

Taking Action to Make A Difference
How to get into trouble for doing the right thing



Cindy Blackstock,
First Nations Child and Family Caring Society of Canada

Courage and tenacity matter



Peter Henderson Bryce, MD

Attawapiskat School Campaign



Human Rights Complaint

Hennie's intake system



Sharp, 2009

www.attawapiskat_school.com

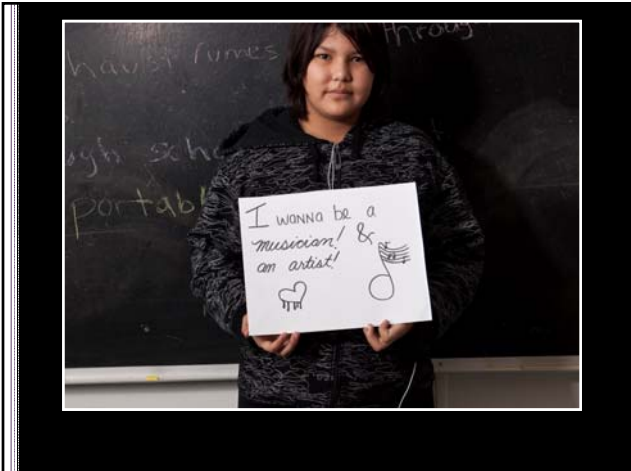
Federal Government education funding for First Nations children on reserves is approximately 20-30% less than what other children get. The Auditor General called on the federal government to end the inequality 9 years ago... She is still waiting.

Only 40% of First Nations children will graduate from high school.





The kids have dreams
When I grow up I want to be...





International Peace Prize Nominee Shannen Koostachin speaking at the House of Commons on June 29, 2008



Attawapiskat School Campaign
www.attawapiskat-school.com

Children in Action

- Each year the Grade 8 class of Attawapiskat First Nation in Northern Ontario organizes younger children in the school for the campaign.
- Developed You Tube and Face Book videos about the school contamination and their efforts to get a new school
- Children directly engaged with government for change action and inspired other school children across Canada to write to governments as well
- Children write to the United Nations and vow never to give up trying to get a safe and nurturing school for themselves and other Indigenous children

Results

- Children meet with Minister of Indian Affairs
- Over 150 news articles in national and regional media
- Hundreds of school children involved in letter writing campaign for the school
- Educators and child rights professionals support the movement
- Children from Attawapiskat lead National Day of Action
- Shannen nominated for International Children's Peace Prize

Cost of doing nothing



Children begin dropping out of school in Attawapiskat in grade 5 because they don't have any hope

Teachings

- ▣ Involving children in change actions teaches them citizenship and empowers the movement
- ▣ Use youth friendly media such as You Tube and Facebook along with traditional methods
- ▣ Give other children ways they can help but also inspire their creativity
- ▣ Award excellence

Money meter: 5,000



The Human Rights Case: When Evidence and Reason do not create change-accountability can

Before you take on Government

DO's

- ▣ Be clear about the problem and try to work with them jointly to get a solution.
- ▣ Be open to reason and back your case with independent evidence.
- ▣ Build strategic partnerships.
- ▣ Know what you could lose and what government has to lose.
- ▣ Be persistent

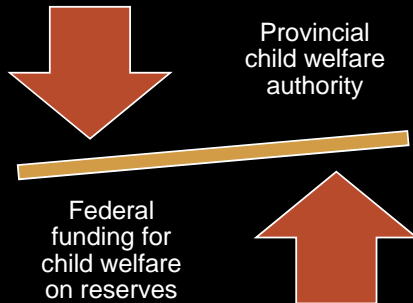
Don'ts

- ▣ Rely on government negotiations as your only strategy
- ▣ Keep talking when there is no reasonable expectation of progress
- ▣ Be partisan
- ▣ Be unreasonable
- ▣ Be intimidated or afraid

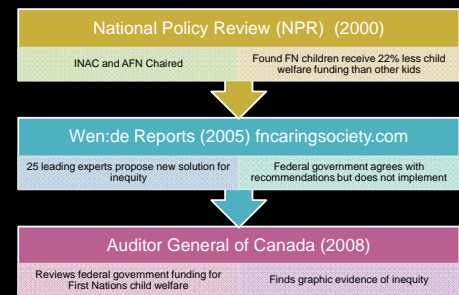
First Nations Child and Family Service Agencies

- ▣ Developed beginning in the 1970's to stem the mass removals of First Nations children from communities
- ▣ Are required to follow provincial jurisdiction and are funded federally (but there is no link between the jurisdiction and funding level resulting in inequities for FN children)
- ▣ FNCFSAs have been enormously successful at keeping children in their communities despite concerns about prov. Legislation and inadequate funding

Child Welfare System on Reserves



Documenting the inequality



Summary of Wen:de Recommendations

Total new funding needed in year one of the seven year proposal: 109 million/yr*

New Funding Streams

- Prevention (35 million in year one rising to 69.5 million in year seven)
- Extra. Circumstances fund (2 million)
- Research Fund (1 million)
- Evaluation (10K per annum ongoing)
- Networking (250K per region)
- Liability pool (7 million)
- MIS Capital (one time capital investment of 5.6 million)
- Capital (10.1 million – one time capital investment)
- Cultural Standards (350,000)
- Funds for culturally based support services for communities not served by a FNCFSA (1 million)

Adjustments

- Activate cost of living adjustment
- Adjust remoteness factor
- Adjust base amount to reflect current costs
- Introduce policy change recommendations
- Introduce allowances for small agencies
- Policy Changes
 - Jordan's Principle (a child first principle to resolving inter-governmental jurisdictional disputes affecting Status Indian children)
 - Clarify stacking provision so it does not penalize agencies for accessing voluntary sector funding
 - Eliminate barriers to holistic practice (ie developing programs in collaboration with substance misuse)

* This is for year one. Please refer to Wen:de reports for funding levels in subsequent years as funding levels vary from year to year to account for inflation and increases in prevention and phased in investments in capital

The Canada (INAC) solution

- No obvious evidence base
- Advances province by province negotiations to deal with inequity – no time frames or obvious process.
- National Cost is unreported and/or unknown.
- Relies on provincial prevention and purchased services – does not center FN approaches to prevention
- INAC fully involved in the process – AFN and national FNCFSA excluded
- Auditor General of Canada (2008) and the Standing Committee on Public Accounts (2009) found it to be inequitable as it is not based on needs of children and families

INAC implementation of prevention based approach - draft

Despite FN not being involved in the draft funding policy's creation the policy includes this statement

“For those First Nations who choose not to opt in, further federal investment in FNCFS would be limited and would not include the prevention investment.”

Advocacy Strategy: Message Targets and Goals

Get them to appraise the evidence in the context of their mission – engage them in activating their members to your support your solution

Frame message and evidence in deep national principles. Work jointly but don't wait indefinitely

Gov't

NGO's

Bureaucrats

Canadians

Get them involved in joint reviews and approving your solutions on record

Provide the facts and provide easy ways for them to take action on the basis of their belief in equality for children

ADVOCACY STRATEGY: Engaging NGO's

- ⦿ Be clear about what they can do within their mandates
- ⦿ Provide things for them to do in short periods of time with no (or few) funds required
- ⦿ Reach out to unexpected allies (i.e: unions, corporate sector)
- ⦿ Find a good speaker in your group to do keynotes at conferences in disciplines outside of social work
- ⦿ Go to meetings where you know no one, educate them on your issue and invite them to help

Engaging Parliamentarians

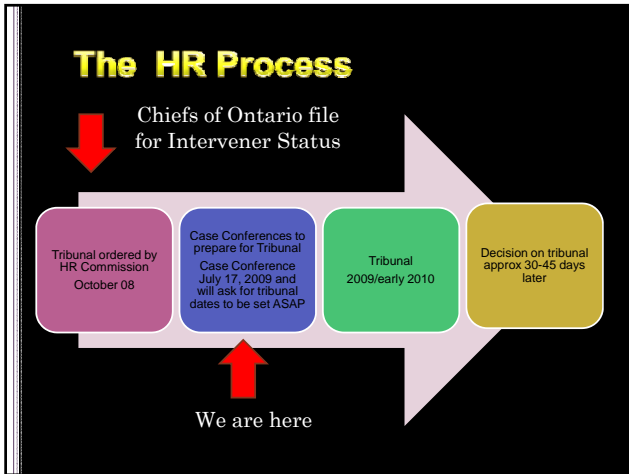
- ⦿ Be succinct and be clear about the problem, solution and what they can do to help.
- ⦿ Help draft private members bills/motions and work with MP's to get them tabled in the House.
- ⦿ Testify at committees as ONE strategy
- ⦿ Brief MLA's in the provinces/territories and encourage them to advocate with the federal government or vice versa

Engaging the United Nations

- ⦿ Know the human rights instruments and how you can be involved
- ⦿ Remember the UN can only make recommendations on what States (countries) should do.
- ⦿ Most human rights complaint bodies do not accept individual complaints and if they do it is only after domestic options have been exhausted.
- ⦿ Canada reports to the UN Committee on the Rights of the Child this year
- ⦿ Read UNCRC General Comment 11 on the rights of Indigenous children and refer to it as you prepare your report and policy submissions to governments.
- ⦿ Remember that the UN is a political body composed of states and does not have enforcement mechanisms outside of the security council.

Engaging the Media

- ⦿ Provide brief summaries of evidence but have full reports available
- ⦿ Request that researchers make themselves available to speak to the press and prepare key messages:
 - > What the problem is and why people should care
 - > What can be done about it
 - > How can listeners/readers help?
- ⦿ Nurture relationships with the press and become an information source
- ⦿ Engage Indigenous and mainstream media and phase in stories if possible

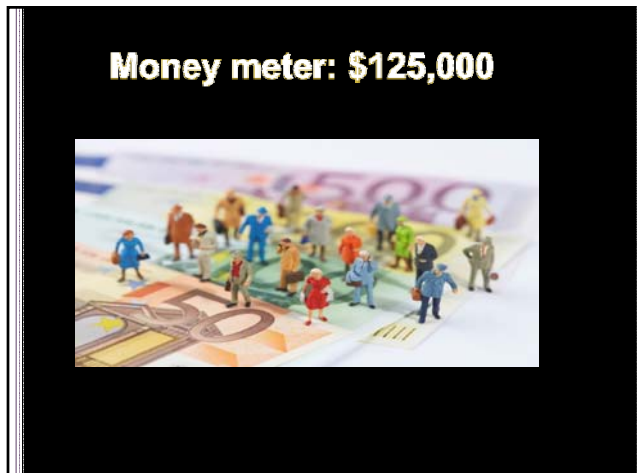


Canada's Actions during the Human Rights Case

- INAC has refused mediation three times and has questioned the jurisdiction of the Commission to hear the complaint.
- Auditor General of Canada (2008) found that INAC's old funding formula (Directive 20-1) as well as the one they are proposing as a replacement based on the Alberta Model are inequitable.
- INAC argues there is no evidence of discrimination in its child welfare funding policy but cites no independent evidence to support its case.
- Canadian Human Rights Commission has formally accepted the complaint despite INAC's objections and referred it to tribunal
- INAC has applied to federal court to have the Human Rights Case dismissed. The tribunal is moving forward pending that case and is expected to hear the case before the end of 2009.

Implications of the HR case

- ▣ It is historic: First case ever to hold Canada accountable for current treatment of FN children
- ▣ Could set precedent of equality across other programs such as health, education, housing etc.
- ▣ Helps prevent another generation of children being unnecessarily removed from FN families and communities.



Cost of doing nothing: About 6 billion a year



What are the teachings?

- Launch voluntary and involuntary change strategies simultaneously.
- Get evidence of the problem and engage both government and Aboriginal people in developing a solution
- Use top researchers across disciplines
- Cost out the solution and ensure governments can implement it
- Set defined time frames for voluntary action and if not achieve move to involuntary strategy

Jordan's Principle



Jordan's Story and Inspiration

At the age of two, doctors said Jordan could go to live in a family home – bureaucrats ruined it because they could not agree if the federal or provincial government should pay for his at home care.

Jordan waited two years in hospital but died before the dispute was resolved

Canadian Medical Association Journal, 2007

Joint Declaration on Jordan's Principle

- Developed joint declaration on line and began publicizing Jordan's Principle while encouraging people and organizations to sign on – to date over 2400 supporters have registered for Jordan's Principle. Each supporter gets a certificate.
- Engaged key partners in advocacy on JP – such as the Canadian Medical Association Journal which wrote an editorial on JP – resulting in over 100 press articles nationally including national TV coverage resulting in the Minister of Health issuing a televised apology to families

Results

- Jordan's Principle passes unanimously through the House of Commons on December 12, 2008
- British Columbia is first province to officially support Jordan's Principle on January 24, 2008
- Western Premier's announce strong support for Jordan's Principle in July of 2008
- Ontario supports Jordan's Principle April 2009
- Norway House Cree Nation wins Prestigious NACAC President's award in August of 2008 for being the first government to implement Jordan's Principle and sharing the gift of JP with the world



Jordan's dad and sister are joined by MP Jean Crowder and Norway House leaders and families on the day Jordan's Principle passed in the House of Commons

What about Jordan's Community?



A community embraces Jordan's Courage and spirit



Thousands of community members create floats and banners to celebrate Jordan's message



It has empowered the community to continue putting children first

Money meter: \$2000



What are the teachings?

- ▣ Use stories to exemplify situations but back with evidence
- ▣ Have a solution and embed it in deep national values
- ▣ Publicize the problem and solution and give the public a way to help
- ▣ If story involves a child or family – always treat with utmost respect and honor

Most important things

- Have spirit, knowledge, passion and courage
- Keep to the facts
- Try talking with governments first but don't wait. If no change move on to other strategies.
- Ask for help from unexpected allies.
- Keep your message simple and base it in deep principles.
- Don't give up! And Don't wimp out!

Advocacy Resources I rely on

- ▣ Lakoff, George : *Don't think of an elephant*
- ▣ Coumo, Mario: *More than words can say*
- ▣ Carville and Bagala: *Buck up, suck up and know how to come back when you foul up*
- ▣ Bauman, Zygmunt : *Modernity and the Holocaust and Wasted Lives*

More information?



www.fncaringsociety.com