



BC ASSEMBLY OF FIRST NATIONS

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Prince George, BC V2K 5S3
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BCAFN ANNUAL GENERAL MEETING
October 8, 9 & 10, 2024
Hybrid - In person & online via Zoom

Resolution 36/2024

SUBJECT: SUPPORT FOR REDESIGN AND PROVINCE WIDE ADOPTION OF THE ABORIGINAL OPERATIONAL & PRACTICE STANDARDS & INDICATORS IN CHILD AND FAMILY SERVICES

MOVED BY: KUKPI7 HELEN HENDERSON, TSQÉSCEN' FIRST NATION

SECONDED BY: CHIEF LYNDAL PRICE, ULKATCHO FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. Our children are our most precious gift from the Creator and caring for them is our most sacred responsibility;
- B. the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 3: Indigenous peoples have the right to self-determination.

Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs.

Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

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Terry Teegee, BC Regional Chief

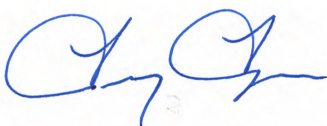
Article 18(1): Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions;

- C. First Nations title and rights holders have the inherent right to self-determination, which includes jurisdiction over our children and families. These rights are constitutionally protected under section 35 of the *Constitution Act, 1982*, and are upheld and affirmed in the UN Declaration, and *An Act respecting First Nations, Inuit and Métis children, youth and families*, the constitutional validity of which was confirmed by the Supreme Court of Canada in *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, 2024 SCC 5;
- D. the Aboriginal Operational & Practice Standards and Indicators (AOPSI) were developed in 1999 by Indigenous leaders, practitioners and community members to establish standards and policies that guide the work of Indigenous agencies to support and protect their children;
- E. the AOPSI is based on Indigenous principles of care that exceed the standard of care mandated by the Ministry of Children and Family Development (MCFD) (for example, AOPSI requires guardianship social workers to visit children every 30 days, rather than every 90 days as required by MCFD policy); however, AOPSI does not fully reflect Indigenous values, principles and worldviews and only applies to First Nations children served by an Indigenous delegated child and family services agency and not to First Nations children served by MCFD;
- F. the Practice Standards were updated in 2005, and the Operational Standards were updated in 2009, yet there have been significant changes to provincial and federal legislation that are not reflected in the AOPSI;
- G. First Nations across Canada have been working to advance the implementation of their inherent jurisdiction and developing unique systems and approaches that reflect their distinct laws, customs, traditions, and values, as well as the specific needs of their children and families; and
- H. progress towards resumption of jurisdiction has been significantly hampered by resistance from both governments to accept or fund Indigenous service delivery models that do not align with existing federal and provincial policies, and/or that require adjustments to existing provincial child and family services.

THEREFORE BE IT RESOLVED

- 1. the BCAFN Chiefs-in-Assembly direct the Regional Chief, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, to work with the Our Children Our Way Society to engage the proper Title and Rights holders to update the 2009 Aboriginal Operational & Practice Standards and Indicators (AOPSI) to:
 - a. Reflect Indigenous values, principles, and worldviews;

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- b. Reflect current practice, legislation, and rights frameworks,
- c. including the embedding of principles from *An Act Respecting First Nations, Inuit and Métis children, youth and families*, the *Declaration on the Rights of Indigenous Peoples Act* and the *United Nations Declaration on the Rights of Indigenous Peoples*;
- d. Reflect the high standard of care deserved by all Indigenous children, youth and young adults in B.C., regardless of residency; and
- e. Support First Nations resuming jurisdiction over child and family well-being;

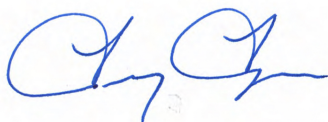
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2. the BCAFN Chiefs-in-Assembly urge the Ministry of Children and Family Development (MCFD) to fund the work required to update the AOPSI including providing funding for the revitalization of Indigenous laws, including technology; and
3. the BCAFN Chiefs-in-Assembly urge MCFD to immediately adopt the current version of AOPSI, but with a caveat that any codeveloped future updates or iterations must be incorporated, as the minimum standard of care for all First Nations children, youth and young adults in B.C., regardless of residency, and that any updates to the AOPSI will be reported back directly to all individual First Nations communities, and to the BCAFN Chiefs-in-Assembly; and
4. the BCAFN Chiefs-in-Assembly remind Canada of their obligations and duties to engage with and report directly to all individual First Nations communities on the issue of children and families.

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