ISC INDIGENOUS SERVICES CANADA

Child and Family Services Reform - Regional updates - Legislation

October 2022

Indigenous Services Canada | Services aux Autochtones Canada

Canada

An Act respecting First Nations, Inuit and Métis children, youth and families

On June 21, 2019, *An Act respecting First Nations, Inuit and Métis children, youth and families* became an official law, and on January 1, 2020, its provisions came into force.

Co-developed with Indigenous, provincial and territorial partners, the Act:

- affirms the rights of First Nations, Inuit and Métis peoples to exercise jurisdiction over child and family services
- establishes national principles such as the **best interests of the child, cultural continuity** and **substantive equality**
- contributes to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples
- provides an opportunity for Indigenous peoples to choose their own solutions for their children and families

The Act

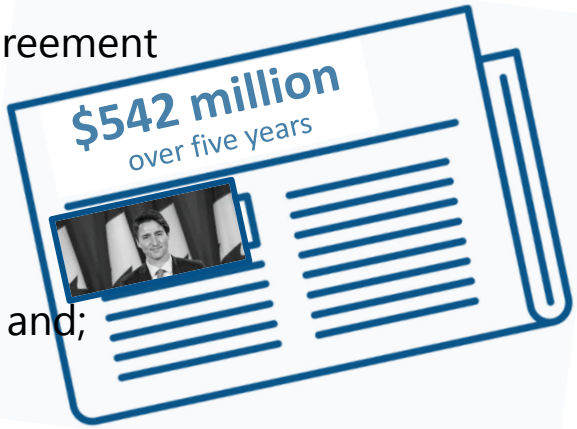
As of January 1, 2020:

- Indigenous governing bodies (IGB's) who have developed their own legislation will have 2 options to exercise jurisdiction under the Act.
- Every service provider delivering child and family services to Indigenous children and families will need to follow the minimum standards found in the Act.
- Existing agencies will continue to provide services to Indigenous children until such time that jurisdiction has been exercised in relation to those Indigenous children by an Indigenous governing body (IGB).
- Indigenous governing bodies (IGB's) that choose to exercise their jurisdiction could continue working with delegated agencies, or could create their own delivery service models.

Prime Minister's Funding Announcement

On November 27, 2020, Prime Minister Trudeau announced over **$542 million** in funding nationally over five years to support implementation of *An Act respecting First Nations, Inuit and Métis children, youth and families*, committed as part of the July 2020 Economic and Fiscal Snapshot. It includes:

- **$425 million** over five years for capacity building funding to support the development of legislation, community consultation, engaging with experts, it is not intended for program or service delivery;
- Nearly **$73 million** over five years for coordination agreement discussions;
- Nearly **$10 million** over two years for governance engagement mechanisms (GEMs)- ended March 2022 and;
- Over **$35 million** for internal services.



National Landscape

- As of September 22, 2022, ISC has received 71 notices of intent and requests from Indigenous governing bodies under Section 20 of the Act, 11 in Manitoba.
- This represents over 121 Indigenous communities across Canada of which 25 are in Manitoba.
- There are 16 Coordination Agreement Discussion tables, 3 are active in Manitoba.
- Section 20 notices are posted on the following link: [Notices and requests related to An Act respecting First Nations, Inuit and Métis children, youth and families (sac-isc.gc.ca)]

Manitoba Regional Updates

- **Section 20(1) notices** - 6 First Nations in Manitoba have provided Notices of intention to exercise legislative authority.

- **Section 20(2) notices** - 5 Indigenous Governing Bodies have submitted and there are 3 active Coordination Agreement Discussion tables.

- **Section 12 notices** - 11 IGBs have provided notice under Section 12 of the Act in Manitoba.

- **Capacity Funding -** 18 Proposals were approved in the 2021-2022 fiscal year for a total of $9,626,683. Call for proposals is still open Capacity-building funding for An Act respecting First Nations, Inuit and Métis children, youth and families for fiscal year 2021 to 2022 (sac-isc.gc.ca)

Regional Contacts

Kirsten Shoomski, Regional Program Advisor, kirsten.shoomski@sac-isc.gc.ca

Rhonda James, Development Officer, rhonda.james@sac-isc.gc.ca

Scott Amos, Regional Program Manager, scott.amos@sac-isc.gc.ca