

Association  
of Iroquois  
and Allied  
Indians

May 18, 19 & 20

2011

Annual Report

**“PURSUING  
THE VISION  
OF OUR  
YOUTH AND  
ANCESTORS”**



## VISION

**The Association of Iroquois and Allied Indians is committed to protect, defend and enhance the inherent rights of the member Nations while creating mutual respect and understanding among and between the member Nations.**

**The Association of Iroquois and Allied Indians will build trust, acceptance of responsibility of all citizens of the member Nations to ensure strength of unity.**

**The Association of Iroquois and Allied Indians will utilize the knowledge and wisdom of our past to empower our peoples to create a better future to allow the full expression of our right of self determination in the reestablishment of our Nations.**

## MISSION

**The Association of Iroquois and Allied Indians will assist member Nations to meet their goals and aspirations and will be an advocate and a lobbyist with external governments.**

**The Association of Iroquois and Allied Indians will ensure that they have well-trained staff to carry out the goals and objective that have been established by the member Nations.**

**The Association of Iroquois and Allied Indians will complete this work by lobbying external governments; participating in national and regional assemblies; and by creating any processes that communities require for the resolution of their issues.**

**Adopted May 23, 1998  
Tyendinaga First Nation**

## Welcome from the Mohawks of the Bay of Quinte

*Shekon,*

*Welcome to our community, the birthplace of Tekanawita, the Peacemaker, located here on the shores of the beautiful Bay of Quinte. It is our honor to host the 42<sup>nd</sup> AIAI Annual General Assembly. We look forward to reconnecting with old friends and discussing issues that are important to all our communities.*

*We are the largest community under AIAI and one of the largest in Ontario, with a population of 8025. We currently have 2127 members living on the Tyendinaga Mohawk Territory. Our population is continuing to increase with the implementation of Bill C-3. The Mohawks of the Bay of Quinte, like other AIAI communities, face the challenges of an increasing population, and balancing the interests of our members on and off our territory.*



*Our ancestors were military allies of the British Crown during the American Revolution as well as many previous wars between England and France. Fighting as allies of the British Crown during the American Revolution, some of the bloodiest battles took place in the Mohawk Valley. One of the many promises made to our ancestors to gain their support was that their homeland villages would be restored at the end of the war. However, when the war ended with the signing of the 1783 Treaty of Paris, Britain gave up the Mohawk homelands to the American rebel forces.*

*In recompense for the loss of the homelands and in recognition for their faithful military alliance with the British Crown, the Six Nations were to select any of the unsettled lands in Upper Canada. As a result of this Crown promise, our ancestors selected lands on the north shore of Lake Ontario for settlement. These lands were not unknown to the Six Nations people as they were part of a vast northern territory controlled by the Iroquois Confederacy prior to the Royal Proclamation of 1763.*

*We have some new infrastructure in our community since your last visit. Please take a drive through our community and have a look at our Business Centre, Community Well Being Centre as well as our newly opened Skate Park and renovated lacrosse box both located at our recreation complex.*

*Again, it is our pleasure to welcome you into our community!*

*Chief and Council  
Mohawks of the Bay of Quinte*

## **Welcome from Grand Chief Randall Phillips**

Shekoli and I hope that this greeting finds you in good spirit and health.

On behalf of the Executive Committee and staff at the Association of Iroquois and Allied Indians, I wish to welcome you to 42<sup>nd</sup> Annual General Assembly. Furthermore, we would like to acknowledge and thank the Chief and Council and the Mohawk people from the Bay of Quinte for extending the invitation to host our meeting in their community this year.

As we have done in previous years, we have selected the following to be our theme for the Assembly. “Pursuing the Vision of Our Youth and Ancestors” It reminds us of the responsibilities that we have accepted.

This Annual General Assembly will be a special one, as this year we have elections for the positions of Grand Chief and Deputy Grand Chief. This year, the election for both positions will be held. I wish the best to all the candidates.

As always, our Assembly provides our Member Nation representatives to hear about the activities of our staff and to provide the direction to the Executive Committee via the AIAI Strategic Plan, and to hear from our special guests. This year we have invited the Minister of Aboriginal Affairs Chris Bentley to address the Assembly and to hear back from the delegation on other specific matters. We have also invited the National Chief and the Ontario Regional Chief to our meeting to share their experiences. Our policy analysts will give updates to relevant government initiatives on a variety of issues and topics. With additional information about other programs and services, we hope that our Assembly will be both informative and enjoyable.

Welcome to AIAI 42<sup>nd</sup> Annual General Assembly and enjoy your stay!

Grand Chief Randall Phillips



**AGA Grand Entry 2010**

# Grand Chief Randall Phillips

## Annual Report

Shekoli and it is my pleasure to present an update on my experiences in the position of Grand Chief for the Association of Iroquois and Allied Indians for the last three years. I would like to begin with a special acknowledgement to the Oneida Nation of the Thames Chief and Council and all the Member Nation elected representatives for the support that has been provided for this term. It has been an excellent, but humbling experience and I thank you for allowing me the opportunity to serve as Grand Chief.



**Grand Chief Randall Phillips**

I would like to say that it was an honor and privilege to represent the interests of our Member Nations, and that I exercised those duties in a professional, and sometimes, energetic manner. We understand that AIAI does not speak for any one Member Nation and the Association conveys that message clearly and often. One of main roles is to facilitate better communication and a greater understanding of the issues. That is done through a variety of means, but most commonly through direct meetings with various government or industry officials. In turn, this information is provided to our Chiefs Council at regularly scheduled meetings.

We also underwent some changes at AIAI during this term. As requested by the Member Nations, we conducted an organization review (to identify the strengths and weaknesses of the organization) and a Constitution review (to update our own rules of governance). The findings lead to a couple of significant changes to our Association. The most significant being the revision of our election process and the addition of a communications section. These reviews have helped AIAI adapt to the changing political environment, both internally with Member Nations and externally with Provincial and Federal governments.

These changes were intended to help the Association renew its political mandate and support the growth of our Member Nations. Our task was to develop an organization that was responsive to the needs of our communities, while we continue to monitor and update our Chiefs on the issues of the day. I believe that we are better able to do both now.

As part of AIAI political functions, we have to be prepared to object, reject (and sometimes even support) various pieces of legislation that is presented that deals with First Nations issues. Over the course of the past three years, I have made presentations to Parliamentary and Senate Standing Committees relating to legislation on the Ontario Harmonized Sales Tax (HST), the Federal Matrimonial Real Property Act, the First Nations Water and Wastewater Act. We also prepared a presentation to the Standing Committee regarding Citizenship issues.

Over the past three years we have been meeting with MP's (federal) and MPP's (Provincial) to discuss many of these issues. We have made specific presentations to government

representatives in their offices on education, matrimonial real property, child welfare, fishing, forestry, hunting, health, Ontario Works, labor concerns regarding provincial jurisdiction, wind farms and other energy projects.

I have made specific inroads in meeting with the Senate. The Senate will always have the last say in the approval of any federal legislation, and as such, we need to establish relations with these Senators. I also discussed the role of Senator Patrick Brazeau with both Senate leaders, to discuss his own positions regarding First Nations. We also attended a special session with several Senators to discuss the proposed First Nations water and wastewater legislation and the matrimonial real property legislation. Many of the Senators were unaware of how the legislation would have a negative impact on First Nation jurisdiction. These pieces of law would not address the lack of potable water that affects many communities, nor would it provide any protections to First Nations women by implementing their MRP law. It is through types of intervention that we can get our message out

As Grand Chief, I also have a responsibility to the Chiefs of Ontario. The Grand Chief is automatically a member of the Political Confederacy. The PC is like an executive committee that works on behalf of the Chiefs in between Assembly's. It is at an All Ontario Chiefs Conference or a Special Chiefs Assembly where resolutions of direction get presented and approved by the Chiefs. These resolutions form the work of the Chiefs of Ontario organization and the Political Confederacy. On average the PC meets approximately six (6) times a year. As a member of the PC, I have been given certain portfolio or issues to follow. I am the PC representative for the Chiefs Committee on Social/Child Welfare, the COO Finance Committee and for the Ontario First Nations Young Peoples Council.

The PC is also responsible for meeting with the various Ministers in Ontario. The PC has met with the Premier on an annual basis to discuss First Nations issues directly. The PC has also meets with Ministers to put forward positions and concerns regarding Resource Revenue Sharing, Ipperwash - Priorities and Action Committee, the Aboriginal Healing and Wellness Strategy, and of course the HST. It is the PC (and Grand Chief's) role to communicate directly with the Ministers and raise the concerns brought forward by First I have been a very firm and determined voice at these tables.

As Grand Chief, I have met with a number of Provincial Ministers to begin to open lines of communication to address specific Member Nations issues. Issues like policing (with Minister Bradley), Environment (Minister Wilkinson), Finance (Minister Duncan), Natural Resources (Minister Jefferies), Health (Minister's Smitherman, and Matthews), Child and Family Services and Youth (Minister Broten), Mines and Northern Development (Minister Gravelle), Sports and Recreation (Minister Best), Energy (Minister Duguid) and Aboriginal Affairs (Minister Bentley) and many of their assistants. These meetings are all in direct response to requests from our Member Nations.

In order to help organize all these meetings and to get the issues straight, we have initiated some changes to help the political functions. We have hired two policy analysts to focus on provincial and federal activities. We have established template models to help identify a lobby process...a process that helps prepare our Chiefs with their lobby efforts. We have a new communications section that has improved our capacity to share information as we should.



These efforts are starting to pay the dividends that we hoped for. The organization is on solid ground, and our staff is energetic and wants to help. It's our job to give them the tools and the space and the supports they need.

The organization review revealed what we already knew. We needed to improve our communications ability and capability. In that regard we hired a communications officer to handle that task. What was accomplished in a very short time was excellent for AIAI. The first and foremost accomplishment was the re-instatement of a newsletter. The first addition appeared last year, and a second was recently released. The AIAI Times will focus on political issues. Not only did we increase our presence in our Member Nations, the AIAI presence in Toronto and Ottawa has also increased. The Grand Chief has appeared on national television to discuss the HST, Health and economic development issues. As a result of the new communications section, AIAI embarked on our own media campaign...to introduce ourselves to the various national newspaper and other media personnel. This action resulted in the Grand Chief being interviewed for several national broadcasts over the radio. The Grand Chief is called often by various reporters to get statements or positions. We have also continued with sending our various press statements on specific issues, like the budget.

## **ISSUES**

Over the course of the term we have had the opportunity to raise concerns over various land related issues that have been brought forward in some fashion by one or both of the governments. The main issue that we have fought against was the introduction of new matrimonial real property legislation. The legislation was developed to address a gap regarding the division of property upon a marriage breakdown. As a result of the federal election, this and other legislative initiatives have now stopped.

Another issue related to land was the announcement of a private property ownership initiative for First Nation communities. The intent of this initiative was to divide existing First Nations land into private land holdings that could be mortgage or bought/sold on the open market. The information gathered to date would indicate that the initiative was necessary to introduce full taxation on First Nations land. Although there is some support for this initiative, the majority of First Nation leaders oppose this. To date, no formal legislation has been put forward.

The Province also requested some feedback with respect to a provincial policy regarding land use in Ontario. The policy document identifies a number of pieces of legislation that guides development within Ontario. AIAI identified that lack of recognition for First Nations in land development issues.

Of course, the most significant actions that impacted on two of our Member Nations, was the settlement of outstanding land claims. Our congratulations go the Chief and Council of the Mississauga's of New Credit and the Caldwell First Nation. This portion of your long road is over, and we wish your communities all the best in the future.

One of the most important issues that impacts on First Nations communities is Child welfare and the impact of the Child and Family Services Act. As Grand Chief, I was given the role as Chair of the Chiefs Committee on Social/Child Welfare. As the Chair, I was also given some oversight

over the Social Services Coordination Unit. This Unit has representation from all four PTO's and the Independent First Nations group. The Coordination Unit has been very active addressing many issues.

The main issue that we dealt with always involved child welfare issues. We continued to demand that government become more involved in monitoring the impact of the Children's Aid Society's in First Nation communities. Research indicates that there are more children in care of the state today, then ever attended residential schools. First Nation leaders have called for change to the legislation and the system that still focuses on the removal of our children.

The Coordination unit has meet with Ministry representatives a number of times to push concerns related to the Legislation, the regulations, the increase in CAS interventions, the designation of First Nation agencies, increased funding (1965 welfare agreement), customary care and the reinstatement of funding for the Band Rep. To help address these issues, we have pushed for the establishment of tripartite tables (first Nations, provincial and federal representatives). There are three tables...income assistance, child welfare and child care. All of these issues impact on First Nations people on a daily basis.

There are three other initiatives that are on going and relate directly to the issue of native child welfare reforms. The Coordination Unit also pushed a comprehensive review of the whole child welfare system. We questioned the compliance of existing CAS's with directives to include First Nations communities in decisions that affect their citizens. We called for a separate system and the recognition of our inherit right to protect our children.

In response to these demands, the Minister announced that she would appoint a special Aboriginal Advisor. This Aboriginal Advisor would conduct an independent analysis of the situation, by meeting directly with first Nations people, organizations and leaders within the current system. John Beaucage, former Grand Chief, was selected for this one year Advisor position. His final report is expected in June.

The Minister also announced the creation of a Sustainability Commission, to specifically address the concerns related to increasing costs of the current system. For First Nations people involved within the system, the lack of resources has always been a challenge. The Commission has released an interim report that provides a very specific section dealing with the issues involving First Nations. As Grand Chief, I have met with the Commissioners and continue to advocate for the inclusion of this specific review, and to help explain the 1965 welfare agreement.

The final piece announced by the Minister was a review regarding the compliance of Children's Aid Society's in dealing with the provisions contained in the Act that focus directly on First Nations people.

Through the Chiefs of Ontario, we have pushed our involvement with the complaint filed by the First Nations Caring Society and the AFN to the Canadian Human Rights Commission regarding inadequate funding for First Nations children in care. The complaint has been heard, and the ruling by the Chair as declared that there is not sufficient evidence for her to make a comparison, thus she could not determine if there is any funding shortage. This decision has been appealed.



This issue is very important. If the courts/Commission agrees that the lack of federal funding is discriminatory, then this finding can be used in other area where we experience a lack of resources...namely; education, social assistance, infrastructure...etc

The Federal government has spared no expense to fight this in the courts. We anticipate that each side will appeal the decision right up to the Supreme Court of Canada.

Throughout the years, I have also attended many conferences and workshops that discuss these issues, share information and experiences and provide recommendations to government on positive reforms.

As the member of the PC, I also participate on discussions relating to the Ipperwash Inquiry and the subsequent recommendations. The final report completed by Justice Sidney Linden contains over 100 recommendations to establish better relationships with First Nation communities and people. Many of these relate to policing and police relations. The Inquiry recommendations have been accepted by the Ontario government. As a way to ensure the commitment remains, the PC deals with several important initiatives based upon the findings.

Several of the recommendations have been acted on. The Inquiry called for the establishment of a separate Ministry of Aboriginal Affairs, they called for the development of a specific process to address protest related to land and land claims, they called for the creation of a network of liaison positions to improve relations, all of which has been done. Despite this, there are still challenges with respect to the implementation of these changes.

The other recommendations talked about resolving outstanding issues related to treaty rights, resolution of outstanding land claims and discussions about resource revenue sharing. To handle the majority of these discussions, the Chiefs of Ontario has created the Ipperwash Task Force. This Task Force has representatives from the four PTO's and a representative from the Independent First Nations group.

One of the discussions has been around the establishment of a Treaty Commission of Ontario. The idea was to have a mechanism to deals with treaty implementation in Ontario. Unfortunately, the government has taken the view that information and education about the treaties should be the mandate. First Nations leaders have indicated that they would want a Commission that could resolve treaty conflicts.

There are two existing Treaty Commission's operating in Canada, neither one has any power to settle grievances. The federal government also has a hand to play, and have only attended for information purposes.

Also based on one the recommendations, was the establishment of a resource revenue sharing agreement, which would help with socio-economic conditions facing the majority of First Nation communities. Discussions have been underway, with attempts to reach an understanding on the substance of Agreement. The findings of the Task Force indicate that Ontario receives approximately \$900 Billion dollars per year through various sources, which includes a variety of taxes. No agreement has been reached, although the provincial government did float around the idea of providing \$30 million a year for five years.

Prior to last year, AIAI signed the annual policing agreement on behalf of our Member Nations that were part of that Agreement. As former Chief, and on behalf of the PC, I was heavily involved in seeking changes to the Agreement and participated with the federal and provincial negotiators. I have met with Minister Bradley to discuss the concerns and issues raised by communities and First Nation police staff. AIAI participated in discussions about the development of legislation that would further the development of specific First Nation policing programs.

Although community policing still remains an issue for the Ipperwash Task Force, the issue of funding for policing in a cost sharing program with the Federal Government. Both levels of government have their own laws, policies and funding arrangements that impact on any positive gains forward for First Nation policing issues.

In an effort to continue to establish these relationships, AIAI arranged to meet with the new OPP Commissioner – Chris Lewis. Although the meeting was informal, we did have the opportunity to raise several concerns relating to interactions between the OPP and our Member Nations.

AIAI was very active increasing the awareness of issues around First Nations education. The effort to raise the awareness level also included efforts by the Assembly of First Nations and the Chiefs of Ontario.

The AIAI Chiefs identified the potential dismantling of the First Nations Post Secondary funding as a key issue. We organized and participated in several lobby campaigns to MP's to inform them of the concerns. We participated in rallies in London, Toronto and Ottawa. Of major concern was the transfer of the resources away from First Nations and into the hands of a third party organization.

One of the other key issues raised was the level of funding that First Nations education programs receive. We presented information that cited how our children are being underfunded at every level, especially at the K-12 levels. The department of Indian Affairs has held any increase to education at 2%.

This 2% cap does not provide enough resources to deal with increases in the education, and as a result, our children fall further behind. We lobbied the MP's to ensure that the cap was lifted and that the real costs of education were provided.

Presentations were also made to address the lack of funding for special education students and programs. Indian Affairs provided funding on a formula basis, which does not reflect individual needs, and as a result does not help. The situation is to the point, that one of our Member Nations has filed a Human Rights complaint against the government for inadequate funding.

One of the biggest efforts that AIAI and all First Nations were involved in was the objection to the implementation of the new harmonized sales tax. There were many involved in challenging the government on this issue, and it did indeed require a "team" effort to succeed. Political leaders constantly meeting with Ministers and MPP's and MP's and Senators keep the decision makers aware of the potential conflicts. I made presentations to the Standing Committees for Ontario, the federal House of Commons and the federal Senate. As Grand Chief, I was involved in several ongoing meetings with Ministers (Aboriginal Affairs, Finance and Revenue) to discuss

our position...which was full exemption from the HST. This was later changed to ensuring that the provincial portion of the HST would not apply.

Also, individual communities taking to the highways and railroads to set up information campaigns to inform people of the impact, protest marches in several cities, including downtown Toronto and the technical table where First Nation and government representatives discussed ways to reach a settlement. This was truly a combine and collaborative effort that made the point of sale rebate possible.

AIAI was also requested to intervene in an on-going tax case involving O.I. Leasing Company. This company “leased” many Aboriginal employees to other businesses as a method to eliminate the income tax on their salaries. After many years of court, the O.I. employees were ordered to repay thousands of dollars in back taxes. The Chiefs supported our involvement, based on the devastating impact on single parents and low income people. The Canada Revenue Agency continues the attack on the tax exemption rights of First Nation people.

In the same context, AIAI has been working on issues related to the tobacco. For many years, First Nations have witness a growth in the tobacco product industry. We meet with the Minister of Aboriginal Affairs to discuss some of the complaints that our office received from Member Nation citizens regarding the actions (seizure and arrest) of police for tobacco products. This occurred despite the fact that several of the tobacco manufacturers have obtained a federal license to operate. In a recent announcement, the Ontario government introduced new legislation that will reduce the administrative burden to allow police more powers to seize and arrest for the possession of “contraband” tobacco. According to the Province, contraband tobacco is any tobacco product that does not have a provincial license.

Although we met with the Minister and officials from the Revenue, and were told that further discussions would occur before any action was taken, the Ministry introduced their legislation last week. We anticipate that this decision will lead to more conflict, and are preparing to have the legislation pulled, and that proper consultation be held with First Nations.

One of the most important issues that we constantly raised was the acceptance of the United Nations Declaration on Indigenous Rights by Canada. The Canadian government was one of four countries that did not sign to accept the Declaration. Canada stated that they could agree with the Declaration in principle, however many of their current policy directives conflict with the intent of the Declaration...which requires governments to begin the process of reconciliation with Indigenous People. The Declaration lists several key areas that Governments must address. These issues include, the right to be First Nation, the right to retain language and culture, the right to lands, the right to education, the right to protect our children.....the right to be.!

Canada has finally endorsed the UN Declaration, however with restrictions. Canada claims that the Declaration is only an “aspirational” document that provides for a mechanism to begin to deal with these issues. At a recent meeting, it was stated that the Declaration is based on several other UN Agreements that do require action. It is up to First Nations to adopt the Declaration and use it to help deal with many of our outstanding issues.

As our Member Nations and the Chiefs of Ontario talk about Treaty implementation and Nation building, we attended the North American Indigenous Caucus meeting. This meeting gave us the

opportunity to understand the international stage. We participated in shaping the next report to the UN General Assembly by the Permanent Forum on Indigenous Issues. This report will be presented in May, 2011. Further to this, on behalf of the Chiefs of Ontario, I offered to host the next North American Indigenous Caucus. This will bring the international stage closer to us, and provide more of our leadership with the opportunity to raise local and immediate concerns.

The Social Services Coordination Unit also deals with wider social issues related to income assistance (Ontario Works), employment and training, Disability issues and child care issues. We have extended our network to include the Ontario Native Welfare Administrators Association (ONWAA). This organization provides valuable information and insights on government legislation and regulations when it deals with Ontario Works.

One of the big issues is the actual cost of administration to operate these programs. This program is also funded under the guise of the 1965 Welfare Agreement. It is a cost sharing program between the Federal and Provincial governments. Ontario recently announced that it will increase its contributions to the delivery agents of Ontario Works, except that First Nations that deliver Ontario Works may be subject to the department of Indian Affairs contributions. To date, INAC has been reluctant to increase these funds.

The Ontario government has also announced the creation of a special Commission to review the Ontario Works program. As with the Commission for Child Welfare, we fully expect that the income security Commission will include a separate component for First Nations. The work of the Commission is just beginning.

We have also established a tripartite table to deal with many of these issues. These tables meet as required.

As the portfolio for youth issues for the Political Confederacy, I have been involved with providing some political support for the Ontario First Nations Young Peoples Council. I have supported the Young Peoples Council on several fronts, including attending meetings with the Minister of Aboriginal Affairs, the Minister for Youth, and the Ontario Child Advocate. The Ontario Child Advocate is very supportive of First Nations youth issues, and is very supportive of the Human Rights Complaint regarding child welfare. I've been invited to attend several youth conferences to provide comments and support.

With specific regard to AIAI, following the direction of the Chiefs Council, we undertook efforts to host our own youth conference. We met with our existing youth representatives to discuss their needs and wishes with the hope of developing a specific plan to address youth representation and ways to deal with their issues. Resources were directed to enable staff to put the conference together. Although not all Member nations participated, the first annual AIAI youth conference was a success.

The provincial government announced some changes to the Environmental Assessment Act. AIAI was invited, along with other First Nations to attend an information session held by the Ministry of Environment. The presentation focused on two issues, namely; changes to the Environmental Assessment process and procedure and a new consultation document. We raised concerns with the presentation as it related to potential fast track and exemptions that could be

done. We also raised concerns that the component no longer has to address options, only the preferred one. We subsequently met with Ministry officials to request additional information.

Several years ago, the COO began work on the development of an Environmental tool Kit for First Nations communities. The Tool Kit was based on similar work done in British Columbia. As a very vocal supporter for this initiative, I have been asked by the Chiefs of Ontario working group to remain involved. The Tool Kit is complete, and we are working on gathering financial support for the next phase...community engagements. Resources are being sought to release the Tool Kit and to provide training on the use of the Tool Kit. A meeting with the Minister has confirmed that resources will be made available to begin phase two.

I was also asked to represent Ontario at a First Nations water conference held in British Columbia. I presented an overview of the issues raised during the various water conferences held in Ontario, including the Water Declaration.

With regards to many of the funding issues, AIAI produced its first pre-budget submission directed at the federal government. We made that presentation to the local MP Bev Shipley and his guest Senator Patrick Brazeau at a town hall meeting held at the Oneida Settlement. Our presentation focused on increases to the 1965 welfare agreement (social assistance, child welfare, home care for seniors and child care), additional resources for education (tuition agreements, secondary services, libraries, infrastructure), and additional resources for the Non-Insured Health Benefit program.

The above report is provided as a summary of the activities that I have been involved with as Grand Chief for this term. It is by no means exhaustive, or does it reflect the preparation time required to attend and participate in these many meetings. As you can gather from this report, the position of Grand Chief is very busy, and the issues that need to be addressed are wide reaching.

Although there is much work, I want to thank our Member Nations for the invitations that I've received over the course of my term to join in community events and celebrations. The unveiling of the special veteran's monument at New Credit, the announcement of the Long Term Care facility in Oneida, the opening of the Senior's home in Delaware and to attend the land claim distribution gathering in Caldwell. It is through celebrations like these, that we get some time to enjoy the fruits of our labour.

In closing, I would like to again, thank the Member Nations for their support and guidance over the past three years. It has been a remarkable experience that I will remember forever.







**Youth Symposium 2011**



**Lobby Efforts - Parliament Hill 2010**



**Education Rally - September 2010**



# **D**eputy Grand Chief **Chris McCormick**

Elders, Member Nations, Chiefs and Figure Delegates, welcome to the Association of Iroquois and Allied Indians 2011 Annual Assembly

Chief R. Donald Maracle, Council members and to the Peoples of Tyendinaga, thank you for hosting our 42<sup>nd</sup> Assembly

I want to thank the Assembly for allowing me to serve as the Deputy Grand Chief for our association. It has been and continues to be a rewarding and educational experience. I would like to acknowledge Grand Chief Randall Phillips and the AIAI Chiefs Council for their support and dedication in seeking a better life for our citizens and our communities. I also wish to commend the AIAI staff for their dedication and professionalism.

My report will summarize my activities over the past year and highlights some of the important aspects regarding the issues.

As Deputy Grand Chief I have been given direct responsibilities by Chiefs Council for a number of initiatives which include: Chairman for the AIAI Health/Social Advisory Board, Political Representative on the Aboriginal Healing and Wellness Strategy, Political representative on Chiefs of Ontario (COO) Social Services Unit and AIAI's Political Representative on the COO HST committee

## **Casino Rama**

I was appointed to a Chiefs Advisory Committee at the Ontario First Nations Partnership meeting in Thunder Bay on July 24 & 25 2007. AIAI had a leading role in the negotiations and sale of Casino Rama. I was appointed chairman



**Deputy Grand Chief Chris McCormick**

of our committee by my colleagues Chief Arthur Moore, Chief Wilfred King and Grand Chief Arnold Gardner. We were given a mandate to arrive at a new revenue sharing proposal with the provincial government that would include:

- Protect First Nations' inherent rights
- Be a straight revenue sharing agreement
- Involve an increased percentage of gaming revenues flowing to First Nations
- Provide certainty of revenues
- Provide a guaranteed term beyond 20 years

The final agreement increased the revenue sharing percentage by approximately \$800 million which totaled over \$3 billion to be provided to the First Nations of Ontario over a twenty five year period an increase of 5 years. The agreement was accepted and ratified by the Chiefs of Ontario at the special meeting in Thunder Bay on February 7, 2008. Benefits from this agreement were to start as of April 1, 2011. First Nations in Ontario will now receive a stable amount of money over a 25 year period which will allow us the ability to do long term planning in our communities.

## Harmonized Sales Tax (HST)

As the Deputy Grand Chief of the Association I was appointed by the AIAI Chiefs Council to be our representative on a regional committee that was coordinated by the Chiefs of Ontario, and would lead the discussions and negotiations on the HST. I was selected as the primary spokesperson for the committee by my colleagues. We had a mandate from the all Ontario Chiefs Assembly to protect our aboriginal/treaty rights to tax immunity and to maintain our PST tax exemption at point of purchase in the new HST tax.

Our committee was faced with a number of initial barriers which included, our tax exemption was not include in the Federal/Provincial agreement called the Comprehensive Integrated Tax Co-Ordination Agreement (CITCA), we would lose our PST exemption at point of purchase, neither government supported our exemption, the province only wanted an exemption for First Nations living on reserve, the federal government position was GST rules applied to HST (had to be delivered to a reserve for exemption), the federal government refused to meet jointly with us and the province, both governments said there was no major financial impact on First Nations and that there was no data available to calculate the costs of an exemption for First Nations.

To address the barriers the HST Committee undertook the following initiatives,

- We hired Dr. Fred Lazar an economist with a doctoral degree from Harvard University, his report show that there would be a major financial impacts on First Nations
- We called for a joint committee to review existing data of First Nations tax exempt purchases, we found that data did exist and a calculation could be made on the total of our purchases

- COO HST committee made a stand that we do not segregate among our members as to whether they live on or off reserve and that all status Indians in Ontario are to be exempt from the HST
- Our HST committee drafted a memorandum of understanding (MOU) for signature between the Regional Chief and the Ontario Ministers. The memorandum was signed and approved by Chiefs in assembly the MOU committed the province to maintain our exemption and to partner with us to get the federal government to agree
- HST Committee requested that the province officially notify the Federal Minister of Finance that First Nation's exemption be included in the CITRA Agreement. Minister Duncan complied and a letter was written by the Provincial Minister to Minister Flaherty.

The federal government finally agreed to meet jointly and both governments agreed to realize our exemption; however, the province wanted the exemption included in the CITRA and the federal government wanted it outside. At the end of two meetings the governments were at a stalemate. I requested that the province request a meeting between both the ministers to resolve the impasse. This requested mover the federal representatives and they agreed to meet with the province to resolve the matter

At the next meeting First Nations were presented with a proposal, our committee made some changes to meet the requirements of the Chiefs of Ontario resolution and agreed that we would present it to the Chiefs in Assembly. One short coming was that the HST would be in effect on July 1, 2010 and our exemption would not come into effect until September 1, 2010. First Nations, however, would be able to send in tax receipts and be reimbursed. The proposal was put to the floor of the all Ontario Chiefs assembly and was accepted.

The HST Committee was able to achieve a number of enhancements to our old exemptions. Our old exemption was only a policy, now status Indians living off-reserve get the same HST exemptions as First Nations living on reserve and this is no longer policy it is legislation. First Nations living off-reserve will get an added exemption for internet, telephone and cable and there is now an exemption for fast foods.

It can't not go unsaid our people were united, we brought our message out on the streets, numerous demonstrations were held across Ontario, which let the governments know that First Nation Peoples in this Province were serious about maintaining our treaty right to tax exemption and were prepared to act.

The Chiefs of Ontario HST Committee continues to monitor the implementation of this agreement.

### **First Nation Tobacco**

The Association has been recently working on the issue of tobacco manufacturing in our communities. I have received several complaints that our businesses and citizens in AIAI member Nations are experiencing harassment and are also being threatened by the provincial government. At issue is the legal manufacturing of tobacco products on First Nation reserves. A member Nation citizen that owns and operates a tobacco manufacturing plant and is licensed by the government of Canada to do so has been advised that the company needs to abide by provincial regulations and laws

The position of the Provincial Government is this matter raises a number of issues which include:

- The imposition of provincial jurisdiction on reserve
- Tobacco was used as a trading commodity long before the arrival of Europeans and is therefore and existing

aboriginal right under the Canadian Constitution

- We have the right as First Nations to do Inter-national trade

The Ministry of Revenue has continued to pursue First Nation tobacco manufactures and is insisting that they register under the Ontario Tobacco Tax Act; even though they are federally licensed and meet all federal manufacturing, health and safety requirements.

The executive and members of Chiefs Council have met on two occasions and raised our concerns with the Minister of Aboriginal Affairs, we have advised the Minister on his constitutional obligations, insisted that further public statements made the distinction between contraband and our legal manufactured tobacco products.

A meeting was also arranged with the Commissioner and Deputy Commissioner of the Ontario Provincial police and members of Chiefs Council. We questioned the deputy commissioner about the seizure of First Nation tobacco products, as representatives of the RCMP have stated that they didn't know why our cigarettes were being seized.

Our Association has taken the position that the provincial government does not have jurisdiction on reserves and that our tobacco products are legally produced and traded as the First Nation manufactures have a federal tobacco license. This is more than a licensing issue it is about our Aboriginal and Treaty rights which include inter-nation trade and commerce.

Since our meetings I have received calls from the deputy commissioner of the OPP, the deputy minister of Aboriginal Affairs and the deputy minister of Finance, we were advised that a proposal would be forth coming for our review in late March. To date we have not received the proposal.

## **Establishment of a First Nation Specific Process in the Aboriginal Healing and Wellness Strategy (AHWS)**

I was appointed by Chiefs Council as the political representative on the AHWS Joint Management Committee (JMC). The committee had membership from the three other PTO's, Independents, the Native Women, the Metis and the Friendship Centers associations. The committee managed approximately \$47 million in program dollars for First Nation and aboriginal programs in Ontario.

This arrangement was not in our view a government to government relationship. The Chiefs in Ontario passed a resolution directing, the establishment of a separate AHWS governing entity with additional resources that will govern Phrase IV for the First Nations on a government-to-government basis. A joint committee was established and negotiations proceeded.

It became evident in our discussions that the government wanted to change the governance structure of AHWS. Our committee developed a draft proposal which was tabled with the government representatives and accepted at the COO assembly. The Regional Chief advised the ministers of the resolution and asked for a meeting to discuss the Chiefs proposal.

Without consultation the provincial government unilaterally made the decision to restructured AHWS and move toward a single year service agreement model.

The new direction undermines the original purpose and intent of the AHWS, which was that First Nations would eventually take over full responsibility for the management of the programs and the finances for AHWS. The government direction would damage the strategy in several areas which included:

- Funding for the new model would flow from and be managed by a single ministry meaning we would lose management authority over the program

- Health Access Centers will be shifted to the Ministry of Health and Long Term Care
- No government to government relationship
- Takes away governance authorities included in AHWS
- Changes funding from five year Implementation Agreements to a one year service contract
- It is inconsistent with Ontario's New Approach to Aboriginal Affairs released in the spring of 2005
- Used program dollars will no longer be sent to the AHWS management committee to be reallocated to other program areas in need, they will now be returned to the government

Letters were sent by the government asking First Nations to participate in a meeting to discuss what they called a transition process. Each PTO has written a letter rejecting the government's new approach and each organization has committed to fight the governments proposed change to AHWS, even to go as far as a legal challenge. The First Nation political representatives left the meeting when the agenda item to discuss funding and transition was reached on the agenda at the JMC meeting.

I arranged meetings with the four ministers responsible for AHWS and we were able to get their agreement to meet with the Political Confederacy to discuss the First Nation proposal. As a result we will receive our funding for this year under the same contact arrangements as last year. They will provide funding for a management committee with representation from each PTO and the ministers will meet with the Grand Chiefs separate from the other aboriginal organizations and the Independents.



## **Sustainable Child Welfare and First Nations**

I am the chairperson for the Association of Iroquois and Allied Indians Health/Social Advisory Board (H/SAB) which is composed of two representatives from each of our member Nations. One important matter that will impact our member Nations is the Ontario Government's "Commission to Promote Sustainable Child Welfare". The Commission was created in November of 2009, and has a three-year mandate to develop and implement solutions regarding child welfare in Ontario.

On July 5, 2010 the Commission released its first report "Towards sustainable Child Welfare in Ontario". The report examines Ontario's child welfare system as it stands today and how it's policies, funding and service delivery have grown and changed in the past ten years. The report ends by stating that 'the Commission's work now shifts from examining what needs to change to working with the ministry and the child welfare sector to actively plan to realize these changes'. One of the findings which was disconcerting was a recommendation to combine child welfare agencies.

In reviewing the report I found that there was a lack of documentation on the specific issues and circumstances facing First Nations. This was troubling as the report stated that the commission was now moving on. If our problems are not documented in the report then we can't expect them to be resolved at the end of the Commissions work.

Meetings were arranged with Mr. John Beaucage, Special Advisor to the Minister of Child and Youth Services on First Nation Child Welfare and with Paris Meilleur the Minister's advisor on First Nations. Mr. Beaucage accepted our invitation and did a presentation to the H/SAB which updated the board on the work of the commission and his role as advisor to the minister.

It was determined by the Health Social Advisory Board that they should meet with the overall Commission. The purpose was to ensure that AIAI member Nations had direct input into the commission's reports and findings. Board members Sandra Moore, Ida Cornelius, Helen Tobias, Social Services Director Trina McGahey and myself met with two commissioners and presented the report that was developed by the H/SAB members. The Commissioners comment us on our report and stated that our concerns would be reflect in their next report and that they wished to have further meetings with us in the future.

## **AIAI Education Committee**

I have been attending our committee meetings on education. The executive and members of Chiefs Council have participated in education rallies in Ottawa and have lobbied M.Ps individually in the House of Commons our purpose to have the 2% cap on education removed and to make the government and the people of Ontario aware of our issues. The National Chief has stated that education is a priority for him in his term of office.

I attended a national meeting with the AFN executive committee, the national chief, the chief committee on education and representatives from across the country. One of the main items of discussion was the expert panel on education. The initiative resulted from a meeting between the National Chief and the Prime Minister.

We were given a briefing on the particulars of the National Panel, the panel has Cabinet authority the will conduct one national roundtable and 8 regional roundtable sessions, the project time line is three months, the report of the panel will be to both the AFN and INAC.

A number of people had concerns about the panel which included the fact that the members were selected without our input. The Regional Chief from Saskatchewan informed the meeting

that they reject the National panel in its current form. NAN also had a resolution from their Chiefs Assembly stating that they also will not participate. Supporters of the initiative pointed out that the commission is there to gather information and evidence, KPMG will be doing a study of the differences in funding on and off

reserve schools, another comment was what is the alternative?

The panel had been discussed at our education meeting; I did present our questions and advised that our association has not had time to discuss this matter at Chiefs Council.



### ***AIAI Staff 2010***

***Back row: Sherry Huff, Grand Chief Phillips, Jode Kechego, Geoff Stonefish, Suzanne Nicholas, Brandy Cornelius  
Front row: Courtney Cornelius, Julia Hill, Lisa Jackson, Amanda Doxtator, Shayna Phillips, Rochelle Cornelius,  
Elly Antone, Amanda Powless, Carolyn Doxtator***



***Association of Iroquois and Allied Indians***  
***Office Manager Geoff Stonefish***  
***Report to the Annual General Assembly***  
***2010-11***

It is my pleasure to present a favourable report on the Administrative activities of the Association of Iroquois and Allied Indians for the fiscal year 2010-11.

The past year, as is always, has been a busy year for the Association. Last year's report to the General Assembly painted a picture of change and renewal, with new staff being hired and new policy being developed as a result of an overall organizational review.

This year's operational goal was to promote stability in the organization through the implementation of new policy and introduction of new staff to fill policy gaps within the Association. Operational stability within an organization contributes to the advancement of the Associations political agenda.

Organizational stability has been achieved through the implementation and application of consistent policy, which the employees of the Association have had direct input into the development. Along with new policy, some positions have been restructured in order to meet the realities and demands of the positions.

A key theme that continues to be stressed and promoted by the AIAI Administration was the use of better and increased communication and collaboration. All too often we work in administrative "silos" which can result in duplication of work and a loss of productivity.

The Association also experienced the loss of a friend and co-worker, Carol Hill. I am very proud of staff for the support that they gave each other through this difficult time and also thankful for the traditional people that helped and supported us through ceremony.

Overall this past year has been one of administrative progress which can be directly attributed to the employees of the Association and the hard work that they have completed on behalf of AIAs member Nations.

## **1. Operations**

### ***Staffing***

This past year has seen a minimal amount of staff turnover within the organization. Our previous Communications Coordinator has moved on to pursue her own business and our Policy Analyst has taken another position with a different organization.

In the review of the Policy Analyst position it was evident that the responsibilities and workload on this

position was overwhelming for one person year. This caused severe gaps in the Associations Policy and Intergovernmental Relations area, so a decision was made to create another Policy position to address this gap. The Association has hired two Policy Analysts and Government Relations Advisors, one with a focus on provincial issues and the other with the focus on federal issues.

Overall this decision has been a large benefit to the organization and the member Nations.

The Communications Coordinator position will be filled early in the 2011-12 fiscal year.

### ***Sectors/Policy Areas***

Currently there are five (5) main sectors/policy areas within the Association, they are; Inter-governmental Affairs, Health, Social Services, Education, and the Aboriginal Healing and Wellness Strategy. The mandate of these sectors is to identify specific program/legislative/policy issues and advocate for positive change in each of their respective areas. Each of these sectors also participates at a regional/federal level at specific tables to work collaboratively with the other PTOs/FN Organizations and/or government on common issues.

The Association also has a Communications sector that is responsible for all internal and external communications as well as media relations.

All sectors were directed to improve on their cross functionality in order to increase collaboration on common themes and issues. This improved collaboration has benefited not only the organization but has also increased the service levels to the AIAI member Nations. Total cross functionality of the sectors will be an ongoing task but will eliminate our past “silo” approach to issues.

### ***Finance***

After a successful audit in 2009-10 the Office Manager and the Finance Manager have worked together to identify and

correct process issues related to finance within the organization.

The Chiefs Council Finance Committee has started to meet to look at the Associations overall Finance Policies and Practices. The Office Manager and the Finance Manager have been tasked to develop a revised AIAI Finance Policy that would close gaps and expand on the current policy and practice.

As part of INACs new transfer payment policy the Association has undergone a General Assessment of our financial practice and activities. This assessment is to assess the “risk” of a recipient of federal funding. As a result AIAI has been scored a low risk based on our reporting history and financial management. This will enable the Association to enter into possible longer term funding arrangements and also be eligible for 25% of our funding at the onset of the fiscal year.

### ***Indian and Northern Affairs Canada***

As noted last year the Association endeavoured to create an administrative working relationship with the Department of Indian and Northern Affairs – Ontario Region in order to improve communications and increase regular dialogue in regards to AIAI priority areas. As stated last year INAC has released a new Transfer Payment Policy which is currently being implemented by INAC- Ontario Region. Under this new policy AIAI will be discussing a possible three year agreement for part of our core funding and looking at ways of resourcing different priority areas within the Association.

## ***Communications***

The Association has experienced some communications issues in the past that were addressed in the Organizational Review. The Office Manager has continued to implement the recommendations over this past fiscal year.

The AIAI Website is fully functional and is updated on a regular basis. Ongoing changes will be made to meet the needs of the Association but the overall website is a key communication tool that did not previously exist within the AIAI.

The Association has published two editions of the AIAI Times, which is a quarterly newsletter that is meant to inform member Nations of current political affairs and updates. The newsletter has been received with much praise from our member Nations and we will continue to publish this on a quarterly basis.

Our internal communications were identified in the organizational review as lacking, and the Association has experienced many technical issues with our internal communications systems. We have addressed these issues by changing email and internet service providers and switching from a “Viop” phone system to a “Sip” phone system. Most of the technical issues seem to have been resolved as a result of these changes.



## **2. Overall Policy**

### ***AIAI Constitution – Elections Code***

As reported last year an AIAI Constitutional Working Group had recommended changes to the AIAI Constitution and it's attached policies. These changes were accepted at the 2010 Annual General Assembly hosted by the Oneida Nation of the Thames. The working group was instructed to make further changes to the AIAI Elections Code and to bring back recommended revisions to a Fall Assembly. The Working Group met twice to complete the review and changes were proposed which were accepted at the 2010 AIAI Fall Assembly, hosted by the Caldwell First Nation. Some highlights of the changes are as follows:

- Elections for both Grand Chief and Deputy will be held at the same time in the same election year.
- An official delegate cannot transfer his/her vote – no voting by proxy
- Clear appeals process
- More accountable and transparent elections process with the inclusion of a “scrutineer” for each candidate.

The 2011-12 Elections for Grand Chief and Deputy Grand Chief will be held on

May 18<sup>th</sup>, 2011 and will be under the new revised Elections Code.

#### *Operating Policy and Procedures*

The Association underwent an overall organizational review in 2009-10 that concluded with recommendations in regards to policy and staffing. A revised Employee Policy was developed and accepted by the Chiefs Council. A review of the new policy was completed with the staff and the full policy has been implemented.

The current policy enables the Office Manager to develop “policy directives” that are designed to clarify or address policy gaps or emerging issues that are not included in current policy. The Office Manager has issued two policy directives this past year. One on Inclement Weather and another on AIAI meeting requirements which clarifies timelines for meeting packages, minutes and action reports.

### **3. Strategic Planning**

The Association continued its strategic planning process again this year. The overall strategic plan is based on key priorities that are identified by each member Nation. As a result of this process the Association has focused on several key areas such as education, safe drinking water, inter-tribal trade, tax immunity (HST) and Child welfare.

Although the internal strategic planning process was not as formalized as in the past some major accomplishments were achieved.

These include:

- Exemption from the provincial portion of the HST
- Several meetings with government on issues such as inter-tribal trade, education and child welfare

- Presentations to federal standing committees
- Coordination of lobby meetings in Ottawa re: education

Although the strategic planning process is useful and has produced results, the Association and member Nations may better benefit from a more formal and longer term approach to strategically addressing common issues. This idea can be explored more in the upcoming fiscal year.

### **4. Ministry of Aboriginal Affairs**

The Office Manager has had several meetings with the Ministry of Aboriginal Affairs this past year and primarily focused on the development of some form of Political Agreement between AIAI and the MAA. At the AIAI fall assembly it was determined by the member Nations that AIAI would not pursue a “political” agreement with the MAA due to the Ministries reluctance to design a true Political relationship agreement.

Since this decision the Office Manager has been meeting with MAA officials to discuss the development of an administrative relationship that could focus on coordination and facilitation of meetings between AIAI and MAA to discuss common issues. It is expected some form of administrative arrangement will occur for the 2011-12 fiscal year.

### **5. Canada/Ontario Resource Development Agreement (CORDA)**

This committee is primarily responsible for reviewing proposal requests from First Nations and individuals that are proposing to initiate short term projects that have both economic and resource



protection benefits. Historically AIAI has had a moderate number of applicants from the member Nations for this funding. This agreement is co funded by the Ministry of Natural Resources (\$500K) and INAC- Ont Region (\$500K) for a total of \$1 M annually. INAC has indicated that it has a difficulty identifying its funding authority for continued support of this

program and that it may have to end its commitment. Since this announcement INAC has stated that it is determined to find the resources to continue with the CORDA and will look internally to continue is funding. A decision will be made early in the 2011-12 fiscal year.

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## **Y**outh Report **Shayna Phillips**

Over the past year, Shayna Phillips has been responsible for the administrative and coordination for the AIAI Youth Representatives at the regional level. The Associations youth representatives who participate on the Ontario First Nations Young Peoples Council (OFNYPC) are Amanda Sault (Mississaugas of the New Credit) and Justin Logan (Delaware Nation Moravian of the Thames).

Over the past year the youth representatives have attended various meetings to make the youth voices heard at the regional level. One of the most recent meetings that they attended was the Chiefs of Ontario Health Forum, where they were able to share their concerns affecting youth within First Nation communities with the Political leadership. They are also currently involved in the development of Youth Engagement Strategy. The development of this strategy is still in its beginning stages and is being worked on by local regional youth councils, but will be owned by the OFNYPC. The purpose of the strategy is to find ways to engage the Youth at a Political level. They have also been invited to attend the Chiefs of Ontario Special Chiefs Assembly, as well as the Summit for Aboriginal Child Welfare being

held in Fort William First Nation both being held in April 2011.



**AIAI Youth Reps**

Shayna Phillips, Amanda Sault, and Justin Logan have been working diligently on forming an AIAI Youth Council. Once developed, the Youth Council will be comprised of two representatives from each of our member Nations; one male and one female representative. The purpose of an AIAI Youth Council is so that the youth from each of our member Nations have a voice and to have their issues and concerns be heard by our Political leaders. There is a need for change with the youth within our member Nations, and the change needs to start now. They are our future.

On March 18<sup>th</sup> & 19<sup>th</sup>, 2011 the Association hosted its very 1<sup>st</sup> Annual Youth Symposium. The feedback from the Symposium was outstanding and the event was very successful. The youth were engaged in various workshops that provided them with current political updates from the staff here at AIAI. Elders were invited to encourage the Youth to learn their traditions, cultures, and most importantly their language. They listened and participated in traditional prayer, drumming, and social dancing. There were also presentations that encouraged them to live healthy lifestyles and how to make the changes in order to do so. The Youth were also encouraged to take the information that they received back to their communities to make the Youth more aware of how important it is to have their voices heard.

### **Pictures from AIAI 1<sup>st</sup> Annual Youth Symposium March 2011**





# **A** boriginal Healing and Wellness Strategy Suzanne Nicholas A/AHWS Director

The 2010-2011 has brought about many changes in the Aboriginal Healing and Wellness Strategy Department.

## AHWS Entering Transition Year

The government of Ontario is changing the way that the Aboriginal Healing and Wellness (AHWS) program is currently managed. The AHWS has moved from the current co-managed system to a single government ministry overseeing the whole program. The AHWS is now being managed by the Ministry of Community and Social Services.

With the Ontario government's plan the AHWS funded programs will be moving from a 5 year Implementation Agreement to yearly Service Agreements, meaning First Nations will only receive a funding commitment on a yearly basis rather than the previous five year funding commitment.

The AHWS is currently in a Transition Year, in which AIAI will be providing input into new service agreement on behalf of Member First Nations. During the Transition year AHWS Funded Programs will continue to run with no interruption of Service, funds will continue to flow via a Grant Letter with the PTO.

The government has committed that there will be no impacts on AHWS funding levels. AHWS Funded projects have received a commitment from the MCSS

Minister that funding levels will remain the same for the 2011-12 fiscal year.

Reporting requirements will remain the same for AHWS Funded projects during the transition year. AIAI AHWS Technicians will receive training on new reporting requirements and new performance measures in the late summer, early fall for the New Service Agreement Year of 2012-2013.

## Next Steps

In order for AIAI to negotiate on behalf of its member nations, an indepth needs assessment is required for the AHWS Funded programs to show areas that are lacking.

In October 2010 an information session was held by AIAI. At this session the AHWS frontline workers were updated on the renewal process to date. This included a political update and frontline AHWS workers were given the opportunity voice their concerns over the changes being made to the AHWS.

The workers were also asked at that time for a "wish list" of areas that needed improvement in their programming area. AIAI has collected these gaps in service that have been identified but more work needs to be done in this area as to actual costs of the requests being made. This will act as a negotiating tool so it needs to have as much detail and be as specific as possible. This will be an ongoing process and will be updated on a regular basis, and prioritized so that if additional AHWS funding becomes available in the future AIAI can be quick to access funds needed by our Member Nations.

# EDUCATION

**Gina McGahey**  
**Coordinator**

## Education Mandate

The Association of Iroquois & Allied Indians (AIAI) education services provides technical support to strengthening Member Nations education management and governance capacity in areas of early learning, elementary, secondary, and Post Secondary Education. Through effective communication, networking, and capacity building, AIAI will ensure a formal consultation relationship between First Nations, federal and provincial sectors. This will empower our Member Nations in their self-determination to build a brighter and stronger education future for our children.

## Education Lobbying

First Nations education underfunding has been an issue from Early Learning to Post Secondary. It is an issue of comparability of funding and services similar to the Province of Ontario education programs. It is an issue of ensuring our Member Nations local control over their community education program and it's an issue of ensuring our children success.

In September 2010, AIAI was involved in a lobbying effort, independently, with the Chiefs of Ontario First Nation Education Coordination Unit (COO-FNECU) and the Assembly of First Nations. (AFN) While in Ottawa, the AIAI Chiefs lobbied with the AFN team, an AIAI lobby with Member Nations MPs ridings and participated in the Education rally on Parliament Hill. At the AIAI level, staff was involved in a petition booth at the Harvestfest in London and actively participating in the Education rally in Ottawa. Great

## MANDATE

- Consultation
- Advocacy
- Policy analysis
- Capacity building

appreciation is extended to all who help and participated in the lobbying efforts in supporting our children future education.

AIAI Education has contacted the area colleges and universities along with representation from the local First Nations organizations to assist in the planning of a London Education rally in June 2011. Information on the rally will be announced in the near future.



**MP Bev Shipley**



**MP Tony Martin**

## **Post Secondary**

Indian & Northern Affairs Canada (INAC) Post Secondary audit report still remains high on our Member Nations' agenda regarding INAC delivery options and accountability mechanisms. Research reports, such as, the "Education Saving Plan" delivery option by Helm-Snow and the AFN Post Secondary discussion paper on "Taking Action" were completed along with presentations on delivery and funding options at the Standing Committee on Aboriginal People. At the same time, INAC has implemented two initiatives, a Post Secondary data collection system to improve accountability and a Post Secondary summative evaluation. INAC initiatives are expected to be completed for the authority renewals in 2013.

AIAI Education completed a discussion paper which resulted in the direction of ensuring Member Nations control over the Post Secondary program, a "Free tuition option" and to work with INAC on accountability modifications. AIAI Education next step is to prepare a position paper to be completed by August 2011.

## **Federal: K- 12 Program**

INAC and the federal government have implemented the following initiatives this past year;

1. A cabinet submission for a National Panel study on the Elementary/Secondary programs.
2. Senate Committee on Aboriginal Affairs presentations on legislation, partnership options and student success initiatives.
3. Development of an Education Information System

4. INAC Evaluation & Performance Measure Branch summative evaluation of the Elementary/Secondary Education Program.

As a result, Member Nations expressed concerns regarding, duty to consult properly, underfunding, jurisdiction and once again being studied to death without outcomes. AIAI Education attended COO-FNECU meetings to keep updated on the INAC initiatives and to provide feedback from Member Nations. This past year, four AIAI Education Committee meetings and a joint Chief/Education technicians strategic planning meeting were held. Briefing notes, visual presentations were completed in order to keep our Member Nations politicians and technical updated and informed on these initiatives. In the near future, AIAI Education will be looking at developing an AIAI data collection system pending funding approval.

## **Band Operated Funding Formula**

The Band Operated Funding Formula authority renewal is scheduled for April 2013. The COO is currently looking at the Quebec draft funding formula to see if it can be adapted to Ontario. At the same time, the National Panel and an Elementary/Secondary summative evaluation are conducting two comparisons analysis on the Band Operated funding formula. AIAI Education was successful in securing funding for two post secondary summer students to assist in developing a funding comparison between our AIAI Member Nations and the Ministry of Education.

## **Special Education**

AIAI Education participated with the COO-Special Education Working Group in

reviewing the current INAC special education funding formula along with presenting improved options to the COO General Assembly in November 2010. A resolution was passed at the Chiefs of Ontario assembly for Option # 2. Option # 2, is similar to the current formula but with an increase 20% incident rate. AIAI Education provided briefing notes, a Member Nations analysis report and a presentation to the AIAI General Assembly in October 2010.

### **Early Learning**

The Ministry of Education announced the implementation of full time kindergarten program for Ontario schools. This lead to issues with Member Nations regarding funding support, impacts on day care programs and staffing issues. AIAI Education have been actively involved in working with AIAI Social & Health, attending COO-Early Learning meetings, preparing an Early Learning impact report, briefing notes and planning the COO Early Learning forums in March 2011.

### **Provincial: K-12**

#### **Tuition Agreement**

AIAI Education serves as a lead to the COO-Tuition Agreement Working Group. The working group has made huge progress in completing an Ontario-wide Tuition Agreement Resource Guide. AIAI lead role was implementing the suggested clauses, coordinating meetings and assist in the development of seven Tuition Agreement sessions scheduled for May/June 2011. The draft tuition agreement resource guide will be presented for final consultation with First Nations and schools boards. Any amendments or changes will be made to the resource guide and production and distribution will commence.

### **Education Partnerships**

#### **AIAI/IEC Education Partnership**

The AIAI Member Nations along with the IEC Members Nations held community consultation sessions and a joint session to discuss Phase One of a collective student success strategy. Phase One report is forthcoming. Phase Two is to formulate a partnership agreement with the Ministry of Education and INAC, pending AIAI Members decision.

### **Student Achievement Strategy**

The COO, Ministry of Education, INAC and the Ministry of Aboriginal Affairs are in the process at looking at a collaborative approach of potential 2<sup>nd</sup> level services to First Nations by developing a regional student success strategy. This strategy will be presented at the Chiefs of Ontario Annual Assembly in June 2011 for ratification.

AIAI Member Nations has not made a decision on the AIAI/IEC Phase Two of an education partnership with INAC and the Ministry of Education and agreed to have AIAI Education participate in the Student Achievement Strategy initiative at this time.

### **Other Services**

Other AIAI Education services to support our Member Nations included;

1. capacity-building on the INAC data collection system, MOE Calculation on Special Education tuition fee change,
2. coordinating AIAI Education meetings,
3. communications of education programs and services to Member Nations,
4. briefing notes on research reports/town hall session, Senator Brazeau blog on First Nation education,



5. presentations to Ontario Native Trustee Council and AIAI Youth Symposium, AIAI Assemblies,
6. newsletter articles and education reports,
7. Addressing Member Nations requests.

## Education Rally in Ottawa September 2010



# **H** Health Department Cathryn Mandoka Health Director

The Health Department is pleased to provide a brochure to everyone regarding the program areas and the mandate of the department. There are six permanent staff and two contract personnel within the Health Department.

- Cathryn Mandoka - Health Director
- Julia Hill - Health Policy Analyst
- Carolyn Doxtator - Health Promotions Coordinator
- Karen Elijah - A/AIDS Educator
- Lisa Jackson - Responsible Gambling Coordinator
- Brandy Cornelius - Health Administrative Assistant
- Amanda Doxtator - Data Collection/Data Base Development
- Audrey Logan - Aboriginal Health Human Resource Initiative

## ***Non-Insured Health Benefits (NIHB)***

AIAI continues to advocate with the federal government on issues related to the NIHB program.

### **1. Insulin Coverage**

A most significant breakthrough is to have the *LANTUS* insulin covered by adding it to the Drug Formulary, effective April 1, 2011. The position which we hold is that there should be no resistance to receiving coverage for any insulin which assists in management of glucose levels. The National Pharmacy and Therapeutics Committee is the body responsible for the additions and deletions of medications to the drug formulary.

### **2. Eye Glass Frames**

Effective May 2011, the NIHB program will pay \$50.00 toward the cost of eye glass frames. Prior to this slight increase,



the NIHB program would contribute only \$41.20.

### **3. NIHB Navigators**

In October 2010, two NIHB Navigators were employed through the Chiefs of Ontario Office with funding provided by Health Canada-FNIH. Laurie Carr has been hired as the Ontario South Navigator and Pauline Mickelson, Ontario North Navigator. The NIHB Navigators are to serve in a liaison capacity for First Nation communities and organizations to address issues/concerns with the NIHB program. Laurie and Pauline have completed their orientation process which included discussions with FNIH –Ont. Region, Drug Exception Center, Orthodontic Review Center, Regional Pharmacists, Home and Community Care, and Medical Transportation with both Sioux Lookout and Thunder Bay zones.

## ***Health Canada - FNIH***

### ***1. PTO and Independent First Nation Funding Review***

The Regional Director of Ontario First Nations and Inuit Health, Dr. Valerie Gideon has accepted a new position as Director General at FNIHB Headquarters. Prior to Dr. Gideon's



departure, AIAI was involved in a PTO and Independent First Nation funding review discussion. There was no Terms of Reference for this review nor any projected timeframes and objectives to provide transparency and accountability to the PTOs. To this date, this review remains incomplete as not all PTOs were involved in the review – Union of Ontario Indians remains outstanding. Based on the proposed funding formula, Dr. Gideon's plan was to remove 42% of the AIAI core health funding beginning in fiscal year 2013-2014. This of course would have detrimental impact on the Association, resulting in the potential loss of two (2) person years within the Health Department. Grand Chief Phillips quickly responded to this proposed funding review with correspondence being sent to the Acting Regional Director, Susan Russell stating the position of AIAI that status quo funding levels be maintained. To date, there has been no response to this correspondence.

## ***2. FNIH Contribution Agreements and Community Based Reporting Template (CBRT)***

All First Nations within Ontario have signed their contribution agreement for 2011-12 utilizing the agreement template from the previous year. In Ontario Region, fiscal year 2011-12 will be a transitional year to work extensively with First Nations to prepare them for signing the new agreement in 2012-13. The CBRT is in its final version for the communities to utilize for their program reporting. A few years ago, the Auditor General for Canada, Sheila Fraser remarked that First Nations are over taxed with reporting for their funding from Health

Canada. The new CBRT is designed to provide a more streamlined approach for reporting.

## ***3. Upstream Investments***

### ***i. National Aboriginal Youth Suicide Prevention (NAYSP) Program***

NAYSP has been renewed for another five (5) year term to 2015. Over the five year term, funding for community projects is \$1M and the remaining \$500K will be used to fund interventions in the communities for fiscal years 2010-2012.

#### ***NAYSP Funded Projects (2005-2010)***

- Year one funding was allocated to 4 Tribal Councils, 1 Regional Authority (26 communities) and 7 individual communities for a total of 33 communities
- Spring 2008 another proposal call budget of \$1.5M and funded 14 proposals including 3 tribal councils. 1 Regional authority and 10 community projects.
- The 14 suicide prevention projects received a two year mandate for 2008-2010. Tribal councils received \$100K/year and individual communities received \$75K (Oneida and Batchewana were successful at receiving funding through this allocation).

### ***ii. Aboriginal Diabetes Initiative (ADI)***

Funding Allocations (\$6.3M):

- \$260K: involves collaboration with First Nations/Inuit, Federal/Provincial/Territorial authorities and organizations
- \$5.2M: Delivery of programs and services (FN Community Contribution Agreements)

- \$70K: Incorporate evidence-based practices Into programs and services
- \$35K: Educate and create awareness
- \$400K: Build capacity among individuals, families, communities and community based workers (FNTI).
- \$366K Food Security Initiative

**iii. HEALTH SERVICES  
INTEGRATION FUND** (former Aboriginal Health Transition Fund)

Key Accomplishments

- Draft Public Health Memorandum of Understanding
- Draft Local Agreements
- Cultural Training Manual to compliment government approaches to cultural sensitivity training

- 8 projects established Advisory Committees to ensure cultural sensitivity
- A collaboration workshop for knowledge transmission between

- Aboriginal and non-Aboriginal organizations

First Nations Public Health Advisory Committee was funded 3M to the Chiefs of Ontario for this initiative which has ended on March 31, 2011

- Agreement by the Province to support a trilateral HSIF committee and to participate
- Working on a proposed Trilateral Health Senior Officials Advisory Committee

**Children and Youth Programming  
(inclusive of Maternal Child Health)**

<b>Funding Allocations 2011-2012:</b>			
<b>Program</b>	<b>Regional Allocation</b>	<b>Community Allocation</b>	<b>Regional Projects</b>
<b>Aboriginal Head Start On-Reserve</b>	\$8,354,905	\$7,886,894	\$468,011
<b>Aboriginal Head Start On-Reserve – First Ministers Commitment</b>	\$874,419	\$874,419	\$-0-
<b>FASD</b>	\$2,275,795	\$1,783,874	\$491,921
<b>Maternal Child Health</b>	\$5,022,033	\$3,324,998	\$1,400,564
<b>COHI (Children's Oral Health Initiative)</b>	\$296,481		
<b>ELCC (Early Learning Child Care)</b>	\$1,139,606	\$1,139,606	\$-0-

## **Home & Community Care Nursing Education Budget & Priority Areas (2011-12)**

- Anticipated Budget- \$818,489.
- Wanting to have lead position staffed by May 1/11 by Home Care Nurse/preferably First Nations
- Wanting to have administrative assistant position staffed
- Ensure that nurses have access to appropriate learning platform for needs- adult learning principles
- Maintain frequent communication that is clear and transparent

### ***National Research Study: First Nations Food, Nutrition and Environment Study***

Since the passing of the 2007 AFN Resolution, there has been continuous movement of this research initiative in the west coast region and it is now moving into Ontario First Nations for 2011/12. We have two of AIAI member Nations in the study which will measure, through hair sampling, the amount of heavy metals found in traditional game/foods and the health implications. Partnerships for this initiative include the AFN; University of British Columbia; University of Montreal; FNIHB- Health Canada; and the Public Health Agency of Canada.

### ***LHINS (Local Health Integrated Networks)***

There have been two areas of concern regarding the LHINS:

#### ***1. Formation of Health Council & Community Engagement***

The Local Health System Integration Act, 2006 mandated the formation of an Aboriginal and First Nation Health Council. Now five years later, AIAI, along with the other PTO's, NGO's and the Aboriginal Health Access Centre Networks have recently been contacted by the Ministry of Health and Long Term Care to provide feedback on the draft Health Council and community engagement regulations. AIAI has completed a consultation process with the member

Nation health technicians to receive direction in order to submit revisions to the draft regulations. The Association will pursue a First Nations specific Health Council and development of a meaningful engagement process that deals directly with the Chiefs and Councils or First Nations organization.

At a higher political level, the First Nation leadership will continue to pursue the endorsement of the Ontario Health Accord. The Health Accord would be a bilateral process where First Nations would meet directly with the Minister of Health in order to have a significant role in the delivery and planning of First Nations health services.

#### ***2. LHINS SERVICE AGREEMENTS***

At the request of Tyendinaga, AIAI has obtained a legal analysis for the Multi-Sector Service Accountability Agreements which point out the areas of concern. The member Nations have strong opposition regarding the complexity of the agreements and the implementation of assessment tools which are not culturally appropriate. It's important to note that not all LHINS are at the same level with their agreements which make it difficult to proceed collectively.

### ***Cancer Surveillance***

Cancer Care Ontario through the Joint Ontario Aboriginal Cancer Care Program

(Alethea Kewayosh and Lorraine Marrott) will apply to the Indian Registry System for application to access data for a cancer surveillance project. This project will cross reference INAC's registry with the Cancer Care Registry and ICES (Institute for Clinical and Evaluative Services). This work is in the very preliminary stages.

### ***Health Scholarship Award***

For the past 21 years the Association has offered an annual \$1,000 Health Scholarship to support First Nations students that demonstrate a commitment to obtaining a career in the health field. This past year, the adjudication team of Chief Greg Peters, Chief Louise Hillier and Chief Laurie Carr selected Tina Gingras to be the successful recipient. Tina is from

Batchewana First Nation and was enrolled in the Massage Therapy - Fast Track Program at Georgian College.



**Tina Gingras 2010 Health Scholarship Recipient**

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## **H** **Health Policy Analyst** **Julia Hill**

### ***First Nations Public Health Advisory Committee (FNPHAC)***

The Health Policy Analyst (HPA) continues to represent AIAI Member Nations as an active member of the First Nations Public Health Advisory Committee (FNPHAC) coordinated by the Chiefs in Ontario (COO). In July 2010, AIAI health directors and technicians discussed and proposed changes to FNPHAC's draft principles for potential inclusion in a public health services agreement between First Nations, provincial and federal governments. However, feedback received from the parties highlighted the political, legislative, and systemic challenges to delivering public health services to First Nations communities. As tangible and



practical outputs, FNPHAC chose to focus on developing a memorandum of understanding and draft local health services agreement. FNPHAC's hope is for First Nations to use the template agreements to initiate and build relationships with local Public Health Units. These tools have been completed and were distributed at COO's Health

Forum in February 2011. The AIAI Health Department also held a half-day caucus to prepare our Member Nations for COO's Health Forum. Over the past three (3) years, FNPHAC has encountered many challenges in achieving a formally-binding tripartite agreement within Ontario's complex public health care system. The committee has discussed alternatives to addressing public health issues on-reserve and currently support the creation of a senior level public health table and/or a pilot First Nations regional public health model. The funding for FNPHAC has sunset (as of March 2011) and therefore COO will be submitting a proposal for renewal through the Health Services Integration Fund.

#### ***Member Nation Environmental Scan***

In June 2010, AIAI's Chiefs Council directed the Health Director to conduct an environmental scan of Member First Nations. The environmental scan, in the form of a questionnaire, was to focus on three priority areas including water, non-insured health benefits and mental health. During October and November of 2010, the Health Director and HPA travelled to 6 Member First Nations in a face-to-face meeting to complete the environmental scan questionnaires. In each Member Nation, we met with health directors, mental health workers, water treatment operators, and a variety of other community workers. Unfortunately we were unable to meet directly with 2 Member First Nations; however, each submitted a completed questionnaire electronically. To date, the HPA has researched methods of qualitative analysis and is currently in the process of preparing a draft roll-up report and presentation of preliminary findings to the H/SAB and Chiefs Forum in April 2011.

*Everyone that we had the opportunity to meet with was very knowledgeable and open about sharing their personal or collective concerns within and outside of these priority areas. The hard-work and dedication of community workers is evident along with their genuine concern for the well-being of their community and its members. For myself, this was a great learning experience and I appreciated the warm welcomes from each community.*

#### ***Bill S-11: Safe Drinking Water for First Nations Act***

Since September 2010, HPA has extensively researched the background and potential impacts of Bill S-11, also known as Safe Drinking Water for First Nations Act. During a formal breakfast in October 2010, senators met with Member Nation Chiefs to listen to First Nations concerns on the proposed Bill S-11. To keep the Member Nations informed and updated on this bill, HPA prepared briefing notes and presentations to H/SAB, Chiefs Council and also at the Special Fall Assembly (SFA). In November 2010, a resolution was developed at the SFA that called for rejection of Bill S-11. The resolution called for proper consultation and accommodation, a presentation on findings of the National Engineering Assessment and a special Ministerial meeting. Based on this resolution and AIAI's Environmental Scan findings, AIAI Grand Chief made a presentation in rejection of Bill S-11 to the Senate Standing Committee on Aboriginal Peoples in February 2011. To date, findings of the National Engineering Assessment are yet to be publicly released. Also at this time, Bill S-11 is officially dead legislation since Parliament has called a federal election; however, this bill may be re-introduced by the next government.



### ***Community Based Water Monitoring Program***

- Funded through First Nations Water and Wastewater Action Plan (FNWWAP)
- Call letter will go out once funding is confirmed
- Communities are required to undertake water sampling

- Sunsets March 2012

### ***Community Drinking Water Projects***

- Funding through Drinking Water Safety Program. Funding is A-Based and supplemented by FNWWAP
- Proposal driven and Zone Manages process

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## **H** **Health Promotions Coordinator** **Carolyn S. Doxtator**

### ***Aboriginal Diabetes Education & FASD Programs***

The Health Promotions Coordinator (HPC) maintains the administration of the Aboriginal Diabetes Education program for the Ministry of Health and Long Term Care, as well as the Fetal Alcohol Spectrum Disorder/Child Nutrition program for the Ministry of Children and Youth Services.

### ***Ontario First Nations Integrated Health Promotions Strategy***

The Health Promotions Coordinator represented AIAI on the COO subcommittee, Ontario First Nations Integrated Health Promotion Strategy (OFNIHPS). Through their consultant, Asset Mapping training was provided to approximately 26 trainers. As a result, two of these trainers trained all of AIAI community health representatives with the goal for each community to develop a community health plan based on one of the 3 priority areas 1) healthy eating; 2) physical activity or 3) smoke-free communities.

### ***Tobacco***

The HPC participated on a Tobacco Advisory Group to oversee COO's Youth

Tobacco Education Program partnering with CAMH. The project held a Tobacco Talk session in Thunder Bay, where the youth contributed to the development of a tobacco toolkit. The youth continue to review and revise their FN tobacco protocol.

The HPC was involved in the Cancer Care Ontario – Aboriginal Tobacco Program's (CCO-ATB) Partnering With Youth session in Sudbury, where it was taught that youth are to be involved in projects to promote youth engagement, youth development, and sharing in decision-making with adults that will give them the opportunity to lead and initiate actions. Youth Tobacco use in FN communities was explored through interaction with the goal to understand strategies for youth tobacco cessation and using youth development principles to create tobacco strategies. FN youth were encouraged to incorporate cultural themes into teaching and counseling, address commercial vs. traditional use of tobacco, and to use a Holistic approach. The HPC also participated on the CCO-ATP Tobacco-Wise campaign that developed a magazine entitled 'Play, Live, Be Smoke-Free', with articles on smoking by-laws, Traditional use of tobacco, why smoking is not beneficial to dancers, etc. The magazine, geared towards children, youth,

adults and elders, was launched at the Little NHL in Sudbury during March break.

The HPC attended the Assembly of First Nations Tobacco Forum held in Saskatoon to showcase best practices in various smoking cessation projects across the country. The AFN introduced their new booklet, 'Don't Misuse Tobacco, Keep it Sacred' which is an excellent resource. Some FN's successfully developed smoke-free policies in their band-owned buildings and bingo halls. One FN tobacco enforcement officer from B.C. monitors

the sale of cigarettes to minors in local smoke shops on his FN. Minors are hired to purchase cigarettes and retailers are first warned, and if they continue to sell to minors, they are fined.

The HPC represents AIAI on COO's subcommittee, Injury Prevention Advisory Working Group (IPAWG). The HPC received training from the Canadian Red Cross on 'Walking the Prevention Circle – It's Not Your Fault: Violence and Abuse Prevention'.

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## **R**esponsible Gambling Program Coordinator – Lisa Jackson

The Responsible Gambling (RG) Program was present at various events at our Member Nations throughout the year with information on the program and its initiative, prevention, awareness and reducing stigma related to problem gambling. Information booths were displayed, speaking engagements were delivered, several workshops/training sessions were attended and several information packages were distributed.

The RG program was also present with a booth display at the Elder's Gathering, Chiefs of Ontario Health Forum, our AGA, Youth Symposium and presented at the Home and Community Care Conference in October.

### ***Responsible Gambling/HIV Wellness Conference***

This year the RG program and HIV/AIDs program coordinated a Wellness and

Balance Conference with over 20 people in attendance. The intention of the 2.5 day training was to address stigma with a focus on Traditional Teachings as the connection to overall wellness, balance and living a good life. Participants took part in training sessions on Responsible Gambling, HIV/AIDs update and Traditional Teachings with Jan Longboat and Tom Porter.

### ***Ontario Aboriginal Responsible Gambling Program Working Group***

The OARGP-WG consists of the RG coordinator from each PTO, and representatives from ONWA (Ontario Native Women's Association), MNO (Metis Nation of Ontario), and OFIFC (Ontario Federation of Indian Friendship Centers). Together, the group initiated the first phase of a database tool, created a strategic plan for the next 18 months and a draft of a five year strategic plan.

## **H**IV/AIDS Educator **Karen Elijah**

Karen is presently working as Interim-Maternity Leave Educator for Elly Antone. The program has been present at various events throughout the year and shared the positive messages of HIV/AIDS education, prevention and most importantly awareness. Information/education booths were displayed, speaking engagements were delivered, and information packages were distributed.

### ***HIV/AIDS Community Training***

This year's training consisted of sessions that were coordinated with other organizations and utilized programs within the organization by taking advantage of our Health programs and resources.

### ***Community Member Nations***

HIV/AIDS funding was allocated to each Member Nation for their HIV/AIDS related activities. Workshops and year-ends from each Member Nation were submitted to the HIV/AIDS Educator.

### **Ontario First Nations HIV/AIDS Education Circle (OFNHAEC)**

OFNHAEC consists of an AIDS Educator/Coordinator and a First Nation Person living with HIV/AIDS (FNPHA) from each PTO and representatives from

the IFN. OFNHAEC displayed an education booth and/or presented at the Canadian Aboriginal Festival, All Ontario Chiefs Conference and COO Health Forum. Information packages along with safer sex items were distributed to the Young People Leadership Conference which was in conjunction with the Year of the Youth. The AIDS Circle hosted the 6<sup>th</sup> Annual HIV/AIDS Youth Peer training in Six Nations Polytechnic on Nov. 1<sup>st</sup> and ending the evening of Nov. 4<sup>th</sup>. There were 26 youth in attendance presenting First Nation communities in Ontario.

Sessions included healthy sexuality, FNPHA panel, homophobia & discrimination, understanding our roots (residential school), HIV/AIDS, gangs & youth violence, drug & alcohol, self-esteem, healthy relationships and other team building exercises. The youth enjoyed themselves and learned a lot of information they will share with their peers and community members.

The 2011-12 Contribution Agreement administration for the AIDS Circle will be Nishnawbe-Aski Nation (NAN). Originally, this administration was to be rotated within the PTOs and Independent First Nations but due to the successful administration of the contribution agreement, it was held within AIAI for number of years. It is now time for another PTO to take on this responsibility.

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## **D**ATA COORDINATOR **Amanda Doxtator**

Another contract allocation of funding has been provided by First Nations and Inuit Health (FNIH) Ontario Region under the "E-Health Division". Amanda Doxtator continues her responsibilities regarding the creation of AIAI's web database. With this funding, a

Health Database System Development Advisory Committee (HDSDAC) was created for continued development on the Health Database.

This committee has successfully completed three meetings that took place in Delaware First Nation, Hiawatha First Nation and in London Ontario at the Four Points by Sheraton Hotel. The committee

developed a strategic plan which was comprised of goals, expectations, requests and follow up. The committee also reviewed the Data Sharing Protocol Agreement and made recommendations with changes to the agreement and will have it presented at the next (H/SAB) Health/Social Advisory Board meeting for review. As part of Amanda's new contract, communication is the key to success in the continuation of the database. With the assistance of MLD Solutions, SharePoint was introduced to the group as a new means of communication. SharePoint is directly connected to the AIAI web site and allows the HDSDAC to communicate and also share documents online. With this tool, the HDSDAC were able to generate a new list of recommendations for the database. With the formation of this new committee, some concerns were brought forth for AIAI to consider.

1. To hire a consultant to review the database and do a Privacy Risk Assessment.
2. Develop a Privacy Policy template so that member Nations may have this in place in their community.
3. David Canton and Krista Yao were recommended as the legal consultants for AIAI to follow up with.

The committee has requested a fourth meeting to follow up with their recommendations and to review of the Data Sharing Protocol Agreement. AIAI has taken all the concerns from the HDSDAC and have contacted the legal consultants and are beginning the next stages of securing the privacy of the database.



**Lisa Jackson, Karen Elijah, Amanda Doxtator**

## **A** boriginal Health Human Resources Initiative Coordinator **Audrey Logan**

Audrey is currently on contract under the Aboriginal Health Human Resources Initiative (AHHRI). This is part of the Upstream Investments through FNIH (First Nations and Inuit Health) Ontario Region, Health Canada. She will be with us until October 2011.

Within her first contract previously held, an environmental scan was done within the member Nations regarding health professions at the community level and what the capacities are. A document regarding the findings is available for the communities.

Another focus was on the creation of a curriculum for youth regarding a Math/Science Camp. This curriculum

called "CREATOR'S GIFTS" is for grades 6, 7 and 8 and was developed by the Youth from the member nations with specialist Donna Young providing her expertise in curriculum development.

We have been successful in acquiring the funding allocation to host the first Math/Science Camp this summer out of the AHHRI- FNIH Ontario Region. Audrey's commitment is to coordinate this activity, make it a reality and update the environmental scan and attend relevant AHHRI activities. Many activities are with FNIH and will include proposal review, participate in a nursing strategy for Southern Zone and update the HSAB Board as required.

The Youth are a major focus and we welcome their participation to make this Math/Science Camp a true success.

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## **P**olicy Analyst (Federal) **Joshua Shoemaker**

### **BILL S-4 Family Homes on Reserves and Matrimonial Interests of Rights Act**

Bill S-4 sought to create a matrimonial real property rights regime on-reserve by requiring First Nations to implement a federal code provisional code until the community adopted its own 'custom code' through a strict approvals process.

- Wrote a letter in January 2011 stating AIAI's opposition to the Bill, as well as a listing of the legislation's various implementation issues.

- Letter was sent to each MP in the House of Commons.
- Was prepared to create a written submission to the Standing Committee and submit a request to address the Committee.
- Bill S-4 died when the government was dissolved on March 26, 2011. It is highly likely that Canada's next government will reintroduce the Bill, but highly unlikely that the legislation will be substantially different from its current form.



### **Bill S-11: Safe Drinking Water on Reserve Act**

Bill S-11 sought to create a framework for regulations that would require the delivery and administration of safe drinking water on-reserve.

- Worked with Julia Hill in February 2011 to create a written submission to the Senate Standing Committee on Aboriginal People, as well as an oral presentation made by Grand Chief Phillips.
- The submission and presentation used the AIAI environmental scan to demonstrate that Bill S-11 does little to provide *access* to safe drinking water for AIAI member Nations.
- The Senators appeared more interested in creating regulations for future investment in drinking water systems than providing access to safe drinking water.

### **Pre-Budget Submission**

In February 2011, MP Bev Shipley and Senator Patrick Brazeau visited Oneida Nation of the Thames for a 'pre-budget engagement session.'

- Worked with other AIAI staff to identify priority areas of funding for the 2011 federal budget. These areas included education, health, the 1965 Welfare Agreement and funding for access to safe drinking water on-reserve.
- Grand Chief Phillips made an oral presentation of these priority areas to Mr. Shipley and provided him with a hard copy of the submission.
- Unfortunately, the 2011 federal budget made no attempts at acknowledging AIAI's (nor any First

Nation organization) input on priority areas of spending.

### **Land Tenure Committee**

The first Land Tenure Committee (LTC) meeting was held on February 25<sup>th</sup>, 2011 in Toronto.

- Made a brief presentation on the First Nations Property Ownership Initiative and answered questions related to the movement and its current status.
- The committee decided to create a report outlining the position of AIAI member Nations with respect to First Nation title to land and economic development opportunities.
- The outline of the report is currently being drafted.
- The prioritization of the report (in relation to other issues in need of attention) has presented an ongoing challenge. Although there were some initial desires to complete the report by the end of April, it has continued to be pushed back due other issues and events requiring attention.
- **It is recommended that AIAI clearly prioritize the operations of the LTC in relation to its other activities and issues, and clearly established its expectations regarding the amount of time and resources devoted to the committee.**

### **Federal Budget & Election**

- Analyzed the federal budget, and identified areas of significance or ambiguity. Based on this analysis, I then created a press release on the budget entitled, "Canada Fails to Deliver on the Needs of First Nations."

- Followed news stories and party announcements, and maintained a record of the various issues and announcements related to First Nations. The information was then sent to Chiefs as 'Election Updates'.
- The lack of attention to First Nation issues during the election created difficulties in maintaining a record of the policy announcements. Much of the discussion relating to First Nations occurred during question time, making it difficult to gauge the party's position on such issues unless an AIAI representative was physically present at the rallies and announcements.

### **Tobacco & Intertribal Trade**

After receiving requests from a tobacco manufacturer located on-reserve, AIAI became involved in the struggle over First Nation tobacco products and their status under the Ontario Tobacco Tax Act.

- Attended two meetings at Delaware Nation Moravian of the Thames to help address jurisdictional concerns and correspondence with the Ministry of Revenue.
- Attended a meeting with Minister Bentley in January 2011, where a plan to arrange future meetings to discuss issues of common concern was identified. As preparation for this meeting, I prepared a comprehensive set of briefing notes on the tobacco issue.
- Organized and attended a meeting with OPP Commissioner Chris Lewis in February 2011. This initial meeting took the form of a

'meet and greet', however, a second meeting has been scheduled for April 18<sup>th</sup>, 2011, where the issues will be discussed in more detail and behind closed doors.

- The Chiefs Council has directed AIAI to no longer pursue meetings with Minister Bentley and to obtain a legal opinion on the matter.
- AIAI was also directed to expand the tobacco issue into one of Nation-to-Nation trade.
- Prepared the request for a legal review, and awaiting feedback.

### **Nuclear Waste Shipments & the Nuclear Working Group**

After the announcement by Bruce Nuclear that plans were being drafted to ship 16 decommissioned nuclear steam generators to Europe, the Nuclear Working Group was created to serve as a coordination body for First Nations wanting to respond to nuclear issues.

- Joined the working group in February 2011.
- Although the activities and strategic direction of the Working Group have yet to be more formally established, the group created the blue ribbon campaign to raise awareness on the importance of clean water, and has been working with the Canadian Coalition for Nuclear Responsibility.
- Substantial work has yet to be done by the working group, as no

clear goal or coherent strategy of the body has been established.

### **International & UNDRIP**

Recently, AIAI has begun renewing its involvement in the international sphere.

- Attended the North American Indigenous People's Caucus Meeting in Blue Lake, California in March 2011. This meeting served as the preparatory meeting for the UN Permanent Forum in New York this May.

- This experience provided first-hand knowledge of the process of the UN Permanent Forum, as well as the level of preparation that is required for participation at the UN level.
- Due to scheduling conflicts, AIAI representatives will not likely be able to attend neither the World Indigenous Forum nor the meeting of the UN Permanent Forum in New York.

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## **P**olicy Analyst (Provincial) Victoria Hill

### **INTRODUCTION**

This report is a summary of activities of the provincial-level policy analyst between October 2010 and April 2011.

Activities over the past six months have revolved around the Ipperwash Inquiry Priorities and Action Committee (IIPAC). In fact, these six months have been the Committee's busiest since its establishment in 2008. The push for the Ministry of Aboriginal Affairs to spend money before the fiscal year end, and the imminence of a provincial election in the fall are definite factors in this heightened level of activity.

Alongside the work with IIPAC I have also accompanied Grand Chief Phillips to meetings with provincial ministries, which will also be described in this report.

The report will conclude with some brief thoughts for the year ahead.

### **IPPERWASH INQUIRY PRIORITIES & ACTION COMMITTEE (IIPAC)**

#### **Renewing IIPAC**

Early in the new year a senior-level Joint Ipperwash Technical Table (JITT) meeting was held to inform and receive feedback on significant plans over the following months. The First Nation Task Force took this opportunity to present Ontario with an analysis of challenges within the IIPAC process and recommendations for improving the Committee's efficiency and productivity.

Notable changes resulting from the renewal initiative include the establishment of bi-weekly conference calls to improve consistency of communications. Internally, the First Nation Task Force modified its approach to sub-tables. Rather than divide responsibilities among several sub-tables, the First Nation Task Force consolidated

its responsibilities for all priority areas (with the exception of Communications).

The Ministry of Aboriginal Affairs supported the recommendations, and will take action to create a First Nation cultural training process for its employees, and review the transparency of its funding/reporting processes.

#### Treaty Commission in Ontario

Chiefs of Ontario Resolution 08/65 mandated the Political Confederacy to appoint a Chiefs Advisory Committee (CAC) to advise and assist in the implementation of this complex recommendation from the Ipperwash Report. The Chiefs Advisory Committee was established in May 2010, and has since made valuable contributions to progress in the consideration of the development of a Treaty Commission in Ontario (TCO).

The CAC hosted a Treaty Think Tank in October 2010, where the Gathering of Nations planned for 2012 in Niagara was identified as a necessary focal point for informing the development of a TCO. The Gathering of Nations is considered to be an opportunity for First Nations to strengthen their approach to treaties, both First Nation-to-First Nation and First Nation-to-Crown treaties.

Identified within the Renewing IIPAC document was the proposal for a 1.5-year Treaty Commission Initiative project. The Initiative Project is designed to make headway with the development of a TCO by appointing a fact-finder to thoroughly investigate gaps in the available Treaty implementation mechanisms and identify the needs of Treaty regions and parties. The First Nation Task Force has been working with the MAA to create a project

proposal to present to Chiefs in Assembly followed by Indian and Northern Affairs Canada.

#### Resource Revenue Sharing

Within the final report of the Ipperwash Inquiry Justice Linden recommended that First Nation, provincial, and federal governments develop a system for sharing Ontario's revenues from natural resource extraction and development. Chiefs in Assembly passed Resolution 08/11 that mandated the First Nation Ipperwash Task Force to work with Ontario to make recommendations with regard to negotiations on resource revenue sharing. The result was a joint framework presented to Chiefs in Assembly in November 2010.

The framework was accepted by Chiefs in Assembly and, through Resolution 10/11, the First Nation Task Force was directed to engage in a second round of discussions with Ontario, with a view to developing the terms of a Resource Revenue/Benefits Sharing (RRBS) agreement. The terms were to be brought before Chiefs for their consideration at April's Special Chiefs Assembly.

From October through to the end of March the First Nation Task Force met with technicians from the MAA to identify fair and equitable terms of a potential RRBS agreement. Valuable information was provided by an economist that was commissioned to assist the First Nation Task Force in developing a strategy for discussions with Ontario.

The process of jointly developing terms of a possible RRS agreement took on the characteristics of negotiations, however, the First Nation Task Force was always cognizant that it was not a decision-

making body. Therefore, what we sought were the best possible options for Chiefs' consideration.

A two-month process of negotiating the main elements of a potential agreement was fraught with disagreements between the First Nation Task Force and Ontario's officials. When required, the PC and Minister Bentley mediated stalemates. The First Nation Task Force developed a principled approach; however, Ontario was unwilling to recognize First Nation principles or future intentions. The province's offer was consistently insufficient measured against the expectations and intentions expressed by Chiefs in Assembly in deciding to pursue a resource revenue sharing arrangement.

Going into the Special Chiefs Assembly, the First Nation Task Force and the PC refused to recommend the Terms and position Ontario was taking on the potential arrangement. Rather than drop the matter altogether, the PC instructed the First Nation task force to recommend building upon the work done to strengthen First Nations' position on RRBS through more thorough research.

#### First Nation Policing

The First Nation Ipperwash Task Force has focused activities in this priority are on the viability of a legislative basis for First Nation police services in Ontario. The investigation is based upon a recommendation of the report of the Ipperwash Inquiry.

In partnership with the Ministry of Community Safety and Correctional Services (MCSCS) the Task Force built upon discussions and opinions expressed during an experts forum in May 2009, where the current landscape of First

Nation policing was examined and evaluated.

Between late February 2011 and mid-March 2011, the Task Force and MCSCS organized three policy forums to discuss the potential for legislation to improve the delivery of policing services for First Nation communities. One forum gathered First Nation Chiefs of Police, and the other two forums gathered community members. Despite the complexities of the policing environment for First Nations, the general response was in support of legislation.

These are very early discussions on this subject, which led to more questions than definite answers. Jim Ransom, the facilitator for all three forums, produced a report that includes the Chiefs of Police and communities' perspectives. The next steps for the Task Force, approved by the Chiefs in Assembly, are: 1) to develop a First Nation policing strategy that includes research on the original vision of First Nation police services, 2) call for an independent study of the First Nation Policing Policy, and 3) to seek a legal opinion on the implications of legislation for First Nations and inherent and Treaty rights.

#### **MEETINGS WITH PROVINCIAL MINISTRIES**

- Ministry of the Environment
  - Modernization of approvals for environmental assessments
  - First Nation Environmental Assessment Toolkit
- Ministry of Labour
  - Jurisdiction on reserve lands
- Ministry of Municipal Affairs and Housing



- Review of the Provincial Policy Statement

### **VISION FOR THE YEAR AHEAD**

Professionally and personally I am honoured to have the opportunity to be participating on the implementation of recommendations of the Ipperwash Inquiry. I look forward to the work ahead that has been identified in the descriptions above.

An area of this work that I plan to improve on is establishing a more consistent approach to communicating with AIAI member Nation communities. On the advise of Chiefs and Council members, I would like to engage in activities that will ensure I am representing and expressing member Nations interests, whether that be as a technician on the Ipperwash Task Force, or in communication with Provincial bureaucracy and Government. I have heard suggestions such as attending a Council meeting, as well as providing newly elected Council members with a political update. I am open to whatever method Chiefs and Council members believe will work best for their communities.

Finally, I thank you for your support and guidance over the past six months. I look forward to the continued progress that we will make together.



**Chief Joel Abram**



**Chief Blaine Commandant**



**Chief Louise Hillier, Chief R D Maracle**

# Social Services

## Trina McGahey Director



### Introduction

The Social Services Annual Report covers the 2010-2011 Fiscal Year and contains information for the AIAI Annual General Assembly May 2011.

*The Association of Iroquois and Allied Indians Social Service Department is responsible for addressing any social service issue that impacts the AIAI Member Nations. The Social Service Director is also responsible for enhancing the capacity of Member Nations to develop Social Services under Self Government through provision of technical support in the areas of planning, evaluation, policy development and Community development.*

The Social Services Director has worked on a number of ongoing initiatives and issues this past year. Areas of mutual concern include:

Child Welfare	Ontario Works/Social Assistance
Customary Care	National Child Benefit
Band Representative	Federal Disability Initiative
Bill 210	Family Violence Initiative
Child and Family Services Act – Ontario	Matrimonial Real Property
Early Childhood Development	Day Care and the Day Nurseries Act
1965 Welfare Agreement	Chiefs Committee on Social Services
Early Learning and Child Care	Social Services Coordination Unit
First Nation Child Welfare Law	

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### Social Assistance - Ontario Works / Ontario Disability Support Program

#### 1. Commission for the Review of Social Assistance

The **Mandate** of the commission is to develop specific recommendations and create a concrete action plan for reforming Ontario's social assistance system by improving client outcomes. Ontario has appointed The Honorable Frances Lankin, P.C., United Way Toronto's past President and CEO, and Dr. Munir Sheikh, Canada's former Chief Statistician, as commissioners.

The **scope** of the review will focus on social assistance and how it impacts, and is impacted by, other parts of the income security system. Social assistance will not be examined in isolation. The review will examine social assistance along with other federal, provincial and municipal income security programs to gain a better understanding of how programs across all governments can better promote positive client outcomes.

The Social Assistance Review will take approximately 18 months to complete, from January 2011 to June 2012.

**Please see attached documents in AGA kit:**

- i. *Ontario Launches Major Social Assistance Review – January 2011*
- ii. Commission for the Review of Social Assistance – Terms of Reference

## **2. Social Services Solutions Modernization of Technology Project (SSSMP)**

The Ministry is moving forward with a plan to modernize their software technology. The new program solution will incorporate worldwide best practices and will support the ministry's goal to provide better delivery of social assistance by simplifying business processes and more reliable service to clients. The Ministry estimates the project will take four years to upload and implement. First Phase includes the municipality's removal of the SSDMT software (old software) to be replaced with the new CURUM software; completed by April 2013.

The Ministry's staff will collaborate with First Nations partners to develop a tailored strategy and timeline for implementing the modern solution (CURUM), with the initial focus on First Nations delivering the full Ontario Works program (i.e. financial and employment assistance).

**Please see attached briefing note in AGA kit:**

- iii. *Social Services Solutions  
Modernization of Technology  
Project (SSSMP) – April 8, 2011*

## **3. Ontario Works Pilot Projects**

Three pilot projects for the group delivery of the Ontario Works program have been undertaken by First Nations, the province and INAC Ontario Region. The pilots are being hosted by following; Southern First Nations Secretariat - Stepping Stones, North Shore Tribal Council - Niigaaniin , and the Kenora Area Chiefs Advisory. These pilots were to run a total of 3 years and completed in year two and evaluated in year three (2009-2010). An extension had been granted for the pilot projects to be evaluated until the fall of 2010.

The purpose of the pilots is to test the full Ontario Works program, both financial and employment supports, in a First Nations group delivery method. The pilot projects received the full cost of administration for the Ontario Works program.

The Ontario Works pilot projects have been evaluated by INAC and MCSS. In July 2010, Ontario Works Group Delivery Projects received confirmation of funding for the remainder of 2010 -2011 and through to 2011-2012 fiscal year at current budgets and caseload ratio's.

Even though these Groups Delivery Sites have been receiving the full cost of administration it will be necessary to ensure that INAC provides their responsibility of full funding for these sites.

## Child Welfare

### 1. Commission to Promote Sustainable Child Welfare (CPSCW)

The commission was created in November 2009 with a three-year mandate to develop and implement solutions to ensure the sustainability of child welfare in Ontario. On July 5, 2010 the Commission released its first report, *Towards Sustainable Child Welfare in Ontario*. The report examines Ontario's child welfare system as it stands today and how its policies, funding and service delivery have grown and changed in the past ten years.

**Update(s):** H/SAB members were invited to attend a meeting with the Commissioners on December 20, 2010. Deputy Grand Chief McCormick, AIAI Social Services Director, along with representatives from Hiawatha, New Credit and Oneida met with the two of the Commissioners; Barry Lewis and Ene Underwood. Those in attendance provided feedback on various issues and concerns with the Commission's first report, *Towards Sustainable Child Welfare in Ontario*. An AIAI Analysis report consisting of member Nations issues and concerns was presented to the Commissioners at the December 20, 2010 meeting.

**Please see attached AIAI Analysis in AGA kit:**

- iv. *Commission to Promote Sustainable Child Welfare AIAI Analysis – December 20, 2010*

The Commissioner are attending the Aboriginal Child Welfare Summit in Fort William First Nation on April 18<sup>th</sup> & 19<sup>th</sup>, 2011 and have indicated their

second report will be out shortly after the summit.

### 2. *Together for a Better Tomorrow: A Summit for Aboriginal Child Welfare*

The Ministry of Children and Youth Services, *Summit for Aboriginal Child Welfare* is a unique two-day conference at Fort William First Nation, April 18-19, 2011. The conference is an opportunity to exchange ideas and engage Aboriginal leaders and others involved in child welfare in discussions about Aboriginal child welfare and how best to support Aboriginal children, youth and their families. It presents an opportunity to share knowledge, experience and innovative ideas with one another.

AIAI Social Services Director held an AIAI Community Engagement Session in Orillia on March 29, 2011. Ten (10) AIAI delegates were identified to attend the Ministry's Aboriginal Child Welfare Summit. Delegates will advocate the importance of the Band Representation role and the need for proper Band Rep funding in child protection cases.

**Please see attached documents in AGA kit:**

- v. *Aboriginal Summit Community Engagement Session Minutes – March 29, 2011*
- vi. *AIAI Delegate List for Aboriginal Child Welfare Summit – April 4, 2011*

### 3. Band Representation Funding

A joint Band Representation letter from Minister Broten (MCYS) and Grand Chief Phillips (COO's Social Chairperson) was finalized and



addressed to the Honourable John Duncan, Minister of Indian and Northern Affairs Canada. The letter is to bring attention the matter of importance that relates to the role of band representatives in planning for the best interests of Indian and Native children and where these children may be in the need of protection. The letter requests a joint meeting between Minister Broten – MCYS, Minister Duncan – INAC, and Grand Chief Phillips – COO Social Portfolio to discuss federal funding for band representation in child protection cases.

Over the last year there has been no movement at the Technical Tripartite Table on Band Representation because neither MCYS nor INAC will commit and each continues to hold the other responsible. This letter is beneficial start to narrowing in on the importance of funding that is required for proper band representation in First Nation's child welfare.

**Please see attached documents in AGA kit:**

- vii. Band Representative Letter addressed to the Honourable John Duncan – March 2011

#### **4. Designation of Native Child Welfare Agencies**

Within the membership of the Association there are currently three pre mandated child welfare agencies that represent member Nations. They are Nog Da Win Da Min Child and Family Services (Batchewana), Mnaasaged Child and Family Services (Oneida, Moraviantown, Caldwell) and Dnaagdawenmag Binnoojiiyag Regional Child and Family Services (Hiawatha First Nation). All of these

agencies are on the path to becoming a mandated Native Child Welfare Agency and are at different stages of development.

Primary concerns with the mandate process are lack of appropriate developmental funding, cultural delivery of services and bureaucratic red tape. The Director will continue to work with AIAI pre mandated child welfare agencies and assist agencies in addressing their concerns with the designation process.

#### **5. Canadian Human Rights Tribunal**

- **Assembly of First Nations/First Nations Child and Family Caring Society of Canada Complaint (CHRC) v. INAC**

##### ***RE: Child Welfare Funding***

In February 2007, the Assembly of First Nations (AFN) jointly with the First Nations Child and Family Caring Society of Canada (FNCFCSC) launched a complaint with the Canadian Human Rights Commission alleging that the Government of Canada has discriminated against thousands of First Nations children in care due to inadequate funding in comparison to provincial funding levels allocated for child and family services.

The Chiefs of Ontario (COO) filed a motion and succeeded in gaining an interested party status in the Canadian Human Rights Tribunal (CHRT). This status includes the right to call witnesses, cross-examine witnesses and make submissions in

relation to the 1965 Indian Welfare Agreement.

On January 8, 2010 the newly appointed Chair Shirish Chotalia, vacated all tribunal dates. In June 2010, the tribunal heard the federal challenge to dismiss the complaint on grounds there is a lack of jurisdiction.

**Update(s):** On March 14, 2011, a ruling from Chair dismisses the complaint based on a preliminary motion brought by the Federal Government, even though the Federal Government had tried, and failed, to get the case dismissed on similar grounds in Federal Court on two previous occasions. Chair Shirish Chotalia dismissed the case on a *legal technicality* suggesting that the Federal Government can provide a different, and inequitable, level of service to First Nations children so long as the Provinces/Territories provide the service to all other children. In issuing this ruling, Chair Shirish Chotalia, in effect legalized racial discrimination against vulnerable children on reserve by the Federal Government.

The First Nations Child and Family Caring Society of Canada will immediately appeal Chair Shirish Chotalia's decision to Federal Court within 30 days of the dismissal ruling.

APTN requested to publically televise the hearings, though the federal government is opposed to this claiming it will affect testimonial witnesses. A ruling from the chair on the APTN's motion was in favour of the federal government, indicating relationships with First Nations of

those who testify may suffer. APTN and the First Nations Child and Family Caring Society will be appealing this decision.

**Please see attached documents in AGA kit:**

- viii. First Nations Child & Family Caring Society of Canada News Release – March 14, 2011
- ix. Chiefs of Ontario News Release – March 16, 2011
- x. Defence for Children International – Canada; Human Right Denied to First Nation Children
- xi. FNCFCSC: An Open letter to all political party leaders – March 31, 2011

## **6. 60's Scoop Litigation Update**

*Court Matter Brown v. Canada* is litigation to hold the Government of Canada accountable for what is commonly referred to as the "Sixties Scoop" in which First Nations children were taken from their homes and families and placed in the care of non-Aboriginal home and families.

*Brown v. Canada* was certified or approved as a class action lawsuit by Honourable Justice Perrell in his May 2010 decision then clarified his decision in October 2010.

The suit seeks damages of \$85,000 for each claimant - \$1.36 Billion.

**Update:** To participate in and register for this lawsuit, an individual must be eligible. To be eligible, the person must have been:

- a) Placed for adoption or in a foster home in Ontario;

- b) The placements for adoption or in foster home must have occurred between December 1, 1965 and December 31, 1984;
- c) The person placed for adoption or in a foster home must be a Canadian Aboriginal; and
- d) The placement for adoption or foster care must have involved placement with non-aboriginal person.

Self-registration can be made with Alex Hamilton by phone at (416) 956-5631 or by email at [ahamilton@wilsonchristen.com](mailto:ahamilton@wilsonchristen.com).

A website is now available for individuals interested in the *Brown v. Canada* case. For updated information about the case, please visit [www.sixtiesscoopclaim.ca](http://www.sixtiesscoopclaim.ca).

There is no legal cost for anyone to elect to be a member of the class; the only persons who endure possible liability for legal fees are Commanda and Brown who have come forward as the representative plaintiffs.

## **Child Care/Early Learning**

### **1. MCYS Child Care Responsibilities Transferred to MOE**

The Ministry of Education Early Learning Division is moving forward with implementing the government's vision towards the full day Early Learning Program (ELP). The transfer supports the government's vision to create a more seamless, integrated system for young children and families.

Over the past year the Ministry of Children and Youth Services (MCYS)

has transferred Child Care responsibilities over to the Ministry of Education (MOE) in phases. The first phase in this process, involved the transferring of child care policy from MCYS to MOE's Early Learning Division in April 2010. Phase two occurred on April 1, 2011 with the transfer of funding and contract management responsibilities. Currently, licensing and enforcement functions for Child Care will remain with MCYS.

The Ministry of Education has noted that Child Care will still be administered by the Day Nurseries Act and INAC has noted there are no changes occurring from their end on Child Care.

### **2. Early Learning Program (ELP) & Child Care Proposal**

In response to the government's implementation of full day learning for 4 & 5 year olds, AIAI's Education Coordinator and Social Service Director collaborated on the submitting an AIAI Early Learning Community Engagement Proposal. Pending approval, AIAI plans to host a two day community engagement session for AIAI member Nations to collectively develop a First Nations early learning vision with strategies and potential partnership linkages which will strengthen the capacity in delivering programming for First Nations children.

INAC must fulfill their on-reserve responsibility in funding "comparable" programs like the *Early Learning Initiative* and in doing so;

If a First Nation chooses to engage in full day learning for 4 and 5 year olds, their child care facilities will also require additional capacity funding to support the Early Learning Initiative within their community.

**Please see attached documents in AGA kit:**

- xii. *Briefing Note: Early Learning Program (ELP) & Child Care Proposal – April 11, 2011*
- xiii. *AIAI Early Learning Letter to Ministry of Education ADM Jim Grieve - March 7, 2011*
- xiv. *AIAI Early Learning Community Engagement Proposal - March 9, 2011*

### **Federal Disabilities Initiatives (FDI) and Federal Family Violence (FFV)**

All funding for the above programs is flowed through the Association of Iroquois and Allied Indians and out to the member Nation communities to deliver the appropriate programs. Funding is based on each community's on reserve population/base allocation and each community submits a work plan and budget in order to access funds. AIAI administers all administrative aspects of these programs.

Funding allocations have been approved by INAC and the allocations for **FDI & FFV** were released to those Member Nations who have completed and submitted the required reports.

***Distributions of Allocations to Member Nations are as followed:***

- **FDI** – October 2010
- **FVI** – March 2011

### **Health Social Advisory Board**

As in previous years the Director has acted as a resource to the Health Social Advisory Board. The HSAB has been very active this past fiscal year, expanding its mandate from just an advisory role to more of an advocacy role. The Board is instrumental in promoting advocacy for social services issues and concerns for AIAI member Nations. In the past few months the Health and Social Advisory Board have been primarily focused on Child Welfare issues when it comes to Social. Just recently the HSAB was able to host a networking and training session for member Nations Band Representatives since there is rarely any funding available for this position.

The Director is moving forward with a broader scope of concerns AIAI member nations have regarding Social Services. The Director will be initiating an environmental scan for each Member Nation to identify the levels of Social issues and concerns.

### **HSAB - Data Collection Working Group**

The Director participated on the Data collection Working Group. The mandate of this working group was the development of a data collection system for Health, Social and AHWS. This is part of the long term strategic plans of the Health Social Advisory Board and a step towards the creation of First Nation laws in the areas of health and social.

The Working Group accomplished a significant amount of work this year. Specific data fields have been created for health, social and AHWS that are

the base of the planned data base system. A data base developer, MLD has been hired by the Association and work has developed significantly with

the initial input of health into the database. The development of the Social and AHWS database will move forward, pending available funding.

### **Chiefs of Ontario - Social Service Coordination Unit**

The Director sits as a member of the Chiefs of Ontario Social Services Coordination Unit (SSCU) with the other social service directors from the other PTOs. The Unit has had regular quarterly meetings over the past year and has discussed many of the issues mentioned in this report. Some of the common issues discussed at this table are as follows:

- Band Representative
- Designation of Native Child Welfare Agencies
- Ontario Review of Native Child Welfare Services
- Permanency Options
- Chiefs of Ontario 5 year Child Welfare Work plan and Law development
- Ontario Works/Social Assistance
- Ontario's Poverty Reduction Strategy
- First Nations Customary Care
- Child Care/Day Care
- 1965 Indian Welfare Agreement - Review
- Social/Health/Education Tripartite meetings
- Jordan's Principle
- SSCU and ANCFSAO meetings
- Homemakers and Nurses Services Act
- 2010 Review of the CFSA

The Social Services Coordination Units reports back to their respective PTOs but also reports to and works with the Chiefs Committee on Social Services. Grand Chief Phillips is the portfolio holder for Social and the Chair of this Committee. Deputy Grand Chief McCormick is the AIAI political representative on the Chiefs Committee.

The SSCU also meets with representatives from the following at a Technical Tripartite Table (TTT) level to discuss Ontario First Nations social issues that also affect AIAI member Nations;

- Ministry of Child and Youth Services (MCYS)
- Ministry of Community and Social Services (MCSS)
- Ministry of Education (MOE)
- Ministry of Aboriginal Affairs (MAA)
- Indian and Northern Affairs Canada (INAC)

### **Social Services – General**

The Social Services Director has been working in many other areas than are mentioned in this report. Some of those areas are as follows:

- Family Violence and Shelters
- Ontario Native Welfare Administrators Association
- Association of Native Child and Family Service Agencies of Ontario



- Pre Mandated Native Child and Family Services
- Matrimonial Real Property On Reserve – Bill S-4 (Formally Bill C-8)
- Child Welfare Outcomes Expert Reference Group (CWOERG)

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## **H** Health/Social Advisory Board (H/SAB) Program Valerie George H/SAB Coordinator

### **General Overview**

The Health/Social Advisory Board (H/SAB) met 3 times in the 2010-2011 fiscal year. Locations and dates were July 13 and 14, 2010 in the Mississaugas of the New Credit First Nation, October 5 and 6, 2010 in the Batchewana First Nation community, and the Caldwell First Nation was the host member Nation on December 1 and 2, 2010.

The Health/Social Advisory Board representation is comprised of two Chief and Council appointed delegates. Currently, under the Terms of Reference, each community may appoint two health and social technicians, two political representatives, or a combination of both. Once selected a written document or Band Council Resolution is forwarded to AIAI as notification.

At regular Board meetings, the agenda is set by AIAI staff Directors who present on issues that the communities should be made aware of. Prior to setting the agenda, member Nation representatives are sent a reminder, that should they wish to discuss or seek resolution to an issue they are to submit an Agenda Request Form. This process is beneficial because AIAI staff have an opportunity to investigate the situation and can be prepared with up to date information at the meeting. So that other staff, and the individual community overall, will know

what is happening and how it may affect their well-being, it is the responsibility of each Board member to report back to their First Nation the information from each meeting.

At the conclusion of the regular H/SAB meetings, an Action Report is created so that work can begin on recommendations or action items as a result of discussions. The Minutes and Action report of these meetings are also sent to the AIAI Chiefs Council to keep them informed, and in particular, if there is a recommendation for their consideration and/or action.

It is always beneficial when governmental entities and other organizations are available to make presentation to the Board on specific issues. Any questions from the Board may receive immediate answers, direct communication dialogue takes place, and an expert opinion can be provided. Again, this can be initiated through community Board members, or AIAI staff.

So that you are aware of who your community Board representatives are, and AIAI staff involved, they are listed below:

**AIAI Staff:**

*Valerie George, H/SAB Coordinator*  
*Cathryn Mandoka, Health Director*  
*Chris McCormick, (Chair) Deputy Grand Chief*  
*Trina McGahey, Social Services Director*  
*Suzanne Nicholas, A/AHWS Director*  
*Brandy Cornelius and Shayna Phillips (recorders)*

**Member Nation H/SAB Representatives:**

*Batchewana First Nation:*  
*Laura Robinson, Technical*  
*Harvey Bell, Political*

*Caldwell First Nation:*  
*Chief Louise Hillier, Political*  
*Janne Peters, Political*

*Delaware First Nation:*  
*Valerie Peters, Technical*  
*Philip Snake, Political*

*Hiawatha First Nation:*  
*Chief Sandra Moore, Political*  
*Tina Howard, Technical*

*Mississaugas of the New Credit First Nation:*  
*Helen Tobias, Technical*  
*Gina Sault, Political*

*Oneida Nation of the Thames:*  
*Ida Cornelius, Technical*  
*Deborah Hill, Political*

*Mohawks of the Bay of Quinte:*  
*Roy Maracle, Political*

*Wahta Mohawks:*  
*Chief Blaine Commandant, Political*  
*Philip Franks, Technical*

**Working Groups:**

In the onset of the Health/Social Advisory Board, a 20 Year Strategic Plan was created and has now entered into its twelfth year. This past year, and into the 2011-2012 fiscal year work has been ongoing to create an AIAI member Nation Health Law (*Framework*). Due to the detail that goes into such a document, it is necessary for review of the drafted work to be completed diligently. Once completed, it will be presented to the AIAI Chiefs Council and community presentation/consultations can take place.

Another part of the Strategic Plan is the creation of a Health and Social database. This project has been ongoing for at least two years, and has much work to be done to complete. This too requires detailed work to be effective and run efficiently, and once completed will be a great benefit, for example, in the areas of lobbying, report processing, and individual community case management. This past year work on the database has been funded by the AIAI Health Department, who has temporarily contracted Amanda Doxtator to liaise with the communities and MLD Solutions (*software company*).

### **Annual Events:**

The first event in each fiscal year is the annual H/SAB-Chiefs Forum which usually takes place in April. This is where the Board has the opportunity to meet, with community Chiefs to review, revise and update the Strategic Plan accordingly. It is also an opportunity to revisit the H/SAB's, Terms of reference and Mandate to ensure it's effectiveness.

Next, might be the annual Elders Gathering. This event usually takes place in August or early September. If the financial situation permits, two delegates from each of AIAI's eight communities are sponsored to attend this 2.5 day event. This past year it was an honour to have the event hosted for the first time by the Caldwell First Nation, in Leamington, Ontario. This is an excellent opportunity for the elders to come together to share their ideas and feelings on what goes regarding First Nation issues, particularly in their home communities. A report is later created and forwarded to the Board and AIAI Chiefs Council so they are made aware of their elders' perspectives. This year the event host community will be the Mohawks of the Bay of Quinte and it is anticipated it will be a successful and much enjoyed event as all others.

Finally, new this year was a "Specifics Meeting." In past practice, the Board met on a quarterly basis. It was felt that an opportunity to meet where an imminent or much needed situation could be discussed/worked on should be available. In the event that there are no issues, a regular H/SAB meeting would take place. This year, Band Representatives in the communities were given the opportunity to come together to receive some training and education on court processes in the area of Child Welfare. At the conclusion it was clear that it was much appreciated and beneficial.

To conclude, it should be noted that the Health/Social Advisory Board is a unique opportunity for all AIAI member Nations to meet on a regular basis to seek assistance in the areas that they have, or may be effected by. It is most beneficial since the work and outcomes of this Board happens through input and consideration from all AIAI First Nations with the strength that comes from collaborative efforts.



**Host Community Logo - MBQ**

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## ***In Memory of Sharon Carol Hill***



***August 29, 1965 – December 12, 2010***



