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Nfld. &amp; Labrador

## James Poker aged out of a treatment centre at 16. Nobody told his father

Police, social workers missed key signs of abuse, says lawyer for family of James Poker

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James Poker, 17, was found frozen to death in February 2015 while trying to walk to Hopedale from his home in Natuashish. (Submitted)

James Poker's time in care was filled with contradictions.

At home in Natuashish, his father received notes from his caregivers stating he was happy and thriving while in out-of-province placements in Ontario and Saskatchewan.

In reality he was a chronic runaway.

He went AWOL dozens of times and was often returned by the police, sometimes after being missing for days.

He was riddled by hallucinations, disconnected from his culture and made no meaningful bonds with the staff members tasked with taking care of him.

"We submit [this] is a dangerous misrepresentation of reality which did not permit James's father and James's family the ability to fully understand his problems," said the Poker family's lawyer, Scott Lynch, during a public inquiry tasked with examining James's time in care.

But even misleading communication was better than no communication at all.

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James spent the last 16 months of his time in care at Ranch Ehrlo — a youth mental health treatment centre in Saskatchewan. Lynch said there was no documented correspondence between Ranch Ehrlo and the Poker family about James's mental health conditions, his prescriptions for anti-psychotics, or other important updates in his care.

"In fact, James's father was only made aware that James had permanently left care at Ranch Ehrlo and returned to Natuashish when he saw James walking on the road in the community," Lynch said.

Ranch Ehrlo says it couldn't comment on specifics due to privacy concerns, but says in general that their protocols vary from case to case and "may include communicating through the referring agency rather than directly with family members."

James aged out of care when he turned 16 in 2013. He died before his 18th birthday.

He's now one of six deaths examined by the public inquiry into the treatment, experiences and outcomes of Innu in the child protection system. The final report into his death is private, however his family's final submissions delivered last Thursday are public.

"None of this would have happened if James had remained with his family and community," said his father, Thomas Poker, in a statement read aloud by Lynch. "The system failed James."



Thomas Poker says when his son, James, returned from a foster home in North Bay, Ont., he didn't seem like himself. He would stare off into space and talk to himself. (Submitted)

James Poker was born in 1997 to Thomas Poker and Suzanne Rich Poker.

His early life saw him surrounded by Innu language and culture. Lynch said the report into his death expressed how James belonged to a collective, a large extended family rooted in Innu values and kinship.

"Those are the roots that should provide a child such as James with the right conditions to be nourished, to grow and to thrive," Lynch said.

At age two, James was adopted by another family in the community.

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Lynch said he began having interactions with social workers from the Department of Children, Seniors and Social Development (CSSD) before he went into care at age 10 — interactions, the lawyer contended, that should have caused major concerns.

On several occasions, James was found unsupervised and wandering around Natuashish. Lynch said he told people he was afraid to go home.

In 2007, Lynch said CSSD was made aware of an incident where James was acting inappropriately towards three younger children. James was interviewed by police, Lynch said, and was soon found wandering unsupervised again.

Lynch said it wasn't until years later, while he was in the care of the province, that it was discovered James had been sexually abused as a child.

"We can only speculate about what better outcomes he may have enjoyed with more proactive and diligent attention from CSSD throughout his childhood," Lynch said.

## Investigator calls out 'illusion of treatment'

James was first sent to Broken Arrow Residential Treatment Services — a private, for-profit centre in North Bay, Ont.

Lynch said Broken Arrow was chosen in part because it allowed him to be closer to his older brothers, who were aging out of care around the time he entered the program, and in part because they often had beds available.

James stayed there for four years. Lynch said there were limited phone calls with his birth parents, and family visits once per year.

Lynch said Thomas Poker believed his son was in a treatment facility, based on its name, but realized it was a foster home after travelling to North Bay for a visit.



Kenn Richard was hired by the inquiry to examine the deaths of six youths from Natuashish who died between 2015 and 2021. (James Morrison-Collalto/CBC)

Kenn Richard, one of the investigators tasked with examining the deaths of the six youths, called out Broken Arrow during his testimony at the inquiry last week.

"The whole illusion of treatment was really an illusion," Richard said of the service providers the province relied on to care for Innu children, naming Broken Arrow in particular. "You don't really have a clinical program that is meeting any needs.... It was very primitive and mostly non-existent."

Richard and Lynch also took aim at Broken Arrow for the cultural implications related to the name.

"Broken Arrow had no connection to Innu culture in any way, despite its name implying a connection to Indigenous communities," Lynch said.

"It was marketing," Richard said. "We know that particular organization was heavily into marketing to the north and to the east, and that Newfoundland and Labrador enriched their coffers tremendously."

Broken Arrow has since changed its name in Newfoundland and Labrador to Kalon Services N.L.

CBC News has reached out to the organization for comment. It has not responded as of publishing time.

## **'Lack of diligence' in aftercare was dangerous: lawyer**

James spent the last 16 months of his time in care in Saskatchewan.

He was suffering from auditory and visual hallucinations, and had been prescribed anti-psychotic medications.

In March 2013, the psychiatrist at Ranch Ehrlo recommended James continue taking his medication after being discharged from the facility, and to follow up with a psychiatrist in six months. Despite the recommendation, Lynch said, no referral was made to see a doctor in Labrador.

In addition to not knowing he'd been released from care, his family was also unaware he'd been prescribed medications until they found pill bottles with his belongings after his death.

Lynch said the lack of communication weakened their ability to help James as he struggled to reconnect with his home community and culture.

"It points to a systemic lack of diligence and a short-sightedness that devalued James's worth and jeopardized his safety," Lynch said. "James was then cast back into the world, still suffering yet lacking the much needed supports."



James Poker went missing in February of 2015. He was found two weeks later. (CBC)

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Once back home, James continued to have hallucinations and suicidal thoughts.

By February of 2015, he was suffering from untreated mental illness and living in a shelter in Natuashish.

He walked out of the shelter on Feb. 10 and disappeared into the frigid cold. Fifteen days later, James Poker's body was found on the ice of the Labrador Sea.

"After long periods away, he returned to Natuashish at age 16 lost, unprepared and unable to fit back into the community. He was robbed of his language and family bonds," Thomas Poker said in a statement through his lawyer.

## Hope for the next generation

The federal government passed Bill C-92 in 2019, which affirmed the rights of Indigenous communities to have jurisdiction over child protection.

Work is underway to overhaul the child protection system in Labrador, though a truly Innu-led system remains a long way away.

In the meantime, strategies have shifted — the inquiry heard there's been an 82 per cent reduction in the number of Innu kids being sent outside the province for care since 2018-2019.

At the end of his submissions, Lynch was asked by the inquiry commissioners if he believes the current system and legislation is equipped to handle the necessary transition to improve outcomes for Innu children.

He said no.

“The extent of the failures of the current system are an indictment of its capabilities and lay bare the limits of what can be achieved. And so, I think to remain within the current system would be to leave the lives of children and youth at hazard, as we've seen bear out with tragic circumstances.”

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