



COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES
SURROUNDING THE DEATH OF PHOENIX SINCLAIR

The Honourable Edward (Ted) Hughes, Q.C.,
Commissioner

Transcript of Proceedings
Public Inquiry Hearing,
held at the Delta Winnipeg Hotel,
350 St. Mary Avenue, Winnipeg, Manitoba

WEDNESDAY, MAY 29, 2013

APPEARANCES

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MS. M. POLLOCK-KOHN, for General Child and Family Services Authority

MR. H. COCHRANE, for First Nations of Northern Manitoba Child and Family Services Authority, First Nations of Southern Manitoba Child and Family Services Authority, and Child and Family All Nation Coordinated Response Network

MR. H. KHAN, for Intertribal Child and Family Services

MR. J. GINDIN, for Mr. Nelson Draper, Mr. Steve Sinclair and Ms. Kimberly-Ann Edwards

MR. J. FUNKE, for Assembly of Manitoba Chiefs and Southern Chiefs Organization Inc.

MR. W. HAIGHT, for Manitoba Métis Federation and Métis Child and Family Services Authority Inc.

MR. D. PHILLIPS, MR. G. TRAMLEY and MR. D. JOHNSTON, for Aboriginal Council of Winnipeg Inc.

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1 MAY 29, 2013

2 PROCEEDINGS CONTINUED FROM MAY 28, 2013

3

4 THE COMMISSIONER: Good morning.

5 MR. OLSON: Good morning.

6 MS. WALSH: Good morning, Mr. Commissioner.

7 MR. MCKINNON: Good morning, sir.

8 MR. OLSON: I understand that Mr. McKinnon has
9 some documents to file.

10 THE COMMISSIONER: All right.

11 MR. MCKINNON: Thank you, Mr. Commissioner. As
12 you will recall when Alana Brownlee and Karen McDonald gave
13 their evidence we undertook to file copies of the safety
14 assessment and in their evidence they mentioned that there
15 were two safety assessments that were relevant. One is the
16 -- what they call the IM or information, information
17 module.

18 UNIDENTIFIED PERSON: Intake module.

19 MR. MCKINNON: Intake module. The intake module
20 safety assessment. So I'll file that first. This is the
21 one that has been and is currently in use.

22 THE COMMISSIONER: And that was Brownlee's
23 evidence and who?

24 MR. MCKINNON: Karen McDonald, Mr. Commissioner.
25 The two testified as a panel.

1 THE COMMISSIONER: Yeah.

2 THE CLERK: And that is Exhibit 112.

3 THE COMMISSIONER: Exhibit 112. Yes?

4

5 **EXHIBIT 112: INTAKE MODULE SAFETY**

6 **ASSESSMENT**

7

8 MR. MCKINNON: And, and just for the record, so
9 there's no confusion, there is -- this safety assessment is
10 in the intake module and is computerized and there is a
11 screen shot, what they call a screen shot, a photo, a
12 photocopy of the electronic screen at CD, Commission
13 disclosure 1137. It's very difficult to read because you
14 can't see inside the various boxes so this one gives you
15 the background information you would need to understand it,
16 Mr. Commissioner.

17 THE COMMISSIONER: Thank you.

18 MR. MCKINNON: The next document I'm filing is
19 the new safety assessment. It's the structured decision
20 making safety assessment. This is the one that is
21 currently being rolled out at Winnipeg CFS and is in use in
22 various other agencies.

23 THE COMMISSIONER: Structured decision making?

24 MR. MCKINNON: Safety assessment.

25 THE COMMISSIONER: Right. Currently in use?

1 MR. MCKINNON: Currently being rolled out and
2 being used -- currently being rolled out at Winnipeg CFS
3 and in use at various other agencies around Manitoba, as
4 described by the testimony of the witnesses.

5 THE CLERK: Exhibit 113.

6 THE COMMISSIONER: 113.

7

8 **EXHIBIT 113: CURRENT DECISION**

9 **MAKING SAFETY ASSESSMENT**

10

11 MR. MCKINNON: Thank you, Mr. Commissioner. With
12 that all of our evidence is in.

13 THE COMMISSIONER: Thank you.

14 MR. MCKINNON: Thank you.

15 All right, Mr. Olson?

16 MR. OLSON: Our next witness is Jason Whitford
17 from the Urban -- sorry, Eagle Urban Transition Centre.
18 I'll have the witness, I believe, affirmed.

19 THE CLERK: Could you stand for a moment? State
20 your full name to the court.

21 THE WITNESS: Leonard Jason Whitford.

22 THE CLERK: And just spell me your first name,
23 please.

24 THE WITNESS: L-E-O-N-A-R-D.

25 THE CLERK: And your middle name.

1 THE WITNESS: Jason, J-A-S-O-N.

2 THE CLERK: And your last name, please.

3 THE WITNESS: Whitford, W-H-I-T-F-O-R-D.

4 THE CLERK: Thank you.

5

6 **LEONARD JASON WHITFORD**, affirmed,
7 testified as follows:

8

9 THE CLERK: Thank you, you may be seated.

10

11 DIRECT EXAMINATION BY MR. OLSON:

12 Q Good morning, Mr. Whitford.

13 A Good morning.

14 Q You have been the program manager at Urban --
15 sorry, Eagle Urban Transition Centre since 2009?

16 THE COMMISSIONER: Echo Urban?

17

18 BY MR. OLSON:

19 Q Eagle Urban. Is it --

20 A Yes.

21 Q Do I have that right?

22 A Yes.

23 THE COMMISSIONER: How do you spell it?

24 MS. WALSH: Eagle.

25 MR. OLSON: Eagle.

1 THE COMMISSIONER: Oh, Eagle.

2 MR. OLSON: Eagle.

3 MS. WALSH: Right.

4 MR. OLSON: Like the bird.

5 THE COMMISSIONER: Yes, Eagle.

6 MR. OLSON: Urban.

7 THE COMMISSIONER: Urban.

8 MR. OLSON: Transition Centre.

9

10 BY MR. OLSON:

11 Q Before that you worked with the Assembly of
12 Manitoba Chiefs Secretariat as policy analyst for
13 employment equity?

14 A Yes.

15 THE COMMISSIONER: Your position at Eagle Urban
16 is what?

17 THE WITNESS: Program manager.

18 THE COMMISSIONER: Thank you.

19

20 BY MR. OLSON:

21 Q And you've also worked as regional youth
22 coordinator for the AMC Secretariat?

23 A Yes.

24 Q Okay. I understand you're a member of Sandy Bay
25 First Nation?

1 A Yes, I'm a treaty person.

2 Q Okay. What can you tell me about the development
3 of the Urbal Egan -- Eagle -- sorry, Eagle Urban Transition
4 Centre? I'm going to do that throughout by the way.

5 A That happens quite a bit. The Eagle Urban
6 Transition Centre is still part of the Assembly of Manitoba
7 Chiefs so I'm, I'm still an employee of the Assembly of
8 Manitoba Chiefs. The Eagle Urban Transition Centre is an
9 ongoing project within the Assembly of Manitoba Chiefs,
10 it's an ongoing project because the funding that we
11 received is entirely project funding, therefore, it can't
12 be sustained, can't be -- become independent without long
13 term funding. But the, the history of the Eagle Urban
14 Transition Centre, the chiefs of Manitoba recognized the
15 need for supports, added supports in places like the, the
16 City of Winnipeg, specifically for First Nations people
17 leaving their communities and choosing life in the urban
18 centre or forced relocation to the city.

19 The chiefs of Manitoba recognized that they
20 needed -- our people were falling through the cracks in
21 terms of accessing services and that we -- there was a need
22 for culturally appropriate resource for, for First Nations
23 people in the City of Winnipeg.

24 THE COMMISSIONER: Did you say people that were
25 either forced to leave or chose to leave?

1 THE WITNESS: Both. Both.

2 THE COMMISSIONER: Reserve life?

3 THE WITNESS: Right, both.

4 THE COMMISSIONER: And forced under what
5 circumstances?

6 THE WITNESS: It could be if they required
7 dialysis and their health needs were not being met by the
8 community. It could be flooding, for example, and forced
9 evacuation or fires in the community, forced evacuation.
10 And for a lot of young people some of the, the schools only
11 go up to, to Grade 8, so if they want to continue their
12 education they have no choice but to leave the community or
13 even pursue opportunities. There are very limited
14 opportunities in the First Nations communities.

15

16 BY MR. OLSON:

17 Q What about employment, is employment another
18 reason?

19 A Employment is another reason, yeah. Seeking
20 employment, wanting to start a business, pursue a dream,
21 start a family. And even just the, the conditions in the
22 reserve, lack of, lack of recreation, lack of programming
23 in the community, maybe child care spaces, schools
24 overcrowding or crime increasing.

25 Q Okay.

1 THE COMMISSIONER: When you talk about leaving
2 the community you're talking about leaving the reserve?

3 THE WITNESS: Right. Leaving the -- the
4 community and the reserve are synonymous to me, yeah.

5 THE COMMISSIONER: Correct.

6 THE WITNESS: Yeah.

7 THE COMMISSIONER: Thank you.

8

9 BY MR. OLSON:

10 Q And would these be communities from all over
11 Manitoba, throughout Manitoba?

12 A Yes, yes, throughout Manitoba, yeah.

13 Q Okay. When was the centre established?

14 A The Eagle Urban Transition Centre was established
15 -- the doors opened in 2005. Previous to 2005 the, the
16 Institute of, of Urban Studies, led by Jino Distasio,
17 conducted a, a mobility study talking about the need for
18 culturally appropriate resources in the City of Winnipeg.
19 That study was done in 2003, 2004. So that, that provided
20 the evidence for the establishment of the centre.

21 The chiefs of Manitoba like unanimously supported
22 the, the establishment of, of the Eagle Urban Transition
23 Centre as a, as a tremendous gap in services in urban,
24 urban centres. The centre's doors have been open since
25 2005.

1 Q So can you tell the Commissioner what sort of
2 needs the, the centre fills or what sort of gap, gaps it
3 fills, what it does?

4 A Okay. The centre fills, fills a current gap in
5 the City of Winnipeg. We're, we're led by -- we're 100
6 percent aboriginal staffed. My, my staff have all life
7 experiences that contribute to their effectiveness in
8 their, in their respective roles. We have counsellors,
9 housing counsellor, three housing counsellors, employment
10 counsellors. We have an elder that's on site once a week.
11 I have an addictions counsellor and a disabilities
12 counsellor working with people living with disabilities.
13 And then we have a community counsellor that does outreach.

14 One of the important things about our office is
15 people are, are self-referred, they, they don't get sent to
16 us by, by an organization as a requirement or as a
17 condition of, of receiving some type of a benefit, they,
18 they come to our centre on their own and they come to our
19 centre as many times as they, as they choose to or --

20 Q And I'll just stop you there for a minute. Why,
21 why do you --

22 THE COMMISSIONER: And with, with all those
23 counsellors and so on you, you mentioned, how many staff
24 members are there?

25 THE WITNESS: Right now I have 12 staff members,

1 including myself.

2

3 BY MR. OLSON:

4 Q You said that's an important feature of the
5 centre, that people are self-referred. Why do you say
6 that?

7 A I say that as sometimes people are forced to go
8 places so there might be some reluctance or there might be
9 a lack of trust thinking that they're going to have to --
10 we're going to force them to, to do something that they
11 don't want to do in order to receive Employment Income
12 Assistance or, or access some other type of resource. They
13 come here -- they come to our office because they want to
14 and because it's helping them or because they, they feel
15 that they're not being judged or they're not being labelled
16 in any way or we're not mistreating them.

17 Q Where is the centre located?

18 A Initially the centre was at -- on the fifth floor
19 of 286 Smith Street but just this past -- and they operated
20 there since 2005. In December, we moved to the Kensington
21 Building at 275 Portage Avenue and we're operating on the
22 second floor there right now.

23 Q Now, I, I stopped you when you were going through
24 some of the needs the service --

25 A Okay.

1 Q -- fulfills. Were there more that you wanted to
2 go through?

3 A Yeah. I think the, the main reason that
4 people -- two of the, the highest needed items among people
5 coming to Eagle Urban Transition Centre is they're, they're
6 wanting a place to stay, they're wanting to -- wanting us
7 to help them find housing or emergency shelter. That's an
8 overwhelming need in our community is safe affordable
9 housing. And the second most common, common challenge
10 is -- challenge faced by clients coming to our office is
11 the need for employment or training, some type of economic
12 stability to, to support themselves.

13 And often times what happens is clients come to
14 our office and they get assessed by one our counsellor. We
15 find out what their goals are and there are multiple
16 challenges that the individual, individual is currently
17 faced with.

18 Currently -- when I, when I joined the office we,
19 we weren't seeing too many clients coming through the door,
20 I think it was because of the lack of staff at the time. I
21 was there in 2009. At the time that I, I joined Eagle
22 Urban Transition Centre I was, I was told to start
23 liquidating the assets and calculating severance packages
24 for the, for the two and a half employees that were there
25 and through the support of a community based organization

1 called CAHRD they, they bailed us out for a short term
2 until Grand Chief Ron Evans and I met with Minister Harvey
3 Bostrom and we basically pleaded for ongoing support for
4 the Transition Centre. And since that time, my role as
5 program manager, I spend about 80 to 90 percent of my time
6 writing proposals, presenting in boardrooms or trying to
7 build partnerships, seeking out funds.

8 THE COMMISSIONER: And who -- you met with --
9 that was a provincial minister you said?

10 THE WITNESS: Yes. This was in the latter part
11 of 2009.

12 THE COMMISSIONER: And with what success?

13 THE WITNESS: We were able to buy some time. We
14 bought some time and they came in with some three months of
15 aid to our organization.

16 THE COMMISSIONER: Interim funding.

17 THE WITNESS: Interim funding, yeah.

18

19 BY MR. OLSON:

20 Q How is the centre funded?

21 A Presently we're -- I'm -- our organization is
22 funded by 12 contribution agreements with short -- it's
23 short term project funded so I guess you would call it soft
24 funded. We're entirely proposal driven so I'm constantly
25 hitting the pavement and writing proposals based -- just

1 to, just to keep operations going to, to pay our rent and
2 pay our utilities and pay our staff. I have, I have 12 to
3 14 contribution agreements right now.

4 Q So there's no guarantee that the centre will be
5 open beyond the length of the funding you're able to
6 achieve on a short term basis?

7 A Yeah, that's correct. Like right now my, my
8 staff could face layoffs March 31st, 2014, our doors could
9 shut 2014 because there's no guarantee of, of anything.
10 The AMC, itself, is I think instrumental to the, to the
11 ongoing operations of our organization because as, as you
12 might know, with funding there's funding delays. Like
13 right now we're, we're approaching the, the second month
14 into the fiscal year, May, and we -- Eagle Urban Transition
15 Centre has no money in the bank. So we're -- the AMC
16 organization is cash flowing us and supporting us and they
17 do our information technology support, they do our, our
18 finances, our human resources. The AMC provides a
19 tremendous amount support to EUTC.

20 Q So we heard evidence from Mr. Distasio that long
21 term funding would be helpful to organizations such as
22 yours to continue providing your services to the community
23 so you wouldn't have to spend your time --

24 A Um-hum.

25 Q -- seeking the short term funding. Is that, is

1 that the view you share, as well?

2 A That would be, that would be the ideal
3 circumstances, if the Government of Manitoba, Canada,
4 Winnipeg, would recognize the need for transitional
5 supports for people leaving communities, reserves, to the
6 city, needing transitional supports. Synonymous with that
7 is, is the, is the investment made in the immigrant
8 settlement.

9 Q Right.

10 A There's also been a comparison there through one
11 of our research projects that we did. If the government
12 recognized that it was -- that it would be a valuable
13 investment in, in transitional services for aboriginal
14 people then there would, there would be greater, I think
15 greater benefit to the, to the, to the society because the
16 aboriginal people would be succeeding, they'd be employed,
17 they'd have a roof over their head, they'd live healthier
18 lives, the kids would be in school and without, without the
19 supports and transition we're struggling.

20 Q Can you help us understand the parallel between
21 say newcomers to Canada and those moving from community or
22 reserve to Winnipeg?

23 THE COMMISSIONER: Before you leave funding --
24 are you through funding?

25 MR. OLSON: For -- yes.

1 THE COMMISSIONER: Well, I'd be interested to
2 know who those contribution agreements are with.

3 THE WITNESS: Okay. I have one contribution
4 agreement with the Winnipeg Region Regeneration Strategy,
5 that's through Aboriginal and Northern Affairs, and that,
6 that expires March 31st, 2014.

7 THE COMMISSIONER: Is that -- that's a federal --

8 THE WITNESS: That's provincial. That's
9 provincial.

10 THE COMMISSIONER: Provincial.

11 THE WITNESS: Yeah. And they've continually said
12 -- they always throw the word, I think it's a dirty word,
13 they throw us how are you going to sustain yourself? That
14 question is always asked of us, how are you going to
15 sustain yourself? That's one agreement and that, that ends
16 March 31st and there's uncertainty whether that will be
17 renewed. And even, even right now, like in the fiscal
18 year, I don't have the renewal in place although the
19 proposal was submitted to them in January.

20 Another funder is the Winnipeg Housing and
21 Homeless Initiative. This is federal funding, from HR,
22 HRSTC. I have three contribution agreements for three
23 separate projects.

24 THE COMMISSIONER: With federal funding?

25 THE WITNESS: Yeah. Another provincial agreement

1 that I have is with the Department of -- the provincial
2 Department of Entrepreneurship Training and Trade for
3 employment. And I had, this year --

4 THE COMMISSIONER: Do you, do you have any with
5 the private sector?

6 THE WITNESS: We have no funding from the private
7 sector although we had a funding from last year, it expired
8 March 31st, from a non-profit called Workplace Education
9 Manitoba. That funding allowed us to go into the First
10 Nation communities and work with individuals and to kind of
11 educate them and pass along some knowledge in terms of what
12 transitional needs they should be ready for and how, how to
13 find an apartment, or what is a lease, or keeping safe, or
14 even just navigating the, the transportation system in the
15 City of Winnipeg.

16 THE COMMISSIONER: So that's expired now?

17 THE WITNESS: That expired March 31st, yeah.

18

19 BY MR. OLSON:

20 Q Are these, are these agreements, are they year
21 long agreements or do they -- I mean, do they have to be
22 renewed annually or --

23 A They were --

24 Q -- they have longer terms?

25 A The maximum agreement that I had was, was one

1 year. That was the maximum length.

2 Q The maximum was a year?

3 A Yeah, the maximum length was one year, with the
4 exception of the one non-profit agreement which was two and
5 a half years.

6 Q Does each agreement have different terms in terms
7 of what you have to do to apply?

8 A Yeah. They have different schedules.

9 Q Okay.

10 A Different, different terms, different project
11 officers, different reporting timelines, reporting formats.

12 Q Different criteria?

13 A So it's very, very cumbersome to, to satisfy all
14 of the, all of the agreements and fulfil all the
15 commitments.

16 Q Does the, does the centre have a charitable
17 number?

18 A No, we don't have a charitable number.

19 Q Okay.

20 A We're within the Assembly of Manitoba Chiefs and
21 we're, we're not -- we don't have a charitable number.

22 Q Okay. In terms of funding, was there anything
23 else you wanted to add that we haven't covered?

24 A I think one, one kind of analogy that I've, that
25 I've used is, is like I refer to myself as a boardroom

1 panhandler, like getting out there and, and pleading with
2 the federal government or, or minister or, or boards and
3 kind of -- I don't know it's, it's been, it's been tiresome
4 on, on, on myself and it's been, it's been a challenge.
5 But I, I truly strongly believe in the, in the work that we
6 do and the effectiveness that we're having and I, I think
7 I've -- I can be pretty convincing at times that, that our
8 services are needed and I'm able to obtain support but I
9 don't know how long, personally, that I, that I can
10 continue to do this and it's, it's, it's just like -- I, I
11 almost see myself as a street person but just in, in the
12 boardroom. And that's how, how some funders make, make us
13 feel, feel like that we have to -- we're forced to beg for
14 something that we feel should be, should be in place.

15 THE COMMISSIONER: When you talk about funders in
16 that context you're talking about government?

17 THE WITNESS: Absolutely, yeah.

18 THE COMMISSIONER: Only?

19 THE WITNESS: Yes.

20

21 BY MR. OLSON:

22 Q In terms of the space you're occupying, the
23 physical space, where does that come from? Is that -- do
24 you -- is there -- do you own the space or is it
25 leased?

1 A No. We, we rent the space privately. And I was
2 just talking to Jay earlier today and I said the, the
3 rental rates, downtown Winnipeg, are increasing. Although
4 we just moved to our new larger space in December, I'm
5 already looking for new space which is more -- which is
6 more affordable to us. Right now we're paying \$18 a square
7 foot but it's up to \$24 a square foot with the services
8 that the building provides us. So that's, that's way out,
9 way out of our reach. So I need to find -- it's kind of a
10 catch 22. I need, I need a bigger space and in order to
11 obtain a bigger space I would need to get out there on the
12 pavement and I would have to sign a lease but I can't sign
13 a lease because I'm -- my money runs out on March
14 31st.

15 Q So there's --

16 A So it's a catch 22.

17 Q -- difficulty committing to a long term lease
18 when you don't have long term funding?

19 A Absolutely, yeah.

20 Q I was going to ask you about the parallels
21 between newcomers to Canada and, and people coming off
22 reserve to Winnipeg.

23 A Yeah.

24 Q Let's start off with the first time coming to
25 Winnipeg.

1 A First time coming to Winnipeg. I --

2 THE COMMISSIONER: First what?

3

4 BY MR. OLSON:

5 Q Or Brandon or, or any urban centre.

6 THE COMMISSIONER: Who, who, who are you dealing
7 with?

8 MR. OLSON: A parallel -- if there's a parallel
9 between newcomers to Canada and people coming from the
10 reserve --

11 THE COMMISSIONER: Thank you.

12 MR. OLSON: -- to an urban centre like Brandon or
13 Winnipeg.

14 THE WITNESS: Well, from what I understand
15 immigrants, refugees come into Canada, places like
16 Winnipeg, in search of opportunities, in search of
17 education, in search of careers, healthier lives. They may
18 leave their countries of origin because of war, because of
19 politics, because of crime, poverty. This is exactly the
20 same circumstances in many of our communities, our people
21 are leaving the reserve life because of politics, community
22 politics. Schools are crowded. They -- there's -- they're
23 looking for opportunities, education, crime. The
24 infrastructure in our communities, many of our communities
25 have boiled water advisories or, or no running water at

1 all. So the circumstances are, are very similar.

2 They come into Winnipeg and it's, it's culture
3 shock. Culture shock, to me, is that sickness that you get
4 in your stomach, that unfamiliarity that -- the
5 discrimination that our, that our people face. I think
6 it's, it's even more, it's even more drastic to -- for
7 aboriginals coming into urban centres because of the
8 discrimination.

9 Q And --

10 A The discrimination is an added, an added
11 challenge.

12 Q In terms of the little things like finding your
13 way around Winnipeg or, or obtaining, you know, bus
14 services or finding a place to live --

15 Q Anything, anything, applying for a job, going to
16 school, walking in a mall, walking down the street. Like
17 security will, will target an aboriginal person, they'll
18 follow, they'll follow an aboriginal person through the
19 mall because of the stereotype attached to that.

20 A woman walking down the street. Like one of the
21 clients said to me last month he said the woman looked at
22 him and she just clutched her purse as he was walking, as
23 he got closer to her. Like that's -- and, and he was, he
24 was hurt by that and he came into our office and he, he
25 needed someone to talk to about that because that hurt him,

1 her behaviour hurt him.

2 Q So what other sorts of services does the centre
3 provide that helps clients with those types of things?

4 A One of the, one of the things that we've been
5 doing lately is we've been paying for identification for,
6 for young people, birth certificates, the Manitoba enhanced
7 ID. Helping our youth get driver's licences, getting ready
8 for their road test, paying, paying for people's
9 identification has, has been very popular.

10 We've also provided emergency food and clothing
11 vouchers for clients that are -- could be waiting four to
12 six weeks for an Employment Income Assistance appointment
13 or they have no fixed address and they're -- may be couch
14 surfing or homeless. We provide emergency vouchers. Our
15 centre has a 10 system computer lab which is very popular.
16 Clients come in right first thing in the morning. They,
17 they check their e-mail accounts. They're, they're able to
18 communicate with their, with their relatives in different
19 parts of Manitoba, different parts of the city, because
20 they don't have a computer at home, because they don't have
21 a cell phone, they don't have a phone number. The --
22 we're, we're one of, we're one of the only organizations, I
23 think, that allows Facebook and, and I've argued with my
24 staff about the, the need for Facebook and that's being
25 maybe the one thing that, that these clients may have and

1 we do allow it for the a.m.'s only, to get people into our
2 office. So that's, that's very important.

3 But I think the -- having majority First Nations
4 staff in my office and counsellors and the elder, even just
5 the welcoming environment that we, we provide, it keeps
6 people coming back.

7 Q Do you turn anyone away from your offices?

8 A There's been a few circumstances where we've had
9 to turn people away and it's because of safety, safety and
10 health. If a client comes into our office and they're,
11 they're intoxicated we, we politely and we respectfully
12 escort them out, outside of our office and outside of the
13 building, and we say we want to help you but you can't come
14 in here under the influence. And they, they -- 99 percent
15 of the time they will be respectful to what we have asked
16 them to do.

17 And a couple of occasions because of -- we've
18 seen, seen an increase in street people coming into our
19 office and they're, they're kind of unkempt, they don't
20 have a home, they live on the streets, so their, their
21 odour could be offensive, that's a difficult conversation
22 to have. But we don't just, just shoo (phonetic) them out,
23 we say these are, these are three or four resources where
24 you can go and get a shower and get a clean change of
25 clothes. We say go to these resources and, and then come

1 back but you can't be here in your present state.

2 Q Okay.

3 A We've had that happen.

4 Q One of the challenges we've heard is people
5 finding housing or connecting people to housing. Is that
6 something that the, the organization does, is connect
7 people to housing?

8 A We, we do that, as well. We, we help our clients
9 find safe affordable housing. My, my housing counsellors
10 will work on a, on a one-to-one basis and, and it's a long
11 process. Like the housing market I'm sure as, as Jino
12 stated, is, is very -- like there's a low vacancy out
13 there, lack -- there's a tremendous need for safe
14 affordable housing.

15 So what we will do is the first thing that we'll
16 do is make sure that they have identification and then
17 we'll find out what their, what their source of income is
18 and do some budgeting with them and then we'll, we'll help
19 them navigate the resources out in, out in the community
20 and connect them with some -- we use Kijiji, we'll use --
21 we'll help them fill out all the, all of the housing
22 applications like Dakota Ojibway Housing or Manitoba
23 Housing. But, unfortunately, the, the wait list for some
24 of those are up to two years. So we'll help that client
25 with, with, with finding, finding housing.

1 THE COMMISSIONER: Do you keep any statistics on
2 your success rate in finding housing for, for people?

3 THE WITNESS: My counsellors would have
4 statistics. They would have numbers on a monthly basis
5 that they, that they provide. They're -- and they are
6 achieving some success. And it's a challenge finding,
7 finding affordable housing but finding an aboriginal
8 friendly landlord or agency is, is another challenge.

9 We are, we are -- we have invested in a database
10 system that's going -- we're going to be introducing this
11 database system next month that is going to give us more
12 accurate and statistical information and be able to gather
13 information such as that.

14 In terms of client volume, there's about 35 to 50
15 clients walk through our doors every, every day and then
16 that's right now. In the past three years I've seen a
17 drastic increase. I don't know if it's because we're doing
18 something good or word is getting out there or we're
19 providing more resources but I've seen them, our client
20 numbers go from 3500 one year to 5800. And this year we've
21 seen about 68, 6900 clients come through our doors.

22

23 BY MR. OLSON:

24 Q So 6900 clients last year?

25 A Yeah.

1 Q Out of those 6900 clients are you able to break
2 them down into, you know, single persons, versus families,
3 versus male and female? Do you have those kind of stats?

4 A That's again I would have to go -- we would have
5 to go into every file. Without the database that
6 information would have to be gathered.

7 Q Okay.

8 A A little bit more difficult to gather.

9 Q Do you have a rough breakdown in terms of -- do
10 you see families walking through the door?

11 A We, we see, we see families, yes.

12 Q Okay.

13 A Yeah, with young mothers, youth, people leaving
14 incarceration. And I was saying to Jay earlier, as well,
15 too, I've seen an increase in the past year, year to two
16 years, of youth, youth, youth involved with the CFS system.

17 Q Um-hum.

18 A Youth who have children, like interaction with
19 the CFS system, and parents, as well.

20 Q Okay. And what -- when you, when you, when you
21 see clients what are the typical issues that they face?
22 What are some of the more prevalent issues they face that
23 are seeking your help with?

24 A Poverty, income, like stable income. Addictions,
25 lack of supports, housing, mental health issues, literacy,

1 education levels. That's pretty, that's --

2 Q Okay.

3 A Probably sums it up. Lack of identity among
4 young people.

5 Q When it comes to lack of identity are there
6 services -- you said you have an elder, I think you said
7 once, once per week at the centre?

8 A Yeah. We -- there's a number of initiatives that
9 we, that we provide to support kind of pride and identity.
10 And these are, these are more directed at our youth. We --
11 there's a project that we run in the north end that, that
12 we run at arm's length. It's called the Eagle's Nest. We,
13 we work with 25 youth in a three month period so 75 youth
14 in a year. And these are aboriginal youth out of school,
15 unemployed. And one of the, the main things that we do is,
16 is support identity. We teach them about colonization, we
17 teach them about treaties, we teach them about ceremonies,
18 we teach them about -- and, and this is hands on learning.
19 We --

20 Q Just before you get into detail in that, how do
21 you, how do you select these youth or how do they come to
22 your attention?

23 A These youth are -- we send out a call for
24 applicants, through e-mail, to some of the community based
25 organizations.

1 Q Okay.

2 A Justice, Child and Family Services. So first,
3 first thing that they do is they'll fill out an application
4 with their background information, et cetera. And then
5 just this past -- last month we received close to a
6 hundred. So then out of that 100 they'll schedule
7 interviews. So right now my staff are conducting
8 interviews. And then based on those interviews, it's like
9 applying for a job, they'll select 25 youth out of, out of
10 that group.

11 Q So out of the hundred that applied there are 25
12 get selected?

13 A Right.

14 Q Okay. So there's, there's more wanting to get
15 into it than the spots available, in other words?

16 A Right. And that's been the, that's been the norm
17 for the past year and a half, that we've had an
18 overwhelming demand. Thirty percent of the -- of those
19 youth are coming from -- directly from referrals from the
20 child and, child and family service agencies. There's
21 another maybe 30 percent coming directly from Probation or
22 Justice.

23 Q Okay.

24 A And 40 percent is other organizations or word of
25 mouth.

1 Q Now, the attendance at the program -- and I'll
2 get you to tell us a bit about what it is in a minute --
3 but is it, is it voluntary or is it mandated?

4 A Yeah, it's, it's, voluntary, yeah, it's, it's a
5 self-referral.

6 Q Okay.

7 A Yeah.

8 Q Now, maybe you can tell us exactly what, what's
9 involved?

10 A Yeah. The Eagle's Nest project is -- it takes
11 place in a classroom but it's, it's a very, it's a very
12 supportive environment. I have three staff on site, two
13 project coordinators and one, one counsellor who, who are
14 aboriginal youth, themselves. Monday to Friday 9:00 to
15 4:00. And we have -- the, the curriculum is based on the
16 medicine wheel philosophy. So we, we provide opportunities
17 for mental development. We do life skills. We do CPR,
18 first aid training. We do non-violent crisis intervention.
19 We do suicide prevention. Driver's education. That's,
20 that's supporting. And we do a tremendous amount of
21 literacy work with them.

22 And in terms of the emotional supports we do
23 one-to-one counselling sessions with them. The elder is
24 there one day a week doing -- teaching about the seven
25 teachings, the medicine wheel, the, the four sacred

1 medicines, pipe ceremony, et cetera. And, and the youth
2 are very engaged and they're very eager to learn, learn,
3 learn these new teachings.

4 And we, we take them out to -- for recreation
5 because we know that they have energy to burn and we need
6 our people to be active and healthy. We, we take them to
7 the City of Winnipeg facilities or we'll -- in the
8 summertime we'll, we'll go out to the field.

9 When we, when we do ask the youth we have -- at
10 the beginning we have a, a sharing circle. Why are, why
11 are you here? Like why, why did you choose to come to the
12 Eagle's Nest? And we hear three responses. One of the
13 three responses is, is I'm tired of, of doing nothing with
14 my life. That's one response. And the second response is
15 I'm here because I want to get a job and the Eagle's Nest
16 will become -- will help me become more employable. And
17 the third response is I want to learn who I am. I want to
18 learn my aboriginal identity and I know the Eagle's Nest
19 provides that.

20 Q Have you followed what happens with these youth
21 after completing the Eagle's Nest?

22 A And it's kind of amazing the, the connection that
23 we make in 14 weeks that we're with the youth, we make some
24 lifelong connections with, with some of the youth.
25 Sometimes it's hard to follow up with, with young people

1 and well, generally, our people in our community there
2 address will change, their phone number will change but
3 their -- we'll be able to capture them or reach out to them
4 on Facebook.

5 One of the youth that was with us, she's -- we,
6 we do capture them through success stories. One of our
7 youth is now a social worker, working for Southeast Child
8 and Family Services. At the time she joined our program
9 she was -- she didn't have a Grade 12, she was expecting
10 her first child, and she joined our program because she,
11 she wanted to provide a future for her child.

12 We get with -- that story is, is very similar to
13 a lot of, lot of other young people. I want to get out of
14 gang life, I, I don't live in this neighbourhood anymore.
15 Or they're young parents that want to create a better
16 future for their kids.

17 THE COMMISSIONER: And it's a 14 week course?

18 THE WITNESS: It's only 14 weeks, yeah.

19 THE COMMISSIONER: And about what age group would
20 this be?

21 THE WITNESS: The youth that we accept are 15 to
22 24 but the, the bulk of them are about 17 to 19.

23

24 BY MR. OLSON:

25 Q So when did the, when did the program start?

1 A This program started in, in 2000, and it ran for
2 five years. It was called the Keewatin Winnipeg Youth
3 Initiative.

4 Q Right.

5 A And then it, it stopped for four years because of
6 lack of funding. And then we, we acquired funding, in
7 2008, under the leadership of Ron Evans. We started this
8 with the support of the City of Winnipeg.

9 Q Okay. Is the funding situation different for
10 Eagle's Nest than for the centre?

11 A The funding situation for the Eagle's Nest is, is
12 a little bit more stable although it, it is still year to
13 year.

14 Q Okay.

15 A We, we get renewed annually by the City of
16 Winnipeg.

17 Q So you're not pounding the pavement of -- trying
18 get the funding renewed every year, it's there?

19 A They give us half, half of the money needed. So
20 I'm still pounding the pavement. I --

21 Q Okay.

22 A Writing --

23 THE COMMISSIONER: The City of Winnipeg gives you
24 half?

25 THE WITNESS: The City of Winnipeg gives us half.

1 The City of Winnipeg gives us a space to operate the, the,
2 the project. But for the other half of the, of the
3 project, the costs, I'm pounding the pavement just the same
4 as I am for the Eagle Urban.

5

6 BY MR. OLSON:

7 Q Okay. In terms of having limited space or
8 limited number of youth you can serve, would you like to be
9 able to serve more or, or have more youth in the program
10 than you do currently?

11 A Yeah, that question's been asked to me about five
12 times in the past four months and I said we're -- we would
13 run a second Eagle's Nest if we had stability in the First
14 Eagle's Nest and if we had the resources to run the second
15 Eagle's Nest.

16 Q So it's more of a resource issue?

17 A Yeah.

18 Q Okay. And stability in terms of funding?

19 A Right.

20 Q Okay.

21 A Yeah. There's lots we could do with -- if we
22 just had the funding commitment.

23 Q Sorry, and just going back to the, the centre, I
24 wanted to ask you about addictions. Is there, is there --
25 you said you have a counsellor on site that deals with

1 addictions or helps with addictions?

2 A Yeah.

3 Q What sort of services does that counsellor
4 provide?

5 A They, they do the case management, the
6 one-to-one, the one-to-one work. They won't treat the
7 addictions, themselves, but they'll, they'll build trust
8 with that individual and explore what resources are out
9 there in terms of treatment centres. And they will help
10 that individual maybe apply to those treatment centres and
11 advocate for their, for their acceptance into those
12 treatment centres. But, again, there's, there's a wait
13 list on treatment centres right now.

14 Q That's what I was going to ask you next. In
15 terms of the present situation in Winnipeg, in terms of
16 getting into treatment centres, what's the situation?

17 A Personally, I haven't experienced the process of
18 working with clients but, but I know they could wait
19 anywhere from, like, two months to two years, to get into
20 some treatment centres, especially like a culturally
21 appropriate treatment centre.

22 Q Okay.

23 A But, again, like I know what I know about, about
24 addictions, like you can fix the individual but if you put
25 them back into the same environment it won't take long for

1 them to, to kind of, I guess, return to the previous
2 behaviour.

3 Q Okay. I understand that the centre has hosted an
4 annual forum to bring together urban aboriginal
5 organizations and service providers from aboriginal
6 communities to share information about urban, urban
7 resources available when people leave their home
8 communities. Is there an ongoing need for that kind of
9 collaboration?

10 A Yeah, absolutely. The, the intent of the, the
11 service provider forum, which we've had three of them now,
12 is to bring together the rural, rural technicians, the
13 rural -- the people from the communities that interact with
14 the, the clients when they live in their communities and
15 then to bring them together and introduce them to, to the
16 urban aboriginal service providers.

17 We've had, we've had good attendance from the
18 urban community, from the urban resources with these, with
19 these forums but we've had very little participation from
20 the First Nation communities. But the, the events,
21 themselves, have, have -- were successful in other ways of
22 building new partnerships and establishing kind of an
23 inventory of what's out there and ...

24 What I was -- what I, what I see in my work with
25 the First Nation community is people are restricted by

1 their, by their boundaries. Within Winnipeg you'll have
2 many, many urban based organizations like Ma Mawi, Ndinawe,
3 MacDonald Youth Services and they operate within Winnipeg,
4 within the boundaries of Winnipeg. And then in our
5 communities, like my home communities, we'll have Sandy
6 Bay, Employment Income Assistance, we'll have the health
7 centre, we'll have recreation going on as such and their
8 boundary is their reserve, their -- they can only spend
9 money on activities within the reserve. But our people,
10 they're moving from urban to rural, whenever, whenever they
11 -- there's a change in their life or whenever they,
12 whenever they have the means to do so. But our service
13 providers aren't, aren't talking to each other because of
14 their -- our, our -- I guess our, our restrictions.

15 Like Eagle Urban, itself, right now, we don't
16 have any money to go beyond the Perimeter Highway because
17 it's an ineligible expense, according to some of the
18 funding we receive.

19 Q So you can't go beyond Winnipeg, really?

20 A No, we can't beyond Winnipeg. It would be ideal
21 for us to go into a community like Sandy Bay and work with
22 a family, maybe three months prior to their relocation, or
23 work with some students before they leave the reserve to go
24 to -- to come into Winnipeg to go to university or college.
25 It would be ideal to do that and help them get ready but

1 they, they come here basically with their furniture in the
2 back of their truck or a suitcase full of clothes and
3 there's no plan in place, no -- and lack of supports when
4 they do get here.

5 THE COMMISSIONER: Is most of the movement from
6 the rural area to an urban centre to Winnipeg, itself, or
7 do you, or do you know whether there's some movement to
8 other urban centres in the province?

9 THE WITNESS: It's primarily to Winnipeg because
10 of the size in Winnipeg and I guess what Winnipeg has to
11 offer. But other urban centres such as Portage la Prairie,
12 Thompson, Dauphin, Brandon, there's an increase in urban
13 aboriginal people. And what's -- when people find out
14 about what Eagle Urban Transition Centre does and what the
15 Eagle's Nest does, they say how come there isn't an Eagle
16 Urban Transition Centre in Thompson? How come there isn't
17 an Eagle Urban Transition Centre in Brandon or Portage la
18 Prairie? You guys should get one of these started; right?

19 But -- and they say well why don't you, why don't
20 you go and run one in, in Thompson, and we -- it's the same
21 thing with the Eagle's Nest, I said if we had stable
22 funding for the, the one in Winnipeg then we would pursue
23 Thompson. We're -- our books are open, our, our, our
24 success, our challenges, our processes are all open and if
25 any organization in any of those centres wanted to come in

1 and replicate what we do, like by all means.

2 THE COMMISSIONER: But most of the movement is to
3 Winnipeg, itself?

4 THE WITNESS: I would say so, yeah, because of
5 the, the health and the education.

6

7 BY MR. OLSON:

8 Q Is there, is there a need for more centres like
9 this, like your centre, in Winnipeg, or is the one centre
10 enough?

11 A There is a need, for, for probably four or five
12 centres like this in Winnipeg, at least. I would say in
13 different parts of the city. There should be one in north,
14 south, east, west, central. Some of our people, they, they
15 stay within their boundaries of their side of the city,
16 personal reasons, history, familiarity, safety. So
17 there's, there's a need. Like our people are, are all over
18 the city, they're not just in the core area and the north
19 end.

20 Q So those people may not access your services
21 because of where they're, where they're located or where
22 they, where they know, the places they know or they're
23 familiar with --

24 A Correct.

25 Q -- may not be in your service area?

1 A Yeah, and it needs to be accessible.

2 THE COMMISSIONER: Are you talking about branches
3 of your centre?

4 THE WITNESS: Yeah. Yeah. Like outreach -- an
5 outreach like that we would oversee.

6

7 BY MR. OLSON:

8 Q The clients that you do service, are they all
9 from -- coming from rural areas to Winnipeg or are they --
10 some of them from Winnipeg originally?

11 A It's both. There's a lot of our clients that are
12 coming into Winnipeg for the first time, they've come to
13 our centre for supports. And there are some clients that
14 have been here for 10 years that are still struggling,
15 struggling to, to be self-sufficient, to get a roof over
16 their head, find a, find a job or employment.

17 Q And so do you have repeat clients, clients that
18 keep coming over the years and you see regularly?

19 A Yeah, yeah, sometimes, sometimes a client will
20 come to us for up to a year because it, it takes so much
21 time to, to enter training or to work with their addictions
22 or, or to get a, get a place to stay.

23 Q Is there any time limit on, on the number times
24 you'll see a client?

25 A Not at all, not at all. They can come, come to

1 our door every, every day, every day of the week if they
2 want.

3 Q Are there any other comments you would like to
4 make? Do you have a wish list or anything that you'd like
5 to tell the Commission in, in terms recommendations or ...

6 A Well, one of the -- some of the other innovative
7 things that we're doing right now, to kind of utilize
8 technology and to, to try to -- because we can't work with
9 every individual we're trying to do some other innovative
10 things. Like we, we put together a resource guide. We
11 hired some youth to put together a resource guide. And
12 because we can't get to every community in Manitoba, to the
13 youth out there, we do know that there's youth that come
14 into the city so we would put together this 100 page
15 resource guide. That's one of the things that, that we
16 did. It was made by youth for youth and we're going to be
17 distributing. We have 1200 copies being printed so we're
18 sending that out to the communities.

19 And then another tool that we recently developed
20 was transition 101 videos. We made these 10 videos with --
21 in partnership with a community based organization that
22 works mostly with aboriginal youth. We made these
23 transition videos. How to get an apartment, how to get
24 your ID, how to kind of ride a bus, how to keep yourself
25 safe. So we made these 10 videos and we're going to be

1 putting these videos on our, on our website and then
2 sending a thousand copies to the communities.

3 And another tool that we, we developed, too,
4 because we know that young people are, I guess, more into
5 technology than some of us, we -- we're working with an --
6 we've developing an iPhone application with aboriginal
7 resources for, for youth and then it'll be something that
8 they will download for free right on their iPhone. This is
9 where the resources are.

10 Now, we have a lot of ideas and we have a lot of
11 -- we'd do a lot with more, if we had more resources we
12 would, we would have more success. I think ideally if this
13 Commission had the influence to either the provincial, the
14 federal or the municipal government, longevity of funding
15 for transitional organizations and see it as a, as an
16 investment in, in the wellbeing of aboriginal youth,
17 children and families and, and it's an investment that
18 would, that would pay dividends for the aboriginal people
19 and for, for our, our, our entire society, I think.

20 Similarly, like I said, the, the federal
21 government and the provincial government have, like,
22 tremendous expertise and, and resource investment into
23 immigrant settlement and those investments are paying off.
24 Immigrants are, are obtaining employment, they're getting
25 educated, their children are, are healthy, they're, they're

1 well, they're, they're healthy and like if a similar kind
2 of an investment and a similar approach was taken for First
3 Nations people and look at the, the benefits, I think that
4 would be, that would be tremendous. However, not to claw
5 back away from existing fund it would have to be new
6 investment, not at the, not at the detriment of the, of the
7 First Nation communities, themselves, because there are
8 overwhelming needs there, themselves.

9 And one of the things that our centre does do, as
10 well, is we help people go back to their communities, as
11 well, too. We don't just help people get settled in
12 Winnipeg. Sometimes people are stuck in Winnipeg and
13 they're, they're not here by choice, they want to get back
14 home, they just don't -- they're just -- you know, they
15 spiral down in a down -- like a downwards. Some of the
16 problems overwhelm them and they, they need help getting
17 back home and sometimes we'll, we'll dig right in our own
18 pockets and buy them a bus ticket or an airline ticket. We
19 do a lot of that.

20 Q Okay.

21 THE CLERK: Do you know how to spell Harvey
22 Bostrom, Harvey Bostrom?

23 THE WITNESS: B-O-S-T-R-O-M.

24 THE CLERK: H-A-R-V-E-Y?

25 THE WITNESS: Yes, I believe so, yeah.

1 MR. OLSON: Thank you very much, those are my
2 questions for you. Some of the other counsel may have
3 questions for you.

4

5 EXAMINATION BY THE COMMISSIONER:

6 Q Just before you do, Mr. Funke, I have two or
7 three questions I want to ask you, witness. You -- you're
8 the program director?

9 A Program manager.

10 Q Program manager. Do you have a chief executive
11 officer?

12 A No, I don't. I, I report directly to the
13 Assembly of Manitoba Chiefs Executive Director.

14 Q You report to the Executive Director of the, of
15 the Manitoba Chiefs?

16 A Correct.

17 Q So you're the, you're the senior person in the,
18 in the centre then?

19 A Yes.

20 Q And do the Manitoba Chiefs, their, their, their
21 executive forms your -- the board that -- to whom your
22 reports go, I suppose?

23 A Correct, yeah, within the corporation.

24 Q Likely funds prevent you from having evaluations
25 done on the success of your program, would I be correct in

1 assuming that?

2 A Yeah, unless I secure additional dollars for an
3 evaluation I can't do an evaluation.

4 Q And there haven't been any?

5 A There is two evaluations that were done by
6 outside parties and currently I, I did secure 10,000 for an
7 evaluation and a strategic plan and we're just, we're just
8 entering into that process right now with an aboriginal
9 consulting firm.

10 Q And how long ago were those evaluations done?

11 A The most recent evaluation was about three years
12 ago.

13 Q Now, formerly you said that primarily the centre
14 was there to find places to stay and help with people
15 finding some kind of living accommodation or shelter, and
16 secondly, you were there to assist in employment and
17 training matters?

18 A Those are the most two commonly requested
19 supports from clients attending our office, housing and
20 employment.

21 Q My, my question is what, what -- do you have any
22 contact with the, with the, with the business world,
23 employers of the community, to, to seek to get placements
24 of those that seem ready to enter the workforce?

25 A Through the, through the one agreement we were

1 working with the Canadian Manufacturers Association and
2 then through that we working with about six manufacturing
3 employers who had committed to hiring First Nations people
4 once they completed the required training.

5 Q Is that an ongoing arrangement?

6 A That ended March 31st.

7 Q It ended?

8 A Yeah.

9 Q Why did it end?

10 A It ended because the, the project lead, the
11 Workplace Education Manitoba, their, their -- it was only a
12 one time funded project. So I don't have any ongoing
13 committed employers at the table right now, however, that's
14 one of my -- on my to do list, is to implement a First
15 Nations urban employment strategy on behalf of the Assembly
16 of Manitoba Chiefs and to integrate that as an additional
17 kind of outreach arm of the transition centre.

18 Because previously the Assembly of Manitoba
19 Chiefs, since 1990, they had signed employment agreements
20 with employers such as Manitoba Public Insurance
21 Corporation, Manitoba Hydro, MTS, Winnipeg Regional Health
22 Authority, City of Winnipeg but we didn't have the means to
23 -- we didn't have the, the internal kind of resources to be
24 at the table and working with those employers on an ongoing
25 basis. Again, if, if we were to, if, if we were to kind of

1 continue with that, that activity we'll have -- I would
2 have to find resources to do so. But I, I obtained support
3 of the Executive Counsel of Chiefs to work in that area.

4 Q Well, did you find those employers that you've
5 just mentioned to be cooperative, to be interested in
6 entering into a partnership with you, to have employees
7 trained and ready to go in?

8 A Yes, yes, there is commitment from those
9 employers. They want to work with the First Nations.

10 Q But it's not happening now because you're not in
11 the position to give leadership to it --

12 A Yeah.

13 Q -- through lack of funding, is that what I hear?

14 A Correct. I would have to hire two or three
15 people to do the -- it would -- we could, we could have a
16 hand shake or we could sign an agreement but we don't have
17 the means to fulfil our, our obligations of that agreement
18 without the resources. So if I have the resources, which I
19 would probably acquire through another proposal and a
20 funding agreement, then I would be able to sit with -- sit
21 at the table with those employers, on an ongoing basis, and
22 then work with our people towards -- channelling towards
23 those employers.

24 Q And you found those employers approachable and,
25 and --

1 A Yeah.

2 Q -- amenable to making provision for taking
3 aboriginal young people, who have the training to do the
4 job, into their staff component?

5 A Yeah, there's commitment there. There's, there's
6 the willingness and commitment there.

7 Q Well, it seems to me it needs to be ignited.

8 A Yes.

9 THE COMMISSIONER: All right, Mr. Funke?

10 MR. FUNKE: Thank you, Mr. Commissioner.

11

12 CROSS-EXAMINATION BY MR. FUNKE:

13 Q I've just got a very brief area to, to explore
14 with you, Mr. Whitford. During your direct examination by
15 Mr. Olson he asked you questions that led you to comment on
16 the jurisdictional limitations that exist because of your
17 funding model and services that are provided on reserve
18 versus services that are provided in urban centres. I
19 understand, however, that Eagle Urban Transition Centre
20 quite recently did have the capacity to have a presence on
21 reserve because of funding that was available at the time;
22 is that correct?

23 A Yes.

24 Q Perhaps you could explain to the Commissioner
25 exactly how that worked, where that funding came from, and

1 why you're no longer able to have that presence on reserve.

2 THE COMMISSIONER: Just a minute. What was the
3 presence on reserve? I was making notes on my questioning.

4 MR. FUNKE: Certainly. I'm just asking Mr.
5 Whitford to explain that to you, Mr. Commissioner.

6 THE COMMISSIONER: Explain what?

7 MR. FUNKE: That Eagle Urban Transition Centre
8 did have a limited presence on reserve, by virtue of a
9 specific project funding that they received, that allowed
10 them to do that, but that funding is no longer available
11 and as a result that service is no longer provided. And
12 what I'm asking Mr. Whitford to do is to explain what that
13 project funding was, where it was obtained from, what the
14 nature of services that Eagle Urban Transition Centre
15 provided on reserve, and why it is no longer in a position
16 to offer that service.

17 THE WITNESS: The project was called Connecting
18 Aborigines to Manufacturing and the project host was
19 Workplace Education Manitoba. There was other partners
20 involved in the project, the University of Winnipeg, the
21 Winnipeg Technical College. They did the, the formal
22 training towards preparing individuals for employment. The
23 project lasted three years long and it just ended this past
24 March.

25 Workplace Education signed the primary agreement

1 and then we were one of the, the sub-contractors for --
2 with the Workplace Education Manitoba. Our contract was
3 specifically for transition, transitional services or
4 supports.

5 So once the, the five communities were selected
6 to participate we would go in and we would work with the,
7 the participants, say, say, for example, in Swan Lake,
8 there was 12 participants selected, we would go and, and
9 work with the 12 participants in a classroom setting and we
10 would, we would touch upon the high priority areas that
11 they needed to be prepared for and they needed to have a
12 plan for successful transition into Winnipeg, which was
13 housing, housing again, budgeting, another one, work --
14 dealing with addictions, work life balance, transportation,
15 health care, maintaining connections to the community, as
16 well, too. So we went in there with, with guest speakers,
17 we went in there with, with role models, we went in there
18 with, with resources that we knew of in Winnipeg that they
19 -- that could help them, like prepare, better prepare
20 themselves for transition into Winnipeg.

21 And then once -- so this was in a classroom
22 setting and there was a lot of one-to-one counselling done.
23 Okay, how big is your family? What is your wife going to
24 be doing when you, when you relocate to Winnipeg? How old
25 are your children? What is there, what is their grade

1 level. Like what are the, what are the family needs? So
2 we work with the family in, in that regard. And then when
3 they did make the transition to Winnipeg there was ongoing
4 support provided by counsellors at our office and by
5 Workplace Education in cooperation.

6 And then on the, on the job supports, as well,
7 too, like how are you kind of transitioning into the
8 workplace. And like what area of the city do you want to
9 live in? Like, again, just working with them just to have
10 an added support, not to -- just to deal with those, those
11 emotions of, of transition and to make sure the family
12 stayed intact and, and the family dealt with that
13 transition effectively.

14 And then like just on, ongoing, like one-to-one
15 sessions with the family, and we participated at gatherings
16 where they brought all of the, all of the individuals
17 together and, and helped them maintain, I guess, the
18 connection to their home community, as well, too.

19 Like many of them travelled home on the weekends
20 to attend a special event or to visit family members once
21 they did relocate to Winnipeg, because they were all
22 expected to permanently live in the city and they signed
23 employer contracts with new employers once they completed
24 all their training.

25

1 BY MR. FUNKE:

2 Q I suspect I know the answer to this question even
3 before I ask it but did you find that by virtue of the fact
4 that you had the opportunity to have contact with those
5 families and offer them some services in preparation for
6 their transition to Winnipeg before they arrived, that
7 those families had greater success in managing that
8 transition?

9 A Yeah, the success was probably 80, 80 percent or
10 higher with those individuals initially selected and those
11 individuals successfully transitioned and employed.

12 Q And would it be fair for me to suggest to you
13 that if that type of outreach was available through your
14 current funding models or your current funding agreements
15 that you have, to be able to extend those services to
16 families before they transition to Winnipeg, that you'd see
17 similar successes with respect to families in other
18 circumstances?

19 A I would say absolutely that would be a great
20 investment to know, to know -- like that probably prevents
21 some people like from the fear of leaving the community,
22 the safety net that the community provides
23 and -- but there's also drawbacks staying in your
24 community. There's limited opportunity and your children
25 will maybe not succeed in ongoing education or employment.

1 But just to know, knowing that there's added supports in
2 the city when they do, when they do leave, like having a
3 face to the, the name of the organization would be, would
4 be huge, as well.

5 Q Now, I understand that by virtue of the
6 limitations imposed by your current contribution
7 agreements, that you're not able to offer transitional
8 support for people, either prior to relocating to Winnipeg
9 or if they intend to relocate back to the community; is
10 that correct?

11 A Yeah, it's pretty -- it's very reactive, what,
12 what we're doing right now. If it was more preventative
13 and it was more long term and, and planned then we would
14 probably have a greater, greater success of people moving
15 into the city and living healthy productive lives.

16 MR. FUNKE: Thank you, Mr. Commissioner, that's
17 the only area that I was going to ask questions of.

18 THE COMMISSIONER: Thank you. Any other
19 questions for this witness? Would appear not to be. Mr.
20 Olson, any re-examination?

21 MR. OLSON: Nothing further.

22 THE COMMISSIONER: All right, witness, thank you
23 very much for coming, you've been of assistance to us and I
24 appreciate your attendance.

25 THE WITNESS: Thank you.

1 THE COMMISSIONER: You're completed.

2

3 (WITNESS EXCUSED)

4

5 THE COMMISSIONER: And we'll take a 15 minute
6 mid-morning break now and then take the next
7 witness.

8

9 (BRIEF RECESS)

10

11 MS. WALSH: Mr. Commissioner, our next witness is
12 Ms. Jean Doucha.

13 THE CLERK: If you could just stand for a moment.
14 Is it your choice to swear on the Bible or affirm without
15 the Bible?

16 THE WITNESS: I will affirm.

17 THE CLERK: All right. State your full name to
18 the court then, please.

19 THE WITNESS: Jean Doucha.

20 THE WITNESS: And spell me your first
21 name.

22 THE WITNESS: Jean, J-E-A-N.

23 THE CLERK: And your last name.

24 THE WITNESS: Doucha, D-O-U-C-H-A.

25 THE CLERK: Thank you.

1 **JEAN DOUCHA**, affirmed, testified
2 as follows:

3

4 THE CLERK: Thank you, you may be seated.

5 MS. WALSH: We have just one document to file as
6 an exhibit.

7 THE COMMISSIONER: Yes.

8 MS, WALSH: And that is the annual report from
9 2011-2012 for the Behavioural Health Foundation Inc.

10 THE CLERK: Exhibit 114.

11 THE COMMISSIONER: Give me the name again.

12 MS. WALSH: The Behavioural Health Foundation
13 Inc. Annual Report for 2011-2012.

14 THE CLERK: It's right here.

15 THE COMMISSIONER: Thank you. That's Exhibit
16 114.

17 MS. WALSH: Yes.

18

19 **EXHIBIT 114: BEHAVIOURAL HEALTH**
20 **FOUNDATION INC. ANNUAL REPORT FOR**
21 **2011-2012**

22

23 DIRECT EXAMINATION BY MS. WALSH:

24 Q Ms. Doucha, you have been the executive director
25 of the Behavioural Health Foundation since 2005?

1 A That's correct.

2 Q And you started working with the foundation in
3 1981?

4 A Yes.

5 Q And have worked in a variety of positions, moving
6 up to becoming executive director?

7 A That's right.

8 Q The Behavioural Health Foundation was initially
9 known as the X-Kalay Foundation?

10 A That's right. The history originates in
11 Vancouver, British Columbia.

12 THE CLERK: Can you just spell that?

13 THE COMMISSIONER: With, with what name?

14 MS. WALSH: "X" --

15 THE WITNESS: X-Kalay Foundation is spelled
16 Capital "X", dash, K-A-L-A-Y Foundation Incorporated. It
17 means the unknown path.

18

19 BY MS. WALSH:

20 Q And we'll come back to the foundation in just a
21 minute. Your education includes a social services worker
22 certificate from the Kelsey Institute of Applied Arts and
23 Sciences?

24 A Correct.

25 Q And you have completed university courses at the

1 University of Wisconsin and University of Saskatchewan?

2 A That's correct.

3 Q What is the Behavioural Health Foundation?

4 A We call it BHF for short, it's a lot easier than
5 saying that long name.

6 Q Thank you.

7 A And --

8 THE COMMISSIONER: BHF?

9 THE WITNESS: BHF, yes. It is a long term
10 residential addictions and co-occurring disorder treatment
11 facility. We house entire families of people as well as
12 individuals. We house people of all ages, children, youth,
13 adults, men and women.

14

15 BY MS. WALSH:

16 Q We -- if we can pull up Exhibit 114 please.

17 THE COMMISSIONER: Located here in Winnipeg?

18 THE WITNESS: Yes, sir, it's located in St.
19 Norbert and we have a facility in Selkirk, Manitoba.

20

21 BY MS. WALSH:

22 Q If we can go to page one of the annual report.
23 So I had asked -- page one, please.

24 THE CLERK: This is page one.

25 MS. WALSH: Well, then it's the next page. It's

1 page one on the document.

2 THE WITNESS: Right.

3 MS. WALSH: Keep going. You found it. You can
4 just scroll -- that's perfect. Come -- scroll up enough so
5 we can see the mission statement, please. Good. Thank
6 you.

7

8 BY MS. WALSH:

9 Q So I asked you what, what BHF is and I think
10 that's reflected in the annual report under the heading
11 "Purpose." And in describing what it does, you use the
12 term, as we see there in writing, "co-occurring problems",
13 that it treats people with addictions and co-occurring
14 problems. What does that mean?

15 A Co-occurring disorders refers to mental health
16 issues that individuals may have, as well as substance
17 abuse issues.

18 Q Then your mission statement says that your
19 mission is:

20

21 "To provide quality behavioural
22 health services of a wholistic
23 nature to men, women, dependent
24 children and youth leading to
25 personal and family wellness in

1 areas of education, employment,
2 health and family values."

3

4 What do you mean by services of a holistic
5 nature? What's meant by that term?

6 A What's meant by that is that individuals rarely
7 only have a substance abuse issue. Our clients have issues
8 in, in all areas of their lives and so if we don't address
9 the issues in the, in the areas of their lives in addition
10 to the substance use and the mental health issues that
11 they're going to relapse. Those problems need to be
12 addressed. So the substance use is really a secondary
13 issue, the primary issues are those of family dysfunction,
14 neglect in their childhoods, that they experience low
15 levels of education and failure within their education
16 systems. A lack of employment opportunities. Just a lack
17 of work skill and work knowledge. And many, many other
18 issues. Trauma, certainly. I think I mentioned neglect.
19 Certainly abuse, sexual, physical, et cetera.

20 So when you're using a holistic framework to help
21 people, every one of those needs is taken into
22 consideration is just as important as the others so that
23 you have to address all of those things. And we believe
24 that you need to address those things simultaneously,
25 rather than separating each issue out and dealing with

1 things on, on a separate basis, such as if you only
2 selected to deal with a substance use issue well, then, I
3 could, I could elect to just send someone to a 30 day
4 treatment program because there they're going to have the
5 focus only on substance use and they wouldn't have a focus
6 there on the family issues, for instance, that a person may
7 be experiencing or the marital issues or relationships with
8 other persons or their peers that are the issues. But
9 those are the things that we look at, again in a holistic
10 fashion.

11 Q And we'll talk about how the foundation does that
12 as, as we go on this morning. So as you indicated, BHF is
13 based out of St. Norbert?

14 A Yes.

15 Q And you also have facilities in the Selkirk area?

16 A Right.

17 Q Just north of Winnipeg. How is the foundation's
18 work funded?

19 A We're funded from a variety of departments,
20 government departments, private donations, certainly. The
21 government departments primarily are --

22 THE COMMISSIONER: No, but what -- by both
23 government?

24 THE WITNESS: Manitoba government funds us
25 through Manitoba Healthy Living. Seniors and Consumer

1 Affairs, I believe the department is called now, through
2 Family Services and Labour, through the Department of
3 Education, Manitoba Corrections, to a certain extent
4 through the Drug Treatment Court. And then federally, the
5 Federal Correctional Service of Canada through parole, as
6 well, funds individuals to come to treatment. I think I've
7 covered all of those areas.

8

9 BY MS. WALSH:

10 Q So besides government funding, where else do you
11 get funds?

12 A Well, we apply to a variety of foundations when
13 we need help with special projects, the furnace breaks down
14 or you, you have, you know, infrastructure issues so we
15 would be applying to places such as the Sills Foundation,
16 the Winnipeg Foundation, the Canada Post Foundation, the
17 Selkirk and District Community Foundation. I mean, there
18 are many fund giving organizations out there, I think we
19 are -- we've pretty much tapped into every one of them, you
20 know, throughout the last -- our last 42 years of
21 existence. And that -- they're essential, we can't operate
22 without those special grants.

23 Q What about private donations, do you take those
24 as well?

25 A Absolutely.

1 Q How big a staff do you have?

2 A We have 135 staff members today, I believe.
3 About 90 of those are full-time.

4 Q Do you also have volunteers?

5 A We allow student placements through the
6 universities and the community colleges. We typically
7 don't have too many volunteers because of the confidential
8 nature of our work.

9 Q Now, the people who receive services from the
10 foundation, do you refer to them as clients, as something
11 else?

12 A We often call them members. They are members of
13 the organization. They have voting privileges within our
14 organization. So they are members but we often refer to
15 them as the residents of the facilities.

16 Q Okay. So tell us who the residents are?

17 A The residents are, as I've said before, men,
18 women, children and youth. They come from all walks of
19 life but I think the common denominator would be that they
20 all have, not the children, of course, but the teens and
21 the adults have substance use issues. Some of, you know,
22 approximately 36 percent, have co-occurring issues, that
23 meaning mental health problems.

24 They typically come from dysfunctional families.
25 High unemployment amongst the population. Only about five

1 percent of the people who come to us have had jobs before
2 they came into the facility. Low education levels.
3 Typically an adult would have between Grade 8 and 10
4 education.

5 Typically they have started their substance use
6 at a very early age, we find what is common is between the
7 ages of 10 and 12 years old. And certainly research shows
8 that people who -- the earlier you start substance use
9 there is more likelihood that you will become addicted at
10 some point in your life.

11 You know, histories of trauma. This is very
12 common now within substance age -- use -- substance abuse
13 agencies and treatment agencies that we're finding the
14 rates of trauma amongst the population is extremely high.

15 Q What do you mean by trauma?

16 A Trauma, generally, is described as some horrific
17 event that a person has personally been subjected to in
18 their earlier years. It could be in the form of abuse, it
19 could be in, in the form of neglect, being left alone too
20 long -- you know, too long in a dark room. Different
21 events have different effect on different people so it's,
22 it's very hard to categorize exactly what type of traumatic
23 event might hurt a certain individual. But it's the
24 reporting of those events and the after effects and the
25 causation of people, you know, relating their substance use

1 to the trauma being the reason for that, that makes us view
2 that's as being very important in terms of their treatment
3 success and, and working with them.

4 Q What about socio-economic status or background?

5 A Typically our population of residents are earning
6 under 15,000 a year and generally that is through the
7 welfare system of Employment and Income Assistance.

8 Q Is there a portion of your residents who are
9 aboriginal?

10 A Yes. Approximately 80 percent of the population
11 of our members are aboriginal.

12 Q Have they had contact with the child welfare
13 system, either as parents or children?

14 A Many have. I actually don't know that statistic.
15 I could more clearly tell you that approximately 25, I
16 think, percent of our referrals are through child and
17 family agencies so those individuals are certainly
18 involved. But I don't know, off-hand, the rate of, of --
19 the involvement of all of the population.

20 Q The ages, is it a range of ages?

21 A You know, one day to 75 years of age. We take
22 people of all ages, including children.

23 Q Now, the, the babies are not addicted or --

24 A Yes, actually sometimes they are born addicted --

25 Q Oh.

1 A -- because we do take pregnant women and they are
2 given priority on our waiting lists. Moms are then, you
3 know, transported to hospital when they're ready to give
4 birth. Some mothers are referred right from hospital to us
5 and their babies remain in the hospital while they're
6 undergoing withdrawal from drugs.

7 Mothers now typically, who are on methadone
8 maintenance treatment, they continue on that methadone
9 until they have finished their pregnancy because it is
10 proven that it is better for the fetus to remain on
11 methadone than take the baby off methadone.

12 Q But then once the baby is born they have to be
13 withdrawn from methadone?

14 A Yes, that's correct.

15 Q So when you said that you have babies come in I
16 assumed you meant as part of your family residential
17 program but not -- and not as, as being in need of services
18 but that's not accurate?

19 A Well, we get families from -- through a variety
20 of, of ways. Sometimes parents will come as individuals
21 and, you know, often because their children have been taken
22 into care already and they know that there are some things
23 they need to do to be able to reunite with their children
24 and one of those things is that they undergo substance use
25 treatment so they will come to us and we know that they

1 want to reunite so actually their children go on the
2 waiting list right away so that we're able to accommodate
3 them when that parent is ready for the children again.
4 And, of course, that's a plan that also takes place with
5 the child and family service worker who has the children in
6 care.

7 So that is one way. Other families move in
8 intact. The family -- the children come with the parents,
9 right from day one and they remain there together as a
10 family, and the children aren't necessarily in care.
11 Others come to the foundation as a family intact but the
12 children are actually still in care. There is a temporary
13 order, or a guardianship order on the children and we know
14 as staff members that if the parents should leave the
15 facility prematurely then we involve the agency who has
16 those children in care to come and apprehend.

17 Q How do residents, members, find your services?

18 A Well, we do have a 42 year existence so I
19 think -- and at the grassroots level many people know about
20 our services and that we exist. We're certainly listed in
21 the phone book, we're on the internet. We advertise rarely
22 because of the expense but we are at conferences and
23 workshops and we do PR in the communities.

24 We do speaking engagement so people are somewhat
25 knowledgeable about our services. We have quite a great

1 presence in the criminal justice system and within the
2 courts. In the City of Winnipeg we have a court worker
3 there daily, who interviews people on remand, who want to
4 come into the facility. So word gets out, I think, by way
5 mouth that we exist.

6 Q So can it be --

7 THE COMMISSIONER: Do you have a waiting list?

8 THE WITNESS: Yes, every day.

9 THE COMMISSIONER: And how long might it take to
10 get in if, if one had an urgent need?

11 THE WITNESS: We -- our waiting list typically
12 can be anywhere from one day to four or five months. For
13 an individual adult, on average we can get them in within
14 about 30 days. Teens can get in much more quickly. Our
15 teen programs tend to be not only underfunded but
16 underutilized so we have empty beds within in our youth
17 services. We have 32 beds for teenage clients.

18

19 BY MS. WALSH:

20 Q Can I just stop you there?

21 A Um-hum.

22 Q Why do you think those teen beds are
23 underutilized?

24 A The teenagers are primarily referred through
25 child and family service workers who have those children in

1 care. And it's -- it takes some effort, some paperwork to
2 get children into our facility. Consents have to be
3 signed. They have to be able to find the youth. That's
4 often an issue. They have to be able to do the footwork to
5 get the youth into the, into the program. And, you know,
6 from every worker that we deal with who is referring a
7 client they are, are overworked. They have too many people
8 on their caseload, they don't have the time it takes to
9 fill out a four page application form and then get the
10 consent signed and get the funding approval from their
11 supervisor and so forth. So youth come through those --
12 that means of referral as well as parents can refer. These
13 would be children who are not in care but we have 10 funded
14 beds through the province for parents who want to refer
15 their children. So, therefore, they don't have to pay the
16 per diem rate.

17 Q So can people self-refer?

18 A Yes, absolutely.

19 Q Or other agencies could connect them with you?

20 A Correct.

21 Q And what about waiting lists for families who
22 want to come in?

23 A The waiting list for families are much greater.
24 You're looking at three to four months, sometimes longer,
25 for a family to get in because we only have so many family

1 rooms. We have approximately 10 units where we can put --
2 you know, they're small suites, where families are housed.
3 So it's a matter of when the families leave. And our
4 program is open ended, there are no discharge dates
5 assigned to people. People stay as long as they need to be
6 in our treatment programs. We want them to deal with all
7 the issues that they're faced with so they're typically
8 staying, you know, around 90 to 100 days and families,
9 typically, stay longer because they are -- just are more
10 issues.

11 Q So I want to talk a little bit more about your
12 family program because that -- I understand that it's
13 somewhat unique for addictions treatment; is that right?

14 A Yes.

15 Q What, first of all, is the significance of having
16 a family program?

17 A Well, I think there's a major difference because
18 you can go into treatment as an individual and you will
19 typically deal with your individual concerns and we may
20 never hear from the spouse, or partner, or the children of
21 that family so we don't know what their issues are related
22 to that one individual who may need treatment.

23 So when you're providing treatment to a family
24 you get to address everyone's issues and they get to
25 address their issues together as a family and the therapy

1 that we provide for them tends to, you know, reflect on
2 everyone's issues, not just one individual. So I think
3 it's important for families, whether or not there's one
4 substance using parent or more than one, everything has to
5 be looked at. And it's sometimes very difficult for an
6 individual to get their partner to agree to come to a
7 facility for therapy because of all the issues that have,
8 have transpired prior to coming into treatment.

9 Q Is there a benefit, as well, in terms of keeping
10 the family together, to be able to come in with your
11 children?

12 A Yes, absolutely. Some people will not come into
13 treatment if they have to leave their children behind. And
14 that is why we provide that service. We know for a lot of
15 single moms, for instance, who have been very accustomed to
16 being the only caregiver for their children, they are not
17 prepared to, no matter how badly they may be addicted, they
18 are not prepared to leave their children behind. So we are
19 there for them to allow them to come with their children
20 and again take a holistic look at that family and assist
21 them with their needs.

22 Q What else does the family program provide? Do
23 you provide education, for instance, for the children?

24 A Every person who comes through our facility, no
25 matter their age, has access to our educational programs.

1 We run programs on site, academic programs, for the
2 children. We have our own classroom that is funded through
3 the Department of Education of the province. We have
4 classrooms for the teenage clients, a separate classroom
5 for the boys and a separate classroom for the girls. And
6 then every adult can undergo academic upgrading, if they so
7 need and desire. Everywhere -- everything from adult
8 literacy to a full Grade 12 education.

9 And in addition to that, we operate two daycare
10 centres for our children. We have 24 licensed daycare
11 spaces, 12 for infants and preschoolers and 12 spaces for
12 the school age children.

13 Q BHF also operates transition houses in the
14 community?

15 A That's right. We have, right now, five available
16 transition houses. They are three and four bedroom houses
17 where we put -- we're able to graduate people from the main
18 facility where all the treatment programming occurs. They
19 live in independent housing and they report back to the
20 treatment facility at least once per day. We touch base
21 with them. They can still have their meals at the main
22 facility. They still have their same key workers. They
23 can receive the therapy that we have available and all the
24 other programming that goes on. But those are people who
25 typically have employment by that time so they may have

1 been with us about three months by that time, they have
2 employment and/or they're in full-time school.

3 THE COMMISSIONER: Does everyone go on the way
4 out to spend time in a transition house?

5 THE WITNESS: No, not everyone.

6 MS. WALSH: And, Mr. Commissioner, we will
7 ultimately discuss how the foundation tracks the success or
8 progress of its residents when they leave.

9 THE COMMISSIONER: Thank you.

10

11 BY MS. WALSH:

12 Q You talked about residents getting employment
13 and, and being able to, to move on with employment. Do you
14 offer employment training programs?

15 A Yes. We have one full-time employment
16 development counsellor whose job it is solely to work with
17 individuals, with the adult population, I should say, to
18 teach them, you know, how to write a resume, how to perform
19 at a job interview, how to dress and puts them through a
20 series of seminars that helps with that. She does
21 individual work with them. She will link them to employers
22 who we have in the community, who have typically employed
23 our residents and then follows up with them with any
24 difficulties that they have in the workplace. She is there
25 to answer their calls, day and night practically, to make

1 sure that they are having success in the workplace because,
2 again, these are people who are typically not used to
3 employment. This is a new thing for them and we want them
4 to succeed.

5 Q We talked about waiting lists. Do you give
6 priority to anyone?

7 A Yes. We give priority to pregnant women in both
8 our men's, women's and family program in St. Norbert and
9 then we have a women's exclusive program, in Selkirk, that
10 is just a 10 bed facility and we give priority placement in
11 both of those facilities to pregnant women.

12 And then, as well, we give priority to people
13 coming out of the hospitals in town, in terms of them
14 having finished a detoxification regime or chemical
15 withdrawal. So when the hospital is ready to release them
16 we want them to enter treatment right away. It is
17 dangerous to allow them just to go home or back to their
18 environment or community after detox because they are very
19 likely to relapse. So we take them quickly.

20 As well as people from the institutions, such as
21 the federal institutions because when the date is up that
22 they must be released we have to be ready to, to take them
23 if we've already deemed them as being suitable and
24 acceptable to enter our program.

25 Q The kinds of services that you're describing

1 sound very time consuming. Would that be fair to, to say?

2 A It's a bit complex. It is a very, very busy
3 facility. Every individual is at a different timeframe
4 within the treatment program and coordinating all of that
5 takes quite a lot of work. And, you know, we have very
6 committed staff. Some of our staff are actually people who
7 have gone through the treatment program and others are
8 simply people who have, you know, good experience and
9 academic background to work with such clients. So we have
10 a good combination of people --

11 Q How many --

12 A -- to do that.

13 Q -- how many people, how many residents do you
14 have at any given time?

15 A The -- we have 142 treatment beds and that can go
16 up a little bit, depending on if we have children resident
17 at the Breezy Point program, which is the women's program
18 in Selkirk. So it could go up to about 145 beds.

19 THE COMMISSIONER: How many in Selkirk?

20 THE WITNESS: We have 10 beds for women plus we
21 can take as many children, under the age of two, as those
22 women have.

23 THE COMMISSIONER: So you said you had 142
24 treatment beds and then I lost you.

25 THE WITNESS: Okay. So I'll break it down. In

1 terms of in St. Norbert we have 100 beds for men, women and
2 children. So those would be the dependent children of
3 members.

4 THE COMMISSIONER: Yeah.

5 THE WITNESS: We have 10 plus beds at the Breezy
6 Point program in Selkirk. Those are women only beds. And
7 we have 32 beds for youth, 16 for teenage girls and 16 for
8 teenage boys. The girls' facility is in St. Norbert and
9 the boys' facility is in Selkirk.

10

11 BY MS. WALSH:

12 Q And you said you had 112 staff; is that --

13 A One hundred and thirty-five.

14 Q One thirty-five. And so would their expertise
15 range from, from counselling on addictions, to employment
16 assistance, to providing the early childhood daycare?

17 A Yes, yes. There's a huge range of expertise
18 within our staff component so everything you just named
19 certainly. People with backgrounds in psychology, social
20 sciences, home economics, nursing certainly, psychiatric
21 nurse we have. Yeah.

22 Q You said that many of, of your members have
23 co-occurring disorders. Are those always diagnosed by the
24 time they come to your facility?

25 A No, absolutely not. Our, our population of

1 clients are typically people who have gone undiagnosed for
2 many years and actually getting a diagnosis is, is, is
3 pretty tough. The system is over-taxed, there aren't a lot
4 of psychiatrists available to do the diagnosis, and knowing
5 that, you know, our attitude about that is we have to
6 simply be equipped to deal with the here and now. We deal
7 with who we have in front of us and the problems they're
8 presenting and we work with that.

9 If someone is in a mental health crisis then we
10 will take them to an emergency centre at a hospital. And
11 now we're -- you know we're really, really thrilled that
12 the new mental health emergency unit has just opened up or
13 it's opening up next week --

14 Q Um-hum.

15 A -- and I think that is going to be a great
16 resource for all of the treatment, addiction treatment
17 centres in town because we, we share the same issue of not
18 having quick access to mental health professionals when we
19 need them.

20 Q This is the new crisis response centre you're
21 talking about?

22 A Correct.

23 Q Yeah.

24 A Yeah.

25 Q You said that your facility has waiting lists.

1 Are waiting lists the norm for addictions treatment in the
2 province?

3 A Yes, for adult services, absolutely. I don't
4 know of any addiction centre in the province that does not
5 have waiting lists.

6 Q What about for youth?

7 A For youth, I just stated that BHF has empty beds
8 every day. We have about five empty beds today. So we can
9 accommodate --

10 THE COMMISSIONER: How, how many addiction
11 centres are there in the province?

12 THE WITNESS: I could tell you that I know there
13 are 12 funded agencies by the province and then there are
14 other private agencies that are not funded and I'm less
15 knowledgeable about those because they don't sit at the
16 same network that I sit at with the province. So I'm going
17 to guess that there's probably two or three private,
18 private agencies and those would be agencies that would
19 have to charge clients for services.

20 The 12 funded agencies are unique in that we get
21 the funding from the government that allows us to provide
22 treatment, without having to necessarily charge clients,
23 because these are typically clients who do not have the
24 means of support to enter into a treatment facility.

25 THE COMMISSIONER: And is yours the largest and

1 most extensive with respect to the services offered?

2 THE WITNESS: We are very large but I would say
3 that in terms of volume of clients the -- probably the
4 Addictions Foundation of Manitoba has a larger capacity and
5 they have different types of programs that BHF does not
6 have. But BHF's programs are more long term and again they
7 are -- we take that holistic approach with the issues.

8 The programs at the AFM are shorter in nature and
9 focus more around the addiction issues.

10

11 BY MS. WALSH:

12 Q Does the Addictions Foundation of Manitoba have
13 family programs that you're aware of?

14 A They do, they do -- they don't have residential
15 family programs, they do outreach and day programming for
16 families, yeah.

17 Q Are funding issues ever a challenge for you?

18 A Always, every day, yeah. You know, we're facing
19 a deficit of probably, for this fiscal year, it will come
20 in around \$200,000 and next year is looking much worse.
21 The pace at which we're funded, say through the government
22 grants that we receive, do not keep up with our costs. Our
23 staffing costs, which is our largest expense, just continue
24 to rise every year. My largest issue with staffing is the
25 rates of turnover. It's stressful work, it's very

1 demanding on individuals, and people move within the system
2 and that's just not at my agency, every addiction agency in
3 the province has high turnover of staff.

4 I can't compete with the government agencies that
5 provide addiction treatment, they fund -- they're able to
6 fund their staff at a much better rate than, than I am. So
7 that's a number one issue for me.

8 Q Are there any barriers that present themselves to
9 someone who needs to come in for treatment?

10 A Absolutely. You know geography can be an issue.
11 We deal --

12 Q What do you mean?

13 A We deal with people from all over in the province
14 and from out of the province so the expectation is that
15 they are able to get themselves to our facility. So one of
16 the first barriers might be that of transportation, they
17 have to seek out help from someone who will help them with
18 the transportation costs. We don't have those costs built
19 into our budget.

20 Issues of, you know, who, who is going to look
21 after the children if there's children. Issues of what do
22 they do with their belongings if they're coming into a long
23 term program. Barriers that might exist from a person's
24 spouse or partner in that the partner really doesn't want
25 them to go and they're feeling that conflict within the

1 family of whether or not to enter.

2 Criminal justice issues they may be faced with.
3 So that could be a barrier. If they have court hearings
4 that has to come first, obviously. We deal with that with
5 people, though, and we do allow people to come into
6 treatment and then we provide advocacy for them and get
7 them to their court hearings, wherever that may be.

8 That's all I can think of at the moment but ...

9 Q You said 80 percent of your members are
10 aboriginal. Do they come from reserve as well as from off
11 reserve?

12 A Yes, absolutely. But most of our aboriginal
13 clients are coming from urban areas and many of them have
14 already arrived --

15 THE COMMISSIONER: Most, most from what kind of
16 areas?

17 THE WITNESS: From -- most come from the urban
18 areas but we do take people directly from the reserves but
19 many of them have just landed in Winnipeg first and then
20 fall into difficulty and that's when we get them on our
21 waiting lists.

22

23 BY MS. WALSH:

24 Q Okay. So you get people who've recently
25 transitioned from the reserve to the city?

1 A Right.

2 Q What happens, as you said, if somebody has to
3 give up their apartment in order to come into residential
4 treatment, what happens when they're ready to leave?

5 A Well, we do work with people with housing. Every
6 one of our clients has -- you know, can remain at our
7 facility. As long as they're programmatically involved
8 they can remain at our facility until they have adequate
9 housing. So often times people will have to put their
10 belongings in storage and in order to do that they have to
11 have money to do that. Now, sometimes Employment and
12 Income Assistance, through the province, will assist them
13 with that, with putting things in storage for a period of
14 time. Yeah.

15 Q Do you do anything at the foundation to address
16 the specific needs of an aboriginal population?

17 A Well, we certainly offer cultural programming,
18 that would be probably a priority for a lot of the clients
19 and that's, in fact, why they choose to come to BHF because
20 we have a very strong cultural component. For being a
21 centre, you know, in an urban area, we have five or six
22 sweat lodges on site. We do two sweat lodges every week,
23 except in the spring when our lodges are under water.

24 We do traditional counselling. We have a number
25 of elders who are accessible to us. We have one on staff

1 who is a long term staff member, who runs all of that
2 programming. He is the director of aboriginal services at
3 BHF. We do an annual pow-wow, with the exception of this
4 year, because again of the weather, it is not conducive to
5 us running our pow-wow but we are having our annual sun
6 dance in July as planned. So we do a lot of activities
7 that centre around the culture and that's available to not
8 only the members of our facilities but people in the
9 community at large.

10 Q Do you have a portion of your staff who are
11 aboriginal, as well?

12 A Yes. Approximately 25 percent of our staff are
13 aboriginal. We would prefer to have more.

14 Q So tell us now about the process for follow up
15 and, and discharge or when someone's ready to leave.

16 A Follow up is one thing and outreach is sort of
17 another.

18 Q Okay.

19 A So let me just separate that out initially --

20 Q Sure.

21 A -- by saying that every client can remain
22 involved with BHS -- BHF post-treatment. So we do outreach
23 with clients in the community. So they move out, they
24 still have the same worker that they had throughout the
25 treatment program they may remain in contact with. We

1 invite them to all of our ceremonies and celebrations that
2 are going on at the facility. We want them to remain
3 involved if they want to do that and for many they do. So
4 they come back to the facility and have, you know, visits,
5 just to have a cup a coffee, touch base, or they know that
6 they can pick up the phone and talk to a worker if they're
7 suddenly in crisis. And we will work with them on that.

8 They can remain involved with the clinical
9 therapist, if they had sessions with that therapist during
10 treatment. Those sessions are very likely going to
11 continue because these are issues that are long term
12 issues. So that's, that's sort of, you know, in a
13 nutshell, the outreach portion.

14 We do follow up of our program which is unlike
15 any other treatment facility in the province in that six
16 months after leaving our treatment program we touch base
17 with every client that we can find to do follow up to see
18 how they're doing in the community and we have a systems
19 evaluation report that is produced annually on those
20 clients. So we not only evaluate our services from the
21 client's point of view, we're evaluating the client based
22 on data that we collect at intake when they come to
23 services, at exit from services, and then six months
24 post-treatment. We wish we could do three month -- or I
25 should say, three year follow up but again, that's an

1 expense that we have not yet figured out how to meet to do.

2 So in, in doing that follow up we're looking for
3 four things, primarily, that we track. Not only the sort
4 of the basic demographic information but what is important
5 to us in terms of, you know, how we view success of clients
6 is we want to track whether or not they have reduced their
7 substance use from the time they enter treatment to that
8 six month point, post-treatment. We're looking for whether
9 or not they reduced their substance use and our stats at
10 this point come in at around 76 percent of the clients have
11 reduced their substance use.

12 We're tracking the, the -- their criminal
13 involvement. Because about one-third of our clients had
14 been involved in the criminal justice system post-treatment
15 (sic), and we're dealing with that criminal involvement
16 throughout their treatment stay in terms of doing court
17 advocacy, we follow up with them post-treatment, we want to
18 ensure that they are no longer involved with the criminal
19 justice system. And about 95 percent of our clients are
20 not involved with the criminal justice system when we, we
21 find them.

22 We track their employment and/or being in
23 educational services post-treatment. And, again, we're
24 looking at rates of about 45 percent of our clients are
25 employed whereas, remember, I said earlier, only about five

1 percent of our clients come in who have had jobs prior to
2 entering. So it increases to about 45 percent when we find
3 them in the community.

4 And then the fourth thing is that we track how
5 they've done with the exit goals that they've set. So
6 that's an important part of our treatment programming is
7 setting an individualized treatment plan. That treatment
8 plan includes exit goals, that being things that they --
9 the client intends to do when they leave treatment. What
10 are they going to be working on when they're in the
11 community because treatment does not end when you leave a
12 treatment program, it has to continue. So we track those
13 and we're looking for rates of achievement of 66 percent of
14 their treatment goals that they've set. And --

15 Q And how successful do you find people are?

16 A Typically about 50 percent of the clients have
17 completed 66 percent of their treatment goals.

18 Q You've got in the annual report if we can turn to
19 page -- it's 14 of the report. I think on the document it
20 would be page 20. No, maybe not. Yes.

21 So there it says: "Post Treatment Follow-Up".
22 And then we can go to the next page and I think that
23 reflects what you've just told us about substance use
24 reduction, 93 percent had significantly reduced their use
25 of substances. And the Criminal justice system

1 involvement, 91 percent had no new involvement with the
2 law.

3 A Right. Those would be the more accurate stats
4 for that particular year, right.

5 Q And employment. If we can scroll down, please.
6 You said upon entry 92 percent of the clients for this year
7 were unemployed, the remaining eight percent had full or
8 part-time employment and at the time of follow up 54
9 percent of clients were involved in successful pursuits
10 which was significant.

11 So and you were looking at full-time, vocational
12 educational programming or employment. And in, in
13 education you said 27 residents took advantage of the
14 on-site literacy program, 13 were successfully contacted at
15 six months, had been continuing their educational pursuits
16 at adult education centres or other centres or colleges.

17 A Correct.

18 Q And is that typical for the kinds of results that
19 you see after follow up?

20 A Yes. And, you know, the, the results that I
21 quoted are more of, you know, taking a look at -- you know
22 I, I tend to look in three year and five year pictures
23 rather than an isolated one year. But, yeah, these are,
24 these are pretty typical results and I would say actually,
25 you know, quite good considering the difficulties that

1 people come to us with. Yeah.

2 Q How receptive are people when you contact them
3 after follow up -- for follow up?

4 A I didn't hear the first --

5 Q How receptive are they --

6 A Oh.

7 Q -- to hear from you?

8 A Well, generally they expect our call because we
9 have every client -- we ask them whether or not they want
10 to be involved in the follow up study. So if they have
11 told us that they don't want to be involved we don't
12 contact them and those who do we ask them to sign a consent
13 about that. So they're very receptive to discussing with
14 us how they're doing in the community. And any individual
15 who had been in our program for at least three months
16 actually gets an extra questionnaire done with them over
17 the phone to ask them about how they viewed our treatment
18 components to see if they can make any recommendations to
19 us for how to improve those components.

20 Q Finally, looking at, at your services, the
21 services that you offer and services generally to what
22 could be described as high risk families, how would you
23 describe the, the type of services that high risk families
24 need to, to have independent capacity?

25 A Well, I would say that high risk families

1 absolutely have to have wraparound services.

2 Q And how do you define -- what are wraparound
3 services?

4 A Again, it would be those of a, of a holistic
5 nature, that every element of that person's life has to be,
6 be investigated and, and explored to see where the major
7 problems are, are stemming from and, and then addressed.
8 It's not enough to just know about these things, we have to
9 be able to deal with them. And that's what you do when you
10 have a wraparound service, you're looking at everything
11 from they absolutely cannot get out of bed in the morning
12 to -- I'm sorry, is, is this microphone not in a good place
13 because --

14 Q No, it's good, it's all right.

15 A You can hear? To, you know, those more difficult
16 issues of, of mental health that they may not be in control
17 of their thoughts or their daily actions and they may need
18 medication to deal with that.

19 And a lot of those people right now are, are
20 being just totally undiagnosed and, and looked over within
21 systems. Substance abuse issues, as well, it is so typical
22 and we hear this from clients a lot that they do not
23 disclose the full extent of their substance use issues
24 really until they enter into treatment and they realize
25 that it's a safe place to do that, that we don't make

1 judgment of them when they do that. It's no difference to
2 us if someone is only smoking one joint every week compared
3 to someone who is finding it necessary to smoke every hour
4 of the day, you know, in terms of marihuana use. Or, you
5 know, drinking. Someone who only binges on the weekend as
6 compared to someone who is drinking and being absolutely
7 intoxicated every day of the week, we make no difference in
8 terms of our treatment about that.

9 But they do not disclose this information
10 typically to workers and child and family services workers,
11 I would say, are the least likely people within systems of
12 care to understand that. They're not going be told the
13 extent of the drinking because people know their children
14 are at risk of being apprehended if they disclose that and
15 that's a problem.

16 Q Which actually takes me to another question. In
17 terms of, of the foundation's relationship with Child and
18 Family Services, what is that like? I mean, is the
19 foundation in a position where, if somebody comes in with
20 their children for treatment, you feel that you have to
21 report these parents to the system, to the child welfare
22 system?

23 A Well, we certainly do but the parents know that
24 upon coming to us. They -- the parents, we ask them to
25 sign a consent then because this is a mutual referral.

1 Q Okay.

2 A The parent is certainly, you know, there
3 voluntarily. They may have been referred by a child and
4 family service worker but we ask the parent for -- to, to
5 be allowed to disclose basic information about their
6 treatment progress to the worker and that is usually very
7 helpful to them and certainly helpful to a CFS worker to
8 have that information.

9 We provide CFS with probably far more information
10 than they provide us which is somewhat of a deficit that we
11 are always faced with dealing with families who are
12 involved with that system because we believe the more that
13 we know the better service we can provide. But because of,
14 you know, rules of confidentiality that sometimes is a
15 barrier.

16 Q So just --

17 A So I hope that answered your question.

18 Q It does. Just on that information sharing issue,
19 you said that sometimes you don't get the information you
20 would like from Child and Family Services. If a family is
21 coming in for treatment and, and you've got them consenting
22 to your contacting Child and Family Services, is that a
23 means of being able to connect with Child and Family
24 Services without concern that the children are going to be
25 apprehended from the centre?

1 I mean, because they're there at the centre.
2 Like does -- is it typical then that, that CFS will
3 consider the children not at risk because they're at the
4 centre?

5 A I'm not sure. I can't answer that they would
6 consider the child not at risk but BHF has an obligation to
7 the agency, certainly, whether or not the parent has
8 consented. If the parent, for instance, leaves or in some
9 way harms or neglects a child while they're in our facility
10 we will report that. We have that obligation, even without
11 a consent being signed.

12 Q Right.

13 A But, typically, the parents will know upon
14 entering and when they've signed that consent they know
15 that we have an obligation to the agency if the --

16 Q So is that ever a barrier, from your
17 understanding?

18 A Almost every parent will sign the consent. It's
19 rarely an issue but, you know, we also view that as, you
20 know, reporting on an, on an -- really on a need to know
21 basis.

22 Q Um-hum.

23 A The things that -- or the residents are involved
24 with on a day-to-day basis are not things that CFS really
25 needs to know. It's of no value to them. It really is

1 going to -- you know, it's information related to the care
2 of the children that they primarily want to know about.

3 Q Okay.

4 A And certainly if the parents get in any severe
5 difficulty within the agency and maybe they're on their,
6 their last warning in terms of some sort of behaviour that
7 they've been exhibiting, that they might be discharged, we
8 may inform the agency about that so they're forewarned that
9 they might have to have a plan in place for the children's
10 care on a moment's notice because that can be very
11 difficult for a worker and very stressful that suddenly,
12 and it always happens on a Friday afternoon, you know, that
13 the children may have to be apprehended again. Yeah.

14 Q And did I hear you say earlier that you can have
15 families at the centre where the children are, in fact, in
16 care?

17 A Yes, absolutely.

18 Q But the family is still able to be together?

19 A Together. They live together as a family unit.
20 Yes.

21 Q And is that beneficial?

22 A Absolutely, yeah. And the stats in our annual
23 report reflect that, that number, actually. If you look on
24 page 14, "Dependent Children of Clients", in that fiscal
25 year 25 children --

1 Q Stop.

2 A -- came to live at BHF with their parents and
3 nine, or 36 percent of the children, were in agency care
4 when they arrived.

5 Q So that's a safe way of keeping them with their
6 family while still being in care?

7 A Correct.

8 Q All right. Thank you.

9 A And then there is success with that in terms of
10 those families were able to leave the facility with their
11 families intact when they left treatment.

12 Q So the children were not in care at the time they
13 left, they were reunified --

14 A Correct.

15 Q -- with their families?

16 A Yes. Yeah.

17 MS. WALSH: Well, thank you, those are questions.

18 THE COMMISSIONER: All right. Are there any
19 other questions to be asked? It would appear not.

20

21 EXAMINATION BY THE COMMISSIONER:

22 Q I'm looking at your, your financial statement on
23 page 29 and your revenue. Fee for services, fees for
24 services in 2012, \$2,379,000?

25 A Correct.

1 Q Who is the payor?

2 A Primarily those would be the fee-for-service
3 arrangements. Often with Child and Family Services the
4 youth who come into our treatment programs for every youth
5 that Child and Family refers we receive a per day rate.
6 Those rates are set by the Province of Manitoba and that's
7 what allows us to operate our youth homes.

8 Q And they're paid by the Province of Manitoba?

9 A Correct.

10 Q And does that account for the bulk of that
11 revenue shown under fees for services?

12 A Yes. It would be Child and Family Services but
13 it would also include the Correctional Service of Canada,
14 who pays per day rates, as well, for people on parole.

15 Q I see. And is that the only participation that
16 the Government of Canada has with respect to supporting,
17 financially, your organization?

18 A Yes, with one exception. We get a grant from the
19 First Nations and Inuit Health Branch for approximately
20 \$85,000 right now, a year, and they have given it to us
21 this year, as well, and that allows us to run the cultural
22 programming that we do.

23 Q And that is paid by whom?

24 A By the First Nations and the Inuit Health Branch.

25 Q Of the federal government?

1 A Correct. Health and Welfare Canada.

2 Q And would that be -- that \$85,000 would that be
3 included in the grant money, 4.5 million?

4 A Yes.

5 Q And where do the other grants come from that make
6 up that 4.5 million, without, without a specific detail but
7 in general?

8 A The majority of that is from Manitoba Healthy
9 Living Seniors and Consumer Affairs Branch.

10 Q Of the Government of Manitoba?

11 A Correct. And then also Education, Manitoba
12 Education funds the education programs that we have on
13 site.

14 Q Also from the Government of Manitoba?

15 A Yes.

16 Q All right. Anyone else -- Ms. Walsh, anything
17 you want to add?

18 MS. WALSH: I just have one question.

19

20 RE-EXAMINATION BY MS. WALSH:

21 Q You, you said that you would accept residents
22 directly from reserves?

23 A Yes.

24 Q No federal funding comes with those individuals?

25 A No. We used to have federal funding.

1 Q You did?

2 A Directly from -- yes. Directly from the Health
3 and Welfare Canada through Medical Services Branch of
4 Health and Welfare Canada and that funding was cut off to
5 all off-reserve treatment programs in the country, in 1997.

6 MS. WALSH: Okay, thank you.

7

8 EXAMINATION CONTINUED BY THE COMMISSIONER:

9 Q And would some of those that were funded on those
10 days, would they go back to the reserve after they had the
11 time at your facility?

12 A Yes. Some people do return to their home
13 communities.

14 Q And is that still happening but without the
15 federal financing?

16 A Yes. We still accept those clients but we get
17 only welfare rates for them, we don't get a, a cost per day
18 rate, we only get a welfare rate of about \$19 a day.

19 Q From?

20 A From the provincial government.

21 THE COMMISSIONER: Now, does that complete this
22 witness, Ms. Walsh?

23 MS. WALSH: It does, Mr. Commissioner.

24 THE COMMISSIONER: Thank you very much, you've
25 been very helpful to us.

1 THE WITNESS: You're very welcome.

2 MS. WALSH: Thank you.

3 THE WITNESS: Thank you.

4

5 (WITNESS EXCUSED)

6

7 THE COMMISSIONER: Mr. Funke, I have a matter I
8 want to address to you, if you would like to come forward.
9 Perhaps it's more convenient. You would have just heard
10 the discussion that I've had with this witness about
11 funding with respect to, to the centre that she directs.

12 MR. FUNKE: Yes.

13 THE COMMISSIONER: With respect to your client,
14 that was here this morning, Mr. Whitford, and the program
15 that he runs --

16 MR. FUNKE: Yes.

17 THE COMMISSIONER: -- I would be interested in
18 knowing more detail about the funding that is provided. He
19 did go through some, some part of it with us, but I don't
20 think we had a financial statement like we've just had with
21 this last witness. I would be interested to know, if you
22 could provide through Commission counsel, at some point,
23 not, not today --

24 MR. FUNKE: Certainly.

25 THE COMMISSIONER: -- a sheet showing a breakdown

1 of the funding and what parts of it come from provincial
2 grants or other provincial funding and likewise any that is
3 contributed by the federal government with respect to that
4 organization.

5 MR. FUNKE: We can certainly do that, Mr.
6 Commissioner.

7 THE COMMISSIONER: Yeah. I would like to have
8 that and make it available through Commission counsel,
9 we'll see that it's distributed to all other counsel.

10 MR. FUNKE: Very good, I'll make that request of
11 Mr. Whitford immediately.

12 THE COMMISSIONER: Fine.

13 MR. FUNKE: Thank you.

14 THE COMMISSIONER: But, but yeah, I'm not -- I
15 don't expect it today.

16 MR. FUNKE: No, of course not, but I'll get it
17 to --

18 THE COMMISSIONER: Yeah.

19 MR. FUNKE: -- Commission counsel as quickly as I
20 can. Thank you.

21 THE COMMISSIONER: All right. Now, how are we
22 doing with -- if we adjourn till 2:00 will we get through
23 this afternoon or do we need to come back early?

24 MS. WALSH: Well, we are not leading this
25 afternoon's witness.

1 MR. PHILLIPS: Two will be fine.

2 MS. WALSH: Two will be fine? Okay.

3 THE COMMISSIONER: Two will be fine?

4 MS. WALSH: Yes.

5 THE COMMISSIONER: All right. We'll stand
6 adjourned until two o'clock.

7 MS. WALSH: Thank you.

8

9 (LUNCHEON RECESS)

10

11 MS. WALSH: Good afternoon.

12 MR. PHILLIPS: Good afternoon, Mr. Commissioner.

13 THE COMMISSIONER: Mr. Phillips.

14 MR. PHILLIPS: My name, for the record, is
15 Phillips. With me is Mr. Tramley.

16 MR. TRAMLEY: Good afternoon.

17 MR. PHILLIPS: T-R-A-M-L-E-Y.

18 THE COMMISSIONER: Yes.

19 MR. PHILLIPS: Also present at counsel table is
20 Damon Johnston, who is the president, CEO, of the
21 Aboriginal Council of Winnipeg, who was granted intervenor
22 status.

23 Seated at the witness table is Mr. Wayne
24 Helgason, who is a witness being put forward by the
25 Aboriginal Council of Winnipeg.

1 THE COMMISSIONER: Thank you.

2 MR. PHILLIPS: There --

3 THE COMMISSIONER: Proceed. Have the witness
4 sworn or affirmed, please.

5 THE CLERK: Stand for a moment. And is it your
6 choice to swear on the Bible or affirm without the Bible?

7 MR. PHILLIPS: Thank you.

8 THE CLERK: The Bible? All right. State your
9 full name to the court, please.

10 THE WITNESS: Wayne Helgason.

11 THE CLERK: And just spell me your first name,
12 please.

13 THE WITNESS: W-A-Y-N-E.

14 THE CLERK: And your last name?

15 THE WITNESS: H-E-L-G-A-S-O-N.

16 THE CLERK: Thank you.

17

18 **WAYNE HELGASON**, sworn, testified

19 as follows:

20

21 THE CLERK: Thank you, you may be seated.

22 MR. PHILLIPS: We have a number of exhibits which
23 we'll just file and we'll maybe do them as a group. The
24 first is the -- it's a report from the Aboriginal Council
25 of Winnipeg, it's called the Aboriginal School Division

1 Workshop Report, January 24th, 2011

2 THE COMMISSIONER: All right.

3 MR. PHILLIPS: Madam Clerk has told me that would
4 be number 115.

5 THE COMMISSIONER: 115.

6 MR. PHILLIPS: Yes.

7 THE COMMISSIONER: Exhibit 115. And just give me
8 the title again?

9 MR. PHILLIPS: You could probably summarize it as
10 Aboriginal School Division Workshop Report.

11 THE COMMISSIONER: Thank you.

12

13 **EXHIBIT 115: ABORIGINAL SCHOOL**
14 **DIVISION WORKSHOP REPORT DATED**
15 **JANUARY 24, 2011**

16

17 MR. PHILLIPS: Next, at number 116, there is a
18 paper from the Canadian Centre for Policy Alternatives,
19 it's titled Aboriginal Education in Winnipeg Inner-City
20 High Schools. So I'll say that again more slowly,
21 Aboriginal Education in Winnipeg Inner-City High Schools,
22 December --

23 THE COMMISSIONER: Exhibit 116.

24 MR. PHILLIPS: December of 2002.

25 THE COMMISSIONER: What -- December '02?

1 MR. PHILLIPS: Yes, 2002.

2 THE COMMISSIONER: And what was the, the date of
3 the, the division workshop report?

4 MR. PHILLIPS: January 24th, 2011.

5 THE COMMISSIONER: Thank you.

6

7 **EXHIBIT 116: ABORIGINAL EDUCATION**

8 **IN WINNIPEG INNER-CITY HIGH**

9 **SCHOOLS REPORT DATED DECEMBER 2002**

10

11 MR. PHILLIPS: At number 117 is what is titled
12 CSI, all capitals, report, 2012. CSI standing for
13 Community School Investigators. I don't have an exact date
14 of publication but it's post-2012.

15 THE COMMISSIONER: Right.

16 THE CLERK: And that's Exhibit 117.

17 THE COMMISSIONER: Right.

18

19 **EXHIBIT 117: COMMUNITY SCHOOL**

20 **INVESTIGATORS REPORT 2012**

21

22 MR. PHILLIPS: And number 118 there is a case
23 which is Ardoch, which is A-R-D-O-C-H, Algonquin,
24 A-L-G-O-N-G-U-I-N First Nation v. Canada. It's a federal
25 court decision cited as 2002 FCT 1058. And that would be

1 Exhibit 118.

2 THE COMMISSIONER: Exhibit 118.

3

4 **EXHIBIT 118: CASE OF ARDOCH**
5 **ALGONQUIN FIRST NATION V. CANADA**

6

7 MR. PHILLIPS: Exhibit 119 would be the resume of
8 Wayne Helgason.

9 THE COMMISSIONER: Right.

10

11 **EXHIBIT 119: RESUME OF WAYNE**
12 **HELGASON**

13

14 THE CLERK: And Exhibits 115 through to 119.

15 THE COMMISSIONER: Thank you.

16 MR. PHILLIPS: I will be referring first to
17 Exhibit 119 as I lead Mr. --

18 THE COMMISSIONER: Yes.

19 MR. PHILLIPS: -- Helgason through.

20

21 DIRECT EXAMINATION BY MR. PHILLIPS:

22 Q Mr. Helgason, my understanding is that you have a
23 Bachelor of Arts from Carlton University?

24 A Yes, correct.

25 Q And in terms of your practical experience to

1 bring you before the Commission, my understanding is that
2 you were employed as a social worker with the Children's
3 Aid Society of Winnipeg from February of 1982 to June of
4 1984?

5 A Yes.

6 Q And what role did you -- were you a front line
7 worker at that point? What was your position with them?

8 A I was a front line social worker, achieved -- the
9 funding was achieved through the Winnipeg Foundation
10 because while the agency had in excess of 200 workers they
11 did not have -- well, they did have one but they didn't
12 have a significant representation of aboriginal people
13 within the employ. So they applied to the Winnipeg
14 Foundation for a grant and they were granted some money to
15 hire two and I was one of the two, and it was called the
16 Deployed Worker Project and I worked out of David
17 Livingston School for two years but did full service child
18 welfare work which included apprehensions, foster home
19 licensing, the full mandate.

20 Q Sorry, I should have indicated, you are a member
21 of Sandy Bay First Nation and you have treaty status; is
22 that correct?

23 A That is correct.

24 Q Okay. So you were employed by Children's Aid
25 Society of Winnipeg in -- from 1982 to 1984 as an

1 aboriginal social worker, based out of a school; is that
2 correct?

3 A I, I had offices in both places but the school
4 was my primary activity area.

5 Q You later got promoted and you were working for
6 Northwest Child and Family Services, I have it from June of
7 1984 to November of 1986 you were a supervisor of social
8 workers for Northwest Child and Family Services, as it then
9 was?

10 A Yes. The Children's Aid Society was disbanded by
11 the, the government of the day and in place were six
12 agencies created, in Winnipeg, the largest being Northwest
13 Child and Family Services and I was seconded to that
14 agency, initially as a resource coordinator but I became
15 the supervisor of -- on Selkirk Avenue of 10 social workers
16 providing full range child welfare services to the most
17 highly active area of the city, the North End, essentially.

18 Q I was going to ask you that next question,
19 Northwest Child and Family Services, just for the
20 Commission's benefit, what part of the city would that
21 include?

22 A Basically, the train tracks -- you know,
23 everything north of the train tracks, Selkirk Avenue,
24 Pritchard, Magnus, right up to the -- up to -- north,
25 completely north, Maples, Brooklands. But the highest

1 concentration of activity was just immediately north of the
2 tracks, in the Selkirk, Salter area.

3 Q Would that be considered part of what we tend to
4 call the core area?

5 A Yes.

6 Q Okay. And so would it be fair to say a
7 significant percentage of the people who live there, and a
8 significant percentage of the people that came into contact
9 with the agency were aboriginal?

10 A Oh, yes, by far.

11 Q Okay.

12 THE COMMISSIONER: Designated as part of the core
13 area, would you also designate it as part of the inner
14 city?

15 THE WITNESS: Oh, definitely, yes.

16 MR. PHILLIPS: Sorry, I was using the term
17 interchangeably.

18 THE COMMISSIONER: Okay.

19 THE WITNESS: It was kind of downtown, which
20 is --

21 MR. PHILLIPS: Right.

22 THE COMMISSIONER: Yes.

23 THE WITNESS: -- the inner city but -- and then
24 the, the main residence area is where's the --

25

1 BY MR. PHILLIPS:

2 Q When you said north of the tracks --

3 A -- in and around --

4 Q -- I understood what you meant but for someone --

5 A Oh, I see.

6 Q -- not from the city --

7 THE COMMISSIONER: Oh, I, I understand what that
8 means.

9 MR. PHILLIPS: Okay. Right.

10 THE COMMISSIONER: Yeah.

11

12 BY MR. PHILLIPS:

13 Q So he's just north of the, of the richer part of
14 downtown.

15 A The tracks were the dividing line between Central
16 Child and Family and Northwest Child and Family.

17 Q Okay.

18 THE COMMISSIONER: I understand that.

19

20 BY MR. PHILLIPS:

21 Q All right. So you then got promoted and you
22 became the senior director of resource development at
23 Northwest Child and Family Services, you held that position
24 November 1986 to June of 1989?

25 A That's correct.

1 Q Okay.

2 A That's foster homes placement, approving
3 placements for children, and whatnot.

4 Q And then, in 1989, you moved to the Ma Mawi
5 Centre. We won't discuss the Ma Mawi Centre at length, I
6 think the Commission has heard from other witnesses what
7 the Ma Mawi Agency does but you were the executive director
8 there from June of 1989 to May of 1994. I take it from the
9 term executive director would have been essentially you
10 ran, you ran the place, subject to a board of directors?

11 A That's correct.

12 Q Okay. Then in 1994 you moved from executive
13 director of Ma Mawi to become the chief executive officer
14 of the Social Planning Council of Winnipeg. You held that
15 position for, it looks like, 17 or 18 years until your
16 retirement in 2011. Is that correct, sir?

17 A That is correct.

18 Q The Social Planning Council of Winnipeg, can you
19 give the Commission a, a brief idea of what the Social
20 Planning Council is?

21 A The Social Planning Council is essentially funded
22 by the United Way and it does assessments, it has
23 historically done assessments on services and organizations
24 in the charitable non-profit sector but it also does action
25 research related to solutions and ideas that community are

1 prepared through, you know, inspired leadership in the
2 community to address social issues. It represents the
3 voice, I suppose, of persons with disabilities, new
4 Canadians, aboriginal people, certainly, in big measure, to
5 effect policy, options, policy changes for all levels of
6 government.

7 It does not receive government funding, except on
8 certain projects from time to time but it -- essential
9 operation is to ensure that those that may not have the
10 ability to have the voice, that there's processes or
11 opportunities for their concerns to be brought forward.

12 Q So is it fair to say you've essentially moved
13 from being a frontline CFS worker up to the highest levels
14 of policy and planning? That's essentially the way your
15 career unfolded. Is that fair?

16 A Yes.

17 Q Okay. Now, apart from your actual job
18 positions, which you held, you were also a member of all
19 sorts of boards. They're in your resume, I'm just going to
20 touch on just a few of them because -- I'll try and touch
21 on some that are most directly relevant to what we'll be
22 talking about this afternoon.

23 You were on the Aboriginal Council of Winnipeg,
24 you were on the board of directors of that agency for how
25 long, sir?

1 A Well, I was on the founding board when it was
2 established in '92 as a, as an elected council member.
3 Essentially on it continuously until, in 2000, when I ran
4 for president and was successful.

5 Q Um-hum.

6 A From 2000 to 2003. I remained on it -- I took a
7 three year hiatus, or whatever, and then I was urged to run
8 again in 2006 till 2009, I believe.

9 Q Okay. So at this --

10 A For most of its existence, actually.

11 Q Right. So at this time you don't hold a formal
12 position with the Aboriginal --

13 A No.

14 Q -- Council of Winnipeg?

15 A Past president but ...

16 Q Okay. Now, you are the current --

17 A Member.

18 Q -- president of something called the Centre for
19 Aboriginal Human Resource Development which is -- goes by
20 the acronym, CAHRD or Card (phonetic) it's pronounced.

21 A Um-hum.

22 Q You're the current president of that, what, what
23 is that agency, what does it do?

24 A Well, the Centre for Aboriginal Human Resource
25 Development, initiated some 30 years ago as an outreach

1 program of Canada Manpower and it was to specifically
2 outreach to the aboriginal community.

3 In the late '80s, in the late '80s, the federal
4 government basically got out of labour market training
5 manpower. There used to be 10 manpower offices. They
6 basically devolved to the province. But at the time they
7 established a separate fund designated for aboriginal
8 people. It was called the Pathways to Success and it was
9 an amount of money, determined in some fashion, but it was
10 a significant amount of money over five year agreements,
11 the first one being Pathways to Success in which there
12 would be local control. Local control was a big element of
13 that and that -- it was called Native Employment Service at
14 the time and it, it assumed some of the direct funding from
15 the federal government to, to do work placements, work
16 preparation, resume, and, and broadened its services to
17 include training and job related assessments and support
18 to, to aboriginal people, without distinction, that is
19 Metis, First Nations, non-status, out-of-province status,
20 in finding jobs. And they've grown, they've grown, you
21 know, fairly successfully, they've placed over a thousand
22 individuals -- and they have clients in excess of that but
23 the, the results are a thousand individuals, aboriginal
24 individuals, per year, in jobs within various sectors.

25 Q Okay.

1 A They --

2 Q We'll probably come back to it a little later on
3 when --

4 A Okay.

5 Q -- we talk --

6 A Yeah, I know I'm --

7 Q Just trying to explain -- we're getting --
8 education is our focus today and vocational training --

9 A Yes.

10 Q -- so I just wanted to, to point out --

11 A Well --

12 Q -- that this is involved in vocational training
13 and job placements.

14 A Yes.

15 Q And that you have active involvement.

16 THE COMMISSIONER: And it's still current
17 funding, is it?

18 THE WITNESS: It's still current funding, in fact
19 it's, it's recognized by the last Minister of Indian
20 Affairs, Chuck Strahl, as being one of the best -- or
21 better -- one of the best examples of -- in Canada, of, of
22 success and we'll go -- I'm sure we'll go into that in more
23 detail but it's still -- yes, it's still in operation. In
24 fact, you'll read about it in tomorrow's Free Press because
25 there was just an announcement on a social enterprise

1 that's been -- in the environmental area, called Mother
2 Earth Recycling, which will create jobs and -- you know,
3 and so ...

4 Q That's where you --

5 A But it, it --

6 Q -- that's where you were this morning?

7 A That's where I was this morning.

8 Q Okay. You were also three times president of the
9 National Association of Friendship Centres. We've heard a
10 little bit about friendship centres, perhaps you can just
11 give us a very brief description of what a friendship
12 centre is.

13 A Brief? Okay.

14 Q Brief, yeah.

15 A The friendship centre is -- initially, it was
16 established in -- well, in the late '50s as a -- the
17 migrating native people's program and it -- over the course
18 of time the federal, the federal/provincial sort of
19 arrangement but through the course of time there are 122
20 friendship centres in the country and in every major urban
21 area which -- you know, the first of which was in Winnipeg.
22 And there's a story around that that I --

23 Q We'll get to that a little later.

24 A Oh, okay. But no, I ran -- and every year
25 there's an assembly, three representatives from each

1 friendship centre assemble in a, in a -- some city and they
2 go through a resolution process and they also elect their
3 board of directors. And in '99 I was -- in 1999 I was
4 urged to run for president. I was the president of the
5 Winnipeg Friendship Centre and I was successful and I ran
6 three successive terms, successfully, and then in '99 I, I
7 felt my six years of contribution during which time we
8 transferred the program, did some other things with respect
9 but ...

10 Q Now, one of the things friendship centres do is
11 they work on helping people transition; is that ...

12 A They, they do.

13 Q Yes.

14 A They're, they're -- in some communities they're
15 the only aboriginal service organization but in larger
16 centres there's -- there has been some development of, of
17 aboriginal responses and so -- but yeah, they, they are
18 like the grandmother and they're the place that many ideas
19 had been born and, and, and fully developed where, where
20 there has been -- I'm not trying to paint a picture that,
21 that this, that, that is sufficient and, and that they're
22 -- you know, there's no issues but certainly it's, it's an
23 infrastructure that has two or three workers per centre,
24 core funded from the federal government and then matched by
25 the province and so they -- you know, I heard testimony

1 yesterday with respect to some of the housing, they have
2 recently endured some significant cutbacks, as well.

3 Q You have also been -- you were the charter
4 chairperson and a board member of the Aboriginal Centre of
5 Winnipeg, from 1989 to present. And we'll talk more about
6 the Aboriginal Centre later but just tell us briefly, what
7 is the Aboriginal Centre, how did it start, what does it
8 do?

9 A Okay. As the Executive Direct of Ma Mawi, I had
10 a significant budget, we'll say, by comparative terms, we
11 were the largest urban aboriginal -- I mean, at the time I
12 think it was four billion a year or to, to, to, to somehow
13 assist in child and family matters but to do it in a
14 supportive way.

15 In any event, we, we had a location, when I took
16 over that was not handicapped accessible, we were renting,
17 so at that time we did a bit of an assessment of all our
18 placement costs and together with a few other organizations
19 we decided if we, we would pooled together our resources we
20 could potentially, you know, own or buy a facility and at
21 the time the old CP station was empty for 10 years and we
22 put together a plan, and this plan came from us, it didn't
23 come from government tapping us on the shoulder or just
24 that we were spending -- I was spending \$144,000 a year on
25 rent. Others, smaller organizations, like Native

1 Employment Service and, you know, Native Women's who needed
2 other space, office space, so we all pooled that together
3 and bought the CP station and the four acres of land at
4 Main and Higgins.

5 We really didn't have any money but we were able
6 to put a plan together by which the rents we paid went
7 towards servicing the debt but also, taking advantage of
8 historic grants and, and other rental of office. We
9 convinced the federal government that it needed a single
10 point of access for federal people so they rented some
11 space of us so that they had programs and we were able to
12 occupy about 30 percent of the building, initially. Today,
13 the building is full, it actually has expanded and I'm, I'm
14 -- might want to talk about that in the course of, of our
15 inquiry.

16 Q Some of the things that are done out of there
17 include --

18 A Well --

19 Q -- vocational training, educational training,
20 that sort of thing?

21 A There are 13 or 14 vocational training but the,
22 the real challenge -- there's an aboriginal community
23 campus with over 300 adult students who have come back,
24 some of the same young people I chased around as a child
25 welfare worker who, at 26, 27, you know, have decided to,

1 you know, to get an education. So we have what's called
2 the Aboriginal Community Campus which is an adult learning
3 centre. It's the largest one in the, in the province, over
4 300 adult aboriginal students attend there daily and, and
5 we graduate 70 to 80 with their, their real Grade 12.
6 Because we need that because we have training programs,
7 we've provided over 200 jobs to the aerospace industry and
8 -- but our real challenge is the fact that the literacy
9 level, the literacy rate among the First Nations and Metis
10 and Inuit population is, is very, is very poor and so
11 remedial programs and support for getting both literacy
12 and, and competency is, is the biggest challenge. Once we
13 got that far then we can offer the -- you know, there's a
14 real market for, given the demographics for First --
15 aboriginal people to be in the labour force.

16 Q We'll come, we'll come back --

17 A Okay, yeah.

18 Q -- to those points.

19 A I'm sorry, thank you.

20 Q Okay.

21 A Just focus me.

22 Q So that -- so the Commission has, has the general
23 point of view, it's, it's a centralized service provider.

24 A Yeah.

25 Q It's got educational components. Now, we've been

1 talking and we've heard the last couple of days from a
2 variety of witnesses about the phenomenon of urban
3 aboriginals as we call them. That's a topic you're
4 familiar with. Try to explain, for the record, what is an
5 urban aboriginal, how did the concept of urban aboriginal,
6 as a term, come about?

7 A Well, particularly as it relates to First
8 Nations, it -- the history of Winnipeg is such that in
9 1951, when the Indian Act was changed to permit First
10 Nations people to leave the reserve without being signed
11 off by the Indian agent, many started migrating from
12 different reserves.

13 Q So I don't mean to interrupt you but --

14 A Oh, I --

15 Q -- as I said to you when you told me this, a
16 person of my generation this seems very odd but you're
17 saying prior to 1951 an aboriginal person was not allowed
18 to leave the reserve without written permission from an
19 Indian agent, a government agent?

20 A That's correct.

21 Q Okay.

22 A Or, or engage a lawyer or to go to university.
23 They actually lost -- they become what some people call
24 enfranchised which means they gave up their Indian status,
25 as a result.

1 Q If you left without permission.

2 A Or if you married, if you married a non-native,
3 as my mother did, she grew up on the reserve, went to a
4 residential school. If you married a non-native, which
5 also disenfranchised -- or enfranchised, did -- I think the
6 other way around, but it was it was called enfranchised and
7 you became a Canadian citizen.

8 First Nations people still had to wait 10 years
9 to vote in the federal government election.

10 So anyway, they started -- people started leaving
11 the reserve, by 1956 --

12 Q So sorry, you could then leave but keep your
13 Indian status?

14 A You, you could leave but keep your Indian status.

15 Q Okay.

16 A That's correct.

17 Q So that led people to leave the reserves?

18 A That's right.

19 Q Okay.

20 A And they started showing up in Winnipeg, and in
21 other centres, but disoriented, essentially, after having
22 lived on the reserve, where you, you never own your house,
23 you're under the band council and Indian agent. And there
24 was no -- there was issues with people and so the first
25 friendship centre was established, in 1958, in Winnipeg and

1 Toronto and Vancouver, all the three were model projects at
2 the time.

3 While I was president, Winnipeg was the first, as
4 far as I was concerned, Toronto sometimes says they were
5 but nonetheless, Winnipeg -- and I think it's, it's fair to
6 recognize, Winnipeg is -- has been the place of a lot of
7 first aboriginal initiative that other parts of the country
8 look to, although I mean I'm, I'm talking about the scale.
9 Often they're small success circumstances but I mean, as
10 history has shown, they, they seldom get built upon to
11 effect the status quo in any meaningful kind of way but
12 Winnipeg has been the, the place of great -- of good
13 leadership over the years and -- so '58 it was established,
14 it basically flourished and then started off programs like
15 the Native Women's Transition Centre and others, you know,
16 places where people could go and have social connection and
17 also meet people from their home community in, you know,
18 kind of a meeting place, really.

19 And they had opportunity -- they had housing
20 counsellors and senior's services, you know, they would
21 have a birthday once a month for all the elders and, and
22 they, and they did bingo and they did other kind of social
23 events and, and it was kind of the -- it was the only
24 organization at the time that was under any kind of
25 aboriginal orientation.

1 Q So I'm told --

2 A It was actually established by the Social
3 Planning Council, it was the Social Planning Council of the
4 day that organized what they called Indian and Metis
5 conferences but it was called the Royal Alexander Hotel
6 and, and ironically that's -- the property is now owned by
7 the aboriginal community of Winnipeg.

8 Q Now, you, you have told me that the first real
9 acknowledgement of the, of the urban aboriginal population
10 is in -- came in something called the Neginan report, in
11 1974.

12 A Um-hum.

13 Q Perhaps you can just, very briefly, tell us what
14 that report was about and, and what it said.

15 A Well, it was done by -- it was written by an Earl
16 Levin, it was done in 1974 for the provincial government,
17 that looked at what might be the solutions to some of the
18 ongoing issues in a growing population and the Neginan
19 report called for a multi-service centre as well as a
20 designated area of the city in which aboriginal people
21 could live and, and, and you know, concentrate their
22 initiatives and, and, and the youth centre was envisioned,
23 a multi-service centre and a residential component.

24 Q Okay. So some of those things have come to be,
25 some haven't?

1 A Well, the -- it, it never -- it, it was a
2 guiding, it was a guiding instrument when, in 1989/90 those
3 concepts then became -- you know, nothing is new under the
4 sun, you know, I mean somebody -- some leadership, a
5 generation previous, '74 to '90, you know and -- to '89, 15
6 years. It was, it was very instrumental in us feeling that
7 we could do this, we could, you know, divide the, the
8 building -- am I doing something here?

9 THE CLERK: I think every time it's (inaudible)
10 that makes feedback and it cuts out the sound.

11 THE WITNESS: Okay. So I just speak further
12 away?

13 THE CLERK: Yeah, please.

14 THE WITNESS: Okay. It was, it was kind of like
15 a -- in reading it, it was like the circumstances of the
16 day and if -- you know, and I encourage that, if you read,
17 it's like today, you know, it -- First Nations, aboriginal
18 people are, are essentially still not part -- are, are
19 peripherally attached to mainstream services, even those
20 that are designated for the -- when I say mainstream I mean
21 the health system, the justice system, the child welfare,
22 There has been improvements, though, I must say, on the
23 child welfare front, in that, you know -- but the Neginan
24 report multi-service centre, governed by aboriginal people.
25 And that was 1974.

1 Q Okay. So we've heard various comments about the
2 urban aboriginal, the urban aboriginal community, Professor
3 Distasio was here yesterday, telling us -- you know
4 Professor Distasio from --

5 A I do.

6 Q -- other --

7 A He's a colleague of mine.

8 Q -- business, yes. And we talked about some of
9 the problems they face. Can you give idea of the size of
10 the urban aboriginal community? Do we know relatively
11 accurately what the size is?

12 THE COMMISSIONER: In Winnipeg?

13 MR. PHILLIPS: In Winnipeg.

14 THE WITNESS: Yes. First I'll say that
15 aboriginal people do relate to a home community. I'm a
16 band member of Sandy Bay, I have family there, although
17 it's not possible, in my view, for the chief and council of
18 Sandy Bay to provide the supports that I might need if I
19 wasn't independent, as I've been fortunate to be, to be
20 able to do through, through education and whatnot. But,
21 the last -- and the last census, the information is coming
22 out for the 2011 census is somewhat compromised by the fact
23 that it was a voluntary survey rather -- the household
24 survey was voluntary rather than mandatory and if you know
25 that but the population of Winnipeg is, as it relates to

1 aboriginal people, is -- there's two questions, one's
2 ancestry. I have a 76,055 but the, the solid number, I
3 think that we can rely on, and governments tend to rely on
4 is a smaller number which are aboriginal identity, those
5 that say I identify as a First Nations or Metis or
6 multiple-identities, non-status, high as 72,335.

7 Q Okay. So --

8 A Well, essentially that's -- if that -- if all of
9 that 72,000 people were taken -- aboriginal people were
10 taken out of Winnipeg and put in a place, they would be the
11 second largest city in Manitoba, by far. So it's, it's a,
12 it's a sizeable population, it's -- there are more, more
13 First Nations people in Winnipeg than any reserve in
14 Canada, that's including six nations.

15 THE COMMISSIONER: Is that a 2011 census
16 figure?

17 THE WITNESS: Yes.

18

19 BY MR. PHILLIPS:

20 Q Which is -- just come out relatively
21 recently?

22 A Just within the last week or so.

23 Q Right.

24 THE CLERK: Just hold on a sec, the, the clock is
25 moving on here but it's not moving on the computer. Just

1 let me try to figure out what ...

2 Okay, it's back on again.

3

4 BY MR. PHILLIPS:

5 Q All right. So I know you had shown me the
6 figures from 2001 and 2006 and can you speak in terms of a
7 trend, in terms of numbers? There's 72,335 in 2011, what
8 were the -- do you have the numbers for 2001 and 2006?

9 A You know, probably, I would have to dig them out
10 but --

11 Q Okay.

12 A -- the -- we know that historically the
13 population over a census period has grown by between 17 and
14 21 percent. I think the, the last growth rate is 21.

15 What's remarkable about these numbers --

16 Q And so -- sorry, don't mean to cut you off.

17 A Okay.

18 Q Twenty-one percent, that's over a five period --

19 A Yes.

20 Q -- so if you annualize it it's probably three and
21 a half percent or so?

22 A Yeah, right.

23 Q Right. Okay. And is it fair to say that that is
24 significantly higher than the non-aboriginal growth rate?

25 A Absolutely.

1 Q Okay.

2 A In fact, in the, in the 2006 census Manitoba
3 would have shrunk in population were it not for the
4 aboriginal population, they were very much a base line.

5 But what's interesting about the demographics on
6 that is the median age of a Manitoban has gone up to 40, 50
7 percent above, 50 percent below. The median age of an
8 aboriginal person in Manitoba has, has -- went down from 24
9 -- at age 24, to age 21. So 50 percent of the population
10 is older than 21 --

11 Q Yeah.

12 A -- and 50 percent is, is lower.

13 Q So, so what we can say then is that the
14 aboriginal population, certainly in Winnipeg, is growing at
15 a much higher rate than the non-aboriginal population and
16 demographically speaking it is a much younger population --

17 A Yes.

18 Q -- than the non-aboriginal population.

19 A And so one can expect that's a family formation
20 age, there will be -- that trend is going, is going to
21 continue or grow.

22 Q Educational --

23 A And so --

24 Q -- age I assume?

25 A Exactly. As we speak, 25 percent of children

1 entering the education system in Manitoba are aboriginal,
2 in their concentrations like where I used -- in Lord
3 Selkirk where it's 90 percent.

4 Q And presumably, based on demographics, that
5 number is going to increase over time, the aboriginal --

6 A Yes.

7 Q -- percentage will be increasing sharply?

8 A Yes. And you know, I, I don't know what effect
9 would cause it to change but yeah, 21 year olds tend to be
10 producing children, 40 year olds are less likely.

11 Q In terms of the factors influencing the growth
12 rate and putting it above the societal average, is it fair
13 to say aboriginals generally have a higher birthrate and,
14 and more children per, per female than the non-aboriginal
15 population?

16 A Yes.

17 Q And similarly, the Winnipeg numbers, as opposed
18 to the Manitoba numbers, the Winnipeg numbers will be
19 affected by movement from reserves to the city?

20 A Yes.

21 Q More people move from reserves to Winnipeg than
22 the reverse?

23 A Yes.

24 Q Okay. So the population is increasing due to --

25 A Yeah.

1 Q -- organic growth and due to movement from the
2 reserve?

3 A As is general population in, in, you know, the
4 smaller city, the smaller places being depopulated.

5 Q Okay. In terms of the composition, you referred
6 to it as aboriginal. When you use the term aboriginal
7 you're including, I think, three distinct groups. You're
8 including First Nations people.

9 A Yes.

10 Q You're including Metis people --

11 A Um-hum.

12 Q -- and you're including Inuit people.

13 A That's correct.

14 Q Do you have a breakdown of how the 72,335 is
15 distributed?

16 A Yes, there's 29,485 First Nations who claim
17 identity as a North American Indian. There's 41,235 that
18 claim identity as a Metis, 340 Inuit and multiple
19 aboriginal identities, 745. And aboriginal identities not
20 included elsewhere. I don't know what that means,
21 actually, but there was 530.

22 Q I suppose they could be immigrants from other
23 countries --

24 A That's right.

25 Q -- who are aboriginal there.

1 A I think you're -- that could be that.

2 Q As an example. Multi-aboriginal identities may
3 be mom is Inuit, dad is, is aboriginal. Okay. So more
4 than half the number is Metis, it looks like about 35 or 40
5 percent is First Nations, and the rest are fairly small.
6 Is that fair?

7 A Um-hum.

8 Q Okay. In terms of their point of origin, do you
9 have any idea of what percentage of that number is from
10 Manitoba originally and what may have moved -- what
11 percentage may have come in from other provinces?

12 A Well, not on the census and that's not --

13 Q Right.

14 A -- captured there but --

15 Q Um-hum.

16 A -- in -- both in the databases of CAHRD, where we
17 do keep track of the, the band, mostly on the First Nations
18 side --

19 Q Um-hum.

20 A -- in fact, very specifically on the First
21 Nations side. About -- our estimate is about 20 percent of
22 the First Nations population in Winnipeg have come from
23 outside the province, that is many come from the Thunder
24 Bay, Kenora, Rainy River area, it's just so the --

25 Q Northwestern Ontario?

1 A Northwestern Ontario. Another percentage, about
2 four percent, we found came from Saskatchewan and West,
3 because there's treaties that cross the Saskatchewan,
4 Manitoba borders, I think there's three, at Birdtail, the
5 Sioux treaties -- or the Sioux don't have treaties but they
6 have reserves, and then in the north of, of there.

7 So, there's movement but we're, we're certainly a
8 drawing point, as a city, for many things, from Ontario as
9 well.

10 Q So of the 29,000 there may be, let's say about
11 8,000 that have a, have a birthplace or a tie outside of
12 Manitoba in terms of the First Nations people?

13 A Yeah. Maybe 6,000.

14 Q Okay.

15 A Yeah, out of --

16 Q So, so -- oh, yeah, sorry, I did the math wrong.
17 So, the, the difficulty for them, in terms of when we talk
18 later about accessing services is they're not even tied to
19 a reserve in the Province of Manitoba, they're tied to a
20 reserve elsewhere in Canada?

21 A Yeah.

22 Q So the difficulty for them to access reserve
23 based services is multiplied by the distance that they are
24 away. Is that fair?

25 A That's right, or the provincial jurisdiction

1 differences, yeah.

2 Q Okay. In terms of --

3 A But we have one agency that's dedicated only to
4 children from out of province, Animikii Agency, under the
5 Southern Authority is -- services those children. There's
6 no concurrent First Nation territory in Manitoba that they
7 can relate to.

8 Q In terms of the characteristics of the group, are
9 you able to give us some idea in terms of, generally
10 speaking, their educational development of this group, or
11 do they typically have high school diplomas, are they Grade
12 8 graduates, Grade 10, what's the educational level of this
13 urban aboriginal group?

14 THE COMMISSIONER: You're not talking about from
15 outside Manitoba now?

16 MR. PHILLIPS: No, sorry, back to the full
17 72,000.

18 THE WITNESS: The full immigrants or migrants,
19 well, at CAHRD we do do an assessment because we have a
20 literacy program of almost 120 seats. We have a community
21 campus, which is the regular high school for adults,
22 there's about 300 to 320 seats. And -- but we test -- I
23 mean, there's no -- and, and we were very shocked,
24 actually, at the, the low functioning level of those who
25 come from northern communities. And we, we understand that

1 there's, there's for instance no, no math teacher north of
2 The Pas for any of the smaller schools, that Grade 5 is
3 normal -- often the, the competency level of the tests that
4 we -- the standardized tests that, that we, we ask them to
5 -- and so as I said earlier, like the real challenge is
6 getting the education, the education gap closed and I, I
7 have some data on that, as well, from the 2006 census and
8 the comparison between 2001 and 2006.

9 Q Is it fair to say, generally speaking, that the
10 education level of the urban aboriginal community is
11 significantly lower than the non --

12 A Very --

13 Q -- aboriginal?

14 A -- very much lower, yes.

15 Q So if one is talking education, vocational
16 training, that sort of thing, there are significant hurdles
17 that need to be overcome?

18 A Correct.

19 Q We, we heard yesterday from the government
20 witness, whose name escapes me, I -- the lady we heard from
21 in the morning speaking about poverty and depth of poverty
22 and how that reflects. In terms of this group, would you
23 say a significantly higher percentage lives in poverty than
24 in the non-aboriginal population?

25 A Absolutely.

1 THE COMMISSIONER: You're talking about the
2 79,000?

3 MR. PHILLIPS: Talking about the full group, the
4 full 72,000.

5 THE WITNESS: Yeah.

6 THE COMMISSIONER: Seventy-two.

7 THE WITNESS: Well, I can relate to my time at
8 the Social Planning Council, on a yearly basis on November
9 24th we produce a child poverty report card. In fact, in
10 year 2000 we won the social justice research award from the
11 University of Manitoba in the Catholic study for Jesuits.
12 Anyway, it was on the basis of our report. The last figure
13 I remember is that, by comparison, about 23 percent of all
14 children in Manitoba live in poverty and the, the -- and
15 when we say children, we're going 14 and below and the
16 number for aboriginal people was 60 percent. The 23 as
17 opposed to -- so 60 percent of all aboriginal children, all
18 aboriginal children, 14 and under, live in poverty in
19 Winnipeg.

20

21 BY MR. PHILLIPS:

22 Q Oh, okay, so that's a Winnipeg number that
23 doesn't include reserves?

24 A They don't track poverty status --

25 Q Oh, social planning.

1 A -- numbers, they don't count it, they don't --
2 because housing is, is apparently provided so in, in, in
3 our calculations -- Stats Canada doesn't take that --
4 doesn't pick up that information.

5 Q Okay.

6 A So we only have the Winnipeg numbers.

7 Q So about three times as many urban aboriginal
8 children live in poverty as non-aboriginal? Sixty percent
9 versus --

10 A Almost.

11 Q -- 23?

12 A Yeah, yeah, yes.

13 Q We heard from --

14 A There's -- yeah, okay. There's another element
15 to that, too.

16 Q Okay.

17 A In that, that while some families face poverty on
18 an occasional basis, you know, circumstance of a job loss
19 or a transition or school or something, another thing that
20 puts Manitoba fairly distinct is that children who live in
21 poverty more than six years and that's, that's a
22 measureable one, too. In Manitoba, it's highest in the
23 country in, in children having to endure poverty on a
24 sustained basis and we find it -- you know, people recover
25 if it's a one year or a two year episode but if it is part

1 of your life for more than six years, you, you, you -- the
2 outcomes and possibilities seem to diminish for -- you
3 know, for moving out of it.

4 Q Also, in -- we heard again from Professor
5 Distasio about housing as an issue for this group.

6 A Um-hum.

7 Q Would you agree with that in your experience?

8 A Absolutely. Yeah.

9 Q Okay. Now, to give, to give us an idea of when
10 we talk about poverty, depth of poverty, he mentioned
11 yesterday that the housing allowance, I think he said was
12 around \$290 a month. Is that your understanding?

13 A I think you're high.

14 Q Okay.

15 A I think it's 285. It went from --

16 Q Okay.

17 A -- 272 to 285 on the basis of some of our
18 protests but I mean --

19 Q Okay.

20 A -- there is some opportunity for subsidy for
21 disabled --

22 Q Okay.

23 A -- access but for an individual, that's, that's
24 around what you would have to, what you would have to work
25 with to get a home.

1 Q How about --

2 A A house.

3 Q How about food and clothing on a monthly basis?

4 A My last recollection and I've been -- you know,
5 but people are telling me it hasn't changed remarkably, I
6 think it's about \$107 a month to feed yourself.

7 Q Okay. So when Dr. Distasio was talking about or
8 when we were talking yesterday about depth of poverty --

9 A Um-hum.

10 Q -- I assume, based on the numbers you're talking
11 about, people on social assistance would be considered in
12 deep poverty as opposed to, for example, working poor?

13 A Yes. Although the -- it's interesting because
14 there's this -- there's almost an equal number of people
15 who live in poverty who are working full year, full time in
16 the home.

17 Q Um-hum.

18 A The problem is they're, they're probably a single
19 provider for a family and they earn minimum wage. So --
20 but no, I mean, being on social assistance puts you in
21 poverty, I mean, there's, there's no ...

22 Q We heard yesterday about transients is, is a bit
23 of a characteristic of the urban aboriginal community and
24 we heard about how it's transient, both in the sense of
25 moving back and forth to reserves and moving within the

1 City of Winnipeg. Is it -- is that your experience, as
2 well?

3 A Yes.

4 Q Okay.

5 A Yeah.

6 Q And in terms of the reasons for that, why would
7 people move from a reserve to Winnipeg, typically? What
8 would be the reasons for that?

9 A Well, typically for, for jobs. There, there is
10 not -- there is a scarcity of, of industry on, on, on
11 reserves, it's federal land, it's not owned, you can't use
12 your equity, your -- even of your house to start a business
13 or -- there just isn't jobs. The only jobs really are in
14 the band office and the health centre sometime, if you have
15 one.

16 Q So we, we could call that economic opportunity
17 is, is --

18 A I would say --

19 Q -- perceived as better?

20 A -- or educational and economic opportunity --

21 Q Okay.

22 A -- or in some cases First Nations actually export
23 some of their more difficult families, individuals.

24 Q Okay. So you mentioned economic --

25 A BCR, they call it BCR, Band Council Resolution,

1 and you can be BCR'd off the reserve for --

2 Q Right. If they're causing trouble --

3 A Yeah.

4 Q -- then they get sent to Winnipeg. Opportunity,
5 economic opportunity you mentioned, you mentioned
6 education. Now, is it fair to say that on many of these
7 aboriginal reserves school ends at about Grade 8 on the
8 reserve and so if anyone wants to go beyond that, they have
9 to move to Winnipeg or some other urban centre?

10 A Not all reserves, I think has Peguis has a -- you
11 know, the bigger reserve, 6,000 people. Sandy Bay has.
12 But the, the quality of education is still -- I mean,
13 education is not funded on reserve at the same level it is
14 in provincial schools. The federal government is
15 responsible for, you know, providing education, it's a
16 treaty right, as they are for housing. You know, I mean,
17 the, the agreements were made, the treaties were made with
18 the understanding that the First Nations people would, you
19 know, give up their -- or share, actually, I guess in some
20 cases it was interpreted as give up, but share their
21 resources and they would be then provided for on, on a
22 reserve and the, and the lands were held in trust by the
23 federal government so they couldn't be sold or ...

24 So it's not a place of tremendous economic
25 activity. So people, to find jobs, come to the city,

1 often. I think that's probably the primary one but then
2 they find that they, they are competing in a labour market
3 and not necessarily equipped.

4 Q We also heard people may move for medical
5 reasons?

6 A Yes.

7 Q Okay. And --

8 A A lot.

9 Q -- as bad as the housing situation is, in
10 Winnipeg, for aboriginals, is it fair to say it can often
11 be much worse on reserves?

12 A Well, I saw an Indian Affairs report that
13 reported that 46 percent of the houses were not in need of
14 repair. No, it, it is -- there's all kinds of horror
15 stories about housing on reserve and -- you know, and
16 including Sandy Bay and others, I mean it's, it's a typical
17 situation that -- and, and you know, the, the life span of
18 a house, given the conditions and access to water and
19 sewage and -- you know, are, are fairly compromised in many
20 reserves in this -- in Canada, certainly.

21 Q So even though the situation is bad in Winnipeg,
22 some families may move here because it's better than what's
23 on the reserve. Okay.

24 A Yes.

25 Q Now, in terms of this 72,000 people is there --

1 they obviously exist within the City of Winnipeg, within
2 the Province of Manitoba, within Canada, so they have those
3 levels of government. Is there any sort of body or
4 political body which governs them specifically?

5 A On a reserve we have the chief and council, in
6 Winnipeg is there any sort of political organization to
7 this group?

8 A Well, I, I would say -- yeah, well, there is the
9 Metis Federation, Manitoba Metis Federation, which has, you
10 know, not so much of a current governing it, it, it has
11 services, it, it has an aboriginal human resource
12 development agreement, as does the Assembly of Chiefs and,
13 and as does CAHRD.

14 Q Okay.

15 A But there -- the body that I would speak to in
16 that regard is the Aboriginal Council of Winnipeg which
17 have representation by members that are signed up, roughly
18 7,000 who are members and for whom the council operates,
19 not in a distinct way, it, it is interested in the
20 processes by which First Nations, Metis and, and aboriginal
21 people, respecting each individually but inclusive of all
22 of them, might come together to, to determine and, and --
23 determine solutions, you know. Now, it's a modest
24 organization, it has two employees, you know, but it, it's
25 a, it's an important and, and actually a very successful

1 voice.

2 It, it relies on a relationship with the federal
3 and provincial governments through a tripartite process and
4 brings issues and, and undertakes activities to identify
5 what might be some solutions in, in Winnipeg, to address
6 some of the issues.

7 Q Yeah. So -- sorry. The ACW then is not just one
8 specific aboriginal group, it includes First nations
9 people --

10 A Yeah.

11 Q -- Metis, Inuit?

12 A That's right.

13 Q So it's unusual in that sense?

14 A Yeah. And it's distinctive because, you know,
15 First Nations have an aspiration for, for nationhood, you
16 know, you'll hear that from the Mohawks and the others and
17 -- but I mean, the -- sovereignty is almost part of some --
18 you know, very distinct to themselves.

19 The Metis have, you know, of a similar -- the
20 Aboriginal Council of Winnipeg represents people and their
21 interests in a collective way and, and takes them into
22 account as residents of and citizens of Winnipeg or
23 Manitoba but who exist in the urban area and they co-exist
24 within the framework we have here. And so I guess, you
25 know, there's a -- so without belittling or, or, or

1 challenging the aspirations of First Nations to be, you
2 know, self-governing, you know, respectful of that, the
3 Aboriginal Council of Winnipeg works with all groups,
4 including the corporate sector, to see how we can, you
5 know, kind of deal with these, these basic societal issues
6 that are prevalent and persistent and --

7 THE COMMISSIONER: You made reference to a tri-
8 part structure. Is there a formal tri-part structure
9 between the, the council and the, the two levels, senior
10 levels or government?

11 THE WITNESS: Yes.

12 THE COMMISSIONER: I'll be interested, at some
13 point, to hear about that.

14 MR. PHILLIPS: Well, maybe we'll ask him right
15 now.

16

17 BY MR. PHILLIPS:

18 Q How is the ACW funded?

19 A It's funded jointly by the federal interlocutor,
20 although there's been some, I would say, concerning changes
21 but nonetheless, it's proven successful in identifying for
22 the federal government and supporting initiatives like
23 CAHRD. In fact, it was the Aboriginal Council of Winnipeg
24 that took the federal government to court when they said
25 we're just going to deal with -- and we can deal with that

1 in another matter, it's sort of a -- but how is it funded,
2 it's funded by -- through the tripartite agreement, which
3 is a signed agreement, that we will work on certain issues,
4 but it's, it's like --

5 Q Who are the three parties? You say the
6 tripartite, identify --

7 A Oh, the Aboriginal Council.

8 Q Yeah.

9 A The Federal Government of Canada, through
10 Aboriginal and Northern Affairs, used to be called
11 (inaudible). I apologize to Damon, I keep calling it
12 Indian Affairs, it's not, it's Aboriginal and Northern
13 Affairs and then Aboriginal and Northern Affairs for the
14 province. So the province, the feds and, you know, jointly
15 fund agreed upon processes to move forward.

16 There's opportunity for special projects,
17 special, you know, youth -- bringing people together, using
18 the processes of the community to identify priorities and
19 then to, to work towards moving them forward.

20 Q Does ACW directly provide counselling services,
21 for example?

22 A No.

23 Q Okay. And is it largely an advocacy group?

24 A I think --

25 Q Would that be --

1 A -- I think you --

2 Q -- a way to describe it?

3 A Well, I think you would call it a representative
4 voice --

5 Q Um-hum.

6 A -- for the special conditions of aboriginal
7 people in Winnipeg and it's inclusive, it's not bothered by
8 the distinctions between the groups but, you know, the
9 aboriginal title, aboriginal rights are -- can be even
10 separate and distinct from treaty rights. Aboriginal
11 title, aboriginal rights exist for aboriginal people --

12 Q Um-hum.

13 A -- more generally and so it's, it's observant of
14 that. And it, it provides a lot of education, it has 7,000
15 members to which it, it tries to respond, based on, you
16 know, limited resources but, you know, in my view, solid
17 leadership.

18 Q Okay. So let's talk about some of the
19 initiatives because some of them are educational, which is
20 what we're trying to talk about today.

21 Children of the Earth School.

22 A Um-hum.

23 Q Can you tell us --

24 A Well --

25 Q -- what that is, how that started?

1 A Yeah. Well, when I was the Executive Director of
2 Ma Mawi, in 1990 -- '89 when there was a hope for an
3 aboriginal school -- I'm sorry, I -- I'll just sit right
4 back here. Can you still hear me okay? I have a hearing
5 challenge, so I -- sometimes I speak a little --

6 A Maybe a little bit closer.

7 Q Okay.

8 A In 1989, at Ma Mawi, there were -- when I started
9 as the executive director, is I was informed that there was
10 a concern about education and the success, not so much on
11 reserve but even, even within the mainstream Winnipeg 1
12 School Division, primarily, which is the largest, there's
13 55 schools, it's just huge, and that aboriginal people were
14 dropping out at a rate that was totally unacceptable, in
15 '89.

16 So we organized a group, again inspired community
17 leadership, in my view, people who were educators, who were
18 interested, who were aboriginal and we proposed that we
19 have our own school. We looked at the -- you know, the
20 Act, you know the Public Schools Act and, and, and proposed
21 to the school division, to the Government of Canada -- of
22 Manitoba at the time, that we enter in discussions to have
23 a separate school to begin with. At the time there was
24 sort of cultural survival schools, language would be, you
25 know, incorporated and, and we were basically deflected to

1 agree to a co-managed facility, a co-managed school and
2 then we provide one under co-management with the existing
3 school division.

4 And the Thunder Eagle Society, which we formed to
5 be the complement from the community, would do such things
6 as hire the principal, and be kind of an interim body
7 between the Winnipeg School Division Number 1 and the
8 school. And it started off not too bad, but over time
9 there was never any resources for the community side and in
10 my view, the, the, the Children of the Earth is a good
11 idea, it, it has, it has provided, I think, good education
12 but to a limited number. And I don't know the number but I
13 don't think it's more than 200 students, it's, it's
14 relatively small by comparison to some other high schools.

15 Q How many -- sorry, I should have gone back to
16 this -- how many children of school age, do we know, in
17 terms of urban aboriginals? Any idea?

18 A Yeah, 14,000.

19 Q Okay. So about 200 out of 14,000 eligible
20 students go to a school which has an aboriginal component
21 in it. Is that fair?

22 A Yes.

23 Q Because Children of the Earth is the only one in
24 Winnipeg --

25 A Only high school.

1 Q Only high school.

2 A There is a K to 12 called Nidji Mahkwa. So
3 there's -- and, and in fact, I, I was involved in a process
4 called live safe, where an aboriginal school division was
5 determined as necessary by the broader public in this --
6 and it was worthy of note that, that this, I think, fairly
7 publically supported that the First Nations, aboriginal
8 people, should have more direct responsibility to, to, to
9 have education -- you know, education being much more
10 successfully delivered than it is now.

11 THE COMMISSIONER: Well, is the 14,000 figure one
12 to 12?

13 THE WITNESS: Yes.

14 THE COMMISSIONER: And the 200 attendees at the
15 co-managed school, that -- is that one to 12, too?

16 THE WITNESS: No, that's just high school,
17 just --

18 THE COMMISSIONER: Just high school.

19 THE WITNESS: I don't know how many are at Nidji
20 Mahkwa but if we -- it wouldn't be much more. I can get
21 you those figures but my guess is perhaps 400 to 450.

22 THE COMMISSIONER: That's, that's all right.

23 THE WITNESS: But I guess the, the counterpoint
24 on this, and that was 22 years ago, so you know when people
25 say why, why do you want a school division, why do you want

1 -- you know, why, why do want something separate and
2 distinct? And you know -- and I say well, if Nidji Mahkwa
3 was such a good idea -- you've got Nidji Mahkwa, you know.
4 And I said well, if Nidji Mahkwa was such a good idea, 22
5 years ago, why do we still only have one school? Since
6 that time the, the French community all -- you know, power
7 to them, six -- 17 years ago established the Society of
8 Franco-Manitoba, a French school division.

9

10 BY MR. PHILLIPS:

11 Q How many students in the French school division?

12 A About 4000 in 20 schools and they have their own
13 school board.

14 Q Okay.

15 A And this was done, you know, and, and I would say
16 the French community who want to preserve their language,
17 who want to ensure their culture, is -- you know, is
18 involved and, and in the education of their children, have
19 every right and, and then, and then that's great. But we
20 have a multiple of that, of aboriginal people, who --
21 children who, who aren't getting the education they, they
22 deserve, in my mind, and yet you know, we haven't --
23 somehow it hasn't -- and, and right now there is again a
24 proposition before those that, that hopefully can make this
25 kind of decision, politically and, and administratively but

1 -- and sometimes I think the status quo is to entrenched in
2 how it does things, it, it's, it's interest in change is
3 minimal at best.

4 Q Okay. We'll come back to that issue in a few
5 minutes.

6 A Okay.

7 Q In terms of other initiatives specifically
8 related to urban aboriginals. We spoke briefly about the
9 Aboriginal Centre of Winnipeg.

10 A Um-hum.

11 Q It has a number of functions, which you
12 mentioned. Deal specifically with education and vocational
13 programming that goes on there.

14 Q Well, it's, it's a laddered process, that is you
15 know, one can enter at almost any level. It's adult so it,
16 it, it is really interesting because --

17 THE COMMISSIONER: This is out the station?

18 THE WITNESS: This is out the station.

19 THE COMMISSIONER: Yes.

20 THE WITNESS: Yeah. And I would certainly invite
21 a tour, you know, that, that really does the job. It's
22 very hard to sort of put, put the colour and, and the real
23 -- it's out of a station which is owned by its own
24 community.

25 We have people coming there, over 300 students,

1 who are adults, who are returning to school. But they're
2 not returning to their kids' school or they're not
3 returning -- they're, they're, they're, they're making an
4 advancement in their life with the support of other
5 aboriginal people who have been successful, so that, you
6 know, they end up forming a student council, they do the
7 fundraising, you know, and they -- it's, it's inspiring to
8 sort of actually be part of it and see.

9 We have a literacy program, also, where we
10 recognize how hard it is, when you're 30, or 25, and to,
11 to, to become literate from being hardly able to read. But
12 we've had some success. We've had -- I remember a 52 year
13 old man who lived in a hotel across the street that
14 happened to come over to the Aboriginal Centre restaurant
15 for coffee and ended up in our literacy program. Well, two
16 years later or three years later, Alan graduated, at 54,
17 55, with his Grade 12. And, you know, it -- I mean, this
18 is -- that's one story but year after year we graduate from
19 the adult learning centre, you know, and annual -- well,
20 the literacy program is up to five, Grade 5 and then, then
21 there is another -- they start in at Grade 5 to 12 on the
22 adult program, itself.

23 Beyond that then, once they're finished their
24 Grade 12, there's opportunities for -- we've been running
25 the power engineering for some, for some 12 years. In

1 fact, the school division hires -- has been -- in the past
2 hires all of our graduates from, from our power engineering
3 courses as, as -- or we used to call them janitors, I think
4 they're -- anyway, maintenance ...

5 THE COMMISSIONER: Custodians.

6 THE WITNESS: Yeah, custodians, I think is
7 probably the current term.

8 We have a nurse -- nurse's aides, we have medical
9 lab technicians, we have a welding course. We actually
10 ended up filling the centre and buying the body shop next
11 door and turning it into a 12 station welding course and
12 there's a, there's a high market, a high demand for
13 welders, all over.

14 We also had an agreement with -- through the
15 federal funding, to train 200 aerospace technicians for
16 Standard Aero, for Boeing, and for Magellan and we provided
17 the training, they provided the equipment they would be
18 working on. We did it on site but because we're doing it,
19 because the aboriginal community, itself, they're all
20 aboriginal people who have -- well, we have to get
21 instructors sometimes that may not be aboriginal, for
22 various times but for the most part the management of this
23 and the governance is under full aboriginal control.

24 And yeah, we, we just had quite a bit of success.

25 Now --

1 BY MR. PHILLIPS:

2 Q You seem to have covered off pretty much
3 everything except kindergarten or pre-school. Do you have
4 that kind of program?

5 A Well, we have Head Start program in the Health
6 and Wellness Centre has a Head Start program, and we have
7 two daycares of about -- well, with 120 spaces. And
8 because housing has been a problem, and we've actually got
9 from the provincial government some social housing so our
10 students, while they're in both education or training, can
11 actually live adjacent. We actually bought, from the city,
12 the adjacent vacant land and right now, today, if you drive
13 down Main and Higgins, you'll see an apartment building,
14 which would be 28 units, one bedroom, and a further 15
15 units of two bedroom and we'll be announcing shortly that
16 we'll -- the federal -- the provincial government has
17 provided us with -- because they have a commitment, as
18 earlier reported, for 1500 new social housing units per
19 year.

20 Q Right.

21 A Well, in some sense they're having difficulty --
22 they actually came to us and said, you know, can you build
23 some more because we're -- our, our, our vacancy is, is
24 full and, and it's allowing people to live in a stable
25 environment and have the services they want, child care and

1 -- easily accessible, instead of getting on a bus and
2 running your three, four kids wherever you go.

3 So it's, it's, it's, it's just been a -- and
4 again, as I say, tomorrow -- you know, I mean we announced
5 today a social enterprise where we would be hiring some
6 people in the environmental industry, in electronic
7 recycling which is, is kind of grubby work because it's
8 taking stuff apart and then remanufacturing and in the
9 environmental industry, so the social enterprise that was
10 established is, is a joint project between the Aboriginal
11 Centre, the building and the -- and its capacity to, you
12 know, as a building, to -- or building owner, I guess. But
13 it's, it's -- again it's governed by the aboriginal
14 community, by volunteers who sit on the board of directors.
15 Damon has been the previous chair, I've been -- I was the
16 inaugural chair. And the Centre for Aboriginal and Human
17 Resource Development, that, that place a thousand people
18 per year, now those numbers might seem high but not in
19 comparison to the demand and you know, and, and not, not
20 sufficient, even in the full sense of the word, to, to
21 close the gap on education and, and labour market
22 participation.

23 Q So just to summarize, all of those programs are
24 all aboriginal run?

25 A Yes.

1 Q There, there is no Government of Manitoba or
2 Government of Canada involvement, other than perhaps with
3 respect to some funding?

4 A Well, you know, the Government of Manitoba has
5 recently become more sympathetic to us allowing people to
6 stay on social assistance while in our training programs.
7 You know, through -- or the qualification process for that.
8 It's funny, you know, aboriginal people, First Nations
9 people, particularly, had to go through extra assessment to
10 get into a training program. Not only did the social
11 assistance want to have them assessed but then they had to
12 get a refusal from their First Nations of the financial
13 support, then they have to be assessed by us, who are
14 providing the training. So you have to be a pretty
15 motivated person to go through all of those different
16 assessments and -- you know, and in some cases what
17 happened, it took so much time that the training course had
18 already started before, you know, like -- anyway those are
19 the minutia of, of some of the challenges in terms of
20 making the system work and -- so I would have to say the
21 provincial government have afforded us a pilot project.

22 So okay, for 300, 300 participants you can do the
23 assessment, we'll, we'll -- you know, we'll let you --
24 we'll trust you, I guess, to, to know what you're doing
25 and, and it's worked out really well. Less bureaucracy,

1 the timing is better, when the program starts, you know,
2 people are there and they're, they're able to pay their
3 rent and, and live somewhere.

4 Q You --

5 A Not adequately. Again, like I say, that's why we
6 built the housing, we -- you know, we help subsidize that
7 situation.

8 Q You touched briefly, in passing, on the fact that
9 people that are in a -- trying to get in a job training
10 program in Winnipeg go back to their home reserve to get
11 some sort of refusal. I know ACW was involved in the case
12 which we filed, Ardoch, Ardoch Algonquin First Nation. Can
13 you just explain briefly what the issue was in that case
14 and how it relates to an urban aboriginal population? ACW
15 was a party in that case.

16 A Yes. Well, again, the Centre for Aboriginal and
17 Human Resource Development had been providing training and,
18 and employment services through the Pathways to Success
19 process which was a -- and the federal government said
20 okay, here -- the province, you're now going to do labour
21 market training, EIA and all that stuff, you do that now.
22 But for First Nations the federal government of the day
23 recognized that it was still -- you know, they couldn't
24 just hand off to the province resources that, that were
25 dedicated for aboriginal people. Because the province,

1 First Nations don't really recognize it, the --

2 Q Okay.

3 A -- province doesn't spend any money on reserve,
4 eh? Like, I mean, they just -- and they, they regret, they
5 -- the province sometimes even is of a view that we don't
6 want to -- that's federal jurisdiction. If we start, if we
7 start spending money on health on reserves and we start
8 spending money on education then the federal government
9 will just remove itself. So they want to hold the federal
10 government to account for the responsibilities financially
11 it has, based on the -- you know, the treaties and based on
12 the -- you know, the obligations for education, health,
13 housing.

14 So it's not easy to get provincial concurrence,
15 you know, they -- one of the stimulators of this was in
16 1991 and I was listening yesterday, I -- in 1991 the
17 federal government removed their agreement to pay for 12
18 months of occupancy residency for social, for social
19 welfare, basically, so family support for First Nations off
20 reserve. That is, if a family moved to the city, prior to
21 1991, from the reserve, the provincial government would
22 provide them financial assistance, just like they would any
23 other citizen for, you know, for 12 months, that they would
24 recover that money from the federal government.

25 In 1991, Thomas Siddon, who was minister at the

1 time, wrote the federal government a letter and said we're
2 not going to do that anymore. Overnight the provincial
3 government lost 20 million dollars per year on that
4 decision. And, and ended up cutting the Friendship Centre
5 program, cutting, you know things that they, they felt that
6 money went to, right? You know, we get -- okay, we get 20
7 million back, you know, we can spend it here and there.

8 So it was, it was '91 and '92 there were some
9 terrible cuts in, in the aboriginal community and in
10 Winnipeg, particularly, because it's -- you know, it's ...

11 So, I mean that -- and, and we've heard in
12 negotiations with, with the province and the feds, that
13 they, they don't agree, they don't agree on who is
14 responsible, you know. They'll pick up the, the tab for a
15 Canadian citizen more easily than they will for a First
16 Nations person because they say no, you're responsible for
17 housing. No, I know, they're offers -- no, we can't. Like
18 it's, it's a -- it really is a jurisdictional quagmire.

19 And that's the same with, that's the same with
20 child welfare. I mean, Cindy Blackstone --

21 Q Getting back to the case, though, Mr. Helgason.

22 A Okay, I'm sorry.

23 Q I know, I know you've got a lot in your, a lot in
24 your head you want to say but let's focus briefly on the
25 case and the particular issues.

1 A Oh, the case, of course. And so the next version
2 -- every five years, as I said, there is another
3 announcement by the government that they're doing all this
4 great, you know, investment in, in First Nation --
5 aboriginal people and the country and it's 1.6 billion
6 dollars over the five years, that's what the full tilt is
7 for Canada.

8 THE COMMISSIONER: You're talking about federal
9 money?

10 THE WITNESS: Federal money. Province doesn't
11 even get a chance to -- it's, it's not -- you know, like
12 it's, it's really an independent funding stream for
13 training. And it, it exists at that level to this day,
14 it's never went up but it's still, it's still there. Of
15 that, CAHRD, in Winnipeg, gets five million a year and --
16 so on that basis there's, there's -- like you heard this
17 morning, we help fund Eagles, Eagles Nest and other -- you
18 know, Ka Ni Kanichihk.

19 But on the case, all of a sudden the next version
20 was going to be not the Pathways process, it was going to
21 be regional bilateral agreements, they called it, RBAs. So
22 the government said, well, you know, who are we going to
23 deal with in Manitoba? Well, we'll just deal with the
24 Assembly of Manitoba Chiefs and the Manitoba Metis
25 Federation and you, at the time 60,000 aboriginal people in

1 Winnipeg, you go to them and get training money or program
2 support, or employment services.

3 So we said just a minute, we've been doing this,
4 we have an infrastructure, we've been showing success, you
5 know. And so we basically went to the court challenges
6 program and said you know we think, because there was an
7 intention to provide local control, there's a -- it's part
8 of the benefit of the program, that we're not provided that
9 because we don't have any local control as it relates to
10 the Assembly of Chiefs, they do what -- you know, I mean,
11 they're reserve based, and they have a process but in
12 Winnipeg it's, it's non-existent in terms of any on the
13 ground activity and we have no issue with them getting
14 whatever they need on reserve but the, the measly 10
15 percent of the money for Winnipeg should be protected and
16 put under, under local control. And we established that
17 the Aboriginal Council, in association with CAHRD, would
18 argue that in court. And we, we basically did a launch, we
19 -- a case to suggest that we were being discriminated
20 because, in fact, the Metis organization, the Manitoba
21 Metis Federation and the Assembly of Chiefs, were given
22 regional bilateral agreements and money for people, the
23 group of which, in Winnipeg, were not afforded with the,
24 the benefit.

25

1 BY MR. PHILLIPS:

2 Q Well, let me get to the end.

3 A Okay.

4 Q Okay?

5 A We won the case.

6 Q Yes, you did win the case. And the end result of
7 that was that people no longer had to go back to their
8 reserves to access funding, the government was required to
9 look at where they were living and if they were in an urban
10 setting, they had to provide with a local organization, in
11 essence.

12 A Yes. It established that we had the right, in
13 Winnipeg, to represent ourselves through processes that,
14 that, that we have as it relates to the Aboriginal Council,
15 the 7,000 members but that there was still an option.
16 Because here's how it broke down, five million for Winnipeg
17 with over half the population, 27 million for the Assembly
18 of Manitoba Chiefs, for all of the -- and 15 million for
19 the Manitoba Metis Foundation. So do the math, that's
20 about 10 percent of the, of the available resources.

21 But luckily, because I think in Winnipeg we have
22 a fairly good working relationship with other organizations
23 that, that -- and, and the provincial government, we were
24 able to mix and match and, and you know, the corporate
25 sector, to some extent, who would -- who had a need, we

1 were able to maximize the five million to produce as much
2 results as, as others by comparison. You know produce that
3 -- those, those, those comparisons but the case gave us an
4 added breath of life, as it relates.

5 So the next time we went to the federal
6 government and they said, you know -- well, actually, we
7 actually won, won the, the right -- not only the case but
8 the RFP. We were treated to an RFP. AMC just got the
9 money because they were there, AMF because they were there.
10 The rest of the money, you know, some that was allocated
11 was subject to a request for proposal, so we had to do the
12 big proposal, put it in, against competition from
13 non-aboriginal and every -- we ended up winning it anyway.

14 And so the -- I know the judge says well, you've
15 won it anyway, why are we here? And we said well, it's a
16 matter of, it's a matter of importance that we're
17 established as a, as a community onto ourself here, in
18 Winnipeg, that can do things and can solve issues in and of
19 ourself. You know, the, the chiefs have challenges, great
20 challenges, and you know, my chief, you know, I mean, I
21 know what they're, they're dealing with. So even to ask
22 them to take care of me, or us, or people in Winnipeg, who
23 are suffering, or you know, or challenged, isn't realistic
24 and --

25 Q Where --

1 A -- and so --

2 Q -- where you got Mr. Helgason was the Winnipeg
3 urban aboriginal community was recognized by the courts, it
4 has to be treated as a distinct community, it's entitled to
5 certain benefits and going forwarded you're asking for
6 certain benefits and certain responsibility to be given to
7 you is what we're going to get into next. Is that fair to
8 say?

9 A That's correct.

10 Q Okay.

11 THE COMMISSIONER: And that is benefits from
12 whom?

13 MR. PHILLIPS: They're entitled to government
14 funding if there is money available for aboriginals,
15 generally. They can't be sent all to reserves, some has to
16 be set aside for urban aboriginal populace.

17 THE COMMISSIONER: This is federal
18 money?

19 THE WITNESS: Yes.

20 MR. PHILLIPS: This is federal money.

21 THE COMMISSIONER: And the -- do the feds
22 acknowledge a responsibility to maintain that kind of
23 funding?

24 THE WITNESS: They have.

25 THE COMMISSIONER: For this purpose?

1 THE WITNESS: They have.

2 THE COMMISSIONER: Do you know how they justify
3 it?

4 MR. PHILLIPS: There's the case that says they
5 have to. How they justify it to themselves, I don't
6 know.

7 THE COMMISSIONER: Okay.

8 THE WITNESS: The judge provided a remedy, he
9 said the remedy is to, to continue to deal with this. Now
10 it -- we -- like I say, we get a minority, a small minority
11 of the funding but, you know --

12 THE COMMISSIONER: I follow you.

13 THE WITNESS: Yeah.

14 THE COMMISSIONER: Now, you said you're moving
15 into something. Is this an --

16 MR. PHILLIPS: It may be an opportune time for a
17 break.

18 THE COMMISSIONER: For a -- and will we get
19 through this afternoon?

20 MR. PHILLIPS: Yes, absolutely.

21 THE COMMISSIONER: Fine. But I'm not trying to
22 rush you but --

23 MR. PHILLIPS: No.

24 THE COMMISSIONER: All right. We'll take a 15
25 minute mid-afternoon break.

1 (BRIEF RECESS)

2

3 BY MR. PHILLIPS:

4 Q Mr. Helgason, we talked before the break about a
5 number of the successful aboriginal educational programs
6 that you and your organization have been involved in, the
7 vocational training, the adult education, those sorts of
8 things. There was one that I had skipped over, the CSI
9 program, that is covered in Exhibit Number 117.

10 CSI program, as I understand it, is similar to
11 programming that was first started in Harlem, in the United
12 States, in an effort to increase educational attainments
13 for young poor people. Can you perhaps explain how the
14 program came about and what your involvement was with it?

15 A Oh, okay. In 2004 the Manitoba Centre for Health
16 Policy and Evaluation took a look at educational outcomes
17 along a income gradient; that is, they looked at
18 neighbourhoods in the City of Winnipeg, and the high school
19 success rates and they found that the gap has been widening
20 and the gap was wide, that if you were in the top 25
21 percent of income neighbourhoods your chances of, of your
22 child achieving their Grade 12 was over 90 percent.
23 Writing the test, Grade 12, you're, you're headed for -- or
24 in the lowest quartile, that was greatly reduced to
25 somewhere near 20 percent. And also, a good section,

1 almost half of the children who should have been writing
2 their Grade 12 tests weren't there for the test, they, they
3 simply would drop out, it was substantial.

4 And they, they drilled down on some of the, the
5 causal factors and they believed that while families with
6 means educate their children and have the resources to do
7 extra stuff, Sylvan Learning Centre, going to Europe,
8 museums, travelling, you know, materials in the home and
9 whatnot, in the bottom the poorest neighbourhoods, that
10 didn't exist and for them the summer -- it was called the
11 summer learning loss.

12 I was at the Social Planning Council, became
13 aware of this research and we did what's called a poverty
14 barometer, which we do other than the child, the child and
15 family poverty report but the barometer.

16 So we talked to some professionals around this,
17 mostly retired educators, (inaudible), in particular, Karen
18 Botting, former vice-principal and retired and, and we said
19 we need to expose this, this research to people who care,
20 you know, this -- are concerned about this. So in, in the
21 fall of 2004 we held a symposium, based on their property
22 barometer. We showed that. And the belief and the
23 research showed that educational non-performance begins
24 earlier than we think, that is in the summer learning loss,
25 if kids go out of school in the end of June sometime,

1 coming back in September, having lost some capacity in,
2 especially the hard sciences, math and, and, and math and
3 science, particularly.

4 So we had about 90 people show up to hear the
5 researchers talk about and to question the researches from
6 the Manitoba Centre for Health Policy, it's a very well
7 resourced Manitoba based organization with, you know, the
8 capacity to do this kind of in-depth research. And it was
9 undeniable that, that there were kids in the poorest areas,
10 a majority again aboriginal, who, who were in the first
11 instance not doing well, not getting to Grade 12, not being
12 there and so a couple of community members had stood up and
13 says you know what, we're not going to leave this room
14 until we, we have got a plan to deal with this. I mean --
15 so a committee was formed and they met at the Social
16 Planning Council and they designed three or four
17 objectives. One was to institute a summer program. And on
18 -- based on theirs and our consultations and, and, and the
19 committee's experience they said, you know what, let's try
20 a pilot in two schools, in Dufferin School and in John M.
21 King.

22 Q Okay. I'm going to take you back for a minute.

23 A Okay.

24 Q I want the, I want the Commission to understand
25 the phenomenon that we're trying to address, so maybe I'll

1 try and explain it, you tell me if this is your
2 understanding of it.

3 The concept of learning loss is that if, at the
4 end of the school year, say in June, you, you did a test
5 for a comparatively wealthy child and a poor child, and
6 let's say they both scored 50, if they come back in the
7 fall research shows that the poor child will have actually
8 regressed, will have what had -- what's called learning
9 loss and might score 46 or 47, whereas the wealthier
10 student will score 50 or above. And we thus have a
11 learning gap created --

12 A Right, which --

13 Q -- by poverty.

14 A Yes.

15 Q And --

16 A But the --

17 Q -- and what's identified is that there is more
18 intellectual stimulation the wealthier you are?

19 A The wealthier community you live in.

20 Q Yeah. Okay.

21 A If they're -- you know --

22 Q Um-hum.

23 A -- because communities provide things, more than
24 the family can, like resources at the, at the, at the
25 recreation centre and other opportunities for learning,

1 that the inner city and those areas somehow they are either
2 not participating or they don't exist.

3 Q Okay.

4 A But --

5 Q The way it's put, at page 8 of Exhibit 117 --
6 I'll just read you what it says.

7

8 "Program fees, location,
9 availability, and content of
10 offered programs can serve as
11 powerful barriers to
12 participation."

13

14 That being the participation of the poorer children?

15 A Yes.

16 Q

17 "In order to enhance educational
18 opportunities and prevent summer
19 learning loss, children need to be
20 exposed to enriching learning
21 opportunities year round. This
22 means creating and supporting
23 summer learning opportunities for
24 children that will complement and
25 enrich the learning experiences

1 provided in classrooms during the
2 regular school year."

3

4 So this, I take it, is what the program was aimed
5 at doing?

6 A Yes.

7 Q Trying to prevent learning loss of the poor
8 children?

9 A Yes.

10 Q And how is that achieved?

11 A Well, we decided that we would pilot in two K to
12 8 schools a program, and it was the Winnipeg School
13 Division who weren't amenable in the first instance to our
14 request because they close the schools up over the summer,
15 essentially, you know, they have to do maintenance, and
16 blah, blah. But we insisted that this be part of a
17 recognized school, you know, because our -- a school based
18 program physically, as well.

19 We were able to find a principal, at Dufferin,
20 that was willing, concerned about her students, as she was,
21 and another one at John M. King, who was willing to expose
22 her school for six weeks in which we would hire
23 educationalist, university students in the Faculty of
24 Education to, to deliver the program based on an emphasis
25 on math and science but also learning through fun. You

1 know, you know. And, and so -- but it was an all day six
2 week program. They got summer jobs out of it in a, in a
3 field that they are, they are proposing to go in. As well,
4 for the 60 kids per school there were four high school
5 students hired as teacher's aides, who might be 15, 16, 17
6 that would be teacher's assistants but they had to live in
7 the area. They were -- they lived in the impoverished
8 area, that was a requirement.

9 We didn't have many university students who lived
10 in the area so they came from wherever but they recruited
11 them from the Faculty of Education at the U of W and, and
12 University of Manitoba.

13 And so we were -- we had to agree to hire a
14 teacher from each of the school to be the, kind of the --
15 you know, the knowledge of the school and whatnot and they
16 would -- anyway, the first year it was a remarkable
17 success. These kids learn -- you know, they all learn
18 chess, they have -- they are exposed to sort of cultural
19 things, aboriginal culture. Over 70 percent of the
20 attendees was, was -- were aboriginal kids, many of them
21 new, new Canadians, immigrants, as well, because during the
22 summer and if you live in Dufferin area and you're from
23 another country, you -- we find they didn't even send their
24 kids outside, they insisted -- like it's a -- it can be
25 seen as a hostile environment.

1 But the school is seen as a safe place and so
2 these -- the high school, the education students, delivered
3 the program, they started in May and they worked out of the
4 school to get parental consent and parental engagement.

5 So, they went to school, essentially, to the
6 school and they were taught by, you know, young, 22, 23, 24
7 year old education students, you know, with vigor and you
8 know and who's, who's more cool to a 10 year old than a 22
9 year old -- you know. And then somebody, an adolescent, a
10 young person, being hired for the six weeks -- we hired the
11 university students for longer, 12 weeks but six week time
12 who, who is helping you, to supervise.

13 And so there were so many interesting
14 by-products. Some of the, the quasi -- we couldn't call
15 them teachers because they're not, they were -- what did we
16 call them? But anyway, they were, they were giving the
17 instruction in -- you know, different things about the
18 world and, you know, and, and how things flowed and you
19 know, like different learning technologies that are --
20 they're learning in school. And some of the, the students
21 from the assessment that, that -- when I say students, I
22 mean university students, thought you know what, I have
23 never been down to the core area, you know, I, I -- you
24 know, weren't -- we don't come here because it's a no fly
25 zone. But said you know what, these kids, they're as

1 bright as anybody else and they deserve. And she said when
2 I finish my degree, the only place I want to teach is in
3 the core area. You know, it -- and the university students
4 almost -- not to a person but many of them said do you know
5 what, I now know that I want to be a teacher, you know, I'm
6 16 but you know what this is, this is -- you know. And the
7 most important thing is the, the one, one of the university
8 students went on to her masters and studied the
9 before/after and what we found is 95 percent of the
10 attendees who attended more than 70 percent of the time
11 either improved or stayed the same when they came back and
12 were tested in September. 75 percent improved, 20 percent
13 were -- didn't lose, didn't have the summer learning loss.

14 Based on the notion that the problem, in
15 educational attachment, if you will, starts early, and I
16 saw that as a child welfare worker. You know, very few of
17 the kids in my -- on the case loads of my workers finished
18 school. I mean, that -- and, and typically, within the
19 child welfare system, school isn't a priority compared to
20 giving them a place, you know, dealing with court and
21 assessments and medical. So school falls by the wayside,
22 it's almost a risk factor if you care that your education
23 is going to be compromised.

24 So in any way, the school became or the CSI
25 program -- we, we actually call it the summer learning

1 enrichment program. This -- it was actually name CSI by
2 the students themselves, Community School Investigators,
3 because they did projects of scientific inquiry, you know.
4 You know. Why is the grass green and why -- you know, what
5 -- it's chlorophyll. I mean, it was, it was -- you know,
6 it was -- and 60 kids, the first -- I mean, the results
7 were, were wonderful, in 2005 and so we replicated it and
8 we decided we would engage with the corporate community to
9 support, as well. The province was quite amenable, you
10 know, and I think you'll hear from Jan Sanderson at some
11 point, I have to say that the, the province was able to
12 corral some resources from the summer learning -- or from
13 the summer youth employment to help us hire these students
14 and, and the outcomes were essentially 95 percent either
15 didn't lose over the summer.

16 So the premise is that it increment -- it's not
17 -- it's not incremental but it's, it builds on itself so
18 you -- summer learning loss, when you're -- you come back
19 to school you might make it through but by Grade 6, your
20 educational trajectory is almost set, you know.

21 Q The, the concept is that the learning gap widens
22 each year because each year that goes by there is a
23 learning loss.

24 A Right. And by -- and I've seen it by Grade 6, 7,
25 8 you know, you're just -- you want to cash out, you know.

1 You, you get expelled or, you know -- and actually I found
2 in some cases the education system doesn't want some of
3 these kids, you know, they get paid a per diem on September
4 30th, when they take count and it doesn't matter to their
5 funding if half the kids are in school in May. You know.
6 And I've seen it, the inner city schools, high schools
7 especially, by May, you know, they might be hanging around,
8 they might not.

9 So I believe that we, we have instituted
10 something -- now, the interesting thing is, this didn't
11 come from the school division, this came from, in fact
12 CAHRD was a big part, and the Social Planning Council was a
13 big part of gathering together the, the informational
14 resource, the expertise, the inspired leadership to push.
15 And I thought it was impossible. When the, when the
16 committee came to me and says Wayne, okay, we're going to
17 do this next summer. I said: Well, are you going to get
18 the money? Well, we're going to find it, we're going to --
19 you know, we're going to try this. It's -- you know, it's
20 modest.

21 It cost less than a thousand dollars a student
22 and that money goes into returning university students,
23 high school students from the area that get a summer job in
24 a, in a -- in something that stimulates them for their
25 future.

1 I mean, I, I -- you know and so we went to four
2 schools the next year, 2005 -- six. To eight schools.
3 Every year we added two. Last year there was almost a
4 thousand children in lower income neighbourhoods who, who
5 participated in this program. University of Winnipeg has,
6 for anybody who attended more than 70 percent, allowed them
7 a \$400 credit to their first year of university. So there
8 is something to even look forward down the line.

9 Anyway, and, and other groups, community groups,
10 initially, you know, were saying well, it's, it's a lot
11 like school. I mean -- I said, yeah, that's the, that's
12 the beauty of it, it's a lot like school but it's, it's
13 more active, you know. It's the summertime so they would
14 go to, you know, learn how milk is made, they would go to
15 field trips and whatnot in the afternoon but in the morning
16 they were looking at about mental math and, and science
17 projects, you know, kind of.

18 Q Okay.

19 A And it, it, it hasn't had a negative outcome yet
20 and it's this -- like I said, they're gearing up for this
21 summer again and I believe that it's -- the solutions for
22 closing educational gap aren't going to come from the
23 mainstream, it's not going to come from -- unfortunately,
24 with all due respect, from the Winnipeg 1 school division.
25 They, they -- their status quo is well in place. Some

1 schools we had to kick down the doors, we had to go up the
2 ladder to say we want this school. Here -- the poor area,
3 this program, you know, is well supported by the community,
4 we would meet with community organizations, say -- in fact,
5 it got to the point that the Machray area said -- they
6 invited us to do -- they had heard about it and they said
7 you're not leaving this room until you promise us that
8 there is going to be CSI program in Machray School. That's
9 Point Douglas area, which is challenged, as well.

10 But we did. But you know, what the school
11 system, you know, like they've got their own deal, eh, you
12 know what I mean? They have a big infrastructure, as many
13 -- as much infrastructure in this province in schools as
14 there is in hospitals, physical, public funded
15 infrastructure that's not in use for 11 weeks of the --
16 three months only. You know and Christmastime, too. So --

17 Q I don't want to cut you off but, but --

18 A Yeah, I know.

19 Q -- just in terms of time; okay? So, we've
20 established that you and the aboriginal community, you
21 know, when I say you, I don't mean you specifically but the
22 aboriginal leadership has managed to create a number of
23 successful aboriginal education programs which, for lack of
24 better description, are a bit outside the box.

25 A Um-hum.

1 Q They're not through the traditional system; is
2 that fair?

3 A That's correct.

4 Q And is it fair to say that the aboriginal
5 leadership, the urban aboriginal leadership, does not
6 consider the existing educational system to be adequately
7 addressing the needs of the urban aboriginal population?

8 A That would be a fair comment.

9 Q Okay. So in terms of exhibits, the Aboriginal
10 School Division Workshop report, January 24th, 2011 that's
11 Exhibit 115, that contains a discussion about some of the
12 shortcomings that are perceived to be in the existing
13 educational system and discusses some options to deal with
14 it.

15 There's also Exhibit 116, which is the Canadian
16 Centre for Policy Alternatives, which is talking about
17 aboriginal education in Winnipeg inner-city high schools.
18 Now, you are familiar with that report --

19 A Um-hum.

20 Q -- you were not involved in the writing of that
21 report.

22 A No.

23 Q Is that correct, sir? And just to sort of move
24 things along, I'm just going to read you a little bit and
25 I'll ask you if, if what is in here is similar or

1 adequately reflects the position of the aboriginal
2 leadership.

3 This is page 3 of Exhibit 116. The bottom
4 paragraph.

5

6 "The evidence that we have
7 gathered suggests to us that
8 Aboriginal people want the
9 education that is needed to enable
10 them to participate fully in
11 Canadian society and in their own
12 self-governance, but they do not
13 want to abandon what it is to be
14 Aboriginal in order to do so.
15 What Aboriginal people have said
16 to us about the educational system
17 is not that Aboriginal people
18 should be forced to change in
19 order to fit into and 'succeed' in
20 school - this is what the
21 residential schools attempted,
22 unsuccessfully, to do - but rather
23 that schools and the educational
24 system generally need to change in
25 order to better reflect the

1 rapidly changing demographic and
2 cultural realities of our
3 community.

4 Making such significant changes
5 will be a challenge, but the
6 benefits to all of us in doing so
7 will be significant."

8

9 And when they're referring to the demographic
10 challenges, that's -- goes back to what you were saying
11 about 25 percent of the kids in Winnipeg of school age are
12 going to be aboriginal. Is that correct?

13 A Um-hum.

14 Q They then say, at page 50, the third paragraph
15 down, after discussing the aboriginal challenges and saying
16 in Saskatchewan the -- that the -- by 2016 they think 46
17 percent of school age children will be aboriginal and, and
18 talking about how they need to change, it says:

19

20 "In Winnipeg this means that
21 schools must become more
22 Aboriginal. We believe that this
23 means very significant changes to
24 the educational system as a whole.
25 In our recommendations we will

1 emphasize those changes in the
2 educational system having to do
3 especially with who is teaching
4 and what is taught. These are
5 changes, we believe, that are
6 achievable within a reasonable
7 time frame. But our immediate
8 focus on teachers and curriculum
9 should not be seen as detracting
10 from our view that it is the
11 system as a whole that needs to
12 change to reflect changing
13 demographic and cultural
14 realities."

15

16 What you and the ACW are suggesting today is
17 consistent with the larger goal. You are saying it's not
18 just a question of tinkering with the curriculum, a whole
19 rethinking of the system and a whole reworking of the
20 educational system for urban aboriginals is what is needed.
21 Is that a fair statement, sir?

22 A Absolutely.

23 Q Okay. So, we're here in phase three of the
24 Phoenix Sinclair inquiry, dealing with essentially Child
25 and Family Services issues and how we can keep families and

1 children from becoming involved with Child and Family
2 Services and my understanding is it's the position of the
3 ACW that they feel that the education system has a role to
4 play in reducing involvement with Child and Family
5 Services. Can you explain, sir, why you think that and
6 what you think the connection is?

7 A Well, I got -- I had the incredible opportunity
8 to be a child welfare worker placed out of the school in
9 the inner city where the highest level of activity, child
10 apprehensions occurred. And when I arrived there as the
11 new worker, there was a lot of contempt for Children's Aid
12 at the time. They come and they take the kids, we never --
13 you know, we care about these children, we see them six
14 hours a day, we know their family -- we, we want to
15 participate somehow but they're gone, they're gone.

16 So when -- you know, briefly, early into my job,
17 I said well, teachers have complained to me. I go, well,
18 okay, I can go down to 114 Garry, the agency, and just
19 check with the worker because I know I could fill a file
20 the way that -- and, and I say, well, how's Johnny doing,
21 you know, you know, and they, they said oh, fine, he's in a
22 foster home, I don't know when he -- and I even asked the
23 teacher, you know, do you, do you want to send some
24 homework? And they go, we'd love to. You know what I
25 mean? There's a connection.

1 The school is an interesting place because they
2 spend a lot of time with -- they know a lot. In fact I
3 found good foster homes out of the, out of the school just
4 by going to the Grade 6 teacher and going are there any
5 families in this poor area that are doing well? Oh, yeah,
6 you know, this -- you know and they would identify them and
7 I would go and say would you consider being a foster
8 parent? You know, if you have a criminal record check and
9 all that, and home study and -- well, I never thought I --
10 I thought I -- you had to own your own house, you know. I
11 said no, you don't have to, you just have to have a roof.

12 So, you know, through that deployed worker
13 process the school became, obviously, a big resource for,
14 for minding the wellbeing of the child. They're concerned
15 about it, they're, they're -- professionally. I mean, they
16 -- and so I was able to use them as a resource in many
17 ways, you know, so that we didn't unnecessarily take kids
18 because sometimes they, they would have information and
19 certainly an ability to alert me if there was concerning
20 information as a worker and I could do something about it.

21 And there were times when they said, you know,
22 this kid is at risk and I, I would go and try and establish
23 if there was a risk, you know, and sometimes there was,
24 sometimes there, there was misinformation. I mean, but in
25 the school, at the time, there was also a public health

1 nurse, there was also a child guidance worker, but the
2 public health nurse became my, my greatest asset.

3 We, we would -- you know, I would say, you know,
4 Sharon, have you seen this family, it seems to be a concern
5 about -- oh, yes, I saw her yesterday, mom is overloaded
6 and that's why the kid didn't get fed and now they're
7 complaining -- whatever. You know. Or, or a kid doesn't
8 show up at school, the teacher becomes concerned.

9 So the school can be an incredible resource in a
10 broader sense. In fact, you know, I mean, I think that
11 recent devolution and I -- I've been part of the Southern
12 Authority process for five years, one thing that's done is
13 that children -- we're trying better to recognize how
14 important the school is. Seven percent of the kids in care
15 aren't in care because they're still at risk, they're in
16 care because they're finishing their educational system,
17 that they're -- it used to be at age 18, when my kid, who
18 if I -- I was the child's worker, when he turned 18 he was
19 out on or she was out on the street. I couldn't, I
20 couldn't provide them any resources, they were gone. And
21 what parent would do that? But the system does and they,
22 they have no capacity to follow up, 18 you're gone.

23 In fact, that's why the -- I'm deviating again
24 but the school can be an incredible resource in the whole
25 wellbeing of children and families because it -- you know,

1 engaging as we did with CSI, I mean you see in the report
2 that 153 of the 152 parents interviewed want their kids to
3 come back year. You know, it, it's a parental engagement
4 thing, too.

5 Q Okay. That, that says -- that's an, that's an
6 unusual teacher you're talking about, and I recognize that
7 you feel that's important. One of the goals of an
8 aboriginal based system, presumably, would be to work on
9 the drop-out rate and the --

10 A Um-hum.

11 Q -- participation rate.

12 A Right.

13 Q And you would be trying to achieve a higher
14 graduation rate; is that fair?

15 A Yes. And the involvement of the family.

16 Q Yeah.

17 A You know. I mean schools typically were report
18 to the office if -- they're an intimidating place for many
19 people, particularly if you went to a residential school or
20 if, if your, your mother or father did and the stories.
21 You know, like I mean it's not, you know, inviting, I would
22 say.

23 Q But if there were an aboriginal school system and
24 if you were able to achieve a higher graduation rate, what
25 is the ultimate result of that? Is it a higher -- or a

1 lower unemployment rate for aboriginal people, what is the
2 goal?

3 A Independent contributing individuals and families
4 succeeding and, and making a contribution.

5 Q And would it be fair to say, in your experience,
6 people who have a high school or a vocational education, or
7 a college education, are employed on a full-time basis,
8 those people have less involvement with Child and Family
9 Services than the undereducated --

10 A Absolutely.

11 Q -- underemployed?

12 A As a matter of fact, you know something, there's
13 a, there's a little bit of a dynamic I notice through all
14 the cases, that as soon as the youngest child was gone all
15 day, often mom would end up sometimes drinking -- or you
16 know what I mean? Like, so, so there's -- you know, the --
17 engagement of the family in the school or in a community
18 resource or, or mom when -- you know, at a certain --
19 anyway, I'm diverting from -- as it relates to my
20 experience but, but the involvement of the family in the
21 school process is something, I think, that's held in strong
22 regard as it relates to the aboriginal because the family
23 is the centre of learning really, it's the first teacher.

24 Q We'll talk about that a little later on; okay?
25 Just in terms of how you feel it might impact on Child and

1 Family Services' involvement. You would hope through an
2 aboriginal education system to, in the end, increase
3 educational outcomes, decrease unemployment, decrease
4 poverty, less involvement with Child and Family Services,
5 that's the link you see between education and Child and
6 Family Services. Is that fair?

7 A Yes.

8 Q Now, there's a -- when we talked about it there
9 were a couple of other ways that we thought having
10 teenagers, for example, finishing their high school
11 educations, as opposed to dropping out with Grade 8 or
12 Grade 9 we thought that if we kept kids in school on a
13 full-time basis we would probably also see a reduction in
14 youth crime and gang involvement.

15 A Yes.

16 Q Is that -- based on your experience, is that
17 reasonable?

18 A I co-chaired a committee called the Live Safe
19 Committee which I think we should put into evidence, where
20 the police chief -- and policemen recognize this that, you
21 know -- and, and it was their idea that one of the six
22 recommendations is there should be an aboriginal school
23 division in the City of Winnipeg because they, too,
24 recognized that, you know, if kids are not in school the
25 high -- there's a high probability that they are not doing

1 things that are beneficial and it particularly relates to
2 the aboriginal community, the deputy minister, Harvey
3 Bostrom, has said 40 percent of the kids who are
4 aboriginal, over the age of 15 and school age, are either
5 not in school and they're not in the workforce. Some other
6 provinces in, in -- and I'm not sure where they got that
7 stat from but there's a high percentage of 15 to 18 year
8 olds, aboriginal youth --

9 Q So if we could keep --

10 A -- are in neither place.

11 Q -- if we could keep kids in school --

12 A Yes.

13 Q -- and out of crime and out of gangs, would that
14 have a positive impact for Child and Family Services, would
15 you expect? Based on your --

16 A Yes.

17 Q Yes.

18 A Yes, yes.

19 Q Okay.

20 A You know, bear in mind, all -- a good percentage,
21 almost 50 percent of the kids I had -- I took into care, of
22 the several hundred, maybe thousands, I didn't apprehend,
23 it was parents saying these kids, you know, are
24 uncontrollable. He's -- I know he's going to get into
25 trouble, I don't know -- I don't like who he's hanging --

1 please take him into -- put him in a group home. You know
2 what, we institutionalize too many kids, you will learn --
3 it will learn things you don't want them to learn in, in
4 the group home or in an institution.

5 Q Okay.

6 A We've got to work on, you know, somehow holding
7 this thing together.

8 Q So if we can keep kids in school --

9 A Yeah.

10 Q -- we would indirectly affect Child and Family
11 Services' workloads is the thought?

12 A I'm certain of it, actually.

13 Q Okay. All right. Similarly, if we were able to
14 keep teenage female girls in the educational track, working
15 towards either a high school or a vocational employment,
16 would we think that that might have the result of lowering
17 teen pregnancies which we heard, yesterday, is a very high
18 rate of involvement with Child and Family Services.

19 A Well, that's a little bit of a tough one for me
20 because I'm, I'm a product of a 16 year old mother.

21 Q Um-hum.

22 A Who just came back from residential school.

23 Q Um-hum.

24 A So teenage pregnancy is -- and I don't want to
25 pathologize. The aboriginal community has a tendency to

1 have children younger, because culturally the first child
2 was the parent, the grandparents' special one, the one who
3 looked after them, you know, or -- and special regard. So
4 there, there is an impetus that's, that's involved in long
5 term aboriginal culture that that happens. So, you know,
6 that to some extent explains why aboriginal women
7 voluntarily want to have children -- they don't want to
8 wait until their career established and they're 30 years
9 old and have one or -- one and a bit children, you know.
10 They start families early.

11 We find returning students that we have at the
12 Aboriginal Centre, of those 300 most of them are women who
13 have two, or three, or four children. One graduate of the
14 training program in the, in the gas turbine repair and
15 maintenance and overhaul, well, we had a specifically
16 course designed for women, because they are helicopter
17 engines and they're light and they're -- had nine children.
18 Swear to God. The big families and children are a
19 cherished part of the aboriginal community. I mean, in, in
20 -- when in the -- when we're in the best sense of things.

21 Q Um-hum.

22 A Well, you know, as well, the -- given a number of
23 other circumstances that, that breaks down or that, that
24 isn't optimal but ...

25 Q Let's get to the ultimate recommendation of the

1 ACW --

2 A Okay.

3 Q -- and what, what you are suggesting to the
4 Commission. We've talked about some successful programs
5 that the aboriginal community has set up, which have been
6 successful in a number of ways and addressed a number of
7 issues and we talked, in passing, about Children of the
8 Earth, which was a school which had some aboriginal
9 programming within the existing system. We talked in
10 passing about the French, the French school division model.
11 Your -- on behalf of the ACW and, and the aboriginal
12 leadership, you are suggesting that what is needed in this
13 province is an -- or in this city is an aboriginal school
14 division. Is that correct, sir?

15 A Yes, and, and -- you know, we're in the, in the
16 age of authorities, 20 years ago we didn't have a health
17 authority, you know, 20 years ago we didn't have the Franco
18 school, you know. So an aboriginal education authority, I
19 suppose, if it was just have to be modeled after the status
20 quo mainstream school division maybe there's a -- you know,
21 a health authority that might look at pre-school, might
22 look at -- you know, I know that in the, in the discussions
23 we've had the Head Start program is an important ingredient
24 that should -- could be available to children and families,
25 you know. There's even the after learning, the lifelong

1 learning aspect that I would think, in the ideal sense,
2 would be the way. Yes, a school division, not limited to K
3 to 12. I, I don't know why we can't -- you know we have --
4 you know we run two -- 120 spots, a child care centre,
5 that's really part of the education system, in my view.
6 You know and the Head Start program and the nursery program
7 and kindergarten, you know.

8 But somehow in our structure, we compartmentalize
9 all these things, they're all just different -- you know,
10 like isolated systems. I prefer the aboriginal holistic
11 view, that, that we, we can put this into one piece that,
12 that will respond to the current circumstances through
13 innovation and, and a new way to look at it.

14 Just like this came just from, you know, people
15 committed to change, to improve things, with this CSI, and
16 yeah, you know, it -- and I should say at the Winnipeg --
17 the Boys and Girls Club who now administer it, has a First
18 Nations executive director, a First Nations members of the
19 board, and, and you know, and in terms of establishing
20 this.

21 As a matter of fact, there was opposition, when I
22 first said you know, Social Planning Council has been in
23 this for five years, we don't -- we need to put it
24 somewhere in a system where it belongs, eh? Education
25 system. There was a feedback from the aboriginal -- don't

1 put it into Winnipeg 1 school division, it will disappear,
2 it will, it will -- you know, we've got to put it into an
3 NGO, a community organization that has integrity in the
4 aboriginal community and so I'm so happy that they've,
5 they've not only taken it, they've broadened it, they've
6 extended.

7 Q So what you would like to see is for control of
8 certain schools to become, become --

9 A Yeah.

10 Q -- essentially aboriginal controlled through I
11 suppose a school board or a board of directors.

12 A Um-hum.

13 Q It wouldn't look like a regular school, though,
14 is what you're saying, there would be certain features to
15 it that would be different?

16 A I would think there would be gatherings, I would
17 think there would be family activities, I would think there
18 would be -- you know, many parents have a cultural base,
19 you know they know. They come from the community where
20 there were -- you know, sharing circles, you know
21 celebrations of, you know, different, you know, sections of
22 your life and, and the use of elders. I mean, really
23 the -- you know, even the mainstream community appreciates
24 it when we meet -- when we have an elder who, who, who
25 presents, you know, a wellbeing statement, eh, or reminds

1 us about Mother Earth or reminds us about, you know,
2 important things and then asks us, and prays for us to work
3 together and things.

4 I mean, I would see that school being a bit
5 different, yes.

6 Q Yeah.

7 A But I think, you know, not to diminish Children
8 of the Earth, it's doing okay. But the -- it was taken
9 over by the school division and that's it, there's, there's
10 never been a replication of success. You know. But we are
11 closing the gap on education, according to the stats, eh?

12 By about seven percent over a census period
13 there's been an improvement in education outcomes for
14 aboriginal people, that's not -- I mean, it's coming along.
15 There's more in university, you know. But at that rate of
16 change it will take 70 years to close the gap.

17 I think there's indicators of success that we
18 should put -- carve out mainstream (inaudible) and, and
19 focus and, and put the pedal to the metal on it and say
20 maybe we can close this gap in the next generation. And
21 like the Royal Commission of Aboriginal People said this
22 change is absolute necessary. But they even recognized,
23 as I presented several times to them, as well, is that it
24 will take a generation.

25 And I think this last generation there's been. I

1 mean, it -- and there's been some change. I mean, when I
2 worked at the Children's Aid Society it was unthinkable
3 that aboriginal people would actually be able to control --
4 to have control over child and family. Well, it -- to me,
5 it's one of the best things that's happened. I've seen
6 community commitment, I've seen refocus on, on the
7 treatment of children and the nature of placements being
8 not institutional but in family based and unfortunately
9 this -- you know, there's been a circumstance that's led to
10 this inquiry but, you know, I think on the whole it's, it's
11 important to, to think about where we're going as a society
12 and, and what the participation and contribution of
13 aboriginal people can be, you know.

14 We bought an old train station, in '92, nobody
15 had an idea, we were in a recession but we, we actually
16 made it work. Nobody -- no level of government thought we
17 could. After we got the federal grant for historical --
18 and the province had agreed to max the federal funding,
19 when we went into the, the minister's office and said look,
20 we've got federal support on the heritage basis, you
21 promised you would match it.

22 Jim Downey at the time says you -- I never
23 thought you would do it. But, you know, they, they were
24 true to their commitment and the city kicked in an equal
25 amount. And so that stimulated us, we finally had a bit of

1 an equity position and, and we managed every contract,
2 every obligation.

3 Q So is it fair to say what you're saying, Mr.
4 Helgason, is that if you were given the opportunity, based
5 on the experience of the past, you feel the aboriginal
6 community would be able to take advantage of the
7 opportunity and the control and improve the system and the
8 outcomes for the aboriginal children. Is that your
9 position?

10 A I think there's -- I think -- I would almost --
11 yes, I think that, that we would see some marvelous
12 outcome, some, some dedicated commitment, some -- some of
13 our young people are ready to go with this kind of stuff.

14 I would be one to sit back and watch them but I
15 have confidence, I see the young Kevin Chiefs and -- who is
16 Minister of Youth. You know, like I mean, they're there.

17 The Royal Commission was right, it will take a
18 generation but we're at the precipice now where aboriginal
19 people can take responsibility, you know. I think, I think
20 of the three Rs, you know, representation, important. So
21 who, who represents urban aboriginal people, you know, in a
22 way, through the authority process? Nobody. The Winnipeg
23 -- you know, the, the health authority has one aboriginal
24 sort of person on it. You know. The school board has no
25 aboriginal people. Is that right, was it not -- yeah?

1 None, none on the -- 55 schools, not one aboriginal person
2 in authority there.

3 Am I represented or is -- you know, or is our,
4 our families represented from the -- 80 percent of the kids
5 in some schools?

6 So representations are really important.
7 Resources. Now, I might have sounded good with some stuff
8 we're doing but it's miniscule by comparison to what the
9 mainstream system takes up in terms of our public dollars,
10 you know, like the justice system, the health system, the
11 education system.

12 So, in my view, aboriginal people have to, have
13 to -- should be -- have accessibility to some of those
14 resources, so resource is important, at a scale that, that,
15 that is equivalent to what and comparative to what is now
16 being spent.

17 Yeah. And the last one is responsibility. You
18 make me responsible I do a better job than being at the end
19 of the receiving line of a handout. You know. I, I can
20 take responsibility. Aboriginal people can take -- they
21 know it, they understand it.

22 When I give an elder tobacco, they have a
23 responsibility and I do, too, you know. It's part of a way
24 of doing things, it's, it's simply, you know, compared to
25 the, the mainstream way of -- it -- existing in this

1 society, which is complex and, you know, you have to know
2 the right people. I'm not (inaudible) but, but there is
3 customary culture ways that make things work and that's why
4 the Aboriginal Centre has in its modest way, I would say,
5 been successful where others haven't. And I, I think that,
6 that the barriers ahead or the challenges ahead, or the
7 opportunities ahead, will be taken up by aboriginal people,
8 you know.

9 Sandy Cochrane here, one of the best lawyers
10 going, with all due respect, you know. But we're proud of
11 him, honestly, you know. And so yes, I think there's
12 opportunity, absolutely. And you know it, it will take, it
13 will take looking -- you know, overlooking the momentum of
14 the status quo. Well, we have never done it that way.
15 Well, I don't know, you know. And, and, and I think
16 there's inspired leadership in the -- I know there is, and
17 commitment and I, I have no doubt that -- but I would like
18 to see that change, you know. You know and -- I'm 63 years
19 old and I'm a grandfather, I have to think about these
20 things.

21 MR. PHILIPS: Okay. Thank you, Mr. Helgason, I
22 have no other questions.

23 THE COMMISSIONER: Thank you, counsel. Mr.
24 Gindin?

25

1 CROSS-EXAMINATION BY MR. GINDIN:

2 Q Sir, for the record, my name is Jeff Gindin, I
3 represent Kim Edwards and Steve Sinclair. I won't take any
4 issue with your comments about Harold Cochrane, I just
5 thought I would offer that.

6 We've heard evidence, sir, about -- from my
7 client, Steve Sinclair, who was the biological father of
8 Phoenix Sinclair, that he came to Winnipeg at the age of
9 five, he's an aboriginal man, and that by the time he was
10 eight or nine, he was in care himself.

11 And you've told us about the problems aboriginal
12 children have getting a proper education and if they're
13 poor it's even more difficult; correct? Is it even more
14 difficult or do they face special risks if they're children
15 in care, as well?

16 A Oh, well, in, in my experience and, you know, and
17 I think the system hopefully is moving in, in, in a better
18 direction but my experience as a worker, school was not a
19 priority. When the children came into care, again, other,
20 other mandated requirements, to see a doctor, to -- you
21 know, in care and would get a placement in a foster home,
22 get initial clothing, you know all of that stuff, often
23 school was not on the priority and unfortunately, sometimes
24 the school doesn't want an acting adolescent teenager.
25 Sometimes the schools are full, sometimes the schools --

1 it's -- you know, the foster parent is expected to take the
2 kid to school and you have two or three others, so almost
3 none of the wards or, or placements had any success in
4 school over time. Yeah. And they move around. I mean,
5 you go to emergency foster for seven days, eh, that's the
6 emergency deal, until they find you another placement,
7 maybe an extended family, maybe a group home. So school is
8 sort of not in the picture and yet -- you know, so the
9 educational outcomes for kids in care are quite
10 compromised.

11 Q Um-hum. And is that something that's improving
12 somewhat?

13 A Well, you know what, I, I know some of the
14 statistics of children in care, currently, through the
15 Southern Authority only. But I do know that as a worker,
16 again, at age 18, school or no school, I wasn't able to
17 provide that child with any, any benefits, pay their rent
18 or you know, was living -- you know, they had to go to
19 welfare. And, and, and many you know weren't that
20 successful in school. Anyway, but there was little I could
21 do beyond the age of 18.

22 I do know that seven percent, six or seven
23 percent of the children in care who reach the age of 18 and
24 who are having success in education, are, are -- there's a
25 provision in the Act for a year extension and we could only

1 use it for medically necessary, eh? I tried, I tried, it
2 was -- I tried to put an application in for a year
3 extension. They go no, no, no, no, this is only for
4 extreme medical cases when -- you know. And so, you know,
5 now I understand that the Southern Authority has encouraged
6 that children who are a success in school shall be
7 considered and are considered in a number of placements in
8 the -- you know, maybe a hundred children if you take them
9 at seven percent, are continuing their education beyond age
10 18, with the support of the child welfare organization.

11 So I commend that, you know, it, it does, it does
12 I think predict that, that -- well, what parent wouldn't --
13 you know, 18, you know, okay you're doing good at school,
14 sorry, you don't get no -- nothing from me (inaudible) you
15 know it -- I don't want to be glib about it.

16 But so I think that's -- and the, the type of
17 placements hopefully have, you know, more extended family
18 in foster placements. The quality of placements I believe
19 that has begun to improve, with the involvement of the
20 community that's important with the, the new processes of
21 aboriginal control of child welfare. I mean, the community
22 is a place where child well being can be lodged, you know,
23 and the school, as being part of the community and, and,
24 and the health system and the way we look at -- you know,
25 social capital aspects of, of what our society can produce,

1 you know.

2 Q So, it would have been even more difficult, 15 or
3 20 years ago, when someone like Steve Sinclair was a child
4 in care, going to school, than it is today. Is that
5 so?

6 A You know what, my hearing is ...

7 Q Would it be more difficult, 20 years back, for a
8 child in care than it would be today, for example?

9 A I believe so. I believe -- and I -- you know, I
10 think we've still got a ways to go, you know. I think at
11 least we do discuss, you know, it is discussed that, that
12 the school is an important aspect, you know, in, in the --
13 supporting the wellbeing of children, you know,
14 and --

15 Q So, so you would agree that being an aboriginal
16 child, by itself, imposes all sorts of limitations, like a
17 good education and getting a good education. Add poverty
18 to that and then add being in care and you've really got
19 some difficult --

20 A Yes.

21 Q -- issues.

22 A Yes, it would.

23 MR. GINDIN: Okay, those are my questions. Thank
24 you.

25 THE COMMISSIONER: Mr. McKinnon.

1 MR. MCKINNON: Thank you, Mr. Commissioner. For
2 the record, it's Gordon McKinnon, I'm the lawyer for the
3 department and Winnipeg CFS.

4

5 CROSS-EXAMINATION BY MR. MCKINNON:

6 Q I am also not taking issue with your comments
7 about Mr. Cochrane, but I do --

8 THE COMMISSIONER: It seems to be unanimous, Mr.
9 Cochrane.

10 MR. COCHRANE: I'm going to owe a lot of money,
11 Mr. Commissioner.

12

13 BY MR. MCKINNON:

14 Q I'm going to just take issue with one thing
15 you've said, where you referred to the work you're doing at
16 the Aboriginal Centre as being a modest contribution and I
17 want to just put a little bit of emphasis on what I
18 understand your work to be and the work of the Aboriginal
19 Centre to be, and I hope to give some sense of scale to the
20 Commissioner.

21 And you tell me if I'm wrong, because I'm -- this
22 is my understanding of the facts but the Aboriginal Centre
23 owns what used to be the CP station on Main Street?

24 A Yes, Main and Higgins.

25 Q And that is a very large building. I, I don't

1 know how many square feet but you may know.

2 A 120,000.

3 Q 120,000 square feet.

4 A Called the jewel of the west by Pierre Burton in
5 his book.

6 Q And, and I've had the privilege of, of receiving
7 a tour of that building so I have some idea. And you were
8 one of the founders of the Aboriginal Centre of Winnipeg
9 that, that came up with the concept of making this a centre
10 for aboriginal programming throughout Winnipeg; correct?

11 A I was the, I was the founding chair.

12 Q Founding chair. And at the time there were
13 several tenants and, and, and the Aboriginal Centre is
14 essentially the landlord of that building?

15 A That's right.

16 Q Yeah.

17 A It's the owner of the building, yeah.

18 Q Yeah. And --

19 A Does the leases and --

20 Q -- and you were at one time the chair of that
21 organization?

22 A Yes.

23 Q And, as well, you were, and maybe still are, the
24 chair of an organization called CAHRD, that is the --

25 A The training organization.

1 Q -- the Centre for --

2 A Aboriginal.

3 Q -- Aboriginal Human Resource Development. That's
4 the training centre for aboriginal people and that's a
5 tenant in the building?

6 A Yes.

7 Q So you were a tenant in your own building that
8 you conceptualized?

9 A Right.

10 Q And as I understand it, the Aboriginal Centre of
11 Winnipeg is now fully tenanted, it's full?

12 A That's correct.

13 Q And they are all aboriginal led organizations?

14 A That is correct.

15 Q And I don't know if you know the number, off the
16 top of your head, but I have a vague recollection that
17 either I learned it before or you said today it's, it's
18 over 30?

19 A Organizations?

20 Q Who are tenants in the Aboriginal Centre.

21 A Oh, 30 entities.

22 Q Yes.

23 A In some cases they've amalgamated, we've
24 amalgamated the Literacy Foundation with the Aboriginal
25 Community Campus.

1 Q Okay.

2 A So it's a continuum. And there is a chiropractor
3 in there, I don't think he's aboriginal, but he provides
4 service. And a health centre and, and a printer, he's
5 aboriginal, yeah.

6 Q But the bottom line, it's a very large enterprise
7 now?

8 A Yes.

9 Q And one of the organizations in there is CAHRD
10 which is the training aspect?

11 A Right.

12 Q And can you tell us a little bit about how
13 successful that organization has been, I see you're a
14 current president of CAHRD, how that -- what they do in
15 respect to training, what they do with respect to providing
16 employment opportunities, that is, working with the
17 employers in Winnipeg --

18 A Um-hum.

19 Q -- to find employment for aboriginal people.
20 Could you give us a sense of the scale of that?

21 A Well, we, we, we're, we're evaluated by the
22 number of placements we make. We made -- we had, this
23 year, made about a thousand job placements in -- full-time
24 jobs and we have -- again, we got into an agreement with
25 the aerospace industry --

1 Q Correct.

2 A -- to provide qualified people for -- 200 over
3 the last three years, for really good jobs in, in Standard
4 Aero, Boeing, Magellan and Stevenson, I think. And we, we
5 agreed, by way of contract, they, they would -- they know
6 they needed, they have a shortage and --

7 Q And that's an affirmative action program to find
8 aboriginal employees for the aerospace injury -- industry?

9 A Yes.

10 Q Okay. And my understanding is you have
11 agreements with other employers, like the Winnipeg School
12 Division?

13 A Well, no, it's not so much a formal agreement
14 there, it's just that they --

15 Q They --

16 A -- they need power engineers, all the time.

17 Q They take your, they take your students?

18 A Yeah.

19 Q And do you have any kind of arrangements with
20 other major employers like Manitoba Hydro and organizations
21 like that?

22 A We have -- we're on a committee with Manitoba
23 Hydro, yes, and they -- but -- well, there was -- the City
24 of Winnipeg Police, we have a particular program with the
25 police, a correctional service introductory program to sort

1 of equip people for police training. And we deal with the
2 Winnipeg Biz and we have an agreement with the Winnipeg Biz
3 for the downtown patrols you see.

4 Q Yes.

5 A They're likely supported and funded in training
6 for those. And many of them go into the justice system as
7 jail, as jail guards or correct -- custodials or whatever
8 and into the police service where, you know they -- there's
9 a real need.

10 There's a demand in mainstream community for
11 aboriginal people, getting the qualifications up and the --

12 Q And that --

13 A -- education.

14 Q -- and that's what CAHRD is focused on?

15 A Yeah.

16 Q And just so that -- again, trying to paint a
17 picture for the Commissioner of the extent of the success
18 that you've had, because I think you may be a bit too
19 modest in your, in your comments here. You also provide
20 things like daycare for, for, for --

21 A Absolutely.

22 Q -- people who are trainees in your program --

23 A Yeah.

24 Q -- and you've got that kind of -- you're, you're
25 a multi-resource organization?

1 A You know what, we're a multi-service centre, just
2 like Neginan said we needed in 1974.

3 MR. MCKINNON: Thank you.

4 THE WITNESS: Yeah. Thank you.

5 THE COMMISSIONER: Thank you, Mr. McKinnon.

6 THE WITNESS: Under full aboriginal governance
7 and management.

8 THE COMMISSIONER: All right, anyone else before
9 Commission counsel? I guess not. Commission counsel.

10 MS. WALSH: I don't have any questions, Mr.
11 Commissioner.

12 THE COMMISSIONER: All right. Anything else, Mr.
13 Phillips?

14 MR. PHILLIP: No, thank you.

15 THE COMMISSIONER: All right, witness, thank you
16 very much for your appearance here today, and the
17 contribution you have made to the work of the inquiry.

18 THE WITNESS: Thank you. It's an honour, sir.

19 THE COMMISSIONER: Thank you.

20 THE WITNESS: And good luck.

21 THE COMMISSIONER: Thank you.

22

23 (WITNESS EXCUSED)

24

25 THE COMMISSIONER: All right, we'll -- we're

1 adjourned for the day till 9:30 tomorrow morning.

2 MS. WALSH: Yes, thank you.

3

4 (PROCEEDINGS ADJOURNED TO MAY 30, 2013)