportunity to provide support to those who seek my assistance to help ensure the safety and well being of First Nations children. It should be stressed that INAC officials raised concern about my presence with the Chiefs of Ontario wasting valuable time that should have been fully devoted to discussing the important children's issues at hand.

I should add that this was not the first time that I was denied the opportunity to provide support to agencies seeking my expertise. In 2008, the First Nations child and family service agencies in BC invited me to provide them with support during the negotiation of an enhanced funding model with INAC officials. When INAC officials became aware of this, they indicated that they would not meet with them if I was present. A similar incident also happened during negotiations with a child protection agency in Manitoba.

No meaningful reason was given by Mr. McArthur for excluding me from the meeting. No other individual invited to provide technical support to the Chiefs was treated in this manner. The only reasonable explanation is that I am involved in the filing of a human rights complaint against INAC. I note that section 14.1 of the *Canadian Human Rights Act* provides that it is a discriminatory practice to retaliate or threaten retaliation against anyone who has filed a human rights complaint. By preventing me from doing my work, your office has clearly engaged in retaliation contrary to the *Act*.

Minister Strahl, my first interest is the children and their families so I have prepared myself for the some resistance from your department as we bring this important matter to the tribunal and to public attention. However, the gravity of the interference of your department with my ability to perform my job requires that I ask that you apologize for this deplorable behaviour by INAC officials. I also ask you to assure me that this will not

reoccur. This pettiness by the Department officials is particularly reprehensible given I am being targeted because I am an effective advocate on behalf of vulnerable and abused children having won numerous awards from prestigious non-Aboriginal and First Nations organizations and academic institutions to honour the collective work I have the privilege of participating in with First Nations on behalf of the children. Yet again, it appears that Department is forgetting what this is all about - the children and their welfare and this is not accomplished by vetoing the participation of First Nations experts.

Thank you in advance for your prompt attention to this important matter.

Regards,



Cindy Blackstock, PhD  
Executive Director

cc: National Chief Shawn Atleo  
Grand Chief Stan Beardy  
Grand Chief Randall Phillips  
Chiefs of Ontario  
Elsie Flette, President of the FNCFC Board

This is Exhibit C referred to in the affidavit of Cindy Blackstock sworn before me, this 5<sup>th</sup> day of July 2012  
A COMMISSIONER FOR TAKING AFFIDAVITS

1. Since filing the within complaint, the Caring Society and its Executive Director, Dr. Cindy Blackstock, have been subjected to retaliation ~~from the Respondent~~ and the Department of Justice ("DOJ") contrary to section 14.1 of the Act.
2. It is the role of the Caring Society and Dr. Blackstock to provide evidence-based advice and assistance to First Nation's representative and organizations regarding these issues so that they can provide better care and support for First Nations children in need.
3. Prior to filing the human rights complaint, Dr. Blackstock and the Caring Society were regularly consulted by the Respondent. Together, Dr. Blackstock, the Caring Society and the Respondent worked collaboratively on studies and projects in order to help improve the outcomes of First Nations children in care.
4. On December 9, 2009, Dr. Cindy Blackstock, was prohibited from attending a meeting with officials from Indians and Northern Affairs during which she was asked to provide technical support to the Chiefs of Ontario. Out of four other technical aids who were asked to attend the meeting, Dr. Blackstock was the only person who was prohibited from taking part in the meeting.
5. This was not the first time the Respondent has prevented Dr. Blackstock from providing support and assistance to First Nations agencies and representative. In 2008, Dr. Blackstock was also prohibited from attending a meeting with the Respondent when she was asked to provide assistance to a group of First Nations child welfare agency directors in British Columbia.
6. Since December 2009, INAC and DOJ officials have also repeatedly monitored Dr. Blackstock's personal Facebook page and have reviewed and shared her personal information without her consent.
7. The Caring Society and Dr. Blackstock seek the following remedies :
  - a) An order obliging INAC and the DOJ to cease its retaliatory conduct towards the Caring Society and Dr. Blackstock;
  - b) \$20,000 in human rights damages to Dr. Blackstock which she will donate to a charity of her choice;
  - c) \$20,000 in human rights damages to the Caring Society;
  - d) An order obliging INAC and the DOJ to surrender all materials containing any personal information regarding Dr. Blackstock obtained without her consent;
  - e) An order obliging all INAC and DOJ officials involved in these retaliatory actions to undergo human rights and privacy training; and
  - f) An order obliging all INAC and DOJ officials to issue a written and public apology to Dr. Blackstock and the Caring Society for their actions.

From: Jerry Lyons  
To: Zaharoff, Bill  
CC: Louie, Kim; Stiller (home), Linda; Stiller, Linda  
Date: 4/4/2008 3:11 PM  
Subject: Re: CFS issues

This is Exhibit D referred to in the affidavit of Cindy Blackstock sworn before me, this 5<sup>th</sup> day of July 2008  
*M. J. [Signature]*  
A COMMISSIONER FOR TAKING AFFIDAVITS

At the Working Group Meeting held in Cowichan on April 3/08, a number of issues were raised by members of the Working Group (composed of 1 rep from the Caring Society, 2 agency reps, 1 Prov rep and 1 INAC rep) which could cancel or delay implementation of the Enhanced Prevention Initiative;

1. A document was presented at the meeting which had been received by members of the Working Group and allegedly forwarded by Cindy Blackstock, Coordinator of the national Caring For Children Society. This document showed fixed rates for different categories of Operations in the 3 regions currently moving forward with the Initiative. It was presented as proof that INAC HQ had a pre determined amount of money set aside for BC agencies for Operations. No matter how much work was done to build BC's case, the outcome would not be changed.
2. The anticipated report from The Auditor General on FNCFS Maintenance singles out BC region for corrective action in the method of reimbursement employed here. Rather than reimburse on the basis of actual expenditures, as specified in the national authorities for FNCFS, BC has always paid an averaged amount based on provincial rates. The knowledge that this will have to be taken into account has agencies worried.
3. There appears to have been lobbying by Ms. Blackstock to undermine the Enhancement Initiative on the grounds that it does not address the recommendations of the Wen:de reports. Some of the Working Group members acknowledge speaking to Ms Blackstock on this issue and that it has affected their attitude.
4. The Provincial rep indicated that she would not be able to gather the required provincial information in time to meet the phase 2 deadline of May 15/08.
5. A general FN suspicion of the federal government, particularly at the HQ level, exists and it takes very little to fan this into a major issue. The issue of whether the Enhancement Initiative should continue, be extended for another year or end immediately will be discussed at the scheduled meeting in Victoria April 9-11.

**Actions taken as a result of these concerns:**

1. In regard to the document presented at the meeting, a copy was forwarded to Steven Singer in HQ. Steven is the Financial Officer for FNCFS in HQ. Steven advised that this document did not represent the final figures for Sask and Quebec. It rather appeared to be an exercise in looking at a fictitious agency of 1000 children and how it might look under the new framework. The final costing for Sask and Quebec has not yet been completed and so the figures are not available. Steven will be prepared to speak to this at the meeting.
2. The Auditor General's report is a reality and must be dealt with. If agencies proceed with the Initiative however, they may never feel the impact of changes in this area as they will move to a whole new funding methodology with enhanced funding in both Prevention and Operations. This point may be reinforced at the meeting if this issue arises.
3. There is nothing one can do about lobbying as everyone is entitled to his/her opinion. The facts of the matter will, however, counter these arguments as BC **will be eligible for an Enhancement**. How much will be unknown until the final costing is done but in other regions the enhancement was significant. The Wen:de reports was not accepted as they were based on a very subjective estimate of need. There was no base to work from and it was a one model fits all recommendation. The Enhancement Initiative is based on provincial practice in the regions and will vary according to the legislation and standards of the respective provinces.
4. The Prov rep indicated that, if she could get some assistance or if the deadline for phase 2 (May 15) could be extended, she could gather the required information.
5. There are compelling reasons why the Initiative should proceed immediately. There is currently surplus money in HQ which is being used to fund the Enhancement; if there is an election and a new govt, it is probable that this Initiative will lapse; if agencies go into the new model in the coming year, they will avoid the impact of going to Maintenance actuals.

**From:** Joe Behar  
**To:** Dougal MacDonald; Ian Gray; Mark Davis; Mary Quinn; Susan Dunne  
**CC:** Maureen Collins; Odette Johnston; Steven Singer; Vince Donoghue  
**Date:** 10/2/2009 11:14 AM  
**Subject:** NB CFS symposium

Folks, I will put together a more formal briefing note on the CFS symposium anon, but for now would like to share an impressionistic view of how the last three days have gone.

Day One opened with the Cindy Blackstock show, a tour de force that seemed to fire up a ready to be impressed audience of about 60 people. Camera crews were also present. Her main message was predictable: First Nation children are underfunded by the government. But she also made another interesting point: that the main reason by far for FN children being taken into care is neglect, rather than sexual or physical abuse (which is a much more prevalent reason among non-native children in care), that we should therefore not focus on individual cases such as the child death in NB but rather look at the real picture (i.e. that poverty often limits native parents from providing for their children). After this clever argument she rattled through some general statistics (or gave the impression of doing so) before whisking away to the airport, mission accomplished. The tone was set, though significantly, and gratifyingly to me, noted that in fact we should not lose sight of the fact that the symposium and his investigation did emanate from the child death case. He also noted, later on in the proceedings, that the biggest impression that was made on him in the course of his community visits was a comment by a sixteen year old girl who told him that if he could ensure that no other girl was put into a foster home where she would be subject to sexual abuse, then he would be doing a worthwhile job.

The sessions on the first day were mixed. Most of the speakers focused on general issues and high level analysis of why First Nations continue to struggle. So the legacy of colonialism, underfunding, the Indian Act, and of course INAC (in the physical embodiment of yours truly, as the only representative of that proud department) came in for the usual opprobrium. One or two speakers stuck to the point re: CFS practices and as such were more useful. spoke well about the functioning of Four Directions, especially re: the distancing from political interference. She also was very high on the new provincial family group conferencing process, which she noted was really coordinated and arranged by the province and seemed to be very effective and very cost effective for her. of Manitoba spoke about the system they have there, with CFS Authorities overseeing agencies etc. I was most interested in hearing the details from him, but others seemed less so and he was cut off to make room for other presenters. I spoke with him afterwards and we exchanged contact information. Not something that I think would work in NB, given the much smaller numbers, but interesting none the less. 26

The second day featured fireworks aplenty in the form of presentation on the importance of language. She waited in minutes before her panel was to start, proceeded to slag the organizers of the conference and the very conference itself, essentially suggesting that we were all idiots who were fiddling at the margins while the real issue of "linguistic genocide" was being perpetrated. Just as questions were coming from the floor she hurried out of the room, saying she needed to send an urgent fax by noon (which mercifully was only minutes away). would later comment on how angry he was with her performance. Oh well... 26

The second day was wound up early so that people could attend the swearing in of Graydon Nicholas as Lt. Governor, a historic occasion that he handled with the grace and humour that he is imbued with (he noted that when he was inducted into the NB Legal Society back in the early 70s the headline read: "First Indian admitted to the bar").

As you can tell by the lack of detail on the presentations, I was less than impressed by them overall. There were some opportunities for me to put in For example, when spoke of his program at Eel River Bar, I asked him to expound on some of the prevention activities he does with his In Home dollars, a non-too subtle raising of this important NB anomaly that had hitherto gone unremarked. Later, after cursory review of service delivery models (she spent most of the time outlining the history of agencies in NB and the current funding system, eliding for the most part the anomalies), I was asked if aggregation of agencies would lead to higher operational funding under 20-1. This gave me the opportunity to point out that we calculated ops funding under the pretense of three large agencies already, to maximize the operational funding, and that in addition to 20-1 the NB agencies/programs received In Home and Head Start, to the tune of ca. \$3m additional funding over all. This detail seems to be poorly understood by and company, and we need to feed them some more information on this score. I will forward to them the 09/10 ops, In Home and Head Start funding allocations, and the 08/09 maintenance figures, so they can compare that with the 20-1 amounts (i.e. ops funding only). Also, I think that some one should have a talk with people re: the 20-1 formula, as well as how the Enhanced Prevention funding would work. I tried to address it here but people seemed to be less interested in hearing details and facts. They took some names and will follow up with us in the weeks ahead. 26

The third day was set aside for a meeting of the Advisory Committee. Participants were: myself, I (PNB), (academic and advisor to MMFCS), (NB Assoc. of Social Workers), (Addictions program through HC, working on pilot in Tobique), (formerly of MMFCS and now a

grad student), I (last name eludes me; native woman living and studying in Fredericton and formerly employed at a FN CFS program, I think), and (retired social worker who has been active in many aspects of NB CFS process, including as author of the 2004 study that recommended the several models of service delivery that we have made little progress on implementing ever since). I opened the session by stating my disappointment with the tenor of the previous two days, and pointing out that as himself had said, we were there because a child had died in the care of a FN agency, after being placed in a foster home with a known sexual offender in it. I said that if we wanted to see how racism really worked today, we would look closely at this case. For fear of offending the First Nation leadership we were allowing this case to be swept under the rug, and for the responsible people and program to be unaccountable. I pointed out that neither INAC nor the suldde's family had been allowed to see the Child Death Review report, and that an investigation of the social worker and agency had yet to be initiated by the NBASW. If it was a non-native child would this case have been similarly handled? I thought not. So let's not forget that we were there to speak for all the people who live in First Nation communities, and not just the leadership, and that native children had a right to receive the same level of service as non-native children; they should not be treated differently just because they were native!

26 This opening salvo served to kick off a spirited discussion of the failure of the NBASW and of the province in ensuring good social work standards in FN communities, which in turn morphed into a discussion of the systemic weaknesses of the system in NB, i.e. community based agencies, the perception of differential standards, etc. Of course the issue of funding came up, but I made the point that the overall level of funding in NB was not terribly low, but that its distribution among many small programs precluded economies of scale. Fred Wlen reinforced this point, noting that specialized services could better be provided when resources were pooled. More discussion around the work on service delivery models ensued, and I think that really has a pretty good grasp of this aspect of the issue. Moreover, has a very good grasp of the arguments, having worked in a small agency (Woodstock) and thus being able to attest to the difficulty of working in isolation. So, there seems to be a good appreciation that some sort of aggregation would be beneficial, recognizing that we should not throw the community-based baby out with the small agencies bath water, etc.

Off line at coffee break I had an interesting chat with We spoke candidly about the political reality of the situation in NB. Who was the of this province, we pondered, who could bring people around the table to work out an agreement? Was it politically feasible for the Chiefs to agree to merge their programs, and possibly lose jobs in their communities and control over the CFS program? Would it be beneficial for us to insist on a merger, which the Chiefs might want but which they could not do on their own (for political reasons)? We agreed that we (INAC and committee) should work closely to agree on a strategic approach to the recommendations that he might put on the table. We spoke of the desirability of having a meeting of group, the province, and senior level INAC folks (I would suggest Ian and/or Dougal, Vince and/or Steven, Mary Quinn and/or Christine Cram) perhaps at the end of October, to discuss further. 26

26 Back in the meeting I noted, perhaps contradictorily, that INAC's approach had thus far been (and as far as I know continues to be) not to arm twist anyone, but to ask rather for FNs to agree to aggregate on their own and to come to a model that worked for them, and that might also work for us. As far as I knew we were not proposing to cut In Home or Head Start funding anomalies if the status remained quo, contrary to what had been implied several times throughout the past few days. smiled wryly when I said this and I felt somewhat disingenuous (given our off line conversation), but in fact I have not had a really clear answer on our position from HQ.

As next steps I will provide research team with the figures mentioned above, and with contact names for further interviews, which they want to pursue in the next month. I suggest we discuss the possibility of a senior level meeting with for the last week of October. This could be a very good chance to align our thinking on this file with both the province and with him. My sense is that the province wants also to use this report as a springboard for concerted action, and may be willing to bring more to the table than they have done previously. By the way DM James Hughes was present at the end of both days of the symposium, sitting quietly but attentively at the back of the room.

As a postscript, asked me what the chances were that they could "get" Dougal to be on the working group on CFS. I said that as far as I thought, he might attend a senior level meeting or two, but would probably not have time to be on a working group, if one were to be re-formed. I have not heard of such a re-formation at this point in time.

Joe Behar  
A/Manager, Programs  
INAC - Atlantic Region  
(902) 661-6361  
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