

Secretariat Office

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Nasu?kin Cheryl Casimer

Interim Chair, National Children's Chiefs' Commission

c/o Mx. Tracy Lavin, Acting Executive Director

Our Children Our Way Secretariat

200-100 Park Royal S, West Vancouver, BC V7T 1A2

Tracy.Lavin@OurChildrenOurWay.ca

Wa'tkwanonwera:ton/ Greetings Nasu?kin Cheryl Casimer,

I have learned for the first time from your correspondence dated January 9, 2025 to the Assembly of First Nations Executive Committee and received by me on January 13, 2025 that you are the Interim Chair of the National Children's Chiefs' Commission (NCCC), which purportedly represents and speaks for all First Nations on the subjects of First Nations child and family services and Jordan's Principle reform. As you are aware, Chiefs of Ontario (COO), Nishnawbe Aski Nation and Amnesty International are interested parties in the litigation between First Nations Child and Family Caring Society, the Assembly of First Nations (AFN), and the Government of Canada.

COO received an email sent on January 15, 2025 at 1:10 pm Eastern from Mx. Tracy Lavin, the Executive Director of the Our Children Our Way Secretariat, stating that "[t]he NCCC has not heard from Ontario regarding an appointment for [Ontario] region" and providing COO with "another opportunity" to do so. Mx. Lavin also advised that there is a meeting of the NCCC scheduled for January 17, 2025 at 1:00 pm Eastern via Zoom, 48 hours from the receipt of the email. The correspondence contained the terms of reference of the NCCC, which were apparently approved by the NCCC in January 2025, in the absence of COO's input.

We confirm that at no point since the AFN Assembly in October 2024 did COO receive any formal correspondence inviting COO to make our appointment to the NCCC nor to participate in the discussion about terms of reference for the NCCC. COO similarly was excluded from the "Informal Working Group", who we understand to be the architects of the AFN Resolutions #60 and #61 passed at the AFN Assembly in October 2024.

The terms of reference of the NCCC provide that "[t]he NCCC will act openly and transparently...to ensure a fair, equitable, and transformative agreement." On the contrary, with respect to COO, the operations of the NCCC have been anything but open and transparent.

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The mover of AFN Resolutions #38 and #41 passed on December 5, 2024, made representations asserting that the formulation of the NCCC draft terms of reference had Ontario participation and included some engagement from Ontario. Those were misstatements or misunderstandings.

In Ontario, like in other regions, input from individual Chiefs or technicians does not represent the collective voice of First Nations in Ontario. Input from agency representatives in Ontario does not represent the collective voice of the First Nations in Ontario. For complete clarity, COO receives its mandates and expresses the collective will of the First Nations in Ontario through resolutions of the Chiefs-in-Assembly and the direction of the COO Leadership Council. If the members of the NCCC and the mover of the resolution were somehow not aware of this fact, this corrects the record.

COO also has serious concerns about the independence of the NCCC and the extent to which it represents First Nations. The NCCC terms of reference appear to have been authored at first instance by a board member of the First Nations Child and Family Caring Society and commented on by staff of the First Nations Child and Family Caring Society and the Our Children Our Way Secretariat. Both organizations have boards of directors composed primarily of representatives of First Nations child and family services agencies, and no elected First Nations leadership.

Our concerns about the independence of the NCCC are exacerbated by the troubling fact that two motions brought before the AFN Executive Council on January 13, 2025 were apparently authored by a staff member of the First Nations Child and Family Caring Society.

Furthermore, your letter to the AFN Executive dated January 9, 2025 proposed appointing two persons as legal counsel to NCCC, at least one of whom is apparently legal counsel for all of the First Nations Child and Family Caring Society, one or more First Nations child and family services agencies in British Columbia, and the Our Children Our Way Secretariat. This individual's law firm also appears to be legal counsel personally to Dr. Cindy Blackstock. This is a clear conflict of interest. This conflict compromises the independence of the NCCC. As is obvious from the past years, First Nations and the child and family services agencies that they are affiliated with are not always aligned in viewpoint.

Given the above, it is not apparent at all to COO that there is any distinction between the NCCC and the First Nations Child and Family Caring Society. This does not appear to be a First Nations leadership-driven commission and process, which is of serious concern.

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We look forward to hearing from you and other members of the NCCC as to what open and transparent process the NCCC intends to engage in to solicit meaningful feedback from COO, incorporate it, or transparently account for why it is rejected.

Please ensure that the COO Director of Social Services, Finn Simard, is copied on all correspondence from you.

Sken:nen / In Peace,

Abram Benedict

Ontario Regional Chief

Cc:

Grand Chief Alvin Fiddler, Nishnawbe Aski Nation

COO Leadership Council

National Chief Cindy Woodhouse, Assembly of First Nations

AFN Executive Committee

Mx. Tracy Lavin, Our Children Our Way Secretariat