

# FIRST NATIONS LEADERSHIP COUNCIL

News Release

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## First Nations Leadership Council Angered and Disappointed with Canada's Recalcitrant Appeal of CHRT Ruling

(Xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səliiwətaʔ/ səliiwitulh (Tsleil-Waututh)/Vancouver, B.C.)

The First Nations Leadership Council (FNLC) of British Columbia expresses our profound frustration and deep concern with the decision on October 6, 2019 by the Government of Canada to seek judicial review of the Canadian Human Rights Tribunal decision in *First Nations Child and Family Caring Society of Canada and Assembly of First Nations et al. v. Attorney General of Canada* (for the Minister of Indian and Northern Affairs Canada), (2019 CHRT 39). This appeal is of a critical ruling on compensating First Nations victims of discrimination in the child welfare system due to their suffering wilful and reckless discrimination as a result of an underfunded and poorly coordinated child welfare system. The appeal filed by Canada on October 6, 2019 seeks to quash the order of the Tribunal and is a step backward.

“The decision by Canada to appeal fails to acknowledge and be accountable for the harm experienced by Indigenous children, youth and families who have suffered family breakdown or separation due to inadequate funding of services in the system. Instead of addressing the core issues the federal government wants to continue with the status quo which means our children and families will continue to suffer the costs. The government must be held accountable how the system has impacted generations of our families. They must stop challenging, delaying and fighting against our children, mothers and Grandmothers, and work with our families and Nations to address these inequities and failures” said Kukpi7 Judy Wilson, Secretary-Treasurer of the Union of BC Indian Chiefs.

“First Nations Leadership in British Columbia have worked tirelessly over the years for child welfare reform, lobbying and advocating to British Columbia and Canada for the full recognition of our inherent rights and jurisdiction over child and family services”, said Cheryl Casimer of the First Nations Summit. “Canada’s decision to make a judicial application for an order which would set aside the Tribunal’s decision and dismiss the order for monetary compensation to victims is deplorable and unacceptable. It flies in the face of ‘reconciliation’ on many fronts. Governments and officials should focus on complying with all of the orders of the Canadian Human Rights Tribunal, and on ensuring there are adequate resources for First Nations seeking to exercise jurisdiction using their own laws and policies in relation to children and families. Our children pay the ultimate price of continued wilful and reckless discrimination as Canada continue to delay fulfilling their obligations”.

“The Assembly of First Nations has pushed for complete reform of the child welfare system to eliminate the harms caused by the discrimination against our children and families over the past decades. We are close to finding a good path forward, and this decision to appeal is a major setback. It is unnecessary and Canada should do its utmost to uphold and respect the rights of children, youth and families, and not continue to challenge and deny the harm caused” said Regional Chief Terry Teegee of the BC Assembly of First Nations. “We expect to



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meet and discuss this matter with the new Government and will be advocating for a complete reversal of this position—and a path of reconciliation that involves respectful discussion and not continuing to attack First Nations peoples' rights through the court system.”

*The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).*

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