



Joint Commitment Agreement
Between
The Métis Nation of British Columbia (MNBC)
The Métis Nation Child and Family Services Society (MNCFSS)
and
The Representative for Children and Youth of British Columbia (RCYBC)
(Collectively referred to as “the Parties”)
May 2020

PREAMBLE

The Parties agree that there has been and continues to be a disproportionate number of Métis children and youth in care. We also agree that the spiritual, emotional, physical and intellectual experiences and outcomes for Métis children and youth who have been in care or receiving government services are often not what we wish for young people in this province and in this time of history. We share a concern that Métis children, youth, young adults and their families and communities are often left out of decisions that impact them, or their Métis connections have not been considered. We also recognize that the historical and current societal context contributes to alarming disparities in well-being and that the work of reconciliation and restoration needs to be done in many different ways.

The Métis Nation of British Columbia (MNBC), the Métis Nation Child and Family Services Society (MNCFSS) and the Representative for Children and Youth of BC (RCYBC) commit to each other that we will work collaboratively and in partnership towards supporting the cultural identity, safety and well-being of Métis children, youth and young adults in BC.

WHEREAS

- A. The Métis Nation of British Columbia’s mission is to develop and enhance opportunities for Métis chartered communities and the Métis people in BC. This is done by providing culturally relevant social and economic programs and services. MNBC’s mandate for children and families is to support the delivery of the best services to Métis children and their families. With this in mind the MNBC focuses on the development of a Métis specific child and family services framework to support best practice. MNBC’s role is to support service delivery to Métis children and families, and advocate on behalf of Métis children and families for support in child welfare, housing, family relations and justice.

- B. The Métis Nation Child and Family Services Society’s mission and purpose is to represent Métis children who are at risk and Métis families who are in crisis as the designated or Delegated Agency as that term is defined in the *Child, Family and Community Services Act*.
- C. The Representative for Children and Youth of BC has a mandate, as legislated through the *Representative for Children and Youth Act*, [SBC 2006], c29, to provide individual and systemic advocacy services for children, youth and young adults, to conduct independent reviews and investigations; and to monitor, review, and publicly report on designated services for children and youth.
- D. The Parties recognize Métis people’s inherent rights and responsibilities with respect to the safety and well-being of their children and youth. These rights include a special collective right to transmit a unique cultural identity and to sustain that identity.
- E. The Parties share the objective that Métis children, youth, young adults and families are supported, respected throughout the society, and able to participate without barriers, while retaining and enjoying their distinct rights and identity as Métis peoples.
- F. The Parties seek to engage in a respectful and ongoing relationship to collaborate and inform each other’s work on issues relating to the safety and well-being of all Métis children, youth and young adults.
- G. The Parties seek to formalize their ongoing relationship by articulating a process to engage in regular dialogue on issues of mutual interest and concern, based on mutual trust and respect.
- H. The Parties are guided by:
 - i. *An Act respecting First Nations, Inuit and Métis children and youth* (Canada)
 - ii. *Declaration on the Rights of Indigenous People’s Act* (BC)
 - iii. *The Child, Family and Community Services Act* (BC)
 - iv. *The Freedom of Information and Protection of Privacy Act* (BC)
 - v. Commitments made between the MNBC and the Province of British Columbia within the Métis Nation Relationship Accord II (2016) and in particular the three objectives of the Accord and the focus on children and families
 - vi. Joint Commitment between MNBC and the Province of British Columbia respecting resumption of Jurisdiction over Métis child welfare (2018)
 - vii. Principles guiding the BC Public Service on relationships with Indigenous Peoples.

1.0 PURPOSE

The purpose of this agreement is to set out how we will come together in a healthy working relationship, with our hearts and minds open, to ensure the best interests of Métis children, youth and young adults are considered in decisions that impact them.

This agreement confirms the Parties' commitment and establishes a process to engage in ongoing dialogue on general and systemic issues, and to take joint action on specific issues and initiatives, to improve the well-being of Métis children, youth and young adults in British Columbia, in a manner that:

- 1.1. Recognizes that Métis maintain inherent jurisdiction over their children and youth, regardless of residency;
- 1.2. Recognizes and supports the Representative as an independent officer of the Legislature of British Columbia with a statutory mandate to advocate on behalf of children and youth and young adults, to monitor programs and services and to review critical injuries and deaths of children and youth;
- 1.3. Aims to reduce the overinvolvement of the colonial child welfare system in the lives of Métis children, youth and families, in turn reducing the number of Métis children in care or custody; and
- 1.4. Supports Métis children and youth in their families, extended families, and communities whenever possible without jeopardizing the safety of children.

2.0 PRINCIPLED FRAMEWORK

- 2.1 The Parties agree to implement this Commitment Agreement based on a principled framework available using section 35 of the *Constitution Act, 1982*, and the *United Nations Convention on the Rights of the Child*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Commission Calls to Action, and the National Inquiry on MMIWG Calls for Justice (<https://www.justice.gc.ca/eng/csj-sjc/principles-principes.html>).

3.0 VALUES

The Parties agree that the foundation of our relationship is the shared commitment to keeping the best interests of the Métis child, youth or young adult at the centre of our decisions and actions.

Our relationship will be guided by our joint values:

- Cultural continuity
- Reciprocity
- Transparency
- Collaboration
- Cooperation
- **Reconciliation**

As Reconciliation Canada Ambassador Chief Dr. Robert Joseph says, "*Our future, and the well-being of all our children, rests with the kind of relationships we build today.*"

4.0 OBJECTIVES

The Parties are committed to the safety and well-being of the Métis Nations children and youth and seek to join systemic advocacy efforts on key matters including, but not limited to:

- 4.1 Supporting the inherent jurisdiction held by Métis peoples over their own child and family services, thus reducing the overinvolvement of the child welfare system in the lives of Métis children, youth and families;
- 4.2 Ensuring Métis children and youth receive culturally-appropriate levels and types of service from governments and agencies which is based in the principles of substantive equality;
- 4.3 Advocating for relevant legislative, regulatory, policy, and practice reform which promotes the safety and well-being of Métis children and youth in care and justice;
- 4.4 Supporting Métis peoples to be effective advocates for themselves and their children and families;
- 4.5 Improving education outcomes for Métis children and youth in and from government care and justice; and
- 4.6 Other matters, as agreed.

5.0 IMPLEMENTATION

5.1 Convening and priority setting: The Parties agree to hold biannual meetings to:

- 5.1.1 Identify priority issues and establish a mutual and focused agenda;
- 5.1.2 Determine and direct follow-up work to be jointly undertaken regarding the priority issues and to advance the mutual agenda; and
- 5.1.3 Discuss any other issues related to the effective implementation of this agreement.

5.2 Participation and engagement:

- 5.2.1 The Parties may include technical or other representatives in their biannual meetings to support their discussions and joint work.
- 5.2.2 To ensure ongoing dialogue is occurring, RCYBC, MNBC and MNCFS staff may undertake additional technical briefings for the purposes of sharing information or reviewing projects.
- 5.2.3 The MNBC and MNCFS will provide advice on how best to ensure that Métis organizations are meaningfully engaged in the ongoing work of the RCYBC.
- 5.2.4 The Parties may establish working or task groups to address specific interests of shared concern.

5.3 Information sharing and notifications:

- 5.3.1 Subject to provincial legislation including the *Representative for Children and Youth Act*, *Child, Family and Community Services Act*, and *Freedom of*

Information and Protection of Privacy Act, the RCYBC will share information with the MNBC and MNCFSS that the Representative has access to in support of joint efforts and MNBC and MNCFSS goals.

5.3.2 The Parties agree to provide advance notice, whenever possible, on actions and communications that may have significant implications for their collective work.

5.3.3 The RCYBC will provide the MNBC with embargoed copies of any report prepared by the RCYBC in advance of the report's release.

5.4 Engagement and Consultation:

5.4.1 The RCYBC will consult with designated representatives from the MNBC on investigative and special reports that address the interests of Métis children, youth and families, starting from the initial stages of each investigation/report.

5.4.2 The RCYBC agrees to provide a copy of any report prepared by the RCYBC, that pertains to or will be relevant to Métis children, youth and families prior to its public release, to keep the MNBC fully informed, to engage the MNBC in the administrative fairness process and allow adequate time for the MNBC to respond. Feedback and advice will be integrated where possible.

5.4.3 The MNBC will review advocacy and educational materials developed by the RCY to ensure they are culturally appropriate and reflect current realities for Métis children and youth.

5.5 Dispute Resolution:

5.5.1 The Parties recognize that due to the complexity of the work, differences of opinion and disputes will arise from time to time including on what will best contribute to Métis child and youth well-being and on rights of children and youth. The Parties' ability to stay focussed on the well-being of the child/youth in the context of their family, community and culture is key. The Parties will respectfully address differences and disputes in a manner that preserves the relationship while also addressing the issues.

5.5.2 The Parties agree to attempt to resolve any disputes between them in a timely and respectful manner.

5.5.3 For disputes involving only two parties, the parties agree to attempt bilateral resolution of the dispute before engaging the dispute resolution process.

5.5.4 If however, any party identifies a matter as requiring tripartite dispute resolution, one party will identify the dispute in writing and all three parties will convene for discussion either by video or in person, within 21 days of a letter outlining the dispute being shared among the parties.

5.5.5 The parties will utilize Métis traditions in addressing disputes and identified conflicts and will participate in processes organized in accordance with Métis traditions.

5.5.6 Such processes may include the calling together of a circle and/or the involvement of a traditional healer or Elder.

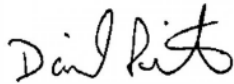
5.5.7 It is agreed and understood that any party's assertion that there is a conflict or dispute will be respected, and the parties will come together in person as soon as possible to meet and resolve the issues identified.

6.0 TERM AND REVIEW

6.1 This Commitment Agreement shall take effect from the date that this is signed by the Parties and will remain in effect for a (5) five-year period from that date.

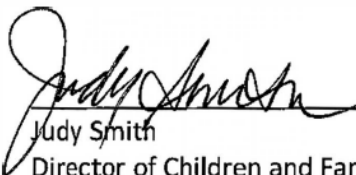
6.2 This Commitment Agreement and activities associated with it will be reviewed annually by the Parties. The Parties may agree to amend the Commitment Agreement during the annual review, or at other times if necessary to achieve the purpose of the agreement.

6.3 The Parties may negotiate supplementary or clarifying protocols to append to this Commitment Agreement at any time.

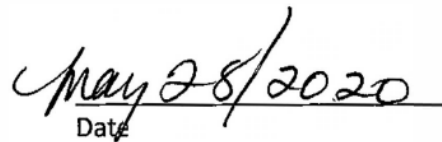


Daniel Pitman
Minister for Children and Families
Métis Nation of British Columbia

May 27, 2020
Date



Judy Smith
Director of Children and Families
Métis Nation of British Columbia



Date



Dr. Jennifer Charlesworth
Representative for Children and Youth of BC

May 28, 2020

Date