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# **Standing Committee on Indigenous and Northern Affairs**

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**EVIDENCE**

**Thursday, November 30, 2017**

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**Chair**

**The Honourable MaryAnn Mihychuk**



## Standing Committee on Indigenous and Northern Affairs

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• (1105)

[English]

**The Chair (Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.)):** Good morning, everyone. Welcome. I want to make a special welcome to Ministers Jane Philpott and Carolyn Bennett. We're always happy to have you here and your staff, of course.

We always recognize that we're on the unceded territory of the Algonquin people, particularly relevant at this time as we're going through reconciliation, and as we're still working on a land claims study, as we heard from the Algonquin.

We are here on the supplementary estimates. I see that, before we get started, indications are that we might have a little bit of business to take care of and that's through MP Anandasangaree.

**Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.):** Colleagues and Madam Chair, I'm asking if we can allocate about 10 to 15 minutes towards the end of the meeting to do some committee business.

**The Chair:** The suggestion is that we save 10 minutes for committee business.

MP McLeod is not so interested. Go ahead, Cathy.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Thank you. We do have two ministers here. Typically, a minister stays.... It was committed that they would stay for the two hours. I know that committee business is important, but I think this is more important. I would suggest that we do this at our next meeting.

**Mr. Gary Anandasangaree:** Could we do it in the first 15 minutes of the next meeting then, Madam Chair?

**The Chair:** It seems fine. We have agreement. All right.

We now have two departments. We're anxious to hear from both of you. You have 10 minutes each to present and then we'll go into rounds of questioning. I would ask MPs to be specific as to which minister they would like to address their questions.

I'll give it over to you. I'm not sure who's starting, but go ahead.

**Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations and Northern Affairs):** I will start, Madam Chair, as the returning regular here.

I'm pleased to be back here today, on the traditional Algonquin territory, to present the department's supplementary estimates (B) for the 2017-18 fiscal year. As you know, this is my first appearance before your committee, as the Minister of Crown-Indigenous

Relations and Northern Affairs, so I'm also looking forward to discussing my mandate letter with all of you. I'm also very pleased to be joined by my colleague, the Honourable Jane Philpott, Minister of Indigenous Services, whom you will be hearing from shortly.

I am joined by H el ene Laurendeau, the deputy minister of Crown-Indigenous Relations and Northern Affairs; Joe Wild, the senior assistant deputy minister for treaties and aboriginal government; and chief financial officer Paul Thoppil.

[Translation]

In supplementary estimates (B), we are requesting a total of \$445 million.

[English]

Supplementary estimates (B) represent a net increase of \$445.1 million. It comprises mainly the \$200 million payment for the Crees of Eeyou Istchee settlement payment; \$91.8 million for comprehensive land claims, treaty-related and self-government agreements; \$52.2 million for specific claims settlements; \$23.7 million for urban programming for indigenous peoples; and \$21.6 million for M etis rights and M etis relationships with the federal department. This brings the total investments for the department to approximately \$11.3 billion for 2017-18 to address the needs of indigenous peoples and northerners.

I would be very happy to provide a more detailed breakdown of these expenditures during the question and answers, but in my opening remarks I would like to just highlight a couple of things.

Last summer we signed the historic agreement on Cree nation governance, a true nation-to-nation effort based on partnership and respect for the traditional way of life of the Crees. This agreement is an important step forward in expanding the existing governance regime of the James Bay and Northern Quebec Agreement. As I noted, these supplementary estimates include \$200 million to make the final settlement to the Crees of Eeyou Istchee in accordance with the new relationship agreement. The payment is conditional on corresponding legislation being passed. We are currently working with the Cree nation on the draft legislation. We anticipate having legislation ready in the winter. We are requesting the money through supplementary estimates (B) so that we can move expeditiously when that legislation is passed.

I also want to thank the committee for looking at both specific and comprehensive claims policies through your ongoing study. I look forward to reviewing your recommendations, as the government is absolutely committed to significant reform in both areas. These supplementary estimates include a re-profiling of \$52.2 million from 2016-17 to 2017-18 for specific claims settlements. As we have discussed at this committee before, this is part of the government's usual practice of maintaining an ongoing source of funds by rolling it over, year over year, so that the money is available as soon as a claim is resolved.

I want to make it clear that this is not a matter of lapsing money. It's a matter of prudent policy. It was always the intention of the government to maintain a claims envelope over a number of years to fund this process. Having the money earmarked for this specific purpose underscores the government's commitment to resolving these claims in a fair and respectful manner.

Our government has also heard the concerns that first nations have with the specific claims process. We share those concerns and are working in partnership to identify fair and practical measures to improve the process. We are currently engaged in ongoing discussions with first nations and first nation organizations to identify and implement measures to improve the specific claims process. A joint technical working group with the AFN has been working on specific claims process reform.

[Translation]

This work, and your recommendations, will inform our efforts to reform and improve how we resolve specific claims.

● (1110)

[English]

We are committed to increasing the number of modern treaties and new self-government agreements in a manner that reflects a recognition of rights approach for individual first nation communities. I look forward to receiving this committee's recommendations on how we can improve these processes as well. We are already engaging in discussions with indigenous groups through the recognition of indigenous rights and self-determination discussions. These are more flexible discussions about finding areas of jurisdiction that indigenous communities or groups can draw down to move them closer to self-determination.

These initiatives are at the core of my new mandate. We know that strong governance and self-determination are the greatest contributing factors to the social and economic health of a community.

[Translation]

That brings me to the second topic of today's meeting, which is my new mandate.

[English]

A little more than 20 years ago, RCAP recommended that Canada dramatically improve the delivery of services to indigenous people while accelerating a move to self-government and self-determination. We agree with RCAP that rights recognition must be an imperative. We know that relationships built on colonial structures have contributed to the unacceptable socio-economic gap. That is

why the Prime Minister announced the dissolution of INAC and the creation of two new departments.

Crown-Indigenous Relations and Northern Affairs will advance reconciliation objectives and will lead on northern programming and Arctic policy. We must continue to address the day-to-day realities in indigenous communities directly, but we must also build a path to systemic change. The creation of two new departments is about dissolving a patriarchal, colonial structure that was designed to support the Indian Act.

This will allow us to focus our efforts on building strong, respectful, collaborative relationships between the crown and indigenous peoples. It's about understanding that we have to work together in a new way. We now get to rebuild two new departments in a way where form follows function.

[Translation]

A key part of my mandate is to lead a consultation process to determine how to achieve this goal.

[English]

In building this new system, we want to hear from indigenous people, people whose communities and nations existed in this land since time immemorial. We are listening to what indigenous groups have to say about their own vision of reconciliation.

Jane's department, which you will hear from in a moment, is focused on closing the gaps in the socio-economic outcomes, but we have to go beyond the federal government delivering services to indigenous people.

[Translation]

We must work to ensure that those services can be delivered and controlled by indigenous communities themselves.

[English]

We are working to achieve the goal of services being delivered and controlled by indigenous communities and indigenous-led institutions. My job is to help build indigenous governments and indigenous institutions that will deliver those programs that were once delivered by INAC.

Self-determination—the right to make choices about your community, your government, and your future—is a fundamental right. We know that if we truly want to move forward in partnership and reconciliation we need to look differently at the way we build crown-indigenous relationships. Part of my job is to make sure there is a whole-of-government approach—a sustainable approach—to these relationships to ensure all government departments are doing their part on the path to reconciliation and achieving the calls to action from the Truth and Reconciliation Commission.

I look forward to answering your questions.

**The Chair:** Thank you.

Minister Philpott.

**Hon. Jane Philpott (Minister of Indigenous Services):** Thank you, Madam Chair.

Thanks to all of you for welcoming me here today with my honourable colleague, the Minister of Crown-Indigenous Relations and Northern Affairs. I very much look forward to discussing the supplementary estimates (B), as well as my mandate, with the members of this committee.

I also want to acknowledge that we are gathered on the traditional territory of the Algonquin people.

I want to thank this committee for your excellent work on a number of issues, including, of course, your important work on the study of the suicide crisis in indigenous communities. I want to thank you also for your work on the matter of third party management systems. Most recently, I know that you are doing a study on wildfires and fire safety on reserve, and I very much look forward to hearing the results of that study.

• (1115)

[Translation]

I look forward to building a positive working relationship with the committee as we work together to chart a path forward and advance reconciliation with indigenous peoples.

[English]

I'm privileged to be here today as Canada's first Minister of Indigenous Services. As Minister Bennett has already explained to you, the former Department of Indigenous and Northern Affairs has been replaced by two distinct departments that are part of our transformative work in relationships with indigenous peoples.

Transforming how we structure ourselves, how we're sharing information, and how we're working with our partners and clients is helping to advance the nation-to-nation, Inuit-to-crown, and government-to-government relationships. The creation of this new Department of Indigenous Services is an important step in forging that renewed relationship with indigenous peoples that is based on the recognition of rights, respect, co-operation, and partnership. You'll have heard those words before, to the point that they may sound to you like buzzwords. Each of them carries deep meaning, and they are very intentional, such that we repeat them on a number of occasions.

I have been given a mandate to overhaul the way that programs and services for indigenous peoples are designed, developed, and delivered, and to do that in partnership with indigenous peoples.

[Translation]

With indigenous partners, we will ensure that our significant investments will produce real and improved results. Together we must close the unacceptable socio-economic gaps between indigenous and non-indigenous people in Canada.

[English]

Madam Chair, we made a commitment to Canadians to pursue reconciliation with a renewed sense of collaboration, so I will be engaging and working productively with indigenous leaders and communities to identify and realize the systemic reforms that we all acknowledge are long overdue.

Much more than a name change, establishing a department whose sole purpose is to improve the quality and delivery of services in partnership with indigenous peoples underscores a desire to implement transformative change.

[Translation]

As the Prime Minister has said, "No relationship is more important to our government and to Canada than the one with indigenous peoples."

[English]

The entire reason for this change is to enable first nations, Inuit, and Métis people to build the capacity to make their own decisions and deliver their own programs and services to fully implement their right to self-determination. That includes everything from family services and community infrastructure to health and education programs.

Once that is achieved, it is our hope and plan that there will no longer be a need for a Department of Indigenous Services. That won't be accomplished overnight, of course. In the meantime, the department has an ongoing responsibility to ensure the high-quality programs and services that indigenous peoples need, including improved access to services for indigenous children through programs such as Jordan's principle.

I want to take a few moments to elaborate on that. As this committee knows, the principle is named after Jordan River Anderson who died at Norway House Hospital in 2005 at the age of five after a dispute between federal and provincial governments as to who was responsible to pay for his care. In 2007, some of you were in the House of Commons, and others know that the House of Commons passed a motion declaring that jurisdictional disputes should never interfere with first nations children getting care. That motion was passed in 2007, but it was not implemented. Up until 2015, there were zero cases in which children received care based on this principle. Last year, we broadened the definition of Jordan's principle. We reiterated our plan to fully implement it, and we set aside enough funds to do so.

To date, we have approved more than 24,000 cases under that principle. These are children who were previously denied care and are now receiving mental health supports, respite care, medical equipment, physiotherapy, speech therapy, and more. Jordan's principle is being implemented to ensure that no child who requires care will go without it. No one should be left behind, no matter who they are or where they live.

In that spirit, I am very pleased this morning as well to announce that, along with the parties to the cases before the Canadian Human Rights Tribunal, an agreement has been reached to amend two aspects of CHRT's orders. The amendments address the CHRT's May 2017 ruling that the Government of Canada was seeking to clarify in a judicial review application to the Federal Court. As a result, Canada is withdrawing the federal application.

Madam Chair, I want to be very clear that how and by whom programs and services for indigenous peoples are developed and delivered must and will change. We know we must do more and do better. There is still criticism that we are not doing enough and not doing it fast enough. Let me respond in this way. Turning around the effects of generations of historic injustice and systemic discrimination against Canada's indigenous peoples could never be done fast enough.

In my mandate letter, I was directed to “leverage the ingenuity and understanding of Indigenous Peoples as well as experts from the private sector, provincial, territorial, and municipal governments and international experts on service delivery.” Working closely with indigenous peoples and these other important partners, my departmental officials and I will promote innovative approaches to all programs and services that increase equality of opportunity for indigenous peoples.

We intend to move forward on several key fronts. I'd be happy to elaborate on any of them. Let me itemize a few. We are taking an approach to transform the way health care is delivered in first nation communities. We are working with first nations to develop and enable their own solutions to address critical issues that are directly impacting their communities. We're developing and implementing an improved response, along with our partners, to child welfare to make sure the best interests of the child always come first. This requires a holistic approach focused on prevention, family preservation, family well-being and reunification, and community wellness. We will be discussing this with our partners at an emergency meeting on indigenous child and family services in the new year.

● (1120)

[Translation]

Improving essential infrastructure for indigenous communities, including housing, is another of our priorities.

[English]

We're also supporting the implementation of a distinct indigenous framework as part of a national early learning and child care framework that takes into consideration the unique needs of first nations, Inuit, and Métis children.

We're undertaking a review of all current federal programs that support indigenous students pursuing a post-secondary education to ensure the programs meet the needs of individual students and lead to high graduation rates.

We're leveraging investments in indigenous youth and sport, and promoting culturally relevant sport to strengthen indigenous identity and cultural pride.

[Translation]

We are promoting economic development opportunities in indigenous communities that improve the standard of living and quality of life of local residents.

[English]

Through supplementary estimates (B) this year, we have funded the new urban programming for indigenous peoples initiative, which has been designed to assist first nations, Inuit, and Métis living in or

transitioning to urban centres. I would be happy to discuss the programming in detail.

In every instance, we will adopt a rigorous results-and-delivery approach that translates into real and meaningful changes in the lives of indigenous peoples. We have an obligation to seize this opportunity for bold change.

[Translation]

Madam Chair, rest assured we will engage and cooperate with indigenous peoples to determine the best way forward before we take action in these priority areas.

[English]

As we implement this ambitious agenda together, I have little doubt that together we can make great progress resulting in a measurable difference in the lives of indigenous peoples. I look forward to your questions.

[Translation]

Thank you very much. *Meegwetch. Nakurmiik.*

[English]

**The Chair:** Thank you very much.

Our questioning opens with MP T.J. Harvey.

**Mr. T.J. Harvey (Tobique—Mactaquac, Lib.):** Thank you, Madam Chair.

I'm going to start my questioning with Minister Bennett. Hopefully, at some point I'll have enough time to get both of you in.

I want to start by saying that I think the opening remarks from both of you speak to the importance of this issue. I think Canadians are seized with the importance of this file now more than ever, and I just wanted to say thank you to both of you for your leadership on this file, because it is a difficult file. It is a file that people are passionate about, and it's one on which it's hard to reach solid outcomes in a hurry. As a starting point, I want to thank both of you.

In our travel on the comprehensive and specific land claims study, one of the things we heard about a lot from a number of indigenous groups and individuals, especially around comprehensive land claims policy, is the interpretation. They interpret one of the things that needs to be done as requiring them to extinguish certain rights. Is this compatible with an approach based on the recognition of rights, in your opinion?

● (1125)

**Hon. Carolyn Bennett:** Thank you so much for the question. It's a hugely important question in us going forward in a different way.

What we are now doing at each of the recognition of rights tables is exactly that. The extinguishing of rights is not on the table there, so that we get to go forward in a new way, where the communities will never have to choose between their rights and a settlement. This is our new way of going forward.

That's the reason why, even in a comprehensive "claim", a specific "claim", even that word bothers indigenous groups, because they have rights and they shouldn't have to "claim" rights. At the tables, we are recognizing their rights. As opposed to going out and asking them to prove their rights, we actually acknowledge that those rights exist.

**Mr. T.J. Harvey:** Okay.

With regard to your department specifically, how is your department working to ensure that policies such as the comprehensive land claims policy are aligned with Canada's obligations under UNDRIP?

**Hon. Carolyn Bennett:** Again, that's a great question.

All of the principles of UNDRIP, the UN Declaration on the Rights of Indigenous Peoples, are about recognition of rights and therefore about everything we're doing at the working group on the review of laws, policies, and practices, but particularly as we reform this approach to self-determination and self-government—and the kinds of agreements that will be reached through those processes—as well as completely reforming the specific claims approach.

As the Government of Canada, we were doing a terrible job even in the process of what claims were accepted and then were spending time and money to lose in court. This doesn't make any sense, so we are working with indigenous communities and the AFN on a very specific process to overhaul the specific claims processes.

**Mr. T.J. Harvey:** Perfect. Thank you.

Minister Bennett, could you elaborate a little bit more on how the recognition of rights and self-determination tables will be different, going forward, from what we've seen in the past? What type of measurable difference do you think that will make in the long-term outcomes?

**Hon. Carolyn Bennett:** I think there was consensus that the comprehensive claims process took too long and was too expensive. One of the most difficult meetings I had this year was with Northern Shuswap. Twenty years and \$30 million later, they still haven't reached an agreement. Their neighbours, Tsilhqot'in, are at a recognition of rights table and are beginning to work at what jurisdictions they want to draw down as their priorities.

Coast to coast to coast, at these tables, which have over half a million indigenous people represented, they're having a look at things like education, like the Anishinabek education agreement, or like child welfare or health or a fishery, with the coastal first nations. These nations are actually coming together now, reconstituting as like-minded communities, to actually work together to draw down their rights in the way they see fit.

**Mr. T.J. Harvey:** For my next question, I'm going to start with Minister Philpott, but I'm actually going to ask that you both answer because of your past tenure on this file specifically as well.

This week we learned about a third party manager, chosen by Kashechewan First Nation, who has pleaded guilty to misappropriating funds from their community. Can you tell us what is being done on this case and how we can assure that this is not repeated in the future?

I want to get that question in there because I have an indigenous community in my riding, which has been in third party management, and I've seen some of the struggles they've dealt with over the past 10 years. That has spawned its own subset of problems around affordable, sustainable housing, around transportation infrastructure on reserve, and around water quality. I'm just curious. Could you both elaborate on that?

**Hon. Jane Philpott:** This is a terrible story. What took place in Kashechewan has been absolutely devastating for the community, a community that's already faced a number of challenges. The background to what took place and led to that is rather long and complex, so I'll try to shorten it. For a variety of reasons, they were led into a circumstance where, under the current policies, they were obliged to enter into third party management. They had an opportunity then to choose which organization they wanted to work with, and Crupi Consulting was one group on the list. They had a previous relationship with Crupi Consulting on other issues in the past, and obviously, I don't know the details of why they made that decision, but the chief and council at that time chose Crupi Consulting to be the group they would work with under third party management.

The only thing that brings me a small measure of reassurance in this is that, apparently, it's extremely rare that the kinds of things that took place there happen in third party management, regardless of whether, as we all know, it's not an ideal policy. Cases of fraud are almost unheard of, but in this case, we now know that fraud did take place.

I'm sorry. I'm giving too long of an answer.

Let me just say I have tasked the department with making sure that we determine a plan to work with the community to address the losses they have undergone, and we will be supporting that community to address how they can build capacity in fiscal management.

● (1130)

**The Chair:** Thank you.

Questioning now moves to MP Cathy McLeod.

**Mrs. Cathy McLeod:** Thank you, Madam Chair. I'm hoping to get in three questions. If you could signal and cut at two minutes and four minutes, that would be very helpful in making sure that I get in the different questions I would like to get in. They will be focused on Minister Bennett.

**The Chair:** I'll do signals as to how many minutes are left.

**Mrs. Cathy McLeod:** I'll make my questions short so that you can use your time effectively, Minister Bennett.

In 2016 Minister Wilson-Raybould said, “Simplistic approaches such as adopting the [UN] declaration as being Canadian law are unworkable and, respectfully, a political distraction to undertaking the hard work actually required to implement it back home in communities.” Your government has recently indicated that it's going to support Bill C-262, which does implement the declaration.

First of all, I want you to reconcile the minister's statement with the new stance on Bill C-262. Also, would you describe your approach to UNDRIP as applying within the confines of aboriginal rights under section 35, or will you propose having the principles of the declaration succeed the current framework of the Constitution?

**Hon. Carolyn Bennett:** As we work to recognize indigenous rights in Canada, we will go forward in many ways. As Jane said, the recognition of rights, respect, co-operation, and partnership have to be the relationship and the way we work together.

We believe the UN Declaration on the Rights of Indigenous Peoples is a very good template for that internationally, but we know that we are going to have to develop a framework for Canada for the recognition of rights that will include distinctions-based, and that will include that first nations, Inuit, and Métis rights are different. We look forward to going out now and going further than what Romeo Saganash's bill will do.

**Mrs. Cathy McLeod:** Looking at what the minister said in terms of it being unworkable, what's changed so that what was unworkable before is now workable?

**Hon. Carolyn Bennett:** We all know that whatever we do needs to be within the Constitution of Canada, and what we are doing now is articulating what was always there in section 35 in terms of treaty and indigenous rights. We are now articulating what was the spirit and intent of those treaties and the way we go forward to actually make sure that indigenous rights are understood here in Canada. That's the way forward.

• (1135)

**Mrs. Cathy McLeod:** We're already at four minutes, and they've only let me get in one question.

Article 19 of the UN declaration suggests the government get free, prior, and informed consent before adopting and implementing legislative measures that will affect them. Can you illustrate for us how you would apply this provision? Is it going to apply to laws of general application, which of course means all Canadians, or only to laws that are exclusively related to the first nations?

I think this is very important for everyone to get an answer to.

**Hon. Carolyn Bennett:** I believe the issue of free, prior, and informed consent is hugely important, and it was intended for those laws that affect indigenous people. However, I believe that as we go forward and as more indigenous people live in urban centres, the voices of indigenous people—as they are the fastest growing part of the population—are going to be hugely important in our getting everything right, including our maybe using indigenous law to better look at any laws and practices in order to do better than what we've done in civil and common law in this country on some of the more complicated issues.

**Mrs. Cathy McLeod:** Article 26 says that “Indigenous peoples have the right to the lands, territories and resources which they have

traditionally owned, occupied or otherwise used or acquired.” How do you intend to implement this?

Again, we're looking at the UN declaration, and you've made a commitment to implementation. This has vast ramifications throughout Canada. These are important questions not just for first nations to hear and understand your intention, but for all Canadians. Certainly I look at the Northern Shuswap treaty that you talked about and the Tsilhqot'in. In both cases we have other Canadians who also need to understand what's happening and where we're going to go forward. I'll look at tourism. All of a sudden we have the tourist operators in the Tsilhqot'in landlocked. I look at some of our ranchers who have been significantly impacted by the comprehensive planned treaty for the Northern Shuswap.

I think a very clear answer is important for indigenous communities, but it's also important... I don't think your government has done a very good job of articulating. You're going to support Mr. Saganash's bill, and you haven't articulated to indigenous people and Canadians what exactly that's going to mean. It's going to be important for everyone to understand.

**Hon. Carolyn Bennett:** Thank you for that.

**The Chair:** You have just over a minute to respond.

**Hon. Carolyn Bennett:** I think we have been very clear that free, prior, and informed consent is not a veto. It means you have to work very hard at the earliest part of a project to try to work together to find an outcome that is mutually acceptable. That is the way indigenous groups are seeing themselves in the project.

**Mrs. Cathy McLeod:** They do see it as the veto, though.

**Hon. Carolyn Bennett:** I think the national chief has been pretty clear that it's not a veto.

**The Chair:** You have 30 seconds left.

**Mrs. Cathy McLeod:** Thank you.

Again, I think before supporting Bill C-262, a very descriptive...of each article, what it's going to mean, how you plan to implement it.... With Bill C-262, we recognize it as a very important document. We recognize that there are many things that need to be done, but the actual implementation, as the minister said, needs to be articulated to Canadians because what you're saying is hugely important.



**Hon. Carolyn Bennett:** I think as we move forward on a recognition of rights framework, those consultations that we will have, not only with indigenous people but with all Canadians, will be hugely important as we move forward to decolonize and actually explain to Canadians what indigenous rights really mean, and why it makes this country stronger.

**The Chair:** Thank you.

Questioning moves to MP Charlie Angus.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Thank you, Chair. It's an honour to be at your committee.

**The Chair:** You're welcome.

**Mr. Charlie Angus:** It's an honour to have the two ministers. I have enormous respect for the hard work that you do.

I don't want to sound gruff this morning, but since I only have seven minutes and we have so many things to talk about, I'll try to keep things moving.

I want to start off, Minister Philpott, with the, I think, extraordinary news about Grassy Narrows and the commitment there. I have to say, though, talking to the community— 50 years of broken promises—people want to know this is going to happen. Grassy Narrows says they can get the shovels in the ground to get this treatment centre in the spring. What do you see in terms of the timelines of responding to their needs and getting this really important facility built?

• (1140)

**Hon. Jane Philpott:** Thank you for the question. I obviously want to acknowledge all members for their advocacy on these issues, but it's no secret that you have been an exceptional advocate on behalf of the rights of indigenous peoples for a very long time, so I want to thank you for that.

In terms of Grassy Narrows, you're right. Again, a story of 50 years of impacts to a community through no fault of their own, tremendous impacts from the environmental contamination that took place in the 1960s and to some extent has continued since then.

We had a very good meeting yesterday with the chiefs and communities of both Grassy Narrows and Wabaseemoong. They had a number of requests to us. The one I was able to answer immediately that day was that we will make sure they get the treatment centre that they want, need, and have been asking for, for a very long time. I know they obviously wanted it years ago, so we are going to work very ambitiously on that timeline. I have assigned one of my assistant deputy ministers to work on this directly with the community, and we will move things along at the most rapid speed possible.

**Mr. Charlie Angus:** Thank you very much.

Minister Bennett, the issue of St. Anne's residential school remains one of the unresolved horror stories of Canada, yet we have lawyers from your department in provincial court fighting survivors on cases. The factum of the federal government says that their right to procedural fairness is not applicable to residential school survivors.

Why don't you believe that the survivors of St. Anne's have a right to procedural fairness?

**Hon. Carolyn Bennett:** First, Charlie, I also want to thank you for all of the amazing advocacy that you do.

Yesterday, when we had our interchange in the House, I misunderstood which of the cases you were talking about. I think you know that we are committed to ensuring justice for all of the victims of this dark chapter in our history—all childhood litigation, all residential schools, and particularly these cases that still remain outstanding.

What we have to be clear about is that the government is not challenging any of the individual claimants in this matter, nor the outcomes of their cases. The overarching goal is to ensure that victims receive the compensation they are rightly owed for their pain and suffering. There needs to be some integrity to the system.

What's been happening up to now is that the adjudicator has been making inconsistent and at times contradictory decisions when applying the legal concept of procedural fairness. We have asked the court for the guidance, for the correct interpretation of procedural fairness. We actually want their guidance in how we go forward to make sure the system is fair and everybody gets what they need.

**Mr. Charlie Angus:** I think the problem is that lawyers for your department have taken the position, "There is simply no place in the IAP for the administrative law concept of procedural fairness." Procedural fairness is a fundamental principle of law, yet your officials are saying that this does not apply in the case of St. Anne's. They further state, just your lawyers state, that the chief adjudicator is relying on a "bald proposition" that the obligation to ensure a fair process for claimants "falls on all parties".

The one party here is the Government of Canada, which chose to suppress 12,000 pages of police evidence, witness testimony that identified 200 perpetrators of sexual crimes at St. Anne's. The other party are the survivors who have no resources, so why is it that you would have lawyers in court saying that their right to procedural fairness does not exist?

**Hon. Carolyn Bennett:** Firstly, I think you know that Justice Perell has said that we have released all the documents that were required. I think that is settled. I think what we are now doing in court is determining what the actual definition is that could be implemented on procedural fairness in cases because of the adjudicator using it differently in different cases. We need guidance so we can achieve fairness for everybody.

• (1145)

**Mr. Charlie Angus:** The problem is that lawyers for your department now are in the hearings saying that the evidence that you were forced to turn over is inadmissible unless they can provide a survivor witness, which revictimizes the survivors who've gone through this, and then they claim that they have no right to procedural fairness.

Minister, this goes back to the decision that was made high up to suppress evidence, and for the life of me I cannot figure out why this was allowed to happen when you had the names of the perpetrators and when your officials knew who they were. You had cases thrown out because your lawyers said those survivors had no credibility because they weren't believable, yet you had the names of the perpetrators. Why would Canada do that?

**The Chair:** We'll have a very short answer, please.

**Hon. Carolyn Bennett:** I believe that Justice Perell has made it clear that all the documents that were required or all that they expected have been submitted.

**Mr. Charlie Angus:** Why is there complicity? The question is the complicity of Canada. Why?

**Hon. Carolyn Bennett:** The law is the law, and in so many cases, Charlie, we are going way beyond what the law asks us to do. In so many cases, whether it's Anderson or because Labrador and Newfoundland weren't in Canada yet, we are settling that case.

I believe that our approach, as a government, is to do the right thing, not to just do what the courts tell us to do. In fact, we are expending much of our efforts getting out of court and to the negotiating table, so things like the sixties scoop get language and culture, get apology, get commemoration, get healing. Those are things that courts can't award and that's why we're trying to get out of court on as much as we can.

**The Chair:** Thank you.

Questioning now moves to MP Anandasangaree.

**Mr. Gary Anandasangaree:** Thank you, Madam Chair.

Minister and colleagues, welcome this morning.

With respect to Inuit health branch, I know, Minister Philpott, in your mandate letter there's specific wording with respect to incorporating some patient-driven outcomes for indigenous people within your department.

How do you see the Inuit health branch working with you and your department to formulate the outcomes that we're looking for?

**Hon. Jane Philpott:** Thank you. That's a great question.

Perhaps I can start by clarifying that the actual name of the branch is the first nations and Inuit health branch. Up until now it has been with Health Canada, and I had the privilege of serving as Minister of Health before and working with the branch. As you know, from the Prime Minister's mandate letter, Minister Bennett was asked to go out and talk to appropriate parties about the idea of the new Department of Indigenous Services taking on responsibility for what we'll call FNIHB, which is the short form for the branch. Minister Bennett can provide you more details about that but this was a welcomed move and we look forward, very soon, to be able to formalize the transfer of that branch over to the Department of Indigenous Services.

I think your question, though, was more alluding to what our approach is going to be. I mentioned this briefly in my comments, but in every sector of our new department we are really working towards the recognition of the right to self-determination. As it relates to health, there's some really interesting and encouraging

work happening in places like Nishnawbe Aski Nation in northern Ontario. For instance, you may have noticed that we recently entered into a tripartite agreement with the province and with Nishnawbe Aski Nation and ourselves to move to a system where the health systems for those peoples will be delivered, planned, designed, and controlled by first nations for first nations.

This is the kind of transformation we are seeing more and more of across the country. I have lots of other good stories I could tell you.

**Hon. Carolyn Bennett:** I just want to say that, in my initial consultations, it's been very reassuring in terms of the support for this approach of having the social determinants of health together with health in Indigenous Services. I was very pleased also to hear the kind of change in attitude of the first nations and Inuit health branch and how positively it has been working in a partnership. I think this is good news.

• (1150)

**Mr. Gary Anandasangaree:** On that, with respect to Jordan's principle and how health is a key component of that, can you advise us...? You indicated that Jordan's principle has been invoked on at least 24,000 occasions. Can you give us an indication as to whether you're satisfied that it is being invoked in virtually every situation where it should be invoked?

**Hon. Jane Philpott:** That's another great question. I would say I need to salute all of those who have been involved in rolling out the full implementation of Jordan's principle. This has been really important work, and obviously indigenous leaders have played the biggest role in this. The officials at first nations and Inuit health branch have worked very hard to ambitiously make sure that the message gets out. This was a challenge. Again, it was going from a world of denial of rights, denial of approvals, to a world where we're saying we're ready to grant approvals, so how do we get the word out across the country? Every time I speak to chiefs now, I make sure that they know about Jordan's principle. There's a 1-800 number.

We, the branch, have done work to try to make sure that the new definition is very clear on the website and that everyone knows about it. They're holding training sessions for officials where hundreds of officials are gathering together to understand what it means. We are making sure that, if there is a denial, it has to go to the very senior levels of my department to confirm that there's no possible way that we can approve the case. I'm very happy to say that we have well over a 99% approval rate. With 24,000 cases approved so far, I don't think that's the end of it. I'm sure there are thousands more kids out there, so please help us spread the word. This is really important. Kids are getting care, and it's changing people's lives.

**Mr. Gary Anandasangaree:** Thank you, Minister Philpott.

Minister Bennett, with respect to UNDRIP, which came up a bit earlier, I think in New York earlier this year you were unconditional in committing our government to supporting UNDRIP. Can you tell us why it's important for us? Why is it important as Canadians to really lead on this issue?

Frankly, I think we're probably one of the latest to sign on, and that's been the cause of a great deal of concern for the international community, but why is it important for Canadians? Why is it also important for indigenous peoples that we sign on to UNDRIP?

**Hon. Carolyn Bennett:** This is about the recognition of indigenous rights. This is about people not having to prove their rights. This is about decolonizing, and how we ensure that, in the way forward, everything we do goes through the lens of the rights of indigenous people.

It also helps us to teach Canadians, the 95% of Canadians not from indigenous backgrounds, about what this actually means, all the things we never learned at school, all the things that happened in that dark chapter of our lives. I remember learning about potlatches in school. I didn't learn they'd been banned. I didn't learn that people weren't allowed to speak their language or that they had their regalia taken from them.

Even as we reform the child welfare system, together with the Convention on the Rights of the Child, we have these two UN tools that will help us say that decisions about children, as Dr. Philpott has now framed her work, are about the rights and well-being of indigenous children and youth. They have a right to be raised as indigenous children, and that will frame this really important overhaul of the child welfare system that Dr. Philpott is doing.

**The Chair:** Thank you.

Questioning will now move into the five-minute round.

We'll start with MP Waugh.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Thank you, Madam Chair.

Two departments, more staff, more money... Give me an indication of how many more staff we have now, how much more money. Can you just give us a quick update? Obviously, you've split into two now, so that means you're hiring more. How much does that cost?

**Hon. Carolyn Bennett:** One of the corrections I will make is that we are not splitting a department in two. We are dissolving a department, because all the great people who worked in our department had one burden on them: they worked for INAC. INAC is no longer to exist. We will build two new departments, bottom up, form following function, as we said, based on the needs.

• (1155)

**Mr. Kevin Waugh:** So no more staff...?

**Hon. Carolyn Bennett:** The bulk of the money in our department is in the grants and contributions that go to communities.

**Mr. Kevin Waugh:** Okay.

**Hon. Carolyn Bennett:** We need some people to do that, but we are determined that as we rebuild these two new departments, and we eventually—

**Mr. Kevin Waugh:** There are two new departments, then, right?

**Hon. Carolyn Bennett:** Two new departments, yes.

**Mr. Kevin Waugh:** You just said that there are two new departments.

**Hon. Carolyn Bennett:** Yes. That's right.

**Mr. Kevin Waugh:** How many more staff?

**Hon. Carolyn Bennett:** One of them isn't going to exist anymore.

**Mr. Kevin Waugh:** So no more staff?

**Hon. Carolyn Bennett:** Our job is to get this done. My job is to help accelerate the process to self-determination and indigenous-led institutions in governments—

**Mr. Kevin Waugh:** We know that.

**Hon. Carolyn Bennett:** —such that Jane's department doesn't exist anymore.

**Mr. Kevin Waugh:** So no more staff, or do we have new staff?

**Hon. Carolyn Bennett:** There will be, in a transition, the need for people to oversee the transition, but I promise you that the bulk of the money goes to communities in grants and contributions.

Paul, you have pretty impressive numbers there, I think.

**Mr. Kevin Waugh:** Do you, Paul?

**Mr. Paul Thoppil (Chief Finances, Results and Delivery Officer, Indigenous Services and Crown-Indigenous Relations and Northern Affairs, Department of Indian Affairs and Northern Development):** To answer your question, regardless of any organizational change there is a cost associated with it, whether in the private sector or in the public sector. Therefore, there will be presumably an incremental cost before we achieve the objective of eliminating the expenditures associated with one complete department.

**Mr. Kevin Waugh:** How long would that take?

**Mr. Paul Thoppil:** It depends on how fast a number of elements unfold. As Minister Bennett said, the degree of acceleration under our various rights and reconciliation tables and the amount of sectoral transformation, as Minister Philpott said, through sectoral agreements under education and health, will all contribute to it. The timing will be a combination of how fast we can move along with the pace of the communities themselves.

I can't give you a clear answer, but the intent is clear.

**Mr. Kevin Waugh:** Thank you very much.

Moving on to transparency, Minister Bennett, is that your department?

Oh, that's you, Minister Philpott. Okay. We've heard reports of people calling INAC and being told that their issue falls under the other person. If I phone you, I might hear, "No, that's actually under Minister Bennett." We've heard some of that with this new approach. People are falling through the cracks.

How are we tracking this? We've heard that people are phoning and they're being told to go elsewhere.

**Hon. Jane Philpott:** I assume you're referring to people phoning our ministers' offices...?

**Mr. Kevin Waugh:** Yes, or the department, INAC.

**Hon. Jane Philpott:** If you hear of a specific case where someone has fallen through the cracks, please bring it to my attention.

**Mr. Kevin Waugh:** So you've had none that you know about.

**Hon. Jane Philpott:** It's understandable. As you probably know from your own constituency office, people call sometimes about a provincial issue and they need to be referred elsewhere. It's not unreasonable that one might call a department and realize that they've called the wrong department. Obviously, we would expect our officials and our ministers' offices to reallocate those calls appropriately.

**Mr. Kevin Waugh:** Okay.

Minister Bennett, you've gutted the First Nations Financial Transparency Act. We have two lawsuits in my province of Saskatchewan right now—Onion Lake, and Thunderchild just within the last week.

How's it going? We've had the transparency.... I know you were talking to your staff there.

**Hon. Jane Philpott:** I will take this question, if you don't mind—

**Mr. Kevin Waugh:** Okay.

**Hon. Jane Philpott:** —because the fiscal relationship falls under our department.

I want to start out with a couple of principles. I believe that all Canadians and all responsible governments recognize that matters like transparency and accountability are absolutely essential. We want to acknowledge that up front.

I also want to say that in terms of the fiscal relationship we have had with indigenous peoples, I think it would be fair to characterize our relationship in the past as patronizing, punitive, and regressive. Our new relationship with indigenous peoples is based on a recognition of rights, including the right to self-government. It's based on the kinds of things we talked about before.

**The Chair:** Thank you.

The questioning now moves to MP Zahid.

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Thank you, Chair.

Ministers, I'd like to thank you both for your leadership on this difficult file.

My first question is for you, Minister Philpott. It is in regard to mental wellness. It feels like hardly a day goes by that we don't hear about another instance of a suicide in an indigenous community, or a suicide pact between young people. As you know, we recently

completed a study on the suicide crisis. We heard from witnesses that there is no single solution. We know that this will require a concentrated effort across all levels of government and even beyond government.

Can you please tell us what is being done to ensure that we foster hope in these communities and provide access to services for the improved health and well-being of indigenous communities?

• (1200)

**Hon. Jane Philpott:** Thank you for the question. Once again, I want to thank the committee for your work on this. I'm sure it was a heart-wrenching experience for you to hear the testimonies that were part of that. Thank you for your report and recommendations. I hope you've had the opportunity to review the government response to the committee's report, because I think that frames how we really do see our responsibility as it relates to the mental health crises that are faced by indigenous peoples.

The way we framed that was really in three main broad categories. The first is that you have to get those urgent immediate responses to communities, particularly when there are times of crisis. To that end, there have been tremendous investments and a lot of work has gone into making sure, for example, that we've quadrupled the number of mental wellness teams that are available for first nations across the country, to be able to get to communities quickly. We've made major investments through Jordan's principle. We are using a first nations-led approach called "Choose Life", a program that many first nations communities in northern Ontario are using.

This is allowing that crisis response and enables access to mental health workers, but you need to go down to that next layer, which is the social determinants of health, because we will not address the suicide crisis until we make sure that kids can get a decent education, live in a decent house, and have clean water and all of the things that give kids hope for the future and make them believe that life is worth living. That's a huge part or essentially all of what my department is doing: enabling what it means to be healthy, both mentally and physically.

Even deeper than that is the work of Minister Bennett's department. That's the third foundational layer. People lose hope when they have no control over their lives. First nations, Inuit, and Métis people in this country have not had those rights recognized and implemented fully. When people are enabled to determine the course of their lives, to have control over their lives, that's actually what is the grounding of addressing these terrible mental health crises.

Again, I could elaborate but hopefully that answers your question.

**Mrs. Salma Zahid:** My next question is on education, Minister. Just yesterday, census data was released that showed high school completion rates are increasing for first nations, Inuit, and Métis students. We also learned that there were gains in the attainment of post-secondary education. This is a very positive step in the right direction. Can you tell us what is being done to ensure that we continue on this track?

Also, what can we be doing for the development of social skills for indigenous youth?

**Hon. Jane Philpott:** Thank you. I'll choose a couple of things to tell you about in the education world, because there's so much happening everywhere.

There are many encouraging things. Minister Bennett referred to the agreement of the Anishinabek—it's before the House right now—in terms of their claiming jurisdiction over education, which is fantastic news, and even without fully claiming jurisdiction, we're seeing some really important work that's being done, again, to enable self-control over education. I was out in Manitoba and was able to celebrate the opening of the Manitoba First Nations School System, which is really transformative and was an extremely positive experience.

The other thing I want to touch on briefly is to let you know that there's some really fascinating work being done across the country at a table of regional representatives around education. We are actually co-developing an approach to the transformation of education for first nations across the country. This is work that is essentially the first of its kind, and I have to again salute first nations leaders and our officials who are working at that co-development table. They will be preparing a presentation to the government to recommend how they would like to see education transformation take place.

**Mrs. Salma Zahid:** Is my time up?

**The Chair:** Yes.

**Hon. Carolyn Bennett:** Madam Chair, can I just...? I just want to tell one little story.

**The Chair:** I'm sorry.

The questioning now moves to MP Viersen.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Thank you, Madam Chair, and thank you to our guests for being here today.

Minister Bennett, my questions will be for you.

Chief Billy Joe Laboucan from Lubicon Lake lost his daughter Bella Laboucan in 2005. He is in constant contact with me about that particular case. I was reading your mandate letter, and one of its bullet points says:

Lead further work to address the number of missing and murdered Indigenous women and girls across Canada, and be the lead Minister, in collaboration with the Minister of Justice, the Minister of Status of Women, and the Privy Council Office, supporting the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Would you acknowledge that you bear the responsibility for the success or failure of the murdered and missing indigenous women inquiry?

• (1205)

**Hon. Carolyn Bennett:** I certainly believe I have the responsibility to do everything I can to make sure it's successful, and to make sure the families and the survivors feel they've been heard in the way we wrote the terms of reference and the support that we are giving now.

The stories like Bella's are heartbreaking, and we've been saying time and time again that we need to be able to find justice for the

families, support and healing for them, as well as preventing and stopping this terrible tragedy.

That means we also can't wait for the commission to get going on the things we know are necessary like education, health, shelters, sexism and racism in policing, but mostly the overhaul of the child welfare system, which was front and centre at all the gatherings.

**Mr. Arnold Viersen:** Would you say that the inquiry has been successful to this point? They had their interim report. Were you pleased with that?

**Hon. Carolyn Bennett:** I think we were pleased. It came in on time and it did what we'd asked it to do, which was to look at the 98 previous studies. I think we impressed upon the commissioners that they didn't need to start from scratch, that a lot of work had been done, a lot of families heard from, international reports like CEDAW and the Inter-American Commission on Human Rights. Those observations were very important in asking us to move forward immediately.

There is no question this hasn't been easy, but the feedback that we've had from—

**Mr. Arnold Viersen:** We had the commissioners here at our committee. They're highly qualified, highly competent people. They expressed concern with how things had been going.

Recently in the media we've heard of Winnipeg staffers having to work from home because there is no furniture in their offices. One staffer had a BlackBerry with no cord to charge it. There are computers that don't work. Internet that doesn't work, and workers have no detailed plans or schedules. Fired staff have spoken out about a sick internal culture of nepotism and favouritism. There have been delays of over eight months in opening offices, and four months to get staff hired. There are complaints about the PCO consuming great swaths of the funding, no travel expenses have been reimbursed, and 150 families have signed letters asking the PM to do a restart on this.

Does that sound like success? Does it sound to you as if we're going in the right direction?

**The Chair:** You have one minute.

**Hon. Carolyn Bennett:** On receipt of the interim report, and obviously on the commentary of the commissioners—

**Mr. Arnold Viersen:** Does it sound to you as if it's successful?

**Hon. Carolyn Bennett:** —we immediately struck a working group across government departments to make sure that from PCO to Treasury Board to procurement and IT, we had to redouble our efforts to support this commission. That isn't fair if government is an impediment to their being successful.

**Mr. Arnold Viersen:** Have you given any direct instructions to your department as to how it should support the MMIW inquiry?

**Hon. Carolyn Bennett:** INAC had the lead on supporting the Truth and Reconciliation Commission. This time the Privy Council Office has the lead, but our department is working with this working group across—

**Mr. Arnold Viersen:** Have you given any specific instructions to your—

**Hon. Carolyn Bennett:** Absolutely, the department knows they are to support it, and I hope to meet with the commissioners soon to find out their feedback to date.

**The Chair:** Thank you.

Questioning now moves to MP Amos.

• (1210)

**Mr. William Amos (Pontiac, Lib.):** Thank you, Madam Chair.

Thank you to both of our ministers, and the parliamentary secretaries who support them, for your leadership and your hard work. I know that Canadians are seized with this issue, as my colleague said.

I have three questions. I'll go to each of them fairly quickly.

The first one is for Minister Philpott. I recognize that now the two departments have been broken up and there is a process of reinvention. How does that touch the whole of government, because there are many departments, of course, that provide services and are engaged in important and complex ways with indigenous communities across the country? We're studying fire safety right now, and that issue clearly involves the Minister of Public Safety and Emergency Preparedness. How can you speak to that whole-of-government approach?

**Hon. Jane Philpott:** I think that's a fascinating question. I would say to you that I think there's still work to do to determine what, in the final outcome, the Department of Indigenous Services will look like. Minister Bennett is leading the consultations with communities to get their views on this. I think it's really important that every department of our government have a role to play in the work of reconciliation and recognition of rights. It's appropriate that they all understand that this is part of our responsibility to address as a government.

Some departments, as you said, have specific responsibilities. Public Safety is one that is an excellent example of that. Minister Bennett will be asking communities what their feelings are as to whether police services or emergency services should reside with Public Safety or whether they have another view as to how they should relate to Indigenous Services.

Up until then, where services like that do reside with another department, we will work in close collaboration with them. The fire safety study is incredibly important and I hope you will hear in your studies that our department is working very closely with the department of Minister Goodale in terms of responding and improving fire safety and emergency services.

**Hon. Carolyn Bennett:** I would just like to say that my mandate as Minister of Crown-Indigenous Relations and Northern Affairs includes being able to be someone who can correct and accelerate the work of other departments on things like the calls to action and in areas where we need to be better at collaborating. The deputy minister actually chairs a committee of deputy ministers on reconciliation, and that is seriously.... Maybe you don't chair it.

**Ms. Hélène Laurendeau (Deputy Minister, Crown-Indigenous Relations and Northern Affairs, Department of Indian Affairs and Northern Development):** No, I don't chair it.

**Hon. Carolyn Bennett:** It is a matter of making sure that the deputy is there at that meeting and able to push.

**Ms. Hélène Laurendeau:** I don't chair so as to be able to bring all the issues forward, and I have my colleagues chairing to make sure that we actually have a whole-of-government approach.

**Mr. William Amos:** Thank you.

I would like to shift to the issue around a new process for rights recognition, new forms of negotiations, and opening different types of tables where indigenous communities identify interests and where there are discussions that advance.

Obviously, in the riding of Pontiac, where the entirety of my riding is on the territory of the Algonquin nation, I work hard to try to engage with them. It's not just the indigenous peoples in my riding who care about this process. I'm sure this question applies across the country.

I have many constituents who ask me, "Will, how's it going in engaging with the Algonquin peoples? How can we be involved? How can we articulate our desire that this relationship be strengthened?"

What role is there for non-indigenous peoples in these kinds of conversations? How can they be engaged?

**Hon. Carolyn Bennett:** That's a great question. I think it might also be an opportunity, Will, for us to let Joe Wild explain the kinds of processes that.... In terms of the waiting queue of people wanting to form tables, 27 people still want it. We have 50 going, and 27 more, ready to come. It's very interesting.

On the issue of reconciliation, whether it's the Federation of Canadian Municipalities or...there is just so much interest in how to get this right in terms of sharing water systems. Can two and two make five? Can the neighbouring indigenous community and the neighbouring municipality work together on these things that are of joint interest? Even in areas such as Mr. Doherty's area in Prince George, the Highway of Tears meant that those two communities had to come together on something hugely disturbing to both, and they worked together incredibly well.

• (1215)

**The Vice-Chair (Mrs. Cathy McLeod):** We will now go for the three minute question to MP Angus.

**Mr. Charlie Angus:** Thank you, Chair.

Minister Philpott, I've been looking at the list of where approvals have happened with Jordan's principle, but I see zero in the far north. Does the first nations Inuit health branch apply Jordan's principle to Inuit children?

**Hon. Jane Philpott:** Thank you for the question. In fact, this is a discussion that we have had. It was Jordan's principle, you may recall, when it took place in the House, and initially it was perceived as a motion, if I'm not mistaken, around the matter of first nations children. We obviously have responsibility in the branch to address the health needs of Inuit children, and we are working in close collaboration with Inuit leaders around this. To date, we are not hearing that they have faced tremendous challenges in the same way as we are hearing it from first nations.

My obligation is to make sure that the peoples for whom we have a responsibility to ensure health services are getting the health services they need. Jordan's principle, it's underlying principle that no child should go without care on the basis of jurisdictional dispute, I believe, applies across the board.

**Mr. Charlie Angus:** The tribunal ruling against your department on May 26, 2017, said that still, in regard to Jordan's principle, your department was working on "a calculated, analyzed and informed policy choice based on financial impacts and potential risks rather than on the needs or the best interests of First Nations children." That was what the tribunal found against your government.

Will you say that you will apply Jordan's principle to Inuit children and to non-status Indian children as well who are identified under the Human Rights Tribunal. Will you extend that?

**Hon. Jane Philpott:** It would not be my place in this setting to make that commitment because that is a conversation that I need to have with Inuit leaders. I speak with Natan Obed and other Inuit leaders on an extremely regular basis. This is not something that has been raised as a concern. Obviously if it were I would proceed with that conversation, but as I said to you, my commitment is to make sure that Inuit children, like first nations children, should have access to the care that they need. They should never be denied care on the basis of a jurisdictional dispute, and we will remain committed to that principle.

**Mr. Charlie Angus:** Thank you.

I look forward to hearing more on that. When I see zero children being approved I can't believe that suddenly—

**Hon. Jane Philpott:** What you're seeing there may be related to the fact that in territories health care is delivered by the territories through arrangements that we have with them. You'll see that there aren't cases, or there may be one or two scattered cases, I think, in British Columbia and that was because we have transferred responsibility to the British Columbia First Nations Health Authority.

**The Vice-Chair (Mrs. Cathy McLeod):** That concludes our time for that round.

**Mr. Charlie Angus:** Thank you.

**The Vice-Chair (Mrs. Cathy McLeod):** We'll move on to MP Anandasangaree.

We're moving back into the seven-minute round and we'll continue to work through the process.

**Mr. Gary Anandasangaree:** Madam Chair, I'll be splitting my time with MP Tootoo.

Minister Philpott, I want to quote you. You said, "Turning around the effects of generations of historic injustice and systemic discrimination against Canada's indigenous peoples could never be done fast enough." I think you're absolutely right.

Could you tell us about some of the challenges that you see ahead as your department develops? Also, are you confident that we're going to be moving forward in the right direction in terms of the frustrations that people have confronted and faced over the years?

**Hon. Jane Philpott:** My goodness. I'm going to need a lot more than three minutes for that. We'll have to have a further conversation.

The challenges are enormous, as I indicated earlier, because we're essentially addressing generations' worth of discrimination. The Truth and Reconciliation Commission's calls to action asks our government to recognize that the deep socio-economic gaps that exist are a result of past government policies. I fully acknowledge that. Changing those policies does take time and that's part of the responsibility of the working group of ministers on the review of laws and policies.

Let me give you a couple of concrete examples. I'm surprised no one has asked about water. I'd be happy to have a conversation about water. That's a perfect example of how I wish I could snap my fingers and make sure right now that every first nation in this country on reserve had access to clean drinking water.

There are challenges related to making sure that we fulfill our commitment that all long-term drinking water advisories on reserve will be lifted in a five-year time frame. That is not something that can be done instantaneously. As intelligent people will understand, it takes time to plan what a water system needs to look like. It takes time to make sure there's an operation and maintenance plan and to train water operators. It also takes long-term funding, which we have provided and had never been provided in the past.

We will get that work done. We can't do it instantly. We're working on that issue and a number of others to find ways to accelerate it as quickly as possible.

• (1220)

**Mr. Gary Anandasangaree:** I will yield the rest of my time to MP Tootoo.

**The Vice-Chair (Mrs. Cathy McLeod):** MP Tootoo.

**Hon. Hunter Tootoo (Nunavut, Ind.):** Thank you, Madam Chair, and thank you, Gary.

Welcome to both ministers. I congratulate both you and the government for dissolving that entrenched, paternalistic, colonial structure that I think everyone in this room recognizes was a challenge to deal with. I'm optimistic about the change in that approach.

No one will disagree with me that Inuit are indigenous people in this country. My question is for Minister Philpott.

When you talk about indigenous services, which specific services? There are some that specify first nations. For my benefit and knowing where to go, what specific services for Inuit and Nunavut will we deal with under the new and improved department?

**Hon. Jane Philpott:** Thank you. It's an excellent question.

As I indicated earlier, we work very closely with Inuit leaders in our work here. In fact, the Prime Minister established something called a permanent bilateral mechanism. We signed it almost a year ago now, an agreement between the Inuit Tapiriit Kanatami, the representative of the four Inuit land claim organizations and governments, and our government on an Inuit-crown partnership committee. That is one of the tables that really drives our work forward in terms of setting the priorities of what Inuit want us to work on most urgently.

As it relates to my department, I can give you a few examples of that. One that I'm really enjoying, because it's so important, is the work that we're doing around our commitment to eliminate tuberculosis in Inuit Nunangat. This is something that's been a very, very long time coming. We've put together a task force within that committee. I've asked them, and Natan Obed has also commissioned this task force to come up with a very detailed plan as to how we're going to eliminate tuberculosis and what it's going to take. It's going to take things like housing. We have a really interesting approach to working with Inuit on a specific housing strategy for them. There is a whole range of services within our department.

I acknowledged in the past that Inuit have not necessarily known what their role is in terms of services. We are making sure that is clarified going forward.

**Hon. Hunter Tootoo:** Okay, thank you, Minister Philpott.

I guess one of the other things, and it was mentioned earlier in comments, is that under the land claims agreement, there is a public government established under that modern treaty. The territorial government is responsible for providing some of those services like health care, education, and housing. I'm just wondering, because you talk about working with Inuit leaders, is there also a committee that you're working on with the territorial government as well so that they're not being left out of the picture?

**Hon. Jane Philpott:** I would say, yes, we are working with the territorial governments. In the case of two regions of Inuit Nunangat, we're working with the provinces that are associated. Again, an example is the tuberculosis task force, where the Government of Nunavut is intricately connected to the process. Again, we are looking, not only at a distinctions-based approach, in terms of the distinctions of indigenous peoples, but even within Inuit Nunangat, as you know, there are four regions. When you look at something like housing, we developed a really innovative approach to being able to deliver housing support directly to Inuit corporations in some cases. We were told that, in the case of Nunavut, that wouldn't be necessary, and that has worked effectively. We are always trying to be very flexible in our approach.

• (1225)

**The Chair:** You have 10 seconds left, sorry.

**Hon. Hunter Tootoo:** Okay, thank you. I'll go very quickly.

On your priorities, you mentioned transforming the way health care is delivered in first nations, and your mandate letter talks about how to deliver health services to indigenous peoples. I just want make sure—that may have been just an oversight—that Inuit and indigenous peoples are included in that.

**The Chair:** Thank you. I'm sorry, I'll have to save the response for another opportunity.

Questioning now goes to MP McLeod.

**Mrs. Cathy McLeod:** Thank you. I have a comment, a request, and then a question.

First, I would like to make a comment in response to my colleague Kevin Waugh. I would suggest that a patrilineal approach is for a secret table in Ottawa with chiefs and government. Something that gives first nations the tools around transparency is the exact opposite

of patriarchal. It is actually giving community members important information. I do want to just make that comment.

The next is actually a request. I think both of the ministers, more than perhaps many people, understand how challenging things are and can be in the north. They know there has been \$5.6 million spent on an outside rink that the heritage minister indicated was going to go somewhere in Ottawa-Vanier. Already we spend \$1.2 million of taxpayers' money on the canal per year, so I would just request, to the best of your abilities, that you advocate for this rink to go to a community in the north, and I'll be happy to come and cut the ribbon with you when they put it up there. I think it really is something that doesn't sit well with many taxpayers, and they might have some degree of comfort knowing that it went to a community in need.

I'm actually going back to the issue of the United Nations declaration. I know the minister said that National Chief Bellegarde said it doesn't mean veto. He has also said three times that it means the right to say "yes" and the right to say "no". I've mentioned this a number of times. We've talked about the complication when things go across jurisdictional boundaries. We talk about the free, prior, and informed consent. We look at what you've committed in Bill S-3, where you're going to try to come up with something but you have a lot of commitments that criss-cross each other, as we talked about in the debates yesterday about Bill S-3. We've talked about it in terms of pipelines.

To give any degree of comfort in terms of what you're doing and where you're going, have you considered a Supreme Court of Canada reference in terms of what that will mean in these complicated situations, so that before you move forward in a way that has not had appropriate interpretations, we have the right to an appropriate interpretation?

**Hon. Carolyn Bennett:** I think the discussion paper that Minister Carr and Minister McKenna have released on how we go forward on environmental assessment in large projects is truly respectful of indigenous rights, but also indigenous knowledge. Indigenous people must be included at the earliest time in a project, at its idea stage.

**Mrs. Cathy McLeod:** Minister, I don't disagree with that at all. I absolutely agree and I think most companies, if they don't, need to recognize that they need to start the conversations and the government needs to start the conversation. But I'm talking about a commitment around legislative process, changing the laws of this country, and not knowing exactly what those results might ultimately end up being.

I think it's not inappropriate. Discussion papers are great, but I think understanding implications from a legal perspective is also very important.

**Hon. Carolyn Bennett:** We're very committed to consulting as we move forward on this rights recognition framework. Some of what you are discussing is being dealt with at the working group on laws and policy that Minister Jody Wilson-Raybould chairs. Basically, we will go out to consult about the kind of clarity and the kind of understanding that Canadians require in terms of how we will enshrine a rights recognition framework for Canada. This will be the hugely important work of this next chapter.



• (1230)

**Mrs. Cathy McLeod:** My next area of concern is the friendship centres. I have had the opportunity, both as a committee member and as an individual, to visit friendship centres across this country. In my opinion, they do very significant work, and to be frank, they do it on a shoestring budget. Consistently in the last couple of years I've had panicked calls from friendship centres saying they have no commitment for their money. They have to string stuff together. In some cases they lay off staff. They have to look at their lease spots.

I know there's money for an urban aboriginal strategy. I know there are more organizations than just friendship centres that deliver services. But I'm going to ask, specifically, are you going to commit today that they are not going to have to go through this scramble year after year, where they're making panicked phone calls to you and panicked phone calls to the critics?

**Hon. Jane Philpott:** This is a really important area. The recent census data confirmed to us that indigenous peoples are increasingly living in urban areas. If there is a specific organization you're concerned about, please contact me, and I would be happy to follow up with details on that.

We have been trying to reach out. I have heard from a number of MPs and have made sure they have the information available about the ongoing funding for friendship centres, which we have committed to and which should be widely known. If people are not aware, they should reach out to us.

In the supplementary estimates (B), you'll see there is a reference to the funding that is part of the urban programming for indigenous peoples. This is one of many programs of our government that responds to the needs of indigenous peoples in urban areas.

Last week you heard great announcements about a national housing strategy. Obviously that's going to be incredibly important to urban indigenous peoples. We also have new funding for early learning and child care. We have programs, such as aboriginal head start in urban and northern communities that's connected to the aboriginal head start on reserve program. There's a large package of programming.

We recognize there's always a need for more, and in fact we've had a call for proposals for more programming. There has been tremendous interest in that particular call for proposals. We'll be announcing the results very soon. We will continue to have to look at how we can expand.

**The Chair:** The questioning now moves to MP Angus.

**Mr. Charlie Angus:** Thank you, Madam Chair.

Minister Philpott, I'm looking at the recent Auditor General's report on the problems with the first nation and Inuit dental.... The program can't really tell where they're yielding results. They're pointing to existing deficiencies.

I refer you to one of your own departmental documents from the British Columbia region that said that in both first nations child and family services and first nations and Inuit health branch they were denying dental "even in emergency situations". That was the B.C. report. I can give it to you if you want. They say, "More and more,

dentists...refuse to deal with Health Canada directly because of very long delays in receiving payment".

Given the fact that dentists don't want to deal with the department, do you think that is a reason we're having serious problems with the dental issues of first nation children?

**Hon. Jane Philpott:** As you know, the Auditor General's report spoke to the large amount of programming we have for dental care and oral health. I certainly appreciated the Auditor General's report and had an opportunity to meet with him.

One of the challenges around oral health is that it has been severely underfunded in the past. If you look at something like the children's oral health initiative, which has been widely acclaimed as being very successful, until recently we were only able to provide it to about half the potential recipients because the program had been flatlined since its creation at \$4.5 million per year. Thankfully, in last year's budget we were able to receive an investment of \$45 million over five years, which will essentially roughly triple the potential opportunities of what that program can do.

Without question, there is work to be done in moving to a more outcomes-based approach of tracking the results of that program, but the department was unable to develop a new strategy and determine how that could be expanded and how they could change to something more results and outcomes based because they did not have the funding they needed to expand. Thankfully, this is done, and the department is working very actively in developing that framework.

• (1235)

**Mr. Charlie Angus:** It was a real honour to have you in our community of Kashechewan. You have seen the conditions the people are facing there. We have no dental services in Kashechewan. We have children being fed Tylenol on a daily basis. I have contacted you about this, but this is ground zero of the failure to deliver programming to children in first nation communities.

How do we transform the situation in Kashechewan? If we don't have dentists going in, it doesn't matter how many studies are done; kids are suffering.

**Hon. Jane Philpott:** Thank you for calling that to my attention. As a result of your speaking to me about that and other requests, I have had the opportunity to look into this situation. In fact, I had the opportunity to meet Chief Leo Friday recently with one of my assistant deputy ministers. I raised the issue of why we're having trouble getting dentists and dental care for that community.

Like many other parts of the work we do, we acknowledge that human resources are a real challenge for us, and getting these health care professionals to communities is very difficult in many cases. There is still work to be done in Kashechewan, but the senior levels of my department are working on this, to be able to address and determine how we can get better dental care in that community.

**Mr. Charlie Angus:** Thank you very much for that.

I have one last question on dental care. You're still fighting the Shiner case. Canada spent over \$110,000 fighting this young girl. The rejection rates have been 99% and 100%. This has gathered international media attention. Why?

**Hon. Jane Philpott:** I'm very happy to have a further conversation with you. This actually warrants a longer conversation, but I will, as you know, be happy to clarify that access to orthodontics care is not a universal benefit in Canada. The first nations and Inuit health branch actually approves more opportunities for orthodontic care for medically necessary cases than any other public benefit plan in the country, but we don't provide, for example, access to care for cosmetic cases. I also want—please permit me—

**Mr. Charlie Angus:** I think, just in fairness, it's not a cosmetic case when we're talking about chronic pain—

**Hon. Jane Philpott:** Let me—

**Mr. Charlie Angus:**—and someone losing her teeth, and she's 13 years old.

**Hon. Jane Philpott:** Let me explain to you the circumstances of this case. We have criteria, and I want to make sure that we clarify the point, and I would appreciate your not mischaracterizing the costs that the department has incurred. There is nobody fighting anyone in court. The cost that the department has incurred was to confirm that due process was followed and that the policy was followed appropriately. That has been—

**Mr. Charlie Angus:** Are you saying you haven't spent \$100,000 on legal costs?

**Hon. Jane Philpott:** There have been costs in the department. When a public government establishes a benefit plan of any kind you have to have criteria.

**Mr. Charlie Angus:** I understand but \$100,000 against a girl for a case that would cost \$6,000....

**Hon. Jane Philpott:** This has been—

**Mr. Charlie Angus:** When you have rejection rates of 99%—

**Hon. Jane Philpott:**—repeatedly addressed, and it has been affirmed that the policy benefit plan has been followed appropriately. Like all other aspects of the non-insured health benefit plan, this particular part of the policy, and everything else, is something that we look at constantly to determine whether there need to be policy changes. We're in an active process of that in our government, and we look forward to further conversations about the policy.

**Mr. Charlie Angus:** They will be back in court in January and February, so can we assume there will be more costs to Canada?

**Hon. Jane Philpott:** As I said, this is something that I am following. We want to make sure we have the right and responsible policies associated with the non-insured health benefits plan, but I can assure you that the policy was followed appropriately in this case, and that's been reaffirmed on repeated occasions.

**Mr. Charlie Angus:** In terms of the Canadian Human Rights Tribunal ruling, I'm pleased to see movement on Jordan's principle, but you're still in non-compliance on child and family services. There are still serious concerns. In Parliament, both ministers voted to move that \$155 million shortfall that was identified, and that money did not flow. Actions matter in this.

Why did your department ignore the order of Parliament to flow that \$155 million to get funding into a very broken and underfunded system?

**The Chair:** Please be very short.

● (1240)

**Hon. Jane Philpott:** Again, I'm happy to give you further details at another occasion. This is a really important issue, and you know that we have put hundreds of millions of dollars into addressing Jordan's principle and child welfare and new money that wasn't there before. There is much more work to be done on child welfare. That's why I've called an emergency meeting.

**Mr. Charlie Angus:** The child welfare money had been identified by the Harper government. You're just following through.

**The Chair:** Questioning now has to move to MP Amos.

**Mr. William Amos:** Thank you, Madam Chair.

I'd like to pick up on the line of questioning I advanced earlier, and I'd like to maybe open the opportunity for Mr. Wild to add to this, because I know he's been involved in initial discussions around opening discussions with our Algonquin people on the Quebec side. I'm most interested to know, in the context of a negotiation, if one were to be moved forward, how the public of this region would be engaged.

**Mr. Joe Wild (Senior Assistant Deputy Minister, Treaties and Aboriginal Government, Department of Indian Affairs and Northern Development):** In terms of public engagement, there are a number of different opportunities, some of which originate from the government, some of which originate from the first nations, and some of which can originate from the public itself. In terms of the public, I think everyone's encouraged to get educated on indigenous issues in the country, and a starting point, in a lot of ways, the gateway to that, is reading the Truth and Reconciliation Commission's report. I would encourage all Canadians to make sure that they take a look at it so that they understand the things that are being raised in that report and that they take the time to review the recommendations that are in that report.

Another thing is, if a member of the public wants to figure out what role they can play and how they can engage with a first nation community, they should look at the friendship centres that exist. That's a good resource to go in and to have dialogue. If they're going to approach a first nation, do so with some humility and respect, and basically look to the first nation to give them back guidance in terms of how they would want that interaction to work with them rather than going in with their own mind made up about what they think it is that they ought to do in terms of the interaction with the first nation.

Specifically in the process, whenever we do an agreement that involves anything around indigenous title and land, there is always a consultation process that occurs as part of that. We as a government have an obligation to consult. We have to make sure that neighbouring first nations understand what's going on, particularly to ensure whether or not there's any impact on their own rights in a particular area. Also, there are usually public sessions that are held to ensure that general members of the public have an opportunity to understand what the arrangements are and what impact those arrangements are going to have.

Then in particular, if we talk about the Algonquins of Ontario, they've taken unprecedented steps, in some ways, trying to engage their community with the larger, non-indigenous community within their territory. They've done a lot of work in community outreach. They've done a lot of work to try to reassure hunters, fishers, and those who also use crown land that may be impacted by the settlement that they are going to do things in a way that will be responsible and that will still allow non-indigenous people access to resources, parks, and so on.

There are a lot of different ways this comes about and on different fronts.

**Mr. William Amos:** Thank you.

I'd like to shift the focus a bit to the crown relationship in a context of nation-to-nation reconciliation. Obviously, the federal government has a very particular perspective and has shifted from the previous administration in terms of how it wants to go about doing this.

The crown is not just the federal government. The crown is a series of other governments. It's really important, I think, for Canadians to understand some of the challenges that the federal crown is facing and some of the opportunities we have in working with our provincial counterparts. A specific example is in Rapid Lake in the northern part of the Pontiac riding where the Algonquin people are having a very difficult time. They have housing issues. They're under third party management, and there's mediation presently between the federal government and their chief and council to get out of that third party management. In order to get to housing solutions, they need electricity solutions, and electricity solutions don't come solely from the federal government.

That's a specific example that demonstrates how the nation-to-nation relationship isn't just a one-directional or a bilateral thing. I wonder if a comment could be made more generally on the provincial role and what the federal government is doing with the province. If there's time for a specific comment on that case of the Algonquins of Barriere Lake, that would be appreciated by people in my riding.

• (1245)

**Hon. Carolyn Bennett:** I'll start, because you're absolutely right. Where it affects us very directly is on some of the settlements that we're trying to make around land and around treaty land entitlements, and where provinces or territories have to agree on parcels of land that would be part of the settlement. That is sometimes tough work.

We need the provinces and territories as part of these solutions, and sometimes it is the place where the politics and the reality of reconciliation with non-indigenous people is part of that deal, with leased land or with things that happen to be the crown's but are leased. I think we are getting to a place where the provinces and territories understand that this is the only way to peace in the valley. This is the way that we will have reconciliation in our time. It's a very important piece.

As you say, with housing and the way we ended up working to get the hydro to Pikangikum in order to have new houses, these are those kinds of integrated approaches, but nothing is more important

than on the child welfare that Jane is working on with the provinces and territories at trilateral tables.

**The Chair:** You have 15 seconds.

**Hon. Jane Philpott:** I'll just tell you one thing that I think is kind of interesting. In case anyone ever wants to read them—you can find them on the Internet—I brought with me today the principles with which our government has determined that we will conduct ourselves in our relationship with indigenous peoples, the 10 principles. Some of the provinces are now working on developing their own set of principles based on that recognition of rights, and we are obviously working on specific issues.

**The Chair:** Questioning now moves to MP Waugh for a five-minute period.

**Mr. Kevin Waugh:** Thank you, Chair.

I'm going to go back to the financial transparency. I have to. I have two first nation bands in my province of Saskatchewan right now. When you gutted the First Nations Financial Transparency Act, Minister Bennett—and now I guess it goes to Minister Philpott—your government said that you promised a new system of transparency.

Now we've heard from Thunderchild and Onion Lake, and I'm going to pull out three or four more.... When is it coming? What do I tell them? They're watching here today. They're frustrated.

**Hon. Jane Philpott:** I'm very happy to respond to that question. This is something that Minister Bennett did speak to. We have heard from first nations across the country about their feelings towards the First Nations Financial Transparency Act. We have even gone out and consulted on that. There have been dozens of engagement sessions taking place, and uniformly it has been requested that the act be repealed.

We are embarking on a new fiscal relationship. There is actually very good news to report on that. In fact, there will be more news that you'll hear about this next week at the Special Chiefs Assembly of the Assembly of First Nations in terms of how this is working. I can tell you that, through using first nations-led organizations such as the First Nations Financial Management Board, communities are building capacity for what they need and what they want to do, and that is to take control of their communities in order to be able to develop mechanisms by which they can conduct themselves and how they will report in a transparent, open, and accountable way to their people.

This is the way forward, which we believe is much more effective. It has enabled communities to successfully get out of third party management and to do so responsibly.

**Mr. Kevin Waugh:** How does a band member right now obtain proof of misuse from a band chief when he or she is not obligated to do so...? You see the frustrations. You're going to get pockets in every province and territory in this country, because there is no accountability. They don't report back to you. As we've seen in the two communities in my province, they're not even reporting back to their own band members. This is a big problem. You've promised to fix it. When are you going to fix it? You've done away with the transparency act, so when are you going to fix the loophole?

• (1250)

**Hon. Jane Philpott:** I will tell you that it's impossible to put every group into one basket, because there are very individual circumstances—

**Mr. Kevin Waugh:** What are you doing?

**Hon. Jane Philpott:** —and we are obviously working with communities to address these issues on a community-by-community basis, but we're doing so in a spirit of respect and a spirit of capacity building.

**Mr. Kevin Waugh:** What do I say to Harrison Thunderchild and Charmaine Stick about responsible...on behalf of this...? They have come to Ottawa. Now they're in court in Regina. What do I say to them?

**Hon. Jane Philpott:** I would be happy to hear their specific concerns and make sure we get an answer to them, but as I say, both our department and first nation-led organizations are working to help communities to be better able to do what all responsible governments ought to do. This is work that happens every single day. Our treasurer may want to speak to some of the specifics of it.

**Mr. Kevin Waugh:** How long is this going to take?

**Mr. Paul Thoppil:** Part of the minister's mandate letter commitment is to establish a new fiscal relationship with first nations peoples. We have commenced that dialogue. We have done so with the Assembly of First Nations, and have undertaken regional engagement sessions under three pillars: sufficiency of funding, predictability of funding, and accountability.

Under that third pillar of accountability, we are establishing, based on a rights and recognition approach, a co-developed approach, a means of developing a mutual accountability framework that is centred on first nation community members in terms of addressing the issues you have raised.

**Mr. Kevin Waugh:** Will you repeal the First Nations Financial Transparency Act?

**Mr. Paul Thoppil:** I believe the minister has already indicated that, through the sessions that have occurred from coast to coast, that's what first nation communities are actually asking.

**Mr. Kevin Waugh:** I'm done.

**The Chair:** Questioning moves to MP Harvey.

**Mr. T.J. Harvey:** Thank you, Madam Chair.

Further to my honourable colleague's comments, since I joined the committee in the fall, we have travelled significantly across the country and we heard nothing about the financial transparency act at any point during that committee testimony. I recognize that it was around different issues, but certainly at different times, bands and organizations were prompted to give us feedback on a multitude of issues that were important to them, and it was nothing that we heard about. I just want to highlight that.

Further to that, I want to shift gears a little bit and talk about loss of potential economic opportunity on reserve. I know that it's a different subject, but I think it's something worth touching on. It is not only loss of economic opportunity but also economic leaching, the ability of first nations communities and nations to create their own economic agenda and opportunities and also to see those plans

through without having outside entities come in and steal some of the potential opportunity from them.

I think that's very important in the next step forward. We often talk about the greatest hits tour when we talk about indigenous communities, which are the communities that have proximity to large-scale population or available resources, but there are significant potential opportunities that could benefit indigenous communities that aren't in those positions. I think it's important that we look at that as an issue. I just want to offer that out for comments from both of you.

**Hon. Jane Philpott:** There's no question that this is a really important topic. It actually builds on what we were just talking about in terms of the new fiscal relationship and as the.... I think I referred to you as the treasurer, which is not the right term for you. I apologize. You are the chief financial officer.

As the chief financial officer was saying just now, what we are hearing from nations is not around the transparency act. What we're hearing from them is that they want sufficiency of funding, they want predictability of funding, and they want to be supported in their desire to be accountable to their citizens. These are the areas in which we are working, in technical working groups, to support them.

Part of that comes to the whole economic development piece and finding ways that communities can increasingly access own-source revenues, increasingly look at taxation mechanisms—and I need to give a shout-out to the First Nations Tax Commission, which has been incredibly effective along with the other financial institutions that are first nations-led and that have been perceived to be extremely helpful.

There is a real need to find ways in which we can be more creative. One of the things I will point you to—and this goes along with Will's comments earlier—is the way that all of Canada wants to actually engage in helping to build economic opportunity for indigenous peoples in this country.

I recently had the privilege of attending an event hosted by the Canadian Council for Public-Private Partnerships, which is very interested in engaging with indigenous peoples around opportunities for economic development through the building of infrastructure and finding ways that can be done with a lens of community benefits attached to it, so that as organizations come in to help support the building of infrastructure, they do so in a way that will accrue benefits to the community.

• (1255)

**Hon. Carolyn Bennett:** Maybe I can just talk a little bit about the northern communities. At the meeting of northern ministers there was a serious conversation about economic leakage, about how economic activity in the north is not benefiting the north. A lot of these companies are owned by southern enterprises and we actually have to figure out a new way of doing this.

What Zita Cobb brought to Newfoundland during the cabinet time was this idea of transparency as the new green. People should know if they stay at her hotel, eat her fish, or see the furniture made, how much of that money stayed up in her community at Fogo Island. I think we're trying to take what she calls "economic nutrition" labelling into communities, so that consumers know whether this is benefiting just southerners or urban, non-indigenous companies, or whether it really does benefit indigenous communities.

**Mr. T.J. Harvey:** Just before I run out of time, really quickly, does either one of you want to offer a brief comment on what you believe is the take home message from each of your respective departments in terms of what you hope for the future?

**Hon. Jane Philpott:** One of the things I would hope the committee would take home from our conversation today is the sense that we are really working in a deeply interconnected way, hand in hand, together on advancing the responsibility of our government to reconcile our relationship with indigenous peoples based on a recognition of rights—and we cannot get it done unless we simultaneously energize both tracks.

**The Chair:** Thank you.

We only have about two minutes for MP Viersen, and then we'll take a little bit of time to do our votes.

**Mr. Arnold Viersen:** Thank you, Madam Chair.

Minister Philpott, you're now responsible for the First Nations Financial Transparency Act. Minister Bennett had said she was not going to enforce that bill, which seemed like a complete dereliction of the rule of law in the country of Canada.

Will you be moving to repeal the First Nations Financial Transparency Act and replace it with something else?

**Hon. Jane Philpott:** I need to re-emphasize the way that we have a responsibility based on inherent aboriginal and treaty rights with indigenous peoples to respect them—

**Mr. Arnold Viersen:** Will you be repealing the act?

**Hon. Jane Philpott:** —to listen to them. They have widely, uniformly, called for a repeal of the act.

**Mr. Arnold Viersen:** You will, okay.

**Hon. Jane Philpott:** It would be highly disrespectful of us not to take those requests seriously. We need—

**Mr. Arnold Viersen:** Will you be repealing it, yes or no?

**Hon. Jane Philpott:** We are looking in that direction, but we cannot repeal it until the other mechanisms are in place that will allow communities to go forward.

**Mr. Arnold Viersen:** But you're not enforcing it.

**Hon. Jane Philpott:** We are making sure that we work in a respectful way with communities to make sure they have the financial and fiscal tools they require.

**Mr. Arnold Viersen:** Thank you, Minister.

I'll go to the other area that I'd like to talk about a little bit. We have had comments both from the Premier of the Northwest Territories and Calvin Helin about the lack of consultation in regard to pipeline development and also the northern drilling ban. Do you have any comments to that?

It seems like your government is very much in favour of consultations when they are looking to delay something, but when it comes to implementing something there's no need for consultations. Do you have any comments to that?

**Hon. Carolyn Bennett:** Yes. What we are doing now is launching a robust consultation on an Arctic policy framework. That will include not only the premiers, but communities and indigenous-led —

**Mr. Arnold Viersen:** The premier said that he got a phone call 45 minutes before the announcement.

**Hon. Carolyn Bennett:** Yes.

**Mr. Arnold Viersen:** Do you not consult before? Projects require an informed consent.

**Hon. Carolyn Bennett:** This was a decision that was taken—

**The Chair:** That ends our...

**Hon. Carolyn Bennett:** —that will be reviewed in five years, and we are working on the science.

**The Chair:** Thank you so much. Thank you for attending.

Now we need to go through supplementary estimates (B) and get some votes done.

CANADIAN HIGH ARCTIC RESEARCH STATION

Vote 1b—Program expenditures.....\$628,559

(Vote 1b agreed to on division)

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

Vote 1b—Operating expenditures.....\$46,472,625

Vote 7b—Debt forgiveness.....\$526,408

Vote 9b—Debt write-off.....\$1

Vote 10b—Grants and contributions.....\$395,670,049

(Votes 1b, 7b, 9b, and 10b agreed to on division)

● (1300)

**The Chair:** Shall I report the supplementary estimates (B) 2017-18 to the House?

**Some hon. members:** Agreed.

**The Chair:** Thank you. The meeting is adjourned.





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