



House of Commons
CANADA

Standing Committee on Aboriginal Affairs and Northern Development

AANO • NUMBER 040 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Monday, December 6, 2010

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Chair

Mr. Bruce Stanton

Standing Committee on Aboriginal Affairs and Northern Development

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• (1530)

[Translation]

The Chair (Mr. Bruce Stanton (Simcoe North, CPC)): Good afternoon committee members, witnesses and guests.

This is the 40th meeting of the Standing Committee on Aboriginal Affairs and Northern Development.

Today, we will be considering first nations child and family services.

[English]

This afternoon we are welcoming three important witnesses to our continuing study on child and family services. We will take them in the order that they appear on the agenda today. I'll introduce each one individually as we go.

I'm sure you have all done this before.

I think we have our connection with our witness on video conference.

Mr. Doyle, can you hear us there?

Mr. John Doyle (Auditor General, Office of the Auditor General of British Columbia): I can hear you clearly.

The Chair: Very well. I just wanted to check to make sure.

I would again like to welcome Betty Ann Lavallée from the Congress of Aboriginal Peoples. As you are aware, we customarily have up to 10 minutes for a presentation from each of our presenters, after which we will go to questions from members.

Please go ahead, Ms. Lavallée, you have the floor.

National Chief Betty Ann Lavallée (National Chief, Congress of Aboriginal Peoples): Thank you, Mr. Chairman.

Good afternoon to the members of the House of Commons Standing Committee on Aboriginal Affairs and Northern Development.

It is an honour to speak to this committee on the traditional ancestral homelands of the Algonquin people. I am a Mi'kmaq woman who has lived off reserve my whole life. I am from Geary, New Brunswick. I am the former president and chief of the New Brunswick Aboriginal Peoples Council and I am also the national chief of the Congress of Aboriginal Peoples.

The Congress of Aboriginal Peoples, as a national aboriginal organization, represents the interest of off-reserve non-status and

status Indians, and Métis aboriginal peoples living in urban, rural, remote, and isolated areas throughout Canada.

We are also the national voice for the constituency and their affiliate organizations making up the congress family of advocates for the off-reserve aboriginal peoples of Canada.

The Chair: Ms. Lavallée, one of the things we do is a simultaneous interpretation as we go. If you could speak at a nice slow pace, that would keep the translation in good shape and everyone could hear and understand what you're presenting to us this afternoon.

Please go ahead, and just take your time.

National Chief Betty Ann Lavallée: Through reviewing the chapter of the Auditor General's report focused on the first nation child and family services program offered through the Department of Indian and Northern Affairs, which I will refer to as INAC for the remainder of this presentation, I have several concerns about the program and its overall effectiveness.

The Auditor General's report indicates that the number of children who live on reserve and who are ending up in care is continually increasing.

The report indicates that 51% of children in care in British Columbia are aboriginal. This is shocking, due to the fact that only 8% of British Columbia's total population is aboriginal.

The recommendation that INAC define the meaning of "culturally appropriate services" is one that the congress strongly stands behind. It's important to the aboriginal peoples of Canada to be connected with our cultures, traditions, histories, customs, and languages. The congress feels it's imperative that these culturally appropriate services be outlined.

Our children are being taken into care at alarming rates. The Auditor General mentions that the cultural services the aboriginal peoples need are required to be detailed so aboriginal peoples can know and see proof that our children are being kept close to their heritage as aboriginal peoples.

I would like the Department of Indian and Northern Affairs to explain what is meant by the term “comparable services” when referring to the comment that the first nation child and family services program be comparable to services offered off-reserve through provincial ministries. The fact that INAC has no agreement on child welfare services with B.C., Manitoba, and Quebec is shocking. INAC should have the same agreement nationwide with each province. There must be consistency among the provinces and the requirements set out by INAC to ensure that aboriginal children and youth are receiving the best care available to them in each province.

Once again, it appears the primary perspective on improving the first nation child and family services program is fiscal management and accountability rather than outcomes in relation to improvement of the health and safety of aboriginal children living on reserve.

There is poor coordination between federal programs related to first nation child and family services. Given that the primary basis of this poor coordination between departmental programs appears to have been based on concerns about financial commitments, federal departments have now adopted Jordan's Principle as the basis for decision-making regarding jurisdictional and departmental battles that involve the health and safety of aboriginal children living on reserve. Jordan's Principle should be used as the basis of all programs dealing with the health and safety of all the aboriginal children of Canada.

The Auditor General's report also notes that INAC's funding formula is outdated, and that INAC has known this for several years. This has resulted in cases of reserves receiving duplicate funding for children in care from both INAC and the federal government's Children's Special Allowance Act with no recovery of costs required by INAC.

As of 2008, the Treasury Board required INAC to deduct the Children's Special Allowance Act payments from funds they directed to aboriginal agencies and/or reserves. There is very little information related to actual services being funded, the volume of activities carried out by on-reserve aboriginal agencies, the number of assessments undertaken, or reasons why children were placed in care to begin with.

Each of these indicators previously mentioned measured the outcome and value of the program, not just the fiscal management of the program, and did not address the core issue of why children are being placed in care.

Have the performance information requirements been established by INAC in conjunction with on-reserve aboriginal agencies? If so, are these requirements available to the public?

As to the health and safety of aboriginal children in general, it appears from this report, what is included and what is omitted, that INAC in particular and the Government of Canada in general place a greater priority on demonstrating an extreme sensitivity to aboriginal culture and self-government issues than they do to ensuring the health and safety of aboriginal children, whether they be on or off reserve.

● (1535)

As you may have noted throughout my presentation, I've spoken very little of the plight of the off-reserve aboriginal children. There are little or no statistics on this forgotten group of aboriginal children who continue to fall through the cracks of society in Canada. This is due to the fact that this group of aboriginal children is administered to by provincial services, which have little or no contact with provincial and national aboriginal organizations such as CAP and its affiliates. Once more, the children and young aboriginal people living off reserve are Canada's forgotten aboriginal peoples.

If aboriginal children are left to live in unsafe housing, in unhealthy environments with insecure or abusive family conditions, whether on or off reserve, then the future of the aboriginal peoples, aboriginal communities, and aboriginal cultures in our country will be placed in jeopardy.

All children living in Canada must come first. This is Canada's most important and valuable resource, and it's being squandered away in the aboriginal communities. The children and youth of Canada are our future. They are going to lead us tomorrow.

Thank you. *Merci. We laliog.*

● (1540)

The Chair: Thank you, Ms. Lavallée.

Now we'll go to Ms. Fraser.

Auditor General, we are glad to have you back. Perhaps you can take this opportunity to introduce the officials who are with you today. You have the floor to comment on the 2008 report. Much of this stems from that, but go ahead with your presentation.

Ms. Sheila Fraser (Auditor General of Canada, Office of the Auditor General of Canada): Thank you, Mr. Chair.

We thank you for this opportunity to discuss chapter 4 of our May 2008 report on the first nations child and family services program. I should note that the audit work for this chapter was substantially completed in November 2007.

Joining me at the table are assistant auditors general Ronnie Campbell and Jerome Berthelette, both of whom were responsible for our audit.

The audit examined how Indian and Northern Affairs Canada manages its first nations child and family services program. John Doyle, the Auditor General of British Columbia, conducted a concurrent audit covering child welfare services for aboriginal people in B.C., and we prepared a joint foreword to our reports.

Some of the most vulnerable children in Canada are first nations children. At the end of March 2007, there were about 8,300 on-reserve children in care. This represents more than 5% of all children living on reserves, and this percentage is almost eight times higher than the percentage of children living off reserves who are in care.

[Translation]

A 2003 study found that the higher incidence of child neglect occurring on reserves is largely attributable to poverty, inadequate housing, and substance misuse by caregivers. This indicates that the resulting problems experienced by children in care cannot be resolved solely by child welfare services.

In 2007, Indian and Northern Affairs Canada spent \$450 million on this program, \$270 million on direct support for first nations children in care, and another \$180 million on the operations and administration of child welfare services provided to first nations.

In 1990, the federal government adopted a policy requiring that child welfare services provided to first nations children on reserves meet provincial standards, be reasonably comparable with services for children off reserves, and be culturally appropriate. Over the years, this policy has been confirmed through several government and Treasury Board decisions.

[English]

However, we found that the department had not defined the meaning of “reasonably comparable” and “culturally appropriate”. We also found that the department had not analyzed and compared the child welfare services available on reserves with those in neighbouring communities off reserve.

Department officials and staff from first nations agencies told us that the child welfare services in first nations communities are not comparable with off-reserve services. Furthermore, we found the department had not sufficiently taken into account provincial standards and other policy requirements when it established levels of funding for first nations agencies to operate child welfare services on reserve.

At the time of our audit, the funding formula dated from 1988 and had not been significantly changed since then to reflect variations in provincial legislations and the evolution of child welfare services. In addition, the funding formula assumed that all first nations agencies have the same percentage of children in care—that was 6%—and that the children all have similar needs. This assumption led to funding inequities, because the percentage of children in care, as well as their needs, vary widely among first nations.

Mr. Chair, in 2007, through the cooperation of federal, provincial, and first nations parties, the funding formula was revised in Alberta. This revision links the funding provided to first nation agencies in Alberta to provincial legislation. Although the new formula does not address the inequities of the existing formula, when fully implemented it will provide 74% more funds for the agencies' operations and prevention services. As you may be aware, the federal government has signed similar agreements with five other provinces since then.

• (1545)

[Translation]

Indian and Northern Affairs Canada agreed with the recommendations in our audit report and made several commitments in its response. It also prepared an action plan.

Following the tabling of our audit report, your committee, as well as the Senate Standing Committee on Aboriginal Issues and the House of Commons Standing Committee on Public Accounts all held hearings on this audit. The public accounts committee also issued its own report on this issue.

Your committee may wish to note that we are currently working on a follow-up audit of some of the key issues from seven previous chapters including this one on child and family services.

This audit report will be tabled next spring. We would welcome a request to appear before your committee in the spring to present our audit findings on this issue and other issues.

Mr. Chair, this concludes my opening remarks. We would be pleased to answer any questions.

Thank you.

The Chair: Thank you, Madam.

I will now call upon the Auditor General, John Doyle, from the Office of the Auditor General of British Columbia, to take the floor.

[English]

Monsieur Doyle, you can hear me and the interpretation is coming okay as well?

Mr. John Doyle: Yes, thank you, Chair.

Good afternoon, members.

Thank you very much for the opportunity to present on our report entitled *Management of Aboriginal Child Protection Services*, which we published in May 2008. I have with me today Morris Sydor, Assistant Auditor General, who is responsible for the work in this report.

The report on managing aboriginal child protection services was published in May 2008. At the time we carried out our audit, aboriginal children accounted for only 8% of the one million children in B.C., but they made up 51% of the children in the province's care. This is considerably higher than the national average of 30% to 40%.

Protection is one part of the child welfare services managed by the Ministry of Children and Family Development, which I'll refer to as “the ministry” from now on.

We focused our audit on the high-risk, high-impact component of child welfare—that is, protection for children who may be at risk of harm. Like most jurisdictions, British Columbia is facing growing pressures to address inequities in the lives of aboriginal children. In 2007 the government stated a goal to ensure that “children and youth in B.C. have their developmental needs met and are supported by healthy families and inclusive communities”.

As part of accomplishing this, the government has turned its attention to the aboriginal children who make up more than half of those it serves. I expected to find aboriginal child protection services that were appropriately designed, resourced, managed, and reported on to meet the goals set for it. I found the ministry had attempted to work collaboratively with aboriginal organizations and the federal government to deliver effective, culturally appropriate, and equitably accessible child protection services, mainly through aboriginal agencies to aboriginal children and their families.

However, several challenges, some anticipated and some not, have slowed the transferring of service delivery responsibilities to aboriginal agencies. As a result, many of the child protection needs of aboriginal children and their families continue to remain unmet.

This audit was carried out at the same time as the Auditor General of Canada's similar audit of Indian and Northern Affairs Canada's management of its responsibilities for child protection in B.C. and several other provinces.

Specific to the issue of funding, the audit found that the ministry had not identified the needs and resources required for aboriginal child protection services. It lacked sufficient data on the level of child protection services needed by aboriginal children and their families. It had not been able to determine the staff resources required by aboriginal children and their families.

For these reasons, the ministry was unable to determine the cost of delivering culturally appropriate child welfare services. Nor was it able to develop a persuasive business case to negotiate for both provincial and federal funding. Thus, the ministry was facing funding gaps within these critical labour- and resource-intensive services.

We also identified a shortage of aboriginal social workers, aboriginal service providers, and supports for both the ministry and the delegated aboriginal agency programs.

For each of these findings, we issued a recommendation to the ministry. As part of our follow-up process, we have systematically asked for updates from the ministry on its progress in implementing the ten recommendations contained in our report. We have conducted three follow-ups to date.

As of their latest update, which we published last September, the ministry has addressed all these recommendations, including the four relating to identifying needs and resources for aboriginal child protection services. As a note of caution, I am repeating what the ministry has told us. We have not yet gone in and done detailed follow-up work, which is still an option. We may actually go and do that.

For recommendation six, which deals directly with creating a business case for funding, the ministry notes that they have

submitted their framework to the federal government, and that this was done in September 2008. They have yet to receive a formal response.

May I thank you again for your invitation to appear. I will be happy to take your questions regarding this audit and our follow-up work.

Thank you.

• (1550)

The Chair: Thank you, gentlemen, for taking the time to connect with us here this afternoon.

Now we'll go to questions from members.

Witnesses, try to keep your responses as succinct as you can, so that we can get through as many questions as possible.

Let's go to Mr. Russell for the first seven minutes.

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

Good afternoon to each of you, and thank you for being here.

This is no doubt a very important issue. I mean, it's hard to find the right words to express it, in the sense that it's 5%...a full eight times more than the general Canadian population, which is, I believe, under 8%; it's not even a per cent.

It seems that we're taking...and I don't know about “we”. Maybe it's the government or maybe successive governments. Who the hell knows? But it seems that we have a crisis situation that is not being addressed in a crisis management way or methodology.

I just want to ask a couple of questions, and I'll start with you, Ms. Fraser. In your remarks, on page three, you said, “Although the new formula does not address the inequities of the existing formula...” Could you expand on that particular statement?

We had the department in front of us a couple of weeks ago, and they have put a lot of emphasis on a new funding formula and a tripartite arrangement, almost using the Alberta model. They're taking this now across the country. If the Alberta model doesn't work, or if it has significant challenges, then we're only importing that problem across the country, without fully understanding what's happening in Alberta.

All the department has told us to date is that there are some preliminary results that point to some improvement. That's all they said. They never quantified it. There was no qualification of that particular statement. Maybe we didn't ask enough of the appropriate questions in order to get to the crux of it.

Can you explain that particular statement to me and expand on that somewhat? I think the new formula you're talking about is the one they're using in Alberta.

Then to the Auditor General in B.C., with your findings and this new approach by the federal government, what is the relationship between the federal government and the authorities in B.C. about moving to this new formula? What kind of approach are they taking? Did you find much collaboration amongst the different authorities, both federally and provincially and first nations-wise?

• (1555)

The Chair: We'll go to Ms. Fraser first.

Go ahead.

Ms. Sheila Fraser: Thank you, Chair.

As I noted in my opening remarks, one of the issues we found with the old funding formula was that it assumed that a certain percentage of children would need care, and that was applied across all first nations. With the new funding formula, that is still the same. There's a fixed percentage, if you will, that is given.

So it's not based on the needs of particular communities. Some communities have many more children in need than the 6%, and some have fewer. We would have expected, I think, that a new funding formula would have taken into account the actual needs of the community, but it's still based on a fixed percentage across the board.

Mr. Todd Russell: So the additional funds are only on one part of the delivery model, you're saying. It's under "prevention services".

Ms. Sheila Fraser: That's right.

I could perhaps ask Mr. Campbell to respond, Chair.

Mr. Ronnie Campbell (Assistant Auditor General, Office of the Auditor General of Canada): Thank you, Mr. Chair.

Yes, the funding focus is on two areas. One is the range of services that are made available to the people. The new formula is to enrich and expand that range of services. But the funding of the first nations agencies, that hasn't changed, that part of the formula—and that's the funds they need for salaries, benefits, operations, training, and development.

As we found in the audit, they find it very difficult to compete for salaries for social workers and the like, so they can't keep experienced people on, and those are the kind of people who they need to do these kinds of jobs.

Mr. Todd Russell: So if you don't have an equitable funding formula, if you have issues of capacity, of delivery, then how do you get to a better result, even on the prevention side? I mean, you can't separate them out, I wouldn't think. It's part of a package of services that get delivered.

Ms. Sheila Fraser: If I could give a partial response—and it may be something the committee would want to explore further—one of the things we noted in our audit was that under the old funding formula very few of the preventative services were being funded. So in fact in order to deal with the situation, the only way to really get funding was to take the child into care, whereas now there are preventative services that are being funded. One would hope that would reduce the number of children going into care and that there would be more intervention with the family while having the children remain in their communities.

Another issue I think we saw, as you will note in the report as well, is that children who needed very serious medical attention often could not get the services on reserve. But if they were taken into care, they could get the services off reserve. So the fact that children are being taken into care may not necessarily indicate that there is a serious problem in their family, or in their environment, but it's actually maybe a way to get them the services they need. That might be something the committee may wish to explore with the department officials.

Mr. Todd Russell: Do we have a couple of minutes more?

The Chair: Yes, you have a minute and a half or so.

Mr. Doyle has time to respond on that question.

Mr. John Doyle: Thank you, Chair.

The ministry in British Columbia did work collaboratively with both federal and first nations organizations and put forward a framework document that identified the need for a new funding model. The new funding model would provide a continuum of services and supports, including prevention and early intervention. That framework document was tabled with the federal government in September 2008, and whilst there has been some feedback provided by the federal government, no formal response has yet been provided.

The Chair: You have 30 seconds left.

Mr. Todd Russell: No, I'm okay.

The Chair: Thank you, Mr. Russell.

[*Translation*]

I will now give the floor to Mr. Lemay, who has seven minutes.

• (1600)

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Thank you, Mr. Chair.

I first have a question for Mr. Doyle, from British Columbia.

I read the information that you sent us with great interest and I obtained your report. Did you undertake another follow-up following your 2008 report? Are you following the situation in British Columbia?

[*English*]

Mr. John Doyle: Thank you for the question.

We have a detailed follow-up process within the province. Some 12 months after every report is published we go back to the entity concerned and we ask about their progress in dealing with all the recommendations that were made. Then we continue doing it every six months until such time as I determine that we've received enough information or that the recommendations have been dealt with appropriately.

We've had three follow-ups—the first one at the 12-month mark, and then every six months thereafter. We're now in a situation where the ministry has said to us that all the recommendations have been dealt with, although, as I mentioned earlier on, in respect to recommendation six, although they have presented information to the federal government, they have not yet received a formal response.

It's now my option as to whether or not I go in and do more detailed work in regard to the work that they've completed.

[*Translation*]

Mr. Marc Lemay: I would now like to ask a question of Ms. Fraser or Ms. Lavallée.

I've been listening, I've been reading, and I've been analyzing the situation. Perhaps even Mr. Doyle could answer this question but I get the impression that it's always long to implement things, despite tripartite agreements signed between the federal government, the provinces and quite often aboriginal communities. The process strikes me as being cumbersome and not particularly quick.

I was shocked to see that 51% of the children taken into custody by the youth protection services in British Columbia are aboriginal children. Elsewhere in Canada, those children represent somewhere between 25% and 30%, and almost 50% Canada-wide, despite these tripartite agreements.

Is the solution for the government to invest more money? And yet hundreds of millions of dollars have been invested without any tangible improvement of the situation.

Ms. Fraser, I read your report, and don't worry, in April we will think of you and have you back to see us. Is that part of your current audit, the follow-up to the 2008 report?

Ms. Sheila Fraser: In fact, the 2008 follow-up is a part of the report.

Mr. Marc Lemay: What would be the solution?

Ms. Sheila Fraser: In my opinion, the most important issue in this entire file is the definition of "comparable services". No one has ever defined what a comparable service is. More money could very well be given, but we do not know whether the services offered to these children and their families are comparable to those that are offered to people who live outside the reserves, nor do we know whether we are sufficiently subsidizing them. So long as we have not defined the services that we must support, it is difficult to estimate the amount of funding that will be needed.

Mr. Marc Lemay: I have a bit of a problem with the requirement that states that services must be "reasonably comparable with services for children off reserves".

Perhaps this is a simplistic solution, but the government should fund the services, and the provinces, since they are responsible for services to children, should set the standards. Would this not be logical? Is it excessively logical?

Ms. Sheila Fraser: Oh, oh!

• (1605)

Mr. Marc Lemay: All right, it is excessively logical.

With regard to British Columbia, Mr. Doyle, what do you think of it? Would it be better for the federal government to fund the services and for the province to set the standards?

[*English*]

Mr. John Doyle: I think the level of funding that is required needs to be discussed among the parties to make sure they can put in place all the resources required to deliver appropriate services to children. Far too often there's an assumption that this is what is required as

opposed to an analysis of what would be in the best interests of children.

It seems to me, and I share your view, that it takes a long time for this to occur, and anything to speed up that process would be useful. But I am assured by the ministry in B.C. that they're working through this process. Some of the difficulties they're facing are really around making sure the services are delivered to children, on the ground, where they're needed, and then the appropriate funding matches that.

[*Translation*]

Mr. Marc Lemay: I have a question. As I have one minute left, I will try to put this question quickly so that you have time to answer.

An aboriginal child living off reserve, for example in Montreal or in Ottawa, obtains services provided by the province. Who is in charge of the aboriginal child from Kitigan Zibi in Maniwaki? Is the province in charge of that child? I do not know.

Ms. Lavallée, I have not heard you and I would like to know your opinion.

[*English*]

National Chief Betty Ann Lavallée: Our community doesn't believe the aboriginal child living off reserve is receiving proper care from provincial services.

[*Translation*]

The Chair: Thank you, Mr. Lemay.

Now, Ms. Crowder, you have seven minutes. Ms. Glover will come after you.

[*English*]

The Chair: Go ahead, Ms. Crowder.

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

I want to thank our witnesses. I have a bad cold, so you'll have to forgive me.

Mr. Doyle, I represent the riding of Nanaimo—Cowichan on Vancouver Island, so I'm very familiar with B.C. I'm going to make a comment before I ask you a question.

On November 29 the representative for children and youth, Mary Ellen Turpel-Lafond, issued a news release that said, "B.C. children's watchdog slams government". And although this isn't specific to first nations, the release said:

B.C.'s children's watchdog has issued another scathing report on the province's child welfare system and its progress reforming its operations....Representative for Children and Youth's Mary Ellen Turpel-Lafond says the government has only fully implemented less than half the recommendations in the 2006 landmark report on the child welfare system by retired judge Ted Hughes.

Turpel-Lafond says she is deeply disappointed with the government's progress and is particularly critical of what she sees as a lack of accountability and oversight in the child welfare system.

So despite the government's self-assurances that they've looked at your recommendations, I would be somewhat suspicious that they're actually being fully implemented.

I have one more comment before I ask you a question. A report was issued on July 23, 2010, by the Canadian Council of Provincial Child and Youth Advocates. In that report they indicated things we already know about aboriginal children being disproportionately represented, and as well:

In British Columbia, Aboriginal children are six times more likely to be taken in care than non-Aboriginal Children, and as of March 2010, represent 54% of the province's In-care child population.

So not only is the child advocate saying that the child welfare system in B.C. is in dismal shape, but in fact the numbers of aboriginal children in care have increased since your report.

In that context, and given your statement that the government is saying it's moving on your ten recommendations, in fact at this point there has been no independent assessment of whether that's accurate.

Is that true?

Mr. John Doyle: That is correct.

Ms. Jean Crowder: Are there plans anytime soon to have that independent assessment of B.C.'s child welfare services?

You may not be able to comment on that.

Mr. John Doyle: I don't normally comment on work that I'm undertaking or may undertake. However, I do respond in a similar way to all such requests for information—that is, I think it is time to go and have a look at this area again. Whether that's a follow-up of what we've done previously or additional work, I'm not sure at this stage; I need to fit that into the work plan of the office.

I'm not just forgetting about it. I am actually still considering what needs to be done and to monitor what is happening.

The report that you refer to from the representative, and the relationship that she has with the ministry, is obviously something you'd appreciate that I don't want to comment about. It is a fact at the moment that Mr. Hughes is currently working on talking to both sides of that to see exactly what the issues are and how they can be dealt with.

It is true that the representative has published some very insightful and direct reports in regard to children's safety within the province.

• (1610)

Ms. Jean Crowder: I won't comment on the difficult situation that the representative often finds herself in, but I appreciate your comments on this.

This next question is to both Mr. Doyle and Ms. Fraser. It's to do with comparable services.

Again, I'm referring to the report of June 23, 2010, by the Canadian Council of Provincial Child and Youth Advocates. In that report, there are a number of key indicators and gaps, but I want to talk about poverty just for one moment.

They indicate—and this is of no surprise to any of us, but I just want it on record—the following:

Aboriginal children are disproportionately living in poverty. Incidence of severe economic hardship is dramatically higher for Aboriginal children and their families. Information collected during the 2006 Census of Population reported by Statistics Canada revealed the following:

Nearly half (49%) of off-reserve First Nations children under the age of 6 were in low-income families, compared to 18% of non-Aboriginal children;

57% of Off-reserve First Nations children living in large cities also lived in low income families....

They go on in this to say that these numbers are very similar for on-reserve children.

My question is around comparable services. I know that both of you have talked about comparable services. Given the fact that first nations children in significant numbers of cases often start off significantly less well off than their counterparts, when we're talking about comparable services, have you made any recommendations around that kind of context?

I know, Ms. Fraser, you've talked about comparable services, and we know that a lot of work hasn't been done around that, but could you comment on that? Just saying that you each get x number of dollars per capita for children doesn't take into account the starting place.

Could you comment on that, Ms. Fraser, and then Mr. Doyle?

Ms. Sheila Fraser: Well, absolutely. As I mentioned earlier, I think this is one of the main issues in this whole program: the department has not analyzed and compared the child welfare services on reserve with those off reserve. And so you have to question, how can they establish funding levels if they haven't determined the levels and the types of services that should be provided, and the funding that would be associated with that?

One of the problems we noted with the old funding formula—it is in existence in certain jurisdictions of the country—is that preventative services weren't being funded, and yet many of the provinces had moved to that, to preventative services, many years ago.

So I think the department has a responsibility, in my mind, to define what is “comparable services”, and then what is the level of funding associated with that, rather than the way it's being done now.

The Chair: We'll have to leave it there. There will be time for another question, I'm sure, Ms. Crowder.

Let's go to Mrs. Glover now, for seven minutes.

Mrs. Shelly Glover (Saint Boniface, CPC): Thank you, Mr. Chair.

I want to welcome all of our witnesses, and those on video conference as well. It's nice to have you here.

I take child and family services issues pretty much to heart. I spent four and a half years in the child abuse unit and worked very closely with social workers and child and family services workers to protect the interests of mainly our aboriginal children. So I'm glad to be talking about this issue here in our committee; however, we never seem to get to the root causes. That's unfortunate, but we have to work together—governments, aboriginal organizations, and aboriginal people of course—to try to resolve that.

I want to touch on a couple of things that have already been said. In point ten of her statement, Ms. Fraser mentions—and I'm speaking, Mr. Chair, to the CAP president—a new formula that is going to be used. Her paragraph states that five other provinces are now on board with this new enhanced prevention-focused approach.

I make note, Ms. Lavallée, that you thought—and I may have heard it wrong—that Quebec and Manitoba didn't have any kind of agreements with the Government of Canada on CFS matters, but in fact they are two of the five provinces that have joined.

Did you know that Quebec and Manitoba...? I was at the Manitoba announcement, at which \$177 million was dedicated. As I say, I may have misunderstood you, but I wanted to make sure that you did know that Quebec and Manitoba do have the enhanced prevention-focused approach agreement in place and are moving forward with it. By 2013 we expect to have all provinces and territories on board.

Did you know that?

• (1615)

National Chief Betty Ann Lavallée: No, I was not aware that they had in fact joined at this point. The last I had heard was that there were still the three provinces, which had not yet signed on.

Mrs. Shelly Glover: Very good.

Ms. Fraser, I am pleased that you are talking about the prevention aspect of this, because I agree wholeheartedly. I think this is what the new program is looking at doing: providing some kinship care, some training so that we don't have to seize children from their homes but can try to keep them in their communities. Along with all of that, some of the recommendations that you've made were good recommendations with regard to the definitions of culturally appropriate services and of course comparable services.

I have a couple of questions for you on those items. Have you received word from the government as to how they plan to define “culturally appropriate services”?

Ms. Sheila Fraser: No, we haven't, Chair. I did of course see the testimony that the department gave before the committee saying that they were going to a policy approach, but we haven't received any specific information. That's something that we would be looking at in our follow-up audit.

Mrs. Shelly Glover: Very good; I appreciate that. I will also ensure that the officials send you their articulation, because they have come up with an articulation of it.

But when we come back to “comparable services”, my question is this. When the officials were here, they indicated that the provinces are not willing to share much of the information relative to how they provide service. How on earth can you help us so that we have a relationship with the provinces that allows us to get access to that, so that we can in fact define comparable services in an appropriate way?

Can you give us some suggestions on how we get them to share that information?

Ms. Sheila Fraser: Well, I'm a little surprised that the department doesn't have at least some information on this, because not all of the services are provided by first nations agencies. Many of the services

are provided through provincial agencies and are billed to the federal government. So—

Mrs. Shelly Glover: Are you saying the provinces aren't...?

Ms. Sheila Fraser: The provinces are billing the federal government, and the federal government is paying provinces for services, so they should be able to know what kinds of services are being given and how much it is costing.

Mrs. Shelly Glover: We do get the basic numbers, but if we want to do comparable services.... It's not comparable funding. It's not just money. It's what are they providing? And they are not willing, at this point, to give that.

So we're going to continue to try to reach a definition. As I say, I think it's a good recommendation, but I did want to bring up the fact that it has been difficult to get to that point.

While we're talking about this new approach, can you tell me what you think about the new approach? Do you think that because prevention services are included...? I've heard you with regard to the funding, although in your statement you acknowledge that 74% more funds will be going to Alberta, given the new approach. I would think that's a good thing, is it not?

• (1620)

Ms. Sheila Fraser: Well, one would certainly hope, with a broader range of services and more funding for those services, that we will be able to see that they are having a positive impact. Again, I think that's something we will be looking at.

The program is actually only fully implemented this year, I think, so it may be a little early yet to actually see the signs of progress. But we would hope the department would have some kinds of performance indicators in place that could be tracked over time to show how successful this new funding formula is.

Mrs. Shelly Glover: Very good.

The prevention part of this new approach is to recognize the necessity for those children to be in safe places, such as family, such as community members' homes, so the training would be provided.

What do you think, Ms. Lavallée, of gearing towards some prevention? Is an ounce of prevention worth a pound of cure?

National Chief Betty Ann Lavallée: Most definitely it is, and that's an issue we've always advocated.

In New Brunswick we developed what they called “family enhancement” whereby we would bring all the services together to address the whole family. We felt that by investing up front we could possibly stop the problem. It might be too late for older generations, but if we can get to the younger generations now and make sure they're in affordable housing, make sure they have health care services, make sure there is counselling for mom and dad, if required—if we can address the whole family—investing now is going to save a lot of money down the road. You're going to end up with productive citizens who are going to add to the gross domestic product across Canada.

The Chair: Thank you, Ms. Glover.

Now we'll go to the second round, and we'll begin with Ms. Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Thank you, Mr. Chair.

Thank you all for being here.

I am sitting here listening to all of you, and listening to the extent of the problems and the issues, and struck by the lack of urgency on the part of governments to address them. A year in the life of a five-year-old or a six-year-old or a seven-year-old is a lot of time. A lot can happen during that period. As I say, listening to the lack of urgency in addressing these issues is really quite stunning, actually.

Ms. Fraser, your audit showed that first nations child and family services expenditures were growing faster than the dollars allocated. As a result, funding was reallocated from housing, from infrastructure, perhaps from education—all of which have a profound impact on the lives of these children. In your report you said that this is not sustainable.

Were these relocation decisions made in the context of a larger framework, of a larger plan, or were they done as an ad hoc, stopgap measure?

You indicated your finding, in point 4.73, that the approach is “unsustainable”.

I'd like you to comment on that, please.

Ms. Sheila Fraser: Thank you, Chair.

I'll ask Mr. Berthelette to give you more precise information, but I can say that it is ad hoc; it is when these communities face expenditures that they have to make and they have to take the money out of other programs because they don't have it within the budgets for child and family services.

Mr. Berthelette perhaps could elaborate.

Mr. Jerome Berthelette (Assistant Auditor General, Office of the Auditor General of Canada): Mr. Chair, I can advise the honourable member that at the time we conducted this audit, Indian Affairs had shifted approximately \$500 million from capital facilities, operations and maintenance, income assistance, housing, and post-secondary education to child and family services, to provincial elementary and secondary education, and to some smaller areas such as economic development.

Child and family services had required approximately \$116 million a year more in funding, which was taken from these different areas that I mentioned.

In constant dollars, per capita housing expenditures, as a result of these reallocations, have declined by approximately 40% over the last decade.

•(1625)

Hon. Anita Neville: To follow up from that, do you have or would there be available a breakdown of that funding by jurisdiction, by province, or do we have to go back to the department for that?

Mr. Jerome Berthelette: Yes, I'm afraid you'll have to go back to the department. We don't have that information with us. They will, though, be able to provide you with the information from which I quoted these particular statistics.

Hon. Anita Neville: Do I have more time, Mr. Chair?

The Chair: You have another two minutes.

Hon. Anita Neville: Okay.

Was there any analysis done by you—and this may be beyond your purview—of the impact of these reallocations on communities, on children, on families?

Mr. Jerome Berthelette: Mr. Chairman, we did not do that particular type of analysis, and as far as I understand and remember, neither did Indian and Northern Affairs Canada.

Hon. Anita Neville: Thank you.

Mr. Doyle, you talked about the framework from September 2008 and the fact that there's been no response from the federal government to this framework. Can you comment on what you attribute that to or on what the ministry attributes that to?

Mr. John Doyle: Thank you for the question.

The actual phrase I used was no “formal” response. There have been discussions between the ministry and the department to discuss different aspects of it. But if you read between the lines, I think there's a lack of resources, and the process of coming to agreement will still be sometime in the future.

Hon. Anita Neville: That's fine.

Thank you.

The Chair: Okay, thank you, Ms. Neville.

Now we'll go to Mr. Clarke for five minutes.

Mr. Clarke, go ahead, and you'll be followed by Monsieur Lévesque.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chair.

I'd like to thank the witnesses for coming in, and the ones from B. C. for making the time to be here in this committee meeting.

I grew up in B.C., and being first nations myself, I got to see a lot of foster children coming through my parents' door. I saw the cycle that aboriginal people have to go through.

Later on in life, when I joined the police force, the RCMP, and was stationed in first nations communities, I saw the cycle repeated over and over again. I saw children having children. It was an ongoing cycle.

My foster brother still lives in British Columbia. He has become pretty much a foster parent, just from my parents' teachings, in taking children into the home and giving them hopefully a better life.

Now, we're talking about the province of British Columbia here, and I'm very interested in the province. I'm wondering what type of successes you have had there with regard to aboriginal child welfare.

Mr. John Doyle: Thank you for the question.

I'll read you one of the recommendations we made, recommendation ten:

We recommend the ministry provide information to the Legislative Assembly and the public on the costs, successes and challenges of the Aboriginal child welfare program, consistent with the B.C. Reporting Principles.

They have responded to us that they're going to continue to report to the standing committee for children and youth on "Strong, Safe, and Supported", and also make presentations to the public accounts committee. More than a year ago they updated their operational plan, which shows what they're going to do.

We made the recommendation because we felt they weren't providing enough information to adequately assess their performance over time.

Mr. Rob Clarke: Okay.

With the large percentage of aboriginal children in care in British Columbia overall, I'm just wondering how many are being served by the province.

Mr. John Doyle: I'm advised it's 70%.

Mr. Rob Clarke: What are the numbers?

• (1630)

Mr. John Doyle: In total, it's about 4,600, so 70% of 4,600 would be about 3,200 or 3,300.

Mr. Rob Clarke: How much time do I have?

The Chair: You have two minutes, Mr. Clarke.

Mr. Rob Clarke: Thank you. Hopefully I have enough time here.

In the May 2008 audit, the Auditor General indicated on page 6 the following:

Under a new formula the Department has developed to take into account current legislation in Alberta, funding to First Nations agencies in that province for the operations and prevention components of child welfare services will have increased by 74 percent when the formula is fully implemented in 2010.

I'm just wondering if you think that's a substantial amount.

Ms. Sheila Fraser: Obviously an increase of 74% is significant. I guess the question is whether it's enough. We come back to whether the services being provided are comparable to those that would be provided off reserve, and whether the funding is sufficient for that.

I think there are still issues we hear from some of the agencies—that they aren't competitive in paying for social workers; that some of funding formula was built on larger communities; that when you have small, isolated communities, there are difficulties with funding.

But certainly this is a significant improvement from what it was in the 1988 funding formula.

The Chair: You have time for a very short question and answer, Mr. Clarke.

Mr. Rob Clarke: That's okay.

The Chair: All right.

We'll go to Monsieur Lévesque.

[*Translation*]

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

Good afternoon, ladies. Good afternoon, Mr. Doyle.

I made a tour of Canada, I went to Vancouver. Within the framework of the work of the Standing Committee on Fisheries and Oceans, we met several members of first nations communities regarding the review of small craft harbours. I realized that these

young people had the opportunity of doing other things in their village apart from committing misdeeds.

We also went to Yukon, to the Northwest Territories, to Nunavut and to Nunavik. The difference from one place to the other is unbelievable. This is the reason why I wonder how the federal government, a central government, could go about defining the standards that would suit the needs of each province. In fact, these are general standards that apply to all provinces as a whole.

My question is for Ms. Fraser, for Ms. Lavallée or for Mr. Doyle. Do you believe that the federal government will succeed some day in setting standards that will be appropriate for each province, given the fact that the provinces are already having difficulties in setting standards for each of their regions?

Ms. Sheila Fraser: Let me answer you first. Services for children are first of all a provincial mandate. The federal government funds services for children living on reserve.

In my opinion, it should take into account the standards established by each province and make sure that the services offered to children on reserve are comparable, which means that they receive the same services, whether they live on reserve or off reserve.

I think that some progress has been made regarding the extent of services that it is ready to fund. However, we can suspect that the agencies are still having difficulties with paying wages and remaining competitive, especially in small isolated communities where the costs are obviously much higher.

I do not believe that the federal government is responsible for setting the standards, but it must define the principle of comparability and make sure that it has properly evaluated the associated costs and that the funding is adequate.

Mr. Yvon Lévesque: Ms. Lavallée, would you like to make a comment?

[*English*]

National Chief Betty Ann Lavallée: I believe there certainly has to be a minimum standard set right across Canada for all children, regardless of whether they're aboriginal or not aboriginal. There has to be a minimum standard. But then the standards can be built on by each provincial government to suit the geographic area and the unique culture of that province.

One of the biggest complaints I've heard from aboriginal social workers is that, again, as the Auditor General has stated, they have the same criteria or qualifications but are grossly underpaid and are not able to keep their credentials up to date, and so on. I believe this could be resolved quite simply. I know that in New Brunswick, where I come from, they did a project in conjunction with the University of New Brunswick, where there was an aboriginal social workers program. They put them through in two years instead of the normal four. Most of the aboriginal social workers in the province who were servicing the reserves were, in fact, paid by the provincial government. Thus, any training provided by the provincial government was offered to them at no cost.

So there are ways to do this to ensure that there are comparable services for aboriginal children.

•(1635)

[Translation]

Mr. Yvon Lévesque: Mr. Doyle, following the statements made by Ms. Fraser and Ms. Lavallée, could you tell us whether you have observed the same things in British Columbia?

[English]

Mr. John Doyle: I thank the member for the question.

We also are going through some development and training of indigenous staff to improve the direct contact with aboriginal children. Those programs are going quite well. There's been quite a successful expansion of the number of staff who come from those particular communities who are able to deliver those programs.

In regard to standards, the ministry within B.C. has looked at the standards that were in place and has determined that they need to develop them further. They are therefore working through a process whereby they expect that by the fall of this year they will be able to cluster around a revised set of standards. They will then staff up their resources to meet those standards across the province.

The Chair: *Merci, monsieur Lévesque.*

Now we'll go back to Ms. Glover. She will be followed by Ms. Crowder, then the government, and then Mr. Russell.

Go ahead, Ms. Glover.

Mrs. Shelly Glover: Thank you, Mr. Chair.

I have a couple of questions, and I'd like to start with Ms. Fraser once again, if that's okay.

On page 16 of your May 2008 audit, it says that there were "fundamental differences between the views of INAC and Health Canada on responsibility for funding Non-Insured Health Benefits for First Nations children who are placed in care".

Do you know whether any work has been done between INAC and Health Canada to address these differences?

Ms. Sheila Fraser: I'm afraid we don't know.

Mrs. Shelly Glover: Okay. I'm sure there will be an update coming. Health Canada changed the non-insured policy so that it does include the children in care, which, I believe, is a good thing...? Would you say that's a...?

Ms. Sheila Fraser: Obviously I think.... Yes, that's obviously a very good thing.

Mrs. Shelly Glover: Thank you.

Mr. Doyle, in your report you actually talk about small agencies finding it too difficult to take on full protection services in B.C.

Who is served by the small agencies, and what do these agencies do if they're not able to deliver full protection services? Could you clarify that for me?

Mr. John Doyle: Thank you for the question.

Basically, the work defaults to the provincial agency, the Ministry of Children and Family Development.

Mrs. Shelly Glover: Do you think maybe supporting smaller organizations is a viable option for delivering child welfare services?

As you state, sometimes they just are not able to provide the full benefit of the protection services required. Or do you think we should move away from that and allow the province to consistently provide them, the way they do elsewhere?

•(1640)

Mr. John Doyle: It's part of my legislation that I'm not allowed to comment on policy of government. It's written quite clearly in there that I can't talk about those kinds of decisions.

As an observation, the ministry works closely with these local entities to try to support them as much as possible. There is across the province an interaction between the ministry itself and these agencies to deliver the best possible services to children.

Mrs. Shelly Glover: I appreciate your mandate, sir, but I was asking your opinion as to whether or not the service and care provided to children might be improved.

Mr. John Doyle: When I express my views as the Auditor General, my opinion is based on work that I've undertaken. I don't have a personal opinion.

Mrs. Shelly Glover: Okay. Very good.

Ms. Lavallée, does CAP actually do some work on reserve with regard to child and family services provided to children?

National Chief Betty Ann Lavallée: Some of our provincial and territorial organizations will partner with some of the communities in their provinces, or they sit on various committees within the provinces to deal with those issues.

Mrs. Shelly Glover: Can you give me some examples of which provinces you've partnered with?

National Chief Betty Ann Lavallée: In Nova Scotia, they have what they call a family social worker who works with families that are off reserve. If a child is removed from a reserve, they're able to facilitate and help place the child with an aboriginal family. They have safe houses for families.

Mrs. Shelly Glover: That's children from one reserve who go off reserve. Do you think it's better to try to keep those kids in their communities? Do you think that's the final goal we should be looking towards?

National Chief Betty Ann Lavallée: If it's safe.

Mrs. Shelly Glover: Very good.

Thank you.

The Chair: Thank you, Ms. Glover.

Ms. Crowder.

Ms. Jean Crowder: I want to go back to a comment that you made, Mr. Berthelette. Did I understand you to say that per capita housing has declined 40% over a decade?

Mr. Jerome Berthelette: Yes, that's true. In constant dollars, per capita housing expenditures—at the time we had conducted this audit—had declined by 40% over a decade.

Ms. Jean Crowder: That's a pretty shocking number. Poverty is part of the reason children are apprehended. Often they're living in housing that is unsafe.

There was a case on North Island where children were temporarily taken into care because of the amount of mould in the houses. It seems like a vicious circle. If you decrease the amount of money that's going into housing, you continue to create unsafe conditions for children to live in, and then they are removed from their homes.

Mr. Jerome Berthelette: Just in response to that, I agree, as the Auditor General has said, that when we talk about sustainability, we aren't just talking about the sustainability of the programs within Indian Affairs; it's also the sustainability of the very programs themselves and how decisions like this actually are at cross-purposes with each other.

Ms. Jean Crowder: There are rumours running around the communities right now that there's a capital freeze in place until 2016. The department has said that's not the case, but when we hear numbers like that, even if there's not a capital freeze in place, there's still less money going into infrastructure.

I just want to come back to comparability for a second. There was a national policy review in 2000, which estimated federal child welfare funding was 22% below provincial funding levels. And then there was the *Wen:de* report in 2005 that found a minimum of \$109 million per year in additional funding was needed to account for the shortfall. INAC actually participated in those two joint policy reviews, so there was some work done on comparability.

Then, back on March 19, 2009, the deputy minister wrote to the chair of the Standing Committee on Public Accounts in response to a question around comparability, and in that response acknowledged that funding varies from province to province and so on, but went on to say that with the move to an enhanced prevention-focused approach, INAC has been working with participating provinces and first nations to develop child and family service models that provide comparable INAC standards across the provinces.

So it seems that despite what the department told us last week, in fact the deputy minister, in this letter, has indicated that there was work being done around the standards.

Ms. Fraser, in your report in section 4.49, you indicate that where provinces deliver their service, "in these provinces, INAC reimburses all or an agreed-on share of their operating and administrative costs of delivering child welfare services directly to First Nations and of the costs of children placed in care". So it seems that in some cases there's an agreement that they'll pay the provincial rates.

Given that there has been work done, by the department's own admission—the department participated in a joint review process where there was some comparability done—can you suggest some next steps that should be taken, in terms of the comparability? It seems to be the crux of the matter in terms of delivering adequate services.

•(1645)

Ms. Sheila Fraser: Well, clearly, I think, the federal government has to work with the provinces to understand what are the types and the extent of services being provided.

I must admit I'm a little surprised if provincial agencies wouldn't be willing to share that, because they are sending invoices to the federal government for those types of services. You would think that

it would be to their advantage, as well, to have the federal government agree to comparable services. The consequence of that would be to provide more funding for that, when the provinces have the responsibility for these services to these children.

So it sort of astounds me that the provinces wouldn't want to discuss with the federal government what types of services there are and help them to develop that.

Ms. Jean Crowder: In fact, arguably, if they're billing the federal government, the federal government should actually understand what they're delivering for that invoice, which would be a good basis to look at comparability.

Ms. Sheila Fraser: [*Inaudible—Editor*]...you could start right there.

And I would presume, when they did the agreements with Alberta and the other provinces, that there must have been some discussion around the kinds of services, because they expanded it, then, to the preventative services, which hadn't been in the funding formula before.

So I think it's just, you know, getting on with it.

Ms. Jean Crowder: Yes, I would agree.

Am I done?

The Chair: Thank you, Ms. Crowder.

Let's go to Mr. Dreeshen, for five minutes.

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

Thank you to the witnesses.

Madam Fraser, it's nice to see you here.

First of all, Madam Fraser, was there collaboration with the AG office in B.C. on this particular file as well? Perhaps you could update us somewhat on what types of discussions you had and the things you learned in those.

Ms. Sheila Fraser: We were very pleased, actually, to collaborate with our colleagues in British Columbia.

We would have shared, I presume, plans, and looked at what we call lines of inquiry, or at any similar issues. I mentioned the foreword at the beginning; we would have looked at some of the common issues to be able to give parliamentarians a better perspective, not only of the federal role but also the provincial role.

Perhaps Mr. Campbell could elaborate a little bit on this as well.

Mr. Ronnie Campbell: Certainly.

Yes, we worked closely with our colleagues in British Columbia. Part of the audit planning process we worked together on. We had meetings with them, advisory committee meetings. Whenever we met with first nations organizations in the province of British Columbia, we did it together. We discussed each other's reports as they were being drafted.

So we worked closely from beginning to end.

Mr. Earl Dreeshen: Perhaps then to Mr. Doyle, the provincial ministry of British Columbia had recently indicated that the provincial government was now opening the door for first nations and Métis groups in B.C. to create their own legislation to replace the Child and Family Services Act and to enable indigenous child and family service systems to be established and supported, designed and delivered by the nations themselves.

Given that only eight out of 24 delegated aboriginal agencies qualified to deliver the full child protection services in 2008, and that the provincial ministry was providing the services elsewhere, what will the move to creating separate legislation on child and family systems for first nations and Métis groups actually mean?

• (1650)

Mr. John Doyle: Thank you for the question.

It will probably mean some fundamental challenges in regard to the delivery of services to children. When the different agencies were assessed, we assessed them in terms of their status and capability—a maturity model, if you like—on what they could deliver and how they could deliver that.

Now, some have progressed since then, and there has been a lot of recruitment of aboriginal staff within both the ministry itself and the different agencies. We haven't gone back to assess their capability at the moment. I think only the ministry would be able to provide us with an assessment on that.

My take on what the ministry has said to me is that they wouldn't be handing over responsibilities unless they were satisfied that the work could be done appropriately.

Mr. Earl Dreeshen: Thank you.

Madam Fraser, you noted in 2008 that INAC needed to work with other departments to facilitate access to the programs for first nations children in care. Do you know whether INAC has been doing anything to facilitate access to Health Canada's programs?

Ms. Sheila Fraser: We haven't followed up on this. As I mentioned, we are doing a follow-up audit that we will be tabling in the spring, but we haven't looked specifically at that issue.

Mr. Earl Dreeshen: Okay.

Thank you.

The Chair: Thank you, Mr. Dreeshen.

Mr. Russell, go ahead.

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

I've been listening very carefully, and going from the testimony we heard from officials to some of the testimony we're hearing now, it seems like a whole different picture is being painted about child and family services.

I hear difficulty around what is “culturally appropriate”. For three years we haven't arrived at a definition of “comparable services”. I was shocked to hear as well that the provinces won't share information on what types of services they provide, even though they send the bill up and the federal government sends a cheque down. That doesn't seem to counter very well, seeing that they're ultimately responsible for the delivery of child and family services.

I hear about a funding formula where the 6%, the number of children who are in care or are affected, is still a principle.

I hear that we're robbing Peter to pay Paul when it comes to the reallocation of resources within INAC. The case was used by my colleague around housing, but if they're taking money from education and putting it into child and family services, this cannot work. This approach just cannot work.

Maybe I'm wrong, but I hear in B.C. what sounds like some jurisdictional issues with the matter of dollars that are at play. That almost goes back to Jordan's Principle, when people were fighting over who the hell was going to pay the bill for a sick child.

So I think as a committee we're really going to have to wrestle and ask if this is the true picture. If this is the true picture we've got to see a hell of a lot more movement than what we've seen in the last three years.

But I also have a question. What about those first nations, Métis, Inuit kids who are...? Do we have any data on first nations off-reserve children, Inuit children, Métis children who are in the provincial systems, or in some kind of a system? How are they being treated? What kind of care are they getting?

I know we're concentrating on one group, but there's a whole number of other aboriginal children out there.

National Chief Lavallée, do we have any data on that whatsoever, either in B.C. or from, let's say, a national perspective?

National Chief Betty Ann Lavallée: Not that I'm aware of at this point. In preparation for this presentation, I looked to see if there in fact had been some work done on that particular issue. It seems that when children are apprehended off reserve, the ethnic background of the child is really not noted in some provinces. It's only lately that we're starting to see some interaction between provincial governments and the off-reserve communities.

• (1655)

Mr. Todd Russell: Mr. Doyle, what's the situation in B.C.? Are those numbers captured in your work?

Mr. John Doyle: It's my understanding that they're not captured in the way that you describe. However, I do notice that off reservation there is a referral process so that aboriginal children will be transferred over so that they're given access to culturally appropriate assistance and help.

Mr. Todd Russell: Is there any information that Ms. Fraser, or Mr. Campbell, or Mr. Berthelette can provide on that?

Ms. Sheila Fraser: Mr. Chair, we would only look at the issues of children on reserve because of the federal responsibility there. We did not look beyond that.

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

The Chair: Thank you, Mr. Russell.

I'm going to take one of the slots for the government.

It occurs to me that at issue here is the question of funding. We've heard from witnesses that the focus of this—from the standpoint of what this committee considers, which is the Government of Canada and its role through the department—is principally with funding. What's at issue here is whether the funding is sufficient, and in comparable terms to what is required at the provincial level because it is essentially the provincial and aboriginal agencies that actually deliver the programs and services that support families in their communities.

We received some information, and I believe this was from the department in July 2010. They essentially told us that over a ten-year period, the funding has in fact doubled in that time. They do cite some reasons around the necessity, the extra costs of maintenance and care, special needs families, and so on. There were some legitimate reasons there, but over that ten-year period the number of children in care did not decline, despite a complete doubling of the dollars going to that.

As I sit and listen to the testimony, I'm thinking that clearly it's not just about money here. I wonder if I could direct a question to each of the auditors general. Could you comment on anything you came across in your investigations that would suggest that this direction—taken up by the Province of Alberta since 2007—to direct more of that funding into the preventative side to, in fact, get kids out of care and get them streamed into something else will alleviate that cost and frankly bring a better outcome for the kids? This is really what we're after here. Is there anything you came across that would indicate that direction was correct?

Ms. Fraser, and then Mr. Doyle.

Ms. Sheila Fraser: At the time we did the audit, Chair, this agreement with Alberta was very recent. It was just beginning—it would only be fully implemented, actually, this year—so at that point it was very difficult to have any kind of information about the results of it.

I think most people could understand, though, that the fact that preventative services had not been funded previously could certainly be one of the factors why so many children were taken into care, because that was the only way to get them services. In many of these problems, as you say—I mean, funding isn't the ultimate solution to all of this—it really is working with the whole family, working with the community. Obviously protecting a child is crucial in this, but in the longer term it involves those preventative kinds of services.

One would hope that by providing these services now—services that were not funded previously—we will see a decline in the number of children being taken into care, and hopefully an improvement in these communities over time as social workers are working with them.

So I think we should be hopeful in that respect, but we still have to remember that there are many provinces still on the old funding formula. So they are not being funded for those services. It's going to take quite a long time, I think, to see concrete results.

• (1700)

The Chair: Thank you.

Mr. Doyle, do you have any comment on that general trend?

Mr. John Doyle: I'll invite my colleague Morris Sydor to respond to that one.

Mr. Morris Sydor (Assistant Auditor General, Office of the Auditor General of British Columbia): Thank you, Mr. Chair.

In B.C. we also don't have good information on the impact of preventive services. I think one of the matters we called for was a better understanding on the ministry's part as to what outcomes actually occur and the cause of those particular outcomes.

On the provincial level we have preventive services, but in B.C. on reserve those preventive services are not yet being funded. I think that's part of the funding framework that the ministry sent forward to the federal government. As was indicated earlier, the province is still awaiting a formal response on that request.

The Chair: Did they begin to fund at the provincial level those... or put in place those preventative services, and has there been any noticeable change in the number of kids in care?

Mr. Morris Sydor: The only thing, as was alluded to earlier, is that the number of aboriginal children in care in B.C. has increased as a percentage. I'm not aware as to whether the numbers have dropped. I think one of the things we have asked the ministry to do is get a better understanding of what outcomes occur as a result of children being in care, and what services in particular are responsible for those particular outcomes.

So that information, as the federal Auditor General has indicated, will probably be available in the future, but isn't there just yet.

The Chair: Okay.

Monsieur Lemay, *cinq minutes*, and then we have Mrs. Glover and Ms. Crowder.

[*Translation*]

Mr. Marc Lemay: Thank you, Mr. Chair.

Ms. Fraser, I know that you will do the follow-up, and so forth. I do not know whether it is a case of violating the secrecy of confession, but I would like to know whether, within the framework of your coming report, you will be verifying the implementation stage of the tripartite agreements. In fact, the government boasted that it had tripartite agreements with five provinces. I do not know whether you are going to look closely at this issue, but the amount of money involved is enormous.

Ms. Sheila Fraser: Absolutely. We will audit the progress that will be made, as well as the timeline. Even the Alberta agreement, which was signed in 2007, was only fully implemented this year. It took three years. Therefore, if an agreement was signed this year, it might not have been totally implemented. We will deal with all these issues.

Mr. Marc Lemay: Besides, I must admit that I was somewhat surprised by your earlier answer to one of my colleagues. You are concerned with children living on reserve, in communities, but what about the children living off reserve because there is no room left in their community? They are affiliated with a band because pursuant to the legislation, there is an identification number, and so forth. Some of them are really members of the Kitigan Zibi community, for example, but they live in Maniwaki. Do you follow me? There is no room left because the communities were not expanded. They are in the process of exploding. Not a single house has been built. You said so yourself.

Regarding the follow-up, we do not know the exact situation of a large number of aboriginal people. This is the case in Quebec, among others. Aboriginals from the Lac-Simon municipality, which is in my colleague's region, as well as the Winneway reserve, and quite a few other places, do receive services, but they are not physically in the community. I have a problem with that. Several million dollars are at stake.

Ms. Sheila Fraser: We are interested in the services for which the federal government is responsible.

Mr. Marc Lemay: Yes.

Ms. Sheila Fraser: This is a good question, we should know whether they belong—

Mr. Marc Lemay: I invite you to take a look at it when you analyze the tripartite agreement with Quebec. A large amount of money is allocated to aboriginals who cannot physically live on reserve because there is no more room. Services are offered off reserve, for instance in Aboriginal Friendship Centres.

• (1705)

Ms. Sheila Fraser: I think that this is an excellent point. We will follow this up.

Mr. Marc Lemay: Thank you.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Lemay.

Ms. Glover, you have five minutes.

[*English*]

Mrs. Shelly Glover: Thank you, Mr. Chair.

I want to take a moment, Ms. Fraser, because after we spoke very briefly...

Making things public is very different from getting information that is not allowed to be released. I want to make sure that the committee understands, when we're talking about the provinces and what they supply as far as information goes, that there is information that we have to get permission from the provinces to make public.

I want to ease the minds of some of the committee members who ran with that statement...that INAC does get a lot of information, but we must negotiate with the provinces to make sure that some of that information can be made public. At times, both sides of the negotiations aren't always in agreement as to what can and what cannot be made public. I just want to put that on the record.

With regard to the Alberta experience, I'd like to ask Ms. Lavallée a question. The early indicators are that the Alberta experience is

producing outcomes showing that the numbers of children in care are going down; that more families are accessing the enhancement programs that exist; and that there has been a rise in permanent placements for children. That is what the early indications are telling us.

Tell me what you think of that.

National Chief Betty Ann Lavallée: Those are the programs with preventive measures, and I think it's great. That is something that we at the congress have continually said, that there have to be preventive measures put in place for the child and the family, basically from womb to tomb.

But let's be realistic, too. There are some families that are broken and that will never be fixed. There are children who unfortunately will have to be placed in a secure family environment, and they deserve to be in that family.

Mrs. Shelly Glover: Very good. I respect your statement about that. I too am familiar with some of those broken families, and it's unfortunate. Try as we might, we'd like to solve all of those problems, but it's not always possible. I appreciate that you've acknowledged them.

When we talk about changes over the years, though, as the chair mentioned we have doubled the amount of money, but the number of children in care has remained pretty constant for decades and decades. If this Alberta experience in the early indicators, that I just mentioned, show that it is going down, are we on the right track with our enhanced prevention-focused approach?

National Chief Betty Ann Lavallée: You have to address the whole family. We're talking of intergenerational dysfunctionality, to put it bluntly. These are issues that are being dealt with through the truth and reconciliation forum, too, that's ongoing right now.

What has occurred over decades is not going to disappear overnight. Sometimes it's not about just throwing money at the issue; it's about addressing the family situation and working with the whole family—i.e., putting preventive measures in place to deal with it.

If a child does not have a safe, warm, happy environment, with good food in order to learn, or a warm bed to sleep in at night, or a full belly, he's not going to learn. That's the bottom line.

Mrs. Shelly Glover: And whose responsibility is that?

National Chief Betty Ann Lavallée: I believe that's the responsibility of the parents, and that's the responsibility of the community working together, along with the services that are provided, to change their circumstances.

Mrs. Shelly Glover: Thank you.

Thank you, Mr. Chair.

The Chair: Thank you, Ms. Glover.

Ms. Crowder, we go back to you.

Ms. Jean Crowder: Thanks, Mr. Chair.

As a quick comment, a couple of people have mentioned Jordan's Principle. Although it was passed unanimously in the House, I want to remark that it has only been minimally implemented. Although the will of the House was that we would implement Jordan's Principle and end the funding disputes, that still hasn't happened in many cases.

To Mr. Doyle, two things: first, in response to somebody else's question, you mentioned that when a child has been identified as aboriginal, there's an attempt to look at culturally appropriate services. Could you comment on exactly how culturally appropriate services are determined?

Second, has any work been done on comparability between provincial service delivery and on-reserve service delivery? I think you noted that currently on-reserve service delivery still is not funded for the enhancement model, it's still only at the apprehension model.

Could you comment on those two questions?

• (1710)

Mr. John Doyle: I don't know what "culturally appropriate" means, and neither does anyone else, because they can't get to an agreed definition. I think all of us are looking forward to the point when that is made clear and there is agreement around it.

Ms. Jean Crowder: Can I just interject there? I heard you say that they were referred to "culturally appropriate services", but am I understanding you to say that there is no definition of what that might be?

Mr. John Doyle: I think what I said was that they should be referred somewhere where they could be dealt with in a culturally appropriate way, which isn't quite the same meaning.

Ms. Jean Crowder: Right.

Mr. John Doyle: One of the things we found when we conducted our work was that there was this emphasis that the services provided to these children should be appropriate for their circumstances, the physical needs, but also their culture. What we found was there wasn't altogether a lot of agreement about what that actually looks like.

I think the second part of your question was about on reserve...?

Ms. Jean Crowder: The on-reserve delivery and provincial delivery: that seems to be really at the heart of what we're talking about when we're talking about funding.

Mr. John Doyle: The on-reserve delivery is normally provided by the groups that have been developed over the last 20 years. Some of them have sophisticated processes whereby they can deliver interventions, although not much in the way of prevention.

Others are still in the embryonic stage, even after 20 years, and haven't really reached a level of maturity to deliver services. The reasons are that it's been quite difficult for them to, first of all, get the funding, and secondly, to recruit the people who can actually deliver on a local on-reserve type situation.

When it comes to in the cities or off reserve, there are entities that provide appropriate support—other than the provincial government, the ministry—in a similar way to the on-reserve area, but there are

some difficulties and problems with that. So what you find is that, initially, there is an attempt to provide the right service provider. If they can't provide the right service provider, then they default to the provincial government, the ministry, if you will, to provide the support services they need.

Ms. Jean Crowder: So although the standards should be the same, because it's a provincial service delivery system, there still is that discrepancy between what the reserves are funded to do and what off reserve is funded to do?

Mr. John Doyle: Correct.

Ms. Jean Crowder: Okay. Thank you, Mr. Doyle.

That's it, Mr. Chair.

The Chair: Thank you, Ms. Crowder.

We have time for a couple of short questions.

Mr. Clarke, followed by Mr. Bagnell.

Mr. Rob Clarke: Thank you, Mr. Chair. I'll share my time with my colleague Mr. Weston.

Mr. Doyle, we talk about cultural sensitivity, and I'm going to throw you a little bit of a curveball. Just for my own curiosity, I'd like to know, just in regard to non-aboriginal intakes, in which cultural group do you see an increase in...or do you see a decrease in the non-aboriginals? What are the numbers there for other ethnic backgrounds, and is there an increase in intakes?

Mr. John Doyle: Thank you for the question.

I've no idea what a curveball is. I assume it's a difficult bowling action.

When it comes to ethnic groups within B.C., we have some very large ethnic groups. Again, they would need access to culturally appropriate support services.

I don't think it's done well, at the moment, within the province. There are pockets of excellent work, but I don't have any statistics on it, because that wasn't the focus of our report when we did the work. However, it's an interesting point, and one that I will put on our "to watch" list to see whether or not it could actually be part of any future work we do.

Mr. Rob Clarke: John.

• (1715)

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you.

Next time we're going to ask a cricket question, I think.

In terms of your comments, Ms. Lavallée, about the holistic approach of family and the role of the parents, what do you think might be the effect of the matrimonial property law that's presently in the House of Commons on the healthfulness of the child?

National Chief Betty Ann Lavallée: I think in a lot of cases it's probably going to remove a child from dangerous situations.

Mr. John Weston: That's great to hear. Thank you.

Going back to our B.C. Auditor General, if money were not on the table and government didn't have money to offer, what one or two things do you think government could do that might enhance things? A lot of our discussion is about funding. You made some comments about funding, and the failure to respond. But if there weren't funding available, what would you be recommending?

Mr. John Doyle: We made ten recommendations in our report, and I think they adequately cover what government could do. They included a number of things: defining what the standards of care should be; how they should be deployed; the development and bringing up of the skill base of those who are going to deliver those services; preventative measures; and also reporting.

We actually think that the recommendations we have provided would be a good road map for anyone.

Mr. John Weston: Ms. Fraser, may I ask you the same question? Among the things you recommended, what would be the top ones that are independent of money?

Ms. Sheila Fraser: I doubt, Chair, that there is very much that is totally independent of money, but I really do believe that the question of defining what are comparable services is at the heart of this. And then, of course, after that, I guess "culturally appropriate" would also need to be defined.

Mr. John Weston: Thank you.

The Chair: Thank you, Mr. Weston, and Mr. Clarke.

Mr. Doyle, a curveball is from major league baseball. It's a tough pitch to hit. Mr. Clarke was trying to put you in a sticky wicket, sir.

Let's go to Mr. Bagnell for a short question, followed by Mr. Lévesque.

Hon. Larry Bagnell (Yukon, Lib.): I'm a little surprised by your comment on the matrimonial bill, in that we've had such huge push-back from huge numbers of aboriginal people, men and women, that they're not part of the design and not consulted enough. But I don't want to get into that right now. It would take all my time.

I want to ask, from the Auditor General and from the B.C. auditor, if you've seen in your study any examples of good cultural practices or good cultural attitudes that are appropriate. Just to give some background, we had a chief in the Yukon recently who all of a sudden had a big press conference and said he wasn't going to allow the territorial workers on site because of this lack of consultation. It blew up; it just wasn't working. If you don't have workers on site, then the kids are in danger, so it's a disastrous situation.

The second piece of background, of course, is that we know this is a collective society we're dealing with, as opposed to an individualized society.

The third point is that they're not all the same. There are different cultures right across the country with aboriginal people. Inuit is not the same as Blackfoot, or Mi'kmaq.

So are there any examples from B.C. or from the Auditor General on good cultural attitudes or appropriate practices that others might use?

Mr. John Doyle: Thank you.

We met lots of talented people who were trying to make a difference within their communities. Whilst we didn't include a list in our report, it would certainly be fair to say that there were a lot of dedicated people who were trying to do the right thing. They tended to be local individuals who were working with locals who they knew, and within cultures that they were very familiar with.

• (1720)

Mr. Jerome Berthelette: Mr. Chairman, I would echo the comments of the B.C. Auditor General.

I would just bring to the committee's attention one particular community that we had a chance to visit in Alberta. They had taken on the responsibility for adoptions, which is not often a responsibility that is taken on by the first nations child and family service agencies. They had taken on this adoption responsibility. They had tied it in to the way that adoptions were culturally, the way they used to be done in the community. In essence, they had updated the cultural practice and had become a model for many communities across the country who go and visit with that particular community and seek that community's advice about how to go about doing culturally appropriate adoptions.

Unfortunately, I can't remember right at this moment the name of the community, but if the members would like, I could share that with you.

Hon. Larry Bagnell: Thank you.

That's it.

The Chair: Thank you, Mr. Bagnell.

[Translation]

Mr. Lévesque, you have the floor.

Mr. Yvon Lévesque: Thank you, Mr. Chair.

Ms. Lavallée, earlier we raised the issue of adopting and implementing Bill C-3, which has to do with matrimonial affairs. Larry told us a few things about it. Now, you startled me when you said that this would help the children be more secure.

Most of the community members who came to meet us expressed their concern regarding this almost crazy reflex that many people will have to require that their membership to first nations communities be recognized. They also discussed the growing population in the communities. This is a great and worrisome concern for the communities.

You are already short of funds with regard to help for children. How will the children be better protected? Could you explain this to us?

[English]

The Chair: I should point out that this line of questioning really isn't on the orders of the day. I recognize that Mr. Weston already took us down that path, so I think it's only right to allow Mr. Lévesque the opportunity to respond. It's not really on today's topic, but it's borderline, in the range.

Go ahead, Ms. Lavallée, if you wish to respond to the question.

National Chief Betty Ann Lavallée: The fact of the matter is that you do have family breakups where children are involved. Depending on the family dynamic, you do have families who have intermarried: some are aboriginal, some are non-aboriginal. You have some from other reserves who have married in.

In some cases, as in every segment of life or society, you have violent family situations. I'm speaking to the violence where normally, in a situation, mother and child are removed from the home and the abuser gets to stay in the home. I think that's totally unfair. There's been enough gender imbalance on reserve, which is not our culturally appropriate way for us, and I'd like to see it stop.

I believe the MRP bill is going to give some of the women and children some dignity and self-worth.

The Chair: Thank you, Monsieur Lévesque.

To the witnesses, I appreciate your attention this afternoon. Thank you for joining us for these two hours.

For our witnesses in British Columbia, I guess you can go to lunch now. You're just about at that point. We're almost at the end of our day, so we'll thank you for your attention.

Members, we are back here on the same subject on Wednesday afternoon. I would remind you that you have until this Wednesday to get in your list of witnesses for our next study on specific claims.

Mr. Bagnell, you have a question?

Hon. Larry Bagnell: Well, do you remember that point I wanted to discuss about the witness?

The Chair: We'll have that subcommittee meeting on Thursday, and we can work that in. We haven't considered the list of witnesses yet. Once that is established, we'll be able to answer that question, but I'm sure if you talk to your critic we should be able to get that.

I think that's all we have....

Pardon me, members, there's one more thing, if you could just hold your fire for a moment.

It looks as if we will be able to table the northern economic development report on Thursday during routine proceedings, shortly after 10 o'clock. Subject to the concurrence of the committee, we have tentatively booked a press conference in the Charles Lynch Press Room from 10:45 to 11:15.

I just need to get the committee to confirm that it is a go. We discussed this at the last meeting. If there are any objections, please say so now.

● (1725)

Mrs. Shelly Glover: Can we do this in camera?

The Chair: We can, certainly. We're just about out of time, but....

Okay, we'll suspend the meeting momentarily to let our witnesses get under way, and then we'll resume.

Thank you very much.

[Proceedings continue in camera]

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