



BRIEFING NOTE TO THE REGIONAL CHIEF FOR INFORMATION

SUBJECT: The Chiefs Committee on Child and Family Services and Self-Determination (Chiefs Committee)

DATE: September 9, 2020

DIRECTOR: Jonathan Thompson

SECTOR: Social Development

SUMMARY:

- The Chiefs Committee on Child and Family Services and Self-Determination (Chiefs Committee) was established through Assembly of First Nations (AFN) Resolution 16/2019, *An Act respecting First Nations, Inuit and Metis children, youth and families -Transition and Implementation Planning*.
- The first order of Chiefs Committee business was to develop the Terms of Reference (ToRs) which have been agreed upon and are now ready for approval from the AFN Executive.
- The second major task was to advocate for a protocol agreement where a First Nations distinctions-based framework for implementing the new legislation, Bill C-92, *An Act respecting First Nations, Inuit and Metis children, youth and families*, (the Act).

PURPOSE:

- To provide an update on the short- and long-term actions and decisions made by the Chiefs Committee.

CURRENT STATUS:

- AFN Resolution 16/2019, *An Act respecting First Nations, Inuit and Métis children, youth and families-Transition and Implementation Planning*, established the Chiefs Committee in order to provide input, oversight and guidance on implementation of the Act.
- The Chiefs Committee meets on a quarterly basis when possible and via teleconference when needed.
- On December 2, 2019, a unanimous motion was supported by the Chiefs Committee to adopt the final draft ToRs which are now being put forward to the National Chief and AFN Executive Committee for approval.
- The National Chief and Minister Miller signed a protocol on July 7, 2020 that is meant to ensure a First Nation distinctions based approach to implement Bill C-92.

BACKGROUND:

- The Chiefs Committee provides guidance and recommendations to the AFN National Chief, Executive, and the Chiefs-in-Assembly on all matters regarding the transition and implementation of the Act.
- One chief from each region and the Yukon sit on the committee along with one technical advisor chosen by their respective chief.
- The technical advisor also sits on the First Nations National Transition Planning Committee (FNNTTP), a Technical Sub-Committee of the Chiefs Committee, which is accountable to the Chiefs Committee and gives advice on child and family service matters relating to the implementation of the Act on a national level.
- Work to date and current priorities of the Chiefs Committee includes:
 - The Chiefs Committee negotiated the Protocol regarding *An Act Respecting First Nations, Inuit and Métis children, youth and families* in relation to the Assembly of First Nations (the “Protocol”), between AFN and Canada on implementation of the Act.
 - The Chiefs Committee’s next step is to work on implementing the “Protocol” and ensure the First Nations distinctions-based framework is applied to First Nations Child and Family Services.
 - The Chiefs Committee is advocating for sustainable statutory funding for implementation of the Act and a First Nations distinctions-based Data Collection Strategy from Canada to support long-term implementation.
 - The Chiefs Committee is monitoring the hearings in the Quebec Reference and advocating to other regions to support the Act and avoid filing similar challenges. The AFN was granted an intervenor status and the case management is set for February 25th, 2021.
 - The Chiefs Committee is actively monitoring the Community Wellbeing and Jurisdiction Initiatives (CWJI) fund. The fund has been supporting engagement activities around the Act however Indigenous Services Canada (ISC) is reallocating the rest of the funds to support COVID-19 measures from the 2020-2021 fiscal year without replenishment.
 - The Chiefs Committee is also working with First Nations leadership to ensure their legal rights and specific needs are respected while implementing the Act.

CONSIDERATIONS:

- The Chiefs Committee ensures that First Nations sovereignty is at the forefront of the their workplan and advocacy.
- AFN requested funding in the amount of \$3.5 Billion for the implementation of C-92 extended over 5 years.
- The “Protocol” will ensure a First Nations distinctions-based framework when implementing the Act. First Nations that decide not to work within the Act, the “Protocol” will not infringe on their rights or sovereignty.

ATTACHMENTS:

- 1) Chiefs Committee Membership List
- 2) Chiefs Committee Organizational Chart
- 3) AFN Resolution 16/2019, *An Act respecting First Nations, Inuit and Métis children, youth and families-Transition and Implementation Planning*