



# Statement

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**Oct. 4, 2019**

**For Immediate Release**

I wish to express my extreme disappointment at today's action by the federal government to fight a recent Canadian Human Rights Tribunal (CHRT) ruling that ordered compensation for First Nations children and families affected by Canada's discriminatory on-reserve child welfare system.

The federal government was found more than three years ago by the CHRT to have discriminated against First Nations children by dramatically under-funding on-reserve child welfare services. That under-funding has led to irreparable harm suffered over the years by First Nations children and families.

In September, the Tribunal ordered compensation of up to \$40,000 to each child unnecessarily removed from their family or taken from their community and culture by on-reserve child welfare services since Jan. 1, 2006, as well as compensation to some parents and grandparents. While this order was not seen a "fix" for the grave harms inflicted, it was seen as a start toward rectifying a terrible social injustice and national shame. These funds would directly benefit the young people that my office is concerned about every day – creating opportunities for education, treatment, familial and cultural reconnection.

However, today, the government filed for a judicial review of September's ruling and a stay of the CHRT order. Instead of moving ahead to pay the compensation, the federal government has opted to stall the process even further.

It is difficult to fathom government's reasoning when, at the same time, it professes to embrace the process of reconciliation with Canada's First Nations, Inuit and Métis peoples. It seems logical that any genuine spirit of reconciliation would include admitting to discriminatory practices and doing the utmost possible to make up for those mistakes.

Today's action by the federal government makes Canada's child advocates, including myself and my staff, very concerned in relation to Bill C-92, *An Act Respecting First Nations, Inuit and Métis children, youth and families*. That Act is scheduled to come into force in January 2020 and will affirm inherent jurisdiction of First Nations, Inuit and Métis groups over their own child welfare. However, the government failed to attach statutory funding to the legislation. This is highly problematic when considered in combination with the government's consistent resistance to the CHRT rulings and its failure to take responsibility for the damage done.

Indigenous children and families should be able to count on the federal government to do the right thing for them. By continuing to fight the CHRT ruling, it is doing exactly the opposite.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Charlesworth". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish at the end.

Jennifer Charlesworth  
Representative for Children and Youth