

BRIEFING NOTE

TO: BCAFN

FROM: Our Children Our Way Secretariat

DATE: October 4, 2024

RE: Aboriginal Operations and Practice Standards and Indicators

PURPOSE

Seeking endorsement to extend the application of the Aboriginal Operational and Practice Standards and Indicators (AOPSI) to all Indigenous children, youth, young adults and families served by both Indigenous child and family agencies and the Ministry of Children and Family Development under provincial law.

Seeking endorsement for First Nations Leadership Council and the Our Children Our Way Society to collaboratively redesign AOPSI to ensure that it aligns with the United Nations Declaration on the Rights of Indigenous People, the United Nations Convention on the Rights of the Child, and the Declaration of the Rights of Indigenous Peoples Act.

Seeking endorsement for the First Nations Leadership Council and the Our Children our Way Society to collaboratively develop a rights-based reference guide to support First Nations resuming jurisdiction for child and family well-being. The guide will support self-determination and reflect First Nations values, teachings, and ways of caring.

RECOMMENDATIONS

Currently the AOPSI only applies to Indigenous child and family agencies, but approximately half the Indigenous children in BC are served by the Ministry of Children and Family Development. *Recommend extending the application of AOPSI to all Indigenous child and family services delivered under provincial law in BC.*

The AOPSI emphasizes culturally safe support and care; however, it is currently out of date. *Recommend redesigning AOPSI to reflect current practice and context and to provide optional support to First Nations resuming jurisdiction for child and family well-being.*

BACKGROUND

The AOPSI was first developed and adopted in the late 1990s. The AOPSI standards articulated the minimum expectations of performance in relation to child welfare-related practice for delegated agencies and were written to meet or exceed BC's legislative requirements. These were the first such standards for Indigenous child and family agencies in Canada, and the intention was to review and revise the standards at regular intervals as agencies strengthened their practice.

A significant effort was made to ensure the AOPSI reflected the importance of family and community in Indigenous cultures; however, the standards were not considered truly reflective

of Indigenous beliefs, values, and cultural traditions. To address this gap, in 2009 the directors of the Indigenous child & family agencies, along with provincial and federal partners, launched the AOPSI redesign project, Starting from a Traditional Place.

The AOPSI redesign project spanned three years, during which over 600 Indigenous Elders, youth, parents, community members, and delegated agency staff participated in community consultation sessions. MCFD ultimately rejected the revised AOPSI standards and instead imposed provincial child protection standards. The AOPSI standards have not been significantly updated since 2009.

In 2008, BC's Auditor General recommended that MCFD adopt the AOPSI standards to guide its own social workers. MCFD did not fulfill that recommendation.

CURRENT STATUS

The AOPSI contains outdated language and no longer aligns with current provincial and federal legislation. The standards are silent regarding: post majority services; unhoused high-risk and/or opioid affected youth; Indigenous children, youth or young adults who are not connected to a distinct community; support for children, youth and families during times of bereavement. The standards are also silent on delegated child protection practice, as Indigenous children, youth and families are subject to the provincial standards in relation to child protection.

There are few practice resources to support First Nations exploring and resuming jurisdiction for child and family well-being.

ANALYSIS

Colonial child welfare laws have systematically destroyed many of the traditional structures that supported Indigenous families for thousands of years.

Canada has been unwilling to provide resources for the capacity building required to deliver child & family services in a manner that is commensurate with Indigenous worldviews, values, customs, and practices.

There is a great need for resources to guide improved service delivery under provincial law and to support strong service delivery under Indigenous laws.

NEXT STEPS

- 1. Seek support from First Nations leadership for the redesign and expanded reach of the AOPSI standards.**
- 2. Our Children Our Way Society to work collaboratively with FNLC to develop an action plan and to secure funding for the work.**