

**MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS INQUIRY**

**CLOSING SUBMISSIONS**

**On Behalf of the Province of New Brunswick**

**Submitted December 14, 2018**

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## **INTRODUCTION**

1. There are 15 Indigenous Nations in New Brunswick, six Wolastoqey and nine Mi'gmaq.<sup>1</sup> The Peskotomuhkati Nation of Skutik has been recognized as a collective. New Brunswick is part of the traditional territory of the Mi'gmaq, Wolastoqey and Peskotomunkati peoples, who are three of the five nations that form the Wabanaki Confederacy. "Wabanaki" describes the process of dawn breaking, meaning these Nations are the ones who first see the light rising each morning.<sup>2</sup>
2. The Province of New Brunswick recognizes that there are women from other nations living in this territory and the submissions of the Province of New Brunswick are intended to include all Indigenous women and girls living on this territory.
3. The Province acknowledges the importance of the work of the National Inquiry on Missing and Murdered Indigenous Women and Girls. Through closing submissions, the Province aims to provide an overview of the programs, policies and practices in place in the Province.<sup>3</sup>
4. The submissions of the Province of New Brunswick are divided into three parts. Part I describes New Brunswick specific reports and recommendations. Part II consists of the response of the Province of New Brunswick to the reports and recommendations described in Part I. Part III discusses evidence and issues specific to New Brunswick raised at the family hearings held in Moncton, New Brunswick in February 2018.

## **PART 1 –NEW BRUNSWICK REPORTS AND RECOMMENDATIONS**

5. Part I of the submissions describes six reports prepared in the Province of New Brunswick touching upon violence against Indigenous women and girls. The discussion includes reports pertaining to violence against Wabanaki women, violence against Aboriginal women and girls, reports of the Domestic Violence Death Review Committee and a report of the Child and Youth Advocate for New Brunswick.
6. A complete listing of recommendations issued in New Brunswick as part of the above-mentioned reports is set out in Appendix A.

### **A Strategic Framework to End Violence Against Wabanaki Women in New Brunswick (March 2008)**

7. In March of 2008, the New Brunswick Advisory Committee on Violence Against Aboriginal Women released a Strategic Framework to End Violence Against Wabanaki Women in New Brunswick.<sup>4</sup>
8. The New Brunswick Advisory Committee on Violence against Aboriginal Women is composed of representatives from Indigenous communities and organizations. While not all Indigenous communities are represented, it is composed of a mix of Wolastoqey and Mi'gmaq women from different areas of the Province of New Brunswick.<sup>5</sup>
9. The Strategic Framework to End Violence Against Wabanaki Women in New Brunswick outlined several potential actions in the areas of (1) capacity building, (2) prevention and education, and (3) service delivery. This report provided a strategic framework for a comprehensive and coordinated approach to address the issue of violence against Aboriginal women in New Brunswick. It was intended for use by federal and provincial governments, Indigenous leaders as well as Indigenous and non-Indigenous service providers and agencies.
10. The Strategic Framework to End Violence Against Wabanaki Women in New Brunswick recognizes the root causes of violence against Indigenous women and girls. The report contains 49 recommendations, with priority recommendations falling under the categories of general; capacity building; prevention through training and education, service delivery for health; mental health and addiction services; policing and the justice system; and housing.<sup>6</sup>

### **New Brunswick Plan to Prevent and Respond to Violence Against Aboriginal Women and Girls (2017-2021)**

11. In 2017, the Province of New Brunswick released the New Brunswick Plan to Prevent and Respond to Violence Against Aboriginal Women and Girls (2017-2021).<sup>7</sup>
12. The Province of New Brunswick shares the vision of the New Brunswick Advisory Committee on Violence Against Aboriginal Women that all Indigenous women and

their children in the Province should live free of violence and abuse and those who have experienced it should have opportunities to heal from the harm.

13. This Plan provides focus to government action, a communication tool for how government is responding to the issue, and a way to measure progress in outcomes. The Plan focuses on violence prevention and improving access to services for victims and perpetrators. There are four key priority areas, 14 objectives and 26 actions. The four key priorities identified in the Plan, namely: (1) awareness, education and training; (2) intervention and support; (3) sexual violence; and, (4) research and data collection. The 14 key objectives, as provided below, direct the recommended action.<sup>8</sup>

### **Awareness**

Increase public awareness and understanding of the severity and prevalence of violence against Aboriginal women and girls and change the misconception about the cause of violence against Aboriginal women and girls so that:

- New Brunswickers understand that they can play a role in recognizing and stopping it;
- to create a social environment that supports and encourages behavioural change; and
- to increase awareness of services and supports that are available.

Direct awareness activities toward Aboriginal men and boys on the effects of violence against Aboriginal women and girls.

### **Education**

Enhance education resources and curriculum in public schools on the effects of domestic and intimate partner violence on children and youth and ensure Aboriginal youth have access to culturally appropriate healthy relationship models and programming.

Enhance, develop, transfer and promote knowledge on violence against women and girls and violence against Aboriginal women and girls within post-secondary institutions.

### **Training**

Increase knowledge among service providers on addressing issues of violence against Aboriginal women and girls.

### **Intervention and support for victims and survivors**

Establish culturally appropriate Domestic/Intimate Partner Violence supports and services for Aboriginal women and girls.

Promote and enhance knowledge of intervention and support resources, programs and services among Aboriginal women and girls.

In partnership with First Nations and Aboriginal leaders, service providers, the federal government and provincial departments, develop a collective and coordinated community response model to address violence against Aboriginal women and girls.

### **Intervention services for abusers and perpetrators**

Provide culturally appropriate intervention services for abusers and perpetrators of Domestic/Intimate Partner Violence.

### **Sexual violence**

Raise awareness about sexual violence against Aboriginal women and girls.

Enhance supports and services for victims of sexual assault living on First Nations communities.

Support sexual violence prevention and response strategies at post-secondary institutions.

### **Research and data collection**

To improve the availability of New Brunswick specific research and data in the area of violence against Aboriginal women and girls in New Brunswick.

To determine the effectiveness of the activities set out in this strategy.

14. Implementation of the actions in the Plan is coordinated through the Province's Interdepartmental Committee on Ending Violence Against Aboriginal Women and Girls. The work of the Interdepartmental Committee is informed by the New Brunswick Advisory Committee on Violence Against Aboriginal Women.<sup>9</sup>

## **Recommendations from the Domestic Violence Death Review Committee**

15. The Domestic Violence Death Review Committee<sup>10</sup> was established in 2009 by the Chief Coroner's Office with the Department of Public Safety for the Province of New Brunswick. The multi-disciplinary team that forms the Committee assists the Office of the Chief Coroner in the review of deaths that occur as a result of domestic violence and makes recommendations to help prevent such deaths in similar circumstances.<sup>11</sup>

16. In 2015, the Committee made several recommendations focused on domestic violence in Indigenous communities, including as follows.<sup>12</sup>

13. Recognizing the Office of the Chief Coroner and the Domestic Violence Death Review Committee's jurisdiction does not extend to making recommendations to the Federal government, it is strongly suggested the Minister responsible for Aboriginal Affairs in New Brunswick with support from the Women's Equality Branch meet with officials of Aboriginal Affairs and Northern Development Canada to discuss the Government of Canada's fiduciary responsibility to First Nations communities in the prevention of and response to domestic violence and domestic homicide in First Nations communities.

14. The Departments of Social Development, Public Safety, Justice, Attorney General, Aboriginal Affairs Secretariat, Education and Early Childhood Development, Health and the Women's Equality Branch, in collaboration with First Nations leaders and the Government of Canada, develop and implement a collective and coordinated response to address domestic and domestic and intimate partner violence in First Nations communities in New Brunswick.

15. The Minister of Social Development and Child and Family Service agencies within First Nations communities conduct an internal review whenever a domestic violence death occurs in a family that received services by the Department and/or Child and Family Services within 12 months prior to the death. An internal review would allow the Department to:

- examine any points of intervention that may have been missed to provide necessary supports for safety to the victim and/or the children, and risk management strategies supports for the perpetrator;
- identify any challenges that front-line workers may face in providing services, specific to awareness and recognition of domestic violence, screening for domestic violence, risk



factors for serious harm/injury and lethality; risk assessments for serious harm/injury and lethality, and safety planning; and

- identify best practice approaches, enhanced training opportunities and interventions specific to domestic violence.

16. The Minister of Social Development, Minister responsible for Aboriginal Affairs and Minister responsible for Women's Equality, with support from the Aboriginal organizations' and First Nations' leaders, work with service providers and agencies, who provide support and services on First Nation communities and to Aboriginal people who reside off First Nations to:

- facilitate mandatory training on domestic and intimate partner violence, how to screen for domestic and intimate partner violence, assess risk for serious harm/injury and lethality, and intervene effectively in domestic and intimate partner violence cases; and,
- implement intervention and prevention activities in an integrated manner with other stakeholders, including information sharing with other agencies and service providers regardless of the jurisdiction where the domestic and intimate partner violence incident(s) occurred, or the jurisdiction where the victim or suspect resides.

### **Child and Youth Advocate for New Brunswick Reports and Recommendations**

#### ***Hand-in-Hand – A Review of First Nations Child Welfare in New Brunswick***

17. The Child and Youth Advocate was asked in May of 2009, by the Minister of Social Development for the Province of New Brunswick, to review and make recommendations regarding the child welfare services provided to New Brunswick's 15 Indigenous communities. After extensive consultation with Indigenous youth, families, community leaders and service providers, a report was published in 2010 entitled *Hand-in-Hand – A Review of First Nations Child Welfare in New Brunswick*.<sup>13</sup>

18. The Report was divided into two parts. The first part relates to the delivery of child welfare services in Indigenous communities, and the second part analyzes the situation of children in Indigenous communities. One of the goals of the Report was to provide a roadmap for new relationships between non-Indigenous New Brunswickers and their Mi'gmaq and Wolastoqey neighbours. The Report included 89 recommendations. One of the recommendations was to allow for a new service

delivery model for child welfare services in the Province of New Brunswick. It was recommended that the Province of New Brunswick move from providing services by 11 service delivery agencies to three agencies, under one New Brunswick First Nations Child and Family Services Office.<sup>14</sup>

19. The roadmap is found at page 93 of the Report<sup>15</sup> and is reproduced below:

June 1, 2010

- Establishment of the transition team responsible for blending eleven agencies into three
- Creation of the First Nations Children's Futures Fund
- Roll-out of the Caring Across the Boundaries workshops

September 1, 2010

- Incorporation of the First Nations Child and Family Services Office
- Implementation of the Public Engagement Initiative on the preservation and promotion of Mi'kmaq and Maliseet languages
- NB Families system rolled out and piloted in three existing child and family services agencies
- Regulations adopted under section 143 r) of the *Family Services Act* defining the roles of the community social services agency
- Establishment of a First Nations Child and Family Services unit within the Department of Social Development
- Formal recognition of Jordan's Principle by INAC and the Province

December 1, 2010

- Establishment of the Elders Council
- Establishment of the Advisory Councils
- Locations of the Office and the Agencies determined
- Finalization of the human resource plan
- Hire of an Executive Director for the Office

February 1, 2011

- Federal-Provincial-First Nations agreement on services to non-status children on-reserve and status children off-reserve
- New Tripartite Agreement on child and family services reached and ratified
- Finalization of revised provincial child welfare standards incorporating culturally-based First Nations practice standards

April 1, 2011

- Agency staff hired and trained
- Office staff hired and trained
- New prevention-based funding agreement in place
- New Office and Agency offices furnished and equipped with required hardware and software

## **PART 2 – PROVINCE OF NEW BRUNSWICK’S RESPONSE TO PLANS, PROGRAMS AND PROTOCOLS**

20. As a result of reports and recommendations described in Part 1, the Province of New Brunswick developed plans, programs, protocols and services to support and enrich the lives of the Indigenous women and girls living in New Brunswick.

21. The plans, programs, protocols and services which are described below are organized in the following categories: Awareness, Access to Education, Prevention, Education, Health Services, Policing and Justice System.

### **Awareness**

22. The Province of New Brunswick established programs with a view of increasing public awareness and understanding of the severity and prevalence of violence against Indigenous women and girls. Additionally, the Province aimed to change the misconception about the cause of violence against Indigenous women and girls.

23. The following paragraphs describe recent changes to the organization of the Province of New Brunswick through the creation of a Department of Aboriginal Affairs. This is followed by a general description of training programs developed in New Brunswick to provide participants with cultural awareness of Indigenous history and culture. The final two sections consist of responses to the recommendations in the *Strategic Framework to End Violence Against Wabanaki Women* and the creation of silhouettes to bring awareness to intimate partner violence.

### **Department of Aboriginal Affairs**

24. The Province of New Brunswick recently appointed a Minister with a singular responsibility for Aboriginal Affairs.<sup>16</sup> The Department of Aboriginal Affairs does not

provide any services or programs, but rather facilitates collaboration, linkages and relationships with all departments and Indigenous Nations to address Indigenous interests and needs.<sup>17</sup> A brief summary of the departmental responsibilities include: negotiation, community services, engagement, consultation and economic development.

### ***Cultural Competency Training for Child Welfare Workers***

25. Cultural competency is a component of all child welfare training modules and is specifically referred to in the Multiple Response Practice Standards in Child Protection and Family Enhancement Services.<sup>18</sup>

26. The Department of Human Resources of the Province of New Brunswick offers an Indigenous Awareness Module that is available to all government employees.<sup>19</sup> Social Development has requested a two-day module specifically for social workers, supervisors and managers, with the objective of providing participants with a basic understanding of:

- Legal and cultural aspects of terms referring to Indigenous people
- Current context of Indigenous communities and people in New Brunswick (e.g. demographics, administration, key organizations)
- Dealing with cultural biases and personal assumptions
- Developing effective working relationships

27. As of November 22, 2018, 332 social workers have completed the Indigenous Awareness Training. This training is offered to all social workers, both within Indigenous agencies and within the Department of Social Development.

28. The Province also offers an Indigenous awareness module to provide social workers with a better understanding of the history of Indigenous peoples in New Brunswick, their culture, values and traditions, to lay the foundation for effective intercultural communications. This module includes current and historical Indigenous experiences and perspectives that have contributed to increasing violence against Indigenous women and girls, as recommended by the National Inquiry.

### ***Intimate Partner Violence Training Module***

29. Social Development's Child Welfare Training Team for Child Protection and Family Enhancement Services' developed a specialized training module on intimate partner violence for social workers and supervisors, including those social workers working with Indigenous child and family service agencies.<sup>20</sup> The objectives of the Module are to strengthen skills, develop a deeper awareness of intimate partner violence practice in child welfare as well as to decrease risk to women and children. As of November 22, 2018, there have been 253 social workers who have completed the Intimate Partner Violence Training Module.
30. Social workers who work in Indigenous communities are employees of their respective Indigenous Band Councils. However, there is currently one social worker employed by the Department of Social Development seconded to an Indigenous agency that had a shortage of staff. All social workers working in Indigenous communities will be receiving the Intimate Partner Violence Training Module in 2019.

### ***The Love Shouldn't Hurt Campaign***

31. As part of New Brunswick's Crime Prevention and Reduction Strategy, the Love Shouldn't Hurt Campaign is educating and informing New Brunswickers about intimate partner violence (IPV) and how everyone can all play a part in putting an end to this serious issue. Interested individuals can follow the Campaign on Twitter<sup>21</sup> and Facebook<sup>22</sup>. Further information is also available on the Love Shouldn't Hurt website.<sup>23</sup>
32. Campaign materials include a focus on Indigenous women with information and material translated into Wolastoqey and Mi'gmaq. The Campaign has partnered with Indigenous groups in providing awareness and promotion of the Campaign to Indigenous populations and communities throughout the Province of New Brunswick through public events.
33. There are Love Shouldn't Hurt champions in Indigenous communities promoting the Campaign through in-person events and social media. Champions have been active in promoting the Campaign in St. Mary's, Oromocto, Kingsclear, Woodstock, Madawaska, and Eel River Bar communities. These champions are actively looking

to recruit in other Indigenous communities through the Wolastoqiyik Sisters in Spirit, a partner organization of the Love Shouldn't Hurt Campaign and Advisory Committee.<sup>24</sup>

### ***Braiding First Nations***

34. Braiding First Nations is a cultural competency initiative developed with Indigenous communities and the Province's Regional Health Authorities.<sup>25</sup> The objective of this initiative is to have 30% of frontline health workers trained in Indigenous cultural competence by the year 2020. The project endeavors to:

- Improve links and partnerships between the regional health authority and the seven First Nations communities by working together to deliver cultural competency and safety training
- Increase cultural competencies among health care employees in order for them to adjust their practice to the realities of First Nations communities
- Promote health care services that meet the cultural needs of the First Nations communities

### ***Emergency Intervention Orders Training***

35. The *Intimate Partner Violence Intervention Act*, SNB 2017 c 5 was proclaimed in May 2018.<sup>26</sup> The *Act* provides for the issuance of emergency intervention orders. As of November 15, 2018, one hundred and nine emergency intervention orders have been issued.

36. An emergency intervention order is a temporary measure available to survivors of intimate partner violence. An application for this type of order can be made 24 hours a day and relief is granted within a 24-hour period. Relief options include: exclusive occupation of the residence, no contact provision, temporary care and custody of children, seizure of firearms, exclusive possession of specified property (including pets), removal of the respondent from the residence, supervision by a peace officer during the removal of property, prohibition against turning off basic utilities and a publication ban.<sup>27</sup> These temporary remedies afford survivors security until more permanent solutions (legal or otherwise) can be found.

37. Designated assisters are available to the survivors of intimate partner violence to complete applications for emergency intervention orders. The assisters also arrange telephone hearings with Emergency Adjudicative Officers.
38. Survivors of intimate partner violence living in Indigenous communities may apply for emergency intervention orders under the *Intimate Partner Violence Intervention Act*. However, if the survivor is living in an Indigenous community and wishes to request exclusive occupation of the residence, they must apply for an emergency protection order under the federal legislation (*Family Homes on Reserves and Matrimonial Interests or Rights Act* <sup>28</sup>).
39. The Women's Equality Branch, in partnership with the Department of Justice and Public Safety, has developed training for designated assisters, including police officers, social workers from the Department of Social Development, victim service coordinators (both police based and Department of Justice and Public Safety), domestic violence outreach workers and intervenors from both second stage housing and transition houses.

#### ***Aboriginal Rights Training in the Public Service***

40. The Province of New Brunswick, through its Department of Aboriginal Affairs, offers training to public servants on Indigenous rights such as the legal obligations under the Duty to Consult and the Peace and Friendship Treaties.<sup>29</sup> The Province is working with external partners to develop cultural competency training modules for all civil servants in response to the Truth and Reconciliation Commission's Calls to Action.

#### ***Aboriginal Awareness Training in the Public Service***

41. Senior leaders and management have received training on specific Indigenous issues, including the duty to consult. Departmental staff have also been provided with the opportunity to take Aboriginal Awareness Training.
42. The Council of Ministers of Education Canada (CMEC) held an Indigenous Symposium in July 2018 where senior administration and staff learned from Indigenous representatives about education issues. Indigenous education is a recurring topic at ministerial, deputy and working-group discussions at CMEC.

### ***Cultural Training for Lawyers within Government***

43. Family Crown for the Province of New Brunswick attended an Aboriginal awareness session at their annual meeting in December 2013.
44. Legal Aid lawyers attended an educational session entitled “Aboriginal Culture Education – Balancing the Scales of Justice”. The program was presented by the director of the Mi’gmaq Confederacy of Prince Edward Island Indigenous Justice Program.
45. Public Prosecution Services also provided cultural training to prosecutors at its annual meeting.

### ***New Brunswick Public Library Services***

46. The New Brunswick Public Libraries Service offers collections and programming related to Indigenous cultures, languages, and peoples. It also provides welcoming spaces and library services to Indigenous peoples in New Brunswick and facilitates cultural exchange between Indigenous and non-Indigenous persons.
47. Contributing to the effort to inform both educators and the public, the Public Library Service has added a dedicated Aboriginal Services Librarian position, built a substantial collection of materials on residential schools and reconciliation, and is engaged in promoting awareness of these materials to the public.
48. New Brunswick libraries provide a variety of Indigenous-related programming including Indigenous Story Time and Reading Circles. Further, New Brunswick Public Libraries hosted the 2017 Aboriginal Art Exhibit.<sup>30</sup>
49. In addition, all new staff of the New Brunswick Public Library Service participated in Indigenous Awareness Training.

### ***Senior Policy Coordinator at the Women’s Equality Branch***

50. Further to the recommendation of the *Strategic Framework to End Violence Against Wabanaki Women in New Brunswick*, a senior Indigenous policy coordinator was hired by the Women’s Equality Branch to undertake and coordinate the work necessary to address violence against Wabanaki women and children.<sup>31</sup>



51. Since hiring a senior Indigenous policy coordinator, the Women's Equality Branch has undertaken the following initiatives:

- The New Brunswick Aboriginal Women Leaders Dialogue Forum was held in 2009 on violence against Indigenous women as a means of engaging First Nations leadership on the issue.
- A project relating to the elimination of teen relationship violence, created in partnership with Esngenôpetitj Indigenous Nation and Partners for Youth. The goal of this project was the creation of a sustainable framework for youth-centered relationship violence prevention directed by a community action team and led by young Aboriginal women.
- A Symposium on Violence Against Aboriginal Women was held in New Brunswick in 2010, hosted by Gignoo Transition House and the Women's Equality Branch. The Symposium focused on capacity-building and education on the dynamics of violence against Indigenous women with the objective of creating awareness and culturally appropriate services to Indigenous women in New Brunswick.
- Jackson Katz, a renowned leader and anti-violence activist from the United States, was invited to New Brunswick to offer a men's only leadership training session to engage men in prevention and awareness of gender-based violence. Participants also included Indigenous men from throughout New Brunswick.

***Awareness of Missing and Murdered Indigenous Women and Girls in New Brunswick***

52. Two female silhouettes were created to commemorate and honor two women of St. Mary's First Nation who were killed by their intimate partners. These silhouettes are displayed at various locations to create awareness of Missing and Murdered Indigenous Women and Girls in New Brunswick. This project was a collaboration of the Women's Equality Branch, the New Brunswick Family Information Liaison Unit, the Fergusson Foundation, Silent Witness Project Committee and families of the victims.<sup>32</sup>

## **Access to Education**

53. The Province of New Brunswick offers a number of initiatives to encourage Indigenous youth to access post-secondary education institutions. These include the Access and Success Program and Experimental Educational Initiative which are described below. The Free Tuition Program also encourages attendance by offering free tuition for households with a gross income of \$60,000 or less. Tuition relief for the middle class provides greater access to post-secondary education where family income is greater than \$60,000. The Province of New Brunswick also works with Indigenous organizations to address employment gaps and improve access to the labour market.

### ***Access and Success Program***

54. The Access and Success Program helps publicly funded colleges and universities develop programming to attract, retain and graduate students from under-represented communities, including Indigenous people, people with disabilities, low-income students and students who are first in their family to attend a post-secondary institution. The aim of the Program is to increase the participation of Indigenous students of all genders in our Province's post-secondary system so that they might have more opportunities to achieve economic and social success. While these programs are not specific to women, a significant portion of those supported by these services are women.<sup>33</sup>

55. Since 2009, the Province of New Brunswick provided funding grants to publicly-funded post-secondary education institutions under the Access and Success Program. Examples of recently funded projects under the Access and Success Program, include:

- The University of New Brunswick Indigenous Lead (Piluwitahasuwin), Indigenous Advisory Council and Strategic Action Plan.<sup>34</sup> The Piluwitahasuwin will promote and expand Indigenous culture and opportunities on UNB campuses and within the community.
- University of New Brunswick Wabanaki Education Portal.<sup>35</sup> This initiative connects post-secondary educators, grade school teachers, and the general public with a variety of resources that support enhanced relationships between all the peoples

of Eastern Canada and Northeastern United States. The goal of this collection is to provide a way for educators to become familiar with Wabanaki worldviews, culture, history. The forum enables educators to incorporate resources and modules within courses that will enhance curriculum and bolster a more inclusive perspective.

### ***Experimental Education Initiative***

56. The Experiential Education Initiative<sup>36</sup> was established as part of the Province of New Brunswick's efforts at decreasing or eliminating the financial barriers faced by underserved populations, including Indigenous students. Moreover, the initiative provides access to a variety of experiential learning opportunities offered by New Brunswick employers and community partners. A provincial Indigenous Working Group has been established to ensure the opportunities offered help to address the unique needs of Indigenous students, such as responding to the calls to action detailed in the Truth and Reconciliation Commission Report.

### ***Free Tuition Program***

57. The Free Tuition Program is a new non-repayable provincial bursary designed to make post-secondary education more accessible through increased upfront financial assistance. The goal of the Free Tuition Program is to ensure that tuition costs are covered for those students with the greatest financial need.

58. The Free Tuition Program is delivered through the New Brunswick Student Financial Assistance Program.<sup>37</sup> The Free Tuition Program, which was introduced prior to the 2016-17 academic year, covers the tuition costs of students whose gross family income is \$60,000 or less.<sup>38</sup>

### ***Affordability of Post-Secondary Education***

59. To further improve access to post-secondary education, the Province of New Brunswick introduced the Tuition Relief for the Middle Class (TRMC) for the 2017-18 academic year.<sup>39</sup> The TRMC covers a portion of tuition costs for students enrolled in a full-time program at a public college or university in New Brunswick whose gross family income is greater than \$60,000. The amount of tuition relief received varies according to family size and income.

<i>Academic Year</i>	<i>Free Tuition Program (FTP) / Tuition Relief for the Middle Class (TRMC): Indigenous Recipients</i>
<i>2016-17</i>	<i>142</i>
<i>2017-18</i>	<i>200</i>

### ***Improved Access to the Labour Market***

60. The Province works closely with Indigenous development organizations and funds numerous projects aimed at addressing employment gaps and providing improved access to the labour market. The Province provides approximately \$3 million in funding of skills development supports specific to Indigenous people. Specific project examples are listed below:

- **Indigenous Adult Learning and Literacy Project Supports:** Through its Community Adult Learning Services program, the Province funded the Joint Economic Development Initiative to deliver Indigenous adult learning and Literacy Project support.<sup>40</sup> This provided over 50 clients with digital literacy training; financial literacy training; and cybersecurity training.
- **Essential Skills Training:** Through the Workplace Essential Skills Program, the Province funds the delivery of essential skills training to Indigenous community members, and to specific initiatives such as: essential skills training for Indigenous learners in preparation for the New Brunswick Community College Personal Support Worker program, and skills training to Indigenous learners through the Union of New Brunswick Indians Training Institute (UNBTI), followed by work placements.

61. The Province has funded the Joint Economic Development Initiative to deliver Truth and Reconciliation Training. The goal is to build the capacity of staff and partners; establish a common foundation of Indigenous history; provide participants with resources; link the TRC Calls to Action that are relevant to economic and labour

market development; and explore how participants might implement the TRC Calls to Action within their workplaces, families and communities.

### **Prevention**

62. A number of resource programs and tools are designed, used and supported by the Province to prevent harm to Indigenous and other women and girls in the Province of New Brunswick. These range from an Indigenous transition house, a danger assessment instrument and a personal safety program for school aged children aimed at preventing child sexual abuse.

### ***Support for Gignoo Transition House***

63. Gignoo Transition House <sup>41</sup> offers family violence services to Indigenous women and girls as well as the community. Gignoo is aimed specifically at helping Indigenous woman and is run largely by Indigenous individuals. Gignoo Transition House is one of thirteen transition houses in New Brunswick, providing a total of 170 beds.<sup>42</sup> Gignoo Transition House has 15 beds. The Transition House staff guide survivors to appropriate services and promote awareness about violence against Indigenous women.

64. The Department of Social Development and the federal government provide funding to Gignoo Transition House to provide women with or without children who are survivors of violence and abuse with shelter and crisis intervention, information on family violence and referral to services. Support is also provided to children accompanying their mothers to transition houses through the Child Witness of Family Violence Program, helping prevent the intergenerational cycle of family violence. The most common referrals are to the Department of Social Development (Child Welfare Services, Income Assistance, Subsidized Housing Programs), Addiction and Mental Health, Domestic Violence Outreach, Non-Profit Housing Providers, Second Stage Housing and Legal Aid.

65. The Department of Social Development organizes an annual meeting that brings together executive directors and child support workers of transition houses, including Gignoo, for training, skills development, networking and information sharing.

***Coordinated Community Response pilot for high risk/high danger Intimate Partner Violence cases***

66. The Coordinated Community Response Pilot is for people who are at a high risk of being re-assaulted or at an increased danger of being killed by their current or former intimate partner. The model enables information sharing among key organizations and the development of a shared safety plan and risk mitigation strategy through local coordinated community response teams.
67. The model is being piloted in the Fredericton and Edmundston / Grandfalls regions and includes the following Indigenous communities: Saint Mary's, Oromocto, Kingsclear and Madawaska.
68. The coordinated community response teams include representatives from Indigenous organizations (i.e. Gignoo house) in order to provide support specific to Indigenous women referred to the program.

***Aboriginal Domestic Violence Outreach Program***

69. In 2017, with federal funding from Justice Canada, a new Aboriginal Outreach Pilot Program (funded for 5 years) began in three Indigenous communities in the Miramichi region of New Brunswick.<sup>43</sup> The Program offers services to survivors of domestic and intimate partner violence such as crisis intervention, risk assessment, safety planning, individual support, follow-up and referrals, sexual assault services, and the arrangement of safe meeting places.
70. Outreach services are provided by an outreach worker in three Indigenous communities: Eel Ground; Metepenagiag and Esgenoôpetitj. Services are also provided to Indigenous women living off-reserve.

***Woman Victims of Abuse Protocols***

71. The Woman Victims of Abuse Protocols<sup>44</sup> recognizes that violence against women takes on many forms. These protocols represent a preliminary step in the development of a consistent and effective response to situations of violence toward women.

72. The 2014 edition of the Woman Victims of Abuse Protocols, include an expanded section on sexual violence in intimate partner relationships and a chapter on Indigenous women.
73. Nine government departments have particular roles to play in responding to intimate partner violence and endorse the Protocols as signatories. They are Public Safety, Justice, Office of the Attorney General, Health, Social Development, Post-Secondary Education, Training and Labour and Education and Early Childhood Development.
74. The Woman Victims of Abuse Protocols identify and clarify the roles and actions of government agencies and service providers in the response to violence against women. Primary users of the Protocols are police, victim-services personnel, Crown prosecutors, nurses, social workers, teachers, workers in the domestic violence sector, transition houses, second stage housing and domestic violence outreach and other practitioners. The “Collective Response” is highlighted in the Protocols as a way for government and community to provide better co-ordinated services to women living in or leaving abusive relationships.
75. The Woman Victims of Abuse Protocol information sessions help to familiarize government and community with the Protocol and lay the foundation for a “collective response” to violence against women. The sessions have been provided throughout the Province by various service providers. Service providers from Indigenous communities and organizations have participated. For example, a session was held in Eel Ground First Nation and more sessions will be offered to Indigenous communities and organizations through a training strategy developed by the Women’s Equality Branch.

### ***Danger Assessment Instrument***

76. The Danger Assessment Instrument <sup>45</sup>, created by Jacquelyn Campbell, PhD, RN, is a risk / lethality assessment tool designed to assess the risk of murder or serious injury survivors face. By assessing and recognizing risks faced by these survivors, assistance can be provided to support survivors in their safety plan to reduce these risks.

77. Training regarding the Danger Assessment Instrument is provided by the Province to intervenors from the Domestic Violence sector, Health, Police, Social Development, Legal Aid, Public Prosecutions, Victim Services, Public Safety and other community organizations and stakeholders.

***Domestic Intimate Partner and Sexual Violence Leave***

78. The *Employment Standards Act* was amended in 2018 to provide leave to individuals who are subject to domestic, intimate partner or sexual violence.<sup>46</sup>

79. The new regulations under the *Employment Standards Act* provide for five days of paid leave and up to 16 weeks of unpaid leave for employees or the children of employees who are survivors of domestic violence, intimate partner violence or sexual violence.<sup>47</sup> Details can be found in the Department of Post-Secondary Education, Training and Labour information bulletin.<sup>48</sup>

***Canadian Red Cross – “Be Safe!”***

80. The Canadian Red Cross developed, “Be Safe!”<sup>49</sup>, a personal safety program for children ages 5 to 9 with a focus on preventing child sexual abuse. This educational resource is being used by teachers of kindergarten to Grade 2 as part of the *You and Your World* curriculum.

***Child Death Review Committee***

81. The Child Death Review Committee is similar to the Domestic Review Committee discussed in Part 1 of the present submissions. The Child Death Review Committee considers the facts and circumstances surrounding the sudden and unexpected death of New Brunswick children who were under the age of 19 at the time of their death and makes recommendations, when appropriate, to the Office of the Chief Coroner.<sup>50</sup> The Child Death Review Committee includes representatives from the Indigenous community.

***Aboriginal Sport and Recreation New Brunswick***

82. The Province of New Brunswick, through the Sport and Recreation Branch of Tourism, Heritage and Culture, provides expertise and resources to help promote the Aboriginal Long-Term Participant Development Model in New Brunswick. The overall objective



is to contribute to a healthier future for Indigenous communities, families and individuals by prioritizing sport, recreation and physical activity.

83. The Province provides core funding and consulting to Aboriginal Sport and Recreation New Brunswick <sup>51</sup> to develop sport initiatives, such as the New Brunswick Indian Summer Games and Team New Brunswick preparation for the North American Indigenous Games. Funding is also provided by the Province to the Aboriginal Sport and Recreation New Brunswick Indigenous Athlete Fund <sup>52</sup>, to help remove financial barriers that prevent Indigenous youth from participating in organized sport.

### ***Aboriginal Affairs Grants Program***

84. The Department of Aboriginal Affairs' Grants Program funds small-scale, non-profit projects / initiatives of a social, cultural, and educational nature to help improve the government's relationship with Indigenous communities and organizations. The Department of Aboriginal Affairs provides small grants to individuals, Indigenous communities, and organizations, which range from \$250 to \$2,500 for a variety of events, projects and initiatives.

85. Requests for grants must meet the Program conditions, including being supported by an Indigenous community or organization, and having at least one other source of funding or in-kind support. Funding can be used to support activities linked to the *New Brunswick plan to prevent and respond to violence against Aboriginal women and girls*. Grants can also be provided for Indigenous women's gathering for self-healing, awareness in a traditional setting, and learning grief recovery tools and strategies.

86. During the last three years, the following grants were issued:

- Indigenous Women's Association of the Maliseet (Wolastoqey) and Mi'gmaq Territories – Support Annual General Assembly Meeting/Gathering.
- Wolastoqiyik Sisters in Spirit – Support 5-day Event that spread awareness & honour the lives of Missing & Murdered Indigenous women and girls.
- Pabineau Health Center – Support NB Breast and Women's Cancer Partnership Forum, for Indigenous women at risk or diagnosed with cancer, undergoing treatment or dealing with survivorship issues

- Metepenagiag (Four Directions Child and Family Services) – Support Aboriginal Women’s Retreat on Self Care, a gathering of Indigenous women from several communities for self healing, awareness in a traditional setting for women to learn grief recovery tools and strategies to enhance their knowledge.
- Esgenoôpetitj Health Center – Support #GetFIT4LIFE, a Fitness & Resistance Exercise Program for women at risk or diagnosed with cancer, undergoing treatment or dealing with survivorship issues.
- Eel Ground Health Center – Support #GetFIT4LIFE, a Fitness & Resistance Exercise Program for women at risk or diagnosed with cancer, undergoing treatment or dealing with survivorship issues.
- Eel River Bar Health Center – Support workshop “The Paths to Healing” open to Indigenous women from all 15 Indigenous communities in partnership with the NB Breast and Women’s Cancer partnership, for women dealing with cancer recovery and survivorship issues.
- Metepenagiag Health Center – Support #GetFIT4LIFE, a Fitness & Resistance Exercise Program for women at risk or diagnosed with cancer, undergoing treatment or dealing with survivorship issues.
- Gignoo Transition House Inc. – Support Annual General Assembly Meeting/Gathering and a workshop for Indigenous women both on and off reserve of the resources Gignoo offers (budget/financial planning; traditional healing; outreach; counselling; 2nd stage housing; parenting skills; and self-esteem & anger management).

### ***Mi’gmaq Child and Family Services of NB Inc.***

87. Following the recommendations outlined in the *Hand-in-Hand Report*<sup>53</sup>, mentioned in Part 1, Mi’gmaq agencies in New Brunswick instituted a unified administrative body to provide child and family services called the Mi’gmaq Child and Family Services of NB Inc.<sup>54</sup> The Province of New Brunswick participated in a Working Group with representatives from Indigenous Services Canada and Indigenous Nations. The Province provided Mi’gmaq Child and Family Services of NB Inc. with human resources information, case management system, case data, and information on education programs such as Child Protection and Child in Care. In addition, the agency was provided with computer equipment and training as required.<sup>55</sup>

## **Education**

88. As part of the Province's 10-Year Education Plans (one for the Francophone Sector and one for the Anglophone Sector), the Province set objectives to meet the needs of Indigenous children and youth. The objectives also include bringing awareness of Indigenous history and culture.<sup>56</sup>

### ***Curriculum in Schools***

89. The Province of New Brunswick, through its Treaty Education Committees, which include members of Indigenous communities, university, teacher associations and government representatives of the Department of Education and Early Childhood Development, is committed to ensuring New Brunswick students and teachers in the public-school system understand the legacy of Indian residential schools and Indian day schools in Canadian society.

90. Topics such as the history of Indian residential schools, treaties and historical legislation, land claims, language and culture, and current issues facing the Indigenous people in New Brunswick are being included in learning modules. Treaty Education curriculum has been developed and incorporated as part of the curriculum in the public education system in various grades.

### ***Resources in the Public-School System***

91. The Blanket Exercises, an experiential teaching tool of the historical and contemporary relationship of Indigenous peoples and the Crown, are being facilitated for staff and students in the public school system.

92. Examples of programs and services being provided include the following:

- Development of an Education for Reconciliation presentation that has been delivered to educators, administrators, and other partner organizations.
- ½ day professional learning and development for select middle school social teachers using the 94 Calls to Action, Reconciliation, Treaty Education and Secret Path.

- Creating teacher supports (e.g. standards development, assessment tools, professional development for educators, mandatory training, resource development, teacher's guides and curriculum resources, support for transformative practice, Indigenous ways of knowing, graphic novels, websites).
- Creation of a Canadian Indian Residential School website for teachers.
- Development of Educational Resources visual arts and music. An example is the "*First Nation Arts Plans, Grade 6-8*". These Plans also exist for Kindergarten to grade 5 and grades 9 to 12.

### ***Kinapehsisok (Little Protectors) - Sacred Bundle Teachings***

93. Kinapehsisok is an Indigenous-focused pilot program which provides culturally-specific programming to girls and boys about healthy empowered relationships. Chief Harold Sappier Memorial Elementary School at St. Mary's First Nation uses this program to teach boys from Kindergarten to grade 5. The goal is to raise Wolastokuk men who will honour, respect, love and protect women and replace violent men with loving, caring and kind men.

### ***Moosehide Campaign***

94. The Moosehide Campaign is a grassroots movement of Indigenous and non-Indigenous men and boys who are standing up against violence towards women and children.<sup>57</sup> Several high schools in the Province of New Brunswick participate in this campaign to raise awareness about violence against women.

### ***Red Shawl Campaign***

95. The Red Shawl Campaign was a vision of the University of New Brunswick's Elder-in-residence, Imelda Perley. The red shawl is a symbol of protection; it is what a young girl earns in her footsteps to becoming a woman. When adult women wear shawls, as grandmothers, mothers, sisters and aunts, they embrace the gift of healing.<sup>58</sup> Many New Brunswick schools participate in activities and displays related to the Red Shawl Campaign.

96. This Red Shawl Campaign also raises awareness about missing and murdered Indigenous women and girls.<sup>59</sup>

### ***“Ghosts of Violence” Ballet***

97. The Ghosts of Violence Ballet was created by the Atlantic Ballet Theatre of Canada to raise awareness of violence against women. The ballet was adapted as part of the Red Shawl Campaign to honour the Indigenous women of the Wabanaki territory – the Mi’gmaq, Wolastoqiyik, and the Peskotomuhkati and provided an emotional expression of issues related to missing and murdered Indigenous women. Students within the Province are bused to see performances of the Ghosts of Violence Ballet.<sup>60</sup>

### ***Health Services***

98. The Province of New Brunswick provides a continuum of care through health services offered to Indigenous and other women and girls. The services range from postnatal benefits for Indigenous women, specialized sexual assault services, to mental health supports tailored to the Indigenous community.

### ***Network of Excellence***

99. Indigenous communities are represented in the development of the Network of Excellence for children and youth with mental health needs.<sup>61</sup> Integrated Service Delivery (ISD) is a best practice method of providing mental health services. The New Brunswick version of ISD focused on the following elements:

- Establishing school and community-based teams (Education Support Service Teams in schools, Child and Youth Teams in Community, and Integrated Clinical Teams to support teams when higher intensity services are considered)
- Relocating services into community
- Interdepartmental collaboration (common plans)
- Providing a strength based, trauma responsive approach to care

100. These elements alone do not provide a complete continuum of care; therefore, the Network of Excellence was established to address any remaining gaps such as:

- Enhancing universal prevention services
- Establishing enhanced partnerships with community organizations
- Gathering input and guidance from Indigenous youth, family, and communities

- Enhancing out of home services (establishing clinical group homes, the provincial treatment centre for youth with complex needs)
- Ensuring alignment of services
- Provide required training and supports for all service providers along the continuum.

101. The Network of Excellence will enhance the entire continuum of care by, for instance, ensuring that the community-based teams mentioned above have the tools and training required.

102. Through an all Indigenous application and selection process, the Indigenous Guidance Team was assembled to assist in enhancing the service experience of Indigenous youth receiving mental health and addiction services through recommendations.<sup>62</sup> The Indigenous Guidance Team provides guidance on specific areas of the continuum of care for youth regarding their service experience. These elements include:

- List of suggested priorities for improving the service experience for Indigenous youth regarding existing Addiction and Mental Health services
- Recommendations for out of home mental health/addiction care for Indigenous youth
- Recommendations for Indigenous Network of Excellence Governance Representation
- Recommendations for providing Integrated Service Delivery teams for Indigenous youth

103. Representatives were selected in a manner that ensured balance in relation to gender, Indigenous nation affiliation and experience. Membership represents a balance between male/female, on/off reserve, M'igmaq/Wolastoq/other affiliation, Elder/youth, family/foster parent, urban/rural location, LGBTQ/heterosexual. The team is further comprised of individuals having experience in the following domains:

- Cultural competence/ safety
- Health

- Social Work
- Addictions
- Mental Health
- Education
- Justice/ Law Enforcement
- MMBSW Student
- LGBTQ

104. The group was formed through a general call to submit applications followed by an Indigenous selection committee reviewing the applications. This group has been meeting regularly with the goal of providing a recommendation report in February 2019, covering topics such as out of home mental health / addictions care and Integrated Service Delivery.

#### ***Action Plan for Mental Health***

105. An Indigenous subcommittee was established further to section 3.1.3 of the Action Plan for Mental Health in New Brunswick 2011 – 2018.<sup>63</sup> Section 3.1.3 states the Department of Health will continue to work with Indigenous people, organizations and the federal government on initiatives that will raise awareness, adapt and integrate mental health care programming while respecting the knowledge and traditions of Indigenous people. The Subcommittee will help provide advice and support to the New Brunswick Department of Health in relation to this work.

106. The Mental Health Action Plan for First Nations Subcommittee oversees all commitments within the current Mental Health Action Plan 2011-2018.<sup>64</sup> The Mental Health Branch co-leads the First Nations Subcommittee for the Action Plan for Mental Health for Indigenous communities with an Indigenous representative. Through this work a draft cultural competency and safety guideline was produced. Additionally Indigenous gatherings were held with a focus on education and development of collaborative relationships between Indigenous people and mental health staff.

107. This has contributed to relationship building between the Province of New Brunswick staff and Indigenous communities that was achieved through two Indigenous gatherings over the past two years with an education component as well as a focused meeting with representatives from all Indigenous communities in New Brunswick to discuss mental health needs of Indigenous people.

### ***Youth Mental Health Services***

108. ACCESS Open Minds<sup>65</sup> is a pan-Canadian research and evaluation network that marks a major innovation in how youth mental health services in Canada are designed, delivered, and evaluated. The New Brunswick team is made up of youth and their supporters, Indigenous communities, community, researchers, decision makers, and service providers. New Brunswick was chosen as a site for this research project because it is representative of Canada. It is bilingual, diverse, urban, and rural.

109. Indigenous people participate in ACCESS-NB strategies to improve access to mental health services for Indigenous people. An Indigenous ACCESS NB site is available at the Youth Center of Elsipogtog, where one clinician and two peer supporters are employed through the ACCESS program. Additionally, two representatives of the Elsipogtog Center are active members of the Executive Council which is tasked with decision-making responsibilities related to ACCESS-NB.<sup>66</sup>

110. ACCESS-NB has Indigenous participation in an associated research project focusing on the transformation of mental health services for children and youth. This research project is a significant component of the National ACCESS Program; all ACCESS sites participate in this national research project that will help gain better understanding of, among other items, who is accessing the service, as well as service effectiveness and efficiency.<sup>67</sup>

### ***Mental Health Support and / or Treatment***

111. Mental health support and treatment is available to all Indigenous people. In addition, the Regional Health Authorities provide resources to nine of the fifteen Indigenous communities in New Brunswick via mental wellness teams that have been established throughout the Province. The teams in these communities operate with federal funding support. The teams are complemented by addictions and mental



health staff members who also conduct outreach work, offering support to Indigenous people throughout the Province.

112. In 2017, one of the two health authorities in the Province of New Brunswick hired a First Nations Regional Coordinator to contribute to the planning, implementation, delivery and assessment of services. The Regional Coordinator supports the implementation of strategies to provide comprehensive, accessible and coordinated services to the Indigenous communities. Also, the Regional Coordinator forms long-term partnerships between the various hospital and community care providers to meet the needs of the Indigenous communities.

### ***Postnatal Benefit Program for Indigenous People***

113. The Department of Social Development offers a program that provides new mothers with financial assistance to encourage a healthy lifestyle, including a wholesome diet, in the first four months after giving birth. This benefit (\$60/month) may be paid to eligible new mothers for a maximum of four months after the birth of their baby. To be eligible, new mothers must be residents of New Brunswick living in an Indigenous community, have proof of newborn's birth, and have a net annual family income below \$20,000.<sup>68</sup>

### ***Healthy Families – Healthy Babies (Loving Care Booklets)***

114. Healthy Families is a publication of the New Brunswick Department of Health which consists of a series of six booklets of information to help families protect, promote or improve their health, and to prevent illness, injury, or disability.<sup>69</sup>
115. The resource sections of these booklets further provide contact information for Indigenous community health centres and Indigenous family support organizations including information on family violence.

### ***Sexual Assault Nurse Examiner (S.A.N.E.) Service***

116. The Sexual Assault Nurse Examiner (S.A.N.E.) Service specializes in care for survivors of sexual assault. These nurses are trained to provide compassionate patient care to victims of sexual assault. This includes timely physical examination; assessment of medical and pharmacological needs (*i.e.* HIV, HEP-C, pregnancy

testing); emotional support; forensic collection of evidence; and follow-up care and referral. The service is provided by all Regional Health Authorities in the Province of New Brunswick.<sup>70</sup>

### ***Gender-Confirming Surgery***

117. Gender-confirming surgery is a medically recognized treatment for gender dysphoria. Medically necessary gender-confirming surgeries for transgender persons living in New Brunswick are now covered by New Brunswick Medicare. Individuals considering gender-confirming surgery are encouraged to consult their family physician, nurse practitioner or mental health professional.<sup>71</sup>

118. An assessment for clinical eligibility using criteria developed by the World Professional Association for Transgender Health (WPATH) involves a comprehensive psychiatric assessment as well as prolonged medical management prior to surgery being considered an option. A surgical plan is developed after a patient has received a positive recommendation from their physician and approval by New Brunswick Medicare.

### ***Policing and Justice System***

119. Various initiatives are underway in the Province to improve relations between Indigenous people of New Brunswick and interactions with the police and the justice system.

### ***First Nation Policing Program***

120. The Province offers enhanced policing services to Indigenous communities through community Tripartite Agreements (specifically for Tobique and Elsipogtog) and a Quadripartite Agreement (specifically for St. Marys’).

121. Under the First Nation Policing Program, the Province of New Brunswick has community program officers. These officers provide a non-uniformed service for the purpose of reducing and preventing crime through education, intervention and community engagement.<sup>72</sup>

122. Indigenous persons were given preference for the community program officer positions. Currently 60% of the officers are Indigenous.

### ***Elsipogtog Healing to Wellness Court***

123. The Elsipogtog Healing to Wellness Court was established in the Province in 2012.<sup>73</sup> The Court incorporates Indigenous practices and culture into addressing the root causes of crime, such as mental health and addictions. Eligible participants take responsibility for their actions and comply with a treatment program as ordered by the Court. The Province provides some operational costs and salaries of provincial employees to support this Court.

### ***Gladue Reports***

124. The Public Prosecution Service organised an internal committee to review the Supreme Court decision that dealt with Gladue reports to provide our prosecutors a list of factors required in such reports.<sup>74</sup>

125. After consultation with Justice and Public Safety, Gladue reports were amended to meet the threshold required by the Supreme Court of Canada.

### ***The Victim Services Program***

126. The Victim Services Program is currently partnering with the Public Legal Education and Information Service of New Brunswick (PLEIS-NB) to develop a directory of services for survivors of abuse living in Indigenous communities in the Province. It is anticipated the directory will be completed by 2019.

127. The intent is to create both an online and hard copy directory of services for front-line service providers. This directory will also be made available to Indigenous communities throughout the Province, ensuring information pertaining to services for survivors of abuse is available to all.

### ***Public Prosecution Services (PPS) Policy Manual***

128. The Public Prosecution Services has a policy manual that deals specifically with Aboriginal offenders.<sup>75</sup>

#### **2.9 Aboriginal Offenders**

The Crown Prosecutor shall take into account the aboriginal status of an offender in any submission he or she makes on sentence, including whether to request a mandatory minimum sentence.

### 2.9.1 Sentencing Circles

In certain circumstances, an aboriginal offender may propose that a sentencing circle be held. Where the Crown Prosecutor must determine whether to consent to a sentencing circle, the Crown Prosecutor shall consider each of the following factors:

- (a) the willingness of the offender to participate in a sentencing circle;
- (b) the suitability of the offender for a sentencing circle;
- (c) the willingness of the victim to participate in a sentencing circle;
- (d) the willingness of a suitable community to participate in a sentencing circle and to implement its recommendations;
- (e) whether the offender has deep roots in a suitable community;
- (f) whether the offence, in all of the circumstances, is one that requires the imposition of a term of imprisonment; and
- (g) any other relevant factors.

#### ***Roundtable on Crime and Public Safety***

129. In the fall of 2017, the Roundtable on Crime and Public Safety directed Crime Prevention to establish a working group to align existing initiatives and identify next steps to engage communities to address the needs of Indigenous youth vulnerable to victimization and involvement in the justice system. The Roundtable on Crime and Public Safety brings together senior representatives from 55 organizations including community agencies, police, the private sector, academia, Indigenous groups, municipal and federal governments, and several provincial departments. The group collaborates on improvements to New Brunswick crime prevention policy and practice through the New Brunswick Crime Prevention Strategy.<sup>76</sup>

130. The New Brunswick Crime Prevention Strategy is focused on informing and engaging stakeholders, as well as leading and sustaining evidence-based crime prevention efforts in three priority areas: vulnerable youth, intimate partner violence, and chronic repeat offenders. All Strategy activities are viewed through two lenses: mental health and addictions as well as the specific needs of Indigenous populations.

131. Recognising that New Brunswick Indigenous communities are small and engagement efforts should be aligned, the working group has been focused on identifying efforts already underway in Indigenous communities and identifying gaps in meeting the needs of Indigenous youth vulnerable to victimization and involvement in the justice system. The group is looking to learn from, and align with, New Brunswick's responses to the Truth and Reconciliation Commission calls to action.

### **PART 3 – SPECIFIC ISSUES ARISING FROM FAMILY HEARINGS AS IT PERTAINS TO NEW BRUNSWICK**

#### **Pamela and Fred Fillier**

132. During Part 1 – Family Hearings in Moncton, New Brunswick, on February 13, 2018, Pamela and Fred Fillier opened their hearts and shared their truth in the course of their moving testimony about Hilary Bonnell. The Filliers addressed as part of their testimony, the issues with the criminal justice system from the perspective of the victim's family.<sup>77</sup>

#### ***Victim Services Offered to Reconstituted Families***

133. Fred Fillier testified that although Victim Services assisted during the criminal proceedings, they were unable to offer support to step siblings of Hilary Bonnell (his children from a previous marriage). As Fred Fillier characterised it, Victim Services, based on their policies, could only provide services to the victim's immediate family.<sup>78</sup>

134. The Department of Public Safety, Victim Services Program provides short-term counselling through the Compensation for Victims of Crime Program. Short-term counselling is available to direct victims of crime and immediate family members of homicide victims. The eligibility of siblings and step siblings may be considered on an individual case basis. The counselling program is intended to provide counselling for victims in a timely manner to address the psychological effects stemming directly from the commission of a crime against the person. For eligible applicants, a maximum of \$2000 is available in counselling funds.

***Victims and Families Advised of Status of Judicial Proceedings***

135. Pamela Fillier testified that she learned that her daughter's killer was appealing the trial decision when a reporter called to inquire whether the Filliers would be attending the New Brunswick Court of Appeal hearing. The Filliers attended the Court of Appeal hearing. Pamela Fillier feels she had a right to be there and should have been notified.<sup>79</sup>

136. The Province of New Brunswick strives to advise victim family members of developments in the criminal proceedings, either through discussions with the Crown Prosecutor or through others involved in the criminal justice system such as police officers or victim services personnel.

***Financial Hardship for Families of Victims in the Judicial Process***

137. Fred Fillier also testified to the financial hardship his family suffered while searching for Hilary Bonnell and the financial impact of attending the lengthy criminal proceedings of the murderer.<sup>80</sup>

138. In his testimony, Fred Fillier spoke of being a self-employed locksmith and quickly running out of funds. He spoke of the generosity of the community during these trying times, providing the family with food and gas money to make the trip to Moncton.<sup>81</sup>

139. Fred Fillier also spoke of his inability to work after the criminal proceedings, feeling mentally and physically drained by the process.

140. The Province of New Brunswick's Victim Services Program provides some financial compensation to meet critical expenses that are a direct result of victimization pursuant to the *Victim Services Act*, RSNB 2016, c 113.<sup>82</sup> Financial compensation is available to eligible victims of violent crime to assist with specific expenses incurred as a direct result of the crime, for example, funeral expenses, counselling, dental costs, eyeglass replacement.

141. The New Brunswick Department of Public Safety Victim Services Program offers compensation for eligible victims of crime or their survivors pursuant to the *Victims Services Act*.

142. In September 2018, the federal government introduced the Canadian Benefit for Parents of Young Victims of Crime to support parents or legal guardians who have taken time away from work and suffered a loss of income to cope with the death or disappearance of their child or children. The benefit replaced the Parents of Murdered or Missing Children Grant Program that was established in 2013. Prior to 2013, a similar program did not exist. Victim services coordinators across the Province are aware of the Canadian Benefit for Parents of Young Victims of Crime and provide information and guidance to clients as required as part of case management.<sup>83</sup>

## **CONCLUSION**

143. The Province of New Brunswick is committed to addressing issues of violence against Indigenous women and girls in partnership with Indigenous communities in New Brunswick. The Province will ensure that the voices of Indigenous women and girls will continue to inform the Province's work in this area.

144. The Province of New Brunswick looks forward to receiving the Final Report from the Commission and the recommendations within the Report that will improve the well-being and safety of all Indigenous women and girls in New Brunswick.

## ENDNOTES

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- <sup>1</sup> Map of New Brunswick First Nations.
  - <sup>2</sup> New Brunswick plan to prevent and respond to violence against Aboriginal women and girls - 2017-2021 at 1 [New Brunswick Plan 2017-2021].
  - <sup>3</sup> The Province of New Brunswick has used the term Indigenous throughout these submissions to refer to all Indigenous people. In some cases, reports, recommendations or program names refer to Aboriginal people and in those cases the terminology has not been altered.
  - <sup>4</sup> A Strategic Framework to End Violence Against Wabanaki Women in New Brunswick - March 2008 [Strategic Framework 2008].
  - <sup>5</sup> *Ibid*, at 33.
  - <sup>6</sup> *Ibid*, at 13 - 26.
  - <sup>7</sup> New Brunswick Plan- 2017-2021, *supra* note 1.
  - <sup>8</sup> *Ibid*, at 2 - 6.
  - <sup>9</sup> *Ibid*, at 7.
  - <sup>10</sup> Recommendations from the Domestic Violence Review Committee 2014.
  - <sup>11</sup> *Ibid*, at 3.
  - <sup>12</sup> *Ibid*, at 19-20.
  - <sup>13</sup> Hand-in-Hand - A Review of First Nations Child Welfare in New Brunswick at 7-8.
  - <sup>14</sup> *Ibid*, at 29-30.
  - <sup>15</sup> *Ibid*, at page 93.
  - <sup>16</sup> Honorable Jake Stewart is the Minister responsible for Aboriginal Affairs, Legislative Assembly Webpage.
  - <sup>17</sup> Mandate of the Department of Aboriginal Affairs.
  - <sup>18</sup> Multiple Response Practice Standards in Child Protection and Family Enhancement Services.
  - <sup>19</sup> Indigenous Awareness Session, 2018.
  - <sup>20</sup> Intimate Partner Violence Training Module.
  - <sup>21</sup> Twitter - Love Shouldn't Hurt Campaign
  - <sup>22</sup> Facebook - Love Shouldn't Hurt Campaign
  - <sup>23</sup> Love Shouldn't Hurt - Intimate Partner Violence Website



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- <sup>24</sup> Online recruitment page for campaign champions. Join the Love Shouldn't Hurt Campaign and Become a Champion!
- <sup>25</sup> National Indigenous Peoples Day press release from Vitalité Health Network outlining projects implemented for the benefit of indigenous communities in New Brunswick (June 21, 2018)
- <sup>26</sup> Intimate Partner Violence Intervention Act, SNB 2017 c 5.
- <sup>27</sup> *Ibid*, at 4(5).
- <sup>28</sup> Family Homes on Reserves and Matrimonial Interests or Rights Act, SC 2013, c 20
- <sup>29</sup> Government of New Brunswick Duty to Consult Policy
- <sup>30</sup> Peace Friendship Culture - 2017 NB Aboriginal Art Exhibition
- <sup>31</sup> Strategic Framework 2008, supra note 4 at 14.
- <sup>32</sup> Biographies of Geraldine Theresa Paul and Rowena Mae Sharpe, murdered Indigenous women and pictures of their silhouettes from the Silent Witness Project.
- <sup>33</sup> Initiatives discussed in 2011 News Release ; Investment in Promise Partnership December 13, 2016.
- <sup>34</sup> University of New Brunswick Newsroom Article - Amanda Reid Rogers named Piluwitahasuwin at UNB.
- <sup>35</sup> University of New Brunswick Wabanaki Education Portal.
- <sup>36</sup> News Release - Investment in experiential learning opportunities for university students (June 14, 2018) - The Experiential Education Initiative.
- <sup>37</sup> Free Tuition Program Description.
- <sup>38</sup> *Ibid*.
- <sup>39</sup> Tuition Relief for the Middle Class.
- <sup>40</sup> Joint Economic Development Initiative – Workforce Development.
- <sup>41</sup> Gignoo House Website.
- <sup>42</sup> New Brunswick Transition Houses for Abused Women.
- <sup>43</sup> Domestic Violence Outreach Program.
- <sup>44</sup> Woman Victims of Abuse Protocols.
- <sup>45</sup> Danger Assessment Website.
- <sup>46</sup> Employment Standards Act, SNB 1982, c E-7.2.
- <sup>47</sup> Regulation on Domestic Violence, Intimate Partner Violence or Sexual Violence Leave, NB Reg 2010-81.
- <sup>48</sup> News Release on paid leave for individuals subject to domestic intimate partner or sexual violence available Sept. 1.

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- <sup>49</sup> "Be Safe" - Red Cross personal safety program for children aged 5-9 - Sexual Abuse Prevention.
- <sup>50</sup> Child Death Review Committee.
- <sup>51</sup> ASR NB - Aboriginal Sport and Recreation New Brunswick.
- <sup>52</sup> Indigenous Athlete Fund.
- <sup>53</sup> *Supra*, note 13.
- <sup>54</sup> Mi'kmaq Family Support Website.
- <sup>55</sup> New First Nations child welfare agency aims to reverse decades of children being seized and First Nations child welfare facing reform a decade after abused teen's suicide.
- <sup>56</sup> 10-Year Education Plan - Everyone at their best.
- <sup>57</sup> Moosehide Campaign Website.
- <sup>58</sup> University of New Brunswick Newsroom Article - Fourth Red Shawl Campaign begins at UNB's Mi'kmaq-Wolastoqey Centre - October 16, 2018.
- <sup>59</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(a), Imelda Perley at pages 149 - 161.
- <sup>60</sup> Atlantic Ballet - Ghosts of Violence.
- <sup>61</sup> Story of Transformation in Youth Mental Health in the Province of New Brunswick, October 23, 2017, at 28, 32, 38 and 42.
- <sup>62</sup> *Ibid*, at 28, 32 and 38.
- <sup>63</sup> The Action Plan for Mental Health in New Brunswick.
- <sup>64</sup> Progress Report 2015 – The Action Plan for Mental Health in New Brunswick 2011-2018.
- <sup>65</sup> ACCESS Open Minds.
- <sup>66</sup> ACCESS Open Minds - Elsipogtog First Nation, NB.
- <sup>67</sup> ACCESS Open Minds – Indigenous Council.
- <sup>68</sup> Postnatal Development Program Description.
- <sup>69</sup> Healthy Families, Healthy Babies Program Description.
- <sup>70</sup> SANE Program.
- <sup>71</sup> Gender-Confirming Surgery Program Description.
- <sup>72</sup> Public Safety Canada online: Fredericton Police Force / St. Mary's First Nation Partnership Description.

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- <sup>73</sup> Public Prosecution Services Policy Manual – Chapter ii – Specialised Provincial Courts
- <sup>74</sup> *R v Gladue*, [1999] 1 SCR 688.
- <sup>75</sup> Public Prosecution Services Policy Manual – Chapter IV – Pre-trial, Trial and Appeal Matters.
- <sup>76</sup> Roundtable on Crime and Public Safety – First Meeting News Release and Roundtable on Crime and Public Safety – Second Meeting News Release ; Moving from Treaty to Outcomes New Brunswick Crime Prevention Strategy (december 2012) at 11.
- <sup>77</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(b) Pamela Fillier and Fred Fillier.
- <sup>78</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(b) Fred Fillier at 42 – 47 and 67-68.
- <sup>79</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(b) Pamela Fillier at 50.
- <sup>80</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(b) Fred Fillier at 37-42 and 47-48.
- <sup>81</sup> Part 1 – Families and survivors of violence, February 13, 2018, Volume 44(b) Fred Fillier at 37-42 and 47-48.
- <sup>82</sup> *Victims Services Act*, RSNB 2016, c 113 and *Compensation for Victims of Crime Regulation - Victims Services Act*, NB Reg. 96-81.
- <sup>83</sup> Government of Canada - Canadian Benefit for Parents of Young Victims of Crime – Overview

## **APPENDIX A – SCHEDULES**

### **Schedule 1 - New Brunswick Recommendations**

#### ***A Strategic Framework to End Violence Against Wabanaki Women in New Brunswick (March 2008)***

##### **General**

1. Continue ongoing work to coordinate services, and address jurisdictional gaps within each service or program delivery area, between departments and jurisdictions. The federal, provincial and First Nation governments will need to take the lead for this as this should be done for programming in the federal, provincial and First Nation spheres of authority.
2. Establish a Wabanaki Women's Issues Table as part of the First Nation/Province Bilateral process to bring forward the perspectives and address the concern of Wabanaki women, and to ensure that gender equity issues are addressed at the various tables of the bilateral process.
3. Strengthen or initiate collaborative working relationships between the federal and provincial governments, First Nation communities, off reserve agencies and post-secondary education institutions in the different sectors that deal with violence to Aboriginal women, e.g., policing, health, social services, and others, to ensure that the needs of all Wabanaki women and children are considered.

##### **Capacity Building**

4. Provide base operational funding to the NBAWCI so that it can increase its capacity and be an effective voice for Wabanaki women in New Brunswick.
5. Establish an information resource at the New Brunswick Advisory Council on the Status of Women and/or the NB Women's Issues Branch on potential funding programs in the federal, provincial government levels and other sectors from which the NBAWCI and Wabanaki women's groups can potentially access funding.
6. Include NBAWCI at the different federal, provincial and First Nation government forums addressing Aboriginal issues in New Brunswick so that there is a strong voice representing the needs and interests of Wabanaki women in New Brunswick.
7. Facilitate linkages between NBAWCI and relevant key agencies, provincial and federal departments so that the concerns and interests of Wabanaki women can be brought forward, and partnerships and collaboration on issues

relevant to Wabanaki women are facilitated. This should be undertaken by the Women's Issues Branch.

8. Provide regular updates to NBAWCI on developments and research in the area of violence and Aboriginal Women by the Women's Issues Branch.

9. Provide the Women's Issues Branch with adequate funding to hire a provincial Aboriginal Coordinator to undertake and coordinate the work necessary to address violence against Wabanaki women and children. The Advisory Committee on Violence against Aboriginal Women would continue to provide advice.

10. Develop partnerships and collaboration between the NBAWCI and other agencies and institutions to develop the organization's networks, capacity and its work on Wabanaki women's issues. NBAWCI would take the lead for this action once it has established its base of operations.

11. Establish a resource centre at the NBAWCI, once the organization has developed stable operations, that will be useful to Wabanaki women's groups in developing their capacities to meet the needs and concerns of Wabanaki women. This centre would provide expertise in areas of interest to Wabanaki women, e.g. proposal development, fiscal accountability, etc.

## **Prevention and Education**

### ***Training and Education***

12. Provide training to service providers off reserve so they can better assist and address the needs of both on and off reserve Wabanaki women, children, Elders and women with disabilities dealing with violence.

13. Provide training in woman abuse protocols, recognizing neglected or abused children and reporting of these types of situations to service providers on reserve and Aboriginal organizations.

14. Provide information and training on existing initiatives to service providers on and off reserve as well as Wabanaki individuals where appropriate so that these reach Wabanaki people on and off reserve, e.g., suicide prevention, tool kits dealing with violence against Aboriginal women.

15. Undertake research to further clarify situations where the nature or extent of violence related issues is not known, e.g. prostitution and sexual exploitation of Wabanaki women and girls.

16. Identify areas of service and support where information is not generally available for service providers assisting Wabanaki women, children and community members dealing with violence and develop the necessary public education initiatives.

### ***Tools and Materials on Healthy Relationships***

17. Develop tools and materials to catalyze and assist the process of rebuilding healthy Wabanaki relationships.

### ***Communication Strategy***

18. Develop a culturally appropriate communication strategy to bring awareness and attention to the issue of violence against Wabanaki women and children.

### ***Economics***

19. Investigate the situation regarding pay equity in First Nation communities. This could be initiated by First Nation governments with the assistance with agencies such as the Coalition on Pay Equity.

20. Institute transparent and objective hiring processes and policies in First Nation community workplaces, if these have not already been adopted by First Nation band governments.

21. Investigate the situation regarding pay equity in First Nation communities. This could be initiated by First Nation governments with the assistance with agencies such as the Coalition on Pay Equity.

22. Institute transparent and objective hiring processes and policies in First Nation community workplaces, if these have not already been adopted by First Nation band governments.

23. Provide childcare options in First Nation communities for women working shift work, and ensure that services are available even when other community agencies may temporarily close.

24. Increase the numbers of affordable childcare spaces available in the province. This should be addressed by the Province of New Brunswick and daycare providers.

25. Develop and deliver culturally appropriate initiatives for Wabanaki young women on and off reserve to foster an attitude of self-sufficiency and reciprocity.

### ***Band Bylaws and Protocols***

26. Investigate band bylaws adopted by other First Nation communities in Canada that assist in creating the right conditions for reducing violence against Aboriginal women and children.

27. Explore and adopt band bylaws conducive to reducing violence against Wabanaki women and children in First Nation communities.

28. Develop or adapt existing protocols for service provision in First Nation communities necessary to reducing and dealing with violence against Wabanaki women and children, for example, Woman Abuse Protocols for First Nation communities.

### ***Workplace Policies in First Nation Communities***

29. Develop and enforce human resource policies in First Nation communities that meet or exceed provincial and federal standards, but that are culturally appropriate for communities.

### ***Education***

30. Update public school curricula to include Wabanaki experiences and perspectives on history, using an approach that will foster both an acknowledgement of the past and opportunities to explore building healthy and reciprocal relationships with others. Both the Department of Education and First Nation leaders will need to take a lead for this for schools located both on and off reserve.

### ***Service Delivery***

#### ***Health, Mental Health and Addiction Services***

31. Develop and implement education and animation processes for Wabanaki peoples to learn about their histories and move forward in rebuilding healthy relationships within their communities, with each other, and with other people living in New Brunswick.

32. Deliver cross cultural training for service providers that will include some practical and culturally appropriate strategies for dealing effectively with Wabanaki clients and patients.

33. Offer or be receptive to both Wabanaki and western approaches to health, mental health and addiction related services so that individuals can access the type of assistance and support they are most comfortable with. This would particularly apply to service providers off reserve who may be less familiar with alternate Wabanaki approaches.

34. Identify and address jurisdictional gaps and inconsistencies in health, mental health and addiction services for Wabanaki individuals.

35. Undertake outreach and public education activities to inform Wabanaki women about the options and services available to them in dealing with abuse and violence.

36. Increase the numbers of Wabanaki health professionals.

37. Increase the numbers of available spaces in detox centres and increase the availability of services in the area of addiction. These services should also consider culturally appropriate avenues and liaisons for assisting their clients.

38. Reduce wait times for services in the health, mental health and addictions service areas.

### ***Policing and the Justice System***

39. Develop and implement training for police to ensure their approaches and responses are appropriate in the context of First Nation communities.

40. Establish collaborative relationships between police and First Nation service providers so that appropriate approaches and protocols are established for dealing with violence against Wabanaki women, children, Elders and women with disabilities in First Nation communities.

41. Establish a Wabanaki court worker program to assist women dealing with court processes.

42. Distribute existing resource kits and directories to inform Wabanaki women about the service and supports available to them.

43. Review various models across jurisdictions of restorative justice, First Nation tribunal and specialized court processes, and perpetrator interventions. This would be assessed by the Advisory Committee to determine their suitability and applicability to New Brunswick.

### ***Housing***

44. Research how First Nations in Canada are dealing with housing protocols and bylaws in relation to violence and abuse. Subsequently, First Nation communities should adapt and adopt those that would suit the particular circumstances of their communities.

45. Establish Housing Committees in First Nation communities to deal with housing issues, if these do not already exist. These Committees would also deal with those situations that arise as a result of violent situations. Wabanaki women should be fairly represented on these Committees.

46. Review existing Canada Mortgage and Housing policies, program requirements and implementation so that all First Nation communities in New Brunswick can equitably access funding for new housing.

47. Increase the number of second stage housing units available to assist Wabanaki women and their children.



48. Include information on second stage housing in a public education strategy regarding violence and Wabanaki women.

### ***Workshops and Training Related to Violence and Wabanaki Women***

49. Complete an inventory of public education and training initiatives available that relate to violence against Wabanaki women and children. The Advisory Committee on Violence against Aboriginal Women should take on this task with secretariat support.

## ***New Brunswick Plan to Prevent and Respond to Violence Against Aboriginal Women and Girls (2017-2021)***

### **Key area 1: awareness, education and training**

#### ***Awareness***

**Objective:** Increase public awareness and understanding of the severity and prevalence of violence against Aboriginal women and girls and change the misconception about the cause of violence against Aboriginal women and girls so that:

- New Brunswickers understand that they can play a role in recognizing and stopping it;
  - • to create a social environment that supports and encourages behavioural change; and
  - • to increase awareness of services and supports that are available.
1. Continue to work with partners on the New Brunswick Roundtable on Crime and Public Safety in developing and implementing a comprehensive, multi-year Domestic/Intimate Partner Violence education and awareness campaign focused on engaging communities in addressing this serious societal issue in all New Brunswick communities, including First Nation communities.

**Objective:** Direct awareness activities toward Aboriginal men and boys on the effects of violence against Aboriginal women and girls.

2. Develop and promote an inventory of appropriate intervention tools and training for Aboriginal men and boys that promote the development and nurturing of healthy relationships.
3. Engage Aboriginal men and boys to become facilitators, trainers and mentors in delivering awareness – healthy relationship programming.

#### ***Education***

**Objective:** Enhance education resources and curriculum in public schools on the effects of domestic and intimate partner violence on children and youth and ensure Aboriginal youth have access to culturally appropriate healthy relationship models and programming.

4. Review and update school curricula to include current and historical Aboriginal experiences and perspectives that have contributed to increasing violence against Aboriginal women and girls.
5. Include healthy relationships models in education curricula “age appropriate levels”.

**Objective:** Enhance, develop, transfer and promote knowledge on violence against women and girls and violence against Aboriginal women and girls within post-secondary institutions.

6. Partner with post-secondary institutions and students on initiatives to increase awareness about violence against Aboriginal women and girls.
7. Partner with post-secondary institutions to incorporate information on violence against women and girls and violence against Aboriginal women and girls into course materials and professional training programs.

### ***Training***

**Objective:** Increase knowledge among service providers on addressing issues of violence against Aboriginal women and girls.

8. Coordinate a training strategy on violence against Aboriginal women and girls for service providers:
  - Create and share an inventory on training initiatives in New Brunswick;
  - Facilitate and support training of service providers;
  - Commit the provincial government to train frontline staff and make government training available and accessible to Aboriginal community/organization service providers and the training may include but is not limited to:
    - The Woman Victims of Abuse Protocols
      - <http://www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Violence/PDF/en/WVAP2014-E-jan2016.pdf>
      - [http://www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Violence/PDF/fr/WVAP\\_%202014-F-jan2016.pdf](http://www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Violence/PDF/fr/WVAP_%202014-F-jan2016.pdf);
    - risk assessment tools;
    - screening; and
    - safety planning.
9. Encourage professional associations to incorporate education on violence against Aboriginal women and girls into their continuing education, training and professional development materials.
10. Provide cultural competency training, including components focused on Aboriginal history, impacts of policies, legislation and historical trauma, for public servants and public sector employees, including educators, medical

and health service workers, child welfare and social service support, police and criminal justice system workers.

## **Key area 2: Intervention and support**

### ***Intervention and support for victims and survivors***

**Objective:** Establish culturally appropriate Domestic/Intimate Partner Violence supports and services for Aboriginal women and girls.

11. Partner with First Nations, federal government and other stakeholders, to establish Domestic/Intimate Partner Violence outreach and crisis intervention services for Aboriginal women and girls. Include an evaluation component to the Domestic/Intimate Partner Violence outreach program that includes statistics and assesses the effectiveness of program.
12. Develop or improve the delivery of holistic, culturally appropriate and trauma-informed interventions and supports to victims of Domestic/Intimate Partner Violence.

**Objective:** Promote and enhance knowledge of intervention and support resources, programs and services among Aboriginal women and girls.

13. Create a resource inventory of government funding, programs and services available to Aboriginal women's groups.
14. Create and distribute resource kits and directories to inform Aboriginal women and girls about the services and supports available to them.
15. Provide education sessions and workshops to inform Aboriginal women and girls about the options and services available to them relating to abuse and violence.

**Objective:** In partnership with First Nations and Aboriginal leaders, service providers, the federal government and provincial departments, develop a collective and coordinated community response model to address violence against Aboriginal women and girls.

16. Assess and explore the feasibility of a collective and coordinated community response model on First Nations communities through the partnership and work of the New Brunswick Roundtable on Crime and Public Safety.

### ***Intervention services for abusers and perpetrators***

**Objective:** Provide culturally appropriate intervention services for abusers and perpetrators of Domestic/Intimate Partner Violence.

17. Compile an inventory of evidence-based intervention programs for perpetrators of intimate partner violence available in New Brunswick.
18. Promote the use of the intervention programs determined to be culturally appropriate for First Nations.

### **Key area 3: sexual violence**

**Objective:** Raise awareness about sexual violence against Aboriginal women and girls.

19. Work with First Nations communities and Aboriginal organizations and the Fredericton Sexual Assault Centre to coordinate public information and awareness sessions on the impacts, risks and prevalence of sexual violence against Aboriginal women and girls.

**Objective:** Enhance supports and services for victims of sexual assault living on First Nations communities.

20. Identify and address gaps in services available to sexual assault victims on First Nations communities.
21. Partner with the Fredericton Sexual Assault Crisis Centre to provide training to service providers on First Nations communities and with Aboriginal organizations.

**Objective:** Support sexual violence prevention and response strategies at post-secondary institutions.

22. Partner with post-secondary institutions to establish culturally appropriate sexual assault services for Aboriginal women attending their institutions.

### **Key area 4: research and data collection**

**Objective:** To improve the availability of New Brunswick specific research and data in the area of violence against Aboriginal women and girls in New Brunswick.

23. Work with the research community, including Aboriginal researchers and academics, to encourage and collaborate on research into the prevalence and root causes of violence against Aboriginal women and girls and identify community-led solutions.
24. Encourage projects and programs within First Nations communities, families, and organizations that ensure the research and evaluation provide data that are useful for Aboriginal women and their communities.

**Objective:** To determine the effectiveness of the activities set out in this strategy.

25. Undertake an attitudinal survey of a sample of the New Brunswick population to establish a baseline from which to measure the effectiveness of the education and prevention strategy. The survey will ensure that Aboriginal people will be included in the sample population. Responses will be analyzed and will provide a baseline on the attitudes of Aboriginal and non-Aboriginal New Brunswickers regarding domestic intimate partner violence.

26. Explore ways to provide better services to Aboriginal women and girls in New Brunswick in preventing and responding to violence against Aboriginal women and girls, including within the justice system to protect and assist Aboriginal women and girls who are victims of violence.

***Recommendations from the Domestic Violence Death Review Committee, as it pertains to domestic violence in First Nations communities***

1. The Minister of Public Safety, in collaboration with the New Brunswick Association of Chiefs of Police, complete the development and implementation of new policies and procedures and the update of existing policies to improve their response to domestic and intimate partner violence. These improvements to policies and procedures include but are not limited to:
  - mandatory training on domestic and intimate partner violence, how to screen for domestic and intimate partner violence, assess risk for serious harm/injury and lethality, investigate and intervene effectively in domestic and intimate partner violence cases;
  - mandatory use of the domestic and intimate partner violence risk assessment tool ODARA, the tool endorsed by the NB Association of Chiefs of Police and the Province of New Brunswick;
  - intervention procedures for domestic and intimate partner violence cases that recognize and mitigate risk factors for lethality and further domestic violence, whether or not criminal charges are considered; and
  - intervention and prevention activities that are carried out in an integrated manner with other stakeholders, including information sharing with other agencies and service providers regardless of the jurisdiction where the domestic and intimate partner violence incident(s) have occurred, or the jurisdiction where the victim or suspect resides.
2. The RCMP and all Municipal Police Forces provide input and feedback to the Department of Public Safety in the development or update of policies and procedures relating to domestic and intimate partner violence and implement policies and procedures among officers and dispatchers in their force, to improve their response to domestic and intimate partner violence.
3. Police agencies, with support from the Minister of Public Safety, conduct annual internal reviews on compliance to policies and procedures and to respond to domestic and intimate partner violence incidents and conduct

internal audits where there is a domestic homicide. Results of audits are to be forwarded to the Department of Public Safety.

4. The Minister of Public Safety ensures the NB Policing Standards include training related to:
  - the legal status of jointly held property and marital property and how that affects the police's ability to lay charges relating to property damage.
  - the right of ownership of real property located on First Nations by both First Nations persons and non-First Nations persons as well as how that affects the police's ability to lay charges relating to property damage.
5. The Minister of Health and the Regional Health Authorities ensure that when an individual is in the care of a mental health agency, hospital, or health care provider for issues including depression, anxiety, and/or suicidal and homicidal ideation that the patient and/or intimate partner be screened for domestic and intimate partner violence. Additionally, the health care provider should:
  - obtain information from family members, including intimate partner if applicable, current and if possible previous physicians on the history and current status of the individual to determine if domestic and intimate partner violence is suspected or a factor in the relationship;
  - administer a risk assessment, that being the Danger Assessment tool when working with the victim and the ODARA tool when working with the perpetrator, prior to discharge (two validated tools endorsed by the Province of New Brunswick) if there are threats of domestic violence or actual domestic violence is present; and
  - advise police upon discharge that the person is at risk of committing serious harm/injury or homicide; or the person is at risk of being a victim of serious harm/injury or homicide.
6. The Ministers responsible for Women's Equality, Public Safety, Justice, Attorney General, Health and Social Development develop and implement an interagency information sharing protocol to respond to the risk for serious harm/injury and lethality in situations of domestic and intimate partner violence while ensuring confidentiality and complying with applicable legislation.
7. The Minister of Social Development provide enhanced training and awareness specific to child protection procedures related to domestic and intimate partner violence, which would include:

- awareness and education on the indicators of domestic and intimate partner violence and risk factors for serious assault or homicide;
  - awareness specific to the risk of lethal violence to children and to their parents during separation;
  - completion of full assessments to obtain a detailed social history of victims and perpetrators; and
  - intervention practices that promote the safety of victims and their children, and risk management strategies for working with perpetrators.
8. The Minister of Social Development provide training to employees on the Danger Assessment instrument, a standardized risk/danger assessment tool specific to domestic violence to determine the risk of lethality. This is the same tool used by other professionals like Victim Services Coordinators and domestic violence front-line workers that has been endorsed by the Province of New Brunswick. It is further recommended that this tool be implemented for all cases where domestic violence and harassment are present and used to monitor the changing level of risk, and that:
- appropriate safety planning is completed with regard to the children and their mother when risk of lethality has been identified; and
  - contact is made with the perpetrator for further risk assessment and risk management planning to ensure the perpetrator is both supported and held accountable for actions.
9. Ministers of Public Safety, Social Development, Justice and Health ensure that all cases are screened for domestic violence, and that it is recognized that there is an increased need for the awareness and identification of high-risk cases, that would ensure that:
- professionals participate in coordinated response efforts to address the safety and risk management needs of victims, children, and perpetrators; and
  - there is a designation of domestic violence workers or teams within the above-mentioned Departments.
10. The Minister of Public Safety, in collaboration with the appropriate stakeholders, continue to develop a comprehensive public education and awareness program on domestic and intimate partner violence as part of the Provincial Crime Prevention Strategy that includes:
- recognition of domestic and intimate partner violence risk factors;

- domestic and intimate partner violence reporting techniques and strategies for families, friends, neighbours and workplaces.
11. All Government departments and agencies with staff who deliver front-line services to victims and or perpetrators of abuse provide their staff orientation and annual training to enhance their ability to respond to domestic violence.
  12. All Government departments and agencies with the responsibility for providing supports and services to children, who witness domestic violence and domestic homicide, ensure that these children have access to essential services for therapeutic interventions and community based support systems.
  13. Recognizing the Office of the Chief Coroner and the Domestic Violence Death Review Committee's jurisdiction does not extend to making recommendations to the Federal government, it is strongly suggested the Minister responsible for Aboriginal Affairs in New Brunswick with support from the Women's Equality Branch meet with officials of Aboriginal Affairs and Northern Development Canada to discuss the Government of Canada's fiduciary responsibility to First Nations communities in the prevention of and response to domestic violence and domestic homicide in First Nations communities.
  14. The Departments of Social Development, Public Safety, Justice, Attorney General, Aboriginal Affairs Secretariat, Education and Early Childhood Development, Health and the Women's Equality Branch, in collaboration with First Nations leaders and the Government of Canada, develop and implement a collective and coordinated response to address domestic and domestic and intimate partner violence in First Nations communities in New Brunswick.
  15. The Minister of Social Development and Child and Family Service agencies within First Nations communities conduct an internal review whenever a domestic violence death occurs in a family that received services by the Department and/or Child and Family Services within 12 months prior to the death. An internal review would allow the Department to:
    - examine any points of intervention that may have been missed to provide necessary supports for safety to the victim and/or the children, and risk management strategies supports for the perpetrator;
    - identify any challenges that front-line workers may face in providing services, specific to awareness and recognition of domestic violence, screening for domestic violence, risk factors for serious harm/injury



and lethality; risk assessments for serious harm/injury and lethality, and safety planning; and

- identify best practice approaches, enhanced training opportunities and interventions specific to domestic violence.

16. The Minister of Social Development, Minister responsible for Aboriginal Affairs and Minister responsible for Women's Equality, with support from the Aboriginal organizations' and First Nations' leaders, work with service providers and agencies, who provide support and services on First Nation communities and to Aboriginal people who reside off First Nations to:

- facilitate mandatory training on domestic and intimate partner violence, how to screen for domestic and intimate partner violence, assess risk for serious harm/injury and lethality, and intervene effectively in domestic and intimate partner violence cases; and,
- implement intervention and prevention activities in an integrated manner with other stakeholders, including information sharing with other agencies and service providers regardless of the jurisdiction where the domestic and intimate partner violence incident(s) occurred, or the jurisdiction where the victim or suspect resides.

***Child and Youth Advocate for New Brunswick - Hand-in-Hand – A Review of First Nations Child Welfare in New Brunswick***

**Part I – A New Model for First Nations Child and Family Services Delivery**

***Three Agencies Supported by One Office***

1. It is recommended that the eleven existing First Nations Child and Family Services Agencies be reduced to three Agencies and federated under one New Brunswick First Nations Child and Family Services Office that is recognized by INAC and is given responsibility to carry out functions by First Nations governments under the Family Services Act, and that the eleven existing First Nations Child and Family Services Agency offices should continue to operate as Community Service Centres where frontline social work services are delivered.
2. It is recommended that the services offered by the Office and the Agencies emphasize preventative programming, such as culturally-based parenting courses and workshops, early childhood initiatives, Fetal Alcohol Spectrum Disorder (FASD) and pre-natal health, addictions, caring for difficult, mentally ill or addicted teens, domestic violence, and exposure to such within the family home, taking into account the primary risk factors of poverty, poor housing and substance misuse.

3. It is recommended that the Office and the Agencies adopt mission statements and internal guidelines to ensure that First Nations social work practices, approaches and values are reflected and embodied throughout all programs and services.
4. It is recommended that a transition plan allow for start-up costs associated with the establishment and refurbishment of the Office, the Agencies and the Community Service Centres, and that the Office take measures and is funded adequately to provide safe, ethical and confidential work environments for all staff and clients.
5. It is recommended that the transitional human resource plan be developed for the redeployment of existing agency staff and that existing agency directors and supervisors be recruited to serve as directors or clinical leads who deliver specialized services (such as legal adoptions, custom adoptions, custom care and Family Group Conferencing) at the Office or Agencies.
6. It is recommended that a transitional human resource plan be adopted which maximizes the number of frontline social workers at the community level.
7. It is recommended that the human resource plan place emphasis on the recruitment and retention of qualified First Nations social workers to provide clinical supervision and frontline services.

#### ***A New Brunswick First Nations Child and Family Services Office***

8. It is recommended that a New Brunswick First Nations Child and Family Services Office be established to provide culturally-based training, specialized services (such as adoption services and legal services), policy development, clinical support, accounts payable, human resource functions, peer reviews, quality assurance, records keeping, central payroll services and a case management system to the Agencies.
9. It is recommended that the Office be given a clear mandate, authority and adequate resources to deliver all child-related services under the Family Services Act within First Nations communities in New Brunswick.
10. It is recommended that the Office establish a budget and plan of establishment for each Agency with salaries and benefits based on the provincial scale and which take into consideration the caseload demands and particular working conditions within the First Nations Agencies.
11. It is recommended that the Office recruit expert First Nations social workers to provide specialized clinical supervision and training services to ensure that traditional First Nations practices, values, beliefs and healing practices are available in all Agencies and integrated into service and program

delivery options as well as communicated and available to any collaborating provincial staff.

12. It is recommended that the Office retain the capacity to provide relief services in any of the Community Service Centres and to coordinate staffing to address issues of caseload demands, training, extended leave and conflict of interest situations.
13. It is recommended that INAC funding allow for at least one Development Officer within the Office, who would work to maximize child welfare development and funding opportunities from federal and provincial departments and agencies and to foster collaboration with the not-for-profit and private sectors.

### ***Three Child and Family Services Agencies***

14. It is recommended that each Agency oversee within its region child protection services, on-call intake services and early childhood initiatives and programs, and expanded services to families.
15. It is recommended that each Agency be administered by a Director who would be responsible for the Agency's day-to-day operations and the clinical supervision of its frontline social workers, supported by a senior social worker for relief purposes.
16. It is recommended that the Agencies receive funding through the Office, but that the Agencies' budgets may be augmented by individual Band Councils for community targeted services and programs.
17. It is recommended that the Community Service Centres produce payment cheques for clients and suppliers through an adapted roll-out of the NB Families case management system.

### ***Community Service Centres***

18. It is recommended that frontline child and family social work services be delivered at Community Service Centres in New Brunswick's First Nations communities.

### ***Governance Models for the Office and Agencies***

19. It is recommended that each of the Agencies be supported by an Advisory Council constituted as follows: the First Nations Chief (or their delegate) of any First Nation served by the Agency; a representative who is an accredited social worker with experience in First Nations communities named by the New Brunswick Association of Social Workers; and a

representative named by the Minister of Social Development to be chosen from among the regional directors of Social Development services in whose region the Agency operates.

20. It is recommended that the Agency Director serve as the Secretary to the Advisory Council.
21. It is recommended that each Advisory Council meet no less than twice annually to provide advice and offer outside expertise to the Agency Directors on policy matters, quality assurance, community needs and scope of services.
22. It is recommended that the Office be legally incorporated and report to a Board of Directors consisting of twelve members constituted as follows: three First Nations Chiefs named by the three Advisory Councils; three First Nations representatives named by the three Advisory Council Chairpersons on the basis of their expert knowledge and demonstrated commitment to First Nations child welfare; one member named by the Minister of Social Development; one member who is an accredited social worker with experience in First Nations communities named by the Minister of INAC; one member who is an accredited social worker with experience in First Nations communities named by the New Brunswick Association of Social Workers; one member named by the College of Psychologists of New Brunswick; one traditional Elder designated by the Elders Council; and one member named by the provincial Child and Youth Advocate.
23. It is recommended that the Office's Executive Director serve as the Board of Directors' Secretary.
24. It is recommended that the Board of Directors meet on a regular basis to provide direction and advice to the Agency Directors on policy matters, quality assurance, community needs and scope of services.
25. It is recommended that the Office establish an Elders Council comprised of up to six traditional elders, two chosen by each Advisory Council who have a demonstrated and recognized expertise in child welfare matters. It is recommended that the Elders Council convene at least twice yearly to provide guidance, information and direction on cultural practices to the Office.
26. It is recommended that the Office's Annual Report be published by August 31st of each year and be forwarded by the Board of Directors on that date to the fifteen First Nations Band Councils, to the provincial Minister of Social Development and to the federal Minister of INAC.

***Accountability for Child Welfare Service Delivery***

27. It is recommended that the Office support the First Nations Chiefs and Councils in finalizing a renewed and permanent Tripartite Agreement on child welfare and for coordinating or implementing any changes or amendments to the Agreement in future years.
28. It is recommended that the permanent Tripartite Agreement reflect 1) the federal government's role in funding child welfare services; 2) the province's role in ensuring fair and equal application of the Family Services Act through the Office and its Agencies as the Minister's delegates; and 3) the role of First Nations in delivering quality services in their communities through the Office and its Agencies in a manner consistent with the ultimate goal of promoting self-government and First Nations management and control of child welfare services, and in accordance with provincial legislative standards.
29. It is recommended that the Office, INAC and the Department of Social Development reach an agreement prior to January 2011 on funding arrangements for any services provided to non-status children on reserve and status children off-reserve.
30. It is recommended that the Department of Social Development support the Office by inviting Office and Agency Directors to its Directors' meetings, by assuring the clinical direction and peer review at the Office level, by supporting the NB Families case management systems and online library in all First Nations Agencies, by providing central payroll services, by supporting the evergreening of the Office's and the Agencies' computer systems and by offering IT support.
31. It is recommended that the Department of Social Development create a First Nations Child and Family unit within the department with a director and sufficient staff, with hiring preference given to accredited social workers with experience in First Nations communities.
32. It is recommended that the First Nations Chiefs reinforce the community efforts made in recent months to promote child welfare by investing appropriately in recreational services for children, by establishing benchmarks for annualized spending on programs and infrastructure to support healthy child development, by continuing and improving public education campaigns to reduce substance abuse, by continuing efforts to reduce violence against women and children and by promoting the active involvement of women in First Nations leadership and governance.
33. It is recommended that First Nations Chiefs fund an annual award program to recognize excellence in First Nations child welfare programming and healthy child development.

34. It is recommended that the Office's Board of Directors establish a Working Group in conjunction with the Elders Council, the Department of Social Development, Health Canada and INAC to preserve and enhance the cultural responsiveness of the First Nations child welfare system and to develop benchmarks for assessing the cultural appropriateness and responsiveness of the services provided.
35. It is recommended that INAC develop a new funding arrangement for child welfare services in New Brunswick First Nations which recognizes the Province's New Directions strategy and singular commitment to preventive approaches. It is recommended that the overall funding for First Nations child welfare be increased under this new funding arrangement and that these funds be targeted and forwarded through the Office to ensure their expenditure in prevention programs keeping in mind key indicators of poverty, poor housing and substance abuse.
36. It is recommended that the transition to the Enhanced Prevention model be phased in to minimize any disruption of services to children and to ensure continuation and expansion of early childhood initiatives and services now available in First Nations communities.
37. It is recommended that the Department of Social Development extend the Family Group Conferencing model so as to accelerate and promote its adoption and implementation by the Agencies, and that the Office hire First Nations coordinators dedicated to Family Group Conferencing.
38. It is recommended that the Non-Insured Health Benefits (NIHB) program, the Government of New Brunswick, INAC and Health Canada work out a protocol for the provision of dental care, medication and optical care for First Nations children with complex needs.

#### ***Child Welfare Standards, Operational Protocols and Outcomes***

39. It is recommended that the First Nations Child and Family Services Standards be blended into revised provincial standards which would be more culturally sensitive and relevant in all cases, but which would in particular identify and promote the use of culturally-based standards and practices in First Nations child and family interventions whether by the Province or by a First Nations Agency. The revised standards should include (but not be limited to) the role of Elders, Advisory Committees and Family Mediators in child welfare interventions, the use of adoption and custom adoptions in First Nations families, and assistance in facilitating traditional interventions and healing practices.
40. It is recommended that the existing Operational Protocols between the First Nations Child and Family Services Agencies and the Department of Social Development be maintained, updated and communicated clearly to all

Agency staff and provincial counterparts. The Operational Protocols should be reviewed and updated every three years by the Office and the Department of Social Development.

41. It is recommended that the Office take a lead role in ensuring that First Nations child welfare practices in New Brunswick become more outcome-based, using the National Outcomes Matrix (NOM) as a measurement tool. In particular, it is recommended that a set of outcome goals and related outcome indicators and measurements for First Nations child welfare be jointly developed by the Office and the Department of Social Development, with INAC's involvement.

### ***Clinical Supervision, Audits and Standards Compliance***

42. It is recommended that the Office and the Department of Social Development be responsible for ensuring that the Agencies are complying with standards. In addition to regular supervision by the Agency directors and clinical supervisors, the Office would carry out yearly standards compliance reviews and clinical audits of all Agencies.
43. It is recommended that the Office compile statistics from standards compliance reviews in each community, and report on these findings to the Agency directors, the Advisory Councils and the Board of Directors, as well as summarizing these findings in its Annual Report.
44. It is recommended that workers in the Community Service Centres be assigned to a clinical supervisor who would oversee their work, provide consultations and ensure standards are met.
45. It is recommended that the Department of Social Development and the Office ensure that all required procedures for approving foster homes, including criminal record checks for all adults, are strictly followed and that foster home standards and compliance practices be revised and improved to ensure the safety of children in care.
46. It is recommended that the Department of Social Development recognize the Office and the Agencies under the authority of section 143(r) of the Family Services Act, which describes the expectations of a "community social service agency" (i.e. a child and Family Services Agency).
47. It is recommended that the Department of Social Development ensure that sufficient funds are available to the Office for conducting standards compliance reviews and clinical reviews of the Agencies and reporting the findings to the Minister of Social Development and for supporting the Agencies to correct problems identified during this process.

### ***Enhanced Training Systems***

48. It is recommended that the Office and appropriate partners develop a plan to increase the percentage of First Nations child and family social workers in New Brunswick from forty-two percent to sixty percent over five years.
49. It is recommended that the Province and INAC ensure continued support for the Mi'kmaq/Maliseet Bachelor of Social Work program to ensure sufficient numbers of First Nations social workers, and work with the Office to ensure a continued focus on training, recruiting and retaining First Nations social workers. In particular, it is recommended that the Office, INAC and the Province develop incentives to encourage First Nations members to pursue educations and careers in social work, and to practice in First Nations communities.
50. It is recommended that the indigenous roots of Family Group Conferencing and its use in First Nations child welfare practice in New Brunswick be explicitly recognized in provincial Family Group Conferencing training sessions and that the Department of Social Development ensure that social workers in First Nations communities receive these Family Group Conferencing training opportunities.
51. It is recommended that the core training for all provincial social workers be made more culturally appropriate by having First Nations social work experts offer courses in First Nation child welfare practice, emphasizing its particular approaches and challenges.
52. It is recommended that the Office develop and implement a plan to ensure that the complete Parents' Resource for Information, Development and Education (P.R.I.D.E.) training and updates are made available to First Nations foster parents and adoptive applicants.
53. It is recommended that the Office ensure that social workers practicing in First Nations communities are included in annual training programs that offer specific training about issues that affect First Nations communities (such as drug use, exposure to addictions through more than one parent or family member, suicide and proper interviewing techniques for sexual assault victims).
54. It is recommended that the Office work with the Elders Council to provide ongoing spiritual and cultural training and guidance to social workers and managers, and (in appropriate cases and with the consent of the client) to assist with interventions in individual cases.

### ***Case Management, Information Sharing and Integrated Service Delivery***

55. It is recommended that the Department of Social Development make available its NB Families case management system to the Office and its



Agencies, with adaptations as necessary; that the use of this system be mandatory for all First Nations Agencies; and that computers, training, upgrades and user support be provided and eventually updated to be able to meet INAC reporting requirements.

56. It is recommended that the Office, the Province of New Brunswick, INAC and other federal departments and agencies make a principled commitment with adequate funding to ensure that the Integrated Service Delivery Framework now being proposed in New Brunswick will be replicated within First Nations communities and also that First Nations children moving between their communities and institutional care elsewhere in the province benefit fully from the Province's Integrated Service Delivery Framework.

## **Part II – Improving Lives and Opportunities for First Nations Children**

### ***Health and Wellness***

57. It is recommended that the Office, in collaboration with the RCMP, Health Canada, INAC and the departments of Health, Social Development, Public Safety, Education, and Wellness, Culture and Sport, work to establish community benchmarks for numbers of children in care, addiction rates, youth incarceration rates and other indicators and determinants of First Nations child well-being, and set community-level goals to bring the benchmarks back within provincial averages within agreed-upon timeframes.
58. It is recommended that the Office, in collaboration with the federal and provincial governments, offer more education and training about addictions to First Nations service providers and community members.
59. It is recommended that the Department of Health and Health Canada expedite the implementation of the Prescription Drug Monitoring program and that special efforts be taken, such as collaboration with First Nations communities, to ensure that the program is effective and responsive to the needs of First Nations people on and off reserve.
60. It is recommended that the Office, in collaboration with Health Canada, the Department of Social Development, the Department of Health and the RCMP, deploy special efforts to build capacity for culturally-based services, including services for Elders and off-reserve status First Nations members.
61. It is recommended that the First Nations Chiefs develop intervention plans and programs with other community partners (such as the Block Parent Program, Partners for Youth and the RCMP) to keep First Nations streets safe for children.
62. It is recommended that the Department of Social Development and the Department of Public Safety work with the Office and community partners

to ensure that culturally-based programs and training are available to clients and staff providing services to youth at the Portage Atlantic Residential Treatment Centre, the New Brunswick Youth Centre and other provincially-funded group homes, transitions homes and safe houses.

63. It is recommended that the New Brunswick Aboriginal Affairs Secretariat, Health Canada, the Department of Social Development, INAC and the Office work collaboratively with the Child and Youth Advocate, the Public Legal Education and Information Service of New Brunswick (PLEIS-NB) and other community partners to better educate and inform all residents of New Brunswick about the child welfare disparities affecting First Nations children in the province.

### ***Employment and the Economy***

64. It is recommended that existing programs and strategies for First Nations economic development be reviewed under the high-level sponsorship of the Premier and the federal Minister of INAC, with the participation of First Nations, INAC, the Atlantic Canada Opportunities Agency (ACOA), Industry Canada, Human Resources Development Canada (HRDC), Post-Secondary Education, Training and Labour (PETL), and Business New Brunswick, in order to ensure that First Nations children and families benefit in relative priority from the programs and opportunities made available.
65. It is recommended that a provincial First Nations Economic Development Summit be held to implement the strategic direction recommended above and to ensure that the Province's ambitious poverty reduction strategy benefits First Nations communities, especially young First Nations families.

### ***Housing and Family Structure***

66. It is recommended that First Nations Chiefs, in collaboration with the New Brunswick Housing Authority, the Canada Mortgage and Housing Corporation and INAC, fund and develop a provincial action plan regarding the housing stock in First Nations communities, with a particular emphasis on ensuring adequate housing for young families and children.
67. It is recommended that the restructured Agencies have a clear mandate and adequate resources to implement recommendations and programs in cooperation with women's groups and the non-profit sector supporting the "Strategic Framework to End Violence Against Wabanaki Women in New Brunswick."
68. It is recommended the Office work with the Agencies, the Province and other community partners on a strategy to address the risk factors which lead to child neglect, including the development of a First Nations version of the "Nobody's Perfect" program, or a similar, culturally-based program.

69. It is recommended that the Office, in collaboration with Health Canada and the Department of Health, ensure that social workers in First Nations communities are given the professional, technical and financial tools to conduct culturally-based services that address issues of sexual abuse, drug use, teen pregnancy and preteen sexual activity.

### ***Children and the Law***

70. It is recommended that the Agencies, Public Safety Officials, the Department of Justice, the Department of Social Development and others work collaboratively to promote alternative and restorative justice approaches in order to reduce the high incarceration rates among First Nations youth, and invest further in the community sentencing and rehabilitation initiatives that allow communities to set expectations for youth and take responsibility for their rehabilitation and good conduct.
71. It is recommended that the Agencies, the Department of Public Safety, the Department of Justice, the Department of Social Development and others, in cooperation with First Nations Chiefs and Band Councils, develop community-based support structures for family units in which a child or youth is in conflict with the law.
72. It is recommended that the Agencies, Public Safety Officials, the Department of Social Development, the Department of Justice and others work collaboratively to reduce the high incarceration rates among adult First Nations members, particularly with a view towards diminishing the impact of these trends on First Nations children. Consideration should be given to alternative forms of sentencing that, although denunciatory and punitive in nature, are rooted in a holistic, culturally-based reintegration and rehabilitative process.
73. It is recommended that First Nations Chiefs and Band Councils build further upon their relationship with the RCMP and that the RCMP, while remaining engaged in the community, renew and improve its resourcing of police services within First Nations communities in order to significantly reduce illegal and prescription drug misuse and to increase community policing initiatives.

### ***Public and Post-Secondary Education***

74. It is recommended that the Department of Education, in collaboration with First Nations, revise the grade school, middle school and high school curriculums to ensure that First Nations history (including pre-colonization history, the colonial period, treaties, the legacy of the residential school system, land claim settlements and Aboriginal rights cases) are taught as part of the curriculum in all provincial schools.

75. It is recommended that INAC, the provincial Department of Education and First Nations education authorities undertake further study to ensure that First Nations communities develop increasing capacity to provide educational services to their own children in their own communities and as much as possible in their native languages.
76. It is recommended that the Department of Education, First Nations Education Authorities and School District Councils collaborate to ensure that best practices surrounding participation in extracurricular activities (such as school bands, choirs, drama clubs, debating clubs, sports teams, student groups, student councils and movements such as Right to Play) are as culturally sensitive and inclusive as possible so as to promote and raise First Nations students' participation at all levels and to help prevent racism in New Brunswick schools.
77. It is recommended that the Province of New Brunswick collaborate with all School Districts and the Metepenagiag Heritage Park to devise a plan by which every school child within the province will visit the Heritage Park at one point during his or her schooling, with appropriate co-curricular activities and lesson planning.
78. It is recommended that First Nations and provincial public schools develop programs to ensure that the transition of First Nations children from First Nations schools to the provincial school system is as smooth as possible, that bullying and racist conduct of any kind is prevented and that a positive learning environment is nurtured for every student.
79. It is recommended that the First Nations develop a model based on Eel Ground School, which relies on the use of technology, videos, drama and acting as means of engaging First Nations youth in active learning about their culture and about social issues such as substance abuse.
80. It is recommended that INAC, Heritage Canada and the Province of New Brunswick create a Mi'kmaq and Maliseet Heritage Language Mentor Program through which deserving Mi'kmaq and Maliseet youth would be offered post-secondary scholarships to perfect their language skills and transpose those language skills to children in First Nations and provincial public schools.
81. It is recommended that the Office, INAC and the New Brunswick Aboriginal Affairs Secretariat work with all New Brunswick Bachelor of Social Work, Laws, Psychology, Criminology, Nursing and Education programs to incorporate more First Nations perspectives and awareness training in these programs; to promote awareness about residential schools, the Sixties Scoop, and the generational impacts of these policies in First Nations communities today; and to ensure that New Brunswick

professionals are aware of First Nations cultures, issues and realities, particularly as they affect children.

### ***Youth Leadership, Sports and Leisure***

82. It is recommended that the New Brunswick Aboriginal Affairs Secretariat, in collaboration with the New Brunswick Community Non-Profit Organizations Secretariat and program deliverers such as the Canadian Red Cross, the YMCA and others, develop a youth leadership program for First Nations youth, based on language and culture promotion and preservation, intercultural dialogue and civic participation, and which will actively promote and celebrate positive First Nations role models.
83. It is recommended that First Nations Chiefs and Councils, in collaboration with INAC, Heritage Canada and the Department of Wellness, Culture and Sport, support the revival of the New Brunswick Indian Summer Games as an annual celebration involving cultural and sporting competitions between First Nations youth.
84. It is recommended that Dialogue NB be provided with program funding to develop a permanent Mi'kmaq and Maliseet dialogue forum as an adjunct to their official languages mission, aimed at promoting dialogue and school-based exchanges between Mi'kmaq and Maliseet children in New Brunswick, Quebec, Maine, Nova Scotia and Prince Edward Island, and also between New Brunswick First Nations children and their peers in schools around the province.
85. It is recommended that the New Brunswick Aboriginal Affairs Secretariat, in collaboration with INAC, develop a pilot program to ensure that First Nations children living on reserve have access to adequate sports, recreation and leisure facilities.

### ***Language and Culture***

86. It is recommended that the First Nations Chiefs and Councils, St. Thomas University, the New Brunswick Aboriginal Affairs Secretariat, INAC and the Province of New Brunswick develop a provincial public engagement process to determine collectively what strategy must be implemented in the next two years to preserve and promote the Mi'kmaq and Maliseet languages, with a particular emphasis on the development of a long-term plan to reverse the losses and imminent threat to the Maliseet language.
87. It is recommended that the federal and provincial governments each contribute significant funds dedicated to the preservation and promotion of the Mi'kmaq and Maliseet languages.
88. It is recommended that Heritage Canada and the Province fund a Mi'kmaq and Maliseet web-portal to archive, document and record First Nations

history and culture in our province and also to promote and encourage the development of new artwork, stories, songs, creative writing and new media productions, submitted by New Brunswick First Nations members.

89. It is recommended that INAC, Heritage Canada, the Province of New Brunswick, the Department of Education and the School District authorities extend the pilot of the New Brunswick Youth Orchestra's "El Sistema" program, which is aimed at promoting social development through music education, to school districts serving First Nations children, and to promote First Nations children's participation in an adapted and culturally enriched version of the program.

### ***The Role of Families, Communities and the Non-Profit Sector***

90. It is recommended that the First Nations Child & Family Caring Society of Canada's "Caring Across the Boundaries" workshops be evaluated and rolled out by the New Brunswick Aboriginal Affairs Secretariat, the Child and Youth Advocate and the New Brunswick Community Non-Profit Organizations Secretariat to ensure that First Nations child welfare disparities are understood by New Brunswick nongovernmental organizations.
91. It is recommended that a high-profile public education campaign be undertaken to reinforce positive parenting roles in First Nations communities and which recognizes the parents' joint and primary role in the development and education of their children, as proclaimed by the UN Convention on the Rights of the Child.
92. It is recommended that INAC and the Province reach an agreement prior to September 1, 2010 on how to implement Jordan's Principle in New Brunswick, recognizing that all children should have timely access to necessary and publicly available services. The agreement should include a reliable dispute resolution mechanism to resolve disputes between departments or between the federal and provincial governments.
93. It is recommended that a First Nations Children's Futures Fund be created with a Board of Directors led by private sector donors and with the mission of supporting opportunities for recreation, sport and cultural development; heritage and language retention; and leadership development among First Nations children in New Brunswick.