

P-791-93

Val-d'Or, July 26, 2018

To: Mr. Marcel Lortie
Interim Executive Director
CLSC Naskapi

c.c.: Mrs. Anne-Marie Gauthier, Attorney
Mrs. Caroline Briand, Attorney

From: Mrs. Edith-Farah Ellassal, Counsel

Subject: Request for information within the scope of the work conducted by the *Public Inquiry Commission on Relations between Indigenous Peoples and certain Public Services in Québec: listening, reconciliation and progress*

File: DG-0286-DEF

Mr. Lortie,

Within the scope of its work, the *Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec: listening, reconciliation and progress* (Public Inquiry Commission) solicits the cooperation of the CLSC Naskapi regarding health, social services and youth protection services to obtain information concerning language and training on indigenous cultures and realities to the employees within this institution.

Accordingly, the Public Inquiry Commission wishes to obtain the following information and documents:

LANGUAGE

1. Translation

- 1.1. Are administrative and decisional documents available in another language than French only on demand from the service user? Please discuss the availability of such documents in English and in Naskapi.
- 1.2. What are the delays to obtain such documentation in another language than French? Please discuss the delays for English and Naskapi.
- 1.3. Are substitute measures offered? If so, which ones?
 - 1.3.1. Help from a liaison agent to fill out forms?
 - 1.3.2. Vulgarization/explanation meetings with an interpreter present to discuss the content of such documents?
 - 1.3.3. Every other substitute measures.

2. Interpreter

- 2.1. Is the possibility for your service users to have access to an interpreter systematically mentioned?
- 2.2. What is the availability of interpreters for your services?
 - 2.2.1. Are you in need of resources?
 - 2.2.2. If so, which ones? (Number of interpreters, budget, languages spoken by interpreters, etc.)
 - 2.2.3. What are the delays to have access to an interpreter?
 - 2.2.4. Are interpreters available in the community or are they brought in from elsewhere?
 - 2.2.5. Are the interpreters specialized in health, social services or youth protection services?
 - 2.2.6. Are the hired interpreters salaried employees or autonomous workers?
 - 2.2.7. For the hired interpreters both salaried employees and autonomous workers, please specify the source of funds to pay them: provincial health and social services budget or any other funding by specifying the source and/or the program.
- 2.3. Have the interpreters received a training course in language interpretation? Or more broadly, what are the hiring criteria?

3. Linguistic Adaptation

- 3.1. Is it possible for the service users to have access to your services in Naskapi, English or any other language? If so, in which languages?
- 3.2. Is the knowledge of French or English languages from your service users verified systematically?
- 3.3. Is there any other measures of linguistic adaptation in your services?
 - 3.3.1. Hiring of multilingual employees?
 - 3.3.2. Naskapi, English or French courses offered to the employees?
 - 3.3.3. A glossary of words used more frequently in another language than French?
 - 3.3.4. Use of multilingual employees as interpreters?
 - 3.3.5. Every other measures of linguistic adaptation.

TRAINING

4. Training on Indigenous cultures and realities

- 4.1. Any and all information regarding training, conferences, seminars, symposiums, professional development, educational activities or any course given on indigenous cultures and realities to the employees within this institution, since 2001;
- 4.2. For every training given, please specify the following information:
 - 4.2.1. The title;
 - 4.2.2. The type;
 - 4.2.3. The date;
 - 4.2.4. The length;
 - 4.2.5. Was it mandatory or not;
 - 4.2.6. When within the career path of the employee was the training offered (e.g.: at the beginning of the employment (0-3 months), over the course of the first year, after the first year, at the request of the employee, in response to a crisis, other);
 - 4.2.7. How often is the training offered;
 - 4.2.8. The number of employees who participated;
 - 4.2.9. The functions assumed by the employees (by mentioning if they work directly with Indigenous peoples or not);
 - 4.2.10. Who designed/created the training;
 - 4.2.11. All evaluations or follow-up in hindsight of the training.

You are kindly requested to provide us with any information or documents supporting the information that you will send us in response to this request, even if they are not included in the aforementioned list. These documents will help the Public Inquiry Commission fulfill its mandate, which reads as follows:

The Public Inquiry Commission has the mandate to investigate, address facts and conduct analyses in order to make recommendations concerning concrete, effective, lasting remedial measures to be implemented by the Government of Québec and indigenous officials to prevent or eliminate, regardless of their origin or cause, all forms of violence, discriminatory practices and differential treatment in the delivery of the following public services to Québec's indigenous people: police, correctional, legal, health and social services, as well as youth protection services.

Firstly, we ask you to notify us within **five (5) days** if you are unable to respond to this request (e.g.: the information is not available or is nonexistent), and explain the reasons for this in an email to genevieve.richard@cerp.gouv.qc.ca.

Secondly, we ask you to respond to this letter by communicating the requested information and documents **within the next fifteen (15) days**.

Any non-confidential information can be emailed to (nicole.durocher@cerp.gouv.qc.ca). If the documents are tagged as confidential, we suggest you use our Secure Document Sharing (*Partage sécurisé de documents* – PSD) platform for safe transmission. If you find this solution convenient, please confirm by email (nicole.durocher@cerp.gouv.qc.ca) so that we can send you the procedure for using it.

For any matters concerning this request, please contact Mrs. Geneviève Richard, Lawyer by email at genevieve.richard@cerp.gouv.qc.ca or by phone 819 527-0847.

Thank you for your cooperation.

Best regards,

Mrs. Edith-Farah Ellassal

Counsel

Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec:
listening, reconciliation and progress

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August 31, 2018

To: Ms Edith-Farah Elassal, Counsel

From: Mr. Marcel Lortie
Interim Executive Director
CLSC Naskapi

c.c.: Ms Anne-Marie Gauthier, Attorney of the Naskapi Nation of Kawawachikamach
Ms Caroline Briand, Attorney of the Naskapi Nation of Kawawachikamach

Subject: Request for information – Public Inquiry Commission on Relations between Indigenous Peoples and certain Public Services in Québec: listening, reconciliation and progress

File: DG-0286-DEF

Dear Ms Elassal,

Before answering the questions, we believe that it is important to present our establishment that will permit the Viens Commission (“Commission”) to appreciate these answers. First, the Naskapi CLSC was create in 2001, following the revision of Chapter 10 of the North-Eastern Quebec Agreement (“NEQA”), sign in 1978 between the Naskapi Nation of Kawawachikamach and the Quebec Government. It is the same convention that was signed in 1975 by the Cree and the Inuit. So, the CLSC Naskapi is a conventional establishment under the province of Quebec.

The CLSC Naskapi give services to the beneficiaries of the NEQA in the field of health and social services under the Health and social services Act (Article 530.89 to 530.117). The CLSC offers all type of services in the field of health and social services, excluding hospital services and readaptation services but include emergency services 24 hours a day, 7 days a week (we have an emergency room very well adapted to mostly all situation and X-Ray).

The CLSC Staff of around 30 people is composed of doctor and dentist, nursing staff, social workers, kinesiologue, nutritionist, social auxiliary, community worker, and administrative staff, including maintenance of the building.

So, as you can see, the CLSC Naskapi is under a provincial jurisdiction that need to follow all laws, rules and regulations prescribed by the Government of Quebec for such an organization. This is why that most of the questions raise by the Commission is answered by these guidelines. Here, I presume we are talking about communication between the CLSC staff and Naskapi client, not only about documentations and papers. This is why the CLSC Naskapi, by hiring someone, make sure that the English language is a priority for all professional and staff members, we also wish that they should be more Naskapi technician or professional that could be hire.

In conclusion, it is a very small organization that must carry on activities as the same of a big health and social services organisation.

LANGUAGE

1. Translation

1.1. Are administrative and decisional documents available in another language than French only on demand from the service user? Please discuss the availability of such documents in English and in Naskapi.

All administrative documents that come from the Health and social services Ministry are in French, when necessary some are translated in English for Board members (Rule and regulation of the Board of directors in English and in Naskapi; letters from Deputy Ministers address to the Chairman, standards and practice management policy finance-human resources-informational-immobilisation, others.) and some for clients with a summary of information when it is important to communicate about services such as the Non Insured Health Benefit Policy (In the past some small pamphlet in Naskapi was done). I would say only 10% of administrative and decisional document are translated; reason is because there is no budget allowed for translation of administrative documents and most of the administrative manager understand French.

1.2. What are the delays to obtain such documentation in another language than French? Please discuss the delays for English and Naskapi.

Letter receive from MSSS in French that concern staff usually it is done rapidly, for a letter address to the president of the Board, immediately. From French to Naskapi, refer to 3.3.5. Also it always depends on the emergency of needed information.

When the CLSC receive French documents address to the population (publicity, description of a program, pamphlets, others) we try to get the English version, if not available these documents goes in the trash basket.

1.3. Are substitute measures offered? If so, which ones?

For administrative documents in French (lot of them regarding the administration of a Health and social services establishment (document to do our financial statement, document to do our annual budget, document to fill in our statistics report, management policy and much more), we try to explain to an employee the content and help out to fill in the necessary document. But mostly it is an employee that French is it first language that fill in these type of report, mostly managers.

For our obligation regarding the Health and social services Act, some documents are produce in French as requested and some are translated in English when it is important for the administration of the CLSC, mostly it regard human resource policies

1.3.1. Help from a liaison agent to fill out forms?

There is no budget to hire a liaison agent to fill administrative forms. Here we need to get in the clinical forms needed in a services rendered by a professional that a client need; there is staff that speak Naskapi or English that understand French that help the client by filling the forms, explain it to the client.

1.3.2. Vulgarization/explanation meetings with an interpreter present to discuss the content of such documents?

When needed to explain a policy from the MSSS or a policy adopted by the Board of directors of the CLSC Naskapi, a Naskapi member of the CLSC staff is asking to translate for the manager and client the necessary explanation, usually it is regarding medical transportation policy. Also, CLSC Naskapi staff is also used to help DYP employee and Naskapi client to understand better the orientation and responsibilities of the DYP.

1.3.3. Every other substitute measures.

I believe that there is always a substitute measures to answer question raise by client or by employee when it regard the health and wellbeing of a Naskapi person. For administrative document in French that are necessary in the daily activities of the CLSC, such as stated before, they are translated in English and more important and vital one are done also in Naskapi. A good example in the complaints procedure that is done in three languages (French that has the provincial standard written policy; do a big resume translated in English and do a very small resume in Naskapi).

2. Interpreter

2.1. Is the possibility for your service users to have access to an interpreter systematically mentioned?

Yes, we have at least 10 Naskapi employees that are available to speak Naskapi and to translate the information's to other Naskapi clients when needed. There is also a position of an interpreter (half time) in the CLSC Human resource plan, but for now this position is very difficult to fill.

2.2. What is the availability of interpreters for your services?

Every hours of our opening of the CLSC, there is always someone available for clinical services, social services and community services.

2.2.1. Are you in need of resources?

Yes. A full time translator from French to English is necessary, then a budget to be able to complete what is already done in Naskapi language by NNK syllabic translator, mostly program pamphlet address to the population.

2.2.2. If so, which ones? (Number of interpreters, budget, languages spoken by interpreters, etc.)

A translator position in the confine and isolated area where the CLSC give services could cost around 120,000\$ per year. To translate in Naskapi a budget of around 35,000\$ would be necessary.

2.2.3. What are the delays to have access to an interpreter?

As of now, the CLSC is not using one, this task is done mostly by the Executive director, managers, Naskapi staff. But there is less Naskapi syllabic translator in the community, so it could take time.

2.2.4. Are interpreters available in the community or are they brought in from elsewhere?

See 2.2.3

2.2.5. Are the interpreters specialized in health, social services or youth protection services?

When we use an employee to do the translation, depending on the confidentiality of the issue, we use one person of our staff that is familiar in health and social services or youth protection. Since this spring, the CLSC hired a First Nation Social worker that is used as an interpreter once in a while to help DYP in their relationship with a client when needed.

2.2.6. Are the hired interpreters salaried employees or autonomous workers?

Like stated before, there is one half time position (salaried employee) in the CLSC Naskapi (not filled today because of budget cut in the past), but there is a lot of Naskapi employees that play this role when needed.

2.2.7. For the hired interpreters, both salaried employees and autonomous workers, please specify the source of funds to pay them: provincial health and social services budget or any other funding by specifying the source and/or the program.

Provincial health and social services CLSC budget.

2.3. Have the interpreters received a training course in language interpretation? Or more broadly, what are the hiring criteria?

When we use Naskapi syllabic translator (once in a while, when they are available), they are people that receive such a training by the Naskapi Nation of Kawawachikamach.

3. Linguistic Adaptation

3.1. Is it possible for the services users to have access to your services in Naskapi, English or any other language? If so, in which languages?

Our services are offered in English and Naskapi, depending on the services offered. Example such as promotion, prevention programs address to Naskapi clients, pamphlets in Naskapi is done; some also are done in English.

3.2. Is the knowledge of French or English languages from your services users is verified systematically?

Again, to occupy a position in the CLSC, English is essential for every employee. For the professionals, French is very important. So there is no use to verify systematically their knowledge. If there is a problem, it does not take long to have a complaint by a client.

3.3. Is there any other measures of linguistic adaptation in your services?

No, I think that all questions answers are sufficient.

3.3.1. Hiring of multilingual employees?

All professional employees hired by the CLSC Naskapi must be able to speak and write in English and French and hopefully in Naskapi. For all administrative position, French and English or English and Naskapi. For Naskapi see 3.3.5

3.3.2. Are Naskapi, English or French courses offered to the employees?

No, because to be a non-native employee you must be able to speak in English, writing if necessary. But again, all official documents such as clients medical files (notes by professional), documents address to other's institution (specialist) or establishment, must be in French.

3.3.3. A glossary of words used more frequently in another language than French?

Not in use and should say not necessary, because all staff members and professional have their own glossary of term.

3.3.4. Use of multilingual employees as interpreters?

Yes, such as stated before, we have employees that speaks Naskapi and English, we have employees that speak Naskapi, English and French, we have employee that speak only English and French.

3.3.5. Every other measures of linguistic adaptation.

When necessary, we used Naskapi translators (writing) that is train by using Naskapi syllabus from English to Naskapi. This is used for the annual report of the CLSC Naskapi incorporated in the Naskapi Nation annual report. Important and exceptional information about services to the Naskapi population. Non-insured health benefit policy was also written in Naskapi, Board regulation was written in Naskapi. Some other's small documents containing information was also done.

Also personal pamphlet done by staff are translated in Naskapi by Naskapi professional (community nurse) or by a professional using a Naskapi non professional employee.

TRAINING

4. Training on indigenous cultures and realities

The CLSC Naskapi did not prepare, nor did training on indigenous cultures and realities since his creation in 2001. But the management recommend to non native employee to participate in cultural activities put ahead in the Naskapi community.

L. Marcel Lortie