



September 17, 2008

To: All First Nations Chiefs

Re: Update on the Progress of the Canadian Human Rights Complaint Concerning First Nations Child and Family Services and Seeking Your Continued Support

The Assembly of First Nations (AFN) is providing you with an update on the progress of the Canadian Human Rights (CHR) complaint regarding First Nations Child and Family Services (FNCFS). In addition, the AFN is seeking your continued support in raising the profile of the CHR complaint so that First Nations children will receive the needed resources that will provide them with better outcomes.

Based on inequitable treatment of First Nations Child Welfare Agencies, the Chiefs-In-Assembly by way of Resolution 7/2006 approved the submission of a joint complaint by the Assembly of First Nations (AFN) and the First Nation Child and Family Caring Society of Canada (FNCFCS) to the Canadian Human Rights Commission (CHRC).

On February 23, 2007 the AFN jointly filed a CHR complaint with the FNCFCS arguing that FNCFCS agencies receives less funding per capita than provincial agencies and further that this discriminatory funding practice limits the ability of FNCFCS agencies to provide the same quality of care to children as provincial services.

Key findings from the *Wen:de Report: We Are Coming to the Light of Day (2005)* indicate that the funding formula is a substantial problem as it significantly under-funds primary, secondary and tertiary children intervention services. Federal government funding for First Nations children is 22 percent less than other children in care.

The Investigators for the CHRC have completed their report and have recommended that the Commissioners formally accept jurisdiction for the CHR complaint filed by the AFN and the FNCFCS of Canada and that the matter be referred to a tribunal hearing.

The Commissioners will meet on September 24, 2008 to decide on the jurisdiction of the case at which time the CHRC will notify the AFN and FNCFCFS of their decision within five to ten working days.

The AFN is asking for the assistance of all Chiefs and FNCFCFS agencies to pass resolutions and to write letters to the National Chief, INAC, Members of Parliament and have them carbon copied to the CHRC and the Office of the Auditor General indicating their support for equitable and non-discriminatory child welfare funding for FNCFCFS agencies across Canada. *(Please see attached template for letter of support.)* Letters of support and resolutions have recently been received from Ontario and British Columbia.

The case supporting the Canadian Human Rights complaint is strong and has been verified by various independent sources. The outcome of this case has significant precedent setting implications considering other potential human rights violations in relation to other federally funded programs.

The AFN and FNCFCFS are moving forward with the Human Rights Complaint and funding will be needed to support this important initiative to cover costs for legal fees, and for other related efforts. Donations can now be made on line at www.fncaringsociety.com or by sending checks or money orders payable to the First Nations Child and Family Caring Society of Canada. Further fundraising actions are being explored by AFN at this time. For example:

- Solicit on-line for donations through the AFN website and Health Bulletin;
- Letter writing campaign requesting donations from corporate partners of the AFN as well as to the private sector;
- Dinner and/or entertainment gala to include a silent auction;
- Blanket Dance at the Special Chiefs Assembly;
- Fundraising at the annual AFN Christmas Gala; and
- Golf tournament event planned for next year.

For more information, contact:

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