

## **Responses to Jury Recommendations**

### **Seven First Nations Youths Inquest Q2016-26**

*(Jethro Anderson, Reggie Bushie, Robyn Harper,  
Kyle Morrisseau, Paul Panacheese, Curran Strang & Jordan Wabasse)*

#### **NISHNAWBE ASKI NATION**

Nishnawbe Aski Nation (NAN) remembers the seven youth, their families, and their communities on this, the first anniversary of the Inquest verdict. NAN also remembers the recent losses of youth through suicide, and the other unexplained drownings of NAN youth in the city of Thunder Bay, even as we move forward with the implementation of recommendations intended to prevent the ongoing loss of our children.

This report provides a direct response to Inquest recommendations received by NAN. NAN's involvement in implementation, however, has extended beyond the recommendations listed below.

Following the conclusion of the Inquest, NAN's leadership passed Resolution 16/78: Implementation of the Seven Youth Inquest Recommendations. This Resolution was a formal expression of appreciation for the tireless work of the jury, and directed the Executive Council to take all reasonable steps to advocate for the implementation of all recommendations. To this end, NAN leadership sought the creation of two tables: a Political Table and an Education Table.

The Political Table, made up of representatives from all named parties, is a forum intended to create an ongoing reporting responsibility among the parties, as regular updates are a means of holding the parties accountable for their actions or lack thereof. NAN has organized two meetings of this table in Thunder Bay, and will continue to coordinate further meetings as time progresses to ensure a coordinated and transparent response to the Inquest jury's work.

The Education Table, made up of representatives from all First Nation partners, Indigenous and Northern Affairs Canada, Health Canada, provincial representatives, and any other necessary partners, concentrates on education specific recommendations. Due to the extensive and varied nature of these recommendations, the work to be undertaken by the Education Table has been further divided into five task teams, who will in turn report back to the Education Table. If issues arise in the completion of work, these can be taken to the Political Table for further discussion among the named parties as part of their update.

The aim of this coordination effort is to create a simple but efficient process. Even with this aim, and the vital importance of implementation, NAN's resources are being taxed in our efforts at Inquest recommendation response coordination. Funding for NAN to take up the Inquest coordination was not negotiated or received until late 2016. This delay affected the ability of the First Nations organizations to take up the work of implementation and uncertainties with regard to future funding continue. The administrative and technical

work of scheduling and arranging meetings among the parties, recording and distributing meeting materials, transcribing and tracking all action items has been left to one person within NAN. It is known that other First Nation organizations have identified this issue as well, often using an existing employee to do the work. Given the evidence heard at the Inquest regarding overtaxed organizations and individuals, and the chronic lack of funding and support in capacity building, it is of no surprise that the effort required to respond to the recommendations is only exacerbating the burnout already experienced by the staff of these organizations.

On-going issues with funding commitments continue to cause delays in the implementation of the recommendations. This includes the National Selection Committee process used for the review of proposals and allocations of funding made through the Federal Government's Education Partnerships Program, which is the current program utilized to access funding for the Inquest Coordination (Inquest Coordinators and meeting expenses). In addition, National Program Guidelines continue to be a barrier for NAN Education Organizations and schools. Immediate changes are needed to enable the off-reserve education programs and services to be adequately funded to meet the needs of NAN students. One of the major concerns is a lack of identified funding for the implementation of the Inquest recommendations.

Further, an issue has arisen regarding a lack of consistency among the representatives sent to attend these tables by some of the parties. When the representative is new and inexperienced on the file, time is lost on education. The underlying issues and the proposed solutions are complex and urgent. Continuing re-education slows the process, and takes up time better spent on moving the work of implementation forward.

Finally, at this time, the issues raised during the Inquest desperately require all parties to acknowledge their ongoing relevance. While some parties deny any crisis occurring in Thunder Bay arising from the ongoing loss of NAN youth, parents in our communities are frightened. To this end, NAN is coordinating an emergency Chief's Assembly to address widespread fears for students scheduled to arrive this September. Many families are asking that alternative arrangements be made so that their children may attend school in other municipalities.

As long as those who raise the issue of racism continue to be blamed with creating conflict, we will not move forward. This response only serves to silence our concerns, rather than to move constructively towards creating a safe and healthy relationship, and a strong community. We hope the conversation and the conditions improve, and until then, we will do everything in our power to keep our children safe.

RECOMMENDATION #:

5, 7, 21, 33, 35, 36, 40, 44, 47, 49, 50, 61, 76, 77, 81, 87, 90, 91, 94, 114, 116, 137, 143 through 145

REC. #	ORGANIZATION'S RESPONSE	OCC RESPONSE CODE
5	<ul style="list-style-type: none"> <li>• Recommendation is accepted and complete as far as NAN's capacity and authority allow; though students are yet being denied access to First Nations high school programs due to a lack of space and/or supported living arrangements – sufficient funding, policy change and political will from the provincial and federal governments is required to remove all barriers to access.</li> <li>• NAN will continue to provide support upon request to KO, MLC, and NNEC.</li> </ul>	8
7	<ul style="list-style-type: none"> <li>• Recommendation is accepted and complete.</li> <li>• NAN acknowledges the guiding statements at meetings and throughout its work to implement the recommendations.</li> <li>• NAN is guided by the document "A Declaration of Nishnawbe Aski (The People and the Land)", and further affirms its inherent jurisdiction on its territory through the 49 individual First Nations or NAN Councils.</li> <li>• The spirit behind these principles of interpretation were incorporated into the Charter of Relationship Principles Governing Health System Transformation in the NAN Territory Joint Action Table with NAN, the Minister of Health and Long-Term Care and Health Canada – signed May 2017 and June 2017.</li> </ul>	8
21	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• The federal government is seeking a work plan before funding is issued, however, for a framework and approach to be developed that ensures any type of leadership program is built on community and youth needs, funding is required.</li> </ul>	1A

33	<ul style="list-style-type: none"> <li>• Recommendation is accepted and complete.</li> <li>• The conference was held on February 28, March 1 &amp; 2, 2017.</li> <li>• Presentations on innovations in First Nation education are provided to leadership on a regular basis, e.g. at Chiefs assemblies, to tribal councils, etc.</li> </ul>	1
35	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• The Charter of Relationship Principles Governing Health System Transformation in the NAN Territory Joint Action Table referenced above speaks to the need to create a method of measuring and establishing equivalency in health outcomes and services as between NAN communities and non-First Nations communities, however, parity remains extremely difficult to discuss, much less to measure due to the impact of jurisdictional issues and their effect on access to health care.</li> <li>• Sufficient funding, policy change and political will is required to ensure that jurisdictional disputes do not affect access to services, community health and safety and quality of life in NAN.</li> </ul>	2
36	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• No new funding has been provided from the provincial or federal government with regard to implementation of this recommendation.</li> <li>• NAN Resolution 17/04: NAN-Wide Life Promotion Strategy was passed on February 2, 2017 by the NAN Chiefs-in-Assembly, and the NAN Chiefs Group was established.</li> <li>• NAN Resolution 17/09 dated February 2, 2017 on Strategy to Address Sexual Violence in NAN Communities.</li> <li>• NAN Resolution 17/16 dated February 2, 2017 on the Comprehensive Review of Mental Health Service for NAN Children and Youth.</li> <li>• NAN Resolution 17/38 dated May 11, 2017 on Creation of Celebrating Life Awareness Week to be designated on the second week of May every year.</li> </ul>	1A

40	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• Further discussion is required with the named parties to determine NAN's role in implementing the recommendation.</li> <li>• Community NNADAP workers are mandated to provide preventative health information, however, there are questions as to their capacity to do so effectively given the resources and organization of the program.</li> <li>• NAN will continue to advocate for more resources to be directed at the community level.</li> </ul>	2
44	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• For the comprehensive information package to be developed, funding is required.</li> </ul>	1A
47	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• NAN Education will meet with NAN community education representatives to work on implementing the recommendation, and funding may be required.</li> </ul>	1A
49	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• For NAN to provide First Nation students and their families with firsthand information regarding community supports and opportunities available in Thunder Bay, funding may be required to facilitate the community partner visits to the NAN communities.</li> </ul>	1A
50	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• NAN has a Youth Council in operation.</li> <li>• To build and implement a framework, strategy and design of how to effectively support youth councils in addressing challenges at the community or local level, funding is required.</li> </ul>	1A
61	<ul style="list-style-type: none"> <li>• Recommendation is rejected due to flaws.</li> <li>• NAN does not feel that there is a duplication of services, nor is it NAN's role to question the organization of services provided by Tribal Councils located within NAN.</li> <li>• Each individual organization is separate from the other and each is responsible for a different set of students in the services it provides to the students.</li> </ul>	4A

76	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• A working group will be established to determine the appropriate level of funding for boarding parents, and to establish the minimum expectations from boarding parent's responsibility to ensure student safety and well-being.</li> <li>• NAN is in full support of its First Nations partners' decisions in how this work moves forward.</li> </ul>	1A
77	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• A working group will be established to determine existing best practices for minimum standards for boarding homes and standardized screening and vetting of boarding home applicants.</li> <li>• NAN is in full support of its First Nations partners' decisions in how this work moves forward.</li> </ul>	1A
81	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• For annual training to be conducted for all staff and boarding parents to ensure student safety with respect to the recognition, management and care of intoxicated students, crisis intervention and suicide prevention, and first aid, funding is required.</li> <li>• For additional training with respect to mental health (e.g. psychosis) and how to access mental health services, funding would be required.</li> <li>• Some emergency response training has already been provided as a donation of services from ORNGE coordinated by NAN.</li> <li>• Local community partners with related expertise would be very welcome should they choose to offer training or other information packages.</li> </ul>	1A
87	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• The loss of youth due to a lack of services in the community, as well as the loss of youth due to health and safety concerns when accessing services in Thunder Bay continues unabated.</li> <li>• Complicating issues related to the social determinants of health require immediate responses.</li> <li>• The lack of support programs is a significant issue of crisis proportions throughout NAN territory.</li> </ul>	1A
90	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• NAN will provide support upon request from KO, MLC and NNEC.</li> </ul>	1A

91	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• A working group is established with the named parties and other interested parties to discuss best practices and consider the deliverables identified in the recommendation.</li> <li>• A terms of reference is in draft form.</li> <li>• NAN is committed to working collaboratively on this and other related recommendations, even as it awaits the results of the systemic review into the Thunder Bay Police Service, currently being conducted by the Office of the Independent Police Review Directorate.</li> </ul>	1A
94	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• Work is initiated to create the joint protocol and funding will be required to translate the protocol in Cree, Ojibway, and Oji-Cree.</li> <li>• NAN suggests that further interested parties should be brought into the work conducted with regard to this recommendation, as community searches often originate with or involve organizations other than NAN.</li> </ul>	1A
114	<ul style="list-style-type: none"> <li>• The recommendation is accepted in part and pending.</li> <li>• NAN Resolution 16/84 directs the Executive to develop a strategy on accessing resources to develop culturally holistic youth treatment centres in NAN territory.</li> <li>• The Thunder Bay Crossover Youth Committee may be considering a safe sobering site, which will not be a NAN initiative.</li> <li>• Any initiative should consider the perspective of NAN and other interested First Nations communities' perspectives.</li> <li>• NAN is to determine if it will support existing work or initiate its own strategy in Resolution 16/84.</li> </ul>	2
116	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• NAN has been working diligently to increase public awareness in Thunder Bay regarding the issues raised during this Inquest. However, it notes with disappointment that parties continue to deny the issues with regard to racism, and other obstacles and challenges faced by the youth and citizens of Thunder Bay.</li> <li>• This denial prevents the building of healthy relationships, and prevents or stymies any effective work to be completed on this recommendation.</li> </ul>	2

137	<ul style="list-style-type: none"> <li>• Recommendation is accepted and complete.</li> <li>• NAN advocates throughout its work in its different sectors and its support to the 49 First Nations the TRC Calls to Action and recommendations 18 through 20 in ensuring that all gaps are closed and any jurisdictional disputes are addressed and to constantly remind the federal and provincial governments of the impacts of past government policies on the health of its community members in NAN territory.</li> <li>• The issue of capacity for data collection, raised in evidence at the Inquest, yet prevents NAN from engaging in the most effective advocacy and policy creation it could provide.</li> </ul>	8
143	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• NAN prepared its annual report and submitted it to the Coroner's Office by 10 a.m. on June 28, 2017.</li> <li>• NAN will send by email to any person who requests to receive a copy.</li> <li>• NAN will continue to provide an annual report on the anniversary date indicating that all of the recommendations it received have either been rejected or implemented.</li> </ul>	1A
144	<ul style="list-style-type: none"> <li>• Recommendation is accepted and in progress.</li> <li>• At the Political Table held on June 22, 2017 in Thunder Bay, the organizations receiving recommendations agreed for NAN to post the annual reports on its website.</li> <li>• NAN will create a separate web page to be clearly identified on its homepage for easy access to everyone.</li> </ul>	1A
145	<ul style="list-style-type: none"> <li>• Recommendation is accepted and pending.</li> <li>• NAN will revise its policies as necessary according to its internal policy revision procedures.</li> </ul>	1A

## OCC Response Codes

Response Code	Response Legend
1	Recommendation <i>has</i> been implemented
1A	Recommendation <i>will</i> be implemented
1B	Alternate recommendation <i>has been</i> implemented
2	Under consideration
3	Unresolved issues
4	Rejected
4A	Rejected due to flaws
4B	Rejected due to lack of resources
5	Not applicable to agency assigned
6	No response
7	Unable to evaluate
8	Content or intent of recommendation is already in place

## List of Organizations Requested to Respond to Jury Recommendations

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Canada (Ministry of Indigenous and Northern Affairs Canada)

City of Thunder Bay

Dennis Franklin Cromarty High School (DFCHS)

Health Canada

Keewatinook Okimakanak (KO)

Liquor Control Board of Ontario (LCBO)

Matawa Learning Centre (MLC)

Nishnawbe Aski Nation (NAN)

Nishnawbe Aski Police Service (NAPS)

Northern Nishnawbe Education Council (NNEC)

Office of the Chief Coroner

Ontario (Ministry of Indigenous Relations and Reconciliation)

P.A.R.T.Y. Program of Thunder Bay

Thunder Bay Police Service (TBPS)