



Conseil Crie de la santé et des services sociaux de la Baie James
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Cree Board of Health and Social Services of James Bay

BRIEF
OF THE
CREE BOARD OF HEALTH AND SOCIAL SERVICES OF JAMES BAY
TO
THE COMMITTEE ON HEALTH AND SOCIAL SERVICES
OF
THE NATIONAL ASSEMBLY OF QUÉBEC
ON
BILL 99 (2016), *AN ACT TO AMEND THE YOUTH PROTECTION ACT AND*
OTHER PROVISIONS
QUÉBEC CITY
SEPTEMBER 27, 2016

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I. CONTEXT

1. Pursuant to Section 14 of the *James Bay and Northern Quebec Agreement* ("JBNQA"), the Cree Board of Health and Social Services of James Bay ("CBHSSJB") has jurisdiction for health and social services in Region 10B, which is now referred to as Region 18, and which is composed of the Category I and II lands of Eeyou Istchee, James Bay, Québec.
2. The CBHSSJB is a unique institution of Indigenous governance in health and social services. It is the only health and social services institution in Québec governed by its own statute, *An Act respecting health services and social services for Cree Native persons*, CLQR chapter S-5 ("**Chapter S-5**").
3. The JBNQA treaty of 1975 and Chapter S-5 together constitute the treaty and legal framework for the CBHSSJB.
4. The CBHSSJB serves a population of almost 17,000, mostly Cree, and a small minority of non-Cree, across nine Cree communities in Region 18.
5. The *Youth Protection Act* (CQLR, c. P-34.1) ("**YPA**") applies to the CBHSSJB, which has a Director of Youth Protection ("**Director**"). Through the Director, the CBHSSJB is responsible for providing youth protection services in its territory.

A. JAMES BAY AND NORTHERN QUÉBEC AGREEMENT

6. The JBNQA is a land claim agreement and treaty under section 35 of the *Constitution Act, 1982*. The rights of the Cree provided for in the JBNQA are existing treaty rights recognized and protected under sections 35 and 52 of the *Constitution Act, 1982*.¹
7. The JBNQA was approved, given effect to and declared valid by a law of Québec, the *Act approving the Agreement concerning James Bay and Northern Québec*.² Under section 2(2) of this Act, the Cree enjoy the rights, privileges and benefits set out in the JBNQA as statutory rights.
8. Section 6 of this Act also provides that, in case of conflict or inconsistency between this Act and the provisions of any other law applying to the territory (as defined therein), this Act prevails.

¹ *Québec (Attorney General) v. Moses*, [2010] 1 S.C.R. 557, 2010 SCC 17.

² S.Q. 1976, c. 46, now CQLR, c. C-67.

II. INTRODUCTION

9. Bill 99 (2016), *Act to amend the Youth Protection Act and other provisions* (“**Bill 99**”), seeks to revise the YPA.
10. Among other things, Bill 99 proposes amendments and new provisions relating specifically to Indigenous children and Indigenous communities.³ It is these provisions that are of particular interest to the CBHSSJB.
11. The CBHSSJB wishes to underline that certain of these proposed amendments introduced by Bill 99 resulted in part from the collaboration and important efforts of Indigenous stakeholders, including the Director of Youth Protection of the CBHSSJB, involved in the work of the Committee on the Life Plans of Indigenous Children (“*Comité sur les projets de vie des enfants autochtones*”) established by the Ministry of Health and Social Services of Québec (“**MSSS**”).
12. In the course of developing Bill 99, Indigenous stakeholders were given opportunities to provide substantive input on certain of these proposed legislative measures through this Committee on the Life Plans of Indigenous Children. To this end, these Indigenous stakeholders collaborated with representatives of MSSS and with Directors of Youth Protection from different regions of the province, which allowed for important exchanges among them. Ultimately, it led to the proposed legislative changes of Bill 99 regarding Indigenous communities and Indigenous children, which are an important step forward in the evolution of the YPA.
13. The CBHSSJB welcomes this type of collaborative approach to the legislative process, which is more likely to result in measures that align with the needs and the realities of Indigenous communities.
14. In the case of Bill 99, this collaborative approach has resulted in provisions dealing specifically with Indigenous children and Indigenous communities that the CBHSSJB is pleased to support in the context of the proposed amendment of the YPA.

³ Bill 99 uses the term “Native” communities, and a “child who is a member of a Native community”. It is relevant to note that the term “Native” is no longer generally used in Canada to refer to “Indigenous” or “Aboriginal” people or communities.

III. BILL 99 AND THE PRESERVATION OF THE CULTURAL IDENTITY OF INDIGENOUS CHILDREN

Proposed Amendment of Sections 3 and 4 of the YPA

15. A key element of Bill 99 is the inclusion in the YPA of a new fundamental principle regarding the preservation of the cultural identity of Indigenous children.⁴ If adopted as proposed, section 3 of the YPA would read as follows, with relevant changes highlighted below:

Decisions made under this Act must be in the interest of the child and respect his rights.

*In addition to the moral, intellectual, emotional and material needs of the child, his age, health, personality and family environment and the other aspects of his situation must be taken into account. **In the case of a child who is a member of a Native community, the preservation of the child's cultural identity must also be taken into account.***⁵

16. Section 3 of the YPA is a central provision of that Act which sets forth the critical factors that must be considered in relation to decisions thereunder affecting a child.
17. The CBHSSJB strongly supports the inclusion of this new fundamental principle in section 3 of the YPA
18. Section 4 of the YPA provides that every decision made thereunder must aim at keeping the child in the family environment.⁶
19. If it is not possible to keep or return a child to his or her family environment, Bill 99 provides that a decision regarding a child who is a member of an Indigenous community must aim at entrusting the child to an “alternative living environment”⁷ that is **capable of preserving his cultural identity**.⁸

⁴ Bill 99 refers to child of a “Native community”. Throughout this brief, reference is made instead to “Indigenous children” and “Indigenous communities”.

⁵ Bill 99, s. 2.

⁶ YPA, s. 4.

⁷ Essentially, an environment other than with the parents of the child. Section 1 of Bill 99 provides: “*alternative living environment*” means an environment to which a child is entrusted under this Act, other than that of either of the child's parents.

⁸ Bill 99, s. 3.

20. If adopted, Bill 99 would amend section 4 of the YPA as follows, with relevant changes highlighted below:

Every decision made under this Act must aim at keeping the child in the family environment.

If, in the interest of the child, it is not possible to keep the child in the family environment, the decision must aim at ensuring that the child benefits, insofar as possible with the persons most important to the child, in particular the grandparents or other members of the extended family, from continuity of care, stable relationships and stable living conditions corresponding to the child's needs and age and as nearly similar to those of a normal family environment as possible. Moreover, the parents' involvement must always be fostered, with a view to encouraging and helping them to exercise their parental responsibilities.

If, in the interest of the child, returning the child to the family is impossible, the decision must aim at ensuring continuity of care, stable relationships and stable living conditions corresponding to the child's needs and age on a permanent basis.

A decision made under the second or third paragraph regarding a child who is a member of a Native community must aim at entrusting the child to an alternative living environment capable of preserving his cultural identity.⁹

21. The CBHSSJB also strongly supports this proposed amendment of section 4 of the YPA.
22. The preservation of the cultural identity of an Indigenous child must always be taken into account when a decision is made under the YPA to remove the child from his or her family environment.
23. In order to begin to appreciate the particular importance of entrenching this protection of the cultural identity of Indigenous children in youth protection legislation, it is crucial to recognize the legacy and impacts on Indigenous children, and on their families and communities, of the residential schools and the so-called “Sixties Scoop”.

a) *Legacy of Residential Schools and the “Sixties Scoop”*

24. It is estimated that approximately 150,000 Indigenous children across Canada, including Québec, were removed from their families and placed into the residential school system.¹⁰ This system was in place from the 1880s until the mid-1970s, with the last federally-run residential school closing in the late

⁹ Bill 99, s. 3.

¹⁰ Indigenous and Northern Affairs Canada, “Indian Residential Schools”, online: <https://www.aadnc-aandc.gc.ca/eng/1100100015576/1100100015577>.

1990s.¹¹ The federal government of Canada has acknowledged that this system resulted from an assimilationist policy, which consisted in the forcible removal of children from their families, and that it has had a multi-generational impact.¹²

25. The purpose of these residential schools was to separate Indigenous children from their families in order to weaken family ties, to break their link to their culture and identity and to assimilate these children into “mainstream” Canadian society.¹³
26. In these schools, Indigenous children were often prohibited from speaking their own language or practicing their culture.¹⁴ They were essentially deprived of the fundamental aspects of their cultural identities. Children were also abused, physically and sexually, and denied the opportunity of acquiring parenting skills.¹⁵ These policies of colonization, assimilation and expropriation have had a devastating effect on Indigenous communities in Canada.¹⁶
27. The so-called “*Sixties Scoop*” followed or, in some cases, overlapped with the period of the residential schools. This phenomena in Canadian society has had lasting impacts on Indigenous communities, families and individuals.
28. Between the 1960s and the 1980s, child-welfare agencies removed (“*scooped*”) numerous Indigenous children from their homes and communities and placed them in non-Indigenous homes.¹⁷ In the same way as the residential schools, these children lost ties with their families, their communities and their cultural identities.
29. It is important to be aware of these historical events and phenomena as a dark part of Canadian history, which marked the beginning of an intergenerational cycle of neglect and abuse and contributed to the overrepresentation of Indigenous children in the child welfare system.¹⁸ Indeed, the intergenerational

¹¹ *Ibid.*

¹² Canada. House of Commons. Official report, Apology to Former Students of Indian Residential Schools. House of Commons Debates (Hansard), June 11, 2008, by the Prime Minister of Canada.

¹³ Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Winnipeg: TRC, 2015) (“**TRC Report**”) at pp. 2 and 3.

¹⁴ *Ibid.*, at p. 4.

¹⁵ *TRC Report*, at Preface and at p. 138.

¹⁶ See for instance, Marc Tourigny et al., “ Les mauvais traitements envers les enfants autochtones signalés à la protection de la jeunesse du Québec : comparaison interculturelle”, *First Peoples Child & Family Services* 3, 2007, at p. 86.

¹⁷ See for instance, *TRC Report*, at pp. 68, 138.

¹⁸ *Ibid.*, at p. 138.

impacts and the legacy of the residential school system and the Sixties Scoop are still felt in the Indigenous communities today.

30. Furthermore, in its recent report, the Truth and Reconciliation Commission of Canada stated that the disproportionate apprehension of Indigenous children continues to grow.¹⁹ It attributes this growth, in part, to a lack of support to allow children to be placed in “foster or adoptive environments that are culturally appropriate and capable of giving children a sense of identity, self-respect and self-worth”.²⁰ Various sources indicate that Indigenous children in Québec were and remain over-represented at all stages of the protection process established by the YPA.²¹
 31. Under the YPA, Indigenous children also have a higher placement rate outside their family circle than any other group of children.²²
 32. All of the above highlights the critical importance of taking legislative measures in youth protection legislation, such as the YPA, to require mandatory consideration of the means to preserve the cultural identity of Indigenous children, whenever it is necessary for such children to be placed outside of their family environment under such legislation.
 33. Indeed, these amendments to sections 3 and 4 of the YPA serve as an important directive to all those who have responsibilities under the YPA in relation to Indigenous children to always take account of the fundamental importance of ensuring the preservation of such a child’s cultural identity.
 34. In the view of the CBHSSJB, such amendments must be incorporated into the YPA as soon as possible.
- b) *International Instruments and the Preservation of Cultural Identity of Indigenous Children*
35. A central principle of the YPA is ensuring that every decision made thereunder is in the interest of the child and respects his rights.²³

¹⁹ TRC Report, at p. 136.

²⁰ Ibid, at p. 137.

²¹ Report of the Working Group on Customary Adoption in Aboriginal Communities, April 16, 2012: Gouvernement du Québec, Bibliothèque et Archives Nationales du Québec, ISBN: 978-2-550-65389 (print version), at subsections 1.1.2 and 3.2.3.1 (“**Quebec Customary Adoption Report**”).

²² Ibid, at p. 11

²³ YPA, s.3.

36. As mentioned above, the CBHSSJB asserts that preserving an Indigenous child's cultural identity must necessarily be taken into account when determining the best interest of such a child, as proposed by Bill 99.
37. Notably, the approach of Bill 99 regarding the critical importance of preserving the cultural identity of Indigenous children is consistent with the comments of the Committee on the Rights of the Child of the United Nation in relation to the question of the "best interest" of the child.
38. In a general comment regarding the rights of Indigenous children as provided by the United Nations *Convention on the Rights of the Child*, this Committee acknowledged that:

When State authorities including legislative bodies seek to assess the best interests of an indigenous child, they should consider the cultural rights of the indigenous child and his or her need to exercise such rights collectively with members of their group. As regards legislation, policies and programmes that affect indigenous children in general, the indigenous community should be consulted and given an opportunity to participate in the process on how the best interests of indigenous children in general can be decided in a culturally sensitive way.²⁴ [Emphasis added.]

c) Other Jurisdictions in Canada

39. The principle of preserving the cultural identity of Indigenous children has also already been recognized in the youth protection legislation of other jurisdictions in Canada.
40. For example, the *Child, Family and Community Service Act*²⁵ of British-Columbia and the *Child and Family Services Act*²⁶ of the Yukon both provide that the interpretation and administration of such acts **must take into account** the preservation of the cultural identity of an Indigenous child. Both of these acts also provide that the importance of preserving a child's cultural identity must be considered in determining the child's best interests.²⁷
41. For the CBHSSJB, it is particularly important to foster cultural identity for the benefit of the child, but also to ensure the survival of the culture itself, especially considering the impacts of the residential schools system and the Sixties Scoop, and the on-going prevalence of disproportionate apprehension of Indigenous children, as discussed above.

²⁴ Committee on the Rights of the Child, Indigenous children and their rights under the Convention, UNCRCOR, 50th Sess, UN Doc CRC/C/GC/11 (2009), at para 31.

²⁵ RSBC 1996, c. 46, s. 2.

²⁶ SY 2008, c.1, s. 2.

²⁷ RSBC 1996, c. 46, s. 2; SY 2008, c.1, s. 4.

42. In addition, for the CBHSSJB, when measures are taken to ensure the preservation of the cultural identity of an Indigenous child, this child is more likely to develop a strong sense of belonging, to have better self-esteem and to feel proud of his or her origins.
43. The CBHSSJB asserts that this is fundamental for the healthy development of Indigenous children, including Cree children, who cannot remain in their own family environments.

IV. AGREEMENTS WITH INDIGENOUS COMMUNITIES FOR RECRUITMENT AND EVALUATION OF FOSTER FAMILIES

44. Bill 99 also introduces certain rules to “foster the involvement of Native communities” which in essence, provides for more significant involvement of Indigenous communities that do not have their own youth protection services, in order to facilitate the preservation of the cultural identity of an Indigenous child.
45. In this regard Bill 99 provides for the conclusion of agreements between an institution operating a child and youth protection centre and an Indigenous community to allow the community to recruit and evaluate persons able to act as foster families under the YPA. Bill 99 would amend the YPA by adding the following new provision:

37.6. In order to facilitate the preservation, under sections 3 and 4, of the cultural identity of a child who is a member of a Native community, an institution operating a child and youth protection centre may enter into an agreement with a Native community represented by its band council or by the northern village council or with a group of communities so represented to allow such a community or group of communities to recruit and evaluate, in keeping with the general criteria determined by the Minister, persons able to take in one or more children who are members of the community and who are entrusted to them under this Act.

Such an agreement may also stipulate any other responsibility of the community or group of communities in relation to these persons' activities, in accordance with ministerial policy directions.

46. Although not relevant to the Cree context in view of the role of the CBHSSJB as a “social service centre” pursuant to Chapter S-5 and considering the role of its Director for youth protection matters in Cree communities, this new provision is considered important for Indigenous communities and Nations that do not have their own youth protection services. This proposed amendment of the YPA would allow these Indigenous communities to play a more important role in relation to the recruitment and evaluation of foster families who are able to preserve the cultural identity of the Indigenous children of these communities.

47. The CBHSSJB supports this initiative, and underlines its view that it is critical for Indigenous communities and Nations to be more directly involved in the youth protection matters that affect their communities, including to ensure the preservation of the cultural identity of their children when it is necessary to place such children outside of their family environments.

V. COLLABORATION WITH PERSONS RESPONSIBLE FOR YOUTH PROTECTION IN INDIGENOUS COMMUNITIES

48. Bill 99 proposes to introduce a new provision to the YPA regarding the obligation of a Director of Youth Protection to inform the person responsible for youth protection in the community of an Indigenous child's situation when such child must be removed from his family environment to be entrusted to an alternative living environment. The purpose thereof is to ensure collaboration between that Director and the person responsible for youth protection services in the community of the child, which may be another Director of Youth Protection, to foster the preservation of the child's cultural identity.

49. This new provision of the YPA proposed by Bill 99 reads:

***72.6.1.** Despite section 72.5, when a child who is a member of a Native community must be removed from his family environment to be entrusted to an alternative living environment, the director must inform the person responsible for youth protection services in the community of the child's situation. In the absence of such a person, the director shall inform the person who assumes a role in matters of child and family services within the community. The director shall then solicit the cooperation of the person informed of the child's situation in order to foster the preservation of the child's cultural identity and, as far as possible, ensure that the child is entrusted to a member of his extended family or of the community.*

Such information may be disclosed without it being necessary to obtain the consent of the person or persons concerned or an order of the tribunal. However, the director must inform the parents and the child if he is 14 years of age or over of such a disclosure.

50. The CBHSSJB strongly supports the integration of this new provision in the YPA, as proposed by Bill 99.
51. The application of this provision would mean that, for instance, a Director of Youth Protection of another region would be required to inform the Cree Director of the situation of a Cree child if this child must be removed from his family to be entrusted to an alternative living environment. This could be the case, for instance, where the Cree child and his or her family are situated in a region other than Region 18, and circumstances arise that lead to the intervention of a Director other than the CBHSSJB Director.

52. This new provision will allow the Cree Director to work with such a Director of the other region in order to, as far as possible, ensure that the Cree child is entrusted to a member of his extended family or of the Cree community and to foster the preservation of his or her cultural identity as a Cree.
53. This provision is of fundamental importance to the CBHSSJB. The Director of the CBHSSJB is the best placed among the Directors in the province to take the measures necessary to ensure that, wherever possible, the cultural identity of a Cree child is preserved if the child must be removed from his or her family.
54. This provision also takes on added significance in the Cree context when one considers the Cree entities which have been established pursuant to the JBNQA, and which are governed by and for the benefit of Cree beneficiaries pursuant to this modern treaty.
55. These Cree entities include, among others, the Cree Nation Government (“CNG”), the local Cree First Nation “bands”, the Cree School Board and the CBHSSJB. These entities offer important services and programs that are tailored specifically to the needs and realities of Cree people, and are intended to foster the development of Cree people and of the Cree Nation.
56. As one example, the objects of the CNG include to promote the general welfare and advance the education of the Crees and to foster, promote, protect and assist in the preservation of the way of life, the values and the traditions of the Crees.²⁸ In terms of services destined specifically for children, for instance, the Child and Family Services Department of the CNG works to ensure that childcare services in the Cree communities are provided by Cree personnel in the Cree language, and that they use culturally-appropriate tools.²⁹
57. With respect to local Cree First Nation bands, their mission also includes the promotion and preservation the culture, values and traditions of the Crees.³⁰
58. As for the Cree School Board which provides education and related services in Cree communities, it has the authority pursuant to the JBNQA to select courses, textbooks and materials designed to preserve and transmit the language and culture of the Crees.³¹

²⁸ *An Act respecting the Cree Nation Government* (CQLR, c. G-1.031), paras. 6(e) and (m).

²⁹ 2015-2016 Annual Report of the Grand Council of the Crees (Eeyou Istchee)/Cree Nation Government, at p. 109.

³⁰ *Cree-Naskapi (of Québec) Act* (S.C. 1984, c. 18), para. 21(i).

59. In view of the above, it is particularly important that where required, Cree children be placed in “alternative living environments” in Cree communities, and preferably with Cree families, to ensure that such children can benefit from the different programs and services offered by these Cree entities and to thereby benefit from the same opportunities as other Cree children. Ultimately, this serves to foster, and to ensure the preservation of, their cultural identity as well. These objectives can be promoted effectively through the application of the new proposed section 72.6.1 of the YPA.

a) *Other Jurisdictions in Canada*

60. It is interesting to note that the legal obligation to inform the community of an Indigenous child when such child is “taken into care” is also found in other youth protection legislation in Canada.

61. In the Yukon, for example, the *Child and Family Services Act*³² provides that if an Indigenous child has been brought into the care of a director, this director must make all reasonable efforts to notify the child’s First Nation as soon as practicable.

62. The CBHSSJB is of the view that the persons responsible for youth protection matters in an Indigenous community are often best placed to provide advice and information regarding language, culture and what constitutes an environment capable of preserving a child’s cultural identity. This is certainly true in the Cree context.

63. In fact, these persons have a better understanding of the particularities and the challenges faced by the families in the communities and of the various resources available to address these challenges. They are also in a better position to mobilize the appropriate resources, including in view of offering culturally adapted services to children.

64. Communication and collaboration of Directors with persons responsible for youth protection in Indigenous communities, as proposed by Bill 99, is therefore an essential part of these legislative measures.

³¹ JBNQA, para. 16.0.9(h).

³² SY 2008, c.1, s. 41.

VI. INTRODUCTION OF NOTION OF KINSHIP FOSTER FAMILIES AND CUSTOMARY CARE FOSTER FAMILIES IN CHAPTER S-5

65. Bill 99 would amend Chapter S-5 by expanding the definition of “foster family” to include the concept of “kinship foster family” and “customary care foster family”.³³
66. Under the proposed amendments, a “kinship foster family” or a “customary care foster family” is a family that has been assessed by a social services centre (*i.e.*, the CBHSSJB) after being entrusted a child under the YPA for a specified time.
67. The CBHSSJB supports these proposed amendments to Chapter S-5.
68. This definition of foster family would allow the CBHSSJB to recognize different forms of care to be provided to Cree children where such children cannot remain in their family environments, in a manner that is better suited to Cree customs and traditional approaches in this regard.
69. Further, it should be noted that the CBHSSJB and MSSS are working collaboratively to adapt the MSSS criteria for foster families for the Cree context, in order to more accurately reflect the realities and cultural context of Cree communities and Eeyou Istchee.
70. These proposed adaptations are a step in the right direction by recognizing that these cultural and contextual realities may require different approaches in certain situations in order to ensure that the interest and rights of these Cree children are duly respected.

VII. CONCLUSION

71. In our view, through these measures introduced by Bill 99, the legislator is taking important first steps to begin to respond to the following “calls to action” of the Truth and Reconciliation Commission of Canada:

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:

[...]

*ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, **and to keep children in culturally appropriate environments, regardless of where they reside.***

*[...]iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about **the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.***

4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:

i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.

[...]

iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.³⁴

[Our emphasis.]

72. As mentioned above, the CBHSSJB believes that these proposed amendments to the YPA should be adopted as soon as possible.

73. Once the legislation is amended, it will be important to ensure that all persons with responsibilities under this Act are made aware not only of these changes intended to preserve the cultural identity of Indigenous children, but are also educated and trained on the reasons why such changes are so important (*i.e.*, the history and legacy of the residential school system and the Sixties Scoop). This view is also consistent with the following “call to action” of the Truth and Reconciliation Commission of Canada:

iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.³⁵

[Our emphasis.]

74. The CBHSSJB wishes to thank the Committee for the opportunity to submit this brief and looks forward to continuing to work with MSSS regarding Bill 99 and its implementation, including through committees such as the Committee on the Life Plans of Indigenous Children.

75. We are available to respond to any questions that the Committee may have at this time.

Meegwetch.

³⁴ Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Calls to Action* (Winnipeg: TRC, 2015), at p. 1.

³⁵ *Ibid.*