

FIRST NATIONS LEADERSHIP COUNCIL

News Release

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FNLC Sickened by Findings in Ombudsperson's Report "Alone: The Prolonged and Repeated Isolation of Youth in Custody"

(Xʷməθkʷəy̓əm (Musqueam), Sḵw̓x̓wú7mesh (Squamish) and səliłwətał (Tsleil-Waututh)/Vancouver, B.C.) The First Nations Leadership Council (FNLC) is appalled to learn of the disturbing and cruel conditions faced by young people in BC's youth custody centers, including the use of prolonged solitary confinement measures, with almost no oversight and accountability, and note that a disproportionate number of these youth are Indigenous and also in the care of the child welfare system.

We call upon the Province to take immediate and urgent measures to address the massive human rights violations highlighted in the Ombudsperson's Report, "*Alone: The Prolonged and Repeated Isolation of Youth in Custody*", to ensure that all laws, policies, and practices guarantee these youth are treated with dignity and respect and that these systems and those who work within them are held accountable for the trauma they perpetuate.

The Ombudsperson's Report found that the use of prolonged separate confinement in BC's two youth custody centers consistently increased over a three-year period, and is almost exclusively used with Indigenous girls who are experiencing a mental health crisis through self-harming behaviours or suicidal ideation. For some, periods of segregation ranged from 19-78 days, during which they experienced repeated use of physical and mechanical restraints, were denied showers and a mattress to sleep on, and experienced the forcible removal of their clothing by custody staff in full riot gear. The report further found that the Ministry's internal review and oversight processes did not adequately protect these youth, and the limited safeguards were often not adhered to. Youth detained in Youth Custody centers are between the ages of 12-17, either serving a custodial sentence or being held on remand while they await trial or sentencing.

"Yet again, we have another scathing example of a racist system that maintains colonial violence and oppression as its preferred form of control, particularly over Indigenous women and girls. I felt nothing short of disgusted to learn that experiences of some of these young women included having their clothing forcibly removed and being left naked on a cell floor for hours with not even a blanket to cover themselves. This is violent abuse, perpetuated primarily against young women who have already experienced repeated and complex traumas in a society that devalues their very existence," stated Kukpi7 Judy Wilson, UBCIC Secretary-Treasurer. "We demand an immediate end to the use of prolonged segregation in youth custody centers, and urgent legislative, regulatory and policy reforms to ensure alignment with the *UN Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Calls to Action, and the Calls for Justice articulated in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls."



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Cheryl Casimer, First Nations Summit Political Executive Member continued: "In a country, and a province, that constantly touts reconciliation, these events have been allowed to occur against Indigenous children while under the care of BC's child 'protection' and youth 'justice' systems. This is neither protection, nor justice. While we continue to grieve our relatives, who are now being found in unmarked graves across Canada, we are receiving news and reports on a weekly basis that provide concrete evidence of an oppressive, violent and racist system that continues to this very day. I am appalled, yet not surprised, at the complete lack of oversight that has allowed for this practice to occur and increase. In the last several months alone, we have called for urgent reforms to address the lack of oversight and accountability in the child welfare system, in policing, in health care, and in justice, and we have been met with resistance or superficial promises at every step of the way. Alarming, the Minister's response to this report follows suit, by only endeavouring to do better. We demand the recommendations of the Ombudsperson be taken with absolute seriousness, including immediate reforms and the full involvement of First Nations in this process."

"This is more than the overinvolvement of the child welfare and the criminal justice system in the lives of Indigenous children and youth, as stated by Minister Dean in her response to this report yesterday," stated BCAFN Regional Chief Terry Teegee. "This is institutionalized and systemic racism at its very core. Addressing this colonial violence head on requires more than another aspirational statement. We demand immediate and concrete actions and accountability, and that the recommendations outlined in this report be given the urgent attention and commitment they warrant. We are concerned by specific responses by the Ministry of Children and Family Development to several of the recommendations in the report that indicated delayed implementation due to a need to engage with Indigenous peoples and governments. We reject the insinuation that legal safeguards to protect the rights of our children will be delayed by the Minister upholding her legal requirements under the *Declaration Act* and demand immediate engagement and consultation with First Nations leaders and the BC First Nations Justice Council to address these concerns".

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The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).

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