

First Nations Women's Council on Economic Security

2016 Report and Recommendations and Government of Alberta Response



Advisory Framework First Nations Women's Council on Economic Security | Introduction

The First Nations Women's Council on Economic Security was established by Ministerial Order to provide advice and recommendations to government on ways to improve socio-economic outcomes for Indigenous women. The Council approaches its work with an Indigenous worldview. Everything is inter-connected and the recommendations will benefit women, children, men and our communities.

While the provincial and federal governments continue their debate on responsibilities of First Nations peoples and financing their treaty obligations, First Nations people see that each level of government is subsidiaries of the Crown, in which our original relationships were with. Therefore the conflict over funding should not be used as an excuse to not address our issues and post-colonial aftermath. Discussion at those levels of government must begin to make room for their fundamental responsibilities under the treaties.

Since its last report, the Council met three more times and held one joint meeting with the Métis Women's Council. The Council met with or received presentations from the following people and organizations:

- Grand Chief Tony Alexis, Confederacy of Treaty Six First Nations
- Southern Alberta Institute of Technology (Chinook Lodge Aboriginal Resource Centre)
- Norlien Foundation (now Palix Foundation) on the effects of early experiences on life-long learning and health
- Red Deer Native Friendship Centre on housing, women's wellness, and cultural teachings followed by a tour of the "Walking with our Sisters: A Commemorative Art Installation for the Missing and Murdered Indigenous Women of Canada and the United States"
- Multi-Agency School Support Team (MASST), a wrap-around support service for high risk youth between Calgary Police Service, the Calgary Board of Education, the Calgary Catholic School District, the City of Calgary's Community and Neighborhood Service Department and Alberta Health Services
- Pre-Natal Outreach Services Team (Calgary)

- Office of the Child and Youth Advocate
- Youth at Risk Development Program (YARD), a community based early intervention initiative targeted towards youth at risk of gang involvement led by the Calgary City Police
- Alberta Human Services on the Aboriginal Engagement and Strategy division
- *Aiskapimohkiiks*, Siksika Nation Traditional Dispute Resolution, Siksika Justice Department
- Provincial Court at Siksika Nation
- Ms. Ruth Scalp Lock, who led the establishment of the Awo Taan Healing Lodge in Calgary for Indigenous women and children fleeing domestic violence
- Ms. Paula Smith, Chief Operations Officer, Piikani Nation Administration
- Ms. Gayle Chase, Prescription Drug Coordinator, and Ms. Cara Blackwater from the Blood Tribe on the fentanyl drug crisis

Priorities

Based on the presentations and discussion at table, the Council identified the following priorities for this report:

- Leadership and empowerment
- Professional development
- Traditional Restorative Justice
- Access to Justice
- Improved access to post-secondary education (including filling allocated spaces for Indigenous students in all faculties) and restoration of funding for upgrading
- Indigenous representation on school boards

Leadership and Empowerment

Preliminary research conducted by Blue Quills College on Indigenous women's economic security shows girls and young women are eager to connect back to their culture, but they encounter difficulties accessing cultural resources. This is especially true for youth in care and those who live in urban settings. Leadership and empowerment camps targeted towards girls build confidence and self-esteem and bolster girls to become agents of change, but progress is limited without the support of healthy families and communities.

RECOMMENDATION ONE:

Using a strengths-based approach, support the establishment of community-based leadership and empowerment safe spaces for Indigenous families to develop self-esteem and self-worth.

RATIONALE:

University of Calgary scholars, Betty Bastien, Jean LaFrance, Ralph Bodor and Jessica Ayala share in their research paper, *Leadership Development Forums in Aboriginal Child Welfare: Making our Hearts Sing in Alberta*, the perspective of communities in reducing the number of children in care:

- There is a clear understanding of the current and past issues and their impact on community and family life.
- To address these issues will call forth the strength of the people based on the continuity of their culture, kinship systems and tribal responsibilities.
- It is essential to institute a structure that supports kinship relational roles and responsibilities, as the continuity of kinship is the key to well-being and survival, and the basis of their identity.¹

Building from these perspectives, community-based participatory research conducted by Dr. Nicolette Teufel-Shone and tribal partners in Arizona has resulted in success in building youth and family wellness and resilience through youth and family camps. The process involves building on the strengths of the community including community cohesion, Elder knowledge, intergenerational child rearing and resilience strategies stemming from Elder narratives about cultural adaptation and living in two worlds.

1. <http://cwrp.ca/sites/default/files/publications/en/MOHS2006.pdf>

Youth and Family Camps engage Elders to share stories of people's resilience. There are games rewarding collective as opposed to individual success, models of positive parenting, and collective healthy food preparation. The long-term goal of these community-driven initiatives is to create supportive social environments to raise healthy children.

GOVERNMENT OF ALBERTA RESPONSE:

ACCEPT

The Alberta Government supports the establishment of community-based leadership and empowerment safe spaces for Indigenous families using a strengths-based approach to develop self-esteem and self-worth.

Indigenous Relations is working with the Institute for the Advancement of Aboriginal Women (IAAW) to develop and implement the *Train the Trainer – Young Indigenous Women's Leadership and Empowerment Program*. The ministry has provided \$80,000 toward the development of this program, which will deliver leadership and empowerment programs for young Indigenous women and girls. The program builds off of the success of IAAW's leadership and empowerment programs, which have helped young Indigenous women learn about leadership and build self-esteem. *Train the Trainer* was completed in October. Youth leaders from four communities participated in the training offered through IAAW in partnership with the University of Alberta and the University of Arizona.

Environment and Parks supported a Youth Cultural Camp organized by Stoney Nakoda Nation in the summer of 2015. Alberta Parks provided a group campsite in the Kananaskis Region and offered a variety of educational programs for First Nation youth. The camp was attended by 70 youth, 16 councillors, 15 elders and 3 Chiefs. Participants included members of the Bearspaw, Chiniki, Wesley, Alexis, Paul, and Carry the Kettle (SK) First Nations.

First Nations have expressed interest in hosting subsequent Youth Cultural Camps in other regions of Alberta's parks and protected areas system. Alberta Parks will consider funding future Youth Cultural Camps in partnership with First Nations.

Professional Development

The Council has met with First Nations women who say there is little or no opportunity for professional development in administration offices on-reserve. The women say workplace environments can be toxic, leading to increased health and mental health issues and stagnated progression on nation driven visions and goals.

RECOMMENDATION TWO:

(A) The Alberta Public Service work with First Nations Managers to identify professional development needs for administration staff and extend Government of Alberta learning and development opportunities to First Nations administration staff on-reserve.

(B) Encourage regional bodies of the Institute of Public Administration in Canada (IPAC) to recruit Indigenous members.

RATIONALE:

Professional development contributes to healthy workplaces by benefitting employees in a variety of ways. Employees achieve better physical and mental health, improved morale, and ability to manage stress. Organizations benefit through increased performance, fewer accidents and injuries, and more effective recruitment and retention. For First Nations, professional development will also serve to build capacity within the community. The World Health Organization states, “healthy workers are productive and raise healthy families; thus healthy workers are a key strategy, i.e. goal, for overcoming poverty.”²

The Government of Alberta Learning Centre offers in-classroom and e-training on a wide variety of topics including business effectiveness, communication, leadership development, team building, personal effectiveness and workplace health and safety. First Nations administration can also benefit from training on provincial legislation such as the *Freedom of Information and Protection of Privacy Act* and the *Human Rights Act* as it relates to Indigenous people. Training can be delivered at a low cost. As the Council’s recommendation would be for trainers to train on-reserve, the recommendation serves as another act of reconciliation between the Alberta government and the Indigenous peoples of Alberta by building relationships and offering GoA staff an opportunity to mentor First Nations women.

2. http://www.who.int/occupational_health/topics/workplace/en/index1.html

GOVERNMENT OF ALBERTA RESPONSE:

(A) ACCEPT IN PRINCIPLE

The Alberta Government supports the goal of enhancing professional development opportunities for First Nations administration staff. **Corporate Human Resources (CHR)** will engage with First Nations administration offices to extend training opportunities that are currently available through the Government of Alberta's Learning Centre. With regard to training on the Freedom of Information and Protection of Privacy Act (FOIP), CHR will share information about online awareness training currently available to the public, including First Nations administration employees. This online training provides a basic overview of the concepts of Alberta's privacy legislation and is available through the following link: <http://www.servicealberta.ca/foip/training/online-training.cfm>.

If First Nations administration offices request more detailed training, CHR will work with Service Alberta to make arrangements for individual First Nations administration offices to access in-person FOIP training provided through Cenera, which is contracted by Service Alberta to provide such training.

(B) ACCEPT

Indigenous Relations will send a letter to the Chairs of the Edmonton and Calgary Regional Groups of the Institute of Public Administration in Canada (IPAC) to encourage IPAC's regional bodies to recruit Indigenous members of the public service to participate in the work of IPAC.

Traditional Restorative Justice

Maintaining peaceful and harmonious relationships among individuals, families and communities is an important principle for First Nations. First Nations are often small, close-knit communities where the people are related to another and have lived there all their lives. In many cases, the victims and offenders or the disputing parties will remain in the community. Restoring balance to these relationships is very important for the individuals, their families and the community.

In The Supreme Court of Canada's 2000 ruling in *Regina v. Proulx*, Justice Lamer wrote:

Restorative justice is concerned with the restoration of the parties that are affected by the commission of an offence. Crime generally affects at least three parties: the victim, the community, and the offender. A restorative justice approach seeks to remedy the adverse effects of crime in a manner that addresses the needs of all parties involved. This is accomplished, in part, through the rehabilitation of the offender, reparations to the victim and to the community, and the promotion of a sense of responsibility in the offender and acknowledgment of the harm done to victims and to the community.

RECOMMENDATION THREE:

(A) Work with existing community resources to support First Nations to formalize restorative justice processes based on local traditional values, customs and practices.

(B) Build relationships between Indigenous communities and justice professionals including judges and lawyers and encourage diversion from courts to traditional restorative justice processes for First Nations people living on and off reserve who are engaged in the justice system.

(C) Expand and promote traditional peace-making processes based on Indigenous values, customs and practices to children and youth in other Alberta schools. Incorporate existing youth councils, trained in traditional restorative justice in the training program.

RATIONALE:

There are examples of evidence-based programs that are making a difference. For example, at Siksika Nation, when appropriate, the Legal Aid lawyer at Siksika seeks to have cases diverted to Aiskapimohkiiks, the Siksika Nation Traditional Dispute Resolution program within the Siksika Justice Department. This program provides traditional dispute resolution and appeals services to Siksika Nation members, Chief and Council, Siksika Nation administration, and other internal agencies based on Siksika culture, values and practices. The program's vision is peace and harmony within members of Siksika Nation and their mission is to educate and assist members in resolving their disputes. Since 2003, Aiskapimohkiiks has resolved over 600 cases in matters such as child custody and access, assaults, theft and restitution, land disputes, wills and estates, marital disputes, and employee conflicts.

Aiskapimohkiiks has also been brought to the elementary, junior and senior high schools where 60 students have been trained as mediators and are referred to as conflict managers. They provide traditional dispute resolution to their peers to restore peace and harmony.

GOVERNMENT OF ALBERTA RESPONSE:

(A) ACCEPT IN PRINCIPLE

The Alberta Government supports working with First Nations to formalize restorative justice practices based on local traditional, values and customs. **Justice and Solicitor General (JSG)** works with the Alberta Restorative Justice Association (ARJA), which is tasked with building support and providing training capacity for restorative justice in Alberta communities. The ministry provides ARJA with annual grants between \$40,000 and \$50,000 and assists with the group's annual restorative justice conference. Alberta Community Restorative Justice (ACRJ) grants are also available to First Nations that wish to establish a restorative justice initiative in their own community or enhance existing programs, such as Youth Justice Committees.

In Edmonton, the Assistant Chief Crown is working with the Edmonton Native Youth Justice Committee, a program that allows minor offences to be diverted to a restorative justice process. The committee has been reinvigorated in the past year and convened circles at the request of the court in a number of cases. In the Lethbridge area, the Kainai Peacemakers Program provides a restorative justice approach to the Blood Tribe community of Stand Off.

Indigenous offenders throughout Alberta can be diverted from the justice system through the Alternative Measures Program. This program deliberately strives to eliminate systemic barriers that may prevent Indigenous offenders from accessing it. The Alternative Measures program employs methods that are consistent with restorative justice and can accommodate Indigenous cultural or spiritual components.

The ministry has a designated Assistant Chief Crown prosecutor who assists other Crown prosecutors in building relationships with the Indigenous community. The ministry's Crime Prevention and Restorative Justice unit can also assist in building these connections and relationships when requested.

For cases that remain in the court system, JSG oversees and funds preparation of Gladue reports, which are designed to provide a sentencing judge with information about an Indigenous offender, and to specifically provide the judge with sentencing options that incorporate Indigenous-based sentencing principles such as restorative justice.

(B) ACCEPT IN PRINCIPLE

Justice and Solicitor General is working to build relationships between Indigenous communities and justice professionals. The ministry has a designated Assistant Chief Crown prosecutor who assists other Crown prosecutors in forging connections with the Indigenous community, and a Crime Prevention and Restorative Justice unit to assist in building these connections and relationships when requested. Justice and Solicitor General is always striving to increase Indigenous representation on both the bench and committees.

(C) ACCEPT IN PRINCIPLE

Justice and Solicitor General supports the goal of expanding and promoting traditional Indigenous peace-making processes among young people, and works with Education to advance restorative justice wherever opportunities exist.

Education is working with partners – including First Nations, Métis and Inuit communities – to enhance curriculum to provide additional opportunities for Alberta students and teachers to learn about residential schools, treaties and First Nations, Métis and Inuit history, perspectives, culture and contributions, throughout the current and future Kindergarten to Grade 12 programs of study. Initial resources have been developed to support educators in teaching First Nations, Métis and Inuit content.

Access to Justice

Colonization, residential schools, intergenerational trauma, poverty and addictions have led to an overrepresentation of Indigenous people in the criminal justice system both as offenders and as victims. Indigenous women now make up more than 35 per cent of the female prison population and the numbers are growing.

Barriers to justice are broad. They include poverty and racism as well as geographic isolation, a lack of transportation and safe housing, mental health and addictions, and other factors which make it difficult for Indigenous women to access the appropriate legal supports to protect herself and her family.³ Civil matters such as divorce, child custody and access, matrimonial property, child welfare, etc., where legal advice and counsel is difficult to access and understand.

3. <http://vawlawinfo.ca/understanding-the-first-nation-metis-and-inuit-context/barriers-to-access-to-justice-for-first-nation-metis-and-inuit-women/>

RECOMMENDATION FOUR:

(A) Provide mandatory cultural competency training for judges, lawyers, court workers, benchers and law societies.

(B) Increase access to Indigenous students to attend law schools.

(C) Appoint more Indigenous Judges and Benchers.

(D) Increase Indigenous representation on juries and increase awareness and understanding of jury duty among Indigenous people.

(E) Ensure children in care and their families understand their rights under the law. The Office of the Child and Youth Advocate may have a role in responding to this recommendation.

RATIONALE:

The Council asserts that diversity and cultural awareness is severely lacking within the Justice system and contributes to the overrepresentation of Indigenous people in prisons. Dominant institutions tend not to understand First Nations history and diverse cultures. They make value judgements based on ignorance and a colonized view of First Nations people's readiness to occupy positions within the Justice system. The Council has been approached by many qualified Indigenous students who allege they are being denied entrance into law schools at the same time post-secondary institutions claim to have spaces allocated for Indigenous students.

The Law Society of Alberta was established under the *Legal Profession Act* to regulate the practice of law in Alberta in the public interest. There are 24 benchers; 20 of whom are Alberta lawyers elected by Alberta lawyers who serve a three-year term. The remaining four benchers are members of the public who are appointed by the Minister of Justice and Attorney General of Alberta for a three-year term.

In addition to working with the Law Society of Alberta to encourage more Indigenous lawyers being elected, the Minister could appoint Indigenous peoples to serve as benchers.

In Alberta, jurors are selected at random from a list of names provided by Alberta Registries. The Court receives an updated list once per year. Under the *Alberta Jury Act*, a person who is facing a criminal charge or has been convicted of a criminal offence for which a pardon has not been granted is not eligible to serve on a jury. Another process should be examined to ensure that a larger pool of Indigenous people is available to serve on juries.

GOVERNMENT OF ALBERTA RESPONSE:

(A) ACCEPT IN PRINCIPLE

The Alberta Government believes greater understanding through increased cultural awareness training will lead to more just outcomes for Indigenous people.

Justice and Solicitor General (JSG) recognizes the need to ensure cultural competency training is available for staff, and will examine the best method to deliver this training to court workers, including court clerks, court administration staff, and those providing resolution services within the ministry.

The Correctional Services Division provides Indigenous cultural awareness training for all new Correctional Peace Officers employed in adult and youth centres, as well as new Probation Officers and youth Correctional Service Workers, during induction training. Since 2013, more than 700 recruits have taken this training, which focuses on respect for Indigenous individuals and Indigenous cultures through lecture and/or experiential learning and includes presentations on a number of topics, including but not limited to: Indigenous history in Canada (including the residential school system), Indigenous cultures, stereotypes and the role of elders. Planning is underway to expand the audience of this training, to include existing staff members who have not attended in the past.

Prosecutors have received Indigenous cultural competency training through the Alberta Justice Staff College in the past. The training was provided by JSG. While the Alberta Crown Prosecution Services (ACPS) does not organize its own training, the ministry does have staff in the Victims Services branch of the Public Security Division that coordinates Indigenous training events. Priority is given to program managers of police-based victim service units (VSU) and ministry-funded community organizations. Police VSU liaison officers and victim advocates may also apply. Crown prosecutors have attended in the past. Specialized training events are available for other ministry divisions when requested.

The Alberta government cannot mandate training for judges. Because judicial independence is a cornerstone principle of our judicial system, the Alberta government must refrain from mandating cultural competency training for judges. However, the First Nations Women's Council on Economic Security could pursue this recommendation by reaching out to the National Judicial Institute and offering input on its training for judges.

The University of Alberta, Faculty of Law, has worked closely with Aboriginal Initiatives in developing the Gladue Sentencing Principles curriculum. JSG is exploring opportunities to support law schools and other post-secondary institutions in developing Indigenous-specific curriculum that would incorporate relevant historical and trauma information relating to Indigenous people.

Agencies, Boards and Commissions (ABCs) typically control their own education and training based on their particular mandates and assess the needs of their ABC as appropriate. Wherever possible, the ministry will encourage these organizations to include cultural competency training for their members. Training for practising lawyers, benchers or the Law Society of Alberta is outside the authority of JSG, but the ministry could facilitate discussions between the First Nations Women's Council on Economic Security and the Law Society of Alberta.

Legal Aid Alberta (LAA) partners with Native Counselling Services of Alberta to deliver cultural competency training to all of its Board members and staff. JSG and LAA hire articling students, including Indigenous students.

(B) ACCEPT IN PRINCIPLE

Justice and Solicitor General supports the goal of greater access to law schools for Indigenous students. The ministry could assist in facilitating discussions between Alberta law schools and the First Nations Women's Council on Economic Security on how to achieve this objective.

(C) ACCEPT IN PRINCIPLE

Justice and Solicitor General strongly supports the goal of more Indigenous Judges and Benchers. The Minister of Justice and Solicitor General is committed to diversity in the appointment of judges, and has pro-actively reached out to members of the Indigenous legal community to encourage them to put their names forward. The Government of Alberta will continue to ensure that appointments, including both judicial appointments and appointments to committees involved in the selection process, reflect the diversity of this province.

That commitment has included a number of recent appointments from the Indigenous community to the judicial screening process and the bench itself. The Law Society of Alberta (LSA) is an independent body that has delegated statutory authority to regulate the legal profession in the public interest. It is a self-governing association. Most Benchers are elected by members of the legal profession, and the election of Benchers with diverse backgrounds is a desirable goal. Dialogue between the First Nations Women's Council on Economic Security and the LSA would be an opportunity to discuss how best to pursue this goal, and the ministry could assist in facilitating such discussions.

The Minister of Justice and Solicitor General appoints four public representatives (non-lawyers) as lay Benchers. An open competition is held to fill lay Bencher vacancies.

The government recognizes that changes to the ABC recruitment process are required, so that the public advertisement or notices of vacant positions reach more Albertans.

The government is making changes to the recruitment processes for ABCs to make the appointment process more open and transparent. Diversity on ABCs is critical for effective board performance. Membership on ABCs should reflect the gender, cultural, and geographic makeup of the population. The recruitment process should focus on a diligent search for candidates, including searching in non-traditional places, to ensure that qualified candidates are identified from diverse communities, including Indigenous Albertans.

(D) ACCEPT IN PRINCIPLE

Justice and Solicitor General supports the goal of greater Indigenous participation on juries and increasing the awareness and understanding of jury duty. Raising awareness of the jury selection process by translating information into the languages of Indigenous people may increase the number of Indigenous people who are available and can be contacted for selection for jury duty. It is a fundamental requirement that jurors be selected on a random basis; therefore, juries cannot contain a certain complement of any nationality or culture.

(E) ACCEPT

The Alberta government supports the goal to ensure all children in care and their families understand their rights under the law.

Actions Underway

Under the *Child and Youth Advocate Act*, the Office of the Child and Youth Advocate (OCYA) provides advocacy services to young people receiving services under the *Child, Youth and Family Enhancement Act* (CYFEA) and those receiving services in the youth justice system. The OCYA has a broad mandate to educate about rights and do so under these Acts and the United Nations Convention on the Rights of the Child. The OCYA has also started including education on the United Nations Declaration on the Rights of Indigenous Peoples. The Child and Youth Advocate reports directly to the Legislature.

Aboriginal families could receive additional support services through expanding the role of the contracted services of the Aboriginal Family Court Worker Program. Increased frontline support, including more training of Aboriginal advocates, would be required to address this recommendation.

Human Services is legislated to provide information to children and youth in care on their procedural rights. Since 2004, booklets outlining Children and Youth Procedural Rights have been provided to children and youth receiving services under CYFEA. The booklets were developed in collaboration between Human Services and the OCYA and contain information about children's and youth's rights in a way that is easy for them to understand. All contact information is provided in one location. The booklets support conversations that occur between children and youth and caseworkers about procedural rights and being in care. The booklets also encourage children and youth to speak to an appropriate person (such as their caseworker, supervisor, or an advocate) if they believe their rights are not being respected. The OCYA has also produced a companion video to provide information to children and youth in a relevant and relatable format.

In 2015, the average monthly number of children and youth receiving child intervention services (not in care, temporary care and permanent care) was 14,578. They were provided information on their procedural rights via their caseworkers, using resources such as the booklet companion video and soon will have an online resource produced by Human Services.

Next Steps:

The Children and Youth Procedural Rights booklet has recently been updated and a web-based procedural rights booklet will ensure information about child and youth rights is more accessible. This resource will be accessible and friendly to children and youth, as well as to their parents, caregivers, and community advocates.

Increased Access to Post-Secondary Education and Restoration of Funding for Upgrading

Statistics Canada's 2011 National Household Survey shows that almost 40 per cent of First Nations people in Alberta aged 25-64 years had no certificate, diploma, or degree compared to 11 per cent of the non-Aboriginal population.

RECOMMENDATION FIVE:

(A) Reinstate funding and expand proven programs that ready Indigenous learners for university, college and trade schools.

(B) Ensure allotted spaces for Indigenous students in post-secondary institutions are fully utilized.

(C) Ensure school boards use First Nations, Métis and Inuit education funding is to improve educational outcomes for Indigenous students and report annually on results.

RATIONALE:

Although the number of Indigenous post-secondary graduates in Alberta is slowly growing, there continues to be barriers to accessing and completing post-secondary education. Young Indigenous students are more likely to have dependent children than non-Indigenous students of the same age in which case child care, transportation and financial resources become a greater challenge. Many Albertans are under the impression post-secondary education is free

for First Nations students. This is not the case for many students as funding is limited and there is little accountability for how those funds are allocated. For students K-12, there is a funding gap in education funding on-reserve compared to provincial funding for education off-reserve contributing to poor educational outcomes for on-reserve students and a lack of preparedness for post-secondary.

Students off-reserve fare somewhat better, but there is significant opportunity for improvement. As noted in the Council's 2014 Report and Recommendations to government, Alberta Education provides \$45 million to school districts or \$1,178 for each self-identified First Nation, Métis and Inuit student; however, school districts have discretion to use the funding for purposes other than improving educational outcomes for FNMI students. The government responded, "Alberta is committed to improving outcomes for First Nation students in Alberta. Alberta Education will review accountability around the FNMI funding allocation to ensure that reporting requirements promote transparency and underscore the need for setting local targets for achievement of outcomes of First Nation students".

The Council asserts the FNMI education funding should be used to improve graduation rates for students and insists school boards report publicly on educational outcomes for FNMI students.

The Council heard funding cuts for the Skills Investment Plan at Alberta Human Services has had a serious impact on vulnerable groups like Indigenous students. Education is a critical step to improving socio-economic outcomes for Indigenous people and is well worth the investment.

GOVERNMENT OF ALBERTA RESPONSE:

(A) ACCEPT IN PRINCIPLE

Work is currently underway within **Advanced Education** to develop actions relating to increasing access to post-secondary funding and initiatives. This includes \$7 million in Budget 2016 for the Indigenous Careers Award and the Indigenous Graduate Award, which in collaboration with Indigenous communities, help prepare more Indigenous Albertans for success, supporting them while they pursue and complete post-secondary studies. Further actions will consider enhancements to existing models and the potential for new models.

(B) ACCEPT IN PRINCIPLE

Work is currently underway within some of the public post-secondary system to develop actions to increase and/or include Indigenous perspectives and content in various programs, as well as increasing access in program areas where targets for Indigenous student enrollment exist (law, education, health, engineering, etc.).

These program changes are not led by government and are not mandatory across the public post-secondary system. Alberta's publicly funded post-secondary institutions are board-governed entities established under the *Post-Secondary Learning Act* and are responsible for their own internal management including admission policies.

(C) ACCEPT

The Alberta Government supports the goal of ensuring school boards use First Nations, Métis and Inuit education funding to improve educational outcomes for Indigenous students and report annually on results. Work is currently underway within the ministry to develop performance measures and review the degree of accountability for the First Nations, Métis and Inuit funding provided through the funding framework.

Alberta is committed to improving outcomes for First Nations, Métis and Inuit students in Alberta. **Alberta Education** believes that improvement can be realized by setting bold targets, implementing strategies, monitoring student success, and taking corrective actions where results are not achieved.

School authorities are currently required to report aggregate First Nations, Métis and Inuit student results as part of their Annual Education Results Reports.

Indigenous Representation on School Boards

School boards play a significant role in improving First Nations education outcomes. They create the vision and set the strategic direction that guides the board and the schools within its jurisdiction.

As such, they have a responsibility to ensure that First Nations and other Indigenous cultures and values are respected and considered and the interests of First Nations learners are taken into account in decision-making.

RECOMMENDATION SIX:

Mandatory First Nations representation from the surrounding First Nations communities on provincial school boards.

RATIONALE:

In its report, “Ensuring First Nations, Métis and Inuit Student Success: Leadership through Governance (2011), the Alberta School Boards Association stated that:

The ... direct representation on a school board by an Aboriginal representative sends a clear message that Aboriginal values, worldviews and opinions are respected and that these are reflected in the decision making processes of the board. Most importantly, the research tells us that such genuine involvement of the Aboriginal community will have positive results for students.

GOVERNMENT OF ALBERTA RESPONSE:

ACCEPT IN PRINCIPLE

The Alberta government supports the view that First Nations representation on provincial school boards, from surrounding First Nations communities, has positive benefits for students, and will work with stakeholders where an Education Services Agreement is in place to identify opportunities to increase First Nations representation on provincial school boards.

Improving student success is a shared responsibility. It requires continued collaboration among students, parents/caregivers, communities, education stakeholders and government. Section 62 (3) of the *School Act* enables the appointment of a First Nations trustee to a school board if the Education Services Agreement between the First Nation and school board provides for this appointment. Currently, five school boards in Alberta have an appointed First Nations trustee.

Alberta Education continues to discuss education legislation with stakeholders to look at the potential to allow for the provision of First Nations representation on provincial school boards who have established an Education Services Agreement and will work with provincial school authorities and First Nations to support the appointment of trustees.

Additionally, Alberta Education encourages provincial school authorities to meet with their local First Nations, Métis and Inuit parents and communities to develop collaborative relationships that support student success and engage communities in decision-making to improve their children's success in school.

GOVERNMENT OF ALBERTA – NEXT STEPS

The Indigenous Women's Economic Security Cross-ministry Committee will report annually to the Councils and government on progress made in the implementation of the accepted recommendations.

Appendix | Alignment to Government of Alberta Priorities

GOA STRATEGIC PLAN 2015-18

Outcome 7 – Indigenous communities and people participate as equal partners in Alberta’s economy and society.

JUSTICE AND SOLICITOR GENERAL BUSINESS PLAN 2015-18

The ministry will also work to improve fairness in the system by identifying ways in which to improve the relationships between the justice system and Indigenous peoples in the province.

Priority Initiative 3.1 – Engage with partners and stakeholders to support improvements in legal aid.

ABORIGINAL RELATIONS BUSINESS PLAN 2015-18

Priority Initiatives 1.4 – Continue to call for the federal government to establish a National Inquiry into Missing and Murdered Indigenous Women, develop locally based solutions in consultation with Indigenous partners to improve socio-economic outcomes for Indigenous women and support the Métis and First Nations Women’s Councils on Economic Security.

ALBERTA ADVANCED EDUCATION BUSINESS PLAN 2015-18:

Priority Initiative 1.5 – Work with Alberta’s Indigenous peoples to ensure the right supports are available to Indigenous learners.

ALBERTA EDUCATION BUSINESS PLAN 2015-18

Desired Outcome Two: The achievement gap between First Nations, Métis and Inuit students and all other students is eliminated.

TRUTH AND RECONCILIATION COMMISSION OF CANADA: CALLS TO ACTION

1.2 – Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.

12 – We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families.

27 – We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal– Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

28 – We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and antiracism.

30 – We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.

31 – We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.

40 – We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.

42 – We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the Constitution Act, 1982, and the United Nations Declaration on the Rights of Indigenous Peoples, endorsed by Canada in November 2012.

58 – We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

UNITED NATIONS DECLARATION ON INDIGENOUS PEOPLES:

Article 7.1 – Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

Article 11.1 – Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

Article 14.2 – Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

Article 21.1 – Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

Article 21.2 – States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22.1 – States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 22.2 – States shall take measures, in conjunction with indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 24.2 – Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 40 – Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

