Child Welfare League of Canada
Ligue pour le bien-être de l'enfance du Canada

Brief for CWLC members on Bill C-92

An Act Respecting First Nations, Inuit and Métis Children, youth and families

Last updated, May 28, 2019

Background

Over a year ago now, an emergency meeting was convened by then Minister of Indigenous Services, Jane Philpott who promised to co-develop legislation with First Nations, Inuit and Métis. While there was engagement between organizations, leaders, and the government about the content of the legislation, it was not co-developed.

Early in 2019, First Nations, Inuit and Métis organizations and leaders saw a draft of the legislation and recommended changes. The government did not provide a second draft. The legislation was tabled February 28, 2019. It passed 1st reading on February 28, 2019 and second reading has been underway since March 19, 2019. The Bill has been studied by the Senate Committee on Aboriginal Peoples, who tabled their report on May 13, 2019. The House of Commons Standing Committee on Indigenous and Northern Affairs (INAN) is wrapping up its study of the Bill, which is expected back in the House for third reading shortly.

Analysis of the content of Bill C-92

The First Nations Child and Caring Society and the Yellowhead Institute have each issued briefs on Bill C-92, summarizing what's in the Bill and where it meets, or fails to meet expectations.

Both raise concerns with the process (not co-developed), the lack of funding, lack of clarity on jurisdiction, and raise questions about how 'the best interest of the child' will be applied.

We highly recommend reading these two reports as they provide a solid analysis of what's in the Bill and why it matters.

https://fncaringsociety.com/sites/default/files/legislation_bn_march_9_2019.pdf
https://yellowheadinstitute.org/bill-c-92-analysis/

Summary of recommendations made to the Senate Committee on Aboriginal Peoples

April 9th, 2019

Speaking for **First Nations Child and Family Caring Society (*Also presented to INAN)**, Executive Director Dr. Cindy Blackstock argues that while Bill C-92 is an important first step in its aim to recognize self-determination of First Nations peoples, we should not be satisfied with first steps. There are significant deficiencies in Bill C-92, as outlined by the Yellowhead Institute.

Dr. Blackstock argues that jurisdiction is essential as an inherent right of First Nations, and that funding is necessary to enable the expression of that right. Without this, the fate of children is subject to political priorities. The legislation also lacks clarity on the issue of which courts will review jurisdiction as well as what constitutes an Indigenous governing body. Dr. Blackstock advocates for the adoption of the Spirit Bear Plan to address inequities in funding for First Nations child and family services.

Speaking for **Indigenous Services Canada (*Also presented to INAN)**, Deputy Minister Jean-François Tremblay argues that Bill C-92 is a product of broad and diverse engagement at all levels, including First Nations, Inuit, Métis, provinces, and territories. The Deputy Minister argues that the legislation will be flexible and not one size fits all, and that if passed, it will affirm Indigenous peoples' right to decide what is best for their children, families, and communities.

Speaking for the **Native Women's Association of Canada (*Also presented to INAN)**, President Francyne Joe argues that the Bill has not been co-drafted with Indigenous women. President Joe argues that while Bill C-92 is a vital change to how things work right now, it requires the clear inclusion of funding structures to benefit Indigenous communities in order to be accepted. Ambiguity surrounding definitions of what constitutes an Indigenous governing body as well as what council, government, or other entity is authorized to represent an Indigenous community is concerning.

President and CEO of the **Institute of Fiscal Studies and Democracy** Kevin Page argues that while the direction of Bill C-92 is positive and emphasizes the place and role of Indigenous-based care for children and families, it fails to connect jurisdiction with the requisite resources. Page states that funding should be allocated to ensure progress against measurable outcomes, and that substantive equality needs to be defined.

Cynthia Wesley-Esquimaux, formerly the Minister's special representative on child welfare, spoke to her conversations with individuals from various Indigenous communities. Communities outlined concerns around the lack of funding in Bill C-92, as well as the fact that the child welfare standards applied to them are not reflective of community needs. Addressing the relationships between social workers and community, as well as supporting youth aging out of care are issues important to Indigenous families and communities.

April 10th, 2019

Speaking for the **Congress of Aboriginal Peoples (*Also presented to INAN)** (CAP), National Chief Robert Bertrand and Chief Lisa Cooper from the **Native Council of PEI (*Also presented to INAN)** and Board member of CAP argue that CAP was excluded from the co-development process and that Bill C-92 fails to meet the needs of off reserve and urban Indigenous peoples. They are concerned with the lack of recognition of Indigenous children and families who are non-status and Métis; the lack of funding to meet current gaps in services off reserve; and failure to address the issue of access to services off reserve.

Speaking from the **National Association of Friendship Centres**, and in her role as **Board member for the National Indian Child Welfare Association, Jocelyn Formsma (*Also presented to INAN)** argued the legislation lacks clarity on Indigenous peoples in urban settings, which could lead to them being excluded. The work of organizations working with these populations goes largely unrecognized. Ms. Formsma supports the call to extend mandates off reserve and allow people to express jurisdiction.

From the **Assembly of Manitoba Chiefs**, Grand Chief Arlen Dumas **(*Also presented to INAN)** spoke against the legislation, asking that it be abandoned in favour of meaningful discussion on how to move forward. Of concern to Manitoba Chiefs is the lack of meaningful consultation, lack of funding, and the pan-Indigenous approach of the Bill. Chiefs argue that the Legislation does not respect jurisdiction, treaties, nor the laws of Indigenous peoples. Bill C-92 undermines the MOU that was signed between Canada and the MB Chiefs that declared their intention to work together to shape child welfare.

Grand Chief Joel Abram, from the **Association of Iroquois and Allied Indians**, spoke against the Bill for the following reasons: it lacks funding for substantive equality, it does not respect jurisdiction, and it was not co-developed. He said that parts of the Bill would undermine rights member nations have secured in Ontario.

April 11, 2019

Speaking for the **Nlaka'Paumux Nation Tribal Council**, Executive Director Debbie Abbot and Ardith Walkem argue that there is a lack of clarity around what the rights of children are, and that the definition of best interest of the child must be redefined. They are troubled by section 24 (strongest ties provision), as Indigenous law says that the highest forms of diplomacy come from joint kinship. They are also concerned that the Bill does not include a right of continued connection between youth who age out of care and their younger siblings in care.

Grand Chief Francis Kavanaugh, from **Anishinaabe Nation in Treaty #3**, argues that this legislation would fundamentally limit Indigenous laws, institutions, and practices. Grand Council Treaty #3 puts forth the position that the legislation is a pan-Aboriginal approach that does not consider the unique jurisdiction, governance and law-making capacity of Treaty #3. In its present form, Bill C-92 does not support the Grand Council as a nation and the work on child welfare that continues in their territory.

Grand Chief Constant Awashish, from the **Atikamekw Nation Council (*Also presented to INAN)**, expresses concern around the ability of Federal, Provincial, and Indigenous groups to come to an agreement, and argues that concrete exercise of jurisdiction will suffer if no agreement is reached in a timely method.

Mary-Ellen Turpel-Lafond (*Also presented to INAN), Professor of Law, University of British Columbia states that Bill C-92 represents a positive shift in direction in recognizing and affirming the rights of Indigenous peoples, and in addressing underlying issues that are prevalent in provincial and territorial child welfare systems. The legislation should include the implementation of UNDRIP in order to keep this legislation in a very strong human rights context, consistent with the TRC recommendations.

April 30, 2019

Elisapee Sheutiapik**, Minister for Family Services, Government of Nunavut**, argues that while Bill C-92 represents a positive step to eliminating the overrepresentation of Indigenous children in care in Canada, serious concerns remain. A major concern for the Government of Nunavut is the federal government's failure to uphold its obligations under article 32 of the Nunavut Land Claims Agreement, which is supposed to allow for meaningful participation in the construction of Nunavut's social and cultural programs and policies, under which the development of child and family service legislation falls. Funding is also an issue of concern,

and Ms. Sheutiapik echoes concerns shared by Cindy Blackstock in regard to the narrow definition of child and family services and a lack of support for youth transitioning out of care.

Speaking on behalf of the **Paqtnkek Mi'kmaw Nation and the Assembly of Nova Scotia Mi'ikmaw Chiefs,** Chief Paul Prosper **(*Also presented to INAN)** argues that they support Bill C-92's recognition of the inherent rights that Aboriginal people have for their children and families, but that they are disappointed that the bill does not include any funding provisions. Chief Prosper argues that the legislation should include the implementation of UNDRIP to affirm inherent Indigenous rights.

Jennifer Cox **(*Also presented to INAN),** speaking for the **Mi'kmaq Rights Initiative**, argues that there are significant concerns around the lack of funding, that the best interest of the child needs to be more clearly defined, and that UNDRIP and Jordan's Principle should be recognized and included in the legislation.

Richard Gray, speaking on behalf of the **First Nations of Quebec and Labrador Health and Social Services Commission** as well as the **Assembly of First Nations of Quebec and Labrador**, argues that while they are supportive of Bill C-92, the inclusion of funding, Jordan's principle, as well as the creation of a First Nations, Inuit, and Métis commissioner of children and youth to support the implementation of the legislation should all be included.

Speaking on behalf of **Tungasuvvingat Inuit,** Jason LeBlanc argues that the gaps and needs that currently exist for Inuit children and families will be exacerbated under the proposed legislation.

Speaking on behalf of the **Métis Child and Family Services Authority,** Billie Schibler **(*Also presented to INAN)** commends the preamble of the legislation and its recognition of the history of Indigenous peoples. Ms. Schibler argues that there needs to be accountability and support from each level of government for the funding and provision of services. There needs to be a clear distincition and agreed interpretation of what is understand as the best interest of the child, who determines this, and how much weight is given to identity, culture and belonging when determining best interest.

May 1, 2019

Marilyn Birch**, Director of Child and Family Services, Mi'kmaq Confederacy of Prince Edward Island** states that the Mi'kmaq Confederacy had hoped that C-92 would allow First Nations to apply their own laws and customs and have full legal authority for the protection of children. In PEI, the Mi'kmaq will develop their own legislation that the province will apply to Mi'kmaq children, but C-92 is needed to ensure that they won't need to go through this again. Unless changes are made to the Bill, it will not meet expectations – funding should be directly in the Bill and it should be clear that First Nations have full responsibility for caring for their children. A lot of work and resources are required, and we have to find a way to get this right.

Marcel Balfour**, Senior Policy Analyst, and** Kayla Frank, **Policy Analyst, Manitoba First Nations Family Advocate Office,** are not supportive of the Bill, citing the lack of meaningful consultation, a pan-Indigenous approach, and a lack of recognition for the existing MOU with Manitoba First Nations. They asked that Bill C-92 be abandoned or that it clarifies the Bill will not apply to Manitoba and that Canada will respect the existing MOU and commit to introducing a Bill in that respect.

Ashley Bach, President, Youth in Care Canada
Youth in Care Canada's presentation was intended to bring voices and experiences of Indigenous youth in and from child welfare systems. Because few youth spoke to Committee about Bill C-92, we include their full recommendations. Youth in Care Canada recommends the Committee amend Bill C-92 to include the following provisions:

1. Clarify that Indigenous youth in and from care must be heard in the development and review of legislation, regulations, policies, and programs which may impact them.
2. Require all provincial and territorial child welfare systems to track Indigenous youth in and from care, and associated accountability measures.
3. Better enable access to community, culture, language, land, spirituality and family, especially for Indigenous youth in provincial and territorial child welfare systems.
4. Ensure sufficient and equitable support for Indigenous youth that are leaving care, including: continued support to access culture and traditional territories; continued access to essential services; and enabling Indigenous youth leaving care from any child welfare system, Indigenous or non-Indigenous, to receive transitional support from provinces and territories, including post-secondary tuition waivers, subsidized housing, and extended care agreements.
5. Guarantee Indigenous youth in and from care access to their personal information without unreasonable delay, and protect these files from misuse by others.
6. Require sufficient and equitable funding for Indigenous child welfare systems and clarify that Indigenous youth in and from any system of care should not have to experience financial need or deficiencies in their care before sufficient and equitable resources, including funding, are allocated.

Cheyenne Andy, Senior Youth Advisory member, and Holly Anderson, Guardianship Manager, Vancouver Aboriginal Child and Family Services Society (VACFSS), spoke to committee about the need for funding to be available for communities to deliver prevention and intervention programs. She is concerned that the Bill is silent on urban Indigenous peoples and their right to substantive equality. She also expressed concern that the standards of support are different in different provinces. VACFSSS called for section 16 of the proposed legislation, which speaks to the placement of an Indigenous child, to be strengthened to say "a responsible adult who commits to cultural continuity for the child".

May 2, 2019

Seamus O'Regan, Minister of Indigenous Services, argues that the legislation promotes a shift from apprehension to preventative care. He says the legislation is not a one size fits all approach and that it has been designed for Indigenous peoples to exercise partial or full jurisdiction over child and family services. Minister O'Regan argues that the legislation was co-developed through extensive meetings and consultations across Canada. He argues that funding needs to be part of the equation, and that funding models should be discussed during the coordination agreement process between provinces and territories and Indigenous groups.

President of the Inuit Tapariit Katanami, Natan Obed (*Also presented to INAN), requests that section 28 of the legislation be amended to ensure that data be disaggregated to clarify whether children are First Nations, Inuit, or Métis.

May 13, 2019
Upon completing its study, the Senate Committee issued its report, proposing amendments:

- The Senate Committee recommends adding language to ensure that **funding** for Indigenous Child and Family Services will demonstrate substantive equality, to ensure equal access to services and benefits in a manner and according to standards that meet any unique needs and circumstances, such as cultural, social, economic and historical disadvantage. They also ask that the Bill be amended to include an explicit reference to Jordan's Principle in the preamble.

- To ensure that **the inherent rights of Indigenous peoples** is fully recognized, the Senate Committee recommends including a reference to the United Nations Declaration on the Rights of Indigenous Peoples in the body of the bill, not just in the preamble.
- The Senate recommends amending the Bill so that only **caregivers** that have a family, kinship or community relationship with the child can make representations in a civil proceeding.
- Informed by the presentations of two young Indigenous women with experience in the Child Welfare System, the Senate recommends:
    - Revising the Bill to ensure that considerations relating to an Indigenous child's connection to family, culture and community and the child's physical, emotional and psychological safety, security and well-being are given equal weight;
    - Adding an "impermissible reasoning" clause (which would restrict the way in which certain evidence could be relied upon and interpreted in matters before the court, for example the length of time that a child is not in the care of their parents is not in itself reason to terminate the parental relationship on a permanent basis);
    - Adding an "active efforts" principle, which requires demonstrating that active efforts have been made to keep an Indigenous family together before removing a child;
    - Taking steps to ensure that cultural continuity reflects Indigenous cultures; and
    - Adding provisions that reflect the need for children in care to be supported beyond the age of majority as appropriate, and as determined by the Indigenous group or community.
- The Senate recommends that government review the provisions in Bill C-92 to ensure they can facilitate disaggregating **data** and that they protect the privacy of Indigenous children. They also recommend the government support the work of Indigenous organizations that collect Data and that they establish a position of First Nations, Inuit and Métis Chief Statistician.
- The Senate Committee report is silent on the concerns that were raised about the lack of legal or constitutional requirement to **provide adequate and essential services to First Nations or Indigenous peoples off reserve** and to concerns with the Bill's pan-Indigenous approach.

Summary of recommendations made to the House Committee on Indigenous and Northern Affairs

April 30, 2019

Duane Smith**, Chair and CEO of Inuvialuit Regional Corporation,** argues that while Bill C-92 is not perfect, it represents an important step towards improving child welfare. IRC requests that section 16 of the legislation, which addresses the priorities considered in the placement of children, be amended to include a priority for geographic proximity, or a provision for maintaining the connection between the child and their home community or region.

May 2, 2019

Melanie Omeniho, **President of Les Femmes Michif Otipemisiwak, Women of the Métis Nation,** argues that Bill C-92 is a step forward draft at best, and that it falls short of accomplishing its goal to shift child and family services from a system of apprehension to a system built around preventative and family-supportive care. Les Femmes Michif Otipemisiwak offers the following recommendations to be included in Bill C-92: that a distinctions-based approach be applied to the act; that prevention and early intervention be the model of care, rather than apprehension; that the Métis Nation and Les Femmes Michif Otipemisiwak be provided with predictable funding to ensure that adequate infrastructure is in place to respond to the needs of Métis children; that Métis children in care are identified as Métis, not as "other Indigenous"; that resources be allotted to ensure full wraparound services for Métis children; that the age of youth in care be extended to 21 years old, so that children do not fall into other systems, such as the justice system; and that Métis data collection and research models be resourced to ensure that funding reflects the magnitude of the number of children in care.

May 7, 2019

André Schutten**, Director of Law and Policy with the Association for Reformed Political Action Canada,** shared his personal story of caring for a First Nations child and having to navigate provincial jurisdictions.

Adrienne Pelletier, **Social Development Director,** and Marie Elena Tracey O'Donnel**, Legal Counsel, Anishinabek Nation** argue that Bill C-92 will cause interference with the Anishinabek Nation Child Well-Being Law that is currently in development.

Judy Hughes**, President, Saskatchewan Aboriginal Women's Circle** argues that Bill C-92 is missing the voices of women and girls from many nations.

Richard De La Ronde**, Executive Director of Child and Family Services of Sandy Bay First Nation,** is hopeful that Bill C-92 will allow First Nations to develop their own legislation and standards in order to continue to provide services on reserve as they pertain to their families. Mr. De La Ronde is hopeful that Bill C-92 will supersede any provincial or federal legislation and is optimistic about the Bill.

Clément Chartier, **President, Métis National Council,** is supportive of Bill C-92. Mr. Chartier views the legislation as one of many steps needed for Métis nation children, families and communities to fully realize their right to survival, dignity and well-being. Mr. Chartier argues that financial commitments will be required for the proper implementation of the legislation.

Greg Besant**, Executive Director, Métis Child, Family and Community Services** is supportive of Bill C-92 and is hopeful that the legislation will create a child welfare system that is truly designed and controlled by Indigenous people.

Viviane Michel**, President of Quebec Native Women Inc.,** argues that Bill C-92 must be aligned with three main priorities: recognising their right to autonomy, the state's duty to offer compensation, and substantive equality. Ms. Michel argues that the legislation must include solid commitments for equal funding of child and family services, that the legislation be amended to include Jordan's principle as legally binding on all levels of government, and that the legislation must include positive obligations for the Canadian government and provinces who will take all necessary measures to improve socio-economic conditions for Indigenous children and their families.

Raven McCallum**, Youth Advisor, Minister of Children and Family Development Youth Advisory Council, as an individual,** sees Bill C-92 as a step toward necessary changes that need to occur in the child welfare sector. Ms. McCallum argues that the youth voice is not reflected very strongly in the legislation. She recommends that paragraph 10(3)(d) be removed from the legislation.

Chief Mark Arcand**, Tribal Chief, Saskatoon Tribal Council** is supportive of Bill C-92.

Mr. Ronald Mitchell, **Hereditary Chief**, and Chief Dora Wilson, **Hagwilget Village First Nation,** representing the **Office of the Wet'suwet'en,** argue that Canada must honour the commitments made regarding child welfare jurisdiction in an MOU ratified in October 2018. They argue that the best interest of the child must be defined, as it allows too much discretion for social workers to interpret the meaning of it.

Michelle Kinney**, Deputy Minister of Health and Social Development, Nunatsiavut Government,** states that the Nunatsiavut Government supports the best interests of the child, cultural continuity, and substantive equality principles of the legislation. Ms. Kinney argues that there needs to be an increased focus on preventing children from coming into care, and that in its current form, the legislation implies that the focus is on providing services when a child comes into care. Ms. Kinney also argues that there is a need for adequate funding to make the legislation effective.

May 9, 2019

Grand Chief Edward John, and Cheryl Casimer**, Political Executive Member, First Nations Summit,** state that Bill C-92 is a significant and important first federal step in the legislative reform necessary to support First Nations in exercising their jurisdiction over child welfare. Ms. Casimer recommends that Bill C-92 include a role for an independent children's advocate or commissioner at the federal level. She also recommends that the legislation be reviewed after three years instead of five, and that a reference to UNDRIP be included in the purpose section of the legislation. Ms. Casimer states that statutory funding needs to be included in the Bill, and that section 24 needs to be amended to ensure that the rules for resolving conflicts between laws may also be resolved through agreements between Indigenous governing bodies or according to Indigenous laws acceptable to children and families.

Bobby Narcisse**, Director of Social Services, Nishnawbe Aski Nation,** argues that the current drafting of Bill C-92 waters down First Nations jurisdiction. The Nishnawbe Aski Nation is concerned with the lack of funding in the legislation and with the way the best interest of the child is drafted in the Bill.

Jeffry Niles**, speaking as an individual,** spoke to his experiences as a former youth in care.

David Chartrand**, President, Manitoba Métis Federation** strongly supports Bill C-92.

Tischa Mason**, Executive Director, Saskatchewan First Nations Family and Community Institute,** would like to see paragraph 16(1)(e) expanded to read "with any other adult that is committed to maintaining child connection to the child culture and community", the inclusion of Jordan's principle, and a commitment to funding.

Marlene Bugler**, Executive Director, Kanaweyimik Child and Family Services** is supportive of Bill C-92, but stresses that there is a need for legislation which commits governments to ongoing funding, a commitment to Jordan's principle, and the importance of ensuring that Bill C-92 provides Indigenous child welfare agencies with the capacity to deliver culturally appropriate services.

National Chief Perry Bellegarde, spoke for the **Assembly of First Nations**. The AFN is supportive of Bill C-92, arguing that it advances substantive legal recognition of the human rights of First Nations peoples by affirming collective rights, critical rights of individual children and youth, and the rights of their families and caregivers. The National Chief outlined 4 areas where the legislation can be strengthened. First, funding should be clarified through three amendments: a) the language on funding in the preamble needs to be more precise to affirm that Canada acknowledges the call for funding and accepts the call for funding; (b) a funding provision in the body of the bill is needed; and, (c) clause 20 of the bill on coordination agreements needs to be more precise about the fiscal arrangement needed to support First Nations governments and coordinate services across systems on the reserve and off the reserve. Second, a commitment to UNDRIP must be included in the purpose section of the legislation. Third, the best interests of the child sections should be amended to clarify that First Nations governing bodies that pass laws prescribing the factors for determining the best interests of the children will add to the factors in the bill. Fourth, Jordan's principle should be given explicit reference in relation to substantive equality for children.

Alyssa Flaherty-Spence**, President, Ottawa Inuit Children's Centre**, and Karen Baker-Anderson**, Executive Director, Ottawa Inuit Children's Centre** are supportive of Bill C-92, however they argue that section 28 of the legislation represents a pan-Indigenous approach which does not provide adequate data collection for Inuit. They commend section 9 for its inclusion of connection to culture and continuity, and ask for funding to be incorporated into the legislation.

Natasha Reimer**, Director for Manitoba, Youth in Care Canada and Foster Up Founder,** argues that section 16 of the legislation and the term "other adult" needs to be revised to ensure that adults taking care of Indigenous children and youth have adequate training, knowledge and education. She acknowledges the omission of Jordan's principle in the legislation and argues that more support is needed for youth aging out of care.

Chief Wayne Christian, **Tribal Chief, Shuswap Nation Tribal Council** would like to see funding be redefined as a "fiscal relationship" and moved from the preamble of the legislation to the main body. He also argues for the inclusion of UNDRIP in the body of the legislation. Chief Christian argues for the amendment of section 10(1) on best interests to include family, communities and cultural continuity as primary considerations in the application of the legislation. The "stronger ties" clause needs to be amended so that it is a nation to nation approach, and the legislation should be reviewed every year as opposed to every five years.

Lisa MacLeod**, Minister for Children, Community and Social Services, and Minister Responsible for Women's Issues, Government of Ontario** spoke to the implications of Bill C-92 for the province of Ontario with respect to definitions, standards and requirements, paramountcy, affirmation of self-government, jurisdiction, and funding. Minister MacLeod argues that where definitions in Bill C-92 differ or are inconsistent with those in the Children, Youth and Family Services Act, there could be implications for the interpretations of the CYFSA. Requirements related to rights to make representations and information sharing in Bill C-92 are different from or inconsistent with those in the CYFSA. The Minister would like clarification on how paramountcy will operate in situations of conflict between or among Indigenous, provincial and federal laws. Minister MacLeod argues that without mandated federal funding to support Bill C-92, the gap in federally funded services for Inuit and Métis children and families will be reinforced. Minister MacLeod would also like greater clarification with respect to Jordan's principle.

Theresa Stevens**, Executive Director**, and Amber Crowe**, Board Secretary, Association of Native Child and Family Service Agencies of Ontario,** argue that the definition of Indigenous being used in the legislation only includes Indians, Métis, and Inuit which for many service agencies does not reflect their service populations. They argue that funding needs to be needs-based, flexible, and must consider remoteness.

May 14, 2019

Dr. Pamela Palmater, **Chair in Indigenous Governance, Department of Politics & Public Administration, Ryerson University,** as an individual, decried Bill C-92 for being top-down, pan-Indigenous, and for not including funding. Her views are summarized in this article: http://indigenousnationhood.blogspot.com/

Joshua Ferland**, speaking as an individual,** expressed his support for Bill C-92 and spoke to his experiences as a former youth in care.

Grand Chief Jerry Daniels**, Southern Chiefs' Organization Inc.,** is supportive of Bill C-92. Grand Chief Daniels views the legislation as an interim measure and is hopeful that the substantive equality provision will result in adequate funding.

Morley Watson, **First Vice-Chief, Federation of Sovereign Indigenous Nations,** outlines several provisions which are of great importance to FSIN: section 18, section 14, section 16, section 9, and that poverty and poor health are not reasons to remove a child from their family and community. Vice-Chief Watson argues that the legislation was not co-drafted with First Nations. He also argues that the legislation needs to reference the implementation of UNDRIP.

Lyle Thomas**, Cultural Advisor**, and Bernie Charlie, **Resource Specialist, Resources and Foster Care, Secwépemc Child and Family Services Agency** recommend that the wording in subclause 10(1) read, "the best interests of the family must be the primary consideration".

Chief Judy Wilson, **Union of British Columbia Indian Chiefs,** would like to see an amendment to section 8 of the legislation adding paragraph (c) as follows, "To implement the United Nations Declaration on the Rights of Indigenous People as a progressive framework for the resolution of human rights issues impacting children, youth, and families." Chief Wilson argues for the inclusion of funding within the legislation.

On May 28, 2019, the Committee reviewed the Bill clause by clause, rejecting most of the proposed amendments. We await the Committee's report.

Other statements on Bill C-92

The Innu Nation says the Bill is inadequate in that it does not provide funding and ignores the CHRT ruling on substantive equality. https://www.thewesternstar.com/news/regional/innu-nation-says-new-bill-relating-to-indigenous-children-is-inadequate-290255/

Native Child and Family Services of Toronto's Jeff Schieffer expressed concern that the Bill would not meet the needs of urban Indigenous populations by not involving urban Indigenous organizations. https://www.newswire.ca/news-releases/native-child-and-family-services-of-toronto-responds-to-federal-budget-initiatives-856678781.html

Several Chiefs from Treaty 6 have made a statement against the Bill. https://www.newswire.ca/news-releases/chiefs-reject-canada-s-child-welfare-law-bill-c-92-fails-to-address-first-nations-jurisdiction-873030719.html