

Empowering Futures: A Gathering for Indigenous Child Welfare Sovereignty

Welcome & Opening Prayer



ALIGN
Association of Community Services
Together for Children and Families

ALIGN

Association of Community Services

Mission and Vision:

- ALIGN's mission is to be "One voice, so children, families, and communities thrive."

Role in the Community:

- ALIGN serves as a central hub for its member agencies, offering resources, shared knowledge, and advocacy.

Commitment to Truth & Reconciliation

- Supporting Indigenous Rights and embraces the principles of the TRC and the UNDRIP.
- We are dedicated to creating inclusive spaces, honoring traditional practices, and establishing partnerships with Indigenous communities.



Indigenous Child Welfare & Sovereignty



Welcome!!

**Please scan the QR Code
to participate in today's
questions.**

1. Who's Joining Us?

**Everyone will get a report
sent to them!**

**Empowering Futures: A Gathering
for Indigenous Child Welfare
Sovereignty**





Indigenous Child Welfare & Sovereignty

- Introduction to Indigenous Child Welfare and Sovereignty
- Starting the Process - Steps to Reclaim Jurisdiction
- Cowessess First Nation Case Study
- Lessons from Mary Teegee Gray and Carrier Sekani Family Services (CSFS)
- KTC - Awaśak Wiyasiwêwin: An Example of Indigenous Legislation
- Best Practices in Indigenous Child Welfare
- Challenges and Opportunities
- Applying Lessons to Local Contexts
- Conclusion and Call to Action

What is Bill C-92?

Purpose

Bill C-92, formally known as the **Act respecting First Nations, Inuit, and Métis children, youth, and families**, empowers Indigenous communities to take control of their child and family services.

Inherent Right to Self-Government

Recognizes the inherent jurisdiction of Indigenous peoples over their own child and family services, affirming their right to self-governance in this critical area.

National Minimum Standards

Establishes national minimum standards for child and family services to ensure the safety and well-being of Indigenous children, focusing on keeping children connected to their culture and communities.

Culturally Appropriate Services

The Act prioritizes culturally relevant services and aims to reduce the number of Indigenous children in the child welfare system.

Flexibility for Communities

Indigenous communities can exercise jurisdiction at their own pace and develop laws and services that reflect their unique needs and cultural values.

Indigenous Governing Bodies (IGBs)

- **Authority and Oversight:** IGBs hold the authority to exercise jurisdiction over child and family services within their communities, enabling them to create and enforce culturally relevant laws and practices.
- **Coordination and Implementation:** IGBs are responsible for coordinating agreements with federal and provincial governments to ensure the smooth transition of jurisdiction and the effective implementation of community-led services.

Jurisdiction Transition Planning

- **Phased Approach**

Importance of a phased approach to exercising jurisdiction to build capacity and resources.

- **Best Interests of the Child**

Developing and defining what constitutes the best interests of an Indigenous child.

- **Collaborations**

Encourages collaborations with other organizations for law development and service delivery.

- **Community Self-Assessment**

Discusses tools and methods for communities to assess their readiness for jurisdiction.



Indigenous Child Welfare and Sovereignty

1

Historical Overview:
Indigenous Child Welfare sovereignty stems from colonial histories, challenging systemic injustices imposed upon communities.

2

Reclaiming Jurisdiction
Importance: Reclaiming authority promotes cultural revitalization, enhances child welfare outcomes, and ensures community-led practices prevail.

3

Current Developments:
Recent policy shifts have facilitated Indigenous control over child welfare services, fostering innovation and healing initiatives.

Understanding What We Inherited

(00:30 – 09:50)



In Order to Understand the Approach, first..

Cowessess First Nation (and ancestors) never agreed to relinquish rights



Cadmus Delorme

The current situation was done with minimal input of Cowessess First Nation

Doctrine of Discovery colonially removed underlying title and Treaty's (literal colonization version) removed Aboriginal Title

Marshall Trilogy legal case (USA) and St. Catherine's Milling Case (Canada) colonially placed Cowessess First Nation as domestically sovereign

BNA Act S. 91(27) and Indian Act 1876 drives colonial approach to paternalistic attitude and colonial legal process

Cowessess First Nation Constitution asserts our past, present, and future will not accept what we did not agree to

Canada Constitution S. 35 is where Crown (Canada) will respect Cowessess First Nation laws

Starting the Process - Steps to Reclaim Jurisdiction

- **Initial Steps Under Bill C-92:** initiate jurisdiction reclamation by providing notices under Bill C-92, asserting legislative authority.
- **Communities in Notification Phase:** Several communities have submitted formal notices, exemplifying commitment to self-governance and improved service delivery.
- **Negotiation Progress:** Ongoing negotiations between communities highlight diverse pathways towards autonomy, reflecting unique local contexts and needs.

Indigenous legislation

This table provides links to the child and family service Indigenous laws which have come into force.

Filter items Showing 1 to 10 of 15 entries | Show

Province or territory 	Indigenous governing body 	Indigenous group, community or People 	Date the Indigenous law came into force 	Indigenous law 
Alberta	Louis Bull Tribe	Louis Bull Tribe	2021-10-22	AMO Law - Asikiv Mostos O'pikinawasiwin Society
Alberta	Loon River First Nation #476; Lubicon Lake Band #453; Peerless Trout First Nation #478	<ul style="list-style-type: none"> • Loon River First Nation #476 • Lubicon Lake Band #453 • Peerless Trout First Nation #478 	2023-05-15	Awas'ak Wiyasiwewin (PDF)
Alberta	Inuvialuit Regional Corporation	<ul style="list-style-type: none"> • Aklavik • Inuvik • Paulatuk • Sachs Harbour • Tuktoyaktuk • Ulukhaktok 	2022-11-25	<p>Inuvialuit Qitunrarit Inuuniarnikkun Maligaksat Child Wellbeing</p>
British Columbia	Splatsin	Splatsin	2023-04-01	Spallumcheen Indian Band Care of our Children By-law
British Columbia	St's'ailes	St's'ailes	2023-04-01	<p>Snowoyelh te Emi:melih te St's'ailes (PDF)</p> <p>This law was not created, produced or drafted by the Government of Canada.</p>
British Columbia	Cowichan Tribes	Cowichan Tribes	2024-08-01	Law of the Cowichan People for Families and Children (PDF)
British Columbia	Ts'qescen' First Nation	Ts'qescen' First Nation	2024-12-21	T'kwenm7iple7tens re Kikwe (PDF)
Manitoba	Peguis First Nation/Peguis Child and Family Services	Peguis First Nation	2022-01-21	Honouring Our Children, Families and Nation Act (PDF)
Northwest Territories	Inuvialuit Regional Corporation	<ul style="list-style-type: none"> • Aklavik • Inuvik • Paulatuk • Sachs Harbour • Tuktoyaktuk • Ulukhaktok 	2022-11-25	<p>Inuvialuit Qitunrarit Inuuniarnikkun Maligaksat Child Wellbeing</p>
Ontario	Wabaseemoong Independent Nations	Wabaseemoong Independent Nations	2021-01-08	Wabaseemoong Independent Nations Customary Care Code

As of 2025-01-24:

- 11 agreements have been signed
- 13 Indigenous laws have come into force.

Publication of this information is not intended to confirm any rights recognized and affirmed by section 35 of the *Constitution Act, 1982*, the status of any notices or requests provided under section 20 of the Act, or the validity of the authorization of each Indigenous governing body.

Indigenous legislation

This table provides links to the child and family service Indigenous laws which have come into force.

Filter items Showing 11 to 15 of 15 entries | Show

Province or territory 	Indigenous governing body 	Indigenous group, community or People 	Date the Indigenous law came into force 	Indigenous law 
Ontario	Kitchenuhmaykoosib Innniuwug	Kitchenuhmaykoosib Innniuwug	2023-04-01	Kitchenuhmaykoosib Innniuwug Dibenjikewin Onaakonikewin
Ontario	Algonquins of Pikwakanagàn First Nation	Algonquins of Pikwakanagàn First Nation	2024-04-20	Nigig Nibi Ki-win (PDF)
Quebec	Atikamekw of Opitciwan	Atikamekw of Opitciwan	2022-01-17	<p>Loi de la Protection Sociale Atikamekw d'Opitciwan (PDF) (not available in English)</p> <p>This law was not created, produced or drafted by the Government of Canada.</p>
Saskatchewan	Cowessess First Nation	Cowessess First Nation	2021-04-01	Cowessess First Nation Miyo Pimatisiwin Act (PDF)
Yukon	Inuvialuit Regional Corporation	<ul style="list-style-type: none"> • Aklavik • Inuvik • Paulatuk • Sachs Harbour • Tuktoyaktuk • Ulukhaktok 	2022-11-25	<p>Inuvialuit Qitunrarit Inuuniarnikkun Maligaksat Child Wellbeing</p>

Notices of intent to exercise legislative authority

Subsection 20(1) of the Act provides that an Indigenous governing body, acting on behalf of an Indigenous group, community or people with rights affirmed by section 35 of the *Constitution Act, 1982*, may give notice of their intention to exercise its legislative authority in relation to child and family services to the Minister of Indigenous Services and the government of each province and territory in which the group, community or people is located.

Filter items

Showing 1 to 10 of 69 entries

Show 10 entries

Province(s) or territory 	Indigenous governing body 	Indigenous group, community or people 	Notice provided 	Notice received 
Alberta	Mikisew Cree First Nation	Mikisew Cree First Nation	2020-06-04	2020-07-08
Alberta	Enoch Cree Nation	Enoch Cree Nation	2020-12-03	2020-12-03
Alberta	Kanawemahwasowin Kamik	Ermineskin Cree Nation	2020-12-31	2020-12-31
Alberta	Little Red River Cree Nation	Little Red River Cree Nation	2021-06-02	2021-06-11
Alberta	Cold Lake First Nations Family and Community Support Services	Cold Lake First Nations	2022-10-17	2022-12-14
Alberta	Métis Nation of Alberta	Métis Nation within Alberta	2023-09-19	2023-09-20
Alberta	Whitefish Lake First Nation #459 Child and Family Services Society	Whitefish Lake First Nation #459	2020-06-10	2020-06-10
Alberta	Sturgeon Lake Cree Nation	Sturgeon Lake Cree Nation	2024-03-08	2024-03-14
British Columbia	Stó:lō Xwəmələməxw Treaty Association	Xwələtə (Xwələtə)	2020-10-16	2020-10-16

Requests to enter into a coordination agreement

Subsection 20(2) of the Act provides that an Indigenous governing body, acting on behalf of an Indigenous group, community or people, with rights affirmed by section 35 of the *Constitution Act, 1982*, may submit a request to enter into coordination agreement discussions with Canada and the government of each province and territory in which the group, community or people is located.

This table identifies the requests submitted to the Minister of Indigenous Services Canada, the date the requests were received as well as the dates coordination agreements were entered into with Indigenous governing bodies.

Filter items

Showing 1 to 10 of 45 entries | Show 10 entries

Province or territory  	Indigenous governing body  	Indigenous group, community or people  	Request provided  	Request received  	Coordination agreement signed  
Alberta	Manitoba Métis Federation	Manitoba Métis	2021-12-20	2021-12-20	To be determined
Alberta	Louis Bull Tribe	Louis Bull Tribe	2020-10-21	2020-10-26	Bilateral agreement signed 2023-02-01
Alberta	Loon River First Nation #476; Lubicon Lake Band #453; Peerless Trout First Nation #478	<ul style="list-style-type: none">• Loon River First Nation #476• Lubicon Lake Band #453• Peerless Trout First Nation #478	2021-08-13	2021-08-23	2023-03-31
Alberta	Inuvialuit Regional Corporation	<ul style="list-style-type: none">• Aklavik• Inuvik• Paulatuk• Sachs Harbour• Tuktoyaktuk• Ulukhaktok	2021-11-24	2021-11-24	To be determined
Alberta	Driftpile Cree Nation	Driftpile Cree Nation	2022-11-10	2022-11-16	To be determined
Alberta	Kitchenuhmaykoosib Inniniuwug	Kitchenuhmaykoosib Inniniuwug	2023-06-12	2023-07-17	To be determined
Alberta	Sturgeon Lake Cree Nation	Sturgeon Lake Cree Nation	2024-03-08	2024-03-14	To be determined

Hon Murray Sinclair - Our Own Systems



Alberta Indigenous Law

- AMO Law – Louis Bull
- Awas'ak Wiyasiwewin Act – Loon River, Lubicon Lake Band, & Peerless Trout FN
- Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat Child Wellbeing – Inuvialuit Regional Corp

Amo Law

- **Enhanced Community Engagement:** The Amo Law (from the Amo Child & Family Well-Being Society) is noted for its **community-driven** development process. Local members, Elders, and families were actively consulted, ensuring the final framework is widely understood and accepted within the Nation.
- **Clear Service-Delivery Framework:** It provides **specific guidelines** for how child welfare services should be coordinated, identifying roles and responsibilities at each stage. This clarity can streamline implementation and reduce duplication of services.
- **Integration of Traditional Teachings:** The law explicitly references traditional teachings and cultural values, embedding them into case planning and resolution. This ensures that community values are at the forefront of all child welfare decisions.

Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat

- **Robust Cultural & Linguistic Preservation:** This law features detailed provisions related to Inuvialuit language, culture, and traditions. It underscores the **importance of Inuvialuktun** as part of a child's healthy identity formation.
- **Holistic Wellness Approach:** “Qitunrariit Inuuniarnikkun Maligaksat” speaks to supporting well-being **across the lifespan** and across family systems. This broader wellness lens can inform not just child-protection matters but also youth development, parenting programs, and Elder support.
- **Embedded Community Justice Elements:** Some sections lean on **Inuvialuit dispute resolution** traditions. This may include mediation or peacemaking circles, aligning child welfare processes with customary justice practices.

KTC CFS and the Founding Nations

- **Founding Nations Involved:**

- Loon River First Nation, Peerless Trout First Nation, and Lubicon Lake Band

- **Awaśak Wiyasiwêwin Act:**

- "Children's Law" in Cree,
- passed on November 19, 2021

- **Member Support and Participation:**

- The Act received overwhelming support from community members

Awas'ak Wiyasiwewin Act

- **Multi-Community Collaboration:** The KTC (or KTCCFS) law is developed on behalf of several communities, illustrating how different Nations can **band together** for resource-sharing and collective self-governance in child welfare.
- **Strong Emphasis on Reunification:** It highlights proactive measures to **reunify children with families** wherever possible. There are outlined supports for parents, kinship caregivers, and guardians, emphasizing healing and family preservation.
- **Regional Adaptability:** Because it involves multiple First Nations, the law has **built-in flexibility** for local adaptations, acknowledging that not all member communities are at the same stage of readiness or share identical cultural practices.

Implementation of Awaśak Wiyasiwêwin

Timeline of Enactment:

- Officially enacted on May 15, 2023, following 17 months of preparation after the community vote.

Legislative Authority:

- Each Nation's leadership signed a Band Council Resolution, asserting their right to govern child and family services.

Agreements Supporting Implementation:

- The Coordination Agreement and Fiscal Agreement were signed by the Nations, the federal government, and Alberta, ensuring the necessary support and resources.

Cultural Relevance and Community Empowerment

- **Focus on Cultural Relevance:**

- The Awaśak Wiyasiwêwin Act emphasizes services that are culturally aligned with the traditions and values of the First Nations.

- **Community-Centric Approach:**

- Aims to provide community-led, responsive child welfare services, fostering a system where decisions are made locally.

- **Empowerment through Self-Governance:**

- This law represents a significant move towards self-governance, allowing the Nations to protect and nurture their children within their cultural framework.

Lessons from Mary Teegee Gray and Carrier Sekani Family Services (CSFS)

Culturally Grounded Leadership: Mary Teegee Gray exemplifies leadership by integrating cultural knowledge into child welfare systems holistically.

Merging Traditional Practices: CSFS effectively incorporates traditional Indigenous practices with modern social services, enhancing community-connected methodologies and outcomes.

Navigating Challenges Respectfully: Addressing systemic challenges requires respectful engagement with communities, fostering adaptive strategies for co-created solutions.



1980's – 2023 CSFS Jurisdiction Journey

1980's

1990's

2000's

2020's

Organization
Conception

Mandate and
Readiness

Capacity and
Jurisdiction

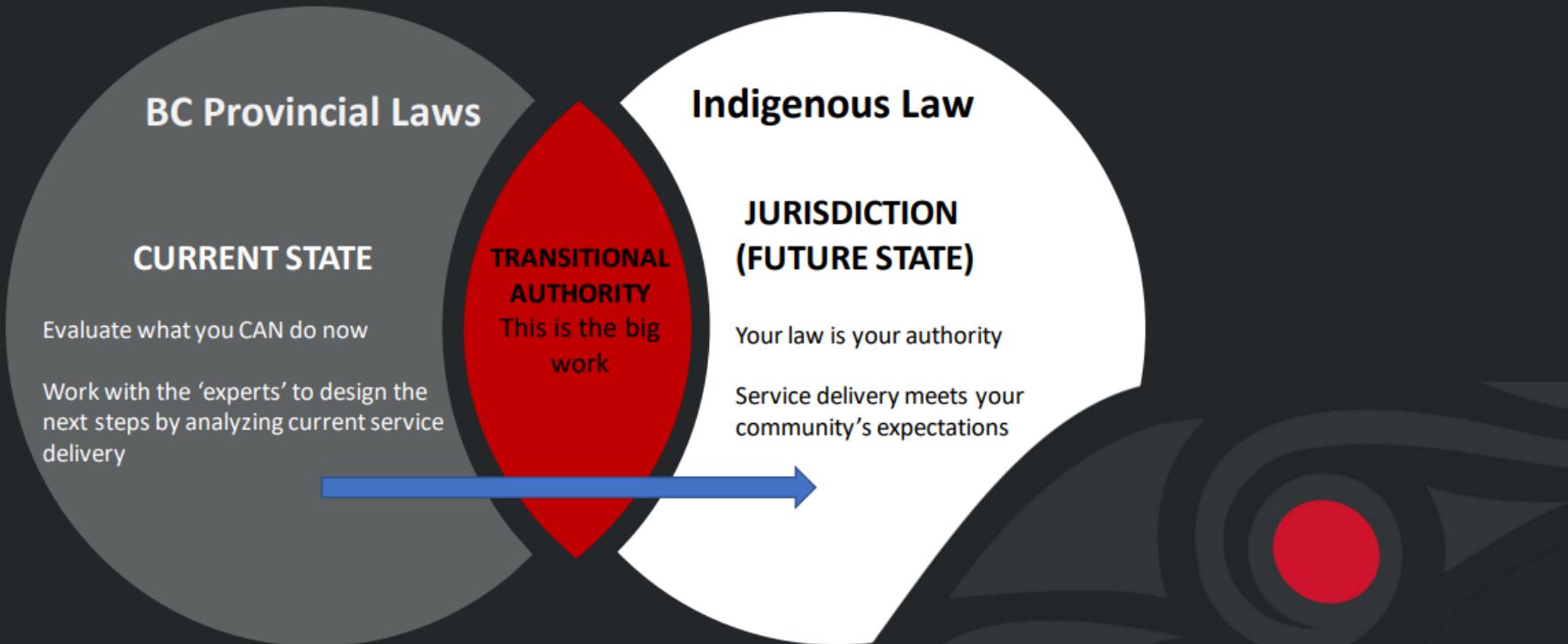
Primer Stage to
Implementation Stage



HOLISTIC

What does a child and family need to be thriving, strong, healthy?

Employ Change Management



Good practices & standards > good policies > good laws

Good Practices & Standards:

- Establish clear and culturally grounded practices.
- Engage community leaders and Elders in decision-making processes.
- Focus on holistic approaches that integrate traditional knowledge and values.

Good Policies:

- Develop policies that prioritize the well-being and safety of children & families.
- Ensure policies reflect the unique needs and circumstances of your community.
- Incorporate input from affected families and local child welfare organizations.

Good Laws:

- Craft laws that affirm and protect Indigenous sovereignty.
- Align legal frameworks with both traditional practices and modern child welfare standards.
- Ensure laws are flexible enough to adapt to evolving community needs.

Blood Memory: The Connection to Our Ancestors

Ancestors' Presence:

Acknowledge that our ancestors have lived on this land for generations.

Blood Memory:

The concept that memories and knowledge are passed down through generations.

Continuity of Existence:

As descendants, we carry forward the legacy of our ancestors.

Guiding Our Path:

Blood memory informs our decisions in reclaiming jurisdiction and sovereignty.

Hon Murray Sinclair - What's Best for the Children?



Best Practices in Indigenous Child Welfare

Culturally Grounded Approaches: Implementing practices rooted in Indigenous culture enhances connection and responsiveness within child welfare frameworks.

Community Involvement: Active participation of community members ensures services meet unique needs, fostering trust and collective ownership.

Utilizing Traditional Knowledge: Incorporating traditional teachings enriches policy development, promoting holistic well-being and sustainable child welfare initiatives.

Challenges and Opportunities

Legal Complexities: Navigating overlapping jurisdictions presents challenges, complicating Indigenous governance and self-determined child welfare outcomes.

Funding Barriers: Inadequate funding hampers the implementation of Indigenous-led programs, limiting resources for effective child welfare services.

Building Partnerships: Strategic collaborations with governments and agencies create pathways to innovative solutions while enhancing community trust.

Applying Lessons: Collaboration for Indigenous Child Welfare

Building Collaborative Relationships:

- Foster strong partnerships between Indigenous communities and child welfare agencies.
- Engage in open dialogues to align on shared goals and priorities.

Developing Culturally Responsive Services:

- Co-create child welfare programs that reflect Indigenous values, traditions, and languages.

Training and Capacity Building:

- Provide joint training sessions for both community leaders and agency staff on cultural competence and trauma-informed care.

Strategic Planning and Implementation:

- Collaborate on the development of strategic plans that outline the transition process.



Group Discussion

Why does cultural identity and connection to community matter for well-being?

What challenges or barriers have you had to overcome in your role to improve the sense of well-being for an Indigenous child?



Morning Break

Historic \$47.8B Child Welfare Agreement

The \$47.8 Billion Child Welfare Agreement: The Basics

What the Agreement was: The proposed agreement (often referenced around \$40B to \$47.8B) was meant to provide:

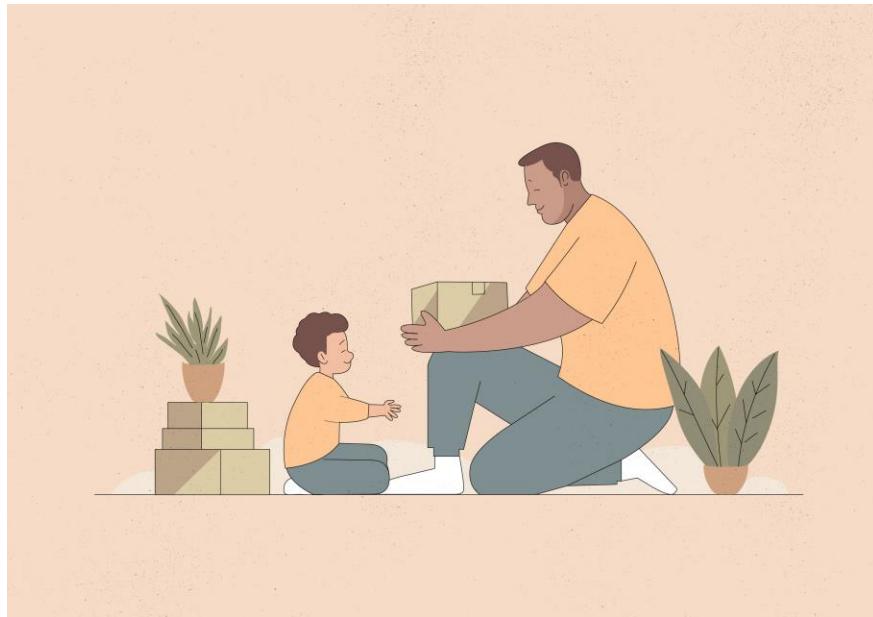
1. Compensation to Indigenous children and families harmed by discriminatory underfunding (since the 1990s).
2. Long-Term Reform Funding to fix the system so that future generations won't face the same challenges.

Who Was Involved: The Assembly of First Nations (AFN), various First Nations child welfare advocates, and the federal government negotiated to settle long-standing legal battles.

Legal Background: Canadian Human Rights Tribunal & Lawsuits

- 2016 Tribunal Ruling: In 2016, the Canadian Human Rights Tribunal (CHRT) ruled that Canada systematically discriminated against First Nations children by underfunding on-reserve child welfare services.
- Multiple Lawsuits: Over time, separate class action lawsuits were filed on behalf of children affected by these policies. The idea of the multi-billion-dollar settlement was to resolve these court cases comprehensively.

The Agreement Voted Down/Rejection



Ontario Chiefs' Position: Negotiating Directly

- Regional Approach: Some regional groups, such as the Chiefs in Ontario, are choosing to go directly to the federal government to negotiate their own agreements.
- Reasoning: They want to ensure the deal specifically addresses the needs and realities of their communities, rather than relying on one broad national framework.
- Autonomy & Specificity: Different Nations have different circumstances. Some leaders believe direct negotiation best reflects local governance structures and ensures their children aren't overlooked.

Breakdown of Funding Allocation

Funding Allocation Overview: The \$47.8 billion will strategically enhance child welfare services, emphasizing systemic reform and improved outcomes.



Indigenous Agency Support: Significant portions of funding will empower Indigenous agencies to strengthen community-led child welfare initiatives sustainably.



Infrastructure Enhancement: Investment will prioritize infrastructural improvements, fostering environments conducive to effective service delivery for families.

Possible Next Steps: Nationally & For Alberta Nations

1. Revising the National Agreement-The parties may continue negotiating modifications to meet the CHRT's requirements, aiming to include all affected children.
2. Regional & Local Negotiations-Nations, like some in Ontario and Alberta, may follow suit by initiating direct discussions with the federal government to craft region-specific settlements.
3. Implementation of Bill C-92-In parallel, many Nations are focusing on reclaiming jurisdiction over child welfare through Bill C-92. This includes drafting and implementing their own laws to ensure children's well-being is managed by the community.
4. Capacity Building-For Alberta specifically, Nations will likely continue to expand child and family services, develop community infrastructure, and ensure adequate funding to support cultural continuity and child welfare improvements.

Future Outlook

- **Vision for Empowerment:** Envisioning Indigenous communities leading child welfare transformation through self-determination and localized strategies frequently renewing systems.
- **Lasting Systemic Changes:** An agreement could facilitate needed modifications by integrating traditional knowledge into modern service frameworks, enhancing long-term effectiveness.
- **Collaborative Future Strategies:** Future strategies will prioritize partnership models encouraging Indigenous involvement, ensuring culturally relevant practices in child welfare.





Lunch Break

Themed Discussions

Themes:

- **Business Planning and Strategy Development -**
- **Governance and Leadership**
- **Cultural Revitalization and Community Engagement**

Cultural Revitalization and Community Engagement

- How can cultural practices be integrated into child welfare services?
- What strategies can enhance community engagement and support for child welfare initiatives?
- How can we involve Elders and Knowledge Keepers in the design and delivery of child welfare programs to ensure cultural authenticity and continuity?
- What approaches can be used to reconnect children in care with their cultural roots, language, and traditions in a meaningful and sustained way?
- What community-led initiatives can be developed to strengthen the role of extended family and kinship networks in supporting children and families in need?
- How can we build partnerships with local cultural organizations, artists, and educators to enrich the cultural components of child welfare services?
- **How can we create culturally safe spaces within child welfare services for children, families, and communities to participate in healing practices?**



Business Planning and Strategy Development

- **What key elements should be included in an Indigenous-led child welfare business model?**
- How can traditional practices be integrated into strategic planning?
- How can we ensure financial sustainability while maintaining cultural integrity in service delivery?
- What partnerships or collaborations should be prioritized to strengthen Indigenous child welfare services?
- What are the most effective ways to incorporate community feedback into business planning?
- How do we assess the risks and opportunities in transitioning from government-led to Indigenous-led child welfare services?



Governance and Leadership

- What governance structures support effective oversight of child welfare services?
- How can leadership development be fostered within Indigenous communities?
- What role can traditional leadership models and cultural protocols play in shaping governance structures for child welfare services?
- How can we ensure that governance frameworks are adaptable and responsive to the evolving needs of Indigenous children and families?
- What are the best practices for building partnerships between Indigenous leadership, government agencies, and community members to enhance child welfare governance?
- How can we cultivate future leaders in child welfare through mentorship, training, and capacity-building programs rooted in Indigenous values?



Financial Management

- What are effective budgeting techniques for child welfare services?
- How can we ensure transparency and accountability in financial management?
- How can we optimize the allocation of financial resources to meet the unique needs of children and families in culturally appropriate ways?
- What strategies can be implemented to secure long-term, sustainable funding for child welfare services, especially in rural and remote Indigenous communities?
- How can we integrate traditional knowledge and community input into financial decision-making processes to ensure culturally relevant spending?

SIGN-UP TODAY

CONNECTIONS NEWSLETTER

For Indigenous Children/Youth
& Caregivers

CONNECTIONS is a monthly newsletter designed to support Foster and Kinship Caregivers to ensure First Nations, Metis & Inuit children in their care have access to cultural resources, activities and events that broaden their cultural awareness.



MEMBERSHIP

Join or Renew

With over 55 years of experience, ALIGN advocates for service providers and the populations they support. Membership offers direct advocacy for policy influence, high-quality professional development, and valuable digital resources to enhance service delivery. Let ALIGN guide your organization toward a stronger, sustainable future.

