

WEBVTT

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00:00:02.130 --> 00:00:02.960

vincent@parlonsvirtuel.com: Yes, they're right.

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00:00:02.969 --> 00:00:04.659

Michelle Morning Star Doherty - Our Children Our Way Society: And I'll hit Start Webinar.

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00:00:05.260 --> 00:00:07.439

vincent@parlonsvirtuel.com: Yeah, we can. Let's go.

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00:00:50.330 --> 00:00:53.820

Sam Hull: Good morning, everybody. We're just gonna wait another minute or so until we get started.

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00:02:12.620 --> 00:02:18.469

Sam Hull: Hey, good morning, everybody. I wanted to say welcome to our panelists and our participants.

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00:02:18.740 --> 00:02:22.820

Sam Hull: Thank you to the Our Children, Our Way Society for hosting this webinar.

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00:02:22.960 --> 00:02:34.219

Sam Hull: And, just starting with introducing myself, my name is Sam Hull. I'm a member of the Frog Lake First Nation at a Treaty 6 in Alberta. I'm the Child and Family Services Lead with the Confederacy of Treaty 6.

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00:02:34.340 --> 00:02:42.020

Sam Hull: And I am one of the supporting technicians for the National Children's Chiefs Commission supporting the Alberta region.

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00:02:42.540 --> 00:02:47.879

Sam Hull: I would like to start with turning to Judy Red Hummingbird to open the webinar in a good way.

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00:02:48.990 --> 00:03:04.150

Judy Wilson: Thank you, Sam. And thank you to everyone that's joined

our circle this morning from across the country, and from your respective territories, and your home fires. Thank you for joining us this morning. I'll open up with a short prayer.

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00:03:04.350 --> 00:03:16.680

Judy Wilson: Cook Sham Cook Bee Creator. We thank you, Great Spirit, for today. We thank you that we're full of energy, our... every cell in our body is energy, and we thank you for that, Creator.

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00:03:16.680 --> 00:03:32.369

Judy Wilson: Because we can stay grounded in a way when we do our prayers like this, to invite that energy in from Mother Earth, and the energy in from Father Sky, from Creator, from you, from the universe. And then we choose... we do not have to,

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00:03:32.710 --> 00:03:39.690

Judy Wilson: We do not have to be, scattered. We can call our energy in crater, and we,

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00:03:39.690 --> 00:03:50.930

Judy Wilson: walk with purpose and alignment, Creator, so we pray for that for today, and we look forward to having walking in a good way, because we, make today's what we make it.

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00:03:50.930 --> 00:04:00.290

Judy Wilson: And we decide where we go next, and we choose how we, our energy is used today. So we pray for our energy to be used in a good way.

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00:04:00.290 --> 00:04:18.260

Judy Wilson: And also to have health and wellness for our people, and also that we continue to walk our path in a good way, and also that we can look at how our light does not need the permission to shine. We each shine our own light.

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00:04:18.360 --> 00:04:19.810

Judy Wilson: And also.

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00:04:19.959 --> 00:04:44.460

Judy Wilson: the... what we had, learned through trauma, and we learned through lived experience, our pathway is not a brick wall, it's a doorway, so we can open that in a good way. So whatever we came

through, Creator, for our lived experience did not break us, it's building us. Just as our children are at the center, we're building that future with them, and we thank them so much for being

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00:04:44.460 --> 00:04:46.620

Judy Wilson: In our center of our circle.

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00:04:46.620 --> 00:04:49.780

Judy Wilson: And also that we can focus on the work we're doing.

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00:04:49.810 --> 00:04:56.349

Judy Wilson: With intentional mindsets, and also to nourish the future for our children, and

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00:04:56.370 --> 00:05:05.609

Judy Wilson: Please send blessings for our children, our families, and our communities. All that we're thankful for, the Mother Earth, the water, and all of creation.

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00:05:05.610 --> 00:05:24.479

Judy Wilson: And also that we can, breathe at times to be in that moment, the stillness, to reclaim that energy. We need to continue the work. Sometimes it gets to be so much as what we're working on that it, builds up, but we know we can stop, smudge ourselves, and,

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00:05:24.500 --> 00:05:38.909

Judy Wilson: become whole again, and then be able to do that work that's so important. We thank you for today again, we thank you for our ancestors, we thank you for our guardians and our helpers, the seen, unseen, and unheard, and also that,

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00:05:38.910 --> 00:05:57.410

Judy Wilson: We thank you for that purpose and that direction, and also that heart, soul, intentions that we have for our children, and the work that we have before us today with the Loving Justice Plan, and with the work to end racism and discrimination against our children.

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00:05:57.410 --> 00:06:21.860

Judy Wilson: So we thank you again, and we love you so much, Creator. We thank you for the ones that, our loved ones that may have passed on. We pray for the ones that are sick and ill and infirmed, and we

also, pray that our children will be, at our heart today, and in our thoughts, and all the decisions and work that we do moving forward with Loving Justice Plan. Cook's Jam, Cook's Jam, Cook's Jam, Cook's Jam.

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00:06:21.860 --> 00:06:22.699

Judy Wilson: Thank you.

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00:06:30.810 --> 00:06:32.709

Sam Hull: Hi, hi, Judy. Thank you so much.

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00:06:34.050 --> 00:06:46.250

Sam Hull: Our panelists today are going to be Chief Pauline Frost, the Chair of the National Children's Chiefs Commission, and Dr. Cindy Blackstock, the Executive Director of the First Nations Child and Family Caring Society.

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00:06:46.500 --> 00:07:05.569

Sam Hull: Chief Frost will first provide an update on the Commission's analysis of Canada's plan and their apparent strategy, and then Dr. Blackstock will share a comparative analysis of the Loving Justice Plan and Canada's Plan, and provide some discussion on how these plans intersect with Jordan's principle.

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00:07:05.820 --> 00:07:07.660

Sam Hull: Before I turn to our panelists.

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00:07:08.060 --> 00:07:10.620

Sam Hull: Just a few housekeeping points.

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00:07:13.930 --> 00:07:18.879

Sam Hull: This session is being recorded and will be available on the Our Children Are Way website.

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00:07:19.020 --> 00:07:24.529

Sam Hull: We have French interpreters available on a separate channel for Francophone participants.

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00:07:27.240 --> 00:07:37.270

Sam Hull: We will save time at the end for questions, so please type your questions into the chat, and I will read them out for the

panelists at the end.

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00:07:37.430 --> 00:07:51.560

Sam Hull: And finally, we'll be hosting at least 4 more webinars over the next few weeks to really dig into the details of the Loving Justice Plan and Canada's Plan. We'll share the dates of those webinars as they become available, so please keep an eye out for that.

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00:07:51.910 --> 00:07:58.710

Sam Hull: I'll turn now to Chief Frost to introduce herself and share an update from the National Children's Chiefs Commission. Thank you, Chief.

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00:07:59.110 --> 00:08:00.820

Chief Pauline Frost: Oh, thank you,

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00:08:00.840 --> 00:08:16.070

Chief Pauline Frost: Thank you to, our elder and knowledge keeper, Judy Wright Hummingbird, for a beautiful opening this morning. I'll just start by giving you a little bit about myself. So, I'm the Chief of the Buntaquichan First Nation, here in Yukon. I am also the

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00:08:16.070 --> 00:08:21.220

Chief Pauline Frost: Commissioner representing Yukon First Nations on the National Children's Chiefs Commission.

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00:08:21.320 --> 00:08:30.429

Chief Pauline Frost: In January of last year, I was appointed as the chair of the National Children's Chiefs Commission, and I'm just quite honoured to,

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00:08:30.640 --> 00:08:49.979

Chief Pauline Frost: To have that role, and also to bring some voice to, to the table with respect to our Indigenous representation across the country. I want to just start by, giving you a bit of a perspective and a brief overview on two plans that were submitted to the Canadian Human Rights Tribunal on December 22nd.

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00:08:51.060 --> 00:09:10.510

Chief Pauline Frost: we... I'll just maybe stop by saying, before we... before that, we... in fact, in a bit, we... we did provide, through other webinars, and I'll just refer you to our website, lots of context

around how this came to be and how we landed here with respect to CR...  
CHRT80 plans, so...

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00:09:10.510 --> 00:09:18.749

Chief Pauline Frost: the Caring Society... pardon me... Caring Society worked with the National Children's Chiefs Commission to create the Love of Justice Plan.

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00:09:18.750 --> 00:09:31.170

Chief Pauline Frost: Many of you, contributed your wisdom, your experience, your, Lyft experience. Of course, your regional engagement in the fall really reflected your perspectives.

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00:09:31.170 --> 00:09:43.860

Chief Pauline Frost: your plans as it relates to, you know, the decades-long work that you've been doing with respect to Indigenous-led research and legal obligations, legal orders. The Loving Justice Plan

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00:09:43.870 --> 00:09:55.950

Chief Pauline Frost: It's built around national... a national minimum, standards for ending Canada discrimin... discrimination, in First Nations and Indigenous... Indigenous Children and Family Services.

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00:09:56.110 --> 00:10:11.870

Chief Pauline Frost: at the same time, while creating space for regional variations to address distinct needs and circumstances. And that said, often there's questions around what does unique circumstance look like? What does a national plan look like?

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00:10:12.620 --> 00:10:27.570

Chief Pauline Frost: the National Family Children's Services Plan was rejected for a reason. It spoke about children on reserve. It didn't speak about all children. It didn't fully address the barriers that were in place and in front of us with respect to

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00:10:27.570 --> 00:10:32.840

Chief Pauline Frost: program and service needs of our children. And so, in the Yukon.

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00:10:32.840 --> 00:10:37.299

Chief Pauline Frost: The unique circumstances of each one of our

region must be considered when

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Chief Pauline Frost: when looking at regional variations. In the Yukon, we have self-go...

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00:10:41.550 --> 00:10:56.710

Chief Pauline Frost: self-governing First Nations, 11 of us are self-governing, and you have 4 that are not, sorry, 3 that are not self-governing. In that, in that contemplation, we have to look at the Indian Act Reserve... the Indian Act bans.

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00:10:56.890 --> 00:11:08.450

Chief Pauline Frost: And then we have to look at the self-governing nations in their context. The circumstances also, as if it refers to agencies, for us, we have not devolved direct authority.

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00:11:08.450 --> 00:11:17.689

Chief Pauline Frost: over... and control over family children's services, so that still rests with the Yukon government when it refers to agencies and the plan.

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00:11:17.730 --> 00:11:32.760

Chief Pauline Frost: And so that in itself is a barrier, right? You want to see, opportunities for direct involvement with First Nations, led governance and oversight. It has to reflect our research, it has to reflect our

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00:11:32.760 --> 00:11:39.130

Chief Pauline Frost: our perspective when it comes to regional variations and unique circumstances. For us.

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00:11:39.380 --> 00:11:45.459

Chief Pauline Frost: In the North, my community's isolated and remote, so often we think about remoteness factors, right?

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00:11:45.550 --> 00:12:01.380

Chief Pauline Frost: price, population, remoteness, variances when it comes to, unique circumstances. So, a key feature of the Loving Justice Plan is ongoing governance and oversight by First Nations. So the plan puts First Nations in the driver's seat.

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00:12:01.530 --> 00:12:09.270

Chief Pauline Frost: We see this as the only way to fully and finally end campus discrimination, persistent discrimination.

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00:12:09.630 --> 00:12:27.709

Chief Pauline Frost: Canada in the driver's seat is not an option. It has to be led and guided by First Nations governments across the country. When it comes to funding, the Loving Justice Plan relies on evidence-based approach developed by... developed with some built-in flexibility.

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00:12:27.870 --> 00:12:34.439

Chief Pauline Frost: So, some funding elements will remain as actual cost until a reliable baseline is established.

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00:12:34.980 --> 00:12:50.180

Chief Pauline Frost: So the actual approach will remain available to address distinct needs. Capacity building is included to support nations and agencies that need additional supports. While, on the other hand.

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00:12:50.250 --> 00:12:55.460

Chief Pauline Frost: Canada's plan includes a national framework based on a failed final agreement.

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00:12:56.160 --> 00:12:58.810

Chief Pauline Frost: The one we rejected more than a year ago.

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00:12:59.100 --> 00:13:03.140

Chief Pauline Frost: Canada has made regional agreements, a center

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00:13:03.790 --> 00:13:19.300

Chief Pauline Frost: Well, let me just start again. Canada's made regional agreements a centerpiece for their plan. The national framework leaves very little room to negotiate these regional agreements. And under the plan, Canada remains in full control.

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00:13:19.450 --> 00:13:25.880

Chief Pauline Frost: of all decision-making at least First Nations as an advisory role. That doesn't work for us.

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00:13:26.060 --> 00:13:39.939

Chief Pauline Frost: If we want to end discrimination once and for all, and move forward in a cohesive fashion, we have to have First Nations leading governance and oversight. We need First Nations directly involved in implementation.

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00:13:39.940 --> 00:13:54.070

Chief Pauline Frost: Not as a... not sitting on the sidelines watching in and providing periodic advice. That's not acceptable for us. So we have to look at, at, at direct involvement, and we know what, we know that,

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00:13:54.120 --> 00:14:08.239

Chief Pauline Frost: Canada obviously doesn't accept our advice, because we've made some, you know, distinct recommendations with respect to how we can change the policy directives and eliminate racial discrimination once and for all. So we look...

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00:14:08.240 --> 00:14:18.340

Chief Pauline Frost: On this next slide, we talked about Canada's tactics, so we looked very carefully at Canada's proposal to negotiate regional agreements.

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00:14:18.470 --> 00:14:22.950

Chief Pauline Frost: And in the context of Canada's refusal to negotiate at the national level.

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00:14:22.970 --> 00:14:46.519

Chief Pauline Frost: The emphasis on regional agreements looks a lot like an attempt to divide and conquer. Essentially, what that means is that you're going to work region by region by region, and the money that has been identified, well, we think about how that's going to be divided. What strategies do they have in place with respect to negotiating region by region? How is the money going to be divided, right?

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00:14:46.520 --> 00:14:53.079

Chief Pauline Frost: is it depends on price, population, remoteness, unique circumstances? We don't know the methodology or the formula.

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00:14:53.080 --> 00:15:00.349

Chief Pauline Frost: That hasn't really, really been revealed, so... and

their refusal, to negotiate the...

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00:15:00.450 --> 00:15:08.199

Chief Pauline Frost: Assembly First Nations and the National Children's Chiefs Commission has been calling on Canada for over a year to negotiate a national plan.

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00:15:08.290 --> 00:15:23.150

Chief Pauline Frost: The Canadian Human Rights Tribunal ordered Canada to produce a national plan, and Canada came back with what we can define as a plan for regional agreements, based on what we've read. Canada suggested

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00:15:23.450 --> 00:15:34.940

Chief Pauline Frost: that it is First Nations that want these regional agreements, and they point to letters they received from First Nations asking about regional... regional negotiations, but...

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00:15:35.100 --> 00:15:49.969

Chief Pauline Frost: what we are hearing is that it's really a misrepresentation that BC Assembly of First Nations, the Assembly of Manitoba Chiefs, the Mi'kmaq Nation of New Brunswick, have clarified that they support the national plan, and these are

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00:15:49.970 --> 00:15:57.109

Chief Pauline Frost: nations that have been highlighted in Canada's submission. So why, then, is Canada pushing these regional agreements?

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00:15:57.250 --> 00:16:07.689

Chief Pauline Frost: In our view, this is, as I said, the divide and conquer, tactic, right? We know we are stronger together, and Canada knows that, like.

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00:16:08.230 --> 00:16:20.199

Chief Pauline Frost: we... we have to work together. You can't hold us in this dilemma. It's like a Candace version of a... sort of a... I guess you could coin it as a prisoner's dilemma. We separate us.

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00:16:20.310 --> 00:16:30.059

Chief Pauline Frost: impose an agreement that works for Canada, it has to work for us. We see Canada's usual tactics at work here. They're offering to negotiate.

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00:16:30.580 --> 00:16:31.370

Chief Pauline Frost: But...

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00:16:31.410 --> 00:16:50.880

Chief Pauline Frost: these are not real negotiations, right? We have a plan, we have a strategy, we have a team ready to move on negotiating with Canada on a plan that will work for all nations. So this, this is a take-it-or-leave-it, right, approach with Canada.

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00:16:50.890 --> 00:16:56.019

Chief Pauline Frost: Canada Plan makes it very clear that there's very little room for actual negotiations.

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00:16:56.320 --> 00:17:06.120

Chief Pauline Frost: They suggested that they will negotiate regional governance models, but this is not real governance, right? In my view. It takes Canada,

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00:17:06.290 --> 00:17:22.820

Chief Pauline Frost: It gives Canada full decision-making authority and control over First Nations, and it gives First Nations an advisory role. So the funding structure and the amount are not subject to negotiations. Canada will negotiate to determine who receives the funding.

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00:17:23.109 --> 00:17:26.650

Chief Pauline Frost: We see this as a strategy for pitting nations against

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00:17:26.690 --> 00:17:45.760

Chief Pauline Frost: its own agencies. In our case, it would be Yukon government and Yukon First Nations, and then, self-governing nations, and that against the non-self-governing nations. That's not... that's not a very good strategy, if you ask me. We also see Canada weaponizing time, so you see the tight timelines they've imposed in their plan.

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00:17:45.760 --> 00:18:02.370

Chief Pauline Frost: They impose the schedule for regional negotiations. For regions that do not reach an agreement within that time frame, the national framework kicks in, although in reality, the

national framework will apply to all regions, whether there's an agreement or not.

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00:18:02.710 --> 00:18:08.870

Chief Pauline Frost: But Canada adds to the time pressure by putting funding for regional structures at risk.

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00:18:09.380 --> 00:18:17.769

Chief Pauline Frost: If you do not negotiate a regional agreement on Canada's terms, your region may not be a regional... may not get a regional secretariat.

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00:18:17.980 --> 00:18:21.610

Chief Pauline Frost: We finally see clear evidence,

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00:18:21.760 --> 00:18:33.219

Chief Pauline Frost: that Canada's trying to deflect responsibilities. So, in our view, Canada's goal here is to avoid accountability for ending its discriminatory conduct.

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00:18:33.670 --> 00:18:46.850

Chief Pauline Frost: Now, we will have more to say about accountability and enforcement in future webinars, but briefly, Canada does not articulate any mechanism for holding Canada accountable.

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00:18:46.850 --> 00:18:55.260

Chief Pauline Frost: Instead, Canada's plan states that agency accountability is a central tenet of long-term reform. This is not

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00:18:55.740 --> 00:18:56.819

Chief Pauline Frost: This is not...

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00:18:57.180 --> 00:19:08.939

Chief Pauline Frost: to be overlooked. Canada has been discriminating against our children and families for decades. To that extent, they are now paying over \$23 billion in compensation.

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00:19:09.090 --> 00:19:11.849

Chief Pauline Frost: And yet, they hold our agencies accountable.

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00:19:12.350 --> 00:19:18.359

Chief Pauline Frost: So the risk for all, however, is that Canada's plan may set up the nations to fail.

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00:19:18.750 --> 00:19:31.180

Chief Pauline Frost: There's no runway, no support, and no dedicated funding for First Nations that have not yet built up capacity to deliver services, which essentially puts our children at risk even further.

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00:19:31.380 --> 00:19:36.540

Chief Pauline Frost: There's... So there's power in our collective voice.

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00:19:37.130 --> 00:19:50.100

Chief Pauline Frost: We are stronger together. We come together... we came together in Calgary, we rejected the original plan that was not good enough for our children, and we already are seeing a clearer win from the collective decision.

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00:19:50.350 --> 00:20:03.909

Chief Pauline Frost: Canada's put forward \$4.4 billion annually going forward, with no end... with a no end date. We can't debate whether that funding is enough or not. Is it prop... is it properly structured?

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00:20:04.020 --> 00:20:10.360

Chief Pauline Frost: But at least Canada has given up on time-limited approach, and it is a critical step

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00:20:10.360 --> 00:20:28.350

Chief Pauline Frost: in the right direction, and I just want to acknowledge that with Canada, we... we are, you know, they did make some commitments, they came forward with the resources, you know, perhaps it's a... this is an opportunity for them to come back to the table to say, hey, maybe this is just gonna... isn't gonna work.

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00:20:28.350 --> 00:20:43.159

Chief Pauline Frost: Right? Maybe we should work together and try to implement a collaborative approach. That's ideally what we'd like, but for now, this is what we're... we're seeing with respect to the divide and conquer, leave it... a take-it-or-leave-it negotiations, and...

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00:20:43.200 --> 00:20:45.769

Chief Pauline Frost: The whole business around accountability.

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00:20:45.920 --> 00:21:05.829

Chief Pauline Frost: You cannot force First First Nations communities across the country and regions to, to fail. You can't force them into the corner and then say, here's, you know, 6 months, respond. That's not acceptable. We need to have... they need to put together their regional variations that work for them, and it has to be designed by them, not imposed on them.

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00:21:05.830 --> 00:21:21.879

Chief Pauline Frost: So we need to, move in the right direction, is what I'm suggesting here, and I'll turn now to, Dr. Cindy Blackstock for her analysis on how Loving Justice Plan will keep us moving forward in the right direction, and I thank you.

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00:21:23.400 --> 00:21:38.600

Sam Hull: Thank you, Chief Frost, for that. Just a reminder for the attendees that we will have some time for questions in a few minutes, but first we'll hear from Dr. Blackstock. If you do have any questions for Chief Frost, please feel free to type them into the chat, and we'll come back to them in a few minutes. Thank you, Cindy.

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00:21:40.190 --> 00:21:55.930

Dr. Cindy Blackstock: Well, I want to begin by just recognizing the territories that all of you are on, and I am Cindy Blackstock, the Executive Director of the Caring Society, and I'm joining you from Tecamloopsa First Nation, and thank you, Judy, for the opening.

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00:21:56.320 --> 00:22:02.499

Dr. Cindy Blackstock: We're going to begin by, picking up on some of the themes that Chief Frost has so eloquently outlined.

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Dr. Cindy Blackstock: In terms of what is actually in the First Nations-led Loving Justice Plan to end Canada's discrimination in child and family services.

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00:22:13.380 --> 00:22:25.899

Dr. Cindy Blackstock: And then, what is Canada's plan to end its own discrimination? And how do the two compare, particularly on this whole idea of regional negotiations? So we'll go to the next slide, please,

Sam.

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00:22:27.460 --> 00:22:43.630

Dr. Cindy Blackstock: So, I begin with disclosure that the Caring Society is a co-complainant, along with the Assembly of First Nations, in the human rights case. So, we do take representations, we make submissions, we're an active participant in that case.

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00:22:43.640 --> 00:22:59.710

Dr. Cindy Blackstock: I also just want to say that this presentation is a high-level summary only. We always encourage everyone to look at the source documents. Most of them are posted on fnwitness.ca or on the National Children's Chiefs Commission's website.

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Dr. Cindy Blackstock: Included in those is a French and an English version of Loving Justice. Canada's plan, to our knowledge, is only available in English at this moment.

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Dr. Cindy Blackstock: Next slide.

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00:23:12.330 --> 00:23:22.579

Dr. Cindy Blackstock: So, a reminder that this is a legal case. These plans are to remedy Canada's discrimination permanently in child and family services.

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Dr. Cindy Blackstock: Jordan's principle will be addressed by a separate process, but as I will speak to later in this presentation, there is some overlap.

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Dr. Cindy Blackstock: Next slide.

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Dr. Cindy Blackstock: So, how did these plans come to be? Well, back in August, I remember that the merits decision was actually made, and just a recognition here, the merits decision was handed down on, December, or January 26, 2016, so we just had the 10th anniversary of that decision.

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00:23:52.910 --> 00:23:59.460

Dr. Cindy Blackstock: And what a world of change it has made, you know? Like, for children on the ground, for the people who are out there caring for them.

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00:23:59.460 --> 00:24:03.169

Dr. Cindy Blackstock: It's been really, a big shift.

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00:24:03.170 --> 00:24:17.439

Dr. Cindy Blackstock: But it hasn't yet achieved the goal of nondiscrimination or prevent recurrence. And so the tribunal has said to everyone, here are the minimum standards that need to be achieved in a long-term remedy.

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00:24:17.710 --> 00:24:31.859

Dr. Cindy Blackstock: And so you see them here. One of the most important is that it needs to safeguard multiple generations of children from Canada's discrimination, not just 5 years, 10 years, it has to be multiple generations.

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00:24:31.880 --> 00:24:38.190

Dr. Cindy Blackstock: that the cease discrimination order against Canada is the same as, is kind of akin to an injunction.

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00:24:38.540 --> 00:24:53.779

Dr. Cindy Blackstock: And they have to be based on evidence, they have to improve on the tribunal's orders, respect the spirit of the orders, and incorporate First Nations perspectives and regional perspectives. And here's an important thing.

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Dr. Cindy Blackstock: Respect the human rights of the child, as well as First Nations. In some representations.

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00:25:02.460 --> 00:25:21.259

Dr. Cindy Blackstock: People are making arguments that those two things are in competition with one another. But as UNDREP makes clear, the human rights of First Nations children and Indigenous children coexist with the right to self-determination. Those things operate together, you can't compromise

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00:25:21.260 --> 00:25:31.969

Dr. Cindy Blackstock: one for the other. They have to... they have to be in harmony with one another, i.e, self-government upholds children's rights, and children's rights are in harmony with self-government. Next slide.

135

00:25:34.390 --> 00:25:51.500

Dr. Cindy Blackstock: So, the tribunal, in addition to those minimum standards, ordered Canada to create this plan and file it by December 22nd, and in fact, it really encouraged Canada to work with the Caring Society, the AFN, and the National Children's Cheese Commission to come up with one plan.

136

00:25:51.610 --> 00:25:56.740

Dr. Cindy Blackstock: But Canada refused to do that, and thus, it filed its own plan.

137

00:25:57.060 --> 00:26:15.359

Dr. Cindy Blackstock: On the other side, the Caring Society and AFN, you'll see there's no orders directly against the National Children's Cheese Commission. That's because the tribunal can't make an order about a party that's not a formal party of the agreement at this point, although the National Children's Cheese Commission has applied for interested party status.

138

00:26:15.450 --> 00:26:33.559

Dr. Cindy Blackstock: So, the orders are against the Caring Society and AFN, and we were ordered to engage nationally outside of Ontario with First Nations and their experts, including young people, to develop a plan to permanently end Canada's discrimination in alignment with the tribunal's orders.

139

00:26:33.560 --> 00:26:37.019

Dr. Cindy Blackstock: And we had to file that by the 22nd.

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00:26:37.020 --> 00:26:40.909

Dr. Cindy Blackstock: I just want to really recognize the incredible,

141

00:26:40.910 --> 00:26:49.019

Dr. Cindy Blackstock: a quote, collaboration with the National Children's Chiefs Commission in, the whole engagement session, and as well as Loving Justice.

142

00:26:49.630 --> 00:26:50.640

Dr. Cindy Blackstock: Next slide.

143

00:26:52.280 --> 00:26:53.760

Dr. Cindy Blackstock: So...

144

00:26:53.770 --> 00:27:13.439

Dr. Cindy Blackstock: How did Loving Justice come together? Well, first of all, you need to know there was no money, for this national consultation. But people got together and did it anyway. So, the National Children's Studies Commission and Caring Society, supported by AFN, created the engagement guides. We've had previous webinars on that, and you can go back and check that.

145

00:27:13.440 --> 00:27:24.629

Dr. Cindy Blackstock: And, we all... those engagement themes were informed by leadership direction, the tribunal's orders, and of course, decades of evidence that is already on the books.

146

00:27:25.000 --> 00:27:37.099

Dr. Cindy Blackstock: Thanks to the heroic efforts of people, we've had over 100 submissions from First Nations and their experts, including youth, that informed the Loving Justice Plan.

147

00:27:37.330 --> 00:27:50.820

Dr. Cindy Blackstock: And the Loving Justice Plan itself was blessed at a solstice ceremony at the Kamlut Suikum, at the... at the joining of the two rivers by elders and knowledge keepers, and particular recognition here to,

148

00:27:50.940 --> 00:27:56.080

Dr. Cindy Blackstock: Judy Wilson, who really guided that process, along with other elders.

149

00:27:56.080 --> 00:28:13.799

Dr. Cindy Blackstock: And when you look at the plan, the words, we love you, the phrase, we love you, actually is on the front and back cover in a way that it wraps it with love, to try and really honor that message of loving justice across multiple generations. And of course, the plan's available in French and English. Next slide.

150

00:28:15.640 --> 00:28:18.909

Dr. Cindy Blackstock: Canada's plan was created in a very different way.

151

00:28:19.060 --> 00:28:33.879

Dr. Cindy Blackstock: The Minister has made public statements that she's been speaking to rights holders about Child and Family Services and Jordan's principal, but there are very few details about who she's speaking to, what the contexts are of those meetings, etc.

152

00:28:34.330 --> 00:28:48.660

Dr. Cindy Blackstock: There's no national engagement that we know of with First Nations experts or youth, or anything close to what we did in Loving Justice. It does cite some evidence, albeit not as extensively as a Loving Justice Plan.

153

00:28:49.110 --> 00:29:06.900

Dr. Cindy Blackstock: And it, along with Canada's, plan, which is 22 pages, it filed affidavits, 5 of them, I think, all of which are affirmed by public servants, so there's no real First Nations weight behind the plan. Next slide.

154

00:29:09.540 --> 00:29:13.160

Dr. Cindy Blackstock: So, here are... here's a quick summary.

155

00:29:13.410 --> 00:29:21.529

Dr. Cindy Blackstock: We've talked about some of this before, that it's really the... the goal with Loving Justice is to create comprehensive reform.

156

00:29:21.700 --> 00:29:34.979

Dr. Cindy Blackstock: Within an enforceable minimum standards as a national base, and then to create, on top of that, regional variations that respond to the unique needs of people.

157

00:29:35.060 --> 00:29:48.449

Dr. Cindy Blackstock: Here are some of the key things that we look at when we talk about effective comprehensive reform. One is governance. Who is going to watch over this implementation and the actual terms of the plan?

158

00:29:48.460 --> 00:29:56.320

Dr. Cindy Blackstock: to make sure it actually ends the discrimination. In Loving Justice, that is a group called the National Oversight Committee.

159

00:29:56.320 --> 00:30:12.710

Dr. Cindy Blackstock: Commission, pardon me. And you might be saying, well, why isn't the NCCC mentioned there? It's because, we wanted to give deference to Chiefs and Assembly in determining whether they wanted the NCCC to continue. Certainly, its great work suggests maybe that's a good decision.

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00:30:12.710 --> 00:30:20.179

Dr. Cindy Blackstock: But we wanted to just respect that by putting something in there as a placeholder that holds the similar structure of regional oversight.

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00:30:20.420 --> 00:30:25.480

Dr. Cindy Blackstock: It has durable funding, it's not time-limited, and as Chief Frost pointed out.

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00:30:25.530 --> 00:30:42.820

Dr. Cindy Blackstock: When Canada presented its plan to the Chiefs in Assembly back in Calgary, it said there's no way that they will provide any ongoing funding beyond the 10 years in that agreement. Well, that has now changed, thanks to the advocacy of First Nations.

163

00:30:42.940 --> 00:30:47.009

Dr. Cindy Blackstock: And Canada has said that beyond the term of its plan.

164

00:30:47.020 --> 00:31:03.779

Dr. Cindy Blackstock: it will provide \$4.4 billion in ongoing funding. So, we need to look at the fine details, but that is a win, for First Nations chiefs, and it's also a win for First Nations children, and Canada should be recognized for its step forward as well.

165

00:31:04.140 --> 00:31:19.760

Dr. Cindy Blackstock: Loving Justice includes capacity-building funds. In a lot of the other plans, the remedy for communities with lower capacity is you can build your capacity by taking funds away from children's service money.

166

00:31:19.800 --> 00:31:44.509

Dr. Cindy Blackstock: Whereas your high-capacity neighbors, can dedicate all that funding, presumably, to children's services. Well, that just puts in place an inequality amongst the haves and has-nots that we don't want to perpetuate. So we have a dedicated capacity building fund for those communities who may wish to assume some child and family services, but don't currently have the adequate capacity.

167

00:31:44.740 --> 00:31:55.299

Dr. Cindy Blackstock: In addition to receiving the dedicated capacity funds, they can name another service provider to provide those services to their children while they build capacity.

168

00:31:55.420 --> 00:32:01.119

Dr. Cindy Blackstock: So that all children are guaranteed a minimum standard of service delivery.

169

00:32:01.220 --> 00:32:10.189

Dr. Cindy Blackstock: There's multi-layered oversight and enforcement, including a litigation fund for First Nations.

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00:32:10.190 --> 00:32:18.940

Dr. Cindy Blackstock: To be able to enforce any kind of plan or order, as well as an independent child rights monitoring mechanism.

171

00:32:18.940 --> 00:32:34.840

Dr. Cindy Blackstock: So these are just some of the additional things on top of the National Oversight Council and regional governance that helps provide a lot of eyes on it to make sure that children are actually not being discriminated against. Next slide.

172

00:32:37.830 --> 00:32:41.829

Dr. Cindy Blackstock: So here's Canada's plan. Chief Ross has covered a lot of this.

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00:32:42.500 --> 00:32:50.290

Dr. Cindy Blackstock: It provides an amount of \$27 billion. It's not clear how they calculated that amount.

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00:32:50.430 --> 00:33:01.959

Dr. Cindy Blackstock: That is, I think something that we need to learn much more about. It includes \$4.4 billion ongoing after 2034, that's

important.

175

00:33:02.050 --> 00:33:08.550

Dr. Cindy Blackstock: And it requires... Canada is still trying to dig in and get this declaration.

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00:33:08.570 --> 00:33:24.050

Dr. Cindy Blackstock: that, its plan satisfies, supersedes, that means it is... has higher weight than the tribunal orders, and indeed replaces the tribunal's orders. It was developed without consultation with First Nations.

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00:33:24.050 --> 00:33:30.829

Dr. Cindy Blackstock: At least that we know of, there's no real kind of declared consultation process akin to what we did in Loving Justice.

178

00:33:30.900 --> 00:33:35.089

Dr. Cindy Blackstock: It consists of a national approach that's developed solely by ISC.

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00:33:35.200 --> 00:33:51.129

Dr. Cindy Blackstock: And, that is mandatory for everyone, it doesn't change, and it really sets the major parameters of the agreement. There are regional agreements, but they're... those are... the nature of those agreements are limited with ISC-imposed limits.

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00:33:51.130 --> 00:33:55.309

Dr. Cindy Blackstock: And really amount to implementation of this national plan.

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00:33:55.690 --> 00:34:05.859

Dr. Cindy Blackstock: There's very, weak enforcement and independent oversight, and there's no designated capacity fund. So, under this, proposal.

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00:34:05.860 --> 00:34:21.269

Dr. Cindy Blackstock: First Nations would likely be in the situation where they'd have to tap into, their children's service money in order to build capacity. Again, creating the have and have-not scenario, that is something that we don't support. Next slide.

183

00:34:22.940 --> 00:34:26.689

Dr. Cindy Blackstock: So here's a, quick, overview.

184

00:34:26.909 --> 00:34:41.559

Dr. Cindy Blackstock: of... along some of the key dimensions. Again, this is not all the dimensions, and people should be going through the plan to look at these kind of key areas, but the major number one thing is stopping the discrimination. Does...

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00:34:41.560 --> 00:34:52.930

Dr. Cindy Blackstock: the either plan really stopped the discrimination, and as you can see, the Loving Justice Plan really provides much more certainty in that direction than Canada's plan.

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00:34:53.090 --> 00:35:11.259

Dr. Cindy Blackstock: And this is one of the areas where there is probably the most stark difference, is whenever it comes to being able to enforce remedies and have independent oversight, that's where Canada's plan becomes much less detailed, more vague, and less convincing.

187

00:35:11.970 --> 00:35:25.499

Dr. Cindy Blackstock: And of course, we took the measures of including the voices of young people. I just want to join with all of us on the call in recognizing the voices of youth that are threaded throughout the Loving Justice Plan.

188

00:35:25.580 --> 00:35:35.369

Dr. Cindy Blackstock: Canada really approaches, children's rights and youth rights as beneficiaries of their plan, not woven into the whole fabric of the plan.

189

00:35:35.730 --> 00:35:41.050

Dr. Cindy Blackstock: And we'll go into more details on regional variations in the next few slides.

190

00:35:43.770 --> 00:36:00.750

Dr. Cindy Blackstock: So, what is, really, Canada talking about when they talk about these regional, negotiations? Well, it's implementation of a national preset model that was developed without First Nations input. That's kind of the high-level summary.

191

00:36:01.030 --> 00:36:15.089

Dr. Cindy Blackstock: Canada will fund regions for this approach. In fact, there is an announcement in Canada's plan that funding is available to regions who wish to explore Canada's plan.

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00:36:15.730 --> 00:36:27.510

Dr. Cindy Blackstock: The key thing that people need to know, though, is the big decisions have already been undertaken by Canada. Canada's core funding levels, structures, and rules are already set.

193

00:36:27.640 --> 00:36:35.340

Dr. Cindy Blackstock: The regional talks really are about the administration and implementation of these core funding structures and rules.

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00:36:35.560 --> 00:36:42.479

Dr. Cindy Blackstock: And the model itself really doesn't change from region to region, it's just how it's implemented.

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00:36:42.900 --> 00:36:53.779

Dr. Cindy Blackstock: So, and as Chief Frost noted, if you don't conclude an invest, an agreement with Canada by, September 30th.

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00:36:53.830 --> 00:37:10.230

Dr. Cindy Blackstock: or perhaps, as hard to know, by March 31st of next year, then you just get their national approach wholesale. So, it falls short of really respecting First Nations' self-determination and respecting children's rights.

197

00:37:10.690 --> 00:37:17.670

Dr. Cindy Blackstock: So in short, it's really regional negotiation about how to deliver Canada's approach. Next slide.

198

00:37:19.060 --> 00:37:35.409

Dr. Cindy Blackstock: So here's the timeline that Chief Ross talked about, and the details. So you can submit a funding proposal under Canada's plan. Apparently, you can start regional negotiations already in January. You're supposed to conclude all the agreements by September 30th.

199

00:37:35.570 --> 00:37:53.500

Dr. Cindy Blackstock: And then Canada was going to plan... file all these agreements with the tribunal, and these agreements take effect, and those agreements that are incomplete, or for nations who want a different approach, you're going to get Canada's national approach anyway, as of April 1st. That's Canada's plan.

200

00:37:53.740 --> 00:37:54.710

Dr. Cindy Blackstock: Next slide.

201

00:37:56.690 --> 00:38:04.179

Dr. Cindy Blackstock: So, what do we mean when we talk about... I say we, I mean the National Children's Chiefs Commission, the Caring Society, and AFN?

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00:38:04.360 --> 00:38:18.779

Dr. Cindy Blackstock: What do we mean when we talk about loving justice in the regional approach? Well, it's reinforced by minimum human rights standards that children are already entitled to under the tribunal orders, with

203

00:38:18.780 --> 00:38:33.939

Dr. Cindy Blackstock: And that were developed... and these were affirmed by resolutions by chiefs and assemblies, so there's a lot of consistency. This idea of protecting multiple generations, for example, is... echoes both in the tribunal rulings and in the direction from leadership.

204

00:38:34.430 --> 00:38:50.930

Dr. Cindy Blackstock: It also includes enforceable oversight mechanisms and enforcement mechanisms. And then regions can decide what further measures are needed to achieve justice, given the realities in their regions.

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00:38:51.180 --> 00:38:54.739

Dr. Cindy Blackstock: So, national reforms are a floor, they're not a ceiling.

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00:38:55.090 --> 00:38:59.380

Dr. Cindy Blackstock: And regions can strengthen funding services and governance.

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00:38:59.410 --> 00:39:18.679

Dr. Cindy Blackstock: Cultural, legal, and service models are region-defined, and if Canada fails to engage in good faith, then regions can do as, we did with Loving Justice, bring your own plan to the tribunal, so that Canada isn't holding the power to set the pace of change.

208

00:39:19.130 --> 00:39:37.560

Dr. Cindy Blackstock: So, really, regional negotiations under Loving Justice is making reform strong enough to truly end the discrimination for children in your unique circumstances, celebrating and honoring your cultures and your languages. Next slide.

209

00:39:40.050 --> 00:39:42.999

Dr. Cindy Blackstock: So, here's a summary of the negotiability.

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00:39:43.210 --> 00:39:57.170

Dr. Cindy Blackstock: chart, and you can see the big picture items, when we say that, there's really no room to negotiate some of the big core issues. For example, the overall funding envelope, there's... that's not negotiated in these regional agreements.

211

00:39:57.170 --> 00:40:09.449

Dr. Cindy Blackstock: The implementation is not negotiated from what we can gather. Getting rid of the tribunal's orders is not negotiable, and there's limited negotiation in the other aspects.

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00:40:09.510 --> 00:40:26.220

Dr. Cindy Blackstock: I want to underline that this, again, is our preliminary analysis. We continue to look at Canada's plan and are welcoming the opportunity to look at its further submissions, but this, at this point, summarizes our current thinking. Next slide.

213

00:40:28.140 --> 00:40:38.529

Dr. Cindy Blackstock: So, what is the relationship between child and family and Jordan's Principle? Keeping in mind that the tribunal found that Canada's obligation to,

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00:40:38.560 --> 00:40:50.229

Dr. Cindy Blackstock: Canada failed to implement Jordan's principle fully. That was discriminatory. And its conduct in child and family was also discriminatory in the same ruling.

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00:40:50.300 --> 00:41:05.249

Dr. Cindy Blackstock: Well, one of the things you need to know is they... they basically... those findings are from a shared base of facts that set out Canada's systemic discrimination towards children. So.

216

00:41:05.280 --> 00:41:14.949

Dr. Cindy Blackstock: Canada was doing this systemic discrimination, and from that, we get the ruling of Jordan's principal and child and family from basically the same factual matrix.

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00:41:15.450 --> 00:41:30.760

Dr. Cindy Blackstock: So, there's subject, both subject to orders for Canada to permanently cease its discrimination. It's not, like, 2 months, 5 years, nothing like that. It has to permanently cease the discrimination for multiple generations.

218

00:41:30.990 --> 00:41:42.130

Dr. Cindy Blackstock: The other reality, and many of you know this, children without supports are more likely to go into care. And child and family service funding.

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00:41:42.130 --> 00:42:06.879

Dr. Cindy Blackstock: in the way that it is developed is not sufficient to eliminate access to Jordan's principle. There will always be need... necessary for families who are in the attention a child offered to also be able to access Jordan's principle. That's not to duplicate funding, it's simply a recognition that there are boundaries around what child and family service funding itself

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00:42:06.920 --> 00:42:08.670

Dr. Cindy Blackstock: can fund. Next slide.

221

00:42:10.500 --> 00:42:25.599

Dr. Cindy Blackstock: So here's a good example. This is a mom who, is... and this is from, 2025, this is a mom who was a disability caring for 3 special needs kids.

222

00:42:25.600 --> 00:42:38.039

Dr. Cindy Blackstock: And, Canada was saying, we're not going to fund, home modifications so that she could continue to safely care for her kids. And indeed, Canada even called out the, Child and Family Services.

223

00:42:38.050 --> 00:42:54.810

Dr. Cindy Blackstock: to, to, intervene in this case. Thankfully, Child and Family Services did not intervene. They recognized that the source of the risk was not this loving mother, it was Canada's, failure to properly implement Jordan's principle.

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00:42:55.190 --> 00:43:06.139

Dr. Cindy Blackstock: But you can see here that there are all kinds of historical links in Jordan's Principle and Child and Family. In fact, we find that in the... the...

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00:43:06.140 --> 00:43:19.200

Dr. Cindy Blackstock: nugget of Jordan's principle in the National Policy Review that was completed in 2000 on child and family. Jordan's principle first appears in the Wande reports on CFS in 2005,

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00:43:19.200 --> 00:43:25.819

Dr. Cindy Blackstock: And then in 2007, Jordan's principal included... was included in the CHRT complaint.

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00:43:25.820 --> 00:43:41.490

Dr. Cindy Blackstock: So there's this nesting and over... overreaching, so it would be a mistake to think of them as two separate things, so when you're thinking about approaches for child and family, you have to take safeguards to, and create some links to Jordan's principle. Next slide.

228

00:43:43.280 --> 00:43:50.580

Dr. Cindy Blackstock: So, what's next at the CRHRT? Well, there is a case conference on January 21st, 2026,

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00:43:50.620 --> 00:44:02.330

Dr. Cindy Blackstock: And, Canada actually made representations there that they are not considering the... any revisions to its plans based on its review of Loving Justice.

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00:44:02.330 --> 00:44:17.380

Dr. Cindy Blackstock: Certainly, we've been looking at Canada's plans to see what, if any, of their proposals deserve consideration, but it's disappointing to say the least that they are not undertaking a similar activity.

231

00:44:17.830 --> 00:44:27.920

Dr. Cindy Blackstock: The tribunal is, looking at what happens next in the proceedings, and we expect a ruling on that within the next several weeks.

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00:44:28.240 --> 00:44:37.869

Dr. Cindy Blackstock: In the meantime, we are still desperately trying to bring Canada into compliance on the current orders on Jordan's principle.

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00:44:37.870 --> 00:44:56.430

Dr. Cindy Blackstock: Including revoking that discriminatory bulletin that has been highly criticized by the federal court and federal court of appeal, and by the many First Nations leadership, and needs to go, because it's creating serious harms for kids.

234

00:44:56.750 --> 00:45:10.150

Dr. Cindy Blackstock: In addition to that, we need to contemplate another path to permanently end candidate discrimination on Jordan's principle in a mechanism of long-term reform. So that is, the next steps at the CHRT.

235

00:45:11.220 --> 00:45:12.190

Dr. Cindy Blackstock: Next slide.

236

00:45:13.740 --> 00:45:25.329

Dr. Cindy Blackstock: So what can you do to help? Well, call on the Minister of Indigenous Services to have her adopt the Loving Justice Plan. It really is focused much more on getting it right for kids.

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00:45:25.480 --> 00:45:35.440

Dr. Cindy Blackstock: And it is really informed by First Nations. It's not like putting out a plan and then getting First Nations to react to it. First Nations were critical to developing this plan.

238

00:45:35.790 --> 00:45:41.829

Dr. Cindy Blackstock: A call on Canada to fully comply with all the current tribunal orders. This should be a no-brainer.

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00:45:41.830 --> 00:45:59.740

Dr. Cindy Blackstock: Particularly in the worldwide context, where

we're seeing the dangers of states act with impunity and think that they can... are just, rise above any accountability for human rights around the world. We in Canada need to stand as an exception to that pattern.

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00:45:59.740 --> 00:46:06.049

Dr. Cindy Blackstock: By really upholding human rights, particularly when they're legal orders and they involve children.

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00:46:06.400 --> 00:46:12.599

Dr. Cindy Blackstock: And conduct your own analysis of Loving Justice in Canada plan, and let us know your questions and observations.

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00:46:12.600 --> 00:46:28.150

Dr. Cindy Blackstock: We entered this space with humility when we filed it. We know that there are going to be things that need to be, course-corrected, maybe tailored, sharpened. We want to get it right for kids, so do let us know your better ideas.

243

00:46:28.450 --> 00:46:31.729

Dr. Cindy Blackstock: And that concludes my part of the webinar.

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00:46:32.690 --> 00:46:33.720

Dr. Cindy Blackstock: Thank you, Sam.

245

00:46:36.830 --> 00:46:49.389

Sam Hull: Thank you so much, Cindy. So we are going to be taking some questions now, but one question that we have already heard is about the role of the National Children's Chiefs Commission in the implementation of long-term reform.

246

00:46:49.420 --> 00:47:02.730

Sam Hull: So, we heard during the regional engagements very strong support for the Commission to play an ongoing role in governance, but we don't see that reflected in the Loving Justice Plan. So, Chief Frost, can you maybe speak a little bit to why that is?

247

00:47:03.030 --> 00:47:20.040

Chief Pauline Frost: Thank you. So, if you look back at the Chiefs and, Assembly resolution and their direction, giving clear direction and mandate to the National Children's Chiefs Commission, to review and analyze and come, come back with a national plan,

248

00:47:21.210 --> 00:47:25.670

Chief Pauline Frost: Moving away from the original agreement, and so the...

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00:47:25.740 --> 00:47:44.189

Chief Pauline Frost: The mandate was pretty clear, and the mandate ends, essentially, when we have a negotiated agreement for a tribunal-approved plan, and that is currently before the tribunal. All of the details were just highlighted for you by myself and Dr. Blackstock here, but after that, it's up to the Chiefs and Assembly

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00:47:44.270 --> 00:47:50.670

Chief Pauline Frost: To decide where they want to go with this, and how the ongoing role will... what will that look like?

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00:47:50.710 --> 00:48:09.680

Chief Pauline Frost: Cindy spoke about the Oversight Committee. Well, we have some options, right, in moving forward, and we certainly want to be involved, we certainly want to be... continue on supporting that, but after that, in preparing, preparing ourselves for this new body and trying to fulfill the ongoing obligation.

252

00:48:09.680 --> 00:48:11.610

Chief Pauline Frost: Providing the oversight.

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00:48:11.610 --> 00:48:26.769

Chief Pauline Frost: It's up to the... up to the Commission and the Caring Society to, you know, present to the Chiefs and Assembly a new model going forward, and the Chiefs will make a determination. Now, just that highlighted, what we have with respect to the National Children's Chiefs Commission

254

00:48:27.020 --> 00:48:49.480

Chief Pauline Frost: All of us are chiefs, so most of us are, and we have a technical committee, legal team, supporting us, reviewing and analyzing the legalities of the agreements. We have a negotiating team ready to go in the event that we are triggered to look and assist and provide guidance in the future. We are ready at every angle to continue on this work.

255

00:48:49.610 --> 00:49:08.549

Chief Pauline Frost: But in the meanwhile, you know, it's... our job is done when we've met the obligations of the Chiefs and Assembly. We will bring back the report to the Assembly, and I'm anticipating that will be in the summer, the summer session. I believe that is in July.

256

00:49:08.960 --> 00:49:11.320

Chief Pauline Frost: I hope that answers the question.

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00:49:12.510 --> 00:49:13.930

Sam Hull: Yes, it did. Thank you, Chief.

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00:49:14.290 --> 00:49:31.510

Sam Hull: I have a question for both of you. The question is, are the Caring Society and the NCCC okay with the AFN's proposed date to the CHRT for closing the oral submissions for November 2026? Cindy, if you want to go first, and then Chief, you can answer as well.

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00:49:32.030 --> 00:49:42.649

Dr. Cindy Blackstock: Yeah, certainly we think an oral hearing in the fall is reasonable. That provides sufficient time, for First Nations leadership to review.

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00:49:42.650 --> 00:49:53.490

Dr. Cindy Blackstock: Loving Justice review, the, Canada's Plan, and to benefit from the various legal submissions that will come in the next few months.

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00:49:53.610 --> 00:50:12.479

Dr. Cindy Blackstock: Well, respecting the fact that there are decision-making, decisions that need to be made at the upcoming Assembly in July, so anything before July feels premature. Leadership have already said in resolution, and Sam, you're... you probably have it at your fingertips, but, the 90 days.

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00:50:12.480 --> 00:50:20.229

Dr. Cindy Blackstock: That they want to see, have to be able to consider material at this importance, and we certainly want to do our best to respect that.

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00:50:23.400 --> 00:50:41.289

Chief Pauline Frost: Thank you, it's, Chief Foster, and, I would, concur with, Dr. Blackstock. So, just with respect to, the National

Chiefs Commission, you know, of course time is of the essence, because Canada's imposed their timelines on us, so, you know, we, we also have to.

264

00:50:41.350 --> 00:50:54.460

Chief Pauline Frost: you know, give necessary reports back to the Chiefs and Assembly before finalizing anything, and you know, other than that, we will continue to work lockstep with the Caring Society and, of course, our partners at AFN

265

00:50:54.460 --> 00:51:02.240

Chief Pauline Frost: To ensure that, we work in, in time, and with supporting all, all our, respective regions.

266

00:51:04.590 --> 00:51:05.610

Sam Hull: Thank you very much.

267

00:51:05.940 --> 00:51:12.509

Sam Hull: Question for you, Cindy. Can you provide a brief update on Canada's judicial review of CHRT80?

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00:51:12.770 --> 00:51:23.229

Dr. Cindy Blackstock: Yeah, and thank you for, mentioning that, Miles. Canada, has applied for judicial review, and that's, like, an appeal.

269

00:51:23.230 --> 00:51:35.519

Dr. Cindy Blackstock: But that's the official language for it in federal court, of 2025 CHRT80. That's the order that set down those minimum standards. Now, I just want to, note for everyone.

270

00:51:35.570 --> 00:51:54.050

Dr. Cindy Blackstock: The... that in those minimum standards are often in previous orders, so the tribunal was just summarizing its views there. So, we don't know why Canada would try to get a judicial review of that section, because it's our... the time for them to challenge that has come and past.

271

00:51:54.200 --> 00:52:00.140

Dr. Cindy Blackstock: Just because a tribunal summarizes minimum standards doesn't open it up to re-review.

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00:52:00.360 --> 00:52:08.469

Dr. Cindy Blackstock: So, that's one thing. The second is, that, Canada's, filing

273

00:52:08.650 --> 00:52:20.220

Dr. Cindy Blackstock: for, the motion for judicial review is very vague. You can find it on fnwitness.ca. We have done a close reading of it, we still are not clear what they actually don't agree with.

274

00:52:20.460 --> 00:52:28.900

Dr. Cindy Blackstock: Where it's at is it... a case management, associate judge has been assigned, that's Associate Judge Mulgat.

275

00:52:29.030 --> 00:52:43.990

Dr. Cindy Blackstock: The Caring Society has indicated that it wants to bring a motion to strike that judicial review on the basis of prematurity, i.e, the tribunal has not made decisions on these plans.

276

00:52:44.000 --> 00:52:51.429

Dr. Cindy Blackstock: All it did, CHRT80 did, was say, here are the minimum standards, and here's the process for you to come up with a plan.

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00:52:51.520 --> 00:53:00.059

Dr. Cindy Blackstock: And it would be open to Canada to pursue judicial review if it disagreed with the eventual decision that the tribunal makes, but it's too premature right now.

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00:53:00.440 --> 00:53:08.330

Dr. Cindy Blackstock: And, what we haven't heard back from the federal court at this date is whether they will hear the motion to strike before.

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00:53:08.470 --> 00:53:14.990

Dr. Cindy Blackstock: the actual hearing on Canada's motion, or at the same time, so we're still waiting to hear that.

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00:53:17.790 --> 00:53:19.079

Sam Hull: Thank you very much, Cindy.

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00:53:19.570 --> 00:53:39.469

Sam Hull: I don't think that we have gotten any more questions, and we're nearing the end of our hour for the Q&A anyways. So, before we go, I just wanted to thank, Chief Frost and, of course, Dr. Blackstock for all of their hard work, all of their support, and for coming today and, doing this presentation for everybody.

282

00:53:39.490 --> 00:53:54.549

Sam Hull: I'll remind the participants to keep an eye out for those upcoming additional webinars. Communication going out will be distributed shortly, and if I can ask Judy to close us in a good way. Thank you very much.

283

00:53:56.020 --> 00:54:15.270

Judy Wilson: Thank you. Sam, and thank you, Dr. Cindy Blackstock and Chief Pauline Frost for the updates and the, presentation, and, we'll close in a good way today. Cooks Jamco, Cook Bee Creator, we thank you for the discussions and the presentations of the information.

284

00:54:15.270 --> 00:54:32.709

Judy Wilson: We pray that'll settle with us, and we can think about it over the weekend, and if we have any further thoughts, Creator, we pray that they'll be guided in a good way for the children and their families, because we truly are collective work and collective will.

285

00:54:32.710 --> 00:54:36.609

Judy Wilson: Creator to end the discrimination and racism in our children.

286

00:54:36.610 --> 00:54:54.709

Judy Wilson: are facing, especially, with the, imposition of further dividing and contact, conquer to our children, because, they're so vulnerable, and it must end that our children are used in this way, Creator. We pray that we have,

287

00:54:54.710 --> 00:55:19.009

Judy Wilson: healthy families and healthy children and beautiful ways to raise them in the ways of our teachings and our wisdom from our ancestors and our elders, Creator. We pray for their safety, and that we pray for their love and their belonging, their sense of belonging in their families and communities, as all children ought to have, Creator. So we thank you for this time together, Creator.

288

00:55:19.020 --> 00:55:22.979

Judy Wilson: We pray that we'll continue to clear our path and open up

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00:55:22.990 --> 00:55:31.289

Judy Wilson: the doors for us, so that we're able to walk in a good way in all of these discussions, especially with the Canadian Human Rights Tribunal.

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00:55:31.290 --> 00:55:55.819

Judy Wilson: in their hearings and their review of the Loving Justice Plan, and of the Federal Plan. We pray that the best will come forward, and we'll be able to find the best solutions for the children today. So we thank you for everything you provide us, Creator, Mother Earth, the Water, and all creation, our consultant, and please help uplift our children, uplift our elders.

291

00:55:55.820 --> 00:56:02.649

Judy Wilson: And our knowledge keepers that keep guiding us in a good way. Cook's Jam, Cook's Jam, Cook's Jam, Cook's Jam. Thank you, Sam.

292

00:56:04.060 --> 00:56:04.880

Chief Pauline Frost: Thank you.