



Statement

Sept. 6, 2019
For Immediate Release

Today's Canadian Human Rights Tribunal (CHRT) ruling represents a tangible recognition of the horrendous human rights violations that have been inflicted upon First Nations, Métis and Inuit children and families. This ruling, that orders compensation for First Nations children and some parents and grandparents affected by a discriminatory on-reserve child welfare system, is long overdue. After all the stalling and resistance, it's about time the federal government honoured the 2016 CHRT ruling on First Nations child welfare.

Today's ruling will have impact for many families in B.C., though how many remains to be seen. It is a complex ruling, and a significant number of children and youth could be deemed eligible for compensation.

It is, however, disturbing that, despite the fact that the federal government was found more than three years ago to have discriminated against First Nations children by under-funding on-reserve child welfare services, it has opposed any compensation to date.

It is also important to note that the original CHRT ruling in 2016 directed the federal government to address the discrimination in four distinct ways:

- By providing immediate relief to address the most egregious impacts
- By conducting mid-term reform to address structural factors
- By conducting longer-term reform
- By providing compensation for children who were harmed.

Compensation was only one part of the four-part ruling. While it is welcome, I want to be clear that it is equally imperative that the other three areas also be fully addressed.

Bill C-92, *An Act Respecting First Nations, Inuit and Métis children, youth and families* was intended to be part of the solution by transferring child welfare jurisdiction to First Nations, Inuit and Métis groups. However, the federal government failed to attach statutory funding to the legislation, which is problematic.

The significance of today's ruling is immeasurable. It keeps the issue of protecting the rights of First Nations, Métis and Inuit children alive and provides temporary measures to address the terrible harms that have been done. The key is to right the wrongs that have been done over time by providing First Nations – both status and non-status – Métis, Inuit and urban Indigenous communities with appropriate resourcing. Today's ruling is a good first step in that direction. Dr. Cindy Blackstock and the First Nations Child and Family

Caring Society deserve praise for their persistence, sacrifice and hard work on this important issue.

To view the CHRT ruling in its entirety, click here:

https://fncaringsociety.com/sites/default/files/2019_chrt_39.pdf

Sincerely,

A handwritten signature in blue ink that reads "J Charlesworth". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jennifer Charlesworth
Representative for Children and Youth