

## Questions & Answers: *Nigig Nibi Ki-win*

### **What is *Nigig Nibi Ki-win*?**

Algonquins of Pikwakanagan First Nation ("**AOPFN**") has never ceded its law-making and law enforcement authority over the wellbeing of its children and families. *Nigig Nibi Ki-win* is the expression of AOPFN's authority to make and enforce laws, ensuring that AOPFN children, youth, and families can grow up safely and supported.

AOPFN is pursuing this path now, because *An Act respecting First Nations, Inuit and Métis children, youth and families*, enacted in 2020, creates a recognition mechanism for AOPFN's own law in this area.

### **Where and to whom does *Nigig Nibi Ki-win* apply?**

*Nigig Nibi Ki-win* applies in some form to all AOPFN children, youth, and families everywhere. On AOPFN's territory, and to children, youth, and families where at least one grandparent is entitled to AOPFN membership, *Nigig Nibi Ki-win* will become the exclusive law over child and family wellbeing.

The wellbeing of non-Indigenous, and non-AOPFN children, youth, and families on AOPFN's territory will generally still be governed by the *Child, Youth and Family Services Act, 2017*.

Where AOPFN's children, youth, and families reside outside of AOPFN's territory, *Nigig Nibi Ki-win* Gamik will work with local Indigenous governing bodies and other agencies to ensure that these children, youth, and families can remain connected with AOPFN.

### **When does *Nigig Nibi Ki-win* come into effect?**

Subject to ratification by the community, *Nigig Nibi Ki-win* comes into effect on January 11, 2024.

AOPFN is pursuing the path to recognition of *Nigig Nibi Ki-win* created by *An Act respecting First Nations, Inuit and Métis children, youth and families*. AOPFN is currently at Step 3 of a five-step process:

1. Build capacity, revive, and write down the community's law;
2. Provide notice to the federal government and any provinces in which it is to govern (January 11, 2023);
3. Hold a community decision on ratification;
4. Engage in or make reasonable efforts to engage in co-ordination agreement discussions with federal and provincial governments; and
5. Bring *Nigig Nibi Ki-win* into force on January 11, 2024.

### **What supports does *Nigig Nibi Ki-win* provide?**

In contrast to the provincial child welfare system as governed by the *Child, Youth and Family Services Act, 2017*, *Nigig Nibi Ki-win* requires mandatory prevention services be provided in the form of wraparound care for all AOPFN children, youth, and families.

This includes routine supports, such as ceremony, language recovery, prenatal care, homemaking and housing supports, self-care and burnout prevention, mental health supports, counselling, and youth supports. It also includes substance abuse programs and family violence prevention programming and education, as well as crisis prevention supports.

### **How is *Nigig Nibi Ki-win* different from the current system?**

*Nigig Nibi Ki-win* is based in AOPFN's long held legal principles, namely that:

- children, youth, and families be looked after and supported by the community; and
- families themselves, including grandparents, aunts, uncles, siblings, and cousins are the first instance of decision-making in all but the most exceptional circumstances.

These principles are embodied in the decision-making and dispute resolution processes, which center on the family and its members as the primary decision makers. Reunification, both to AOPFN and to the family the child or youth was born into, is always prioritized, so long as it is safe and appropriate for the child to be returned, and it is in their best interests.

### **What happens when a child's family cannot decide?**

There will be rare instances, such as when a child or youth is orphaned, or family members are unable or unwilling to keep the child safe, where *Nigig Nibi Ki-win* Gamik will have to intervene, once it has completed an investigation of the safety concerns raised. In that case, a Healing Circle must be convened within 48 hours to assess the situation and make determinations about the child or youth's care and supports.

In any decisions that are made about placing a child or youth under *Nigig Nibi Ki-win*, the placement priority always starts with the family and AOPFN, so long as that placement is safe and appropriate for that child or youth, and in their best interests.