

2022

ANNUAL REPORT



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS



Assembly of Manitoba Chiefs

EMPOWERING OUR NATIONS

The mandate of the Assembly of Manitoba Chiefs, is through the Chiefs-in-Assembly, to devise collective and common political strategies and mechanisms for coordinated action by First Nations and their organizations to:

- Promote, preserve, and protect Aboriginal and Treaty rights for First Nation people in Manitoba;
- Preserve and enhance the rights and freedoms of First Nations in Manitoba as distinct peoples;
- Strengthen and restore the foundations of First Nation cultures, traditions, languages, economies, and societies;
- Affirm First Nation rights as peoples to exercise and practice self-determination and self-government;
- Protect the integrity and authority of each First Nation's customs, laws, and practices; and

Preserve and enhance the role of equal participation of First Nation women within political, economic, and social spheres of First Nation governments and organizations.

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DEDICATION AND IN MEMORIAM

Dr. Dave Courchene Junior, Elder and Knowledge Keeper, Sagkeeng First Nation - December 8, 2021

Former Chief Alex Robinson, Pimicikamak Cree Nation – Sept 6, 2022

Former AFN Regional Chief Bill Traverse, Kinonjeoshtegon First Nation – May 6, 2022

Elder Mary Houle, Ebb and Flow First Nation - August 19, 2022

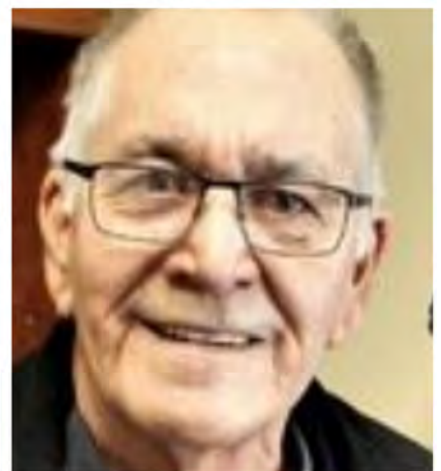
Elder D'Arcy Linklater, Nisichawayasihk Cree Nation – August 9, 2022

Carl "Poggy" Cochrane, Fisher River Cree Nation - February 24, 2022

Chief Deborah Chief, Brokenhead Ojibway Nation – January 28, 2022

Dr. Raymond Mason, Peguis First Nation - March 20, 2022

Chief Orville Smoke, Dakota Tipi First Nation - October 5, 2021



DEPUTY GRAND CHIEF

ANNUAL REPORT MESSAGE

It is an honour to present the 2021-2022 Annual Report of the Assembly of Manitoba Chiefs (AMC) on its 34th anniversary to the Chiefs-in-Assembly at the Long Plain First Nation urban reserve. This report compiles the achievements over the last twelve months and our organization's accomplishments, with funding from our federal and provincial partners.

The AMC recognizes how public health emergencies of the COVID-19 pandemic and the mental health/addictions crisis have impacted First Nations in Manitoba over this last fiscal year. The AMC worked tirelessly with the assistance of the First Nations Pandemic Response and Coordination Team (FNPRCT), to continue to implement various public health measures that were necessary to protect First Nations, but we also recognize that these actions also kept loved ones and friends apart even after a year of experiencing the COVID-19 pandemic. We again saw the cancellation of so many traditional and cultural gatherings that First Nations people rely on to connect them to the land and ceremony. Celebrating the seasons with pow wows, festivals, and sports and recreation is the way of our First Nations, and the lack of social connection has taken its toll in many ways. We have seen first-hand how leadership is finding ways to recover from the socio-economic crisis resulting from this global pandemic.

We wish to commend those who continue to work tirelessly to keep our Nations safe — First Nations leadership, health staff, nurses, emergency management personnel and all those volunteers on the ground that continue to give themselves day in and day out to meet the emerging needs of First Nation citizens. From the swift decision-making of First Nation leadership that was critical in preventing wide- scale transmission of the COVID-19 virus, to the planning and running of vaccine rollouts with the FNPRCT, we thank each of you for your valuable contributions and leadership.

The Assembly of Manitoba Chiefs remains committed to improving the lives of our First Nations' citizens, especially our children, by working



with our Chiefs and Councils. In memory of our Elders and leaders who have passed on this past year, including Anishinaabe Elder Dave Courchene Jr., we are grateful for their guidance and contribution to working towards healthy and prosperous communities and Nation-building.

Serving the 62 AMC-member First Nations has been a privilege over this last year. It is inspiring to see the resilience, strength and hope demonstrated by our Chiefs and Councils, and, most of all, the citizens of our First Nations. We look forward to engaging with our Chiefs and Councils to move our Nations forward over this next year.

Supporting First Nation Leadership in Manitoba

Each year First Nation leadership in Manitoba gathers to discuss critical issues that impact our Nations. It is at these tables that Chiefs create

unified positions for First Nations in Manitoba—sometimes this includes all First Nations in Manitoba, but sometimes it contains positions specific to the needs of those First Nations in certain nation-based, territorial, or Treaty areas.

This year we had to pivot and host a number of our various Chiefs Committee meetings in a hybrid manner: both in person and remotely. We did not host any large Assemblies where all the AMC members convened to discuss regional issues. We did this out of safety for our leadership and their citizens. However, we did participate in several remotely held Tribal Council Annual General Assemblies to hear leadership's work on many initiatives.

In November 2021, the AMC hosted two forums: the Wildland Firefighting Forum and the Ambassador Program Forum. Attendees had the option to attend either in person or via zoom. Both events were well attended by community-based experts, government officials and leaders. One of the main recommendations from these two events was to support the establishment of a Manitoba First Nations Firefighting Association that was to be presented to leadership for deliberation and adoption. This recommendation was taken to the AMC Executive Council of Chiefs on January 28, 2022. The Executive Council of Chiefs mandated the AMC to pursue funding to create a task force that will begin the process of the creation of a new regional First Nation Emergency Management Centre.

On the occasion of the 2022-23 federal budget, the AMC had a keen interest in several budget items that affect First Nations in Manitoba. Canada's ongoing budgeting process and structure retains characteristics of historic colonial forms intended to limit and control the sovereignty of its First Nation Treaty partners in Manitoba. This includes the ongoing concern that funding is provided on top of existing programs and services that are systemically racist against First Nations. AMC thought it imperative that Canada work with AMC to change this for all First Nations in Manitoba. To this end, the AMC collaborated with regional First Nations organizations to develop an alternative method to the federal budget process that would result in an alternative budget for the next fiscal year. We recruited economists and researchers to begin analyzing current expenditures, identify unmet needs and service gaps, and provide a preliminary

estimation of investments needed to reduce disparities in outcomes. We tabled a preliminary draft to various federal Ministers in April 2022. The AMC will continue this work over the next fiscal year to ensure that we have an accurate needs-based budget that will be tabled with Canada.

The AMC also successfully secured funds to engage First Nations on the federal United Nations Declaration on the Rights of Indigenous Peoples Act to achieve the objectives of the UNDRIP, as this will affect all 62 AMC member First Nations. The project will directly benefit all because collectively, as First Nations and individually as First Nations citizens, they have a right to be consulted to provide their free, prior and informed consent on the implementation of this Act.

It comes as no shock that AMC member First Nations continue to face ongoing systemic discrimination from existing federal and (federally-funded and supported) provincial institutions and systems. Those very same institutions prevent AMC member First Nations from being able to exert their human rights, fundamental freedoms, and Treaty and Aboriginal Rights. This means existing mechanisms and systems prevent First Nations from strengthening their economies and enjoying and practicing their languages, cultures, customs and religions. The AMC understands that First Nations in Manitoba have unique circumstances and situations with Manitoba-regional representatives of the Crown, and that in any approach to achieving the objectives of the UNDRIP, all First Nations in Manitoba must develop and strengthen their own distinct social, economic, legal, political and cultural institutions.

All AMC member First Nations will benefit from the AMC UNDRIP project because the AMC approach will address systemic discrimination in a substantive equality approach. That means ensuring the unique cultural, social, and economic needs and historically disadvantaged circumstances of First Nations in Manitoba are considered to achieve true equality through equal access and opportunity and in providing services and benefits. This is because the First Nations in Manitoba continue to have to deal with longstanding discriminatory laws and policies, including federal laws, regulations, and regional policies and procedures that negatively impact the inherent and Treaty rights of First Nations and their right to self-determination in their traditional territories. There is also a lack of effective review

and redress mechanisms to monitor and change these conditions at the regional and national levels.

This persistent socio-economic gap has been regularly documented by commissions of inquiry and data collected by Statistics Canada. It is an outcome of the long history of rights denial by the Crown (federal and provincial). The First Nations population in Manitoba is significantly younger than the non-Indigenous population. First Nations leadership across Manitoba view securing a better future for their children and youth as a matter of great urgency and a task that is necessary for Canada to meet its human rights and fiduciary obligations to Indigenous peoples both under the Canadian Constitution, Crown- First Nation Treaties and international human rights instruments including the UNDRIP and the United Nations Agenda 2030 for Sustainable Development. The proposed project will capture this history and describe a way forward for the AMC member First Nations. This work is expected to get underway in the fall of 2022.

Over this last year, while advancing a collective agenda, the AMC has initiated several key projects that will benefit AMC First Nations and their citizens—initiatives that will enhance capacity at the local level. These include the following:

- securing funding from the Manitoba Public Insurance to initiate a First Nations Road Safety strategy;
- continued engagement on First Nations Regional Education Agreement and Funding Model;
- continued engagement in transformation activities of the Department of Indigenous Services Canada through the signing of an MOU on key files;
- secured funding for Unmarked Graves/Residential Schools from both federal and provincial governments;
- secured funding for two Status Registration Clerks to work out of the Eagle Urban Transition Centre; and
- functioned as a flow-through for monies received for First Nations Early Learning and Child Care to go directly to each of the 63 First Nations in Manitoba.

To improve communication with our First Nation citizens, funders and partners, the AMC continues to revamp our website, which has up-to-date

information on our work. We continue to send regular updates on various government announcements regarding funding, legislative changes, and other initiatives to each of our First Nations. We are also working on new ways of reaching out by creating informational videos posted on our social media outlets.

Nation-to-Nation Relationship with Canada

The Grand Chief's Office (GCO) met regularly with federal Ministers and bureaucrats to advise them on the various issues and strategies to deal with the pandemic that First Nations were raising in various zoom meetings and weekly conference calls. The GCO was able to help facilitate dozens of meetings directly between federal officials and individual First Nations so that your local governments could move forward on specific projects and initiatives unique to your Nations during the pandemic. AMC advocated for funds to go directly to First Nations in an expedited manner to ensure the health and safety of First Nation citizens both on and off reserve.

That is one of the reasons why the AMC collaborated with the Assembly of First Nations Regional Office, the Manitoba Keewatinowi Okimakanak and the Southern Chiefs Organization to develop an alternative process to the federal budget process that will result in an alternative budget for the next fiscal year. We recruited economists and researchers to begin analyzing current expenditures, identify unmet needs and service gaps, as well as provide a preliminary estimation of investments needed to reduce disparities in outcomes and access to services between First Nations and the rest of Manitobans. Our organizations will create an alternative budget and process, and will use this to facilitate work with Canada to co-develop a budget that leads to economic and social development outcomes for healthier and sustainable economies, nations, families, and citizens of all First Nations in Manitoba.

AMC also continued to offer support, facilitation, and advocacy for AMC member Nations in the spirit of helping to realize the implementation of those nation-to-nation partnerships. These discussions include but are not limited to Child and Family Services, Jordan's Principle, United Nations Declaration on the Rights of Indigenous Peoples Legislative Framework, Unmarked

Graves/Residentials Schools, Emergency Management, Policing and a First Nation Education Funding Model and Regional Education Agreement. AMC successfully secured resources to do engagement activities in a number of these areas.

Government-to-Government Relations with the Province of Manitoba

During this fiscal year, the GCO met several times with the Premier and Provincial Cabinet members on various initiatives. My office continues to offer a more cooperative and supportive working relationship with the provincial government on a number of issues, including child welfare reform, gaming, land and resource use, and economic development, and address issues impacting our northern First Nations, such as the lack of air transportation for some of our remote and isolated First Nations.

My office has also met to discuss a number of economic development initiatives with this provincial government and how our First Nations in this province can benefit from true partnerships that create job and business opportunities for our citizens be that through the creation of a corporate structure such as a Northern First Nations Airport Authority. Several meetings have been held on that airport project, and we expect to begin community engagement with a number of First Nations starting in the fall of 2022.

Unfortunately, relations with Manitoba have not always been from a nation-to-nation perspective. The provincial government continues to draft and pass legislation that has profound and long-lasting impacts on First Nations in Manitoba. AMC continues to monitor all legislation that Manitoba tables with the view that AMC will judicially intervene when those Bills impact the Treaty and inherent rights of First Nations.

Moving Forward

The list of highlights I have provided can leave no doubt that despite the pandemic, the AMC had a busy and successful year. These successes are owed to the contributions of our First Nation leadership and our staff in our Nations and here at the AMC. We take every opportunity to remind all levels of government and other funders of the contributions of our citizens that participate in our committees, at our Assemblies and at our various events throughout the year. All Manitoba First

Nations citizens - women, men, youth and young people, and Elders - are vital to and must be involved in supporting the work of advancing First Nation rights and interests.

This is a testament to our firm commitment as citizens of the First Nations here in Manitoba, that we all are committed to advancing the First Nation agenda and helping our fellow citizens.

On a personal note, I would like to thank and acknowledge our First Nation Chiefs and Councils, the AMC Executive Council, the AMC Women's Council, and the AMC Elders Council. Nothing in the last year could have been achieved without their selfless dedication and vision. I would also be remiss if I did not thank our dedicated, hardworking staff who so ably support the leadership in all areas of activity. I acknowledge the unwavering dedication of the AMC staff in their continued commitment, hard work, and professionalism in advancing First Nation issues and the AMC. I also want to acknowledge the staff of all AMC-mandated and affiliated organizations working with our office to improve our people's lives. I finally acknowledge and thank the staff in each of our First Nations that work with the AMC and AMC-mandated entities for the services they deliver to our people, including those who volunteer in various capacities.

We will continue to work towards achieving the mandates given to our office and that set by our leaders from the past. In the future, we hope to strengthen our relationships with each other and set a higher standard for our relationships with Crown governments when it comes to recognizing, implementing, and accommodating our self-governing agreements and Treaties.

Thank you for your support over the last year.
Ekosani, Miigwetch, Wopida, Mahsi Cho



Deputy Grand Chief Cornell McLean

AMC COUNCIL OF ELDERS

ELDERS MESSAGE - AMC COUNCIL OF ELDERS: VISIT TO NISICHAWAYASIHK CREE NATION, TREATY 5 ADHESION

On September 13-16, 2021, the AMC Council of Elders, Treaty Commissioner Ross made a bus trip to one of the northern First Nations to co-host the Rising-Up Ceremony for Elder D'Arcy Linklater of Nisichawayasihk, which honoured him as a valued Knowledge Keeper and representative of Treaty No. 5 on the Council of Elders. The trip originated in Winnipeg at the Swan Lake First Nation Treaty One Territory in Headingley and followed Highway #6 to Thompson and then to Nisichawayasihk Cree Nation.

The Rising-Up Ceremony was hosted by Elder Linklater's home community of Nisichawayasihk Cree Nation at the Norman Linklater Multiplex. A number of dignitaries attended: Grand Chief Garrison Settee, MKO; Chief Shirley Ducharme, O-Pipon-Na-Piwin First Nation; (the late) Danielle Adams, MLA Thompson; and invited past leaders of the Nisichawayasihk Cree Nation. The afternoon began with invocation and drum honouring songs.

For the Council of Elders, the afternoon's highlight was reuniting with colleague and friend D'Arcy Linklater and visiting with his family, friends, and the leadership. As part of the formal Rising-Up Ceremony, each member of the Council of Elders came forward and provided a message to Elder D'Arcy, along with Treaty Commissioner, former Grand Chief Dennis White Bird, and Knowledge Keeper Parry Francois rendered a special honouring song. Following the speakers, Elder D'Arcy was given gifts that included a beaded Manitoba Indian Brotherhood medallion, an anniversary copy of Wahbung: Our Tomorrows, a specially commissioned vest with the Assembly of Manitoba Chiefs and Treaty Relations Commission of Manitoba logos, and a star blanket wrapping. In addition, his wife Lorraine was wrapped in a specially commissioned shawl with the logos of AMC and TRCM.

Throughout the afternoon, community speakers spoke of times spent with Elder Linklater working for the people, protecting First Nation knowledge, lands, languages, and cultures. Each speaker who came forward showered him with love and appreciation for being a mentor, a leader, a Knowledge Keeper, and a representative for Treaty Five Adhesion territory. Chief Marcel Moody and Council members honoured Elder Linklater and his wife, Lorraine, for their many years of service to the community. They each were gifted a beautiful plaque with an Eagle Feather and a monetary gift. Among the many speakers was the leadership of Nisichawayasihk Cree Nation: past Chiefs Rodney Spence, Jim Moore, and Jerry Primrose. They were also acknowledged by Elder Jimmy Spence, Gail Gossfeld MacDonald, Director of Education, and Elvis Thomas, Director of Language and Culture.

Speakers weaved stories of Elder D'Arcy's work throughout the decades, starting in the 1970s and ending in the present. Among the stories shared was his famous moose hunting story, and how well-known Elder Linklater is throughout the land. Wherever people travelled, someone was bound to ask how he was, or if he was out moose hunting again. All speakers acknowledged and thanked his wife and family for sharing him with all of us over the many years of service he has given to the people and acknowledged the many sacrifices Elder D'Arcy made as part of his commitment to the work he was doing. The afternoon concluded with a feast, along with traditional dancers, and Chief Moody and Council gifting the visitors with beautiful star blankets. The closing included Darcy Linklater Jr. offering thanks to everyone for their kindness and honouring their father. A closing invocation was provided with well wishes for safe travels.

While the Elders have been involved throughout the year in several meetings on a variety of topics, this year's message will highlight the

northern trip to Nisichawayasihk that will forever be our cherished memory and, again, to express our gratitude to NCN Chief and Council, their wonderful staff and citizens for the warm welcome – Miigwetch, Kinanaskomitin, Masi-cho, Wopida, Pidamiye,

Respectfully,

AMC Council of Elders, Grandmothers, Knowledge Keepers:

- Florence Paynter, Sandy Bay First Nation Treaty 1
- Harry Bone, Keeseekoowenin Ojibway First Nation, Treaty 2
- Sherry Copenace, Ojibways of Onigaming First Nation, Treaty 3
- James Cote, Waywayseecappo First Nation, Treaty 4
- William Lathlin, Opaskwayak Cree Nation, Treaty 5
- Jonathan Flett, St. Theresa Point First Nation, Treaty 5 Adhesion Island Lake (formerly)
- D'Arcy Linklater, Nisichawayasihk Cree Nation, Treaty 5 Adhesion (formerly)
- Parry Francois, Mathias Colomb Cree Nation, Treaty 6 (Interim)
- Joesph Hyslop, Northlands Denesuline First Nation, Treaty 10 (formerly)
- Katherine Whitecloud, Sioux Valley Dakota Nation

AMC WOMEN'S COUNCIL

Since the last annual report of the AMC, First Nations, families, women, and children have continued to work together in ending public health restrictions because of COVID-19. We must acknowledge the contribution made by First Nations leaders, Elders, parents, and youths to the health and well-being of our fellow citizens.

The current membership of the Women's Council is as follows:

- Chief Betsy Kennedy, War Lake First Nation
- Chief Lorna Bighetty, Mathias Colomb First Nation
- Chief Heidi Cook, Misipawistik Cree Nation
- Chief Shirley Ducharme, O-Pipon-Na-Piwin Cree Nation
- Chief Angela Levasseur, Nisichawayasihk Cree Nation
- Chief Vera Mitchell, Poplar River First Nation
- Chief Doreen Spence, Tataskweyak Cree Nation
- Chief Lola Thunderchild, Canupawakpa Dakota Nation

There were restrictions on the Women's Council's ability to meet in person, but it did meet virtually. During the past year, the Women's Council supervised, guided, and directed the First Nations Family Advocate Office (FNFAO). The FNFAO provided ongoing reports on activities as well as advocacy and support for children, youth, families,

and women. It also launched the FNFAO Legal Clinic, worked with our homeless relatives through N'dinewemak - Our Relatives Place, achieved a successful outcome in court on Children Special Allowance, and filed a class action for First Nations children, families, and nations affected by the CFS system. Detailed information on these activities and more is provided in this report's FNFAO section.

The Women's Council also continues to provide oversight, guidance, and direction on implementing Jordan's Principle. This includes the ongoing advocacy of the Eagle Urban Transition Centre (EUTC). EUTC's section inside provides more detailed information. Additionally, the Women's Council provided oversight, guidance and direction for the activities of the Jordan's Principle Implementation Team, which included completing the Implementation of Jordan's Principle in Manitoba Report and follow-up on its recommendations. The Jordan's Principle Implementation Team section provides more detailed information.

On behalf of the Women's Council, It is our pleasure to continue contributing to AMC's mandated activities, and we look forward to dealing with issues affecting all of our Nations.

Chief Betsy Kennedy, War Lake First Nation, AMC Women's Council Chairperson

EXECUTIVE COUNCIL OF CHIEFS

CHAIRPERSON DEPUTY GRAND CHIEF CORNELL MCLEAN

The Executive Council of Chiefs (ECC) receives its mandate from the AMC Constitution and via Chiefs-in-Assembly certified resolutions. The Council functions as a source of authority between Assemblies and comprises the Grand Chief, five Chiefs selected by northern First Nations, and five Chiefs selected by southern First Nations. The membership of the ECC is as follows:

AMC WOMEN'S COUNCIL

- Chief Betsy Kennedy, War Lake First Nation

SOUTHERN REPRESENTATIVES

- Chief Cornell McLean, Lake Manitoba First Nation, Interlake Reserve Tribal Council
- Chief Jason Daniels, Swan Lake First Nation, Dakota Ojibway Tribal Council
- Chief Norman Bone, Keeseekoowenin First Nation, West Region Tribal Council
- Chief Sheldon Kent, Black River First Nation, SouthEast Resource Development Corporation

INDEPENDENT SOUTHERN REPRESENTATIVES (ONE VOTE)

- Chief David Crate, Fisher River Cree Nation
- Chief Derrick Henderson, Sagkeeng First Nation
- Chief Murray Clearsky, Waywayseecappo First Nation

NORTHERN REPRESENTATIVES

- Grand Chief Scott Harper, Island Lake Tribal Council
- Chief Evan Yassie, Sayisi Dene First Nation, Keewatin Tribal Council
- Chief Nelson Genaille, Sapotaweyak Cree Nation, Swampy Cree Tribal Council

INDEPENDENT NORTHERN REPRESENTATIVES (2 VOTES)

- Chief Larson Anderson, Norway House Cree Nation

- Chief Shirley Ducharme, O-Pipon-Na-Piwin Cree Nation
- Chief David Monias, Pimicikamak Cree Nation

The ECC:

- deliberates and provides a record of decisions on a range of issues as mandated by the various resolutions passed at our Chiefs Assemblies;
- acts as the body to vote on resolutions that get carried over from the various Assemblies that, due to time constraints, are not passed at those meetings; and
- maintains linkages to AMC-mandated organizations by issuing a call-for-names process to fill vacant Board of Director positions.

These mandated organizations include:

- Manitoba First Nations Education Resource Centre (MFNERC)
- First Peoples Economic Growth Fund (FPEGF)
- First Peoples Development Inc. (FPDI)
- First Nations Health and Social Secretariat of Manitoba (FNHSSM)
- Treaty Relations Commission of Manitoba (TRCM)

Status of Activities

The ECC held 13 meetings. In 2021: on April 19, November 17, and December 14. In 2022: on March 30, April 14, and 18, May 25 and 31, July 17 and 27, August 4, September 14, and October 13. The Council made decisions on the following items but not limited to:

- support the ongoing work of the Chiefs Gaming Committee, including the recommendation to appoint Chief Dennis Meeches, Long Plain First Nation, to the Sand Hills Casino Board of Directors
- support the ongoing work of the FPDI by

appointing Chief Cornell McLean, Lake Manitoba First Nation, as the interim Southern Chief appointment to its Board of Directors

- support the work of the AMC Women's Council in addressing issues impacting women, children, and families
- support the work of the AMC Personnel and Finance Committee
- The Pope Visit-sending delegation to Edmonton – Regional Chief Cindy Woodhouse reported that she submitted a proposal to the Deputy Grand Chief Cornell McLean and Executive Director Howard Burston.
- Endorsed the Appointment of the Treaty Commissioner, Loretta Ross
- Explore a settlement negotiation with the Sand Hills Casino and Resort Board and the province of Manitoba in the ongoing case Assembly of Manitoba Chiefs
- Supported the work of Manitoba First Nations Education Resources Centre Inc. (MFNERC), approved the selection of Chief Morris Beardy, Fox Lake Cree Nation as the Northern Manitoba First Nations School System (MFNSS) Representative to the MFNERC Board of Directors
- re-invigorate the Chiefs Committee on Housing
- supported a model for a Lake Winnipeg First Nations Water Stewardship Council that respects and follows First Nations inherent rights and legal structure and Treaties and directed the AMC Secretariat to host a meeting of Lake Winnipeg Chiefs to discuss and provide input on the various governance models, including the geographical scope
- supported Manitoba First Nations Alternative Federal Budget which as an alternative budget and process intended to facilitate work with Canada to lead to economic and social development outcomes for healthier and sustainable economies, nations, families, and citizens of all First Nations in Manitoba
- realignment for Eagle Urban Transition Centre administrative oversight and First Nations Family Advocacy Office to the AMC Secretariat.

The Council has adopted several motions to advance the work of the First Nations leadership in Manitoba.

We thank the AMC Elders Council for its continued support and guidance in advancing our work. Our Knowledge Keepers are essential for ensuring we never forget the spirit and intent of the Treaties and agreements our past leaders negotiated that would last for generations.

WORKPLACE INVESTIGATION

In the 2021-22 fiscal year, notice was provided on March 14, 2022, from an employee of the Assembly of Manitoba Chiefs Secretariat Inc. to the Executive Council of Chiefs alleging harassment, sexual harassment, and sexualized violence in the workplace. Due to the serious nature of the allegations and the request from the complainant that the details remain confidential, the Personnel and Finance Committee retained Tapper Cuddy LLP to complete an independent workplace investigation on March 19, 2022. The Respondent was suspended from his position pending the outcome of the investigation.

Tapper Cuddy LLP provided a neutral, thorough, and sensitive investigation into the complaint. The written report was released to the Personnel and Finance Committee on June 30, 2022. The report sets out the basis of the complaint, findings of fact, determinations of credibility, a review of external evidence, the relevant common law and legislation, and a conclusion. Tapper Cuddy LLP also prepared an executive summary of the complaint, evidence, and findings, which was provided to the parties at the direction of the Personnel and Finance Committee.

The Personnel and Finance Committee directed a review of the existing workplace harassment policies and the Constitution of the Assembly of Manitoba Chiefs to ensure that the safety and wellbeing of the employees of the AMC exceeded federal employment and occupational health and safety standards.

As a result of the findings of the report, the Executive Council of Chiefs called for an in-camera special Chiefs-in-Assembly to be held on August 5, 2022. At this meeting, the Chiefs-in-Assembly voted in favour of the removal of Grand Chief Arlen Dumas from his position. A by-election for the position of Grand Chief was scheduled for October 26, 2022.

MANAGEMENT/OPERATIONS REPORT

Staff:

- Howard Burston, Executive Director
- Ritchie Arthurson, Finance Director
- Trisha Sinclair, Human Resource Director
- David Dalglish, IT Manager
- Jennifer Storm, Communications Manager

INTRODUCTION

The AMC Secretariat's core functions are:

Political infrastructure: Grand Chief; Executive Council of Chiefs; Personnel and Finance Chiefs Committee; annual, special, and general assemblies; Chiefs Committees; AMC Women's Council; and Council of Elders.

Administration: Executive Director, finance, human resources, information management, information technology, media relations, and communications.

Strategic Policy Coordination and Analysis: AMC's interdepartmental policy and coordination capabilities include conducting research and engaging with First Nations to develop policy positions/documents, briefing leadership, and holding meetings with federal and provincial departments to discuss policy engagement. The Deputy Grand Chief and Executive Director direct senior staff to implement decisions made by the Chiefs in Assembly and the Executive Council of Chiefs.

AMC senior staff meet on operational matters under the direction of the Chiefs Committee on Personnel and Finance. This includes:

- drafted and approved a Workplace Harassment Policy;
- developed and began the implementation of an improvement plan for the AMC organization (2021) and human resources (2022) reviews;
- Human Resources Department restaffed with a director, coordinator and assistant of human resources;
- addressed and managed existing human resources issues arising from the review;
- approved and implemented AMC work plans and budgets;

- financial management by AMC policies and procedures;
- renewal of the AMC branding;
- implemented AMC communications strategy;
- implemented new human resource cloud-based systems for ease of access for managers and staff
- updated job descriptions during the performance assessment of the team;
- human resources updated several policies within the AMC Employee's policies and procedures; and
- overall performance measurement and evaluation were completed for the team.

The work plan of the AMC Secretariat includes but is not limited to the following:

- Renewing fiscal relationships
- Education and skills development
- Early Learning and Child Care
- Health
- Lands and TLE
- Resource benefit sharing
- Climate change and the environment
- Economic development
- Social development
- Children, women, and families
- Jordan's Principle
- Housing and infrastructure; on/off-reserve housing
- Research partnerships
- Legislative and policy reviews and development
- Intergovernmental relationship building and partnerships
- Urban First Nations strategies

The Management Team works with the following to negotiate annual work plans and budgets in support of First Nations common issues for the areas listed above:

- Department of Indigenous Services Canada (ISC);
- End Homelessness Winnipeg;
- Indigenous Reconciliation & Northern Affairs at the Province of Manitoba; and

- The City of Winnipeg.

Our joint efforts ensure that the Secretariat is dedicated exclusively to First Nations people's social, cultural, educational, and economic development.

The organization's annual work plan activities are based on strategic planning by directives to meet First Nations' common priorities, such as:

- Incorporating priorities that support First Nations' issues at the local level in changes to legislation, regulations, policies, procedures, and improvements to programs.
- Identifying and promoting opportunities for collaboration with Canada and the province in order to support research activities that support local First Nation initiatives and development.
- Following appropriate timelines for achieving and measuring strategic outcomes, organizational performance, effectiveness, and financial accountability.

Key Issues and Challenges

The AMC Secretariat performs a significant advocacy function to support the directives provided by Chiefs' decisions, including from motions and resolutions from the Executive Council of Chiefs, Chiefs Committees and the Women's Council. Directives and activities are developed to identify critical issues and formulate alternatives to influence changes to existing and proposed federal and provincial policies.

The COVID-19 Pandemic created challenges for the Secretariat to accomplish its work. While the virtual nature of the workplace during this period was available to all Canadians, most First Nations on reserve were still unable to access it. Due to the pandemic, staff were diverted to support First Nations in managing their response to COVID-19. The AMC Secretariat responded with hybrid working arrangements to accommodate working at home and the office. Since the lifting of First Nations and provincial health orders in response to the pandemic, the AMC staff have refocused their efforts on developing solutions for the benefit of all Manitoban First Nations people.

Despite under-resourcing, the AMC continues to meet its program and organizational goals. As a result of AMC's recruitment efforts, several key positions within the Executive Director's Office and the Secretariat were filled. Staff that have retired

remain a source of knowledge and experience for the next group of staff supporting the Chiefs.

Links to First Nations

The AMC Secretariat provides relevant, ongoing, and consistent updates on the activities of the organization through:

- our website (www.manitobachiefs.com);
- social media (Twitter, Facebook, and live streaming of assemblies, workshops, forums, and events via YouTube);
- distribution of publications; and
- radio and television appearances.

Management, staff, and staff from the Deputy Grand Chief's Office attend workshops and meetings as well as participate in a variety of forums with First Nations, senior officials, working groups, and committees so information can be gathered, analyzed, and reported to leadership, especially regarding programs and services for First Nations.

A key goal of the Secretariat is to support the AMC's advocacy for First Nations' needs. The Secretariat also provides briefing materials and reports to the Chiefs-in-Assembly, the Executive Council, and the Chief Committees, we regularly prepare briefing materials on a wide range of issues.

Representatives of AMC member First Nations or regional representatives participate in technical working groups to ensure that local First Nations are involved in projects and initiatives.

AMC monitors regional information and coordination on national First Nation and federal government initiatives, including but not limited to the following areas:

- policy and legislation
- issues impacting First Nations women, children, and families
- urban strategy
- social development
- federal government restructuring
- federal budget

Status of Activities

AMC senior staff meets to discuss management, financial monitoring and reporting, Chiefs-in-Assembly resolutions, Executive Council motions, and funding agreements.

AMC's Senior Management Team meets with the Personnel and Finance Chiefs Committee to review administrative and financial operations. In addition to reporting on activities, human resources issues, and funding challenges, the Team works closely with the various program managers. In addition to reporting on the audited financial statements of the Secretariat to the Executive Council of Chiefs and Annual General Assembly, the Team also reports on the operations of the Secretariat.

Secretariat representatives meet with senior officials from DISC (from headquarters and the region), Health Canada, the City of Winnipeg, and the province on critical initiatives and projects.

Communication is one of the core functions of AMC. The AMC provides ongoing monitoring and maintenance of AMC's existing network system. In addition, we collaborate on projects to ensure efficient communication with First Nations and the general public. AMC has been able to start the modernization of its core infrastructure and move to cloud-based services where appropriate. Due to the lack of resources, AMC has challenges updating its network infrastructure. The Information Technology Technician continues to work towards upgrades, creating and revising policies and procedures related to the network infrastructure.

ACCOMPLISHMENTS OVER THE PAST YEAR

- AMC Grand Chief election held at the Annual General Assembly in July 2021
- AMC Special Assembly on August 5, 2022
- AMC Organization Improvement Plan implementation, September 2022
- AFN/AMC Regional Information Session on First Nations Child and Family Services and Jordan's Principle Compensation, September 2, 2022

AMC COMMUNICATIONS

Staff:

- Jennifer Storm, Communications Manager
- Amanda Fredlund, Communications & Social Media Coordinator

Introduction

The AMC Communications Team facilitates and reports on the positions and decisions made by the AMC. The Communications Team in addition covers the activities of the Grand Chief's Office, the AMC Secretariat, the Eagle Urban Transition Centre, the First Nations Family Advocate Office, and other affiliated organizations working through AMC. In addition, the Communications Team also assists AMC-affiliated member First Nations that request assistance with their communications and media. These requests often include highlighting their accomplishments, bringing attention to their causes, promoting their events, community updates, states of emergencies, and calls for action. It is also the responsibility of the Communications Team to share pertinent news with First Nations leadership, First Nations in Manitoba, the media, and the general public via press releases, media advisories, memos and letters and by facilitating media interviews, press

conferences, and media events promptly.

Since the COVID-19 pandemic continued for most of last year, AMC shared all communication materials digitally through email, social media, the AMC website, and the AMC App, all of which you are encouraged to follow us on:

- Website: manitobachiefs.com/
- Facebook: facebook.com/AssemblyMBChiefs
- Twitter: twitter.com/AMCMBChiefs
- Instagram: instagram.com/amcmbchiefs
- LinkedIn: linkedin.com/company/assembly-of-Manitoba-chiefs

The Communications Team has shared First Nations stories and news through photography, video, and written word across social media and online. Below is a list of the campaigns we implemented this term:

- Election results of AMC member First Nations
- Activities and events attended by the Grand Chief and the Deputy Grand Chief
- Press Releases and pertinent First Nations news coverage

- State of emergencies and call-for-actions issued by First Nations leadership
- Updates on legislation and legal issues impacting First Nations
- Celebrating graduates from AMC member First Nations
- Promoting information and resources available through AMC (example: EUTC, Patient Advocate Unit, FNFAO, Jordan's Principle)
- Sharing information for First Nations in Manitoba, including from AMC-mandated entities
- Acknowledgment of First Nations' accomplishments and successes
- Updates on AMC advocacy areas
- Missing Person Reports from RCMP, Winnipeg Police Services, and First Nation Families
- Training and education opportunities that are accessible to First Nations
- Internal and external employment opportunities
- Sharing celebratory, awareness, and educational resources on special days and public events. Such as Community Justice Day, Seniors, Pride and Indigenous Peoples Month, Mental Health Awareness, Indigenous Nurses Day, Truth and Reconciliation Day (Orange Shirt Day), Indigenous Veterans Day, etc.
- Highlighting First Nations and community-hosted powwows
- Condolence Messages
- Updates on COVID-19

Statistics

- Over the past six months, the AMC Facebook page, our most active social media account, reached approximately 957K people (up 154% from the previous period) and has grown by 1.3K (a growth rate of 60.8% from the last reporting period). There were 249.8K engagements in the posts we made, meaning our engagement has increased by 43% from the previous period.
- Since January 2022, the AMC Instagram account has grown exponentially, reaching over 5.5 million people (up 8300% from last year). Our most popular posts have been reels of First Nations in Manitoba and Indigenous content to promote awareness and context to social issues and cultural

awareness, pride, and education. Currently, we have just under 30K followers.

- Over the past 3 months, our Twitter page has earned approximately 41.9K impressions, averaging 460 impressions per day with a 3.8% engagement rate, up from 2.9% in the previous period.
- We have implemented more video content and sharing as social media algorithms prefer it and project our growth and visibility to increase by 154% on Facebook and up by at least 500% on Instagram over the next 6 months.

Highlights, Accomplishments, and Challenges

AMC Communications has undergone an onboarding of all new staff during this fiscal term. While this is undoubtedly considered a challenge, we have maintained a high standard for AMC communications throughout the transition and project that the team will continue to grow, as will our platforms into the next fiscal period. The AMC is also grateful for the work of the previous Communications team in their adaptability during the COVID-19 pandemic and the work they have done during this fiscal year.

The previous and current Communications Team provided timely updates on COVID-19 news, regulations, restrictions, outbreaks, vaccination availabilities, and ongoing public health education campaigns. Once health officials lifted COVID-19 restrictions, the Communications Team was excited to be once again attending and profiling various First Nations powwows and celebrations. We also saw high community engagement with our annual social media campaign highlighting First Nations Graduates during the month of June, which was a great way to kick-start the powwow season.

Production of graphics, videos, and photography are all key elements of storytelling. AMC takes pride in its visual productions and has produced videos and photography of the Grand Chief and Deputy Grand Chief at various public events, conferences, assemblies, powwows, and meetings. The team has also produced and promoted numerous graphics for social media, news releases, press releases, newsletters, the AMC website, letterheads, events, and posters for departments across the AMC and affiliated First Nations. At the beginning of last fiscal year, AMC Secretariat approved the development of a new website, and now we are ready to launch this new, refreshed and cleaner website in early 2023.

Events

The AMC Communications Team plans various annual and special events. Due to the restrictions from the Covid-19 pandemic, many events were postponed or held virtually. Last fiscal, AMC hosted its annual Jingle Mingle event in a last-minute online live event due to ongoing and unpredictable Covid-19 restrictions. The planning committee handled the situation with grace and long hours.

Alongside Blue Bombers, Exchange Income Corporation, and the Edmonton Elks, we were able to host and fly in 1,000 members from affiliated Manitoba First Nations for the Truth and Reconciliation Day on September 30th. This partnership was so successful that it became a successful annual event that improves every year.

TREATY RELATIONS

Staff

Gail Flett - Treaty Relations Coordinator

Introduction

The activities and Treaty Relations Coordinator roles and responsibilities are directly linked to supporting the Treaty Relations Commission of Manitoba (TRCM) and intended to support their mandate to "strengthen, rebuild and enhance the Treaty relationship." The Assembly of Manitoba Chiefs (AMC) Treaty Relations Commission Engagement work plan is funded by Crown-Indigenous Relations (CIR). The budget and work plan is a five-year multi-flexible agreement and is now in year five.

The AMC's role in the Treaty Relations Commission of Manitoba is to provide political, Elder, technical and advisory supports to the Grand Chief, Chiefs Task Force, Manitoba Leadership and Treaty Commissioner, the staff in relation to TRCM and the partnership with INAC now called CIR (on behalf of the federal GoC). The political representatives who participate include the Grand Chief/designate and AMC Chiefs Task Force on TRCM.

The AMC representation to the TRCM Governance Committees includes a Joint Senior Officials Committee with one or all members of the Chiefs Task Force; the GCO/Designate; an Elder or the Council of Elders; and the Treaty Relations Coordinator. For the Operational Management Committee and Research representation is GCO/Designate and Treaty Relations Coordinator.

Key Issues and Challenges

The Memorandum of Agreement (MOA) that created

the TRCM is a partnership with CIR. AMC continues to maintain and uphold its relationship with CIR on the Treaty Relations Commission office. The current MOA signed in 2003 remains the current mandate.

Treaty Commissioner Loretta Ross facilitated higher-level discussions between the AMC Grand Chief and Minister of CIR in January 2022 to update the MOA Partners on her key activities and the TRCM office initiatives. This was the first official meeting of high-level representatives since the MOA was signed. The government of Canada and its CIR department continue to fail to move forward on Treaty implementation and enforcement at a suitable discussion table with the AMC.

As stated in Minister Marc Miller's CIR mandate letter from December 2021, he is to work in full partnership with First Nations to build nation-to-nation relationships and support self-determination, including supporting First Nations communities during their transition from the *Indian Act* to self-government. Also, Minister Miller is to continue to support Indigenous-led processes aimed at rebuilding and reconstituting their nations and achieving self-determination, and to work in partnership to implement the spirit and intent of the Treaties, land claim agreements, and self-government agreements, with the federal government, held accountable through appropriate oversight mechanisms. The government of Canada is to work with Indigenous partners and relevant Ministers to accelerate the Recognition of Indigenous Rights and Self-determination processes, with a particular focus on reforming federal government structures, notably to support self-determination consistent with the *United Nations Declaration on the*

Rights of Indigenous Peoples, including engaging in respectful nation-to-nation relations, in the spirit of self-determination, by renewing **and updating treaty relationships where they exist**, including pre-confederation Treaties, and by seeking viable, trusting and respectful relationships where no Treaty exists.

There continues to be several challenges to having the CIR Minister's mandate met. This is because it is not aligned with AMC leadership, and prevents his mandate from being meaningfully implemented in Manitoba. Both political will and adequate funding are necessary for Canada to properly and meaningfully implement the Treaties in Manitoba.

The December 2019 PMO letter highlighted two key areas of interest to the Manitoba First Nations: One, a new Royal Proclamation on Reconciliation; and Two, co-developing with Indigenous Peoples a new distinctions-based process for ongoing reviews, maintenance, and enforcement of Canada's Treaty obligations between the Crown and Indigenous communities. An Indigenous-led National Treaty Commissioner's Office will support this work. CIR and the government of Canada still need to clarify the relationship between the new National Treaty Commission and the AMC/Manitoba leadership.

The Government of Canada has yet to enact the Reconciliation Royal Proclamation. After two years of discussions, the AFN and CIR exploratory discussion table regarding a new National Treaty Commission Office has ceased. In December 2021, a resolution was introduced at the AFN Special Chiefs Assembly that proposed creating a National Treaty Commissioner's Office, but it was defeated. It is unclear if the government of Canada will enter into any dialogue sessions with Regions instead of the AFN process. The AMC will continue to monitor developments in this area.

CIR does not generally fund these higher-level discussion tables on Treaty Matters (Implementation/Enforcement), so they have remained Unfinished Treaty Business for the last 151 years.

Due to the COVID-19 pandemic and public health restrictions, the AMC Treaties Gathering has been postponed to fiscal year 2022-2023. It will provide Treaty awareness, teachings and oral histories regarding the spirit and intent of Treaties, as well as updates on the Manitoba Treaty dialogue tables - Rights & Recognition of Self Governments and TRCM.

Linkages to First Nations

Among the key responsibilities of AMC's coordination activities is the facilitation of a crucial role for First Nations Elders. The AMC Council of Elders participates at several AMC committees and all TRCM key activities, gatherings and meetings. In July 2021, AMC's Annual General Assembly was the only sizable in-person gathering due to public health restrictions. As a result, a number of Elder meetings were held virtually to ensure their safety and the safety of their families. AMC Treaty Relations Coordinator keeps in touch with the AFN Knowledge Keeper Circle - Manitoba representative Ernie Daniels, Long Plain First Nation, and looks forward to his updates and information sharing.

STATUS OF ACTIVITIES

AMC Council of Elders

Every quarter, the Elders meet for two or three days to provide guidance and assistance to the AMC leadership, staff, and Treaty Commissioner. The meetings are coordinated with TRCM. Currently, the Elders Council consists of ten Elders, Knowledge Keepers, and Grandmothers from each Treaty Area and Dakota nation in Manitoba (refer to Elder's Message - Council of Elders for current representation).

The Elders participated in the following meetings:

- AMC Executive Council of Chiefs and Personnel & Finance (attended by Dr. Elder Harry Bone and/or Grandmother Florence Paynter); Grand Chief's Office; and Annual General Assembly & Election at Long Plain First Nation;
- Chiefs Committee: Education & Jordon's Principle (attended by Grandmother Paynter), Family Law (Elders Council as a collective and each respective Elders by Nation language); and the new Genocide Project (Elders Council as a collective);
- Elders Oral History and Understanding on Treaty Annuity;
- Annual Nibi Gathering, Virtual Event;
- Quarter 1 & Quarter 2 virtual meetings;
- Keeping the Fires Burning - A Virtual Event;
- Treaty One - 150 Years After Treaty Making in Manitoba, Lower Fort Garry with Anishinaabe (mowin) Elder Messages on the Understanding of Agowiidiwanan;
- Treaty Two - 150 Years After Treaty Making in Manitoba, Riding Mountain with

Anishinaabe (mowin) Elder Messages on the Understanding of Agowiidiwanan;

- Rising Up Ceremony & Feast in honour of Elder D'Arcy Linklater, Treaty 5 Adhesion representative hosted at Nisichawayasihk Cree Nation;
- Faith-Based Gathering – Welcome to Newcomers, a Fall Ceremony & Feast;
- Province of Manitoba – Residential School Working Group;
- UM – Respectful Repatriation Working Circle – AMC Elders;
- The Turtle Lodge National Elders Gathering, Sagkeeng First Nation;
- Anishinaabe Law, Sagkeeng First Nation;
- Rising Up Ceremony for the (late) Dave Courchene Jr., Sagkeeng First Nation;
- Festival du Voyageur and First Nation Elder Relationship & Understandings of traditional protocols, Fall & Spring Feast & ceremony; and
- TRCM: Treaty Education sessions, Research meetings, Level 1II Post-Secondary Education on the Treaties (Waakoodiwin); Virtual Speaker Series – Agowiidiwanan Moving Forward Together, a 4-part series, and the MOA Parties High-Level meeting;
- The Council of Elders Quarter 3 & Quarter 4 meetings were held in person for November, December 2021 and March 2022;
- AMC Elders and ISC Regional Office First Nation Elder Teachings & Protocols;
- Observe the Treaty 5 Governance Office – Pathways to Self-Determination Gathering, Opaskwayak Cree Nation;

TRCM Governance Structure - Committees

In accordance with the MOA, AMC participated in the following virtual meetings:

- Joint Senior Officials: delayed, Minister/Grand Chief Meeting, January 2022;
- Operational Management Committee, October 2021 and February 2022;
- Research meetings (ongoing) on new publications slated for March 2022-23 release.

AMC Communication with CIR

CIR-HQ officials assigned to AMC on TRCM include Debra Alivisatos, Donald Scott, Seanin Van Rooy, and Jean-Luc Halpin. The AMC Treaty Commission

Discussions Funding Agreement operates as a five-year multi-agreement with resources to support AMC in the TRCM Governance, Council of Elders and one full-time staff position (Treaty Relations Coordinator); however, this funding does not support comprehensive, in-depth legal/technical research on the TRCM.

Communication and Reporting to Manitoba Leadership

Issues and direction are sought through Briefing Notes to the Grand Chiefs' Office, Chiefs Task Force and Executive Council of Chiefs for immediate action. The annual reporting by staff is conveyed in the AMC Annual Report, Audit and Resolution Status Report.

The Chiefs Task Force on TRCM consists of: (Chair) Chief Norman Bone, Keeseekoowenin, Treaty 2; Chief Murray Clearsky, Waywayseecappo, Treaty 4 (South); and Chief Larson Anderson, Norway House, Treaty 5 (North).

Renewal of Treaty Commissions (TRCM)

The TRCM concludes its third renewal term since its inception in June 2005 under the existing MOA and continues with a public education, research and facilitation mandate. AMC maintains contact with the Federation of Indigenous Sovereign Nations through their Treaty Commission, the Office of the Treaty Commissioner (OTC), Saskatchewan. The TRCM office has a five-year term that ends March 31, 2023, and will continue for another five-year term for April 1, 2023 to March 31, 2028; the five-year term for Loretta Ross as the Manitoba Treaty Commissioner expires May 2023. The renewal of the TRCM office is expected to be renewed and continue after March 31, 2023. The AMC mandate by resolution July.17.04 Renewal of TRCM for a 10-year term expiring in March 2029.

AFN National Strategy on Treaties

The sector is called Lands, Territories and Resources that includes Specific Claims, Treaties, Comprehensive Claims, and Additions To Reserves; the Director is William David with Aaron Asselstine as Associate Director.

AFN supported Treaty regions that wanted to conduct Treaty Commission Office dialogue sessions. The outcome of this Treaty Nation-led work will shape the approach to creating a Treaty Commission Office (TCO). The AFN-mandated

resolution 78/2015 supports TCO discussions and respects the critical ceremonial protocols necessary for this sacred and distinct work. The December 2021 resolution #3, Creation of a National Treaty Commission, was defeated, and the next steps will be determined. Monitoring of this future dialogue will continue.

The Manitoba Regional Chief Cindy Woodhouse and her staff will assist with all future AFN Manitoba Regional Dialogue Sessions under her term.

National Treaties No. 1-11 Annual Gathering

The current National Treaty Spokesperson is Eric Tootoosis of Poundmaker Cree Nation, Treaty 6, Saskatchewan. The Traditional Fire Keeper is A.J Felix of Sturgeon Lake First Nation, Treaty No.6, SK. Chief Gerald Antoine, Liidii Kue First Nation, Treaty No. 11, hosted the 2021 Annual Gathering virtually on September 13-14, 2021. The Technical Working Group, mainly in MB, SK and AB, continues to assist with taking turns hosting the virtual meetings, developing the annual gathering agenda and working with the host Treaty Area/Province in hosting the annual gatherings.

Meeting of Treaty Area and Organization Representatives

The Prince Albert Tribal Council hosts the Western Treaty Nations Meetings on a bi-weekly zoom session; discussion have focused on Bill C-15, UNDRIP, planning for the virtual NRTA Gathering, in 2021, and planning the in-person Gathering in 2022.

Recognition of Indigenous Rights for Self-Government Discussion Tables (RIRSD)

In Manitoba, there are 12 active Recognition Tables: the Government of Treaty 2 Territory; the Treaty 5 Sovereign Nations; the Island Lake Ansininew Government; Fisher River Cree Nation and each of the five Dakota Nations. Information for these tables is available on the CIR website. The Manitoba Treaty Commissioner Loretta Ross continues to be invited and present on her role and TRCM mandate and activities at their key meetings and annual Gatherings.

Accomplishments

- Completion of AMC Year 4 Workplan

- Activities of AMC's Treaty Engagement 5-year flexible funding agreement;
- AMC Council of Elders participation and Traditional Teachings on the sacredness of water at the four-day Annual Nibi Gathering held virtually on May 22-25,2021;
- Quarterly AMC Council of Elders Virtual/In-Person meetings;
- AMC Grandmother Florence Paynter – Recipient of KaNiKanichihk Inc. Grandmother Award, 2021;
- Traditional Honouring and Rising up Ceremony of AMC Grand Chief Elect and new AFN Regional Chief, Manitoba Region;
- AMC Elder Key Messages in Anishinaabemowin on Treaty Understandings at the Treaty 150 Celebrations for Treaty 1 and 2, August 3 & 21, 2021;
- Community Visit & Co-Hosting the Rising Up Ceremony to honour Elder D'Arcy Linklater at Nisichawayasihk Cree Nation;
- AMC Elder participation at the National Elders Gathering hosted at Turtle Lodge, Sagkeeng First Nation;
- AMC Elder & Staff observer at Anishinaabe Law Teachings, Turtle Lodge, Sagkeeng First Nation;
- AMC Elder participation for the Special Ceremony to honour Dave Courchene, Jr, November 6, 2021 and he passed within weeks of his honouring;
- Traditional Protocols, Ceremony and Teachings at the Fall Feast and Opening Ceremonies, hosted by the Festival du Voyageur (October 2021 and February 2022);
- Council of Elders Draft Declaration on Natural Resources, December 2021;
- AMC Treaty Annuity Payment Resolution, January 2020 - "AMC Council of Elders Oral Understanding Final Report (2021-2022)."
- On-going dialogue with Crown-Indigenous Relations CIR-HQ on the TRCM partnership, Treaties relationship and role of Elders, Knowledge Keepers;
- TRCM Governance Committee partnership meetings with AMC-CIR as facilitated by TRCM, including the Elder worldviews on Oral History and Treaty Implementation, Understanding;

- Treaty 5 Sovereign Nations Pathway to Self Determination Summit (observer);
- Treaty Area and Organizational Representative Technical meetings on National Treaties 1-11 and Western Treaty Nations (networking, relationship building);

Moving Forward

The AMC will conclude the 5-year flexible agreement with CIR. AMC will also:

- pursue discussion with CIR on renewal of TRCM office and appointment of Treaty Commissioner respecting both AMC and Federal government critical timelines;
- continue to attend key meetings of the Manitoba Self Government Recognition Tables and other Treaty Area gatherings and network with the FSIN on the Treaty Commission's renewal;
- assist the National Treaty No. 1-11 Sovereign Movement and Western Treaty Nations planning of the 2022 Gatherings;
- monitor AFN Lands, Territories and Resources Sector dialogue on the National Treaty Strategy;
- assist the AFN Regional Chief and Knowledge Keeper as requested; and
- negotiate and secure a second five-year funding agreement beyond 2023-2024.

The AMC Treaty Gathering on **"Renewal, Relationship, Rights, Responsibility"** originally scheduled for March 2020 will proceed in 2022-23 with the date to be determined; the focus of discussions include:

- Ceremony (with invitations to pipe carriers: Treaty 1, 2, 3, 4, 5, 6, 10 & Dakota Nations; water ceremony)
- Opening Ceremonies (Spiritual Messages, Teachings from the Pipe Carriers, Messages of Unity by Knowledge Keepers)
- Welcoming Remarks (Objective of Gathering, Rules of Engagement)
- Inherent Right/Sovereignty (Elder Bone and Council of Elders)
- Numbered Treaties in Manitoba and the Dakota Relations (Treaty 1, 2, 3, 4, 5, 6, 10, Dakota and the Recognition of Indigenous Rights of Self-Government);
- Lands: Cede, Yield & Surrender (Elder TBC)
- Land Discrepancy Court Case (Chief Sheldon

Kent, Black River First Nation)

- Peoples, Citizenship, Rights (TBC)
- Mandate & History of TRCM (Loretta Ross, Treaty Commissioner)
- AMC January 2020 Resolution – Increase in Treaty Annuity Payments and AMC Council of Elders Understanding (2022-2023) - AMC Council of Elders;
- Next Steps & Setting up an ongoing process for dialogue on Treaty Matters in Manitoba, Canada
- Reflections / Closing comments
- Closing Ceremonies

For further information, please contact:
gflett@manitobachiefs.com

EDUCATION

Staff

- Lyn Blackburde, Director of Education
- Roxanne Meawasige, Policy Analyst Researcher
- Jemina Benson, Post-Secondary Education Analyst/Researcher
- Jonah Powell, Junior Policy Advisor Researcher
- Shirley Jenson, Education Funding and Data Policy Analyst
- Andrew Courchene, Administrative Assistant

Introduction

The Education Directorate is mandated to advance the overall vision and mission of the AMC in the Education of First Nations in Manitoba. The Directorate continues to promote, support and advocate for First Nations' inherent and Treaty right in education. The objective is to increase funding for the education of First Nations and ensure that First Nations students have access to quality education.

Under the direction of the Chiefs Committee on Education (CCOE), activities have included developing a regional education funding formula/model for K-12 and developing a post-secondary education (PSE) strategy. Following the regionalization of Special Education, Early Learning and Child Care (ELCC) by ISC, AMC is now responsible for the regional management of these programs. The AMC resolution of March 18.05, which reinstated the Education Directorate lays the foundation for this work.

To advance First Nations education, the Directorate collaborates with First Nations leadership and other stakeholders such as the Manitoba First Nations Education Resource Centre (MFNERC), First Nations education directors, National Indian Education Council (NIEC), and Indigenous Services Canada (ISC). Also, the Directorate continues to seek guidance from the Post Secondary Education Regional Table, the Post Secondary Education Partnership Program (PSPP) Selection Committee and the Regional Education Agreement (REA) Negotiation Technical Support Team in the development of strategies in a range of issues related to education and for transformative changes across First Nations education.

KEY ISSUES AND CHALLENGES

COVID-19 Pandemic

The COVID-19 pandemic significantly impacted the operations and activities in education in First Nations. As part of its support for First Nations, the Education Directorate provided information sessions during meetings of First Nations Education Directors and promoted funding opportunities provided by the federal government.

Although funding was provided to support First Nations during the pandemic, it was insufficient to meet their needs. As a result of the COVID-19 Pandemic, inadequate infrastructure in First Nations has become exacerbated and highlighted, and showed that more resources are needed.

Manitoba First Nations Regional Education Agreement

The AMC Technical Task Team has worked to develop the Manitoba First Nations Regional Education Agreement (REA). This initial document includes policy changes that would benefit First Nations and require Canada to provide funding for First Nations elementary and secondary education. While this funding is to be determined in accordance with the Interim Funding Formula (IFF) developed by ISC, the Technical Task Team has included some adaptations and enhancements to improve the budgetary ask to meet First Nations educational needs. It has been renamed the Regional Funding Model (RFM).

AMC has commenced negotiation on the REA with ISC. However, there is the consideration that First Nations must have sufficient and predictable funding beyond provincial comparability to achieve the standards of education that First Nations learners deserve in both the north and the south. In line with this, the Directorate secured the services of Validus Healthcare Economics (VHE) to conduct further research to determine the extent of funding needed for First Nations education. The AMC continues to strive for the best for First Nations learners and to ensure educational policy changes and reforms.

Post-Secondary Education (PSE) Engagement

The Education Directorate is leading the development of a new regional First Nations PSE

model. First Nations education directors, post-secondary education counsellors, and students across the 62 of 63 First Nations represented by the AMC have given their input for a new strategy and developing the new PSE model. Recommendations are calling on the Federal government to provide better supports for students, including equitable and sustainable funding to ensure quality education for First Nations post-secondary learners.

The government of Canada provided funding for engagement to develop the First Nations PSE model, which is in its third year. The CCOE oversees the development of the model and has approved independent consultants to work with the Education directorate and the PSE Regional Table. The consultants will conduct research, data collection, and cost analysis to determine the funding needed for post-secondary students and establish a First Nations post-secondary institution.

Post-Secondary Partnership Program (PSPP)

As a result of the regionalization of this program by ISC in 2020, the AMC is the designated regional organization for administration and adjudication, and has worked with First Nations to manage this program. The CCOE set up the Selection Committee with roles outlined in the Terms of Reference and their primary responsibility of implementing this program.

Working closely with the Committee, the Directorate successfully managed the funding for the 2021/2022 fiscal year, which was \$5,796,153.41. This included regular PSPP funding and PSPP COVID-19 funding which was administered concurrently. In accordance with the regional guidelines, a call for proposals was made, and First Nations submitted proposals and received approval. A total of fourteen projects and 11 First Nations were funded.

To ensure First Nations received funding for their proposed programs and partnerships, the Education Directorate worked collaboratively with the Selection Committee throughout the process. ISC allocated \$2,232,203.21 to the AMC for the 2022/23 fiscal year. It will be distributed in accordance with the CCOE's recommendations.

Education Partnership Program (EPP)

The AMC continues to wait for committed funding from ISC for the 2022/23 fiscal year. Once received, the funding will be used to continue to develop the REA and support the Negotiation Team as they

begin discussions with ISC on the REA. AMC has also commissioned a consultant to conduct in-depth research on the educational needs of First Nations in Manitoba with a view to increasing the federal Full-time Equivalent (FTE) funding.

AMC is the designated First Nations organization responsible for administering this funding to First Nations in Manitoba that meet the criteria of the Structural Readiness component of the EPP. This funding received an additional \$25 million following a program review and recommendation from First Nations. The regional amount provided for Manitoba for the 2022-2023 fiscal year is \$3,797,591.64. The Education Directorate is in the process of securing this funding from ISC and sending a call out for proposals to First Nations. It is expected that First Nations that do not have education agreements with ISC will apply to the AMC for their structural readiness activities.

Research and Learning and Innovation Program

Research and Learning Program is a regionalized three-phased program that allows First Nations to determine their own approaches and processes as they develop language and culture programs. The program's main purpose is to restore the history and culture of First Nations people and promote awareness of their ways of knowing.

Through the Research and Learning Funding, First Nations can determine how they want to approach traditional learning. The AMC undertook land-based learning and First Nations language research with the aim of teaching traditional history and culture of the Anishinaabe, Nehetho/Ininew, Denesuline, Anishininew, and Dakota Oyate people. There were presentations, traditional games, storytelling, culture teachings, sweat lodge teachings, and ceremonies at the inaugural 2019 gathering.

Peguis First Nation was approved to host the language gathering for 2021, which was deferred to 2022 due to the COVID-19 Pandemic. It intends to have an expanded conference with more activities. The plan is to ensure that the vision and goals of the learning outcomes from previous gatherings are achieved with more First Nations student participation. Considering this is a three-phase program, the 2022-2023 funding will go to Pimicikamak (Cross Lake) First Nation.

First Nations continue to revitalize traditions and ceremonies through these gatherings, and the

Education Directorate provides support and continues to justify the needs and requirements for each phase. The importance of personal learning and capacity development and enhancement for First Nations is recognized in each gathering. The core concept in supporting this initiative is to expand these unique events into a strategic approach to learning that is interactive for First Nation learners.

High-Cost Special Education, Early Learning and Child Care (ELCC) and Jordan's Principle:

After ISC regionalized Special Education, Early Learning and Child Care (ELCC), the CCOE passed a motion that the AMC be responsible for the regional management of all ISC regional initiatives. This is in line with the advancement of First Nations' inherent Treaty rights in education. The AMC will now be responsible for advancing priorities within these areas. The Education Directorate's responsibility is to ensure that all First Nations in Manitoba benefit from this funding.

ACTIVITIES

The Education Directorate is passionate about advocating for the Treaty right to education for First Nations in Manitoba and, as such, continues to support the CCOE and its Technical Tables in this work. The Directorate helps to maintain collaborative efforts between First Nations, and provincial and federal governments. Also, partnerships with mainstream institutions of their choice are fostered to ensure the all-encompassing vision of lifelong learning for First Nations in Manitoba. In doing this, activities the Directorate engages in the following activities.

Chiefs Committee on Education

The Directorate facilitates monthly meetings for the CCOE, whose mandate is to provide oversight in developing a renewed approach in First Nations education. Kindergarten through grade 12, adult education, and post-secondary education are included. The CCOE continues to work to outline paths that ensure better systems are in place for First Nations learners. They coordinate with other First Nations leadership to assert First Nations' positions in Canada. In doing this, the Education Directorate provides technical services and support in the various options developed.

Membership of the CCOE includes the following:

- Chief Derrick Henderson, Sagkeeng First

Nation – Independent;

- Chief Glenn Hudson, Peguis First Nation – Independent;
- Chief David Monias, Pimicikamak Cree Nation - Independent;
- Chief Wayne Desjarlais, Ebb & Flow First Nation – Independent;
- Chief Craig Alexander, Roseau River Anishinaabe First Nation;
- Chief Clarence Easter, Chemawawin Cree Nation;
- Chief Vera Mitchell, Poplar River First Nation;
- Chief David Crate, Fisher River Cree Nation;
- Chief Trevor Prince, Sandy Bay First Nation; and
- Chief Murray Clearsky, Waywayseecappo First Nation.

Newly appointed to the CCOE Membership:

- Chief Larson Anderson, Norway House Cree Nation

The CCOE builds upon, maintains and affirms First Nation rights as peoples to exercise and practice self-determination and self-government; it protects the integrity and authority of each First Nation's customs, laws, and practices; promotes, preserves, and protects Aboriginal and Treaty rights in Manitoba; it preserves and enhances the rights and freedoms of First Nations in Manitoba. The objectives are to provide leadership and advocacy for change in education policy and legislation affecting First Nations citizens in Manitoba. Several motions were passed in the last fiscal year, including the following:

CCOE DEC 2021.02

WHEREAS Canada has identified priority funding for First Nations education and the transfer of control to First Nations, and this includes Special Education, Early Learning Child Care, and the implementation of Jordan's Principle. In its current approach, Canada has already predetermined- how this transfer would take place with requirements from Treasury Board and Indigenous Services Canada.

BE IT RESOLVED that the AMC be the body responsible for all ISC regionalization of programs and initiatives, including Special Education, Early Learning Child Care and Jordan's Principle and that the Chiefs Committee on Education identifies that the AMC be the authority responsible for all regional management organization for all regional

management organizing, including Special Education, Early Learning Child Care and Jordan's Principle, that will include the following:

- Disperse funding to First Nations;
- Allocate and distributing funding from predetermined amounts determined by the AMC;
- Provide funds to other First Nations organizations and or third-party service providers identified by First Nations.

BE IT FURTHER RESOLVED that the AMC Secretariat be directed to draft a resolution reflective of the above and direct the AMC Grand Chief to bring to the AMC Executive Council of Chiefs before it is discussed at the December 16 and 17, 2021 AMC Chiefs-in-Assembly.

Manitoba First Nation Education Directors Meetings

The Directorate continues to hold monthly meetings with First Nations education directors and post-secondary counsellors. During these meetings, ideas to improve education and the overall social and economic conditions of First Nations are discussed. These meetings also serve as information sessions to inform First Nations about funding opportunities from the federal government. They encourage engagement with First Nations and ensure they are included in ongoing policy formulation and implementation processes.

COVID-19 PANDEMIC RESPONSE AND COORDINATION

Introduction

Last fiscal year, the province of Manitoba and First Nations in Manitoba began to loosen their public health restrictions. As a result, the activities of the Manitoba First Nations Pandemic Response and Coordination Team (PRCT) that was created by the AMC Executive Council of Chiefs on March 2020 began to wind down.

The PRCT was a new a structure that the AMC leadership created. It involved representatives from the Assembly of Manitoba Chiefs, Southern Chiefs Organization, Manitoba Keewatinowik Okimakanak, Ongomiizwin, Keewatinohk Inniniw Minoayawin (KIM), First Nations Health & Social Secretariat of Manitoba (FNHSSM) and the Canadian Red Cross.

On December 13, 2021, the AMC receive a copy of and Evaluation Report of the PRCT (the Evaluation Report). A copy of the report has been provided in the meeting package for the October 2022 AMC Annual General Assembly.

The report was compiled through interviews with members of the PRCT, the review of minutes, media releases, social media, news articles and documents. Among other things, the Evaluation Report reviewed the impact of COVID-19 on First Nations in Manitoba, the way it was structured, and how it organized itself. It also identified a number of challenges:

- Access to Public Health
- Pandemic Response Plans
- Incomplete Data Picture- Federally
- Enforcing Health Guidelines
- Rapid Response Team Issues
- Transporting Members out of Community
- Southern Communities
- Isolating and Mental Health
- Community Restrictions
- Events
- Halt of Services in Community
- Environmental Factors
- Internal Communication of PRCT
- Elders
- Internet Connection
- Manitoba Hydro and Keeyask
- Disconnect with Federal Government
- Experience of Loss

It also identified what worked:

- Working together
- First Nations Leadership
- Jurisdiction Barriers Shambled
- Early Response
- Rapid Response Team
- Assisting Communities Accessing Financial Resources, Food Distributions and Proposals
- Focus on Mental Health

- Vaccine Rollout
- Strong Data
- Communication to Communities

The Evaluation Report makes a number of recommendations to First Nations and to governments.

The recommendations for First Nations range from a number of practical experiences, from involvement of leadership, to team staffing, to testing and immunizing, communications, to data, surveillance and off reserve. The recommendations to government identify the need for the involvement of First Nations, to funding, public health, and infrastructure.

For First Nations:

Transportation

- Have more than one transportation vehicle for people coming into community.
- Have a detailed transportation plan factoring AIA, stopovers.
- Have alternate ideas for those who have COVID-19.

Communication Plan

- Have detailed communication plan. Be very specific.
 - Do we need radios?
 - Who is going to have those radios?
 - Who is going to have them?
- If no cell service, what do you need to do?
- If no phones, how can one get in touch with someone.
- Identify internet services.

Community Map

- Keep an updated map of where people live to do wellness checks or to do testing.
- Incorporate house numbers or systems to find residences.

Team

- Put thoughts into scenarios.
- Host monthly tabletop activities

Lead

- Ensure lead/leads connect with outside organizations to debrief.
- Identify lead within the community, especially alternates in case people are isolated or become sick.

AIA sites

- Prepare AIA site and for arrival of community members.
- Have alternate locations in case not available.
- Identify high risk who need to be near facility.
- Could person safely isolate with addiction.
- Ensure it has what is needed. I.e. showers, laundry.

Documentation

- Keep reports on actions taken by community, what are the challenges and how overcome it.
- Document so that it can be learned from.
- Outline processes and share with team.

Medicines

- Harvest own medicines.
- Teachings about medicines and include in response plans.

Succession Planning

- Have succession plan with at least 3 or 4 people to fill positions.

Charting Community Plan

- Papers should be filed and kept private.

Community Plan

- Make it holistic and include mental health supports.
- Support for Elders, Children, Families.
- Documents should be reviewed frequently.
- Engage community in plan.
- Transparent with plan.
- Look at strengths and areas of improvement and compare to work that is being done in community.

Contract Tracing

- Plan for this, utilize local expertise.

Outside Organizations

- Organizing site.
- If teams are coming in, set up for arrival.
- If they need to stay on-site, where and is it following guidelines.

Communications

- Utilize social media to share plan and updates.
- Information on testing, isolating, test positive.
- Utilize radio.
- Compile packages to give to households.

- Ensure communities are aware of restrictions.

Data Surveillance

- Initiate a data and surveillance and infrastructure.
- Include data in pandemic response plans. (Outbreak info, household info.)
- Support to develop/update annual community health profiles (have updated population numbers and including status of the health and wellbeing of the community, number of individuals who may be more susceptible due to 49 Immunization Records Debriefing Workshops Administration Off reserve Mental Health Education Leadership Testing Site For Government: Involvement of First Nations Funding Public Health Infrastructure underlying health conditions, overcrowding and other social determinants of health, knowing who in community who is more at risk than others is.)
- Have more First Nations epidemiologists.

Immunization

- Have updated age and gender breakdown and immunization updates forms. Long term strategy to train and educate First Nations epidemiologists to do own analysis.
- Communication strategies for uptake and awareness about the safety and effectiveness of immunizations.

Records

- Have individuals update their address on the Indian Status Registry and the address on their Manitoba Health card.

Debriefing

- With PRCT Team and leadership.

Workshops

- On ground workshops.

Administration

- For leadership who do not have secured administration, access to someone who could guide.

Off reserve

- Include off reserve or reach out for support.

Mental Health

- Offer mental supports.

Education

- To stay healthy during pandemic- ideas.
- Stigma- what it is and how to combat it.

Leadership

- Be involved with meeting with internal staff and external organizations coming in.

Testing Site

- Not in high traffic area.

The recommendations for governments are:

Involvement of First Nations

- Include First Nations in their response planning with governments.

Funding

- Provide funding for communities to develop and update pandemic response plans.

Public Health

- Public Health experts in communities.

Infrastructure

- Federal government to support proper infrastructure in First Nations communities- proper housing, enough housing, water and sewer.

FIRST NATIONS FAMILY ADVOCATE OFFICE

STAFF LISTING

- Cora Morgan, First Nations Family Advocate
- Tonya Field, Family Wellness Mentor
- Shirley Frank, Executive Assistant
- Charlotte Boubard, Family Wellness Mentor
- Lindey Courchene, Executive Coordinator
- Cheyenne Ducharme, Family Wellness Mentor
- Jennifer Roulette, Advocacy Coordinator
- Ilona Francis, Data Scaabe
- David Monias, Assistant Advocate
- Jamie Hastings, Data Scaabe
- Tina Robinson, Assistant Advocate
- Chris Pelletier, Communication Officer
- Genevieve Bruce, Assistant Advocate
- Kayla Frank, Lead Policy Analyst
- Tina McKay, Family Reunification Worker
- Jennifer Chartrand, Policy Analyst
- Sarah Flattery, Family Reunification Worker
- Lena Joseph, Policy Analyst
- Myrna Thompson, Family Reunification Worker
- Amber Laplante, Research/Writer
- Elizabeth King, Family Reunification Worker
- Myles Courchene, MOU Project Director
- Lana McKay, Kiipewii'chego (we come to help)
- Melissa Abraham, MOU Administrative Assistant
- Cindy Morrison, Kiipewii'chego (we come to help)
- Chance Paupanekis, Implementation Coordinator
- Travis Bighetty, Rites of Passage Scaabe
- Max Griffin-Rill, Attorney at Law
- Brittany Lavallee, Rites of Passage Scaabe
- Adrienne Cooper, Attorney at Law
- Karen Swain, Mino Bimaadiziwin Grandmother
- Kimberley Chaske, Receptionist
- Alvin Henderson, Mino Bimaadiziwin Grandfather
- Chloe McCorrister, Operations Manager
- Michelle Meeches, Housing Coordinator
- Stephanie Sinclair, Acting Operations Manager

- William Hudson, Scaabe
- Matthew MacFarlane, Assistant to Operations Manager

INTRODUCTION

The Assembly of Manitoba Chiefs (AMC) officially opened the First Nations Family Advocate Office (FNFAO) on June 1, 2015. The office opened in a ceremony and was gifted the name "Abinoojiyag Bigiiwewag." This translates to "Our Children are Coming Home" in Anishinaabemowin.

The FNFAO provides advocacy to First Nations families involved with the Child and Family Services (CFS) system. The goal of FNFAO is to bring children in the system back to their families and home Nations. Utilizing the guidance of traditional values and teachings, the FNFAO offers workshops and support services that encompass a holistic approach to healing families and children.

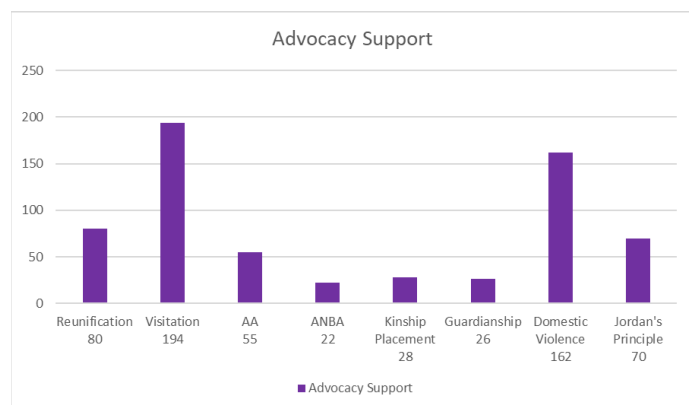
Additionally, the FNFAO challenges existing practices and policies to help First Nations families to navigate system involvement. For too long, apprehending First Nations children has been the first response rather than providing prevention supports to assist families facing challenges and barriers. FNFAO focuses on a preventative approach and provides opportunities for growth and healing.

As a mechanism outside the provincial child welfare system, the FNFAO receives its direction from the AMC Women's Council, Executive Council of Chiefs and the Chiefs-in-Assembly. With accountability to First Nations leadership, the FNFAO is able to voice concerns and raise issues that commonly affect First Nations children, youth and families. Subsequently, this adds pressure on the provincial government and its entities to effect meaningful change to move away from the status quo.

ADVOCACY SUPPORT

This year, the FNFAO provided advocacy supports to an additional 470 families. The efforts of FNFAO have positively impacted 1,281 First Nations children. This includes providing preventative supports to children and youth at risk of involvement or already involved with the CFS system. The advocacy support focuses on: reunifying children

with their parents; avoiding the apprehension of children (AA); avoiding newborn apprehensions (ANBA); supporting and securing kinship placements; supporting guardianship applications for families; securing visitation; supporting families impacted by domestic abuse; and advocating on files related to Jordan's Principle.



- **AA – Avoided Apprehension**
- **ANBA – Avoided Newborn Apprehension**

STREAMS OF SERVICE

Kiipewi'chego Prenatal and Postnatal

The Kiipewi'chego Prenatal and Postnatal are trained Doula's and advocates (the Kiipewi'chego) that work with expecting parents. They provide supports to strengthen the family unit while building relationships with various community organizations to create a support network for First Nations mothers and families who are currently or previously involved with the CFS system. They also assist parents in the health care system by supporting them in accessing all the necessary prenatal and postnatal care.

At times, they are the first responders when a family is experiencing a newborn apprehension. If they are at risk of a newborn apprehension, the Kiipewi'chego will work with the families to identify their needs to care for their child and help them build a network of supports and resources to take their baby home.

The Kiipewi'chego also facilitates the Traditional Parenting workshop that teaches parenting skills for the different stages of life. The Kiipewi'chego also offers prenatal and postnatal supports in workshop format for expectant parents. This year, the Kiipewi'chego provided service to 66 families, prevented the apprehension of 8 newborns, and secured visitation for 23 children.

Assistant Advocates

Assistant Advocates acts as a liaison between the

family and CFS agency to improve relationships and identify how all parties can work together towards reunification. The goal of the Assistant Advocates is to support families by providing advocacy to have access, supports, visitation, kinship placements or reunification. Assistant Advocates aim to build a positive working relationship with the agency to meet the unique needs of families by guiding and mediating discussions between families and agency personnel to ensure meaningful connections are made for the benefit of the children.

This year, the Assistant Advocates provided service to 136 families, secured visitation for and reunified 53 children with their families, and avoided the apprehension of 25 children. The Assistant Advocates also helped prevent further institutionalization of First Nations families by supporting 11 guardianship arrangements.

Family Reunification

The Family Reunification Team works with families who have files with the Southeast Child and Family Service (SECFS) Agency. The Family Reunification Team examines case files where there is no real concern for protection by connecting with SECFS social workers to discuss case plans for children/families and to ensure that all parties are working towards reunifying families. If children cannot be reunified with their parents or family, the Family Reunification Team ensures the family has meaningful contact.

At times, the Family Reunification Team will work on-site at SECFS for up to 3 days per week. By doing so, they maintain their connection to the agency that better facilitates communication to support files that are ready for reunification, and to work closely with any other supportive collaterals to ensure they fulfill their duty of offering holistic, coordinated support. In addition, families who have opened a file with the FNFAO and are involved with SECFS will be transferred to the Family Reunification Team for follow-up and support services. This year, the Family Reunification Team provided services to 83 families, and successfully reunified 39 children with their families. They also avoided the apprehension of 5 newborns and 31 children, secured 12 kinship placements, and secured visits for 34 children with their families.

Mino Bimaadiziwin

The Mino Bimaadiziwin consists of a grandmother and a grandfather who work directly with families that

have been successfully reunified with their children. The Mino Bimaadiziwin Grandparents offer guidance to families as they transition and reclaim their role as parents. They will also connect families to any additional resources as needed. In addition to providing one-on-one support to families, the Mino Bimaadiziwin Grandparents provides cultural supports and teachings to the various teams in the office.

The Mino Bimaadiziwin Grandparents also provide an integral role in helping develop the content for the workshop offered through the FNFAO. Cultural teachings and traditional practices are intertwined to ensure that FNFAO workshops and processes for families are culturally appropriate. This year, the Mino Bimaadiziwin Grandparents supported 57 families, including general support and counselling to 17 family members. They also conducted 17 wellness checks by phone or visiting families to ensure their wellbeing.

Family Wellness

Family Wellness consists of mentors who will support families to develop a traditional and holistic approach to their wellbeing to prepare them to meet their short-term and long-term goals of caring for their children.

The Family Wellness Mentors connect clients to housing, employment and income assistance, training, education, employment, or treatment. The Mentors will also facilitate various workshops that will contribute to the families' skills and knowledge. Once families have completed their Brave Path, the file will be transferred to an Assistant Advocate or Reunification, who will take the lead in supporting the reunification process. This year, the Family Wellness Mentors helped to reunify 10 children with their families, avoided the apprehension of 2 newborns, and secured visitation for 80 children. They further supported 29 individuals to access detox, treatment and/or relapse prevention resources.

Rites of Passage

The Rites of Passage Scaabe's work with children and youth who are in the process of aging out and/or who have aged out of care. The Rites of Passage Scaabe's offer workshops and individual support to help address housing needs, further education goals, and build employment skills and job readiness. The idea is to create a network of support to ensure needs are met while creating opportunities to fulfill

their mental, physical, emotional, and spiritual wellbeing.

For youth involved with the justice system, our Rites of Passage Scaabe's will support youth by attending court proceedings, and liaising with crown counsel and lawyers on the youth's behalf. Our Rites of Passage Scaabe's have also helped prepare Gladue Reports to advocate for alternative forms of sentencing.

This year, the Rites of Passage Scaabe's supported 62 First Nations youth from the age of 13-25, representative from 31 First Nations in Manitoba, including First Nations in Ontario and Saskatchewan. This year, the Rites of Passage Scaabe's provided mediation support for 14 youth, safety planned with 18 youth, offered mental health supports for 21 youth, supported education access for 18 youth, engaged in cultural identity exploration with 18 youth, facilitated life skills development for 18 youth, and also engaged in addictions and treatment support, EIA advocacy, and securing funding opportunities when needed.

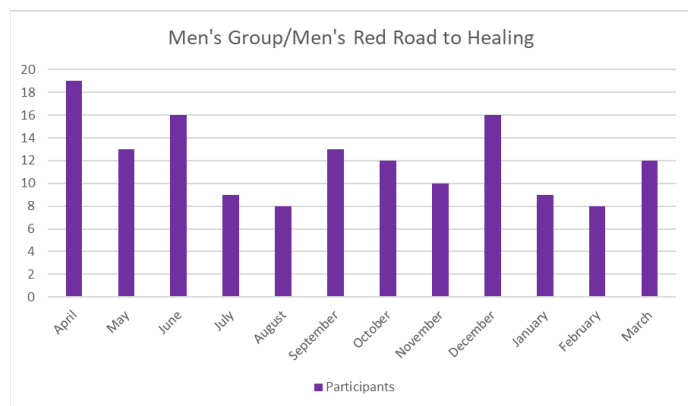
WORKSHOPS

Due to the global coronavirus pandemic, many of the workshops offered through the FNFAO shifted to online platforms, including Zoom, Facebook Messenger, and Microsoft Teams. This was a way to ensure workshops continued to be offered while adhering to Manitoba public health orders.

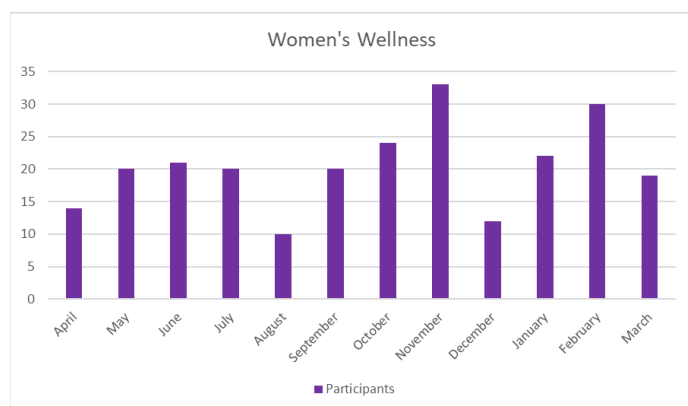
As of March 2022, FNFAO staff have engaged a Facilitator's Group wherein they are strategizing to release new workshop material to address the impacts of family violence on children, enhance the current workshop curriculum, and coordinate child minding to begin facilitating in-person workshops for FNFAO families again. FNFAO returned to in-person programming in the Summer of 2022.

The Men's Group/Men's Red Road to Healing is offered weekly, and participants learn about First Nations cultural teaching, including a holistic approach to men's health. To reinvigorate the role of men, participants will learn about traditional roles and responsibilities of men to themselves, their families, and their Nations. As this workshop has evolved, it serves as a general group with elements of Red Road to Healing teachings where participants learn to take a positive approach to relationships, healing, and caring for their mental, physical and spiritual health and wellbeing. Red Road to Healing

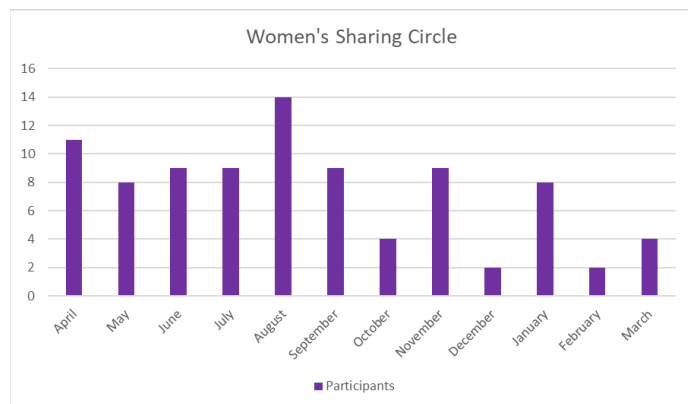
emphasizes the strengths and roles of women and men in our Nations. This year, FNFAO offered 39 sessions in the fiscal year.



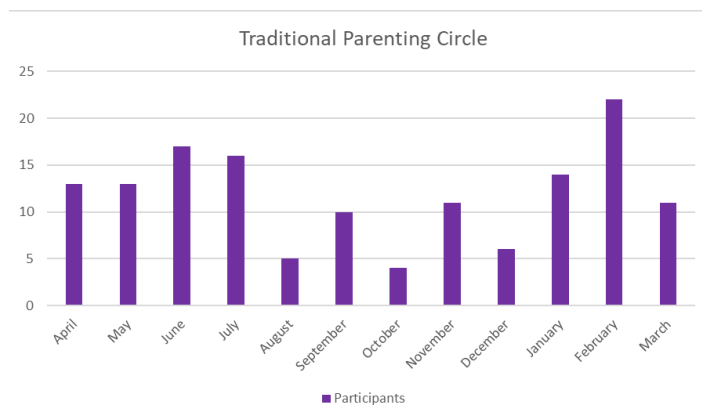
Women's Wellness is a relatively new workshop that started in November 2020. It is a safe, confidential peer support group that focuses on creating a space where women can learn together, engage in self-care for personal wellness, establish community connections, discover resources, and receive traditional First Nations teaching. Women's Wellness hosted 39 sessions online via Zoom during 2021-22.



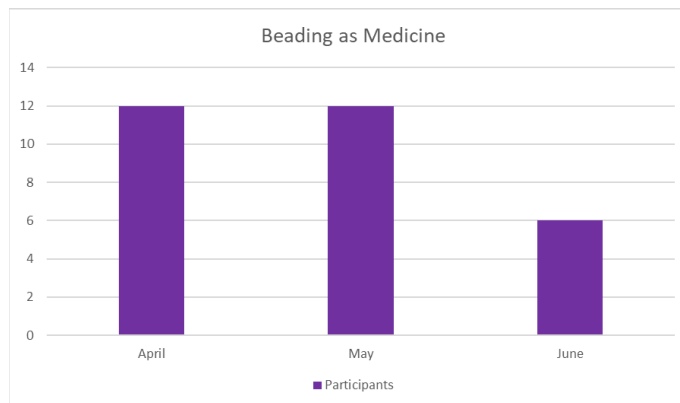
Online Women's Sharing Circle is a safe space for women to sit in circle, to come together in a supportive environment, let go of what they need to, and support each other. It is acknowledged that some women are at different stages of healing, and the sharing of stories is encouraged so that others know that they are not alone. For the fiscal year, Women's Wellness hosted 41 sessions online via Zoom.



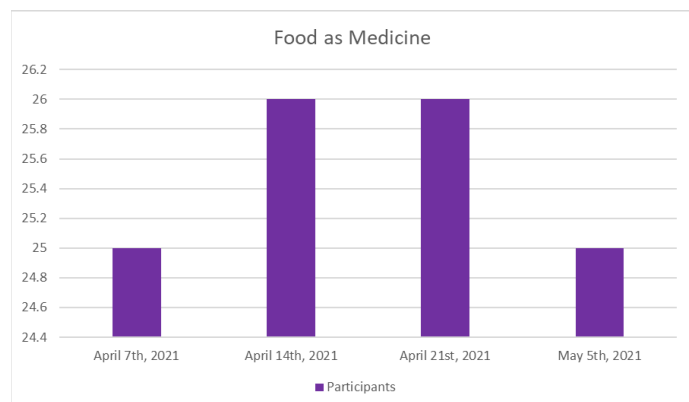
Traditional Parenting Circle offers two specific sessions dependent on the stage of the child. The New Life session is geared towards expectant parents and parents with infants and toddlers. However, parents with children of all ages may participate. Families learn an array of traditional teachings to support caring for an infant. The second session is the Medicine Wheel which focuses on ages from toddler to adolescent. Each lesson offered utilizes concepts from the medicine wheel; traditional knowledge and cultural teachings will correspond with the four seasons (Equinox/Solstice) and four core components of a human, including the spirit, heart, body and mind. After each session, participants may receive a certificate upon completion.



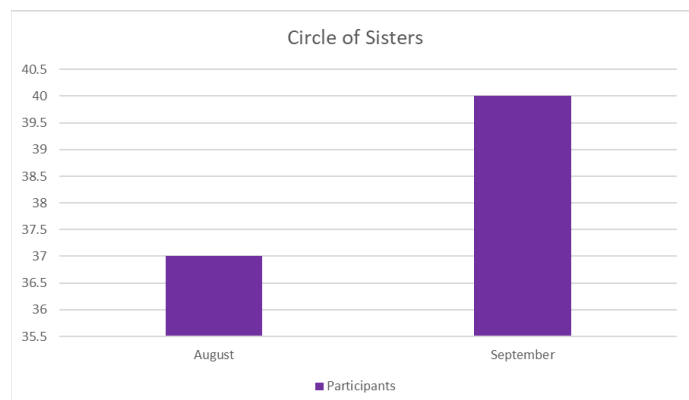
Beading as Medicine provides beadwork instruction and education on techniques and application to families of FNFAO. In December 2020, FNFAO secured 20 beautiful beginner's beading kits that a B.C. beadwork artist kindly donated. The Only Child Handicrafts artist gathered donations from other bead works artists across the country to support incarcerated women/2S/trans kin with the gift of beading supplies. FNFAO donated 20 of these beading kits to youth, parents and Elders to join in learning this traditional artistry. The workshop started in March 2021 and was hosted over three months.



Food as Medicine Workshop was offered to First Nations families to help address food security. Beginning in February 2021, the FNFAO provides and offers curb-side delivery of ingredients to families to participate in an online cooking class. These weekly Food as Medicine classes are an opportunity for families to connect during public restrictions, and to build knowledge and skills about different foods. It also helps to strengthen the family bond. To accommodate various schedules, the FNFAO Communications Coordinator published recordings of the Food as Medicine classes each week to allow families to participate at their convenience during the week. The classes are still available on the FNFAO YouTube channel.

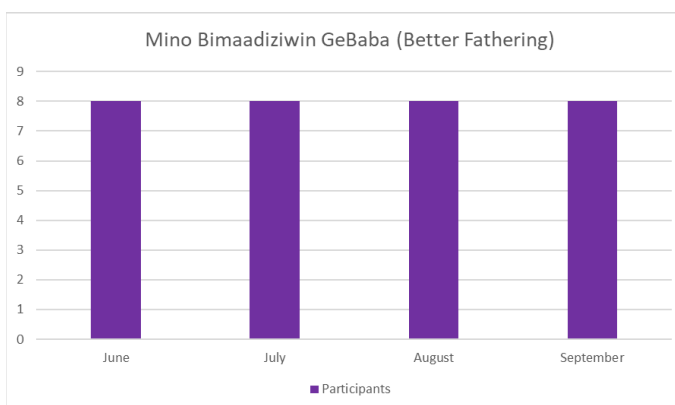


Circle of Sisters is a First Nations female lead workshop; supporting female, non-binary, and two-spirited youth from the ages of 12-24 who/were involved with the Child and Family Services System in Manitoba. The Circle of Sisters workshop represents a holistic approach to healing past trauma. Each session is facilitated through sharing circles and includes smudging, prayers, and opportunities to connect and listen to guest speakers such as Elders, Knowledge Keepers, and role models in the community. Youth also have opportunities to participate in life skills workshops, female youth-focused topics, peer support, leadership building and empowerment, by focusing on First Nations girls and women's roles in the community,



traditional teachings, creating healthy boundaries and self-care mechanisms. The medicine wheel supports the curriculum, taking care of the mind, body, emotions, and spirit.

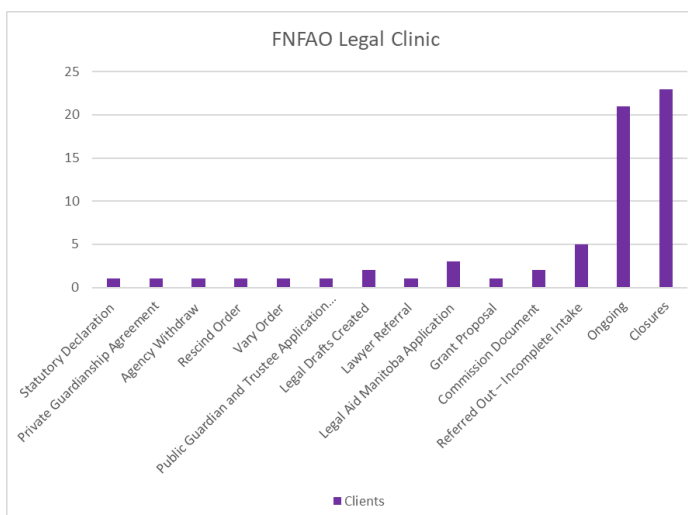
Mino Bimaadiziwin GeBaba (Better Fathering) provides healing supports and a space for men to build upon their current parenting skills, build social connections, provide access to ceremony and traditional teachings, and assist with navigating community resources.



FNFAO Free Tax Clinic was offered to support families in completing their taxes. Since the beginning of January 2021, FNFAO has supported 102 families with submitting their taxes. This ensures families receive their benefits for the following tax season to help cover the cost of raising their families. The Tax Clinic was also offered at N'Dinawemak to support First Nations relatives experiencing homelessness.

FNFAO LEGAL SERVICE

In the summer of 2021, the FNFAO Legal Services was successfully launched. In partnership with the Public Interest Law Centre (PILC) and the Special Grant Initiative with the Manitoba Law Foundation, it provides quality legal services for families involved with the CFS system. It also supports legal research



that focuses on broader child welfare law reform. This includes best practice examples of supporting and implementing First Nations laws relating to families and children.

Families denied EIA

As the federal government began to roll out CERB, a number of families on EIA accessed CERB as an additional source of income to help meet their basic needs during the pandemic. However, for those EIA recipients that were ineligible to receive the CERB, it has been treated as earned income. As a result, the province of Manitoba is clawing back these funds through their monthly EIA benefits, denying applicants who received CERB, and denying families for future benefits.

Through the FNFAO, staff have witnessed a number of families being denied EIA due to receiving CERB. When families apply for EIA, they must provide their monthly bank statements to determine if they are approved or not. In one instance, FNFAO supported a family evicted from their home after being denied EIA benefits after collecting CERB while also receiving EIA.

Further, when families complete their annual taxes, the Canada Revenue Agency has advised that they will be expected to commit to a plan to repay the funds by December 2021. We estimate that this will have an even more significant negative impact on low-income families. FNFAO continues to work with families to develop a repayment plan with the Canada Revenue Agency to ensure there is no disruption to their benefits. It is also important to recognize that First Nations families who were cut off from their EIA benefits due to claiming CERB must also repay the EIA Program due to overpayment.

THE MANITOBA PUBLIC GUARDIAN AND TRUSTEE (PGT)

The Public Guardian and Trustee of Manitoba (PGT) is a provincial government Special Operating Agency that manages and protects the affairs of Manitobans who are unable to do so themselves and have no one else willing or able to act. This includes mentally incompetent and vulnerable adults, deceased estates, and children. The Public Guardian and Trustee provides the following services:

- Administers estates and makes personal decisions on behalf of mentally incompetent adults or vulnerable adults who are not mentally capable of making decisions

independently.

- Administers the estates of people who have granted a Power of Attorney to The Public Guardian and Trustee.
- Administers the estates of people who have died in Manitoba with no one else capable or willing to act as administrator or executor.
- Administers trust money on behalf of people under 18 years of age, or with a legal disability.

The PGT can obtain the decision-making power of someone's personal care and/or property (finances) through either a Committeeship, which involves a court procedure; or a Substitute Decision Maker (SDM) appointment, which is obtained through the Vulnerable Persons' Commissioner, either in a hearing or written decision. The PGT can be appointed via a Committeeship or SDM in the areas of property only, personal care only, or both property and personal care.

The PGT impacts many First Nation individuals and their families. In several instances, the FNFAO has received advocacy requests from families regarding youth ageing out of care who are under a PGT appointment as their SDM for personal care and/or property.

The PGT is not the only person who can be appointed as an SDM or a Committee for a person's property and personal care. Family members or support networks can be SDMs or Committees, which is usually preferable. However, there are barriers for those family members or support networks who live on reserve if they wish to be appointed as a person's SDM or Committee for property. It is currently impossible to obtain a bond against land held on reserve, which undermines a person's eligibility for the appointment when a large bond or other security is required. In addition, there continues to be a lack of resources to oppose appointments of the PGT as a person's SDM or Committee. Legal Aid Manitoba does not provide any coverage for hearings before the Vulnerable Persons Commissioner's Hearing Panels or coverage to object to the appointment of the PGT as an SDM or Committee.

On October 15, 2021, the FNFAO submitted a FIPPA request to determine the number of First Nations persons under the care of the PGT. A response was received on November 16, 2021, indicating there are 935 status First Nations persons under the care of the PGT. A further FIPPA request will be made regarding the percentage in relation to non-First

Nations individuals.

N'DINAWEMAK – OUR RELATIVES PLACE

On December 1, 2021, the Assembly of Manitoba Chiefs, FNFAO and Eagle Urban Transition Centre (EUTC) in partnership with End Homelessness Winnipeg, the Aboriginal Health and Wellness Centre (AHWC), Anishinative, the Downtown Community Safety Partnership (DCSP) and Community 204 officially opened N'dinawemak – Our Relatives' Place. This holistic facility serves a predominately First Nations population experiencing homelessness in downtown Winnipeg for the winter season. The name 'N'dinawemak' translates to 'Our Relatives Place' in Anishinaabemowin.

As a key partner, the FNFAO has taken the lead on transitioning the function of N'Dinawemak to better serve First Nations relatives experiencing homelessness through increased staffing and policy and procedural development to support ongoing operations at 190 Disraeli Freeway. Currently, the FNFAO facilitates a number of workshops to support First Nations individuals experiencing homelessness and is looking forward to further strategic planning to envision a future where every First Nations citizen has a safe and healthy place to live.

EMERGENCY HOUSING INITIATIVE

Since August 2020, the FNFAO has been working diligently to secure an appropriate property to serve as emergency housing for First Nations families under threat of apprehension due to domestic violence or the possibility of a newborn apprehension from the hospital. With the goal of keeping families together, the FNFAO is working closely with the federal government to launch this critical initiative.

CHILDREN'S SPECIAL ALLOWANCE

On November 6, 2020, the AMC filed a Notice of Application to the Manitoba Court of Queen's Bench (now King's Bench) a day after the province passed BITSA. Section 231 of BITSA, among other things, seeks to retroactively legalize the theft of First Nations Children's Special Allowance (the CSA, which amounts to over \$300 million), which is inconsistent with the purpose of the federal Children's Special Allowance Act; infringes upon rights protected under the Constitution Act, 1867; infringes on the Charter of Rights and Freedoms; and ultimately violates the honour of the Crown while breaching its fiduciary duty owed to vulnerable First Nations children in care. Afterward, existing cases by

Elsie Flette, and First Nations and Metis CFS Agencies also sought to challenge BITSA. As a result, the Court put the three cases together to coordinate them and, at the same time, hear all the parties' arguments on the constitutional validity of the BITSA through Flette v MB.

In discussions on this case, the AMC Secretariat's position has always been: 1) any remedies should flow directly to the affected children, not the agencies; 2) the purpose of the remedies should be to compensate the children, not just for the loss of benefits but for the terrible loss of opportunities the CSA was intended to offer.

On May 18, 2022, the Manitoba Court of Queen's Bench found that the Government of Manitoba discriminated against First Nations children in care, and that its attempt to absolve itself of liability for holding back over \$334 million from children and youth in care was unlawful and constitutionally invalid. The Court also accepted the argument that BITSA frustrated the purpose of s. 3(2) of the Children's Special Allowance Act. The Court declared that s. 231 of BITSA is of no force or effect and therefore invalid.

The Province of Manitoba did not appeal Justice Edmond's decision. It has also not confirmed if the \$300 million will be returned to the children, but that it would be further discussed.

CLASS ACTION LAWSUIT ON BEHALF OF FIRST NATIONS CHILDREN, FAMILIES AND NATIONS IMPACTED BY THE MANITOBA CHILD WELFARE SYSTEM

On October 6, 2022, on behalf of First Nations children, their families and First Nations, the FNFAO filed a class action lawsuit in the Court of King's Bench against the Government of Manitoba and the Attorney General of Canada (Misipa Wistik Cree Nation et al v. Gov. of Manitoba et al). This legal action is the first specific to "off-reserve" First Nations children, going back from 1992 to the present day, who were apprehended by Child and Family Services (CFS) and placed into foster care. It directly builds on the legal precedent and learnings of FNFAO in the successful Children's Special Allowance constitutional challenge.

The legal action outlines how the failure of the child welfare system in Manitoba has principally affected three groups: the children themselves, their families, and their First Nations. All three groups must be represented in order to advance restorative justice

and ensure that the tragic errors of the past are not repeated.

The class action is unique because it is focused on First Nations children and families rather than a “pan-Indigenous” approach. It also seeks to address the communal harm done to First Nations by the separation of children from their nations, family and culture and the denial of the rights of children and their families to equal benefit of the law, liberty, security and the freedom to practice their spiritual traditions. It seeks the following:

1. an immediate stop to the discriminatory practices that result in the apprehension of so many First Nations children;
2. properly funded services for First Nations children now;
3. 1 billion dollars in compensation to First Nations children, families and First Nations for the damage caused by the child welfare system since 1992; and
4. recognition that the wellbeing of First Nation children must be entrenched in First Nations laws relating to the wellbeing of First Nations children and families.

SUPPORTING THE MOU

This year, significant progress has been made on developing and completing the Five Nation Template Laws on children and families. The Anishinaabeg, Dakota Oyate, Denesuline and Nehethwuk/Inninwak template laws have all been completed and submitted to their respective Nations.

ORANGE SHIRT DAY

This year, the FNFAO partnered with True North Sports and Entertainment to create orange t-shirts for FNFAO and True North Staff to raise awareness and funds for Orange Shirt Day. At one of many events happening around the city that day, The First Nations Family Advocate spoke to True North employees about FNFAO's mission and service to the community and touched on the significance and meaning behind Orange Shirt Day and present Mark Chipman, Chairman of True North Sports and Recreation with a special gift of baby moccasins, thanking him for his solidarity and support shown to the FNFAO.

The First Nations Family Advocate addressed the gross over representation of First Nations children and youth in the Manitoba Child Welfare system, and brought awareness to the challenges and barriers that have detrimental impacts on First Nations

children, youth and families within that system. She further indicated the direct connection between the residential school era, and the continued theft of First Nations children through the Sixties Scoop and now the Child and Family Services system. Participants learned of the efforts and actions taken by First Nations leadership to improve outcomes for First Nations.

They learned that through meaningful engagement with Elders, Knowledge Keepers and First Nations citizens, this led to the Bringing Our Children Home report that called for the need for a First Nations Family Advocate to provide supports to families outside of the Child Welfare system. Lastly, the First Nations Family Advocate shared information about the different streams of services available through the FNFAO and the improved outcomes for families who access our supports.

CHRISTMAS HAMPERS

This year, FNFAO was able to provide gift cards in lieu of hampers to provide families with more flexibility and freedom to purchase what they needed this holiday season. Due to the Critical (Red) level on the Manitoba Pandemic Response System, and work from home orders, FNFAO staff-maintained safety precautions and was still able to provide families with financial support during the holidays while reducing our points of contact. FNFAO donated gift cards to 3 expectant mothers accessing services at N'Dinawemak, and donated gift cards to an additional 36 families who access services and supports at the FNFAO.

HEALTH

Staff Listing

- Candice Vince, Director of Health Transformation
- Tara Myran, Policy Analyst

In accordance with various resolutions, including the AMC resolution JUN-18.O1 Universal Health Accord, AMC's health team aims to help First Nations in Manitoba design and implement the Universal Health Accord, or "Wahbung 2.0," so that First Nations in Manitoba can not only administer health services and programs but also design and negotiate policies and legislative authorities that will meet their current and future health requirements.

During the COVID-19 pandemic, all health resources were focused on responding to the crisis. The health team at AMC began rebuilding in June 2022. As part of its ongoing mandate, the AMC health team supports First Nations in planning and implementing their own health initiatives. As part of the health team's efforts to identify and respond to health issues affecting First Nations and citizens, they collaborate with First Nations, legislative bodies, and external stakeholders.

ACTIVITIES

- Advocating for health services and resources to our First Nations relatives that are unsheltered and requiring transitional housing at N'Dinewemak.
- Providing Naloxone training to front-line workers providing care to First Nations citizens, in partnership with the Red Cross.
- Meeting with First Nations leadership and advocating for treatment centers in the north.
- Meeting with First Nations leaders and advocating for a fundamental and meaningful change in Indigenous Service Canada's medical transport services provided through non-insured health benefits (NIHB).
- Participated in a Health Care Summit for rural and northern Doctor recruitment.
- Joining the Manitoba First Nations Wellness Advisory Committee (MFNWAC) and assisting in preparation for a conference.

As the health team continues to expand and develop at the AMC, our path will be shaped by supporting First Nations in Manitoba in achieving their optimal health (in clinical and all factors that define social determinants of health), exercising their sovereignty and self-determination, and fully realizing the Treaty right to health in both in design and in implementation.

EAGLE URBAN TRANSITION CENTRE

The EUTC is a hub of information and a central location for clients seeking transitional support while living in and/or relocating to Winnipeg. During this reporting period, the EUTC continues to operate in downtown Winnipeg at 200 – 275 Portage Avenue. This location provides more than 4,000 sq. ft. of office space, is both central and convenient, and is wheelchair accessible.

The best way to describe the EUTC is that it acts as a compass to find the most appropriate urban supports available to address single or multiple transitional issues. Our First Nation staff work with clients to help identify their needs and help them navigate existing resources that will respond to their situations. Building trust is a critical first step with our clients, our organization and staff are non-judgmental, and we emphasize that we are here to help and provide support. Over time, the EUTC has built and maintained an up-to-date inventory of resources, programs and services available to assist First Nation (First Nation) clients with day-to-day issues, including; housing, social assistance, addictions, resources for youth and services/programs in the areas of training/employment and education. Resources may be used with the assistance, support and advocacy of counsellors, or clients may exercise their option of self-help.

A critical element of the EUTC is our close connection to First Nations in Manitoba and the ability of our staff to assist clients with communicating with their respective First Nations. While First Nation citizens may reside in Winnipeg, they still have the right and option to access their First Nation's resources, and to exercise their Treaty rights, speak their language and engage in traditional practices.

EUTC Staff:

- Program Manager – Chris Prince
- Office Manager – Darlene Littlejohn
- Client Intake and Resource Coordinator – MaryAnn Moar
- Employment Counsellor, Reaching Homelessness, New Beginnings – Colin Clemons
- Mental Health/Addictions Counselor, Reaching Homelessness, New Beginnings –

Rochelle Ledoux Molgat

- Adult Housing Counselor, Reaching Homelessness, New Beginnings – Marsha Moneyas
- Youth Housing Counselor, Reaching Homelessness, New Beginnings – Victoria Grisdale
- Lead Service Coordinator, Reaching Homelessness, Fresh Start – Leah Spence
- Follow Up Support Worker, Reaching Homelessness, Fresh Start – Michelle Ironstand
- Follow Up Support Worker, Reaching Homelessness, Fresh Start – Corinne Edwards
- Follow Up Support Worker, Reaching Homelessness, Fresh Start – Trevor Stevens
- Patient Advocate Unit, WRHA – Conflict Resolution Navigator– Kevin Fontaine
- Patient Advocate Unit, WRHA – Patient Navigator – Valerie Olson
- Patient Advocate Unit, WRHA – Patient Navigator – Ann Thomas
- Patient Advocate Unit, WRHA – Program Assistant – Dawn Slater
- Eagles Nest Project Coordinator - City of Winnipeg – Shannon Shaw
- Eagles Nest Project Coordinator - City of Winnipeg – Angelina McLeod
- Jordan's Principle Program Manager – Megan Johnson
- Jordan's Principle Advocate – Jamie Evans
- Jordan's Principle Advocate – Sharon Wilson
- Jordan's Principle Advocate – Rachel Apetagon
- Jordan's Principle Advocate – Matthew Usenko
- Jordan's Principle Advocate – Rena Flett
- Jordan's Principle Advocate – Markie Lambert
- Jordan's Principle Respite Coordinator – Selena Kern
- Jordan's Principle Admin Assistant – Tammy Martin
- EUTC Finance Assistant – Eldina Kiyewakan
- EUTC Policy Analyst – Jayme Menzies
- SCIS Intake Clerk - Rochelle Trenchard
- SCIS Intake Clerk – Leanna Catcheway

The EUTC does the following:

- Provide clients with remote services and access to birth certificates, status cards, mental health resources, current employment/training information, client mail pick, etc.
- Provide advocacy and support for clients returning to school and seeking assistance from their First Nation.
- Serve as an assessment and referral office that connects First Nation clients to service providers/resources to address challenges towards healthy living.
- Provide a safe, positive, inviting and culturally appropriate environment that respects both First Nation and non-First Nation, western-based healing ways.
- Provide strategies for families and individuals transitioning from their First Nations to acquire the necessary support to achieve a smooth transition toward an adequate standard of living within an urban environment.
- Provide clients with an opportunity to interact and receive assistance from First Nation staff;
- Promote current training, employment, education and special events targeting Winnipeg's First Nation population.
- Supports new working relationships with Winnipeg-based service providers.
- Promote the services, success and effectiveness of the EUTC to MB's First Nations.

EAGLES NEST RESOURCE & RECREATION PROGRAM

In addition to the above services, the EUTC has continued to deliver the Eagle's Nest Project at 601 Aikens Street for First Nation Youth as a resource for First Nation Youth who are out-of-school and unemployed.

The EUTC provides administrative and management support, on-site counselling, and workshop delivery to the Eagle's Nest Program.

The project offers a safe environment, supportive staff, daily nutrition, cultural education and an abundance of developmental opportunities.

The objective of the Eagle's Nest project is to assist First Nation Youth toward personal and professional goals that will ultimately see them return to school or obtain employment.

Eagle's Nest activities include training, workshops and activities such as:

- Food handler certification level 1- Suicide prevention training – ASIST
- Crisis and Trauma- Individual counseling
- Goal setting- Resume writing
- Portfolio development- Addictions awareness
- Sports and recreation- Computer training
- Cooking classes- Nutrition
- Healthy lifestyles- Literacy and group reading
- CPR/First Aide- Non-Violent Crisis Intervention Training (NVCI)
- Cultural awareness and teachings; sweat lodge, sharing circles, medicine wheel, etc.

The Eagles Nest Program strives to assist First Nation youth living in Winnipeg with personal and professional skill development, self-pride, knowledge of community resources and the confidence to move further in their lives.

- Sweat Lodge & Solstice Ceremonies - Elders/Cultural Advisor
- Resume Writing & Interview Skills - Transition Counselors
- ASIST – Suicide Prevention - Invited Presenter
- Employment Application process City of Wpg - Invited Presenter
- Portfolio Development - Program Coordinator
- Health Nutrition and Fitness - Invited presenter
- Health Careers - Invited presenter
- First Nations History - Invited presenter
- Life Skills coaching - EUTC Staff
- Non Violent Crisis Intervention - Invited Presenter
- CPR, First Aide - Invited Presenter
- Fentanyl Crisis/First Aid Training - Invited Presenter
- Rental Information Sessions - Invited Presenter
- Introduction to Basics Computers Training - Program Coordinator
- Career Cruising - Program Coordinator
- WHMIS Training - Invited Presenter
- Neah Kee Papa Training - Invited Presenter
- Sexual Exploitation Information Session/Personal Safety - Winnipeg Police
- Winnipeg Housing Rehab Presentation - Winnipeg Housing
- Diabetes and Kidney Screening - Invited Presenter

- Employment and Career Fairs - Invited Presenter
- Money Management & Budgeting Workshop - Invited Presenter
- RBC Banking Information Session - RBC
- CHAT Program Presentation - Downtown Biz
- First Nation Child & Family Advocacy Orientation - Invited Presenter

AMC / WRHA PATIENT ADVOCATE UNIT

STAFF

- Kevin Fontaine: Resolution Navigator - Fort Alexander Indian Reserve #3
- Valerie Olson: Patient Navigator - Peguis First Nation
- Ann Thomas: Patient Navigator - Peguis First Nation
- Dawn Slater: Program Assistant – Peguis First Nation

INTRODUCTION

The 2021-2022 fiscal year is the third year of COVID-19, and its effects have left long impressions on many fronts, especially with the Patient Advocate Unit and the First Nation clientele it serves. Over the past year, we have seen a transition into a new era in which the pandemic affected everyone and how changes will be imminent once operations return to normal, or a new normal, as the case may be.

As a result of the ongoing provincial health orders, COVID-19 continued to significantly impact the operation and functioning of the Patient Advocate Unit. We had to amend our agreement with the Winnipeg Regional Health Authority's Indigenous Health Programs to provide the required services. While working remotely has its pros and cons, our main objective was to provide First Nations with continued assistance in dealing with the Manitoba Health Care System regardless of what transpired with the COVID-19 restrictions and government policies over the last two and a half years.

In the past two fiscal years, we have dealt with strict government regulations and closed our doors to the public. We also have 90% of our staff working remotely. All AMC/EUTC/PAU staff can now work in the office.

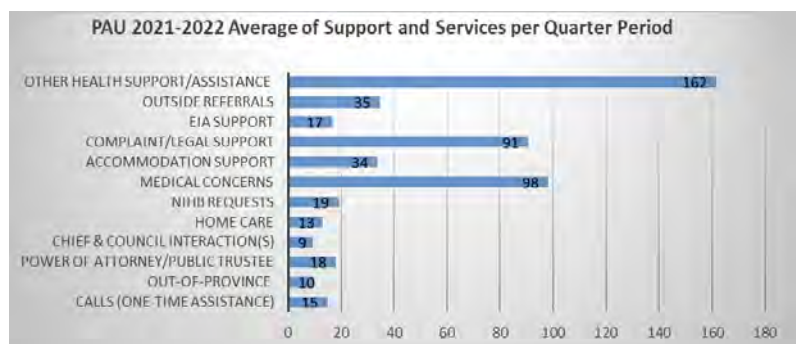
Regardless of the COVID-19 restrictions, the Patient Advocate Unit continued to foster positive relationships with various provincial and federal government agencies and departments to best

address issues and policies that directly affect First Nations' quality of care. Among the most common client issues are Medical Relocation, Housing Issues (on/off reserve), Non-Insured Health Benefits (NIHB), Jurisdiction, Critical Incidents, Consultation (family, medical, and legal), Transportation, Medical Matters, and Access to Medical Records.

It is imperative that the partnership between AMC and WRHA's Indigenous Health Programs, along with other key stakeholders, is maintained and strengthened to ensure continuity and effective health services to all First Nations. It is essential to provide patients with a platform to express their concerns and receive recommendations and support from the Patient Advocate Unit. AMC's Patient Advocate Unit and WRHA continue collaborating to provide First Nation patients with the most efficient and patient-centered health care delivery possible. All parties contribute to the communication process and provide advocacy and navigation services to First Nation patients. This includes a continued enhancement of AMC PAU relationships with the various WRHA Departments to ensure quality service and the medical needs of First Nations are met.

The PAU continues to receive referrals from the following:

- WRHA Indigenous Health Program's Central Intake
- AMC Directs- which include walk-ins, call-ins, emails
- Grand Chief's Office (GCO = AMC, SCO & MKO) Chief's & Councils.
- First Nations Health Directors;
- Internal EUTC Programs; Jordan's Principal Program, EUTC Housing, Mental Health, etc.
- Outside agencies include Manitoba Public Insurance, Manitoba Housing, Employment & Income Assistance, and others.
- Out of Province



KEY ISSUES AND CHALLENGES

The Patient Advocate Unit continued to struggle with most of their cases during the fiscal year, having to communicate with key stakeholders on a person-to-person basis. The PAU Navigators continue to handle Medical Relocation cases that required strict processes and policies. The PAU completed these matters, regardless of the COVID-19 restrictions for no-in-person meetings.

Over the past year, the PAU has faced many challenges and barriers to providing equitable health care for First Nation patients. Medical relocation case files were again the most prevalent and pressing issues that PAU received through the WRHA referral system. Part of the process incorporates initiating an application via Housing Authorities, short-term accommodations having to be approved and extended, and appropriate identification required. Most First Nations clients lack basic identification, let alone photo identification, which has delayed the housing application process. Other common barriers are assisting with applying for EIA in Winnipeg, and transportation to and from medical appointments that include the cost of travel and knowledge of the Winnipeg transit system, which at times is more challenging when assisting patients with limited mobility to access public transportation.

Another key issue our clients continue to face is the Office of the Public Guardian and Trustee of Manitoba. Forms 21 & 22 of the *Mental Health Act* (Certificate of Incapacity, Order of Commitment, etc.) are imposed and implemented on our elderly in various hospitals throughout the province and the Winnipeg Regional Health Authority region. When placed under the Public Guardian and Trustee, they become Wards of the Province. Our Elders lose all financial and decision-making capabilities under the Public Guardian and Trustee. It would only be possible to overturn the Order with the help of legal representation. This process becomes very costly, and our Elders cannot afford to retain a lawyer to overrule these decisions.

Key issues and challenges faced by First Nation patients within WRHA facilities include:

- individual complaints;
- Legal issues/Complaints;
- Reliable Escorts;
- Racism & discrimination;
- Mental Health Supports;
- issues within the system;

- policies of FNIH/NIHB; and
- Other entities directly related to health care.

LINKAGES TO FIRST NATIONS

Throughout the year, the Patient Advocate Unit maintained regular communication with First Nation Chiefs & Councils, Health Directors, and their respective First Nation Government staff. PAU staff members are committed to bringing awareness and promoting the cause within the medical field. We also engage and network with various government agencies we collaborate with regularly. Ensuring First Nations' medical needs are met in a positive manner. Most all of our communications this fiscal year have been virtually done through Teams/Zoom, Video Conferencing, and other communications devices such as Text Messaging, Facebook/Messenger, etc.

Communication is ongoing between the Patient Advocate Unit and all key stakeholders in the Winnipeg Region. There is a difference in rural and urban communication links due to the availability of various communication tools at urban agencies, such as high-speed internet and its accompanying applications.

Developing links with First Nations remains limited to those aware of the PAU program, including Chiefs and Councils, Health Directors, and Transportation Coordinators.

In addition to receiving referrals from Indigenous Health's Central Intake, many referrals are obtained directly from AMC member First Nations. The AMC/PAU strives to support our people by advocating, developing partnerships and bridging services through effective service coordination to ensure quality services for all First Nation people. This is an ongoing process and continues to be our focus each year.

STATUS OF ACTIVITIES

As a result of its expertise in mental health and community wellness, the Patient Advocate Unit was appointed to the Pandemic Response and Coordinator Team - Sub-Committee Mental Health/Community Wellness. Subcommittee meetings were held weekly, then biweekly.

Regular bi-weekly collaborative action meetings continued between AMC and the WRHA, involving stakeholders such as FNIHB's Transportation Referral Unit and Social Worker Network. Other stakeholders, such as Employment & Income

Assistance Program and/or Housing Authorities, were also included as special interest groups that attended these meetings on an "as-required" basis.

In addition to bi-weekly staff file reviews with Indigenous Health Programs at Health Sciences Center, the PAU attends monthly Advocacy Support Committee meetings to discuss current program issues. This allows stakeholders to address critical areas of the collective agreement and maintain a healthy relationship that better serves the First Nations in the health care system.

As part of the Patient Advocate Unit's and WRHA's IHP's efforts, a working group comprised of the AMC, FNIHB, Province (EIA & Housing), and WRHA Departments has been formed to address issues regarding Medical Relocation and Transportation Referral Units. It meets bi-monthly. There have been many discussions within the working group regarding First Nation issues that affect the quality of care for individuals and various enhancement concepts. Working group meetings will continue, and the group will evaluate and recommend its progress.

The Patient Advocate Unit is responsible for preparing scheduled reports of activities along with statistical data collection from referrals and other program business and activities throughout the year. The Patient Advocate Unit continues to advocate for a brand-new state-of-the-art database system that can capture all relevant program information and statistics. This way, the program could utilize this database for different applications and requests throughout the year. Currently, the Patient Advocate Unit maintains a statistical spreadsheet for all client interactions.

ACCOMPLISHMENTS

During the fiscal year, there were many individual accomplishments between staff and clientele issues/matters, but these accomplishments were limited on a program level due to the COVID-19



Client files are carried over to the next month if they are still opened. Files are opened and/or closed every month

restrictions. The Patient Advocate Unit, however, did reach our program goals as outlined in our program mandate with the WRHA's Indigenous Health Programs.

Medical Relocations: Conducting a successful Medical Relocation(s) continue to be a yearly accomplishment for PAU staff, regardless of covid restrictions and how it is critical for a patient to have in-person meeting(s), apartment viewing(s), signing legal agreements (Apartment Leases).

Cancer Care Manitoba: The PAU collaborates with Cancer Care for services and supports to meet clients' needs and Cancer Care plans. This is a successful milestone and a very positive outcome for First Nation patients.

Although the PAU may complete successful case files with minimal recognition due to the nature of our program structure, our department embraces the challenges and always strives to work alongside and for the patient; it gives us personal satisfaction that we are able to assist those in need.

Contact:

AMC Patient Advocate Unit

2nd Floor, 275 Portage Avenue

Winnipeg, MB R3B 2B3

Telephone: 204-987-4120

Facsimile: 204-944-0582

www.manitobachiefs.com

NEW BEGINNINGS & FRESH START PROGRAMS

New Beginnings Program

- Leah Spence, Team Lead Coordinator
- Colin Clemons, Manufacturing Transition Counselor
- Michelle Ironstand, Youth Housing Transition Counselor (18-29)
- Rochelle LeDoux Molgat, Mental Health & Addiction Counselor
- Marsha Monias, Adult Housing Transition Counselor (20-65)

Introduction

The New Beginnings Program helps First Nations and their families facing homelessness and need support in maintaining housing in an urban

environment. Staff are friendly, approachable, and welcoming to urban-residing First Nation citizens, making them feel welcome and encouraging them to use our services repeatedly.

Activities

Through a collaborative approach, the EUTC prioritizes meeting the housing, employment, mental health and addictions needs of urban First Nation residents. Community resources are provided to individuals and families based on their needs, including furniture, medical services, and free resources. Our team provides one-on-one support and advocacy during employment income assistance, and medical appointments until other community resources can take over.

The program provides damage deposit assistance to homeless participants or participants at risk of becoming homeless. The damage deposits provided the necessary assistance in securing housing. EUTC covers the costs of birth certificate identification and referrals to the Assiniboine credit union for a bank account. We advocate for the waiver of fees for MPI photo identification cards.

In-person activities were possible once the province of Manitoba lifted its COVID-19 pandemic restrictions.

Key Issues and Challenges

Several challenges are encountered, including the need for housing solutions compared with the time needed to process subsidized housing applications, the time required to process damage deposits, and the lack of larger family units. Our participants are often denied rental applications based on their family size. For example, a family of eight is less likely to be accepted for a four-bedroom home compared to a four- to five-member household. Budgets provided by Employment and Income Assistance do not cover larger homes.

The availability of detox and treatment is also lacking, with a wait time of at least one month.

There is also a need for expenses covering drivers' license testing, preparation, and education, as well as child abuse and criminal record checks. Funding for these resources would help maximize our participants' potential.

Accomplishments

In July, we hosted a retreat at Sandy-Saulteaux for our participants. Our participants could take

advantage of an opportunity they would never have had otherwise. The programming included traditional teachings, a sweat and art projects based on the seven teachings and Tipi Teachings. Blaine Harris did an excellent job facilitating the workshop. We provided a relaxed and restful environment for our participants, who often experience high anxiety levels.

Recent changes have eliminated the centralized housing first hub (Doorways) for Housing First Programs. Staff members received SPDAT and VI SPDAT training. These are assessment tools that evaluate fifteen different areas of capacity and risk (e.g., ability to maintain housing, medical needs and complications, circles of support, mental health, and addiction). In order to develop case plans, SPDAT and VI SPDAT results are used to identify appropriate programming.

Through the daily search for employment opportunities for our clients, we have created a network of employers seeking employees. As a result of those networking relationships, some clients have been hired into full-time positions on an ongoing basis, building a foundation that will benefit our program for many years to come. In addition, partnerships have been formed with other organizations to assist individuals in preparing for employment. Through a joint training partnership with Manitoba Building Trades Institute, clients have completed training programs and been hired by the firms mentioned above.

The New Beginnings Program supported 207 community members, of which sixty-seven were housed and twenty-five obtained employment.

FRESH START PROGRAM

- Leah Spence, Team Lead
- Corinne Edwards, Follow-up Support worker
- Trevor Stevens, Follow-up Support Worker
- Introduction

Designed under the Housing First philosophy, the Fresh Start Program does not require individuals to demonstrate that they are 'ready' for housing. There is no requirement that a resident be sober or abstinent in order to qualify for housing. Participation in the program is also voluntary. In contrast to what has been traditionally believed, this approach differs from the orthodoxy of 'treatment first' approaches that place homeless people in emergency services and require them to address specific issues (addictions, mental health) before they are deemed 'ready' for

housing (having received medical care or treatment).

Activities

Individuals use coordinated access points to share information among service providers. Based on the results of the intake process, housing first programs match participants with the best-suited housing first program based on their needs.

Fresh Start can support a maximum of thirty individuals for up to two years.

Key Issues and Challenges

Our participants face many challenges when it comes to trying to find and access affordable, well-maintained, and safe housing options. In addition to a housing shortage, the available housing options are often in poor condition, infestations, or unsafe neighbours. Often, clients are forced to accept less desirable options due to their rental history (or lack thereof). Fresh Start advocates on behalf of participants to mitigate this disadvantage.

In addition, maintaining successful relationships with tenants and landlords can be challenging. It is common for clients to be at risk of eviction for a variety of reasons, including unsafe or unreasonable amounts of guests, difficulties maintaining housekeeping and cleanliness, a lack of knowledge of their tenancy rights and responsibilities, and even a simple smoke alarm removal or a missed meter reading can result in eviction. Furthermore, Fresh Start participants are often hesitant to establish trusting relationships with staff and often do not have phones.

Accomplishments

The thirty participants include ten currently in the process of being housed (new participants), twenty are currently housed with supports, one has completed their high school diploma at Aboriginal Health and Wellness, one has gone through detox, and three have graduated and no longer need support.

JORDAN'S PRINCIPLE, SERVICE DELIVERY

Staff Listing:

- Megan Johnson, Jordan's Principle Program Manager
- Selena Kern, Program Assistant
- Tammy Martin, Jordan's Principle Administrative Assistant

- Rachel Apetagon, Jordan's Principle Advocate
- Markie Lambert, Jordan's Principle Advocate
- Matthew Usenko, Jordan's Principle Advocate
- Sharon Wilson, Jordan's Principle Advocate
- Rena Flett, Jordan's Principle Advocate
- Jamie Evans, Jordan's Principle Advocate

INTRODUCTION

The Jordan's Principle Off-Reserve Office at Eagle Urban Transitional Centre (EUTC) provides services to First Nation children, youth, and families living in Winnipeg. By creating a circle of support for our First Nations citizens, the EUTC Jordan's Principle team assists them in advocating for the best interests of their children. Our support method aligns with Jordan's Principle by promoting family unity, community strength, and focusing on the child's needs.

Jordan's Principle is based on substantive equality, which recognizes that fairness cannot be achieved by simply treating everyone equally, but rather by considering and addressing an individual's particular circumstances. In practice, the principle ensures that First Nations children have access to government-funded services and resources in an equitable and timely manner. The Jordan's Principle programs are not intended to duplicate federal or provincial programs, but to supplement them by maximizing local capacities. In essence, it aims to safeguard children in situations where disputes and delays at the provincial and federal levels might otherwise prevent access.

ACTIVITIES & ACCOMPLISHMENTS

While the COVID-19 pandemic provincial health orders were in effect, we supported many children with remote learning devices. Once the province of Manitoba lifted its health orders, we could shift our focus to supporting schools in various capacities, including providing funds for lunch programs, bus passes and tickets, cultural activities, language programs, afterschool programs, and appropriate clothing and footwear. Families can also receive help with the cost of school lunches, daycare fees, and school supplies. Sports and recreational activities, medical appointments, and transportation to and from school remain part of our services.

Jordan's Principle EUTC provides support to families experiencing hardship. The recent increase in the cost of living has prompted us to support even more families with food security, basic needs, and access to local resources and supports. Our program

partnered with Cantor's grocery store to provide grocery delivery to families when they were in isolation.

The Jordan's Principle advocates support families by attending meetings within multiple systems, such as education, child welfare, justice, and health. We have received many requests from Child and Family Service agencies to support children in care, children who have recently been reunified, and children who have open preventative files. As part of EUTC's preventative support, Jordan Principle ensures the family has access to the necessary services to avoid further child welfare involvement. As an example, youth who age out of care, are at risk of gang involvement, or are exploited are quickly referred to Action Therapists who work with them one-on-one.

As part of Jordan's Principle EUTC, respite providers assist families by caring for their children while they attend programs, run errands or attend medical appointments, school or the hospital. A family member or friend can be recommended by the families, or we can connect them with an approved respite provider. Upon receiving the recommendation, the individual must provide a criminal background check, a child abuse registry check, and a driver abstract before becoming a respite worker. Upon receiving the documentation, respite hours are approved for families based on their children's needs.

Jordan's Principle EUTC supports families experiencing homelessness, infestations, evictions, utility issues, family issues, and those relocating to Winnipeg for educational, medical, or personal reasons. Ultimately, stable housing is the goal, but in the absence of affordable housing, hotel accommodations are often extended for longer periods. Our support extends to providing furniture and connecting families with necessary resources when housing is available.

Jordan's Principle Advocates coordinated a number of vendors to ensure remote activities for the children continued throughout the pandemic. As an example, Jackie Traverse facilitated paint nights using remote technology throughout the year. With the lifting of provincial restrictions, tickets for Manitoba Moose games were provided to our families by True North. Families were also provided with tickets to the Assiniboine Park Zoo. We provided our families with Christmas hampers. In addition, Christmas hampers were distributed to families in collaboration with Action Therapy Youth Services and Willow Tree.

When sports and leisure activities resumed, Jordan's

Principle assisted with registration for summer camp, summer programs, music lessons, dance, football, soccer, hockey, and boxing, and we provided sporting equipment. Expenses for travel to unique sporting opportunities and skill development training programs across Canada were also covered. In addition to providing registration for pow wow classes and regalia for their dance competitions, Jordan's Principle supported First Nations vendors teaching our children various dances for pow wow. Jordan's Principle also provided children with bikes, helmets, and bike locks.

The team of advocates works to support families and, over the last year, has been able to successfully provide service dogs, sensory toys, modified bikes for children on the autism spectrum, medical alarms for children who have seizures, monitoring or tracking systems for children who are a flight risk, learning apps for devices, and home medical equipment. Assuring the families' needs are met is their top priority when their children are in the hospital for an extended period.

Sadly, children have passed away from illness or accidents throughout the year, and we continue to support their families. Children who lose their parents are supported by a team of advocates who ensure they receive various therapies. Among Jordan's Principle Advocates' other accomplishments are:

- Working for two years with a family, EUTC Jordan's Principles successfully avoided child and family services involvement by placing a child in a supported living environment with the collaboration of a third-party organization. The child and parents are pleased with the support and services provided, and we continue to work together for other children who need them.
- Supported and facilitated the placement of an at-risk youth in a specialized treatment facility in another province.
- A full-time overnight palliative care program was coordinated for a child who since passed away. It was implemented with a roster of medically trained and competent staff, and the child lived far beyond their life expectancy. As a result of the support provided to the family, we continue to provide therapeutic resources to the family.
- Supported a child whose father was incarcerated in order to avoid child welfare involvement. Several concerns were raised regarding the ability of a family member to

care for another member with complex medical needs. Our ability to provide travel accommodations for extended family members enabled them to provide wrap-around support to the young siblings, providing the child with the foundation he needed to succeed.

- Contributed to the support of a family fleeing domestic violence. Jordan's Principle supported the family's flight to another province for safety due to the lack of capacity in Winnipeg's domestic violence shelters.

ECONOMIC DEVELOPMENT

Staff: Marcel Balfour, Director of Policy and Legal Affairs

INTRODUCTION

The AMC supports increased regional economic development opportunities for First Nations in Manitoba. The Chiefs Committee on Economic Development provides oversight, guidance, and direction in this area. The members of this Committee are: Chief Larson Anderson, Norway House Cree Nation, and Chief David Monias, Pimicikamak Cree Nation.

KEY ISSUES AND CHALLENGES

The COVID-19 pandemic and lack of financial resources have been significant obstacles to the AMC pursuing regional economic development initiatives. As a result, the AMC did not have a dedicated economic development staff person or the ability to bring together the Chiefs Committee on Economic Development to pursue regional economic development opportunities and to follow up on recently mandated initiatives, such as developing a First Nations Power Authority and developing a regional approach to clean energy.

ACTIVITIES AND ACCOMPLISHMENTS

In late August 2022, the AMC received confirmation from ISC for funding to enhance the economic development capacity of First Nations in Manitoba.

Economic Development

The AMC Secretariat is in the process of filling the position of Economic Development Coordinator. In addition to facilitating meetings of the Chiefs Committee on Economic Development, this role will pursue regional economic development activities. The activities will strive to enhance the capacity of First Nations in Manitoba to carry out successful local and regional projects that are holistic and comprehensive, that respond to First Nations' needs

to rebuild self-sufficient and self-sustaining economies, and that don't violate existing agreements and agreements with First Nations.

The AMC will seek to pursue and develop projects that:

- rebuild self-sustaining First Nations economies;
- generate revenues and create wealth;
- create jobs and employment for First Nations;
- provide resource revenue sharing;
- improve the socio-economic condition of First Nations on and off-reserve;
- create new investments and provide access to funding and financing;
- take advantage of procurement opportunities;
- encourage inter-nation trade; and
- promote economic development in all sectors, including energy and natural resources.

To enhance the existing capacities of First Nations in economic development, a number of goals will be considered, such as:

- Involve First Nations and be accountable to them;
- Align regional skills development, training and education services and programs;
- Provide innovative mechanisms and ways for First Nations to design, control and access funding and financing; and
- Provide Economic Development Information and Expertise to First Nations in Manitoba.

As part of its efforts, the AMC will leverage existing AMC-mandated entities (such as the First Peoples Economic Growth Fund, the First Peoples Development Inc., and the Manitoba First Nations Education Resource Centre), as well as various First Nations organizations.

Clean Energy

In June 2022, an AMC representative attended the

Indigenous Clean Energy (ICE) Gathering. This annual event brings Indigenous leaders in clean energy, experts and practitioners, partners, utilities, academics, and governments from across Canada to strengthen relationships and foster essential strategies to advance a clean energy transition. Among other things, the event provided an opportunity to form partnerships and inform policy. It also provided information, contacts, and insights on clean energy, including the economic and social benefits of clean energy projects.

From information gathered from the ICE Gathering, the AMC Secretariat is now in the process of filling the position of First Nations Clean Energy Coordinator. In addition to receiving oversight, guidance and direction from the Chiefs Committee on Economic Development, this role will research clean energy and develop a plan that will be in line with other Regions.

Specifically, this position aims to research clean energy as an economic development opportunity for First Nations in Manitoba, identify regional clean energy priorities, and develop a plan to enable First Nations in Manitoba to generate and distribute clean, competitive, and reliable energy.

The Clean Energy Coordinator will work with and engage with AMC-member First Nations to seek to enhance the existing capacity of First Nations to develop and implement clean energy projects. This will be done in a manner that will not derogate from First Nations' rights or existing agreements and arrangements, and will support and promote the development and operation in all areas of sustainable clean energy projects, including: renewable energy, energy efficiency, energy storage and next-generation clean energy and technology solutions.

GAMING

Staff: Marcel Balfour, Director of Policy and Legal Affairs

INTRODUCTION

The AMC promotes increased opportunities and revenues for First Nations in Manitoba through policy and other initiatives. AMC Gaming Development works with gaming consultants and legal advisors who provide support for and take guidance, direction and advice from:

- the AMC Grand Chief's Office;
- the AMC Chiefs Gaming Committee; and
- the Sand Hills Casino Board of Directors; and

The AMC Gaming Committee consists of the following:

- 1 Northern - 1 VACANT (Chair), Chief David Monias
- 2 Southern - Chief Clarence Easter, Chief Jason Daniels
- 1 Aseneskak Casino - Chief Elwood Zastre
- 1 South Beach Casino - Chief Sheldon Kent
- 1 Sand Hills Casino - Chief Betsy Kennedy
- 1 VLT Holder - Chief Craig Alexander
- 1 Non-VLT Holder - VACANT

The AMC also provides administrative support to the Sand Hills Board of Directors, which consists of the following:

- 1 AMC Chiefs Gaming Committee representative –
- Host First Nation representative – Chief Jason Daniels, Swan Lake First Nation
- Aseneskak Casino representative – Chief Elwood Zastre, Wuskwi Sipiik First Nation
- South Beach Casino representative – Chief Larry Barker, Hollow Water First Nation
- 2 Board appointed – Vacant

KEY ISSUES AND CHALLENGES

The COVID-19 pandemic challenged all areas of Gaming. During the last year, Manitoba lifted the public health orders that allowed casinos and VLTs on reserve to reopen.

ACTIVITIES AND ACCOMPLISHMENTS

The AMC Chiefs Gaming Committee continued to meet to discuss the ongoing gaming litigation.

Gaming Litigation: *Assembly of Manitoba Chiefs et al v Manitoba and Manitoba Liquor and Lotteries*

This lawsuit was filed against the Manitoba Liquor and Lotteries Corporation (MLLC) and the Government of Manitoba. It alleges various breaches relating to the defendant government's actions regarding Gaming in the province. The AMC is taking this legal action because of the government's

breaches and because the provincial Pallister government refused to discuss a new gaming framework.

The original statement of claim was filed in the Court of the Queen's Bench (now Court of King's Bench) on October 17, 2017. After a change of legal counsel to Torys, the claim was refined and strengthened, and on February 27, 2018, the AMC filed an Amended Statement of Claim. The Statement of Defence was filed on June 29, 2018, and the AMC filed a Reply on September 24, 2018.

Case Management

In December 2021, the Court granted AMC's request for case management. It appointed Madam Justice Shawn Greenberg as the case management judge. On March 4, 2022, Justice Greenberg imposed a timetable for the procedural steps in the action, which the court has since revised. Continued examinations for discovery are scheduled to occur on October 24, 26, 27 and 28.

Manitoba's delivery of Rick Josephson's Answers to Undertakings

The first day of the examination for discovery of the Manitoba witness, Rick Josephson, took place in October 2020. In October 2021, Manitoba delivered the outstanding answers to undertakings flowing from Mr. Josephson's examination.

Manitoba's Preliminary Motions

Manitoba previously advised that it intended to bring preliminary motions before the court on three issues, namely:

- (1) seeking to bifurcate the action into two separate proceedings,
- (2) arguing that AMC did not have standing to sue, or
- (3) arguing that AMC had missed the limitation period to sue the Crown.

In June 2022, Manitoba confirmed they do not plan to ask the court to bifurcate the proceedings. They will not challenge AMC's standing to bring the lawsuit, but may argue at trial that AMC is not entitled to certain remedies. They do not plan to argue that the statute of limitations bars the entire lawsuit. Still, they may argue that the damages claim must be restricted to the six-year period before the commencement of the gaming litigation.

Written interrogatories

Under the case management order from Justice Greenberg issued earlier this year, written interrogatories were to be answered by June 30, 2022. In accordance with this deadline, AMC sent written interrogatories to Manitoba and MLLC in March. Manitoba's counsel interpreted the order differently and understood that only the questions needed to be served by June 30, 2022, not the answers. Manitoba counsel wrote to Justice Greenberg, who extended the deadline for Manitoba and MLLC to serve their interrogatories to June 30, 2022. Both sides exchanged answers to the written interrogatories at the end of September 2022.

Further documentary discovery

Manitoba counsel previously advised that Manitoba expected to deliver its outstanding documents relevant to the litigation by May 31, 2022. However, they have encountered difficulties due to many staff members becoming ill with COVID-19 and various technical issues. Therefore, they wrote to Justice Greenberg seeking an extension of the deadline to deliver the documents to June 30, 2022, which Justice Greenberg granted. Those documents were delivered by the June 30, 2022 deadline.

Further case management conference

A further case management conference before Justice Greenberg is scheduled for November 3, 2022 at which we can report on the progress of the action and resolve any outstanding discovery and other preliminary issues.

Potential Settlement Discussions

At the April 28, 2022 meeting of the AMC Executive Council of Chiefs, Chief Sheldon Kent recommended that the ECC consider directing Acting Grand Chief Cornell McLean to request a meeting with Manitoba Premier Heather Stefanson to discuss the settlement of the gaming litigation.

On July 21, 2022, the Sand Hills Casino Board met with the gaming litigation legal counsel David Outerbridge, its legal counsel Howard Morry, and representatives from the management team: Ali Alizadeh and Jeff Melcosky. The Board received a briefing from David Outerbridge of Torys on the gaming litigation. The Board passed a motion that agreed to seek to negotiate a litigation settlement and proposed a joint resolution for creating a negotiating committee to settle the gaming litigation.

On July 22, 2022, the Acting Grand Chief sent a letter to Premier Stefanson seeking to begin gaming litigation settlement discussions.

At the July 27, 2022 meeting of the AMC Gaming Committee, a motion was passed to begin gaming litigation settlement negotiations with the Sand Hills Casino and Resort Board and the province of Manitoba, and recommended that the Executive Council of Chiefs pass a similar resolution. The Gaming Committee also passed a motion to create a joint AMC – Sand Hills Casino Gaming Litigation Settlement Negotiating Committee. This was supported and endorsed by the AMC Executive Council of Chiefs.

The joint AMC and Sand Hills Casino Negotiating Committee will work with Torys LLP to:

- form and pursue a negotiating strategy;
- instruct Torys on the settlement discussions as well as the litigation;
- speak for the Plaintiffs in negotiations with Manitoba; and
- recommend to the AMC and Sand Hills Casino any offer received that the Committee believes is acceptable.

The following individuals were identified to be appointed as the inaugural members of the Negotiating Committee:

- Chief Larry Barker, Sand Hills Casino Board member, and a member of the Board of South Beach Casino
- Chief Jason Daniels, Sand Hills Casino Board member, and Chief of the Host First Nation
- Chief Clarence Easter, AMC Gaming Committee member, and a member of the Board of Aseneshkak Casino
- Chief Sheldon Kent, AMC Gaming Committee member, and a member of the Board of South Beach Casino

The following are appointed as technical advisors to the Committee:

- Ali Alizadeh, CEO of Hemisphere Capital, the manager of Sand Hills Casino
- Faysal Tur, longtime Tribal Casino Manager, Hemisphere Capital
- Howard Morry, Legal and Strategic Counsel
- Marcel Balfour, AMC Secretariat

Canada's Request for Feedback in relation to Gaming

In June 2021, the AMC Grand Chief's Office wrote to David Lametti, the federal Minister of Justice. It was in response to his April 27, 2021, requesting "views and feedback" on the participation of Indigenous peoples in the gaming industry and the regulation of this industry across Canada.

AMC indicated to Canada that engagement on this area is long past due, and that Canada must finally address the fact that First Nations' rights to Gaming must be respected within Canadian law. For far too long, First Nations have been negatively impacted by Provincial regulation of Gaming, which has impeded our ability to assert our rights to Gaming, limited our economic opportunities and advancement, and allowed an expansion of non-First Nation gaming to occur without any consultation, for the benefit of non-First Nations businesses.

The letter also indicated that in the AMC's view, gaming arrangements with First Nations in Manitoba were the mechanism by which the Government of Canada unilaterally imposed provincial control over Gaming, including First Nations gaming, without consulting with, accommodating, or attempting to obtain the consent of the many First Nations for whom Gaming has been an integral part of culture and society since long before European contact. Recognition of this basic fact must underlie any meaningful process of consultation and reconciliation.

It was further noted that First Nations in Manitoba possess an inherent and constitutionally protected right to regulate, conduct, and manage Gaming, pursuant to our inherent rights to self-determination and self-government, including carrying out and controlling gaming activities. These rights are further affirmed by the United Nations Declaration on the Rights of Indigenous Peoples—recently incorporated into Canadian law—which affirms the rights of Indigenous peoples to autonomy and self-determination (Articles 3 and 4), and to maintain and strengthen their economic institutions (Article 5), among other relevant rights. The current gaming regulatory scheme falls afoul of those rights.

Minister Lametti was also advised that the AMC does not support Canada seeking views and feedback, engagement or consultation with First Nations in Manitoba on any "pan-Indigenous initiative," including in the area of Gaming. A "pan-Indigenous" approach to engagement ignores critical differences between First Nations' unique relationship with the

Crown, including Treaties, and First Nations' and other Indigenous peoples' histories, perspectives, and challenges related to Gaming.

The AMC called for a distinct First Nations regional approach to engagement in Manitoba, co-developed by the AMC and Canada.

Bill C-218, *An Act to amend the Criminal Code (sports betting)*

In November 2021, Senator Mary Jane McCallum wrote to the AMC Grand Chief about the Senate debate on private members' bill C-218, and her amendment on behalf of the Mohawk Council of Kahnawake that would see the bill expanded to include a "carve out for First Nations." This amendment was intended to reaffirm and uphold First Nations' Treaty rights to administer and oversee their own gaming/lottery schemes. However, the amendment was not First Nations specific, as it read: "for an Indigenous council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the Constitution Act, 1982 to conduct and manage a lottery scheme under an agreement or arrangement with the Government of Canada."

In response, the Grand Chief's Office stated that the amendment was not specific to First Nations, but was pan-Indigenous. First Nations in Manitoba are likely to be affected by the amendment, as it involves a "carve out" for Metis in Gaming.

First Peoples Economic Growth Fund (FPEGF)

The FPEGF continues to support First Nation business development in Manitoba. Please see their annual report for further details.

In June 2022, Acting Grand Chief met with Cliff Cullen, Manitoba Minister of Economic Development, Investment and Trade and Alan Lagimodiere, Minister of Indigenous Reconciliation and Northern Relations, to discuss the First Peoples Economic Growth Fund. During that meeting, Manitoba representatives committed to meeting with AMC representatives to discuss a joint socio-economic review of the FPEGF with Manitoba, as well as future funding and governance. Meetings continue to take place.

In July 2022, the AMC Gaming Committee reaffirmed its ongoing mandated responsibility for the FPEGF.

JORDAN'S PRINCIPLE IMPLEMENTATION TEAM

Staff

- **Project Manager:** Marcel Balfour
- **Administrative Support:** Angela Young
- **Policy Analyst:** Maryann Flett
- **Knowledge Translation Specialist:** Joy Keeper

Introduction

Over ten years ago, the AMC assisted the Norway House Cree Nation with its advocacy for Jordan River Anderson (Jordan Anderson), a child with complex medical needs. Doctors determined Jordan Anderson could live in a family home near the hospital after spending his first two years in a hospital. However, there was no agreement between the federal and

provincial governments regarding who would be responsible for paying for the medical services he required. The Government of Canada and the Province of Manitoba argued while Jordan remained in the hospital. It was tragic that Jordan died in a hospital, never having been able to live at home with his family.

ACTIVITIES AND ACCOMPLISHMENTS

The Implementation of Jordan's Principle in Manitoba: Final Report and Research

Funding for evaluating the Implementation of Jordan's Principle in Manitoba was ordered by the Canadian Human Rights Tribunal (CHRT) in connection with

the Sumner-Pruden human rights complaint. This study may inform the CHRT decision on systemic remedies related to that case.

The research project "Implementation of Jordan's Principle in Manitoba" sought to identify and document gaps and barriers to implementing Jordan's Principle for First Nations in Manitoba. The goal of this study was identified as providing an overview of "the policy framework and the programs supported by Jordan's Principle," which includes a focus on health, social, and education services and existing First Nations Jordan's Principle projects.

The Implementation of Jordan's Principle in Manitoba: Final Report study team included: Dr. Vandna Sinha (McGill University/the University of Colorado); Dr. Josée Lavoie (the University of Manitoba, Ongomiizwin Indigenous Institute of Health and Healing); Dr. Marlyn Bennett (University of Manitoba, Social Work); Dr. Lucyna Lach (McGill University, Social Work); Dr. Alison Gerlach (the University of Victoria, School of Child and Youth Care); and included Samantha Folster (AMC) and Jaron Hart (AMC). The Implementation of Jordan's Principle in Manitoba: Final Report was submitted to the CHRT on January 28, 2022.

The Implementation of Jordan's Principle in Manitoba: Final Report Recommendations

The Final Report is 123 pages long with 13 comprehensive recommendations. A full report copy was emailed and mailed to all AMC member First Nation Chiefs. The recommendations are summarized as follows:

1. Canada commit funding and other resources to:
 - a. Ensure adequate housing and clean water for every First Nation child.
 - b. Be flexible enough to enable First Nations to develop services in accordance with their needs.
 - c. Develop:
 - i. dedicated, physical space for programs and services in each Nation;
 - ii. digital infrastructure;
 - iii. communities of practice;
 - iv. capacity enhancement initiatives to support every Nation in moving towards a self-determined system of services.

- d. Create a First Nations-owned and controlled program of Jordan's Principle research.
2. Canada extend eligibility through age 21 (now 26).
3. Canada commit to working with First Nations to:
 - a. Analyze and extend funds to cover the real costs in remote, northern Nations.
 - b. A systemic approach to Jordan's Principle funding that actively extends the resources needed to establish an equitable baseline of services in each Nation.
 - c. Support the development of formal, First Nations-led structures to facilitate coordination and collaboration.
4. Canada conducts communications in a way that engages Nations in policy development and decision-making.
5. Canada work with Specialized Service Providers and First Nations to restructure Jordan's Principle funding in ways that support First Nations in taking on specific services/responsibilities in accordance with a self-determined pacing and sequence.

In ongoing discussions with the ISC representations on the AMC Canada MOU that includes Jordan's Principle, AMC representatives have indicated that the proposed work plan to go forward on the regional implementation of Jordan's Principle includes activities to give effect to the 13 recommendations of the Final Report.

The Jordan's Principle Implementation Team has been following up on each recommendation. This includes the realizing of Jordan's Principle Equity Roundtable for First Nations in Manitoba, the creation of a Jordan's Principle Centre of Excellence (Capacity Enhancement Centre), and ensuring First Nations are involved in identifying and defining what long-term funding for Jordan's Principle means for their First Nations that meets the needs of their children and families.

The Implementation of Jordan's Principle in Manitoba: Final Report study team plans to hold a virtual meeting of academic researchers in early 2023 to discuss Jordan's Principle research being conducted across the country. There will be a second virtual gathering before the end of 2023. The information generated will be shared with the Technical Advisory Group (TAG), the AMC Women's Council, and First Nations.

Jordan's Principle Technical Advisory Group

Despite the COVID-19 pandemic restrictions, JPIT continued facilitating TAG meetings. This included regular teleconference meetings, discussing the needs of each First Nation. In addition, TAG continued work on its Strategic Plan and Terms of Reference for implementing Jordan's Principle.

Meetings of the Jordan's Principle TAG focused on proposed changes to the terms of reference, including identifying the need for rotating Jordan's Principle TAG co-chairs. As well, the Jordan's Principle TAG identified "aging out" of Canada's Jordan's Principle Child First Initiative Policy as a priority activity, specifically when children and youth receiving supports and services through Jordan's Principle reach the age of majority. Currently, the age of majority is determined by provincial governments and in Manitoba.

In May 2022, the Jordan's Principle TAG met for a three-day gathering at the RBC Convention Centre in Winnipeg. Close to 200 of Jordan's Principle coordinators, case managers, and land-based staff came together to discuss the strengths, weaknesses, and challenges of their experiences and to celebrate their many successes and accomplishments. In addition, the delegation had a chance to review the recently released Implementation of Jordan's Principle in Manitoba: Final Report and discuss ways to improve Jordan's Principle program delivery. Attendees heard from various organizations dedicated to delivering care to First Nations, including Specialized Services for Children & Youth, MFNERC, EAGLE Urban Transition Centre, Manitoba Adolescent Treatment Centre, St. Amant, New Directions, and ISC Manitoba Region. Land-based workshops, keynote addresses, and wellness sessions were highlights of this event.

Capacity Enhancement Centre (Centre of Excellence)

The AMC has continued to implement Jordan's Principle in Manitoba as identified by First Nations through the Keewaywin Engagement in 2017. First Nations recommended, among other things, establishing a "Centre of Excellence" controlled by First Nations in Manitoba.

Following a resolution from the AMC Executive Council of Chiefs in 2017, which mandated the establishment of a "Centre of Excellence" for First Nations to improve their financial management and administration capacities, the AMC Executive Council

of Chiefs passed a resolution in February 2019 supporting the establishment of a Jordan's Principle "Capacity Enhancement Centre."

The JPIT is working on various components of the Jordan's Principle Capacity Enhancement Centre. Essentially, the goal is to establish a "Centre of Excellence" to enhance the capacity of First Nations in Manitoba to be sovereign and self-determining and to protect and practice their Treaty rights, today and our tomorrows.

The basis for the creation of the Jordan's Principle Capacity Enhancement Centre is informed by First Nations. They have emphasized the importance of fully implementing Jordan's Principle for all their citizens living on and off their reserves and addressing all disparities in services and support for a better quality of life.

A working draft vision statement continues to be developed:

"Creating a powerful legacy by improving the quality of life and success of children and youth of First Nations in Manitoba by addressing systemic barriers through Jordan's Principle implementation."

Ultimately, the Jordan's Principle Capacity Enhancement Centre will facilitate and coordinate the existing network of services and strategies that will regionally align First Nations perspectives, policies, programs, partnerships, and professionals so that First Nations can fully implement Jordan's Principle on and off-reserves in Manitoba.

The JPIT continues to work with Okimaw Community & HR Solutions and the Jordan's Principle TAG on the design of the Centre and engaging with First Nations.

Issues and Challenges

Jordan's Principle Implementation Team's work was affected by limited funding and the COVID-19 pandemic.

In October 2022, with the reduction of provincial and First Nations public health restrictions and additional staff, the only remaining challenge in an ongoing hybrid model for meetings (participation in person and remotely online) is the lack of reliable high-speed internet for all First Nations.

JUSTICE

Staff:

- Marcel Balfour, Director of Policy and Legal Affairs
- Nick Saunders, Legal Counsel, Justice Reform, and Legal Systems Restoration for First Nations in Manitoba Project
- Roxanne Meawasige, Policy Analyst

INTRODUCTION

The AMC continues to support increased regional activities related to justice and First Nations. The membership of the Chiefs Committee on Justice is currently Chief Larry Barker, Hollow Water First Nation, Chief Angela Levasseur, Nisichawayasihk Cree Nation, and Chief John Thunder, Buffalo Point First Nation.

KEY ISSUES AND CHALLENGES

The COVID-19 pandemic and lack of financial resources have hampered the AMC's efforts to pursue regional justice initiatives. Due to this, the AMC could not bring together the Chiefs Committee on Justice to deal with regional justice issues, including creating a First Nations Justice and Law Centre.

ACTIVITIES AND ACCOMPLISHMENTS

At the beginning of October 2022, the AMC Secretariat entered into an interchange agreement (or secondment arrangement) with Manitoba justice to have Norway House Cree Nation citizen Nick Saunders, a lawyer, work with the AMC as Legal Counsel for the AMC's Justice Reform and Legal Systems Restoration for First Nations in Manitoba Project.

This project is part of the AMC's approach to the Indigenous Justice Strategy Engagement program of the federal Department of Justice.

This proposal seeks resources for the AMC Secretariat to conduct engagement activities with and for First Nations in Manitoba through a First Nation Justice Reform & Legal Restoration Unit at the AMC Secretariat Inc. to identify how First Nations in Manitoba will inform the development of the federal Indigenous Justice Strategy and to determine the legislative, program, and policy initiatives needed to address the over-representation of First Nations and

systemic discrimination in the Canadian justice system.

The AMC's proposed approach will have two main elements of focus: justice reform in Manitoba and the restoration and revitalization of the legal traditions and laws respecting the five Nation/language groups in Manitoba: Anishinaabe, Nehethowuk/Inniniwak, Anishiniwak, Dakota Oyate, and Denesuline.

1. Reform of existing justice systems affecting First Nations in Manitoba

The development of restorative justice models must take into consideration recommendations from the Manitoba Aboriginal Justice Inquiry (AJI) to the Calls to Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG National Inquiry). The current western-based justice system (consisting of policing, courts, and corrections) must be reformed and changed holistically. This necessarily includes identifying related issues in education, health, and social development systems that remain fundamentally western and direct First Nations into the existing justice system. Any meaningful change must be from a decolonized perspective and driven by the recognition of First Nations' inherent jurisdiction, including legal traditions and world views, and not simply relegated to participating in existing federal or provincial programs, including merely advisory and oversight roles.

As recommended by the AJI and the MMIWG National Inquiry, important components of justice reform include the development of a First Nations justice system that reflects the unique relationship between First Nations and Canadian society as well as working with First Nations concepts of law, sovereignty, self-determination, self-government, Treaty implementation and protection, and social cohesion. This would be specifically in the areas of:

1. Policing:
 - a. First Nations deaths by police encounters;
 - b. Harassment (violation of Charter Rights);
 - c. Inadequate police complaints process; and
 - d. Inadequate investigations.
2. Court system:

- a. Representation of First Nations in court;
- b. Legal Aid – issues with individual representation and collective First Nation interest issues; and
- c. Access to justice.

3. Corrections:

- a. First Nations over-representation;
- b. Human rights violations (in custody);
- c. Overuse of solitary confinement;
- d. Lack of mental health resources; and
- e. Increased rates of death while incarcerated.

2. The restoration and revitalization of the legal traditions and laws respecting the five Nation/language groups in Manitoba: Anishinaabe, Nehethowuk/Inniniwak, Anishininiwak, Dakota Oyate, and Denesuline

Recognizing similar but unique approaches must be used with the five language/Nation groups of First Nations in Manitoba (Anishinaabe, Nehethowuk/Inniniwak, Anishininiwak, Dakota Oyate, and Denesuline), the AMC proposes to identify and articulate the full breadth of principled legal response and resolutions within the five Nation / language-based legal traditions for First Nations individually to consider using at the local level.

An approach like this would identify or develop the legal processes necessary to ensure a decision is legitimately accepted by those affected. This would also include identifying the guiding or underlying principles for such First Nation legal orders.

This approach will also enhance existing First Nations' capacities and support local research and engagement processes to enable First Nations to identify and discuss legal principles. By doing so, they would be able to become more accessible within the First Nations themselves. Identifying and articulating guiding or supporting legal principles would also assist local justice and wellness initiatives on and off reserves.

The approach would not seek to dictate or replace existing local justice or legal orders initiatives but rather provide a resource for First Nations to strengthen and enhance their capacity to develop and evaluate current practices so that they respond to local needs, including pursuing the restoration and revitalization of their legal systems and laws.

Proposed Approach to the Design of the Engagement

To give a more fulsome engagement, the methodology will be applied to four key elements and include at least the following:

1. Policing

- a. Examination of First Nations deaths by police encounters;
- b. Harassment (violation of Charter Rights);
- c. Review and improvement of police investigation and complaints process;
- d. Development of First Nations policing services.

2. Current Courts and First Nation Courts

- a. Inadequate representation;
- b. A First Nation Legal Aid Program;
- c. Access to justice;
- d. oldentification of up to six Restorative Justice Hubs and the costs associated with having them fully functioning; and
- e. Development of First Nations Courts.

3. Corrections

- a. First Nations over-representation;
- b. Human rights violations (in custody);
- c. Overuse of solitary confinement;
- d. Lack of mental health resources; and
- e. Increased rates of death while incarcerated.

4. Restoration and Revitalization of Legal Traditions and Laws

- a. Identify common aspects of the needs, the values of First Nations concepts of justice and fairness that create restorative models for Anishinaabe, Nehethowuk/Inniniwak, Anishininiwak, Dakota Oyate, and Denesuline First Nations legal systems;
- b. Examine existing legal systems and identify possible First Nation legal institution development or changes to existing institutions that reflect First Nations laws and ways of knowing and being;
- c. Determine what laws First Nations wish to develop;
- d. Identify the existing skill sets First Nations have and what they need to enhance their capacity to make their own laws; and
- e. Identify template laws to assist First Nations in their own development of them.

Engagement will also include various goals and priorities that are reflective of First Nations' perspectives in Manitoba and will:

1. Be First Nations-led;
2. Provide for enhanced First Nations capacity;
3. Provide regional inputs for nationwide consistency in justice reform activities;
4. Accommodate ongoing advocacy and political commitment to justice reform;
5. Involve effective communications and sharing of information; and
6. Identify the impact of justice reform on both First Nations on reserve and off-reserve, including in urban centres in Manitoba.

AMC Systemic Racism Research Project

The AMC Grand Chief's Office initiated a research project, "A Regional Systemic Review of All Federal Programs and Services for First Nations in Manitoba." From a systemic racism perspective, the draft report provides a comprehensive overview and analysis of federal government programs and services applicable to First Nations in Manitoba, including current legislation, regulations, policies, procedures, and practices.

The project is part of a larger effort to identify existing systemic racism in Manitoba and establish a unique regional response by and for First Nations.

The introduction to the report includes definitions of terms such as racism, racism specific to First Nations, systemic racism, and institutional racism.

Afterward, the report discusses the federal implementation of the United Nations Declaration on Indigenous Peoples (UNDRIP) and the response to the Calls to Action of the Truth and Reconciliation Commission, as well as the Calls to Justice of the MMIWG National Inquiry.

Several subjects, including justice, are discussed in the report, which identifies applicable federal programs and services.

According to the analysis, widespread institutional and systemic racism against First Nations across sectors and a paternalistic federal approach to relations with First Nations undermine their inherent jurisdiction and right to self-determination.

It is evident that programs and policies have been imposed on First Nations without their consultation or considering their best interests. To address these issues, the federal government must maintain the

Nation-to-Nation relationship First Nations have long advocated, respect their jurisdiction, and stop imposing culturally insensitive policies and programs that perpetuate racism against First Nations.

The approach to the Justice Reform and Legal Systems Restoration for First Nations in Manitoba Project will incorporate this systemic racism research.

Implementation of the Federal UNDRIP Act

During the summer of 2022, the AMC received confirmation from the federal Department of Justice of funding for engagement on the federal UNDRIP Act.

As part of this engagement, the AMC will use information, communication, and capacity enhancement activities to foster discussions among First Nations leadership in Manitoba on the UNDRIP and the UNDRIP Act. This will also necessarily include legal and policy research and analysis to support First Nations leadership in Manitoba in their consideration of possible priorities for a federal Action Plan to support full implementation of the UNDRIP, convening of information and engagement meetings to discuss possible priorities and approaches for the Action Plan and the reporting to parliament, and developing research reports and project reports consistent with AMC mandate and regional priorities to capture project outcomes including discussion by Chiefs.

As a result, the approach to the Justice Reform and Legal Systems Restoration for First Nations in Manitoba Project will involve the UNDRIP and consider the implications of the federal UNDRIP Act.

LEGAL AFFAIRS

Staff: Marcel Balfour, Director of Policy and Legal Affairs

Children's Special Allowance

The AMC Secretariat, working with the First Nations Family Advocate Office (FNFAO), filed a Notice of Application to the Manitoba Court of Queen's Bench (now King's Bench) a day after the province passed BITSA that sought to protect if from any legal repercussions from taking the Children's Special Allowance of First Nations in Manitoba. For more information, please refer to the section the FNFAO in this report.

Intervention at the Supreme Court of Canada in *Beaver Lake*

On June 14, 2021, the AMC was granted intervener status before the Supreme Court of Canada in *Beaver Lake Cree Nation v Her Majesty the Queen*.

The case centred on the application of the advance costs test, a framework for assessing claims for advance costs to offset the anticipated litigation expenses of public interest litigants, and in particular, the impecuniosity (having little to no money) branch of that test, which requires an applicant to demonstrate it genuinely cannot afford to pay for the litigation.

The AMC argued that the impecuniosity branch of the advanced costs test must be interpreted in a manner that reflects the context and history of the Crown-First Nations relationship, and which advances reconciliation. The Supreme Court of Canada's unanimous decision aligned with the AMC's argument that the determination of whether a First Nation can genuinely afford the litigation should consider the First Nation's perspective on what constitutes the necessities of life and the spending required to alleviate inequitable standards of living for the First Nation's citizens.

The Court concluded that "in keeping with the imperative of reconciliation", the impecuniosity requirement "ought to be understood from the perspective of the First Nation government". When considering an application for advanced costs, a "court may therefore consider the broader context in which a First Nation government sets priorities and makes financial decisions, accounting for competing spending commitments, restrictions on the use of its

resources, and fiduciary and good governance obligations."

The case was sent back to the lower courts for reconsideration based on the principles set out by the Supreme Court of Canada's decision.

Intervention at the Supreme Court of Canada in *Sharma*

On February 3, 2022, the AMC was granted intervener status before the Supreme Court of Canada in *Her Majesty the Queen (now His Majesty the King) in Right of Canada v Cheyenne Sharma* and made oral submissions on March 23, 2022. The issue on appeal was the effect of certain provisions in the Criminal Code of limiting a sentencing judge's discretion to order a conditional sentence to be served in the offender's community.

The AMC made submissions that conditional sentences are an important tool for giving effect to Gladue principles, and that the consideration of Gladue principles is one of the limited ways that the Canadian justice system considers First Nations laws and perspectives, as First Nations pursue the restoration and revitalization of their own justice systems, jurisdiction and laws. As a result, a conditional sentence will often best reflect the needs and values of First Nations and First Nations citizens, and can uphold First Nations legal traditions that, if given space, are equipped to assess the seriousness of an offence and formulate appropriate legal responses.

The AMC submitted that the removal of community-based sanctions for certain kinds of cases perpetuates the discrimination faced by First Nations and their citizens in the Canadian justice system, as it constitutes a failure to adequately reflect First Nations laws and perspectives in the sentencing process.

The Court has not yet released its decision in this case.

Advocacy Before the Public Utilities Board

The AMC continued to advocate for the collective interests of First Nations and First Nations citizens in Manitoba in relation to Manitoba Hydro electricity rates before the Public Utilities Board.

The AMC participated as an intervener by supporting

the Winnipeg Harvest and the Consumers' Association of Canada's, Manitoba Branch's (the "Consumers Coalition") application for a status update hearing, which argued that the circumstances of Manitoba Hydro had changed substantially since the Public Utilities Board adjudicated the General Rate Applications in 2018 and 2019, such that a process should be held to determine whether Manitoba Hydro's rates are just and reasonable and its costs fairly allocated among various customer classes.

Although, the Public Utilities Board granted the Consumers Coalition's application, the process was ultimately adjourned when Manitoba Hydro filed an Interim Rate Application seeking approval of an interim rate increase effective January 1, 2022. The grounds for the requested rate increase were related to the effect of drought conditions in Manitoba that persisted over the summer and fall of 2021 and increased operating costs related to parts of the Keeyask generating plant coming into operation.

The AMC argued against the requested 5% general revenue increase, given the negative impact on Manitoba Hydro's customers would exacerbate the already difficult conditions faced by First Nations citizens due to the impacts of COVID-19 and inflation. The AMC also argued that any costs not directly caused by emergency drought conditions should not be considered until a fulsome general rate application had been filed by Manitoba Hydro, as interim rate applications do not face the same evidentiary burden or testing by parties.

The Public Utilities Board ultimately granted a 3.6% general rate increase. In accordance with the AMC's submissions, no rate increase was granted for the diesel zone residential customer class.

The AMC intends to continue to participate in the Public Utilities Board process, in particular the general electricity rate application that will be filed by Manitoba Hydro in the winter of 2022.

Class Action Lawsuit on behalf of First Nations Children, Families and Nations impacted by the Manitoba Child Welfare System

On October 6, 2022, on behalf of First Nations children, their families and First Nations, the FNFAO filed a class action lawsuit in the Court of King's Bench against the Government of Manitoba and the Attorney General of Canada. *In Misipa Wistik Cree Nation et al v. Gov. of Manitoba et al*). The claimants

seek restitution and accountability from the provincial and federal governments for the failures of the child and family services system and the decades of tragic harm caused to First Nations and First Nations people in Manitoba. For more information, please refer to the section the FNFAO in this report.

Intervention at the Supreme Court of Canada in Reference to the Court of appeal of Quebec in relation with the Act respecting First Nations, Inuit and Métis children, youth and families

The AMC Secretariat, working with the First Nations Family Advocate Office (FNFAO), sought intervenor status at the Supreme Court of Canada in *Attorney General of Quebec v. Attorney General of Canada and AFN Quebec-Labrador et al*.

The case is at the Supreme Court of Canada because the Quebec Court of Appeal struck sections 21 and 22 of the federal An Act respecting First Nations, Inuit and Métis children, youth and families. The Quebec Court of Appeal struck out the sections because it altered the structure of the Canadian Constitution and was therefore ruled unconstitutional because it considers First Nations laws not enactments of federal government and could not be provided with such level of authority, and because the it also considers that the federal government cannot give absolute priority to First Nations laws over provincial law, as that is the role of the courts. The decision recognizes and re-affirms First Nations' jurisdiction over child protection and family laws based on the inherent right to self-government but gives province the ability to overrule First Nations laws.

The AMC and the FNFAO individually sought intervenor status with similar but different positions, to honour their distinctive perspectives. That is, that the right of self-government of First Nations people that derives from First Nations' legal systems and laws (and not section 35 of the Constitution), and reconciliation requires respect *for First Nations laws distinct from Canadian laws. First Nations have inherent laws that do not fit under colonial frameworks and are separate from Canadian law.* The AMC and FNFAO sought to intervene to ensure the Supreme Court of Canada acknowledges the distinction.

The intervention by the FNFAO will specifically focus on the impacts of colonial systems on First Nations children and families. FNFAO will bring together a coalition of Elders and Grandmothers to help inform the FNFAO's intervention and strengthen and

establish the uniqueness of its approach.

On October 7, 2022, the AMC Secretariat was advised that both it and the FNFAO were granted intervenor status, can each file a 10 page factum, and make 5 minutes of oral arguments in December 2022.

CAPACITY ENHANCEMENT PROJECT

- Melanie Everette, Special Projects
- Christian Keeper, AMC Pathfinder
- Christina Trout, AMC Pathfinder
- Haven Saunders, AMC Pathfinder
- Hunter Beardy, AMC Pathfinder
- Mary Ann Moar, AMC Pathfinder
- Sage Regehr, AMC Pathfinder

INTRODUCTION

In 2017, the AMC Executive Council of Chiefs passed a resolution calling for the removal of all the deficits off First Nations financial statements, supported the development of an alternative to Indigenous Service Canada's intervention policy, and mandated the creation of a "Centre of Excellence" that would enhance the capacity of First Nations. In November 2017, the AMC received funding to develop a First Nations approach to replace Indian and Northern Affairs Canada's Default Prevention and Management Policy (DPMP). The project's main goal continues to assist First Nations in enhancing their capacity and providing administrative and technical supports.

This project provides support that respects the First Nations principles of ownership, control, access, and possession (OCAP) of the information shared during participation. The AMC is therefore committed to respecting the privacy of program participants, and the confidentiality of the First Nations records, files and finances are respected.

When Chiefs contact the Grand Chief's Office, meetings are scheduled with Leadership to discuss advocacy, support, and/or strategic planning needs. Team members then connect with Leadership to determine when they would like to begin the process. The Grand Chief's Office advocates to the Federal and Provincial Governments to provide First Nations with the resources they need to govern their own affairs and recognize that our nations have the capacity and governance structures to do so.

KEY ISSUES AND CHALLENGES

During the reporting period of this report, the COVID-19 pandemic continued to make its way through Manitoba, and First Nations monitored and took precautions to ensure the safety of their citizens. In times of low risk, COVID-19 restrictions were lifted or adjusted to accommodate the different stages of the pandemic. This also meant delays in everyone's ability to execute programs, services and operational needs, such as delays in transportation for food supplies and products. This also impacted the ability to travel as needed for meetings, medical appointments, and construction projects.

The aftermath of the pandemic required Leadership to restore, rebuild and revitalize their Nations. Fiscal resources are required that accommodate each First Nations individual needs to move forward and provide the necessary programs, services, and supports for their citizens. Many issues continue to be raised by Leadership in the Province. The areas commonly identified by the team include (not limited to) lack of infrastructure, housing, connectivity, economic development, ability to meet medical needs, changes to government policy that do not allow for proper planning and adjustment, opportunities for youth and overcrowding. First Nation policing has been largely requested and required, not just during a crisis but to provide safety to their citizens and Nation going forward.

Leaders continue to identify the requirement for financial resources. Lack of funding and availability of resources were largely visible when trying to keep their citizens safe at home during the pandemic. Sustainable funding is required to provide reliable programs and services to their citizens, allowing nations to respond to emergencies effectively. Short-term funding/one-time funding does not enable the Nations to move forward and provide increased growth in programs and services. Having a lack of sustainability in our Nations has also caused minimal participation by citizens due to limited funding to accommodate all age groups, and has also caused

recruitment and retention issues.

LINKAGES TO FIRST NATIONS

Leadership communication is essential. Due to the pandemic, various forms of communication have emerged that have helped save time and travel between meetings. Leadership has also hosted their own meetings within the AMC boardrooms, which provides immediate access to the resources within the AMC. Staff are easily accessible should agenda items arise that require briefings or information, and if requested, staff can attend the meetings to provide administrative support.

We continue to engage with Chiefs, councils, and First Nation staff and provide support services from non-profits and government agencies.

ACTIVITIES

Capacity Enhancement Project Team

Throughout the project, the project team has provided Leadership and their staff with administrative support, training, and various types of support. Engaging the Leadership is the first step in this process. Our team collaborates with the Leadership of each First Nation to identify their goals and address areas that require capacity enhancement.

The Nations' Leadership provides direction on the programs, services and staffing. Occasionally, nations ask for support and resources to develop policies and procedures. A minimal budget makes it challenging to create and implement policies that could assist their staff and citizens in creating efficient systems, practices and policies.

On the direction of the Leadership, the team works with the Nation's Recipient Appointed Advisors and/or Financial Advisors on their work plans and proposals. We provided remote support, held virtual meetings, and participated in numerous conference calls and video calls. Also, the team developed a number of documents requested by Leadership and became a resource for First Nations.

The team researches and gathers information in order to become knowledgeable about changes to federal and provincial policy, funding sources, and services so they can provide information to Nations should they have any questions. Through these communication channels, the team could provide support, coordinate, and provide information. Whenever First Nations request assistance, the team

will provide it, including in emergencies.

AMC Pathfinders

In September 2020, the AMC received resources to support three Pathfinders in assisting First Nations with accessing COVID-19 benefits. Notes are kept on the various means of communication. Funding was once again received in October 2021.

A crucial role of the Pathfinders was to maintain research on pandemic relief funds. As part of this, First Nations' staff conducted online research, communicated with the regional office to clarify any changes in funding availability, and connected with the appropriate funding contact for each type.

Continuously, the Pathfinders assist 63 First Nations with outreach. This system generated consistent and timely information as soon as possible, including upcoming proposal deadlines and ensuring that all Nations received the required information. The AMC has also responded to inquiries regarding funding streams and connecting them with AMC staff.

Additionally, the Pathfinders conducted surveys with Leadership on a variety of topics. In the surveys, Nations were identified as having gaps in services, capital projects, housing shortages, economic development delays, gaming revenue issues affecting the community, and shortages of food and supplies. The Pathfinders can act on requests of an urgent nature, such as assisting with finding the required proposal templates and draft budgeting.

ACCOMPLISHMENTS

The team maintains communication with Manitoba's First Nations through meetings, conference calls, emails, faxes, text messages, and social media. This provided opportunities for successfully submitting proposals on a Nation's behalf. The team maintains regular contact with the Grand Chiefs Office, Nation-to-Nation engagement, and other organizations.

AMBASSADOR PROGRAM

INTRODUCTION

The Assembly of Manitoba Chiefs' Ambassador Program was created from an urgent request by a First Nation for human resource support throughout the COVID-19 pandemic. As a result, AMC contracted and deployed Ambassadors as quickly as possible to support local teams and fill in gaps in essential services.

KEY ISSUES AND CHALLENGES

Situations in First Nations are not limited to emergency situations and pandemics. In order to ensure the health and safety of their citizens, a First Nation needs a reliable, sustainable solution. Leaders cannot provide meaningful change through short-term solutions because they lack continuity of support. A nation's leadership should be capable of identifying and responding to emergencies in a timely manner and respectfully.

LINKAGES TO FIRST NATIONS

Since this initial activation of the Ambassadors program, it has provided temporary support to First Nations for a period of time until the crisis has been resolved. Ambassadors continue to be in demand, and AMC's mission is to ensure that the response is sustainable, informed, and culturally sensitive.

The AMC ensures the lead Ambassador is informed of what type of service is required, the lead then follows up with the Nation's main contact.

ACTIVITIES

When a First Nation contacts the AMC for support, the request is submitted by providing the following information:

- First Nation requesting support
- Type of Service Requested
- Community contact person, including name, email, and phone number
- Incident, area of concern, or matter requiring Ambassador support

Areas of support included:

- Urban Supports for Evacuated Communities
- Elder transportation
- Security at hotels
- General Supports for Elders and Citizens
- Chopping wood
- Food hamper distribution
- Social visits
- Mental Health Support in partnership with local team
- Day camps; ie. sports, crafts, music, etc.
- Land-based activities
- Pandemic-specific Supports
- Driving water or garbage trucks
- Perimeter Security
- Monitoring curfews
- Monitoring Provincial health orders to ensure they are being adhered to
- Contact tracing

ACCOMPLISHMENTS

Over 100 Ambassadors have been deployed to 14 First Nations between April 1, 2021 and March 31, 2022.

ROAD SAFETY

Staff: Dennis Ballard, First Nation Road Safety Coordinator

During the 2021-22 fiscal year, the AMC Grand Chief's Office met with Manitoba Public Insurance Corporation (MPI) representatives to discuss road safety. Motor vehicle accidents are one of the leading causes of injury and death for First Nations Peoples in Manitoba, accounting for a higher proportion of deaths in this population than in non-First Nations.

The MPI recognizes the unique road safety challenges faced by First Nations throughout the province and understands the importance of collaborating with First Nation partners such as the AMC to help reduce fatalities and serious injuries.

Many First Nation citizens in the Manitoba region live in rural, remote, and isolated First Nations that are only accessible by air or by winter roads. The people in these First Nations often travel longer distances, face poorer road conditions and weather-related hazards, and may experience a longer emergency response time when a crash occurs. The lack of connectivity in rural and remote areas complicates communication and restricts access to essential government services. There are also often barriers to accessing driver training, driver licensing and MPI services. Without a valid licence or safe, reliable transportation options, many First Nations citizens can experience challenges accessing their traditional territory, securing or maintaining employment, access to appropriate safety training materials, and being burdened with high costs to access essential services outside their reserves.

A proposed partnership between MPI and the AMC was suggested to assist First Nations in promoting road safety and eliminating road-related deaths and serious injuries. This includes:

- Working with First Nations to create awareness of existing road safety policies and legislation;
- Improving access to mainstream MPI driver testing and licensing;
- Increasing access to appropriate motor vehicle safety training Information and instruction; and
- Addressing overcrowding in vehicles while driving.

As a result, MPI committed to funding a two-year road safety project. The project began in July 2022. Among the immediate activities identified so far are:

- Research existing Regional, National, International Indigenous Road Safety Strategies and Road Safety Strategic Plans.
- Collaborate with MPI to address the existing data collection systems and funding policies to enable First Nations in Manitoba to fully participate in developing and implementing a Manitoba First Nations Road Safety Strategy.
- Identify an AMC Chiefs Committee to provide oversight, guidance, and direction on the project.
- Monitor existing Road Safety Strategies to ensure municipal, provincial, and federal approaches to data collection, Road Safety Strategy, related programs, and services is consistent with the items found in the 2022 Road Safety Technical Conference PowerPoint.
- Sign a Memorandum of Understanding between AMC, MPI and the Province of Manitoba to give effect to 2022 Road Safety Technical Conference PowerPoint action items.
- Build and strengthen existing relationships with AMC, MKO, SCO and Tribal Councils to strengthen partnerships with individual First Nations for developing a Manitoba First Nations Road Safety Strategy.
- Establish a plan to include Manitoba First Nations data collection in ongoing Initiatives, related programs and services.
- Ensure that funding for Road Safety and other areas incorporates funding to include First Nations' full participation.
- Develop a regional and local First Nation Knowledge Translation approach for the long-term implementation of the Manitoba First Nations Road Safety Strategy and Road Safety Training.
- Standard setting for identification of First Nations in data collection and distribution.

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