



RECOGNITION AND RECONCILIATION PROTOCOL ON FIRST NATIONS CHILDREN, YOUTH AND FAMILIES

BETWEEN

THE PROVINCE OF BRITISH COLUMBIA as represented by the Minister of Children and Family Development

AND

THE FIRST NATIONS SUMMIT,
UNION OF BC INDIAN CHIEFS, AND
THE BC ASSEMBLY OF FIRST NATIONS
(COLLECTIVELY REFERRED TO AS THE "FIRST NATIONS LEADERSHIP COUNCIL")

WHEREAS

- a. The Province of British Columbia and BC First Nations have entered into a shared vision under the *New Relationship*, which includes respect for our respective laws and responsibilities. We have agreed to a new government-to-government relationship based on respect, recognition and accommodation of Aboriginal title and rights, reconciliation of Aboriginal and Crown titles and jurisdictions, and the achievement of strong governments, social justice, and self-sufficiency for First Nations.
- b. The Ministry of Children and Family Development shares in the Government of British Columbia's obligation to support healthy developmental outcomes for children, youth and families and has a specific mandate to provide for the safety and well being of children at risk.
- c. The First Nations Leadership Council has coordinated a process with First Nations to develop an *Indigenous Child at the Centre Action Plan* that will establish clear goals and action items to support First Nations inherent jurisdiction and improve the well-being of First Nations children, youth and families in British Columbia. An interim First Nations Child and Family Wellness Council has been established to lead the finalization and implementation of this Action Plan, build relationships, and to develop a permanent structure for the Council.
- d. First Nations leaders, through a January 2008 "Walking Together to Keep Indigenous Children at the Centre Declaration of Commitment", and July 2008 "One Heart, One Mind: Statement of Solidarity and Cooperation" – respecting the cultural and linguistic diversity that exists amongst our peoples – agreed to a set of guiding principles and a number of goals for the well-being of Indigenous children, youth and families in BC. Leaders resolved to work in solidarity and cooperation to design, deliver and evaluate programs and services for their children, families



and communities and Indigenous Nations in a way that is consistent with common cultural beliefs and systems, and that improves First Nations' overall quality of life. Further, Indigenous leaders affirmed their commitment, their unity, and their moral, spiritual, traditional, and political accountability to work together in a Nation-to-Nation and community-driven process to secure the individual and collective survival, dignity and well-being of First Nations children, youth and families.

- e. The Province of British Columbia, through the Ministry of Children and Family Development's (MCFD) "Strong, Safe and Supported" action and operational plan: specifically acknowledges that respect, reconciliation and recognition of Aboriginal title and rights are the foundation for building ongoing relationships; and commits to supporting First Nations to exercise jurisdiction for First Nations children, youth and families which will result in improved outcomes for First Nations children, youth and families.
- f. The Parties agree that a new protocol must be established between them to advance the common goals of supporting First Nations exercising jurisdiction, and establishing a new government-to-government relationship based on mutual respect and recognition, in order to improve the care, safety, and well-being of First Nations children, youth and families in British Columbia.

Therefore the Parties agree:

1.0 PURPOSE

1.1 The purpose of this Protocol is to:

- a) Commit to an inclusive process to establish a common vision for First Nations child and family wellness in BC that promotes positive outcomes for First Nations children, youth and families;
- b) Establish an ongoing political process and relationship, based on mutual respect and recognition, to facilitate and support the inherent right for First Nations governments to make decisions for children, youth and families, including the full range of child and family services;
- c) Commit to an ongoing collaborative process of policy and program development, including implementing changes and new approaches to improve the care, safety and well-being of First Nations children, youth and families in British Columbia, develop First Nations capacity, address the disproportionate number of First Nations children in care, and improve program and service delivery;



- d) Commit to a process for First Nations to develop operational protocols with MCFD that establish government-to-government relationships and collaborative actions to achieve change and demonstrated outcomes at the community level;
- e) Commit to harmonizing efforts, as appropriate, to implement the *Indigenous Child at the Centre Action Plan* and the Province of British Columbia's plans relating to Aboriginal children, including its *Strong, Safe and Supported* plan;
- f) Commit to building complementary political and technical processes and relationships to advance the implementation of this Protocol; and
- g) Set out roles and responsibilities, and a process and timelines for implementing this Protocol.
- h) Commit to an ongoing information and data-sharing process.

2.0 PRINCIPLES

- 2.1 **Child at the Centre:** The cultural, social, emotional and physical best interests of First Nations children are paramount.
- 2.2 **Recognition:** The Parties recognize the inherent right and responsibility for First Nations to govern their children, youth and families. First Nations governments must play a central role in the decision-making regarding the well-being of their children and youth and the integrity of their families and communities.
- 2.3 **Respect:** The Parties will work in a mutually respectful manner in the implementation of this Protocol.
- 2.4 **Inclusivity:** The Parties agree on the need for a respectful and ongoing government-to-government relationship and dialogue on all issues relating to the safety and well-being of all First Nations children, youth and families, and agree that other technical and political organizations have an important role in informing this dialogue.
- 2.5 **Cultural Sensitivity:** Legislation, policy, services, research, guidelines and evaluation processes must be culturally appropriate, and accessible to First Nations children, youth and families. First Nations children and youth must have the opportunity to be connected with their communities and cultures.



3.0 ROLES AND RESPONSIBILITIES

- 3.1 The First Nations Leadership Council politically advocates on behalf of First Nations in British Columbia, on the basis of First Nations inherent jurisdiction, title and rights. The First Nations Leadership Council implements mandates from First Nations leadership and coordinates the development of strategic approaches at the province-wide level, including an *Indigenous Child at the Centre Action Plan*.
- 3.2 The First Nations Leadership Council, with the support of BC First Nations, coordinated the establishment of an interim First Nations Child & Family Wellness Council to take the lead on province-wide First Nations child and family matters. This interim Council will coordinate the establishment of a permanent First Nations Child and Family Wellness Council.
- 3.3 The interim First Nations Child & Family Wellness Council is mandated to lead the establishment of an Indigenous Child at the Centre Caucus, which will include membership of other Aboriginal agencies and organizations, as determined by the interim Council, that have technical expertise in child and family matters. The Caucus will promote unity, communication, information-sharing, collaboration and cooperation at a technical level for the health and well-being of Indigenous children, youth and families.
- 3.4 The Parties intend for this Protocol to establish a political relationship and dialogue process. However, the Parties recognize that there are many agencies and organizations that have technical expertise that the Parties may wish to rely upon with respect to technical matters of a province-wide nature under this Protocol. This technical expertise, for the purposes of supporting efforts at a province-wide level and with respect for government-to-government relationships, will be solicited through the Indigenous Child at the Centre Caucus to be established by the First Nations Child and Family Wellness Council.
- 3.3 The Ministry of Children and Family Development provides programs and services to ensure the safety and well-being of children and to support healthy developmental outcomes for children and youth.
- 3.4 The Parties recognize that other provincial Ministries and departments are involved in matters relating to children, youth and families and that the MCFD will coordinate with these provincial Ministries and/or departments as required for the purposes of this Protocol.



4.0 IMPLEMENTATION

4.1 The Ministry of Child and Family Development and the First Nations Child and Family Wellness Council (interim or permanent) will develop a detailed workplan for the implementation of this Protocol within six months of signing this Protocol, which will include:

- a) An agreed-upon and inclusive process to establish a common vision for First Nations child and family wellness in British Columbia;
- b) A process to implement the recognition of First Nations inherent jurisdiction;
- c) A set of practices to implement Indigenous approaches to child and family services and to engage First Nations in a manner respectful of their laws and traditions;
- d) A strategy for engaging the federal government in the matters under this Protocol;
- e) A process for First Nations, working within regions, to develop operational protocols with MCFD that establish government-to-government relationships and collaborative actions to achieve change and demonstrated outcomes at the community level;
- f) A series of action items, including identifying priority action items, to be collaboratively implemented, as informed by the *Indigenous Child at the Centre Action Plan* and the Province of British Columbia's *Strong, Safe and Supported* plan;
- g) Roles and responsibilities and timelines for implementing the workplan;
- h) A process for political collaboration between the Parties, including between the Ministry of Child and Family Development and the First Nations Child and Family Wellness Council;
- i) A process for obtaining technical advice from the Indigenous Child at the Centre Caucus to be established by the First Nations Child and Family Wellness Council for the purpose of assisting with the implementation of this Protocol and the workplan;
- j) Mechanisms for tracking progress, which may include milestones, targets, outcomes, and performance measures ;
- k) A strategy for joint communications directly relating to initiatives arising from this Protocol;
- l) Capacity development and resourcing to support ongoing efforts to achieve the purposes of this Protocol; and



m) A process for transparent data and information-sharing including disclosure on the funding of child and family issues in BC.

- 4.2 Implementation of this Protocol will be conducted in a manner consistent with, and respectful of, the New Relationship and initiatives pursuant to the New Relationship.
- 4.3 The Parties will meet tri-annually to discuss issues and progress with respect to the implementation of this Protocol.

5.0 NATURE AND TERM

- 5.1 This Protocol represents a commitment by the Parties to define an effective working relationship and set out a collaborative agenda and is not a legally binding agreement and does not carry any force in law.
- 5.2 Nothing in this Protocol shall be interpreted in a manner which could interfere with or supersede the government to government relationship between any First Nation and the Province of British Columbia.
- 5.3 Any Party may withdraw from this Protocol with three months written notice.
- 5.4 The Parties may agree to amendments in writing to this Protocol from time to time.
- 5.5 The Parties will conduct a review, and potential renewal, of this Protocol no later than three years from the signing of this Protocol.




IN WITNESS WHEREOF THE PARTIES HAVE SIGNED THIS PROTOCOL THIS 30th DAY OF MARCH 2009 IN THE PROVINCE OF BRITISH COLUMBIA.

on behalf of the Ministry of Children and Family Development:


Hon. Tom Christensen
Ministry of Children and Family Development

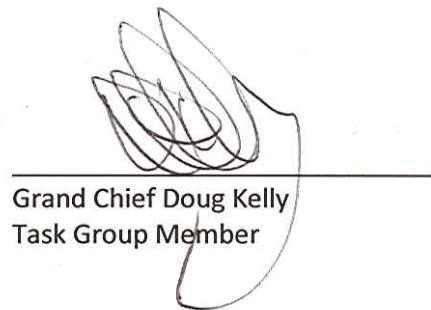
on behalf of the BC Assembly of First Nations:


A-in-chut (Shawn Atleo)
Regional Chief


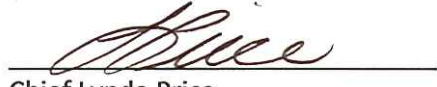
on behalf of the First Nations Summit:


Grand Chief Edward John
Task Group Member

Dan Smith
Task Group Member


Grand Chief Doug Kelly
Task Group Member

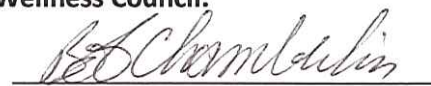
on behalf of the Union of BC Indian Chiefs:


Grand Chief Stewart Phillip
President

Chief Lynda Price
Secretary Treasurer


Chief Robert Shintah
Vice President

witnessed by the Interim First Nations Child & Family Wellness Council:


Chief Wayne Christian
Spokesperson


Chief Robert Chamberlin
Spokesperson