

# PRESENTATION TO THE VIENS COMMISSION

By  
Chief Lance Haymond  
and  
Councillor David McLaren  
of  
Kebaowek First Nation

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Good Morning Judge Vien, inquiry staff, fellow presenters and all others present.

Thank you for the opportunity to provide some insight into the realities of my people, the Anishnabe/Algonquins of Kebaowek First Nation.

I recognize the tremendous challenges you and the inquiry face in trying to address the decades and centuries of ingrained systemic racism encountered by our people. Racism takes many forms, some are openly blatant, like name calling, I cannot tell you how many times I have been called or have heard others being called “modi christ de savage” very insulting; it would be like me calling a French Canadian farmer “un colon” but our people live with this reality on a daily basis. Some of it more subtle like a care provider (a nurse for example) who rolls her eyes after responding to a question an elder asks about his care or simply not responding at all. As others before me have already stated our members now expect this behaviour and accept that is a part of our reality, what a sad state that is to think, because we are first nation we take it for granted that we will be treated differently than our non-native neighbours. This has to change but I know it won't happen right away it will take time, months, years, decades and maybe centuries if it can be done at all.

While I am confident that the recommendations coming forth from this inquiry will form an important basis on how we move forward, however I am not convinced that the political will of government will be there to implement the recommendations and I am not confident that the good will of all Quebecois will be there to support and push their government to in act real meaningful changes to a system that doesn't work for us.

The reason I say this, is that it took this government well over a year to call this inquiry following the situation raised by Enquete on the Abuse of First Nation Women in Val Dor, it would never have been called if there wasn't the constant pressure from the AFNQL, NWAC, friendship center, first nation citizens and their allies constantly demanding this government launch an inquiry. A year and sometime later, here we are presenting to you. I would be remiss also if I didn't flag the shortcomings of the mandate of the commission. The ability to only bring forward testimony of incidents that have occurred in the past 15 years will deprive many people from being able to tell their story, like myself but none the less I will

share those experiences, not to investigate or lay blame but are examples of why today our people continue to experience similar treatment. The inquiry is also not tasked with looking at and addressing the root causes of why so many of our people find themselves in higher proportion of the homeless population, being arrested and incarcerated, as well as the staggering number of first nation children under the care and control of Quebec's social services agency. The abject poverty and realities of many of our First Nation communities have contributed greatly to the challenges we face today, this reality was created by this and previous governments reluctance to address our outstanding claims issues and ensure that we get a fair share of the revenues extracted from our traditional territories while Quebec enriches itself and its citizens. I will speak more on this point in my concluding statement.

My name is Lance Haymond and I am the elected Chief of my community and I have been Chief since June of 2015. I have a very diverse background as I have been a health educator, councillor and I also was Chief from 1999 to 2009 before leaving for Ottawa to be the National Manager of CMHCs on reserve housing programs. I have been involved in working for my community for almost thirty years and I have witnessed firsthand racism towards myself and my people and I know that it will continue in the future despite the best intentions of this commission, the challenge you face is how do we reduce those incidents going forward and make accessing services better for our people so they have and are treated as equals to the non-native population.

I may repeat points already raised by other but if I do it is because they are or have had direct impact on my members and must be restated. My presentation will be shared with Mr. McLaren who is both a councillor and the director of health, he will speak to the challenges we face in the health sector.

Kebaowek is one of the 11 recognized Algonquin communities, 9 in Quebec and two in Ontario; we have a total population of approximately 1000 members with about 275 living on reserve and a vast majority living in the neighbouring municipalities of Kipawa and Temiscaming. Like all First Nation communities, we cannot get funding to meet all the needs and provide services for our members. As Algonquin communities we all have different realities and challenges, some are geographical, while other are social and economic. We have our own reality; our

members have a high education rate, most members are employed, with the forestry sector providing most of those opportunities as well as the band administration. We have an occupancy rate of 2.4 people per household, on average we have 1.1 children, and our reality is one that models our neighbouring non-native communities and Quebec society. This however does not change the reality that as First Nations citizens we are confronted by the same systemic racism in the provision of services to our community by the province of Quebec.

My presentation will focus on the following areas that are important to our community and members, the inequalities that exist in the provision of policing services in our First Nation communities and the mistrust of the SQ. I will then share my time with Mr. McLaren who will describe the Health Inequities in accessing services from the provincial health care system.

The issues we are bringing to light can be described on four fronts;

- Policing Issues and our relationship with the SQ
- Language issues
- Discrimination to on reserve clients
- The removal of the Ontario corridor of service.

In our conclusion we will also propose solutions that we feel could make a difference to improving the quality and access to provincial services by our members

Being the most southerly of our Algonquin communities, our community is located in the county of Temiscaming, within the municipal boundaries of the municipality of Kipawa, we are 10 kms from the Ontario border. Most residents are Anglophone and language is a key factor in the discrimination faced by our members, Mr. McLaren will speak more on this topic. We have a high integration of marriage and relationships with the non-native population and as a result many of our members do not have the physical characteristics of a typical First Nation person, we tend to be lighter skinned, many have blue eyes and blond hair and for the most part are assumed to be Anglophone Quebecoise when accessing services and the quality of care and how they are treated is vastly different than our neighbouring brother and sisters but the moment they say they are native, the attitude of some services providers changes as reported by our members they face many of the same

systemic challenges faces by all natives. Being an Anglophone community also poses many challenges which will be discussed later.

We have learned sadly that the darker your skin, this raises the chances that you will be discriminated against in some shape or form than our lighter skinned members and I am sure it is the same for all of our First Nation communities as well as ethnic minorities.

Most of my presentation will focus on the challenges of providing policing services in our community. Our community has had a long history of a relationship with the SQ, mostly good and today I would describe the relationship as better than what it was in the past but there is still work to do and trust of the SQ is an issue with my community long before the despicable incidents of the SQ in the treatment of First Nation women in Val Dor which has led to the creation of this commission. This situation only reinforced the mistrust and in some cases the downright hatred of the SQ being on our territory but we as a council recognize the need for our police forces to work together in addressing criminal activity in the community.

This leads me to describe the challenges we face with having our own police force. We used to be a part of the Amerindian Police Service but with changes to the police act Quebec gave FN communities the ability to negotiate their own policing agreement which subsequently lead to the to the detriment and eventual closing of the APS. This new approach was a tripartite approach whereby The Federal Govt. would pay 52% of the cost and the province 48%. Most First Nation negotiated these agreements which are for 5 years and started their own forces, at the outset we had funding for salaries, training equipment and building but over time the reality of rising costs for policing were increasing but the budgets weren't. Renegotiating these agreements became more difficult as neither the province or the Feds were prepared to increase funding for this service and kept blaming each other for no improvements in the funding for police services, ironically it is the same thing today, both the feds and province have told us there will be no increase in our budgets when negotiations begin for a new five year agreement which is to begin April 1st, 2018. The federal minister of public security had assured us that policing was important to his government and new funding for policing would be in the Federal budget.

Well the budget was announced and there was an announcement for funding on reserve police services, the government committed the same amount of funding available as the previous four years, this is the same level we already have and this means no federal increase as promised in our upcoming negotiations, this means Quebec will not increase their share as they will not pay more than their 48%. This is a dilemma for me as I only receive a little over \$300,000 to deliver policing services. This amount, with this amount according to my agreement is funding for two officers but we need a minimum of 4 as there is no police service in this country or province that can expect two officers to work 24 hrs a day, 7 days a week and 365 days a year, not realistic but this is what I'm expected to do. Our neighbouring SQ detachment has a Sargent, 13 officers and all they need, vehicles, nice building, boats, etc.

We made the decision to hire four officers and it has been a struggle to do so. We have one Chief of Police, she is Algonquin from LPFN and the only female police Chief in Quebec and this summer I had the honour of presenting the 20 yr. service award for her work in her home community, Kebaowek and others. I also have three non-native officers that work in the community. We provide accommodations as all of these officers have homes elsewhere and work 7 day shifts before going back home on their days off. I and others call these young men and women, rent-a-cops as most will only stay with us for a short time, on average about 2.5 months and there is always new faces in the police vehicles.

We are in the process of hiring our 10th officer in the past 26 months since I took office in 2015. This is our FN's reality as there is no funding to train these officers and our own young people as the meagre budgets we receive barely cover basic cost like salaries and operation costs for the police. Most of these officers leave us for the SQ as they are going to get better pay, better benefits, new equipment and vehicles, one can hardly blame them but this reality is caused by the fact that we receive half of what the provinces pay per SQ officer, the govt of Quebec gives the SQ \$150,000 per officer and FN police receive \$75,000 per officer but yet FN officers have to have the same training, same certifications, attend the same institution, Ecole Nationale, this is discrimination and when FN's have to shut down their police service because of lack of proper funding and accumulating deficits, the Govt has no problem sending in the SQ to provide services at a cost of millions of dollars more rather than giving our communities the funding we require to

provide the service. It doesn't make sense and it has to stop, while they play ping pong with the feds, the lack of appropriate funding is impacting and putting at risk the safety and security of our communities. The creation of the mixed post in Val D'or is yet another example of money that could have been put towards enhancing police services rather than create another force that only deals with native calls and relations, this could have been accomplished within the existing detachment and from my perspective would have costed significantly less than the 3 million to it for 1 year. This is a clear example of the inequities when it comes to funding for policing. To get more of our people trained we need the funding as it costs 2 times for to train a FN officer than it does for a non-native officer at Ecole Nationale.

Trust is and will always be an issue when the SQ is seen in and around our communities, this mistrust did not happen overnight, it has been built on many decades of mal treatment to our people and in our community. I will provide two examples from experiences that occurred with our community members.

In October 1991, there were 6 people who were out boating on Kipawa Lake, 5 community members and a non-native friend, there was an accident and all 5 of the community members drowned, as Lake Kipawa is off reserve, the SQ had jurisdiction for the investigation and recovery of the bodies. The SQ went out to the site and recovered the bodies but rather than putting them in body bags and in the boat only a couple were hastily placed in them and there were limbs exposed etc out of the bags but the remaining people were simply tied like cattle and towed back, the SQ never explained why all were not properly taken care of and respected but the community was lead to believe that this was done as to not dirty their new boat and the fact that the deceased were just a bunch of Indians. This memory lingers with everyone who was there because they believe like I do that if those people were white they would not have been treated the same way.

This next example is very personal to me and I wasn't sure if I could relive it again but for the sake of others and myself I have decided to do so. On August 13<sup>th</sup>, 2000, my father John Haymond, who was a residential school survivor, was out boating and visiting friends on Lake Kipawa when his small boat was capsized by the wake from a much larger boat, despite the efforts of the passengers on the other

boat, they were unable to rescue him and he drowned. The community, family and friends rallied as we went to drag and recover his body, the SQ were on sight and they were able to retrieve his cooler which floated to the surface, not long after one of the boats dragging recovered the gas tank and the next day one of the boats caught his shoe, all these items were given to the SQ and once they had these items, they could confirm that in fact it was my father and for them the investigation was closed. They did not help us drag for the body although they have the equipment do to do and did not offer us any assistance period. They left once they confirmed his death. There was no investigation of the facts surrounding the capsizing, not that I'm blaming the other boat operator and we never did get a police report and to this very day I still do not know the circumstances that led to my father drowning. We continued to drag for the body, days went by, weeks and slowly the people coming to assist me diminished, I dragged for his body until the end of October most of the time by myself, I understand that people had to live their lives and I was grateful for the help I had received. Two men I barely knew from LS heard of my plight and came to help me, Gilles and Roger Wabanoik, they stayed with me for two weeks and at the end of October a community elder told me I had done enough and to stop as maybe that was where my father was meant to be and we never recovered his body and to this day it haunts me. I have been on the Lake a couple of times in the last 17 years but I cannot get passed the fact to go anywhere on the lake I have to pass that very spot which has become his final resting place. The insensitivity of the SQ officers was there in those situations and although we are in a different time, different officers, I believe that mentality still exists within the ranks of the SQ and will never ever be eradicated despite all the best efforts in the world.

I will now turn it over to my colleague Mr. McLaren to describe the challenges in Health and Social services that our community faces and I will wrap it following his presentation with closing comments and a few recommendations.



## HEALTH INEQUITIES IN ACCESSING SERVICES FROM THE PROVINCIAL HEALTHCARE SYSTEM

My name is David McLaren, I'm a Certified First Nations Health Manager

I've been a Health and Social Services Director since 2002 and I'm on my 4th mandate as an elected member of Council. Before that, I worked for 7 years as a Safety Supervisor for Tembec Inc. and previously spent 9 years as a police officer for the Amerindian Police Service for the community of Kebaowek

What I'm here to talk to you about today is the difficulty our people have in accessing the Quebec Health care system or the services normally offered to the off reserve clients and French speaking Quebecers as a whole.

The issues we are living can be described on three fronts. One has to do with language, the other is the discrimination to clients living on reserve and finally the Ontario corridor of service.

It is also important to note that the challenges I'm going to describe have also been experienced by 8 other First Nations Communities in similar or different forms and it's for these reasons that we felt compelled to joined forces and create the Coalition Of English- Speaking First Nation Communities of Quebec to advocate for equality within the Health & Social Services. (Slides from presentation).

### Language

Simply put, it has to do with the availability of Health professionals who speak English. There are several areas for which our people and other English speaking people struggle in receiving services. We are often talking about psychologist, clinical social workers, and speech therapists. The continuum in services for mental Health and addictions is also a serious challenge in our area.

The 811 crisis line was welcomed a few years ago but we were very disappointed that the people answering on the other end of the line may not understand English and be of any assistance. We never really pushed this 811 number in fear that it would just fail our people.

Just work around setting up appointments in the English language is very challenging. We have had client's specialist appointments that took over 6 months to get, be again pushed back because of language issues, messages being left in French when the client is clearly English speaking. This also causes frustrations for the specialist when these clients miss their scheduled appointment on account of important details transmitted in a language they didn't understand.

(own story of mother in-law) 1 hour before assessed – 4 hour wait – informed nurse about situation worsening- left for hospital in Ontario – shipped by ambulance to Sudbury cardiology department.

Complaints were lodged through the commissioner and some corrective actions were taken. It was labeled as a misunderstanding about urgency? Our people don't think that a complaint will ever amount to anything, citing "they don't really care about us."

On reserve clients

What concerns me about this issue is that with our aging population and cost effective strategies, more and more we are talking about proximity services. Bringing healthcare services to the home. At first glance, you would think this is a great idea, and in theory it generally is.

But for our First Nations People living on reserve this would not be true. The policy from the province is that no worker from the reseau de la santé is to go on reserve unless there is a service agreement for the payment of the professional.

You see we receive funds from the federal government to provide health prevention and promotion programs on reserve. Treatment and public health is done by the province. They have the doctors, the psychologist, occupational therapists and homecare nursing. When we required the assistance of an occupational therapist to evaluate the home of a client who lived on reserve, the first response we received was that if the client lives across the road in the municipality of Kipawa, then it wouldn't be an issue.

After several calls and the promise to pay for services that any other Quebecker would receive off reserve, our amputee received the services needed for his return to his home.

Many of our clients, who are discharged from the hospital with the normal scenario of being services at home by a nurse, have to be transported to the hospital because the nurse does not want to come to our homes on reserve.

### Ontario Corridor of service

The Temiscaming, Kipawa and Kebaowek communities are geographically situated just a few minutes from the Ontario border and under an hour to the North Bay Regional hospital. For the past several years, our population have been directed inwards of Quebec and further up north for specialized services instead of going to North Bay or Sudbury.

Orthopedic consultation is one of the most popular cases we see. Instead of driving 45 minutes to North Bay, we need to travel 4 hours to Amos. Rouyn consults are close to three hours and Val doors four. Some cancer treatments have us travelling to Montreal 7 hours away instead of 2.5 hours to Sudbury with services in either the French or English language. And I have not yet mentioned the driving on our roads during the winter season.

Notwithstanding these considerable distances the fact remains that if you are non-First Nations and Francophone you don't have to deal with the language barriers in some areas of the establishments and the racism all around their towns services. (t'es au Quebec, parle francais) are often reported back to us. You can just imagine how our elders feel when they can't understand what's going on.

But for the people living around the Gatineau – Aylmer area, there's no problem with going to the place of their choice in the Ottawa area. Many Anglophones have moved to these areas but can still access health services in Ontario with no problems. Are their health and wellbeing more important than the people in the Temiscaming area?

It would be amiss if I spoke about inequities without saying a few words about prescription medications. You see once Health Canada approves a drug, Quebec does a wonderful job at making the latest state of the art effective drugs available for their Quebecois population. Our First Nations people have to wait several years till a generic drug is available before we can have access to it through the Non Insured Health Benefit plan from Health Canada. This discrepancy causes

tremendous problems at the pharmacy levels since doctors are used to using the RAMQ list so our people are often leaving without their prescription being filled.

In the end, we all carry a RAMQ card. Our population is surely accounted for in regards to the Federal Health Transfer dollars to the province. Our First Nation Communities are surely calculated for regional budget allocations from the province. But jurisdictional disputes or excuses, takes precedence over it seems, sound and logical judgement in healthcare service delivery. This practice only perpetuates the inequalities between our people.

Law 101 can no longer take precedence over someone's life and wellbeing. Everyone here understands too well that preserving your language and cultural identity is important to any nation, but doing it in a place (hospital/clinic) that could put a person's life in jeopardy is not protecting your language, it's dangerous and will create more rifts amongst us all.

Meegwetch

In conclusion, we hope that the recommendations you provide the government will be the beginning a renewed relationship

We offer the following recommendations:

- 1) We feel that although this enquiry will shed light on the types of mistreatment and racism that our people experience on a regular basis it will take time to change the internal and inherent biases that are directed to our people and that we may make institutional changes, we may not change the mindset of all individuals within the system as it will be hard and almost impossible to change the mindset of the average Quebecoise who hatred and racist attitudes towards our people are ingrained and passed down through generations. These people will still be delivering services to our people
- 2) The FNQLHSSC will be making a presentation on the governance model being worked on, which will eventually lead to the takeover of all services to our people; it is an important project not only for my people but for all FN citizens living in Quebec. This is a part of the solution to address the shortcomings of the current system, Health and Social Services developed and delivered by us
- 3) Recommend that Policing on reserve be declared an essential service as is the SQ and that adequate and equal funding be provided to our communities so we can deliver the same level and quality of policing as the SQ. Ontario has just done so and they didn't wait for the Federal Government to do, in the end with the cost of the mixed post in Val Dor and the need for SQ to patrol in other FNs, those millions could contribute to a better financing model and would create savings for the Government.
- 4) Ensuring that for border communities like ours and TFN that the Ontario corridor be reopened to allow our members to get services in close proximity and in a language which has in the past met our needs. There are important realities happening with health care in our region and the shortage of doctors and temporary closers of emergency rooms and longer distances to services is putting our members at risk when the government could simply stop bickering with Ontario over rates that put our members and the general

public health care needs first. We believe that an agreement for such a corridor can be done as it is already the case for Quebecers living in Gatineau to have access health services in Ottawa.

I would once again like to thank you for the opportunity to speak today, you have a unenviable task ahead of you and I wish you the best as the inquiry proceeds.

The success of this inquiry and the implementation of your forthcoming recommendations will require the political will of the government to implement and right now I don't have confidence that they will do but time will tell if it becomes just another report that gets put on the shelf.