

# Nigig Nibi Ki Win



## SUMMARY OF NIGIG NIBI KI-WIN

*Nigig Nibi Ki-win is an expression of Inàkonigewin through which the Algonquins of Pikwakanagan First Nation ("Pikwakanagan"), guided by the Seven Grandfather teachings, will continue to meet our obligations towards Niinidjànisinànig (children) and Weshkinìgidj (youth), and to prepare them to become the elders of Pikwakanagan's future generations.*

### Purpose

To implement *Nigig Nibi Ki-win* in a way that ensures that every Niinidjànis or Weshkinìgidj has:

- a. their name;
- b. a connection to their parents, siblings, and family relations;
- c. access to Pikwakanagan cultural practices;
- d. a grasp of Anishinàbemowin Algonquin;
- e. a connection to traditional land;
- f. access to education;
- g. the protection and safety of Pikwakanagan;
- h. a rootedness in Pikwakanagan and a sense of belonging and kinship; and
- i. an opportunity to make their voice heard wherever possible.

### Jurisdiction and Application

*Nigig Nibi Ki-win* applies to:

- all Niinidjànisinànig, Weshkinìgidjig, and Eji tibenindàgwazidj tibenindàgwazidjig Anishinàbeg Pikwàkanagàning<sup>1</sup> everywhere; and
- all children throughout Pikwakanagan Kidakìnàng.<sup>2</sup>

Pikwakanagan intends to develop protocols with Indigenous and provincial agencies outside of Pikwakanagan Kidakìnàng. The law further contemplates the potential delegation of jurisdiction to provincial agencies for non-Pikwakanagan children residing in Pikwakanagan Kidakìnàng.

### Nigig Nibi Ki-Win Gamik

Pikwakanagan shall establish Nigig Nibi Ki-Win Gamik, a federally incorporated not-for-profit corporation to, among other responsibilities:

- a. support the implementation, administration, and operation of the law;
- b. represent Pikwakanagan in any legal proceeding respecting a Niinidjànis or Weshkinìgidj under *Nigig Nibi Ki-Win* and provincial, federal or territorial law;

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<sup>1</sup> Defined as a member of Pikwakanagan or an individual who has at least one grandparent who is a member of Pikwakanagan pursuant to the Pikwakanagan Membership Code.

<sup>2</sup> Defined as the traditional territory of the Algonquins of Pikwakanagan First Nation. A map of Pikwakanagan Territory can be found [here](#).

- c. provide such child and family services, carry out such duties, and exercise such powers as are assigned by *Nigig Nibi Ki-Win* and its regulations; and
- d. approve Tibànòde<sup>3</sup> in accordance with the regulations under *Nigig Nibi Ki-Win*.

### **Prevention**

It is the responsibility of the community to look after those who are vulnerable and keep them safe and nurtured. Nigig Nibi Ki-Win Gamik will make available, prevention programming, as may be needed to support and assist the health and wellbeing of Niinidjànis or Weshkinìgidj, and their families.

This may include: cultural supports; prenatal care; family supports; caregiver supports; transportation supports; youth supports; counseling and treatment; and family violence prevention programming and education.

### **Tanakìwini Kanawàbiwin (community care)**

Where safety concerns are identified, Nigig Nibi Ki-Win Gamik shall:

- provide immediate voluntary supports and services
- refer the child and their family to the Healing Circle to reach agreement on a plan for safety; and
- where necessary, place the child in community care.

If there is no agreement at the Healing Circle, the family will be referred to the Grandparents Tribunal.

Nigig Nibi Ki-Win Gamik also has authority to provide emergency care where necessary to prevent imminent danger to a Niinidjànis or Weshkinìgidj.

The order of priority for the placement of a child who is deemed to require community care is as follows (consistent with their best interests):

1. With one of the child's parents
2. With another member of the Wendjibàdj<sup>4</sup>
3. With Tibànòde (family within the community)
4. With an Algonquin Anishinabeg family
5. With a family who belongs to an Indigenous group, community, or people other than the one to which the child belongs
6. With any other family

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<sup>3</sup> An approved family with whom the Niinidjànis or Weshkinìgidj may be placed within the community.

<sup>4</sup> The family in whose care the Niinidjànis or Weshkinìgidj started their life.

### Wàngomàwin (Adoption)

Wàngomàwin shall only occur where there is no potential for reunification with parents and/or where the parents either initiate or robustly support an adoption.

Where possible, any adoption shall be with family. Where the Niinidjànis or Weshkinìgidj no longer has any family, or it is not safe for them to be placed for adoption with such family, they may be adopted by a Eji tibenindàgwazidj tibenindàgwazidjig Anishinàbeg Pikwàkanagàning.

### Decision-Making

The paramount consideration in any decision made shall be the best interests of the Niinidjànis or Weshkinìgidj. This is informed by a combination of Pikwakanagan-specific factors and the factors set out in the Federal Act.

Where Tanakìwini Kanawàbiwin or Màmawo wìdokàzowin (community care or intervention) is not required, the best interests of the Niinidjànis or Weshkinìgidj shall be determined by the Wendjibàdj, with guidance from the grandparents and input from extended family.

Pikwakanagan will recognize and support the priority of family decisions but will intervene where Wendjibàdj does not take steps to address any safety concerns.

### Resolving Differences

Family Circle	Healing Circle	Grandparents Tribunal
Voluntarily convened on consent: <ul style="list-style-type: none"> <li>- available at any time</li> <li>- to resolve issues and differences with respect to the safety and well-being of a child</li> <li>- participating parties must consent to the decision</li> <li>- can be facilitated by a community member</li> </ul>	Convened: <ul style="list-style-type: none"> <li>- at request of disputing parties where a neutral party is required</li> <li>- where a decision cannot be resolved by Wendjibàdj</li> <li>- within 48 hours of a determination that safety concerns exist or a child's removal from their home</li> <li>- where a return to Wendjibàdj is contemplated but a plan has not yet been developed</li> </ul>	Convened: <ul style="list-style-type: none"> <li>- at request of disputing parties</li> <li>- on decision that child needs community care or the review of such decision</li> <li>- upon withdrawal of a Healing Circle without a decision</li> <li>- on referral from the Healing Circle or Nigig Gamik with respect to safety concerns</li> </ul>

Decisions of the Grandparents Tribunal are final and binding.

*\*Note that some of the terms and phrases used in this summary may be subject to change in the final draft of the law as we finalize these with Pikwakanagan's language speakers.*