

**MEMBER'S STATEMENT — JULIE GREEN, MLA YELLOWKNIFE CENTRE  
NEW FEDERAL CHILD AND FAMILY SERVICES LEGISLATION**

**March 2, 2020**

**MS. GREEN:** Thank you, Madam Speaker. On January 1st this year, a new and unprecedented piece of federal legislation came into effect. Canada is now legislating Indigenous child welfare in an area that is a provincial and territorial responsibility. The purpose of An Act Respecting First Nations, Inuit and Metis Children, Youth and Families is to recognize the inherent right Indigenous people have over child and family services and to set national standards in this area. In short, Indigenous children should grow up with their families, immersed in their culture and language.

Madam Speaker, I am going to review some of the highlights of this legislation as context for asking the Minister of Health and Social Services how this act aligns with the standards of the child and family services legislation in the NWT. The federal government started consultation on this act two years ago, following an acknowledgement that Indigenous children and youth are overrepresented in care. In fact, it is often repeated that there are more children living away from their families in care now than there were in residential schools.

Madam Speaker, the act applies to all Indigenous children with Section 35 rights, no matter where in Canada they reside. It speaks to the importance of reuniting children with their families and communities. It details the principle of the best interests of the child and requires primary consideration of the child's safety and well-being as well as preserving an ongoing relationships with family and the culture to which the child belongs.

Madam Speaker, the federal government has established mechanisms for Indigenous government organizations to become self-governing in child welfare. If there is no Indigenous child and family law in place, workers need to make "reasonable efforts" to keep the child within the family or extended family and to place the child with an adult from a different Indigenous group or any other adult as a last resort. It also provides for ongoing reassessments, with specific timelines, to determine whether it's appropriate for a child placed outside the family to be reunited with them. All of this sounds good, but much depends on implementation and funding, both of which need to be sorted out.

Madam Speaker, I seek unanimous consent to conclude my statement. Thank you.

---Unanimous consent granted

**MS. GREEN:** Madam Speaker, this is an area of historic conflict. I hope that with 1,000 Indigenous children in care in the NWT, Indigenous government organizations will lead the way in self-government in child and family services. I will have questions for the Minister of Health and Social Services. Mahsi.