

February 10, 2025

Sent by e-mail

Regional Chief Abram Benedict Chiefs of Ontario
1 Migzii Miikan, PO Box 711
Nipissing First Nation
North Bay, ON P1B 8J8

Greetings Regional Chief Benedict,

RE: Response to your January 13, 2025 letter

Thank you for your January 13, 2025 letter inquiring about certain matters in relation to the National Children's Chiefs Commission ("**NCCC**"). I write in my capacity as the Chair of the NCCC to respond to your letter.

I want to assure you that the NCCC is indeed a "First Nations leadership-driven commission and process," and take some time to update you on the NCCC's important work to date.

The NCCC was established by the First Nations-in-Assembly when First Nations Chiefs passed AFN Resolution 60/2024 at the Special Chiefs Assembly in October 2024. That resolution was a direct response to the need to establish a negotiation process led by First Nation leadership for the Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle. In this regard, I highlight that the NCCC is comprised of regionally appointed Commissioners, most of whom are Chiefs, hereditary Chiefs or past Chiefs, representing 10 of 11 regions across Canada, including non-AFN affiliated regions. I am the Chief of the Vuntut Gwitchin First Nation and I am proud to serve in that capacity as the Chair of the NCCC.

Since December 2024, the NCCC has been working diligently to fulfill its mandate, and has undertaken numerous activities, including the following:

- the NCCC has been holding weekly meetings to advance its work;
- the NCCC approved, in principle, its terms of reference on December 18, 2024, subject to final approval by the First Nations-in-Assembly;
- the NCCC held an in-person meeting on January 23-24, 2025, where the NCCC approved, in principle, the terms of reference for a negotiation team, subject to further feedback from First Nation leadership from each of the respective regions;

- the NCCC has written to the AFN Executive to request a meeting to discuss how we can work collaboratively in a manner consistent with the resolutions passed by the First Nations-in-Assembly; and
- the NCCC has written to Canada to propose that we work collaboratively over the next two months on a letter of commitment in relation to a national agreement on Long-Term Reform of First Nations Child and Family Services (“**LTR Agreement**”) and a process to address Jordan’s Principle.

This brings me to the second issue I would like to address: the matter of Ontario’s participation in the NCCC. First Nations-in-Assembly vested the NCCC with a mandate to provide strategic direction and oversight of negotiations to reach a national LTR Agreement, with regional variations. I understand the Chiefs of Ontario (“**COO**”) and the Nishnawbe Aski Nation (“**NAN**”) are currently pursuing a regional agreement for Ontario. We acknowledge and respect the sovereign will of Ontario First Nations to pursue a regional agreement. Should COO and NAN decide to re-engage in negotiations toward a national LTR agreement, the NCCC would welcome representation from the Ontario region. For now, we would gladly meet with COO and NAN to discuss how we can collaborate to continue our collective efforts to advance the physical, emotional, cognitive, and spiritual well-being of First Nations children across Canada.

Again, I want to assure you that the NCCC is an independent body which represents First Nations. The Chiefs, sitting together as the First Nations-in-Assembly, voted on behalf of rights holders to establish the NCCC and mandated it to oversee further negotiations in relation to the LTR Agreements. The NCCC is comprised of one regional representative, an alternate, and their technician(s) from each region. All regions except for Ontario have appointed their NCCC representatives through their regional processes, including the non-AFN affiliated regions. The Commissioners and their technicians bring considerable expertise in child and family services, Jordan’s Principle, inter-governmental relations, and negotiations.

While the Commission has occasionally benefited from the technical advice of the “Informal Working Group” that you reference in your letter, the Commissioners carefully reviewed, revised, and approved the terms of reference and other documents referenced in your letter. Indeed, the applicable AFN Resolutions direct the NCCC to seek input from experts as part of the open, transparent process we have been mandated to oversee and to ensure that we continue to take an evidence-informed approach.

Finally, it is important to note that the NCCC does not perceive a conflict between First Nations and the agencies that First Nations have founded to provide child and family services to our members. Indeed, we are committed to taking a “yes, and” approach – meaning that we need to secure funding for First Nations and our agencies. For that and

other reasons, we do not agree that our legal counsel is in a conflict of interest. Rather, we point to the long history of collaboration between the First Nations Child & Family Caring Society and the AFN in initiating and prosecuting the human rights complaint before the Canadian Human Rights Tribunal, which has forced Canada to the negotiating table with First Nations.

In closing, we welcome a meeting with COO and NAN to discuss how we can work together to continue to advance justice for all First Nations children across Canada.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pauline Frost', with a stylized, cursive script.

Chief Pauline Frost
Chair, NCCC

c: NCCC