

FIRST NATIONS LEADERSHIP COUNCIL



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November 19, 2021

Honourable Mitzi Dean
Minister of Children and Family Development
VIA EMAIL ONLY: MCFMinister@gov.bc.ca

RE: Children and Youth With Support Needs

Dear Minister Dean

We are writing with respect to your announcement of massive changes to services for children and youth with disabilities, and invitation to participate in "town halls".

Your proposal to centralize services for children with disabilities in MCFD "hubs" is a significant step backwards, and one which we wholly reject. Like thousands of families across BC, we unequivocally reiterate that if, as you say, you are "committed to building a better future for families and children and youth with special needs" you must stop the roll-out of your planned "hub" model.

In particular, we draw the following to your attention.

- Article 21 and 22 of the UN Declaration require "particular attention" be paid to the implementation of the rights in the Declaration as applied to Indigenous children with disabilities.
- Rather than "particular attention" as required by the UN Declaration, your "hub" model will increase access barriers for Indigenous children, and result in deepening the racism and discrimination our children face. It does this by removing existing opportunities for individualized, culturally appropriate, or diverse community integrated services, and replacing it with the expectation that Indigenous children and families will seek out services through increased interaction with MCFD through MCFD controlled hubs. First Nations feel vulnerable to having child protection reports and removals of children whenever they attend to your offices or "hubs". It is bewildering to us that in 2021, given the understanding of how the legacy of residential schools continues through the MCFD disproportionately taking our children into care, you could dream up any proposal that involves increasing the role and responsibility of MCFD to coordinate and deliver services.
- Further your proposal was developed without "particular attention" to Indigenous children with disabilities or their rights. The inclusion

of a small number of Indigenous families in generalized services consultation two years ago in, and not about the “hub” model, does not come close to the standards in the UN Declaration that must be met with respect to Indigenous individuals or our First Nations governments. In addition, inviting us now to town halls, after you have made your unilateral decision – a decision that is inconsistent with the UN Declaration and not based on any UN Declaration analysis – demonstrates how disastrously off-course your approach is.

- Your proposal that there be an “Indigenous hub” is confusing and might target Indigenous families for mistreatment. Indigenous people are diverse and distinct, with different governments, traditions, laws, protocols, and cultures. We are currently in dialogue with provincial officials on distinctions-based guidance, and we recommend that in this case, a distinctions-based approach must be taken. We are long past the days of when “pan-Indian” public policy can be viewed as anything but ignorant, offensive, and repugnant to common sense and basic legal standards.
- MCFD has tried to propose “hubs” in the past, and these proposals were soundly rejected by First Nations. For example, First Nations rejected MCFD’s hub model regarding child and youth mental health, and are building out supports for child and youth mental health with First Nations Health Authority and our Nations. Hub models have failed and traumatized our people, are not rights compliant, and to continue to advance these are not listening to our families, communities, and Nations. You must stop resurrecting ideas that have already long been rejected by First Nations.

Suffice it to say, not only is the hub proposal potentially racist and discriminatory, it has also been developed and advanced in violation of the *Declaration on the Rights of Indigenous Peoples Act*.

We request that you stop advancing the “hub” model immediately. You must begin a proper process with Indigenous children and families about transformation of CYSN services, including proper engagement with Indigenous peoples and Title and Rights holders that respects the standards of the UN Declaration, including the requirement of “particular attention” in Article 21.

Finally, we simply state the obvious. You say you wish to build a better system for children and families. We agree – a transformed system is needed. But such a system will never come into being by causing trauma and conflict, crisis for the vulnerable, or the violation of basic human rights standards of Indigenous peoples. You have proceeded without doing the groundwork needed, and you are advancing an idea that has been rejected previously.

We will not be participating in your town hall meetings, and we will be informing First Nations of the fact that this work is not consistent with the Province's commitments to the *Declaration Act* and to respect the rights of our peoples.

Sincerely,

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the FIRST NATIONS SUMMIT



Cheryl Casimer



Robert Phillips



Lydia Hwitsum

On behalf of the UNION OF BC INDIAN CHIEFS



Grand Chief Stewart Phillip



Chief Don Tom



Kukpi7 Judy Wilson

On behalf of the BC ASSEMBLY OF FIRST NATIONS:



Regional Chief Terry Teegee