



TREATY TEN PANDEMIC COUNCIL

NORTH WEST COMMUNITIES INCIDENT COMMAND CENTRE

Dr. Saqib Shabab
Chief Medical Health Officer
Office of the Chief Medical Health Officer
Ministry of Health
Province of Saskatchewan
3475 Albert Street, Regina, SK,
Canada, S4S 6X6

May 10, 2020

Dear Dr. Shabab;

I write to you on behalf of the Treaty Ten Pandemic Council, made up of the leaders of North West Saskatchewan. These leaders are the Chiefs and Councils of the member Nations of the Meadow Lake Tribal Council; the leaders of the Métis Nation of Saskatchewan, the Métis Regional and Local authorities; and the regional Municipal Governments.

We are resolute. Our peoples' lives, safety and health are paramount. Our leadership is committed to this joint initiative in all communities along Highway 155.

We recognize the strong medical response your team is providing in the North West. We are indebted to the front line health workers, their commitment, diligence, and professionalism. Their presence in our communities is essential. We are grateful to the RCMP Members serving our region for their respectful and responsive ways, and daily engagement and ongoing conversations with us.

Unity and collaboration means greater effectiveness. No one, absolutely no individual or agency can address all of the issues surrounding the COVID-19 outbreak in the North West. It is our obligation, and our honour to work with you to serve the people of the North West and to save lives. We have a very important part to play.

Our communities have needs that stretch far beyond medical services in order to defeat the pandemic. There are three distinct Indigenous languages spoken in the North, each with its own dialects, and many people are unilingual in their maternal Indigenous language. We have specific ways of relating to each other and to perceiving the world. We have a different cultures. These are the crucial pieces of understanding that are essential to effective public health actions. The lack of communication and responsiveness on these issues to date have jeopardized our people and the success of our pandemic response.

This situation is unprecedented, and we appreciate the frustration and uncertainty you are facing. To leave us out – and not benefit from the knowledge we have, and the networks we understand – mean you are facing even more uncertainty and frustration. We wish this to end.



Our Elders are the source of teaching and knowledge in our culture and communities. These Elders guide us to live with humility, a desire to learn. Certainly, to reach the professional level you have achieved, you must share this great desire to learn. We ask you to learn from us, and with us.

For you, and us, together to succeed in our common goal of protecting Saskatchewan citizens from COVID-19, communication, responsiveness and collaboration between your office and the NWCICC must improve.

Objectives

Our objectives in this letter are:

1. Clarify the principles that determine our mutual responsibility and commitment to collaborate;
2. Provide background on the Treaty Ten Pandemic Council and the North West Communities Incident Command Centre (NWCICC) and our unprecedented regional collaboration;
3. Define roles and responsibilities between the Province and the NWCICC and our leadership;
4. Outline significant issues hampering effective public health in the North West; and,
5. Establish clear and consistent communication protocol between your office and the NWCICC on all issues related to the pandemic response.

1. Governing Principles

We live in Treaty relationship with the Crown. In Saskatchewan, we are all Treaty people.

The Crown has a fiduciary duty. This duty obliges both federal and provincial levels of government.

It has been clear since the 2016 Supreme Court decision in *Daniels v Canada* that a fiduciary relationship exists between the Crown and all the Indigenous peoples of Canada, including status and non-status Indians, and all Métis people. The Court noted that this recognition was of particular importance to Métis and non-status Indians, who had traditionally been left to rely on the Crown's good will as opposed to any constitutional obligation. The Court specifically acknowledged this recognition's connection with the Report of the TRC, stating that "...reconciliation with all of Canada's Aboriginal peoples is Parliament's goal."

As a cross-jurisdictional initiative, our leaders' collaboration and the creation of the NWCICC is the embodiment of the broad community of Aboriginal people that the *Daniels* decision enfranchises under the Crown's fiduciary responsibility, and affords the Crown the opportunity to recognize this legal reality while empowering a community which has put these principles into action through its constructive and collaborative response to the pandemic.



2. Background

In the face of the pandemic, we have united in an unprecedented way to protect our people from the deadly COVID-19 virus. We united as the Treaty Ten Pandemic Council. We created the North West Communities Incident Command Centre (NWCICC) to share pandemic planning and strategies with all communities across the North West. The First Nations in our collaboration shared their sophisticated pandemic plans and, from this strong base, we were able to help all of the communities begin to prepare for a possible outbreak. The NWCICC has been responsible for a daily leaders' call, to gather and understand the needs and concerns of the people of the North West, and to coordinate multi-jurisdictional solutions.

The NWCICC has been tasked with helping provincial and federal politicians and officials understand our needs; to be a channel for consultation and communication; and propose concrete and meaningful collaborative actions and strategies to save lives, protect people, and keep our communities healthy.

We ask you also to respect our leaders' directive for you to work with our North West Communities Incident Command Centre. The NWCICC was created to ensure that we have processes and connections in place, knowing that a clear flow of information and communication between yourself and your colleagues and the people and communities of the North West would be absolutely crucial for us succeeding in our common goal – keeping Saskatchewan people safe from COVID-19.

3. Roles and Responsibilities

We respect the efforts, attention and investment in the health systems side of COVID-19. We are grateful to the front line health workers and their efforts. We recognize the increased testing and the equipment brought to bear. We appreciate the stress, and long hours you and your team must be facing.

We reiterate the concerns that we have expressed continuously since our first conversation regarding the need to invest in community services and supports as part of an effective pandemic response.

We have relied on our own resources to obtain PPE for essential workers, including municipal workers and people serving the community. We have created systems and infrastructure, staffed by volunteers, to provide a community response to people already suffering from COVID-19. We have a moral and ethical responsibility to do so. It is not sufficient to allow a person showing symptoms, following their SHA test, to return home without supports to protect their family, or to help them deal with the symptoms, fear, and inability to obtain food, medicine, and other essentials. Particularly when these homes are often overcrowded, and, in the worst conditions, the person does not have a home.



We recognize the Province's investment for checkpoints for municipal use.

There are three areas that the Province has not yet addressed, and all three are essential to "flattening the curve" by supporting vulnerable people, and reducing peoples' needs to travel:

- » Food security, compounded by store closures, and lockdown preventing people from travelling to Meadow Lake for groceries, a normal activity;
- » Complete disintegration of homecare services under the SHA, leaving our elderly and vulnerable people without supports; and,
- » Inadequate mental health supports in the stress and pressured pandemic conditions, and given the high propensity for suicide and mental health conditions in our populations.

We can understand the temptation to blame us for complex issues in the North West. Many people in the province are expressing this attitude, and this is not only deeply painful to us, but also dangerously divisive to the social fabric of our Province. It also won't solve COVID-19.

We have a way forward, and we can show you the way. We have a model that we feel would be very useful. We whole-heartedly offer our strengths in collaboration: relying on community volunteers, and deep knowledge of our own people and families; our ways, issues, and languages.

4. Urgent Issues

Implementation of the Public Health Order

Our leaders and people are very much in agreement with the lockdown in the north.

What we find insulting is the absolute lack of consultation or discussion about the interpretation of the Public Health Order.

The North West cannot be perceived as a jail. Containment according to WHO guidelines is meant to protect people, not to create the impression of ghettos or permanent lockdown.

What is missing is a frank conversation about how the Public Health Order is practically administered in the North. We are receiving alarming reports of incidents affecting the health and safety of families, children, and Elders.

We ask you to work with us to address:

- » Considerable confusion at Saskatchewan Public Safety Agency (SPSA) road block points.
- » High level of variability of the information shared at the road block points, often incorrect information.
- » As outlined above, there has been no anticipation or discussion of potential concerns from Northerners at check points, and no FAQ information for workers staffing the checkpoints. This is causing problems for everyone, and can be easily resolved.



- » The lack of Indigenous people and Indigenous cultural participation at the road blocks including the absence of Indigenous language speakers. This is a significant barrier to educating the public and encouraging cooperation with pandemic initiatives. Again, this can be resolved.
- » A dangerous lack of communication between us and road block management, to address issues as they arise. One contact person in your office would alleviate this problem, and potential escalation of issues faced at the road blocks.
- » Check point staff are not honouring letters from Chiefs and Councils authorizing travel, which has liability ramifications related to Treaty and Indigenous rights.
- » Our early work in containment, followed by the Public Health Agency assuming responsibility for checkpoints, means that local people were displaced at the check points with out any thought of compensation for loss of jobs and incomes. This is an economic impact we ask you to address.
- » We had developed educational and communication materials relevant for our local community, which are no longer being used. Meaningful educational materials will help people understand and participate in pandemic responses.

These are serious issues that damage public confidence; interfere with the effectiveness of containment measures; and, in the worst cases, infringe on Indigenous, Treaty, and human rights.

Fire Season

The North is on the verge of fire season. We anticipate the following issues, and respectfully ask you to respond:

- » The SPCA has assigned fire suppression crews to work the road blocks. Please communicate to us the SPCA plan to address potential minimization of road block staffing when fires break out and workers are called away.
- » Please communicate to us how the SPSA is prepared for potential fire evacuations, with the additional complication of the current Public Health Order and pandemic conditions.

Business and Employment

Existing businesses in the North West are under intense pressure because of the pandemic and the Public Health Order. Not only are we concerned about the incomes of our neighbours and friends, but these businesses also provide essential services.

- » Please communicate to us if there are any additional supports planned from the province for these essential businesses.

As raised in a conversation with Minister Lori Carr, many of our people have jobs outside of the region, on rotation in Saskatoon and Alberta. Minister Carr allayed our concerns, and left us with the impression that our people could travel to prevent job losses.

- » Please communicate to us the on-the-ground policy for employees travelling to rotational work.



Rights and Liability

We are deeply concerned about the respect for Treaty, Indigenous and human rights in the actions of the Provincial government. We recognize pandemics call for speed and decision-making; however long-standing legal obligations do not disappear. Our demand for consistent and meaningful communication will help find positive solutions in the North West that will also adhere to the rights of Northern people.

Our leaders have taken every step locally and regionally to jointly anticipate any liability issues moving forward. We strongly encourage you to consider potential liabilities from the provincial point of view.

Public Trust

Across the world, public confidence in leaders and public health officials have been proven to be an essential part of successful pandemic programs.

Our frustration after weeks of negative responses from the Province to our community initiatives has led to deep frustration, and, much worse, a serious erosion in public confidence. We are very concerned about any further disintegration of trust among our leaders and our people in your office and the roles of the Provincial Government. We do not share this as a threat in any way, shape or form, only to inform you of the current environment.

Trust is a precious commodity, and we are concerned that once it is lost, we will not regain it, nor its power to convince people to adhere to public health orders or even basic recommendations.

Establishing a clear and respectful communication protocol will help address this situation. We must work together to succeed. We need collaboration and support for our requests, as we are supporting yours. We have a common goal, that can be achieved with trust and unity.

5. Clear and Consistent Communication Protocol

To start, we have scheduled a daily call with your office at 1pm, beginning Monday, May 11, 2020.

This timely and consistent contact with your office will allow us to share information with our regional leaders during our daily briefing call at 3pm.

We respectfully request a contact person between your office and the NWCICC to be appointed by the end of the week. We will need to understand the reporting relationship between this person and yourself, so that we will have enough understanding to effectively collaborate.

Once they have been named, we can discuss a mutually-beneficial time, and other protocols that will be effective. The daily calls would include a summary of issues and concerns; opportunity for discussion and consultation; and practical collaborative planning.

Our first topic will be the implementation of the Public Health Order.



Conclusion

COVID-19 is deadly and disruptive. There are more cases in our communities per capita than anywhere else in Canada.

The Treaty Ten Pandemic Council respectfully demands your consistent, predictable and meaningful collaboration with the NWCICC.

Only with agreed-to communication protocols that reflect the rights of consultation, and a spirit of mutual respect and collaboration, can we build the trust needed to succeed together.

We pray for you each day.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Laliberte', is positioned below the word 'Sincerely,'.

Rick Laliberte
Commander
North West Communities Incident Command Centre
Beauval, Saskatchewan

cc. All Leadership
Community EOCs
Regional Elders



Appendix A: Pre-pandemic Conditions in the North West

North West residents fall into high-risk categories for COVID-19:

- Our people suffer from extremely high rates of co-morbid conditions, with issues like diabetes, respiratory, HIV, heart conditions, and trauma-induced addictions, that put them at high risk of death from COVID-19.
- Northern Saskatchewan has close to twice the rate of avoidable mortality compared to the province and the country as a whole. The Canadian Institute of Health defines avoidable deaths as untimely deaths that should not occur in the presence of timely and effective health care (treatable deaths) or other public health practices, programs and policy interventions (preventable deaths). Between 2005 and 2014, 74% of deaths in northern Saskatchewan occurred prematurely in individuals aged 74 years and younger. Of all deaths in northern Saskatchewan, 57% were deemed avoidable. Of those, 72% were classified as preventable and 28% classified as treatable. The leading causes of treatable mortality include ischaemic heart disease, congenital malformations, complications of perinatal period, colorectal cancer, breast cancer, diabetes mellitus, pneumonia, sepsis, cerebrovascular diseases and renal failure.¹
- Our housing conditions do not allow for self-isolation. Compared with a provincial median, Northern Saskatchewan has between 2.5 and 4.3 times the proportion of dwellings requiring major repair, and between 4.8 and 11.4 times the rates of crowding.²
- Many of our communities have limited access to health care, requiring travel from substantial distances over roads that are often substandard and conditions that are treacherous. We have very few consistent providers and very limited resources, further compounding our ability to respond appropriately and quickly.
- The dependency ratio in Northern Saskatchewan is the highest in all of Canada.³ This has huge implications in terms of impact on families and communities should these core providers become ill.

¹https://populationhealthunit.ca/mrws/filedriver/Health_Indicator_reports/Health_Status_-_Mortality.pdf

²https://populationhealthunit.ca/health_monitoring_and_research/health_monitoring.html

³Northern Saskatchewan Health Indicators – Community Characteristics: Population Profile. August 2016.