

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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May 11, 2010

Hon. Mary Polak
Ministry of Children and Family Development
PO Box 9057, STN PROV GOVT.
Victoria, BC, V8W 9E2

OPEN LETTER: UBCIC SUPPORTS RCY PETITION TO ACCESS CABINET DOCUMENTS

Dear Hon. Polak,

We are writing to express our shock, outrage, and complete opposition to proposed provincial legislation that would severely restrict the B.C. Representative for Children and Youth's access to key cabinet documents, and thus restrict her ability to effectively advocate on behalf of extremely vulnerable children and youth.

The independent Representative for Children and Youth (RCY) position was created in 2006. A report on the brutal death of toddler Sherry Charlie prompted an internal review of the government, an inquest, and an inquiry. The work was headed by retired judge Ted Hughes, who recommended creation of the RCY position. Mary-Ellen Turpel-Lafond was appointed unanimously to the RCY position by all parties.

The RCY has a mandate to improve services and outcomes for children in B.C. through advocacy, accountability, and review as an independent officer of the legislature; the proposed legislation would prevent the RCY from carrying out this mandate. The legislation would also prevent the RCY from carrying out her responsibility to initiate reviews and investigate government agencies that provide services to children in B.C.

The Union of BC Indian Chiefs recognizes it is essential that as Indigenous Peoples we assert and exercise our jurisdiction in child welfare matters for the health of our children, families and Nations. We strongly support the work and mandate of the RCY, and greatly appreciate her efforts to consult with and support Indigenous people and communities. As you know,

Indigenous children are disproportionately represented in care- although they make up fewer than one in 10 people in the province; they represent more than half of the children in care. Like you, the RCY recognizes that the overrepresentation of First Nations children in care is related to a number of factors including high rates of poverty, substance abuse, historic discrimination and different treatment within the justice system. We all agree that we have to immediately make changes to support our children.

We appreciate that Goal 4 of your MCFD 2010/11-2012/13 Service Plan includes “proactive strategies to identify and address systemic and structural barriers that impact the well-being of Indigenous children, families and communities.” In order to remain in-line with your stated goal, you cannot let legislation limiting the RCY’s ability to place children first, proceed any further. The proposed legislation stands to prevent Turpel-Lafond from releasing future reports, including a review on the care of Aboriginal children that we desperately need recommendations from. This legislation is unequivocally a structural barrier to the primacy of well-being of Indigenous children, families, and communities.

Like you, we find the abuse that vulnerable children face to be devastating and absolutely intolerable. We object to the provincial government’s thoughtless offer for Turpel-Lafond to see cabinet documents if she signs a “protocol agreement” pledging confidentiality. This type of protocol would prevent her from potentially releasing information that could literally save children’s lives and prevent continuation of multiple cases of child abuse.

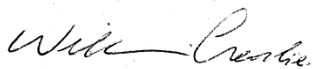
We understand that Turpel-Lafond’s petition will be heard before the Supreme Court Thursday, May 13th. You *must* prevent the proposed legislation that would censor the RCY’s access to critical cabinet documents. We urge you to work together with Turpel-Lafond in her position as RCY, rather than against her in, order to carry out your overlapping goals of caring for and protecting vulnerable children and youth.

We call on you to place the interests of vulnerable children first.

On behalf of the UNION OF BC INDIAN CHIEFS,



Grand Chief Stewart Phillip
President



Chief William Charlie
Vice-President



Chief Robert Chamberlin
Secretary-Treasurer

CC: Mary-Ellen Turpel-Lafond, Representative for Children and Youth
First Nations Child and Family Wellness Council
First Nations Summit
BC Assembly of First Nations
UBCIC Chiefs Council
Maurine Karagianis, NDP critic for MCFD
Hon. Mike de Jong, Attorney General
Hon. George Abbott, Minister Aboriginal Relations and Reconciliation