



Northern Inter-Tribal Health Authority Inc.



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Application of Public Health Legislation in First Nations in Saskatchewan

Indigenous Services Canada Saskatchewan Region and Northern Inter-Tribal Health Authority

First Nations communities in Saskatchewan managed the first wave of COVID-19 successfully. However, many communities are currently experiencing a resurgence along with Saskatchewan and Canada as a whole.

Public health evidence shows that population-wide adoption of public health measures is critical to minimize the impacts of a resurgence. In Canada, federal and provincial legislation is in place to ensure broad compliance with measures such as quarantine/isolation, restrictions on gatherings, and re-opening plans.

Indigenous Services Canada, Saskatchewan Region (ISC-SK) and Northern Inter-Tribal Health Authority (NITHA) recognizes that First Nations are best placed to determine how to respond to this unprecedented public health crisis. We also understand that First Nations leaders may face sensitive and difficult decisions when promoting, enacting and enforcing of public health measures on-reserve.

Some First Nations enact or enforce their own public health laws, policies and decisions in their communities. However, federal and provincial public health legislation also applies on reserve as follows:

- Orders under *The Quarantine Act, 2005* (Canada) apply to members residing in First Nations communities at international borders when they are arriving in Canada or departing from Canada after international travel.
- Orders under *The Public Health Act, 1994* (Saskatchewan) by the provincial Chief Medical Health Officer apply throughout Saskatchewan, including to individuals living in First Nations communities while they are in Saskatchewan.
- The Medical Health Officers for South Central First Nations and the Northern Inter-Tribal Health Authority are delegated responsibility through *The Saskatchewan Public Health Act, 1994*.

At the direction of a First Nation, ISC-SK and other provincial and federal partners can play a supporting role in enforcement of public health legislation:

- Complaints about non-compliance with the Public Health Order are received by ISC-SK or the NITHA. As such, Environmental Public Health Officers (EPHOs) or designate are to then provide client outreach, public education or connect individuals to additional health supports. EPHOs or designate also assess risk and provide advice to First Nations on compliance and enforcement strategies while respecting personal health information privacy. Compliance through education is our priority.

- Local law enforcement (e.g. RCMP) is responsible for enforcement of public health legislation on-reserve (e.g. issuing fines). Each First Nation is encouraged to collaborate directly with their local law enforcement to determine their appropriate response. Early engagement with RCMP and local law enforcement is encouraged and communication and cooperation is paramount.

Indigenous Services Canada is committed to the health and safety of First Nations throughout the COVID-19 pandemic. We will continue to provide public health advice and support to First Nations and work with communities in a way that is respectful of their unique priorities, customs and practices.

How to report an individual or business suspected of non-compliance with public health legislation (e.g. mandatory isolation, quarantine, gathering limits):

Call Saskatchewan Public Safety Agency's COVID-19 information line (1-855-559-5502)

or

Report through the Government of Saskatchewan's Online Non-Compliance Reporting Form

<https://www.saskatchewan.ca/government/health-care-administration-and-provider-resources/treatment-procedures-and-guidelines/emerging-public-health-issues/2019-novel-coronavirus/public-health-measures/public-health-orders/non-compliance-reporting-form>

or

Call your local police's **non-emergency** line.

When an individual reports suspected non-compliance on a First Nation through these channels, the complaint is forwarded to the appropriate Environmental Public Health contact for follow-up. Anonymous reports are not accepted. Complainants may be contacted for more information, but the outcome of the investigation will not be shared.