



FEMMES AUTOCHTONES DU QUÉBEC INC.
QUEBEC NATIVE WOMEN INC.



PRESS RELEASE

For immediate release

Aboriginal Child Welfare in Dire situation; more children in foster care than at the height the Residential School system!

Kahnawake (March 3rd, 2010) – While federal government uses legal loopholes to keep flawed policies for First Nations children in place, documents obtained under access to information say that inequitable child welfare funding contributes to the fact that there are more First Nations children in child welfare care today than at the height of residential schools. It goes on saying that the federal government's child welfare funding service on reserves results in a "dire" situation.

The federal government's response to the "dire" inequality facing First Nations children has been to partially implement a flawed funding formula known as the *Enhanced Funding Approach* that the Auditor General of Canada has already ruled inequitable in few provinces.

Canada is currently before the Canadian Human Rights Tribunal because of its inequitable treatment of First Nations children. However, in December of 2009, the federal government filed a motion to have the case dismissed, claiming that the Canadian Human Rights Act, which prohibits discrimination in government services, does not apply to the funding decisions that determine the level and quality of services to First Nations communities. Cross examinations on affidavits filed by Canada in support of the motion and by First Nations and others in opposition to the motion have been held last week and will continue this week in Ottawa.

On February 23, 2010, Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society, who along with the Assembly of First Nations brought forward the human rights complaint, was cross examined in Ottawa by Canada's lawyers on her affidavit objecting to the federal government's attempt to derail the hearing. She has insisted that her cross examination be open and transparent to the public but the federal government wants its witness to be cross-examined behind closed doors.

Blackstock says *"We expect our government to ensure all children are treated equitably and yet when it comes to First Nations children, not only has the federal government failed to act on a clearly acknowledged crisis, the government is now going to extraordinary lengths to avoid public accountability and to prevent the matter from being heard on its merits by the Human Rights Tribunal."*

Ellen Gabriel, President of the Quebec Native Women's Association adds that *"the choice the federal government offers First Nations children and families is unacceptable given the vulnerability of the children and the wealth of this country. Instead of putting the needs of the children first, Canada has repeatedly tried to derail the tribunal using legal loopholes."*

The Quebec Native Women's Association and the First Nations Child and Family Caring Society of Canada demand that Canada allow a full and public hearing on the merits of the case and that

Canada stand by its obligations under domestic and international law to ensure First Nations children receive culturally based and equitable services.

BACKGROUND

The need for increased funding for First Nations child and family services was identified 10 years ago in a joint study carried out by Department of Indian and Northern Affairs. The recommendations of this report were never acted on. Instead the federal government froze cost of living adjustments to First Nations children's agencies in 2005, resulting in a further decline in real funding.

The government briefing notes refer to plans to provide interim funding to help address the growing crisis in First Nations children's services. This funding was never provided.

Cross examinations on affidavits filed in relation to the motion to dismiss are being held at the Canadian Human Rights Tribunal offices in Ottawa from February 23 to March 3, 2010. The Human Rights Tribunal is scheduled to hear the government's motion to dismiss in April of 2010.

-30-

For more info, please contact:

Aurelie Arnaud

Communications officer, Quebec Native Women

aarnaud@faq-qnw.org

Tel : 450 632 0088, #227

Cell: 514 239 0088

or

Cindy Blackstock

Executive director

First Nations Child & Family Caring Society of Canada

Ph: 613-230-5885

Cell: 613-853 8440