



FAMILY &  
CHILDREN'S SERVICES  
OF THE WATERLOO REGION

## FACS commitment to First Nation Inuit and Metis children and families

Between 1951 and 1991, Indigenous children were taken into care and placed with non-Indigenous parents where they were not raised in accordance with their cultural traditions nor taught their traditional languages. The Sixties Scoop Class Action Lawsuit has been settled between the Survivors and Canada. The settlement provides compensation for loss of cultural identity. Survivors suffered psychologically, emotionally, spiritually and physically. They were also deprived of their status, their treaty rights and monetary benefits to which they were entitled pursuant to the *Indian Act*, RSC 1985, c I-5 and related legislation and policies.

Mary Ballantyne, former CEO of OACAS, apologized to all Indigenous children, families and communities who were impacted by the Sixties Scoop, and who continue to be negatively impacted by the Child Welfare system in Ontario. ***“We have heard loudly and clearly that significant action on the part of Children’s Aid Societies and OACAS is needed if we are to move forward with Reconciliation. We pledge to be held accountable and to make meaningful the words of the apology through transformed behavior”.***

Family and Children’s Services of the Waterloo Region has pledged to take a significant step forward in its own Reconciliation Journey and has committed to making changes that will prevent future harm to First Nation, Inuit and Metis children and families.

First Nation, Inuit and Metis children and families are over-represented in the child welfare system as a result of systemic racism and colonialism. The legacy of residential schools, the 60s scoop and adoption outside of community has caused significant inter-generational trauma to Indigenous families. The practices of removing Indigenous children from their families and community and primarily placing them with white families has had long-lasting impacts. As a direct result of the attempted assimilation and genocide of Indigenous people, many First Nation, Inuit and Metis children have lost their connection to their culture, identity, heritage, family and community. Removal of a child from their family, community and culture is damaging to their identity and overall well-being. Mass removal of Indigenous children continues to this day as evidenced by the over-representation of First Nation, Metis and Inuit children in foster care.

Family and Children’s Services is committed to making all efforts to ensure that First Nation, Inuit and Metis children remain with their parents and community. If children are unable to remain safely in their parent’s care, we are committed to searching for extended family within the child’s First Nation, Inuit or Metis community to ensure cultural continuity.

Family and Children’s Services of the Waterloo Region does not support the adoption of Indigenous children into non-Indigenous homes unless these placements are with their birth family, and where First Nation, Inuit or Metis communities are supporting adoption, customary adoptions, or customary care agreements with their family and community.

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*Family & Children’s Services of the Waterloo Region  
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In support of Family and Children's Services position, we are guided and bound by two key pieces of legislation.

The *Child, Youth and Family Services Act (CYFSA)* 'acknowledges that First Nations, Inuit and Metis peoples are constitutionally recognized peoples in Canada, with their own laws, and distinct cultural, political and historical ties to the Province of Ontario'. The CYFSA recognizes that all services to First Nation, Inuit and Metis children and young persons and their families should be provided in 'a manner that recognizes their cultures, heritages, traditions and connections to their communities, and the concept of extended families'.

Moreover, in January of 2020, Federal Legislation, *An Act Respecting First Nations, Inuit and Metis Children* (formerly known as Bill C92) came into effect. This Federal legislation affirms the rights and jurisdiction of Indigenous peoples in relation to the provision of child and family services. The Act sets out the principles applicable, on a national level, to the provision of these services to Indigenous children such as the best interests, cultural continuity and substantive equality. In the Preamble, Parliament recognizes the importance of reuniting Indigenous children with their families and communities from whom they were separated in the context of the provision of child and family services.

The Federal legislation sets out a priority of placements for Indigenous children. Provided that the placement is consistent with the best interests of the child, placement with a parent is priority one. After parents, any other adult members of the child's family is the next order of priority. Placement with an adult who is neither family nor Indigenous is the fifth and final order of priority.

The Federal legislation also enforces a clear obligation on the Society to reassess, on an ongoing basis, whether it would be appropriate to place a child with one of their parents or another adult member of their family. There is no time limit on this obligation.

Family and Children's Services takes the position that it is necessary to pause planning for all First Nation, Inuit and Metis children currently in permanency homes to allow the required reassessment process to take place.

We recognize that this can be stressful, upsetting and at times confusing for everyone involved. However, this is a process that must be undertaken for Indigenous children. Family and Children's Services of the Waterloo Region takes our statutory obligations seriously. The Society is committed to keeping Indigenous children in the care of their families and communities where they can have the chance to connect or remain connected to their cultural identity and spirit.

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The Society's fundamental position and commitment to First Nation Inuit and Metis children and families are rooted in the Truth and Reconciliation Calls to Action, Missing and Murdered Indigenous Women and Girls Calls to Justice, United Nations Declaration on the Rights of Indigenous People (UNDRIP) and the OACAS commitments.

*Signed by the Leadership Team of Family and Children's Services 2022*

*Sharon*   *Kevin*   *Amanda*   *[Redacted]*   *Donna Desjardins*   *J. Stoddart*  
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*[Redacted]*   *[Redacted]*