ANNUAL GENERAL ASSEMBLY
July 15, 16, & 17, 2008, Quebec City, QC

Resolution no. 14/2008

SUBJECT:	Emergency Resolution on Child and Family Services
MOVED BY:	Chief Daniel Pien, Lac Simon First Nation, QC
SECONDED BY:	Chief Noah Augustine, Metepenagiag Mi'kmaq Nation, NB
DECISION:	Carried by consensus.

WHEREAS:

A. In April 2007, the Government announced a partnership with the Province of Alberta and Alberta's First Nations to shift on-reserve child and family services in Alberta to a prevention-based approach;

B. In February 2008 the Government committed in the Responsible Leadership Budget Plan 2008, $43 million over two years to fund similar agreements in other provinces;

C. The Report of the Office of the Auditor General (OAG) of Canada to the House of Commons in May 2008 on First Nations Child and Family Services Program—Indian and Northern Affairs Canada (INAC) reported many problems including that:

   a. The funding formula is outdated, and leads to funding inequities;
   b. INAC, in consultation with First Nations and provinces, must ensure that its new funding formula and approach to funding First Nations agencies:
      i. is directly linked with provincial legislation and standards;
      ii. reflects the current range of child welfare services; and
      iii. takes into account the varying populations and needs of First Nations communities for which it funds on-reserve child welfare services; and

Certified copy of a resolution adopted on the 16th day of July, 2008 in Quebec City, QC.

Phil Fontaine, National Chief

D. Concerns about INAC's current approach to enhancing their Child and Family Services (CFS) program have been raised not only by First Nations but by the OAG. The OAG has identified problems with the "Alberta Response Model", including the hypothesis that 6% of children will be in care. First Nations have also raised concerns with respect to the lack of transparency surrounding the negotiation process within regions, as well as INAC's lack of accountability with respect to how CFS funding is being spent, especially within the department;

E. The Wen:De research, as well as the OAG's report on CFS found that First Nations Child and Family Services are funded at 22% less than provincial child welfare agencies;

F. The AFN Chiefs-in-Assembly have passed Resolutions 53/2006 and 56/2007 supporting a complaint to the Canadian Human Rights commission concerning the inequitable levels of child welfare funding, called upon INAC to take immediate steps to ensure that children are not discriminated against, and continued their opposition to the adoption and placement of First Nations children outside of their communities or provinces except in the extreme circumstances; and

G. The Quebec government has passed legislation, known as Law 125, that now permits permanency planning as a center piece of its legislation and this will have negative effects on First Nations children who may potentially be placed off-reserve until the age of majority due to lack of resources and services on-reserve.

THEREFORE BE IT RESOLVED that:

1. The Chiefs-in-Assembly call upon the Government to immediately commit additional funding to support Child and Family Services in First Nation communities and on-reserve and to develop prevention-based approaches in all Provinces and Territories.

2. The Chiefs-in-Assembly call upon INAC, in consultation with First Nations, to ensure that it's new funding formula and approach to funding First Nations agencies reflects the full range of child welfare services, and take into account the varying populations, remoteness, cost of living and needs of First Nations communities.

3. The Chiefs-in-Assembly call upon INAC to engage in fair and transparent negotiations to prevent the inclusion of counter-productive elements such as capping maintenance costs using invalid assumptions such as the 6% estimate, and eventual decreases in funding for First Nations Child and Family Services.

Certified copy of a resolution adopted on the 16th day of July, 2008 in Quebec City, QC.

Phil Fontaine, National Chief