

MÉTIS NATION
BRITISH COLUMBIA

Opikinasowin

GROWING A MÉTIS CHILD

Strawberries

In many Métis cultures, the strawberry is known as the heart berry, evoking love and reconciliation. During the berry season, strawberries are the first berries to ripen, and this signifies rebirth for Métis people.

Often referred to as the heart berry because of its shape, the strawberry is an important food and medicine in Métis cultures. It helps us understand the connection between mind, body, spirit and emotions. The heart berry also reminds us of reconciliation and teaches us how to maintain heartfelt relationships.



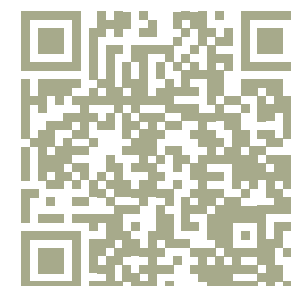
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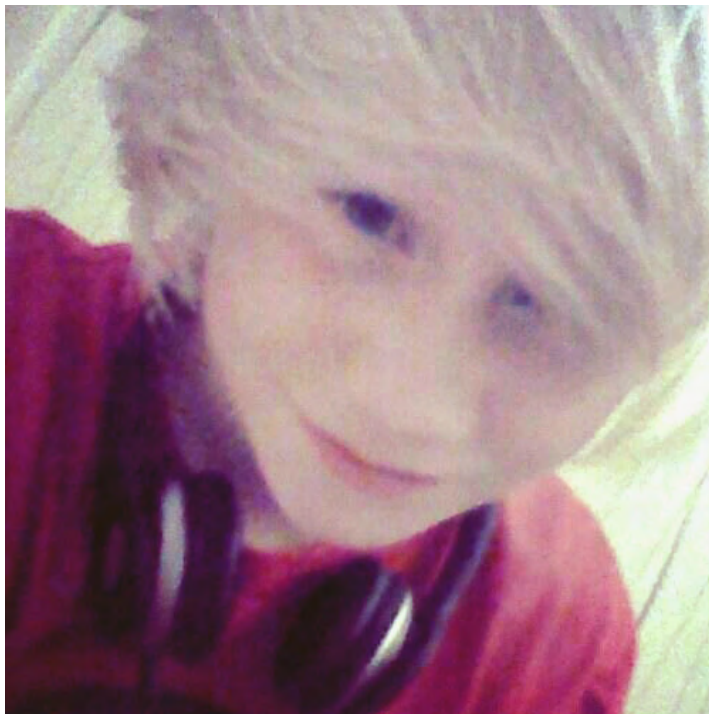
GROWING A MÉTIS CHILD

MINISTRY OF CHILDREN AND FAMILIES,
MÉTIS NATION BRITISH COLUMBIA



Scan the QR code or [click HERE](#) to reveal the accompanying video to this report, offering a deeper perspective on its content.





IN LOVING MEMORY OF NICK LANG
MARCH 28, 2000 - JUNE 9, 2015

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The Citizens of MNBC declare inherent jurisdiction over child and family services of Métis in BC and authorize MNBC to exercise jurisdiction on our behalf. MNBC will develop Métis child welfare laws and will provide Métis child and family services including negotiating agreements and any other instrument that recognizes this jurisdiction.

MÉTIS NATION BRITISH COLUMBIA
ANNUAL GENERAL MEETING

SEPTEMBER 2023

Message from the Minister



Minister Debra Fisher

For too long, Métis children, youth, and families in British Columbia have been disproportionately represented in the current child welfare system. Please make no mistake: the current child welfare system is a continuation of the residential school system that has traumatized our people for generations. Unless significant changes are made and we reclaim jurisdiction over our children, it will continue to affect Métis children, youth, and families for generations to come. We must break this cycle of trauma.

Canada's traditional laws have interrupted our Métis ways of caring for our children and protecting them from harm. There are more Indigenous children in the current child welfare system than previously attended residential schools. For Métis families, fear is ever present that their children will be taken away. An Act respecting First Nations, Inuit and Métis children, youth and families (The "Act") recognizes Indigenous peoples' inherent rights to care for and protect their children under their own child welfare laws, but Canada currently does not recognize Métis Nation British Columbia as an Indigenous Governing Body. This lack of recognition has federal and provincial implications and goes against the Métis Nation's

inherent right of self-recognition. Until Canada recognizes Métis Nation British Columbia (MNBC) as an Indigenous Governing Body, we lack the authority and funding to protect our children, who are in urgent need. Without status as an Indigenous Governing Body, MNBC is unable to seek the authority that enables the Nation to act on behalf of our children's best interests. MNBC's exclusion from the process means that Métis children are/will be raised without a deep and enduring connection to who they are.

Reclaiming jurisdiction over children and family services is MNBC's first strategic priority.

At our Annual General Assembly in September 2023, our Citizens overwhelmingly voted to reclaim jurisdiction and demonstrate to Canada that our rights-holding Citizens authorize MNBC to act on their behalf. MNBC is drafting legislation based on our Métis ways, Opikinawasowin, growing a Métis child for life. We will create a way forward and a law that clearly defines what Métis child well-being looks like and again demonstrate to Canada that MNBC has the authority, given by our citizens, to act as an Indigenous Governing Body. Only then will we break this cycle of trauma.

Minister Debra Fisher

*Minister of Children and Families
Métis Nation, British Columbia*



Executive Summary

In 2020, the introduction of Bill C-92, officially known as An Act Respecting First Nations, Inuit, and Métis Children, Youth, and Families, marked a landmark moment for Indigenous rights in Canada, particularly in the area of child and family welfare. This legislation is intended to serve as a beacon of hope, signifying a shift towards increased autonomy for Indigenous communities in managing their child welfare systems in alignment with their cultural practices, values, and laws.

To gain insights into the impact of this legislation on Métis children, youth, and families in British Columbia, we employed a comprehensive approach. This involved conducting both interviews

and surveys, as well as actively engaging with Chartered Communities across British Columbia. This approach allowed us to see how the Act is implemented on the ground, its tangible effects on the well-being of Métis children, youth and families in BC, and how well it addresses the specific needs and challenges faced by the members of these Chartered Communities.

Gathering insights from all the engagements, several key themes emerged that resonate deeply within Métis Chartered Communities in British Columbia, with the profound importance of identity and citizenship standing foremost among them. These discussions often circled back to the concept

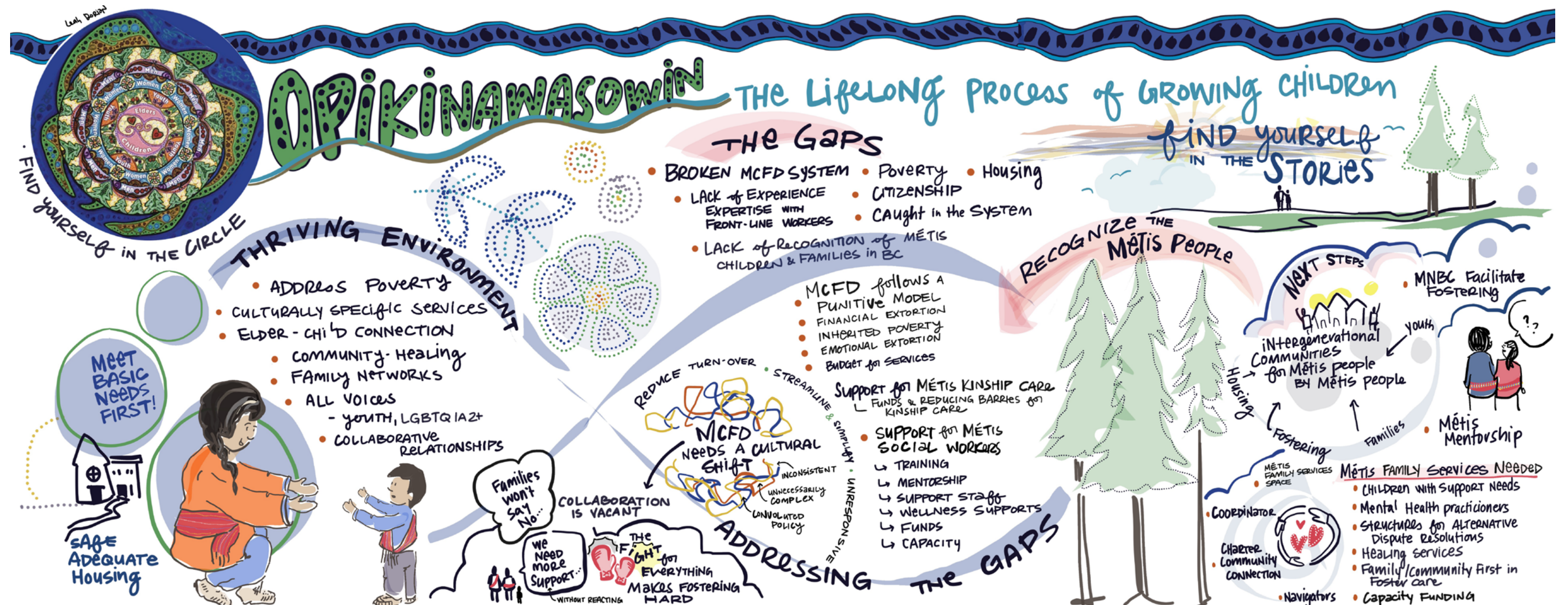
of belonging and the critical need to counteract and heal from cultural genocide. In discussions concerning cultural genocide, it becomes evident that the child welfare system plays a pivotal role in severing the cultural connections of Métis children, especially notable when these children are disconnected from their Nation due to the absence of Indigenous Governing Body status. This systematic

separation of Métis children from their cultural roots and communities embodies what is referred to as the "millennial scoop." It parallels historical practices of removing Métis children from their families, highlighting a continuous cycle of cultural disruption.

The millennial scoop has undermined the ability of Métis Chartered Communities to fully engage in Kaa-Wiichihitoyaahk, a core

Métis value emphasizing that raising a child is a communal responsibility. However, this communal responsibility is unachievable if we are unaware of the identities of our children within the child welfare system. Specifically, in British Columbia, the provincial government has unilaterally assumed jurisdiction over Indigenous children in care without the legitimate consent of the Indigenous communities. This action is a direct

continuation of the colonial injustices that have long been part of Canada's and British Columbia's history. Instead of the current situation where Indigenous communities must petition governments for the right to care for their own children, it should be the governments that must demonstrate to Indigenous Nations why their intervention is necessary, reversing the existing power imbalance.



The child welfare system in British Columbia, solely administered by the province, has consistently fallen short of its objectives due to the overwhelming workload it faces. Numerous instances demonstrate how Métis children and youth are overlooked and fail to receive the support they need. For example, Nick Lang tragically lost his life while under the care of the Ministry of Children and Family Development (MCFD), a situation exacerbated by the Ministry's failure to consider his cultural background.

Similarly, James Cuninghame and Faith Vaughn, two young individuals, had merely a single encounter with a social worker upon their entry into the Ministry's system, leading them down a path of isolation with their cultural identities neglected. These cases, which have come to light, likely represent just a small glimpse of a much broader systemic failure. The unseen and unknown stories, which remain largely hidden from public view, call attention to the profound issues within the system and the devastating impact on the lives involved. This alarming situation urgently calls for a comprehensive review and reform of the child welfare practices in British Columbia.

These highlighted experiences demonstrate that the Act is failing to

operate as expected, especially in terms of protecting and supporting Indigenous children and families in British Columbia. In order to ensure that the Act does not become merely symbolic—a “paper tiger”—a significant shift is needed. The numerous issues discussed during the engagement sessions point to a single, effective solution: empowering Métis Nation British Columbia with Indigenous Governing Body status and providing robust funding to administer child and family services effectively.

The core intent of the legislation is to prioritize the best interest of the child. It is important to emphasize that decisions affecting children should not be dictated by stringent bureaucratic processes questioning their Nation's authority to care for them but rather by what is in the best interest of the child. This is particularly important given that in Canada, there is historical evidence that governmental systems have been used in ways that harm Indigenous children. Therefore, the welfare and future of Métis children should outweigh any bureaucratic procedures, ensuring that their interests are protected above all.



Acknowledgements

This report is a result of the collective efforts of all involved. We extend our sincerest gratitude to everyone who attended the engagements, offering their time, perspectives, and invaluable insights. Additionally, we express our heartfelt appreciation to those who generously shared their stories, allowing us to amplify their voices and experiences. Your willingness to be heard and your trust in our process has been instrumental in shaping this report.

A sincere *maarsii* extends to the following agencies, who have made invaluable

contributions to the project. Your willingness to open your spaces and engage your staff in dialogue has truly made a difference:

- Niwîkôwin Métis Family Services
- Island Métis Family and Community Service Society
- Métis Family Services
- Métis Community Service Society of BC
- Lii Michif Otipemisiwak Family and Community Services

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Project Scope

Defining the scope was crucial to ensure we addressed the right problems effectively. We recognized the importance of hearing directly from individuals and families with lived experience, so we developed a strategy that combined interviews, in-person engagements, and surveys. This approach allowed us to capture diverse perspectives efficiently within a short timeframe. The interviews provided in-depth insights, while in-person engagements facilitated rich discussions and immediate feedback. Surveys helped us gather quantitative data and reach a wider audience. By integrating these methods, we were able to comprehensively understand stakeholder needs and preferences, enabling us to tailor our project outcomes to best serve the community.

Furthermore, by weaving evidence-based resources into the report, we substantiated claims and established credibility, ensuring that our words are grounded in truth and supported by concrete evidence.

VARIED ENGAGEMENTS

We conducted eleven (11) engagements involving MNBC leadership, youth, Elders, and community members. These engagements involved individuals with lived experience, service providers such as social workers, and experts familiar with

the intricacies of the child welfare system. In total, 138 individuals from across the province participated in these sessions.

The engagement sessions adhered to a traditional circle format, overseen by Elders who initiated the proceedings with a prayer and a land acknowledgment. Seated in a circle, individuals introduced themselves, each voice honoured and valued. The circle format encouraged active participation and facilitated the exchange of ideas, perspectives, and experiences in a manner that embodied Métis cultural values of community, connection, and reciprocity. To conclude, an Elder ceremonially closed the circle, marking the conclusion of the gathering with gratitude and respect.

Furthermore, we reviewed the discussion guide and background materials during the sessions, yet we followed the flow dictated by the participants' experiences. Instead of rigidly adhering to predefined topics, we prioritized gaining insight into the realities on the ground, recognizing that these insights are more likely to influence the implementation of Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families (The "Act")¹.

SURVEY

We gathered responses from 557 participants, , providing a substantial dataset for analysis. The survey specifically

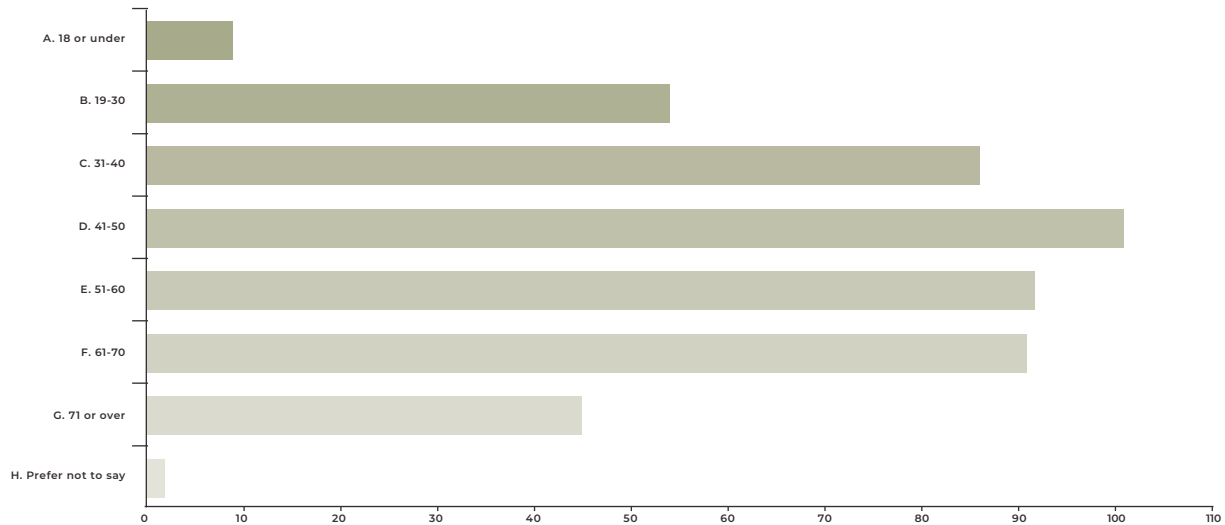
targeted individuals with lived experience because their unique insights and information have the potential to inform changes that could significantly benefit children and families in the future.

By leveraging the perspectives of both community members with lived experiences and the oversight provided by Chartered Community Presidents,

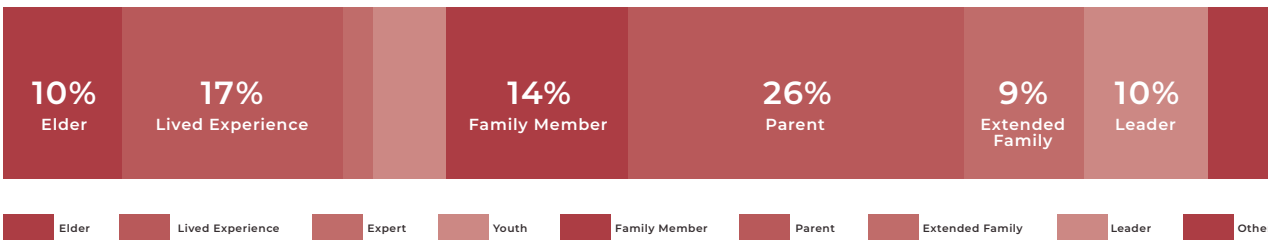
these surveys contributes to a richer understanding of the subject matter. This dual approach not only enhances the depth of insights but also ensures a well-rounded assessment that accounts for both individual perspectives and overarching community dynamics.

THE DEMOGRAPHIC PROFILE OF SURVEY RESPONDENTS

Age Distribution of Survey Participants

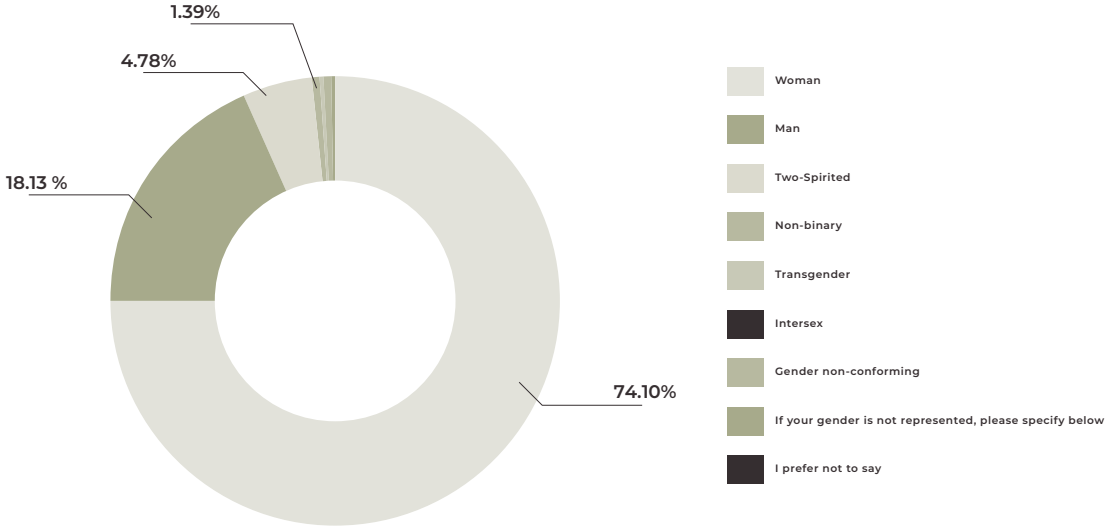


Contributors to the Survey

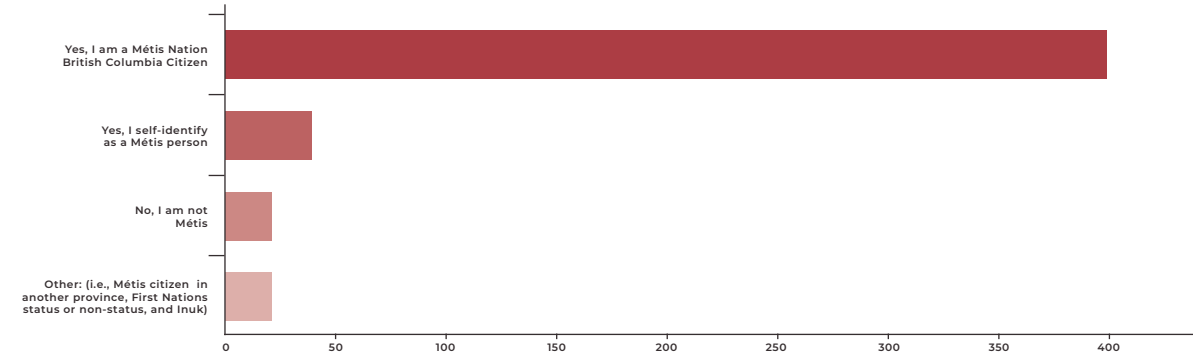


¹ S.C. 2019, c. 24.

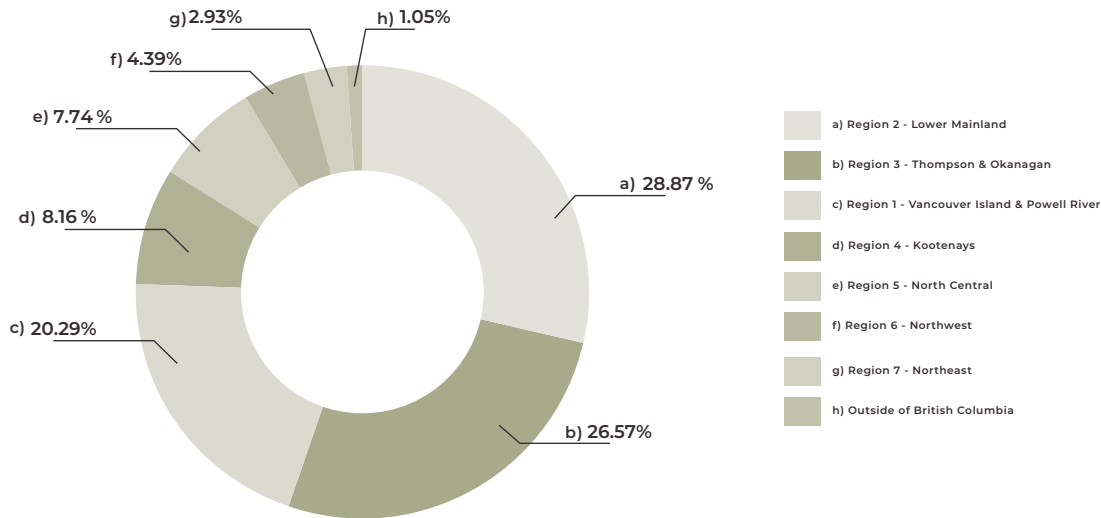
Gender Breakdown of Survey Participants



Identity of Survey Participants



Residential location of Survey Participants



INTERVIEWS

Given the complex and nuanced nature of interactions within the child welfare system, we encountered challenges in our survey methodology that prevented a thorough exploration of some areas. To address this, we conducted ten (10) in-person interviews with key participants who could articulate the essential needs of Métis children, youth and families in British Columbia regarding the Act. These interviews were carefully recorded, and a video supplement is included in this report to establish a tangible connection with individuals deeply involved in the workings of the child welfare system.

LIMITATIONS

The initial questions posed based on the technicalities of the Act proved to be too complex for many to comprehend. In the midst of personal struggles, individuals seek solace and support by sharing their experiences and seeking help. This disparity sheds light on the vast difference between the lived experiences of everyday citizens and the enactment of laws. The failure in the implementation of the Act can be attributed to the significant disconnection between families and governments.

Themes From Engagements

Through a process involving engagements, interviews, and surveys, data analysis was conducted to identify key themes. The resulting themes capture the collective voice of participants, highlighting core issues

and perspectives. Ultimately, these themes provide a valuable framework for understanding the situation at hand, guiding decision-making and informing future initiatives.





1

Métis Citizenship in British Columbia

MÉTIS CITIZENSHIP IN BRITISH COLUMBIA

The Métis history and experience in British Columbia is unique. It is distinct from other Métis collectives. The Métis community in British Columbia shares kinship, common values, traditions, and history, all of which are integral to the distinctive culture of Métis citizens in the province. As part of the Métis of Western Canada, Métis roots in British Columbia are grounded in the fur trade and in highly mobile communities. Métis in this province have constitutionally-protect rights under Section 35 of the Constitution Act, 1982 (“Section 35”), which include the right to determine and administer their citizenry. MNBC, as the democratically elected government of the Métis in British Columbia, works with Métis citizens to determine how they wish to collectively identify for the purposes of rights expression. Collective self-identification is a cornerstone for a Métis-informed approach to Section 35 rights.

Despite the critical need for a Métis-informed approach to Section 35 rights, governments and courts have failed to consider the unique perspective of the Métis history in British Columbia. This is due, in large part, to overly narrow, rigid, and colonially-informed interpretations of the law. By imposing an uninformed and restrictive approach to recognition of Métis in the province, governments and courts have failed to consider broader understandings or conceptions of historic and contemporary Métis communities or a Métis perspective in an assessment of Section 35 rights of the Métis in

British Columbia. Imposing Eurocentric concepts of community onto the Métis is unsupported by the case law and antithetical to reconciliation.

A Métis-informed approach to recognition of an appropriate rights-bearing citizenry should be multi-dimensional and consistent with historical patterns of Métis social organization. Whatever the scope of the entity, the critically important element is that it be determined by the Métis themselves; not imposed upon them by a non-Métis court or government.

As will be discussed in more detail throughout this report, self-determination over citizenship is especially critical in the context of protecting Métis children, youth, and families. The depth and scope of harms endured by Indigenous peoples over generations are now well-understood as being rooted in the disconnection and dissociation of children from their families and culture. This was too often perpetuated, on an individual and collective level, by systemic failures to recognize and prioritize Indigenous identity and culture in the provision of care. It is therefore critically important that citizenship and self-governance by the Métis for the Métis be front and centre in the care for Métis children, youth, and families going forward.





THE CITIZENSHIP PROCESS

An essential element of self-determination and self-government is the right to determine our citizenship based on our own criteria. MNBC follows the Métis National Council's "National Definition," outlined in the MNBC Constitution. It provides:

"Métis" means a person who self identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation ancestry and is accepted by the Métis Nation.

To be eligible for MNBC citizenship, an individual must meet the National

Definition. Citizenship applications are reviewed and approved through an objectively verifiable process. According to the National Definition, individuals applying to MNBC for citizenship are notified whether they are eligible for citizenship or ineligible.

The citizenship review process is initiated when an individual self-identifies as Métis and completes a citizenship application. The individual must provide primary source documents (birth certificates/ records for all Métis relatives to 1901, a 5-generation ancestry chart, a BC driver's license/BC services card (proof of residency), and a passport-quality photo).

Based on an individual's documentation, the MNBC Ministry of Citizenship determines whether the individual meets the National Definition and is eligible for MNBC citizenship. Individuals are also asked to confirm if they have First Nations Status. If the individual confirms they hold First Nations Status, they are ineligible for MNBC citizenship as the Métis are distinct from other Aboriginal peoples.

Individuals are required to demonstrate a Métis ancestral connection. This is determined through their 5-generation ancestry chart and their primary source documents. Once these elements of the National Definition have been satisfied, the individual is notified that they are eligible for MNBC citizenship pending acceptance by the Métis Chartered Community in their area. The Métis Chartered Community is advised that an applicant is eligible for citizenship and completes the community acceptance portion. This MNBC Chartered Community acceptance is the National Definition's final criteria: "accepted by the Métis Nation."

When a new MNBC citizen is accepted by their Métis Chartered Community, they are added to the Métis Chartered Community citizenship list, and the community includes the new citizen in all community activities, events,

programs, and services. As an MNBC citizen, the individual has the right to vote in all Métis government elections, regionally and provincially, and to be a representative in the Métis government.

When individuals receive MNBC citizenship, they authorize MNBC and their Métis Chartered Community to represent them. This is affirmed in the citizenship oath.

I agree to Métis Nation British Columbia's Constitution, legislation, bylaws, and policies, as amended from time to time, and voluntarily authorize Métis Nation British Columbia to assert and advance collectively held Métis rights, interests, and claims on behalf of myself, my Chartered Métis community and the Métis collective in British Columbia, including negotiating and arriving at agreements that advance, determine, recognize and respect Métis rights.

MNBC represents the section 35 rights and interests of over 25,000 MNBC citizens and advocates for the interests of more than 98,000 self-identified Métis in British Columbia.





2

Reversing Cultural Genocide

“I think often Métis children are unrecognized as having their own cultural identity...”

In its report, the Truth and Reconciliation Commission defined cultural genocide as “the destruction of those structures and practices that allow the group to continue as a group. States that engage in cultural genocide set out to destroy the political and social institutions of the targeted group... And, most significantly to the issue at hand, families are disrupted to prevent the transmission of cultural values and identity from one generation to the next.”² Furthermore, according to the Canadian Encyclopedia, cultural genocide is described as “the intentional destruction of a culture. However, it does not necessarily involve killing or violence against members of the group in question. For example, cultural genocide can include the eradication of cultural activities, artifacts, language and traditions.”³

Across generations, Métis people have contended with this misfortune, as conveyed by this grandmother: “...The 60’s scoop was a time when our Metis parents were intimidated by authority figures from all walks of life. Children were terrified of being separated from their

families and would often lie or cover up abuse just to remain at home. There was no one to talk to, no one to rescue us without being torn from out struggling parent(s).” [sic]

Colonial assimilation laws, policies, and practices had and continue to have the effect of stifling Indigenous languages, traditions, cultures and the broader way of life of Aboriginal peoples of Canada, including the Métis in British Columbia. Cultural rights, when properly understood, are interdependent, with legal self-determination and sovereignty being the cornerstones and foundational collective rights.⁴



² Final report of the Truth and Reconciliation Commission of Canada Summary: Honouring the truth, reconciling for the future (Toronto: James Lorimer & Company Ltd., Publishers, 2015) at 1, online: <https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Executive_Summary_English_Web.pdf>

³ The Canadian Encyclopedia, Genocide and Indigenous Peoples in Canada, online <<https://www.thecanadianencyclopedia.ca/en/article/genocide-and-indigenous-peoples-in-canada>>

⁴ Kirsten Anker, “Reconciliation in Translation: Indigenous Legal Traditions and Canada’s Truth and Reconciliation Commission” (2016) 33 Windsor Yearbook of Access to Justice.

THE MILLENNIAL SCOOP

Given that Indigenous children make up over half (52.2%) of those aged 14 and under in foster care, despite comprising only 7.7% of the Canadian population, the child welfare system is often referred to as the ‘millennial scoop’.⁵ If the original aim of the child welfare system was to eradicate culture, today’s reality aligns with that intent, supported by the firsthand experiences shared by individuals, families, and communities outlined in this report. The system’s complete disregard for their cultural heritage, along with practices and policies that hinder their connection to their Nation and culture while in the child welfare system, continues to perpetuate cultural genocide.

FEAR OF MÉTIS CULTURE DYING OUT

The expressed concern over the potential extinction of Métis culture, particularly highlighted in a recent session, sadly reflects a harsh reality. This concern is intensified by the growing number of Métis children entering or already within the child welfare system, many of whom lack the opportunity to embrace their cultural heritage due to a disconnection from their Nation and consequently, their cultural identity. Children serve as the carriers of culture and identity within any community. Without them actively engaged in learning and preserving

their heritage, there is a genuine risk of cultural extinction. How can we address this alarming trend when governmental obstacles hinder our efforts, worsening the ongoing threat of cultural genocide?

THE VOICED LONGING FOR BELONGING

Upon analysis of the survey data, a striking emphasis on culture as a primary need was rediscovered. Remarkably, the need for culture overshadowed all other requests, including those pertaining to basic necessities, despite their undeniable significance. Wrapping up certain discussions, we prompted individuals to share their aspirations for Métis children and families in their community. Repeatedly, they emphasized the importance of both a sense of belonging and cultural preservation, often using these terms interchangeably. This highlights the profound link between culture and a feeling of inclusion and belonging.

Recognizing the profound necessity expressed by communities, the establishment of culturally safe spaces for families is undeniably crucial. These spaces will contribute to ensuring that services for children’s safety and family wellness are provided in accordance with Métis values and cultural traditions, honoring the traditional way of caring for one another within the Métis community. This fosters an environment where families

⁵ Kimberly Matheson et al “Canada’s Colonial Genocide of Indigenous Peoples: A Review of the Psychosocial and Neurobiological Processes Linking Trauma and Intergenerational Outcomes” (2022) Int J Environ Res Public Health.



“...Youth are reaching blindly for culture and support.”

feel respected, supported, and empowered. Moreover, funding is essential to support cultural events and camps, enabling Métis children, youth and families to actively partake in and connect with their communities.

YOUTH SEEKING CULTURAL ROOTS AND SELF-IDENTITY

Métis youth, particularly those who have navigated the child welfare system often experience what some have termed a “Métis identity crisis.” Culture significantly influences the formation of one’s identity, highlighting the importance of ensuring that the upcoming generation does not encounter identical hurdles. Individuals who have gone through the

child welfare system have expressed concerns about the implementation of a pan-Indigenous approach, which often leads to heightened confusion. It is imperative for both the Government of Canada and the Government of British Columbia to acknowledge and comprehend the substantial differences among Indigenous groups. The leading role in recognizing these specificities and everything associated with them should be taken on by the Indigenous Nations themselves, rather than governments attempting to do so.

The youth population represents the future generation of leaders, professionals, educators, and knowledge custodians. Concerns have been raised

“At this time, there is unfortunately lateral violence towards Métis people in BC. All Métis children youth and families deserve to feel accepted and safe when accessing services. Services should consider how community connections can be built and fostered, how people can participate in and learn about their culture, and how to access services they need in a barrier-free way.”

by many about the inadequate availability of tailored programs and services for youth within the child welfare system. Failing to offer sufficient resources and opportunities to our youth risks perpetuating cycles of disengagement, ultimately weakening the cohesion of Métis people in BC.

IS IT SAFE TO IDENTIFY AS MÉTIS?

Individuals who engaged in discussions across various regions have highlighted a common dilemma: whether it is safe to openly identify as Métis. This concern arises in various settings, including hospitals and schools, particularly when it involves their children and the potential risk of involvement with the child welfare system.

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10515468/>

Their experiences reflect the absence of a culturally safe environment. A culturally safe environment is “an environment that is spiritually, socially and emotionally safe, as well as physically safe for people; where there is no assault challenge or denial of their identity, of who they are and what they need.” Studies have revealed that individuals often encounter racism and discrimination upon identifying as Métis. This assertion was confirmed in our engagements, as there remains a palpable fear linked to openly identifying as Métis.⁶ As one participant noted, the most significant area where people need support is in addressing cultural shame.

Governmental policies and laws not only shape social norms but also have historically perpetuated systemic racism, particularly affecting Métis communities.

The racist decisions of governments have fueled negative stereotypes and biases against Métis peoples, shaping societal attitudes and behaviors. This systemic racism manifests in various forms, including microaggressions, institutional discrimination, and disparities in access to healthcare, education, and employment opportunities. Considering the current disregard for Métis people in British Columbia by governmental bodies, it is unsurprising that individuals frequently ponder the safety implications of identifying as Métis.

THE CHILD WELFARE SYSTEM AND ITS ROLE IN CULTURAL DISCONNECTION

According to The “Act”:

(2) This Act is to be interpreted and administered in accordance with the principle of cultural continuity as reflected in the following concepts:

(d) child and family services provided in relation to an Indigenous child are to be provided in a manner that does not contribute to the assimilation of

the Indigenous group, community or people to which the child belongs or to the destruction of the culture of that Indigenous group, community or people; and

Unfortunately, as evidenced by participants’ experiences, the implementation of the Act has been marred by failures. Participants had varying experiences with the child welfare system. In certain cases, individuals recounted instances where their Métis identity was not acknowledged. Due to this oversight, no attempts were made to place these children in Métis homes. This sustains governments’ roles in cultural genocide, entirely severing Métis children from their identity.

From firsthand experiences shared in various scenarios, it is evident that governmental attempts to recognize Métis identity often miss the mark due to a lack of understanding of the intricate nuances and unique aspects of Métis culture. Instead, authorities tend to adopt a blanket, pan-Indigenous approach, neglecting the specific needs and heritage of Métis individuals. This oversight not only neglects to honor Métis

identity but also results in confusion and frustration, especially among children and youth who perceive their unique cultural heritage as disregarded or misrepresented, further emphasizing the earlier point.

“Yes, sometimes the social workers didn’t know the real difference between Métis and First Nations and therefore the children in care didn’t learn the difference and were sometimes confused in their knowledge and when they realized they didn’t know they shut down and didn’t engage because they didn’t want to look “dumb.” – [sic]

In various instances, authorities have resorted to reaching out to unverified Indigenous organizations to develop cultural plans, often overlooking the fact that culture cannot simply be encapsulated in a document. Culture is a dynamic way of life, deeply rooted in traditions, beliefs, and community connections. Therefore, relying solely on a written plan is insufficient. Authentic cultural preservation and transmission necessitate genuine engagement with the Métis Nation British Columbia and the Chartered Communities.

These inconsistent approaches highlight the challenges and shortcomings within the child welfare system when it comes to working with Métis children, youth, and families. It is clear that none of these methods effectively connect them to their culture. Even when attempts are made to introduce some form of cultural education, if it is not Métis-specific, it falls short. This underscores the critical role



MCSBC Youth Coordinator.

of MNBC in preserving and transmitting Métis culture—it is a task that cannot be adequately fulfilled by external entities.

CULTURAL UNAWARENESS WITHIN SCHOOL SYSTEMS

Children within the school system currently face a significant gap in support and educational resources for learning about Métis culture. This absence results in a predominant focus on First Nations culture, highlighting the need for broader representation and inclusion of Métis perspectives in education.

This situation serves as a striking example of how shortcomings within one governmental system can ripple

“The youth should have a meaningful accountable connection to culture. A kinship agreement with no follow up is useless. The youth need advocates who speak only for them.”

“More Métis specific play environments and support for youth ages 13 to 18. Currently there is little in terms of support in highschools and community for this group, leading to socio-cultural isolation. This isolation can and does lead to further issues ranging from loss of culture to substance use and mental health issues.”



across various sectors. The intertwining of governmental systems extends beyond education to include justice, healthcare, and various other sectors. Furthermore, involvement in the child welfare system often exposes individuals to a network of interconnected systems, where interactions in one domain can significantly impact experiences in others, often with negative consequences.

“I am a teacher, I want support services for my families made easy and accessible, I'd like to see MNBC work with school districts to make sure all students that identify as Métis have the support to access the benefits. MNBC needs to help create resources for teachers including lesson plans, books, kits and culture lessons to help teach children what it means to be Métis.”

THE IMPORTANCE OF ELDERS IN REVITALIZING CULTURE

The profound significance of Elders within the Métis community cannot be overstated. Their wisdom, experience, and cultural knowledge serve as pillars for the well-being of Métis families. However, in many instances, there is a glaring absence of initiatives aimed at facilitating connections between Métis Elders and families navigating the complexities of the child welfare system. This absence not only deprives families of essential guidance and support but also risks the erosion of Métis identity and heritage.

Intergenerational relationships play a pivotal role in strengthening the bonds between Elders and children, fostering a



Elders from the Kelowna engagement session.



“Connection to the community has been a lifeline for me.”

sense of belonging and continuity within Métis communities. Initiatives aimed at promoting such relationships and facilitating cultural exchange must be prioritized. Elders themselves recognize the urgency of their role in preserving and passing on Métis culture. As one Elder aptly puts it, “My job as a leader is to tell the stories of my ancestors.” It

is important to provide Elders with the platforms and opportunities to fulfill this vital responsibility, particularly within the context of the child welfare system. By doing so, we can prevent the erasure of Métis culture and heritage while honoring the legacy of our ancestors.

Securing additional funding is paramount to sustain and expand initiatives aimed at supporting the Métis community. This funding would not only facilitate the involvement of Elders but also enable the implementation of innovative programs, such as workshops that reconnect families to the land, even

“Strong communities create strong families.”

within urban environments. Investing in these initiatives is an investment in the preservation of Métis identity and the well-being of future generations.

MÉTIS CULTURE SHAPING CHILDREN

As stipulated by the Act:

(2) This Act is to be interpreted and administered in accordance with the principle of cultural continuity as reflected in the following concepts:

- (a) cultural continuity is essential to the well-being of a child, a family and an Indigenous group, community or people;
- (b) the transmission of the languages, cultures, practices, customs, traditions, ceremonies and knowledge of Indigenous peoples is integral to cultural continuity;
- (c) a child's best interests are often promoted when the child resides with members of his or her family and the culture of the Indigenous group, community or people to which he or she belongs is respected;

The preceding points highlight the pressing need to address cultural

genocide. Embedding culture into the lives of children, youth and families holds immense advantages, aligning with the overarching goal of the Act to reduce the number of children in care. Primarily, it serves the best interests of the child, fostering improved education and health outcomes. Identity provides children with a sense of belonging and resilience in the face of adversities. Many attest that culture acts as a pathway to wellness and is vital for healing. Métis Chartered Communities in BC particularly require healing from historical atrocities. However, the lack of authority and funding to engage effectively in cultural activities has impeded the commencement of this healing journey. We need to expedite this process to ensure that the Act's purpose and objectives are fully realized.

“Social workers should not be the care providers – their workload is too much, and evidenced by the deaths, it's not working.”





3

Prioritizing Kinship to Safeguard Children

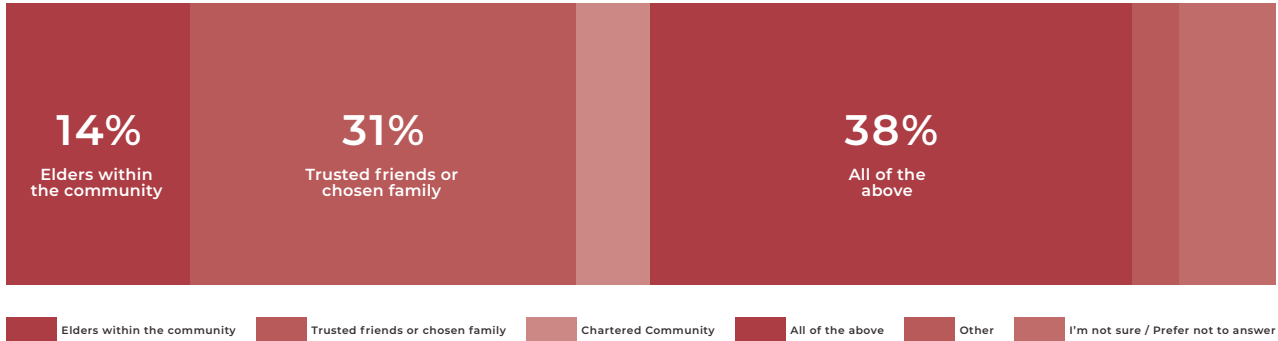
“...I think if we advocated to keep our Métis children in the care of the Métis community, we could prevent our children from future trauma. Knowing they belong is so important to a sense of self.”

KAA-WIICHIHITOYAAHK – WE TAKE CARE OF EACH OTHER

Métis family systems are rooted in traditional values and wisdom such as Kaa-Wiichihitoyaahk, “We take care of each other.” Intricately woven into these systems is the understanding that family serves as the glue binding the community together. Based on the feedback we have received, as indicated in the chart below, it is clear that the holistic concept of family expands beyond biological ties to encompass the broader community, reflecting the Métis dedication to collective well-being and intergenerational connection.

In Métis communities, it is understood that raising a child is a collective effort, requiring the involvement of the entire community. Intergenerational ties are crucial for passing down knowledge and teachings, especially in the face of intergenerational trauma caused by past government actions. Aunties, Uncles, and Elders play pivotal roles in guiding Métis children and youth, instilling a sense of belonging and cultural identity within them. When families lack structure or face challenges, the entire community steps in to provide support, viewing every child as their niece or nephew. This emphasizes the importance of knowing where Métis

According to Métis traditional practices, in the absence of a child’s parents, who can be considered as the child’s caregiver?



“I am raising my grandchild without financial support.”

children are and ensuring their safety and well-being at all times.

However, the sense of belonging that children and youth crave can only be fully realized within the context of a supportive extended family system. Policies, legislation, and actions by governments must recognize and respect the Métis holistic view of family, empowering communities to uphold their right to self-determination and ensure the well-being of future generations.

In essence, Kaa-Wiichihitoyaahk embodies the traditional Métis ways of knowing and being, highlighting the importance of communal care, kinship ties, and collective responsibility. It is through the practice of Kaa-Wiichihitoyaahk that Métis communities uphold their cultural heritage and create environments where all Métis families can thrive and be supported. While external support and collaboration can be beneficial, it is essential to recognize that the responsibility for fostering this connection ultimately rests with MNBC and the Chartered Communities.

“Approaches to wellness that address collective functioning by means of Indigenous-led initiatives that build on existing strengths and relationships are far more likely to be effective than the current Western interventions.”

BARRIERS TO BUILDING KINSHIP CONNECTIONS

“My cousin was in foster care when my parents were willing and able to take her in.”

The distressing trend of children being separated from their families and placed in foster care situations, often presenting heightened risks of abuse or neglect compared to their own homes, is a matter of grave concern. This troubling reality highlights the pressing need for comprehensive overhauls within the child welfare system to prioritize the safety and overall well-being of vulnerable children.

A particularly egregious manifestation of this systemic deficiency is the disproportionate authority wielded by social workers over relatives, which can result in scenarios where grandparents, for instance, are compelled to continuously seek permission from social workers simply to maintain contact with their own grandchildren. This power dynamic shows a significant imbalance in decision-making processes, wherein social workers often hold sway over familial connections. Additionally, there exists a notable absence of collaboration and referrals from social workers to Métis Child and Family Service Agencies, exacerbating the already precarious situation.

“Many times children are removed due to financial hardship and they pay non-Métis foster parents to care for children instead of helping the family. Doesn’t make sense!”

As described by those participants who have experienced the child welfare system, it is startling to note that removals frequently take place without any effort to involve extended family members or other supportive networks. This lack of engagement results in ongoing challenges, as cultural supports and familial connections are disregarded, intensifying the trauma and sense of displacement felt by the affected children. This failure to recognize and utilize existing support systems not only prolongs the suffering of the children but also hampers their ability to maintain a sense of identity and belonging during such tumultuous times.

The harsh realities on the ground also highlight a significant aspect of this issue: the daunting challenges encountered by kinship providers who frequently grapple with financial constraints and inadequate support systems. These challenges often

manifest as emotional and financial manipulation tactics, compelling families to choose between assuming caregiving responsibilities without compensation or relinquishing their relatives to the child welfare system. This coercive dilemma places an unfair burden on caregivers, casting them as villains when they simply cannot afford to shoulder the responsibilities imposed upon them.

“My foster brother was picked up by his social worker at daycare because they refused to pay for his living expenses & my mom expressed frustration to his social worker as she at that point spent about 30k out of her own pocket supporting him for 2 years. (he is on the autism spectrum and needed extensive therapy for development EG) couldn’t talk by 4.5, wasn’t potty trained, would only eat ramen noodles and cereal, tons of behavioural issues, instead of focusing on keeping my brother with the family who was fighting for him, they didn’t notify anyone and just ripped him out of daycare and stuck him in a random home for 72 hours before we got custody again..”

Pursuant to the Act:

16 (1) The placement of an Indigenous child in the context of providing child and family services in relation to the child, to the extent that it is consistent with the best interests of the child, is to occur in the following order of priority:

- (a) with one of the child’s parents;
- (b) with another adult member of the child’s family;

“I would foster if there was support for housing and food. I’m very culturally connected and want to care for our children but can barely afford to house myself. I know I’m not alone in this. Housing supports and training for Métis foster parents.” [sic]

(c) with an adult who belongs to the same Indigenous group, community or people as the child;

(d) with an adult who belongs to an Indigenous group, community or people other than the one to which the child belongs; or

(e) with any other adult.

It is apparent that this specific provision of the Act is not operating effectively in practice. Despite being codified in legislation; its implementation and enforcement appear to be lacking when examining real-life scenarios depicted throughout this report.



SUPPORTING FAMILY WELL-BEING

“Look at a call for Métis foster parents, this is something my fiancé and I have wanted to do, but it’s a big decision right now with our own 3 almost 4-year-old; but if we had supports from our community and look at innovative ways to support the foster parents eg. respite, supportive funding, medical needs were 100% covered/reimbursed, Métis specific social workers etc.” [sic]

We are committed to upholding family well-being, an essential cornerstone of our approach. However, in order to provide comprehensive assistance, it is imperative that we are informed about the family from the outset. This enables us to engage with the entire family unit, identifying and addressing any areas of concern while offering support throughout the citizenship process.

Take, for instance, the initiatives carried out by MNBC, which are pivotal in bolstering the support network for Métis families. This support is twofold: formal services provided directly by MNBC, and informal assistance stemming from community members or kinship ties. While MNBC’s formal services offer structured aid, the informal support network within the community plays a vital role, especially during afterhours when crises often occur outside of regular agency operating hours.

By integrating both formal and informal support channels, we can extend a more robust safety net for Métis families,

ensuring that assistance is readily available and tailored to their specific needs.

“As an older grandmother I’d like support with rides to and from children’s facilities and/or events. I’d also like an “Adopt a Godparent” program like they did in the old days. This kept our kinship ties strong.”

THE WAY FORWARD

All these elements emphasize the importance of MNBC assuming jurisdiction over child and family services and prioritizing the protection of Métis children from slipping through the gaps in British Columbia.

Kinship ties within Métis communities is not something that can be easily understood or navigated by external entities such as government agencies. For governments, attempting to intervene or regulate kinship ties within Indigenous communities without a nuanced understanding of these systems would likely result in ineffective, culturally insensitive, or even harmful policies. The intricate nuances of kinship terminology, kinship roles, and reciprocal obligations are not easily decipherable through Western frameworks or bureaucratic procedures.

Rather than being mired in political and governmental bureaucracy, the focus should be on addressing the financial hurdles and insufficient support faced by kinship providers. Furthermore, financial



support for kinship care is not just a matter of goodwill but a legal and ethical responsibility of governments to uphold the rights of Indigenous children. Children placed in kinship care have the right to a standard of living that meets their physical, emotional, and developmental needs, regardless of their caregivers’ financial circumstances. Failure to provide adequate financial support not only jeopardizes the well-being of the children but also undermines the principles of social justice and equity.

Canadian child welfare systems are supposed to protect and enhance the well-being of children in care. As is now well-established, however, these principles of child welfare did not apply

to Indigenous children, whose well-being was not understood and was all-to-often ignored by governments and authorities.⁷ The experiences of Indigenous children in care, including thousands of Métis children, all too often emphasized assimilation. These systems were promulgated through commissions, reports, and legislation which sought to constrain Indigenous rights and sovereignty. The Act is an important step in dismantling these systems. The Act will be discussed in more detail below.



⁷ Eliana Sinicropi, “Child Welfare in Canada: Understanding Neglect and Permanency for Indigenous Children.”



4

Limitations in Enforcing Bill C-92

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

SUMMARY OF THE ACT

- In 2019, Parliament passed the Act respecting First Nations, Inuit and Métis children, youth and families (the “Act”), which establishes national standards and provided Indigenous governing bodies a framework for exercising control over their child welfare for their members and citizens.
- The Act involves protecting the well-being of Indigenous children, youth, and families by promoting the delivery of culturally appropriate child and family services, advancing the process of reconciliation with Indigenous peoples.
- Through this new framework, the principle of “the best interests of the child” must be a paramount consideration in decisions or actions related to Indigenous children in care.
- Through the Act, Parliament recognized that Section 35 includes a right to exercise jurisdiction over child and family services.
- The Act gives the laws made by Indigenous governing bodies the same force as federal laws which means that where those Indigenous laws conflict with provincial laws (and provincial child welfare systems) Indigenous laws prevail over provincial laws to the extent of any conflict or inconsistency.

A significant limitation of the Act is the lack of recognition of MNBC. The framework established by the Act enables Indigenous governing bodies to pursue legislative authority over child and family services for their citizens and members, as well as to establish coordination agreements with provincial/territorial and federal governments. For an Indigenous group to wield legislative authority under the Act, it must first gain recognition from Canada as an Indigenous Governing Body. An Indigenous Governing Body refers to a council, government, or other authorized entity that is authorized to act on behalf of an Indigenous group, community, or people with rights acknowledged under Section 35. Presently, Canada does not acknowledge MNBC as an Indigenous Governing Body, hence MNBC lacks the capacity to assert legislative jurisdiction over child and family services. The following experiences demonstrate the potential consequences of such decisions.



“Dealing with the system feels like wrestling a bobcat.”

OUR CHILDREN AND YOUTH FALLING THROUGH THE BROKEN SYSTEM

“The structured system of MCFD doesn’t work.”

“Stop passing the children from worker to worker! Metis Children are often over stressed and suffer from one or more issues mentally. It is cruel to treat our Metis children like they are only a “file” no longer a human.” – [sic]

Despite the enactment of the Act, children and young people are still slipping through the cracks of the system. It is important to highlight a few individuals who have navigated challenging circumstances under the purview of governmental care to raise awareness about their unique experiences. In this exploration, drawing from interviews with the individuals themselves and, in the case of Nick, his father Peter, we delve into glimpses of the lives of three remarkable individuals whose paths intertwined with the Ministry of Children and Family Development (MCFD), bringing into focus the complexities and struggles they encountered along their journey.

Honouring the Life of Nick Lang: A Journey of Resilience

“Like so many other youth the RCY has profiled, he was a teen in serious distress who did not receive the specific supports he needed when he needed them – and neither did his family.”⁸

- Representative for Children and Youth Report

Investigations conducted by the Representative for Children and Youth (RCY) brought to light numerous missed opportunities during Nick’s journey where interventions could have steered his path in a different direction had proper supports been provided to him and his family. In January 2015, Nick’s mother sought assistance from the local MCFD office, but her plea only resulted in a conference call with both parents and a social worker, lacking substantive support.

Following an incident where Nick assaulted his mother in April 2015 while under the influence of methamphetamine, his parents opted for youth justice charges in a bid to secure him the help he needed. Nick was transferred to Campbell River for treatment but ended up residing in a care

⁸ Representative for Children and Youth “Last Resort: One family’s tragic struggle to find help for their son” 2016, online < https://rcybc.ca/wp-content/uploads/2019/04/rcy-lastresort-oct2016_final.pdf >

home despite his family's willingness to care for him. A familial environment could have potentially served as a lifeline for Nick. Expressing a desire to leave the program, Nick started experiencing panic attacks. His aunt extended her support, taking him in for the night. Following time spent with family, Nick made the decision to remain in the program, exhibiting a marked change in behavior.

Nick's support arrived too late, tragically, as he was discovered hanging in a bedroom closet of the care home where he stayed during the program. Unfortunately, Nick's father had to persistently follow up multiple times to find out details about his son's demise, indicating a disconcerting lack of priority in communicating such critical information.

Nick's parents stated that while attention was finally paid to his Indigenous identity within the full-time attendance program, the MCFD failed to emphasize the significance of his Métis heritage earlier on. They expressed a desire for more meaningful engagement with Nick's cultural background, such as access to Elders or community cultural programming.

When questioned about how MNBC's authority over child and family services might have aided Nick, his father noted the importance of prioritizing kinship ties and the invaluable presence of love. He stated that Nick might still be alive today had such support systems been in place.

James' Journey to Healing

James, a young man, found himself entangled in the child welfare system due to his fractured family. Placed under the care of MCFD, James experienced a profound lack of human interaction. The only semblance of support he received was financial assistance, devoid of any emotional connection. Throughout his time with MCFD, he encountered his social worker just once, leaving him feeling isolated and abandoned.

Following his father's passing, James was left alone in a basement to navigate his grief. No one from the Ministry bothered to check in on him, compounding his sense of alienation. As he reached the age to transition out of the system, there was no acknowledgment or guidance provided to him by the Ministry. His cultural identity was also disregarded, with MCFD failing to engage with his Nation or respect his heritage. Instead, his culture seemed reduced to a mere checkbox on bureaucratic forms.

The absence of cultural understanding and support left James yearning for a sense of belonging, connection, and guidance. He longed for the validation and support that his cultural community could offer. Now, at the age of 26, as he navigates the process of obtaining citizenship, James grapples with the realization that his Nation was unaware of his existence or his time within the child welfare system.

In contemplating how involvement from MNBC could have altered his experience, James envisions a lifeline of cultural



enrichment, connection, and support. He believes that MNBC's involvement could have provided him with the cultural grounding and sense of community that he desperately needed during his formative years. Reflecting on his journey, James is left with mixed emotions, wrestling with the profound impact of cultural neglect and the missed opportunity for support and connection from his cultural heritage.

Faith's Quest for Belonging

Similar to the narrative above, Faith recounted a journey marked by desolation, describing it as a profoundly solitary path that drove her to contemplate suicide. She felt utterly

unseen, with no one extending a helping hand, not even to ensure the safety of her living conditions. There was a glaring absence of support structures, leaving her adrift from her cultural roots. Her Nation remained unaware of her existence within the system, a connection she believed could have provided invaluable support during her struggles.

Lacking guidance on transitioning out of care, she swiftly found herself thrust into homelessness, navigating precarious situations with no safety net. Her transition out of the system was anything but smooth, resorting to unstable living arrangements and moving from one couch to another. Throughout her time in care, she wrestled with questions of identity, yearning for a link to her Nation

that would have grounded her amidst the chaos. Now, having established that connection, she finds solace and stability, particularly through participation in cultural activities and community gatherings. The presence of her Nation has become a vital anchor in her life, a source of belonging and strength she sorely lacked in her earlier years.

“Fix your system, let our kids come home.”
– Faith

INVISIBLE CHILDREN: A DESCRIPTIVE ANALYSIS OF INJURY AND DEATH REPORTS FOR MÉTIS CHILDREN AND YOUTH IN BRITISH COLUMBIA, 2015 TO 2017.

Developed in accordance with the parameters outlined in Sections 6(c) and 16 of the Representative for Children and Youth Act, this report by the RCY draws attention to the precarious situation unfolding in the child welfare system⁹. Injuries among Métis children and youth were categorized into eight distinct types. Sexual assault emerged as the most prevalent injury type, accounting for 25 percent (n=44) of reported injuries, followed by suicide attempts at 19 percent (n=33)¹⁰.

Gender was found to be associated with the nature of reported injuries within this demographic. Specifically, female children and youth were more prone to experiencing sexual assault, while male counterparts were more likely to endure mistreatment by an MCFD-approved caregiver and accidental injuries¹¹. Notably, all instances of reported sexual assault injuries were documented for youth under care at the time of the incident, primarily affecting those aged 14 to 18 years.¹²

Among the reported injuries, 21 cases (12 percent) were classified as instances of caregiver mistreatment.¹³ The majority of these incidents were reported for children and youth residing in foster homes or staffed residential facilities, with a significant portion occurring among children aged 13 or younger.¹⁴

A staggering three-quarters of Métis children and youth with reported injuries had experienced multiple placements (73 percent), defined as three or more distinct placements while under government care.¹⁵ Furthermore, among the 36 Métis children and youth residing in foster homes at the time of injury, a mere 11 percent were placed within Indigenous families, with just 6 percent placed specifically with Métis

“With a few small exceptions, his cultural identity was ignored by his eight social workers and 15 caregivers during the 11 years that he was in the care of the provincial government.”

families.¹⁶ This data highlights the critical need to prioritize placements within culturally appropriate and supportive environments, particularly for Métis children within the foster care system.

NUMEROUS SITUATIONS DESERVING ATTENTION

“I was a live in support worker, so I have witnessed many inappropriate and yes, I have advocated for the children many times, writing to Prime Minister Trudeau and our Premiere David Eby for the families for the children to be able to live and be cared for in their traditional ways.”

It is troubling that legislation and standards to protect Indigenous cultural connections are in place but often ignored or merely given lip service. If caseloads are too large or difficult, then certainly it is up to the ministry and government to make the necessary changes in order to ensure that these requirements can be met.

*Otherwise, why do such standards and legislation exist?*¹⁷

- Representative For Children and Youth Report (Broken Promises: Alex's Story)

We have been urged to direct our attention to the story of Alex Gervais, a self-identified Métis youth who lost his life within the child welfare system. Similar to Nick Lang, there is a report by the RCY concerning his case. This sheds light on the broader systemic challenges in play. Alex found himself adrift within the care system of MCFD. Following his removal from his birth family, he experienced a tumultuous journey, enduring 17 different placements and being overseen by a total of 23 different social workers and caregivers.¹⁸ Ultimately, Alex found himself utterly alone. The last caregiver, who was compensated to look after him, was nowhere to be found during his stay at a hotel that had reluctantly become his home for 49 consecutive days.¹⁹

⁹ Representative for Children and Youth “Invisible Children: A Descriptive Analysis of Injury and Death Reports for Métis Children and Youth in British Columbia, 2015 to 2017” 2020, online: < https://rcybc.ca/wp-content/uploads/2020/07/RCY_Me%CC%81tis-InvisibleChildren_July2020_FINAL.pdf >

¹⁰ Ibid at 20.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid at 31.

¹⁶ Ibid at 24.

¹⁷ Representative for Children and Youth “Broken Promises: Alex's Story” 2017, online: < https://rcybc.ca/wp-content/uploads/2019/04/rcy-brokenpromises-alexsstory-feb2017-lo_web-2.pdf > at 5.

¹⁸ Ibid at 3.

¹⁹ Ibid.

Following his removal from his birth family, he experienced a tumultuous journey, enduring 17 different placements and being overseen by a total of 23 different social workers and caregivers.

These stories represent only a fraction of the larger issues that need to be addressed. Beyond these, there are other alarming concerns that people have brought to our attention. For instance, youths under Voluntary Care Agreements or Special Needs Agreements frequently face abandonment without sufficient housing or support. This instability not only increases their susceptibility to abuse and violence but also heightens the risk of substance abuse. Moreover, the transition out of care presents significant challenges for these youths, often leading to instances of abuse, placement in treatment facilities, and other inappropriate situations.

Exacerbating these challenges is the increasing turnover among youth social workers, which contributes to the difficulty in maintaining consistent support for youth. Program staff frequently face challenges in identifying appropriate support channels for youths following the departure of workers from MCFD. The delays in assigning new workers only worsen the situation, leaving youths without the consistent support essential for their well-being,

thereby potentially detrimentally affecting them.

Again, much of what goes unseen or unknown deeply troubles us, highlighting the heartbreaking reality that these stories represent just a fraction of the larger systemic issue. The repercussions of disorganized and inadequate services, devoid of meaningful cultural ties, frequently result in children falling through the cracks—an outcome deemed more acceptable by the federal government than granting MNBC the authority to care for these children, youth and families. This designation would enable the provision of necessary care for these children and adolescents.

As stipulated by the Act:

11 Child and family services provided in relation to an Indigenous child are to be provided in a manner that

- (a) takes into account the child’s needs, including with respect to his or her physical, emotional and psychological safety, security and well-being;

- (b) takes into account the child’s culture;

- (c) allows the child to know his or her family origins; and

- (d) promotes substantive equality between the child and other children.

The fact that we are not involved as required by Section 11 of the Act suggests that these problems continue, potentially resulting in silent suffering for children and youth.

Furthermore, the Act states:

12 (1) In the context of providing child and family services in relation to an Indigenous child, to the extent that doing so is consistent with the best interests of the child, before taking any significant measure in relation to the child, the service provider must provide notice of the measure to the child’s parent and the care provider, as well as to the Indigenous Governing Body that acts on behalf of the Indigenous group, community or people to which the child belongs and that has informed the service provider that they are acting on behalf of that Indigenous group, community or people.

For the Act to effectively address the ongoing challenges faced by Métis children and youth in British Columbia, and to uphold the mandates outlined in section 11 of the Act, it is imperative that MNBC is actively involved. Indigenous Governing Body status should be

granted to ensure that, as outlined in Section 12 of the Act, the Nation receives notifications concerning Métis children and youth within the child welfare system. Presently, MNBC does not receive any notifications from MCFD regarding Métis children and youth involved in the system. This lack of communication means that these individuals are not being linked to their cultural heritage, mirroring the situations described earlier. Alternatively, it suggests that the government may be attempting to impose its own version of culture on these youth, potentially causing further confusion and disconnection.

PRIORITIZING PREVENTIVE CARE

According to section 14 of the Act,

In the context of providing child and family services in relation to an Indigenous child, to the extent that providing a service that promotes preventive care to support the child’s family is consistent with the best interests of the child, the provision of that service is to be given priority over other services.

Aligning seamlessly with both the spirit and intent of the Act, the majority of the requests we have received for support are centered around preventive care measures. It is clear that the Chartered Communities and Métis Child and Family Service Agencies are advocating for proactive measures to ensure the well-being of their children, youth and families. It is imperative that the

“MNBC is our voice to the decision makers in Canada.”

government heed these calls from them and take decisive action to address these needs effectively:

- Establishing community-based initiatives such as food banks, community gardens, and nutrition education programs aimed at combating food insecurity among Métis individuals and families.
 - Supporting traditional food harvesting and preservation practices to uphold cultural sustainability and food sovereignty within the community.
 - Ensuring food security by implementing initiatives that enhance access to nutritious and culturally appropriate food options.
 - Prioritizing initiatives that address housing shortages and improve living conditions to ensure adequate housing for Métis families.
 - Providing resources and programs focused on skill-building, goal setting, and resilience-building specifically tailored for Métis youth.
 - Developing the capacity to implement a child and family service legislative model to better serve the needs of Métis families.
- Implementing headstart programs to support early childhood development and education.
 - Offering parenting programs with a focus on prevention, recognizing the importance of early intervention and support.
 - Expanding MNBC’s Well-being Program to support families with children/youth with support needs up to the age of 19.
 - Funding for adult assessments is necessary, particularly for parents who were not diagnosed with disabilities earlier in life. Access to supportive programs can enhance their skills and informal support networks, ultimately improving their quality of life. Moreover, having a diagnosis grants access to programs such as Persons with Disabilities (PWD), which provide more substantial financial support compared to Income Assistance, further highlighting the importance of funding for adult assessments.

FUNDING CAPACITY TO IMPLEMENT THE ACT

Addressing the urgent concerns raised by Métis Child and Family Service Agencies and Chartered Communities, it



is clear that immediate and substantial increases in funding support are essential to ensure the sustainability and effectiveness of their critical programs and services. Presently, funding from the government for Métis Child and Family Service Agencies falls short, forcing reliance on short-term grants that hinder sustained programming beyond a single year.

The federal government is keen to ascertain the potential effectiveness of prospective institutions and programs aimed at implementing the Act. It is essential that these entities are designed to serve a purpose beyond bureaucratic functions, actively contributing to

positive outcomes and providing tangible assistance, including financial support where needed. Therefore, if these institutions and programs effectively address the outlined needs and genuinely support Métis people, then their existence is warranted and justified.



5

Upholding Indigenous Sovereignty

The need for Métis oversight in BC

“I would say being recognized is probably first on our way to well-being. It is tough when you’ve got people who don’t even believe that you can be Métis living outside the homeland or that your identity stops if you don’t live in Alberta, Saskatchewan, or Manitoba.”

Purpose

- 8 The purpose of this Act is to
- (a) affirm the inherent right of self-government, which includes jurisdiction in relation to child and family services;
 - (b) set out principles applicable, on a national level, to the provision of child and family services in relation to Indigenous children; and
 - (c) contribute to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Indigenous sovereignty arises from Indigenous communities and governments, and their unique traditional knowledge, including spiritual practices, culture, language, social and legal systems, political structures, and inherent relationships with land. Indigenous sovereignty pre-exists colonial settlements and colonization and is independent from actions of federal or provincial

governments, or other non-Indigenous actors.

Central to understanding Indigenous sovereignty is to grasp that Indigenous people, including the Métis, have not surrendered to the colonial structures embedded within the current government. The laws and regulations that enforce the systems currently in place, particularly with regard to children and youth in care, were not historically drafted or implemented with input from or consent of the Métis. For these reasons, and toward recognition of Métis sovereignty and self-governance, it is critical that the Métis in the province have oversight of Métis children and youth in the child protection system.

BEST INTERESTS OF THE MÉTIS CHILD

- 10 (1) The best interests of the child must be a primary consideration in the making of decisions or the taking of actions in the context of the provision of child and family services in relation



to an Indigenous child and, in the case of decisions or actions related to child apprehension, the best interests of the child must be the paramount consideration.

The paramount concern in governmental decision-making, including the delegation of authority to Indigenous Nations for the care of their own, must always be the best interest of the child. It is crucial to emphasize that such decisions should not be driven by bureaucratic technicalities, as history has demonstrated how these can be exploited to the detriment of Indigenous Peoples in Canada.

The responsibility to prioritize the best interests of children extends far beyond the realm of social work; it encompasses all facets of governance. Government decisions, administrative procedures, resource allocation, and service delivery must all uphold this fundamental principle. Every decision, whether formulated by governmental bodies or frontline workers executing interventions, has profound implications on the well-being of at-risk children.

Upholding Indigenous sovereignty and delegating authority over child and family services to MNBC guarantees that

Métis children thrive in environments that foster their cultural identity, offer community support, and shield them from discrimination and historical trauma. By placing the well-being of Métis children at the forefront within the context of Indigenous sovereignty, improved outcomes for Métis children, youth, and families in British Columbia will be achieved.

INFORMATION SHARING

Data sovereignty over children and families’ data is an essential aspect of Indigenous sovereignty, allowing Indigenous communities to govern, control, and manage their own data pertaining to children and families within their community. The data pertaining to Métis children and families hold profound cultural, social, and historical significance, and therefore, their management should be guided by Métis values, knowledge systems, and self-determination.

The absence of comprehensive data on Métis children and families within the child welfare system, due to not being an Indigenous governing body presents a significant obstacle to MNBC’s ability to provide adequate care and support. MNBC cannot effectively address the needs of Métis people in British Columbia if it lacks accurate and up-to-date information about their involvement in the child welfare system. This lack of data not only hinders the provision of essential services but also perpetuates historical injustices and undermines Indigenous self-determination.

EFFORTS TOWARDS RECONCILIATION

According to the preamble of the Act:

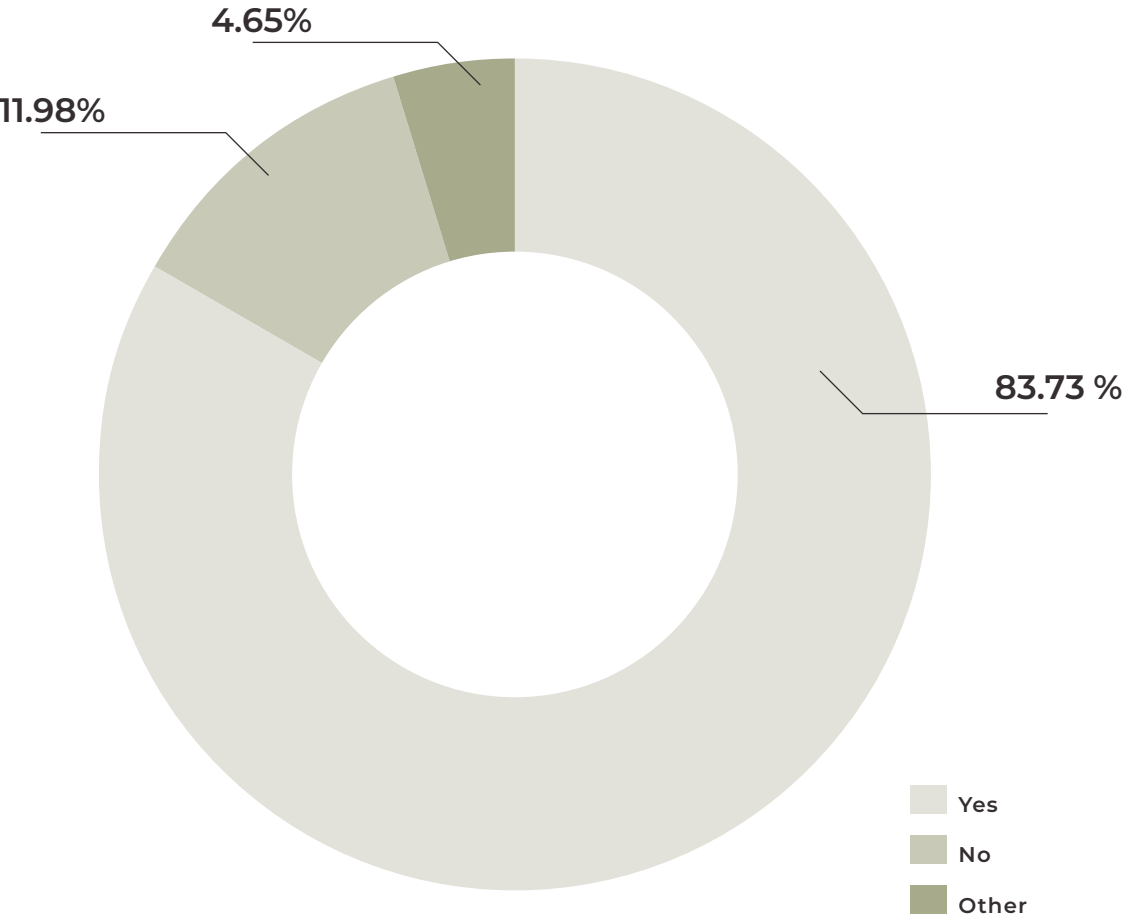
Whereas the Government of Canada is committed to achieving reconciliation with First Nations, the Inuit and the Métis through renewed Nation-to-Nation, government-to-government and Inuit-Crown relationships based on recognition of rights, respect, cooperation and partnership.

At the heart of the reconciliation process lies the recognition of Indigenous sovereignty. Indigenous sovereignty encompasses the inherent rights of Indigenous peoples to self-governance, cultural preservation, and the ability to make decisions that affect their children, youth and families. Without acknowledging and respecting the Indigenous sovereignty of the Métis in British Columbia, reconciliation efforts risk being superficial and ineffective.

THE NEED FOR MÉTIS CHILD WELFARE LAW

During MNBC’s Annual General Meeting last year, the resolution to assert and reclaim jurisdiction over child and family services of Métis people in BC, and to further develop laws regarding child welfare, passed by an overwhelming majority. This outcome vividly illustrates the critical importance of this matter to Métis people in British Columbia.

Would you like to see a Métis Child and Family service System that includes Métis Child Welfare Law?



The Citizens of MNBC declare inherent jurisdiction over child and family services of Métis in BC and authorize MNBC to exercise jurisdiction on our behalf. MNBC will develop Métis child welfare laws and will provide Métis child and family services including negotiating agreements and any other instrument that recognizes this jurisdiction.

We reintroduced this question in our survey, receiving another positive response, which reaffirms that this is indeed what Métis children and families need.

Colonial policies have targeted law and self-governance overtly, leading to harms affecting Indigenous legal traditions. These have a critical impact because laws are a part of culture and are closely tied

to language. Indigenous legal orders are “laws embedded in Indigenous peoples’ ‘social, political, economic, and spiritual institutions.’”²⁰ In order to actively work toward reconciliation, both Indigenous and Crown legal orders must be addressed in a comprehensive, coherent, and legitimate manner. This is a critical step to reversing the harms of cultural genocide perpetuated through decades of colonial child welfare policies and systems.

Métis laws governing child welfare represent an important measure in rectifying the injustices endured by Métis children and families in British Columbia. These laws provide the means for the Métis people in British Columbia to reclaim control over their child welfare systems, fostering cultural continuity, stronger family and community relationships, improved mental and emotional health outcomes, enhanced educational and economic opportunities, and reduced involvement

in the mainstream child welfare system. For Métis people in British Columbia, by prioritizing culturally relevant interventions these laws will contribute to the long-term well-being of Métis children and families, promoting healing and the preservation of Métis cultures and traditions.

The challenges voiced by Métis children, youth and families outlined in this report require more than just acknowledgment—they demand actionable solutions backed by the appropriate jurisdictional authority. To meaningfully address and tackle these concerns, it is essential for MNBC to possess both the requisite authority and legal framework. This involves not only having the legal and regulatory backing to initiate changes but also having the necessary resources to effectuate them.



²⁰ Kayla Cheeke, “Reconciling Crown and Indigenous Legal Orders: The Reciprocal Benefits of Reserving an Indigenous Seat on the Supreme Court of Canada”, (2023) *Appeal of Current Law and Law Reform*, vol. 28.



