



SPOTLIGHT ON

THE WELL-BEING OF MI'KMAW CHILDREN AND YOUTH IN NOVA SCOTIA

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E'TASIW MIJUA'JI'JK MEKITE'TASIT – EVERY CHILD MATTERS

We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.

Truth and Reconciliation Commission of Canada: Action 18.¹

WHY WE NEED TO FOCUS OUR ATTENTION ON THIS POPULATION

For centuries, First Nations people in Canada have held the sacred belief that children are gifts from the Creator and the future of communities.^{4,5} Despite exceptional barriers, First Nations parents and families have persisted in centring the well-being of their children and youth. In Nova Scotia, Mi'kmaq peoples represent the largest First Nations group, the first Peoples of the province and the fastest growing child and youth population in the province, with approximately one half of

the population being under 20 years of age.⁶ Engaging in reconciliation to support the well-being of Mi'kmaq communities in Nova Scotia is essential to the well-being of the province as a whole.

Indigenous children and youth in Canada, including Mi'kmaq children and youth in Nova Scotia, hold unique rights afforded by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in addition to the rights outlined by the United Nations Declaration on the Rights of the Child.⁷⁻⁹ UNDRIP was adopted



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by the United Nations General Assembly in 2007 and establishes a universal framework of minimum standards for the survival, dignity, and well-being of all Indigenous peoples globally.⁸ The UNDRIP Act was passed in 2021, meaning implementation of the UNDRIP is protected by federal law in Canada.¹⁰

While institutions and leaders have committed to reconciliation and to realizing the rights outlined by the UNCRC and UNDRIP, Indigenous people across Canada continue to face unkept promises, which threatens their well-being. To understand the well-being of Mi'kmaw children and youth in Nova Scotia, it is essential to recognize these shortcomings and the broader influence of distinct regional historic, cultural and political context. Recognizing data sovereignty and the right to self-determination of Mi'kmaw people is also central to any discussion of the well-being of Mi'kmaw children and youth.

HISTORIC AND CULTURAL CONTEXT

The traditional unceded territory of the Mi'kmaq is called Mi'kma'ki and includes the Maritime Provinces, parts of eastern Quebec, and northern Maine. Mi'kmaw people have lived on and traversed the waterways of Nova Scotia for over 10,000 years.^{12,13} Prior to the arrival of European settlers, the Mi'kmaw population is estimated to have been around 15,000.¹² For generations, Mi'kmaw people lived in harmony with the natural environment and freely practiced their ancestral celebrations, traditions and language.¹²

With the arrival of European settlers came diseases to which the Mi'kmaq had no immunity, causing the deaths of an estimated 50 to 90 percent of the population.¹² However, the population of the Mi'kmaq is thought to have outnumbered the settlers until the early 1800s.¹²

According to the Government of Canada, the term “Indigenous” refers to the original inhabitants of the land and their descendants.² In Canada, Indigenous peoples include First Nations, Inuit, and Métis peoples.³



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The treaties between the Mi'kmaq and European settlers have critical significance to the history of Mi'kmaq people in Nova Scotia. A treaty is a “solemn agreement” that sets out “long-standing promises, mutual obligations and benefits for both parties”.¹⁴ The Peace and Friendship Treaties were signed in the 1700s between the British Crown and Indigenous peoples on Turtle Island, the land mass of North America.¹⁴ Importantly, the Mi'kmaq did not cede their traditional territory through these treaties. But as settler colonies expanded, their activities encroached further on traditional Mi'kmaq land and practices.

In 1876, the introduction of the *Indian Act* gave the federal government the exclusive right to create legislation that impacted Indigenous people in a multitude of ways by making them wards of the state.¹² Federal policy controlled where First Nations people could live, hunt, fish, and how they could identify.¹² In Nova Scotia, a government policy of centralization in the 1940s significantly contributed to the forced relocation of Mi'kmaq communities throughout the province.^{15,16} This policy has been described as an effort to reduce government costs, maintain greater control over Mi'kmaq communities, and undermine cultural and political stability for Mi'kmaq communities.^{15,16}

NOTE: The history of the Mi'kmaq in Nova Scotia is most meaningfully understood by listening to community elders.¹¹ The paragraphs that follow attempt to capture a small snapshot of the rich history of the Mi'kmaq people as well as the oppressive colonial practices and policies of assimilation used by European settlers in Nova Scotia and across Canada.

These topics may cause trauma by triggering memories of past abuse for some readers. A National Residential School Crisis Line has been set up to provide support for former residential school students. You can access information on the [website](#) or access emotional and crisis referral services by calling the **24-Hour National Crisis Line: 1-866-925-4419**.



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The Indian Act also ushered in one of the most shameful periods in Canadian history with the establishment of the residential school system.¹⁷ For more than 150 years, Indigenous children across Canada were sent to these schools in an attempt to enforce assimilation.¹⁷ While there, many children were physically, sexually, emotionally, and spiritually abused.¹⁸ It is no surprise that the residential school system has been described as an act of cultural genocide through “a systematic, government-sponsored attempt to destroy Aboriginal cultures and languages and to assimilate Aboriginal peoples so that they no longer existed as distinct peoples”.¹⁷ Recent news coverage of Indigenous children found buried in unmarked graves on residential school grounds has further increased awareness of the devastating legacy of residential schools.¹⁹

In Nova Scotia, the Shubenacadie Residential School ran from 1930-1967 on Mi'kma'ki in Sipekne'katik.²⁰ Mi'kmaq and Wolastoqewiyik children from across Nova Scotia, Prince Edward Island, New Brunswick and Quebec attended, many against their parents' wishes.²⁰ Many Mi'kmaq parents fought tirelessly to protect and access their children, however, the Indian Act allowed federal agents and the Royal Canadian Mounted Police to

enforce attendance.²¹ Poor and incomplete record keeping has made it difficult to know exactly how many attended Shubenacadie Residential School, yet it is clear that those who attended faced efforts to destroy their culture and identity.²⁰ Children were forbidden to speak their language and forced to carry out labour while enduring punishment, abuse, neglect, and nutritional experimentation.²⁰ Tragically, children died while at this institution.²⁰ The devastating trauma inflicted through residential school policy continues to be felt from generation to generation.¹⁸

While less widely known, Day Schools were also operated by the Federal government and religious groups across Canada prior to residential schools, and in greater numbers.²² More than one dozen government-approved, church run Day Schools operated in Nova Scotia (1872-1993) prior to and during the operation of the Shubenacadie Residential School, starting with the opening of a school at Bear River in 1872.^{12,23} Like residential schools, Day Schools served to erase the language and culture of First Nations children and youth.²² Even though children returned home at the end of each day, educational quality was extremely poor and they faced the trauma of verbal, physical, cultural and sexual abuse at the schools.²²



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The cycle of trauma and assimilation did not end with the closing of residential school and day schools. Child-welfare policy dating back to the 1960s also resulted in the removal of Indigenous children from their families and placement in non-Indigenous foster care.^{12,24,25} The period that marks this mass removal is commonly referred to as the “Sixties Scoop”.²⁴

The “sixties scoop” impacted Nova Scotian First Nations children and as with residential schools, disrupted the passage of language and cultural traditions to future generations.^{12,26}

Tragically, discriminatory conduct by government in Canada has continued into recent decades. This was affirmed by a 2016 ruling by the

THE FOLLOWING REFLECTIONS AND STORIES OF SHUBENACADIE RESIDENTIAL SCHOOL SURVIVORS ARE IMPORTANT TO FURTHER UNDERSTANDING

IRS Survivor Profiles, Mi'kmawey Debert Cultural Centre

<https://www.mikmaweydebert.ca/sharing-our-stories/indian-residential-schools-legacy-project/irs-survivor-profiles/>

HSMBC Designation - Shubenacadie Indian Residential School, Mi'kmawey Debert Cultural Centre

<https://vimeo.com/453639815>

Stolen children, CBC News, June 30, 2021

<https://newsinteractives.cbc.ca/longform/stolen-children>

The Final Report of the Truth and Reconciliation Commission of Canada

https://publications.gc.ca/collections/collection_2015/trc/IR4-9-1-1-2015-eng.pdf



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Canadian Human Rights Tribunal, which found Canada had discriminated against First Nations Children in its provision of child and family services and implementation of the legal rule known as Jordan's Principle.²⁷ Multiple additional affirming rulings and orders have followed, and Indigenous leaders have continued to advocate for reform and reparations. In January 2022, an agreement-in-principle was reached between the federal government and First Nations leaders. If approved, \$20 billion will be provided to compensate First Nations children who were taken from their families between 1991-2022, and for those who did not receive public services between 2007-2017 they were entitled to according to Jordan's Principle.²⁷ Another \$20 billion will be used for long-term reform of the federal First Nations Child and Family Services Program.²⁸

RECLAIMING TRADITIONAL WAYS OF BEING

Following centuries of oppression, traditional ways of Mi'kmaq people are being reclaimed, including raising the next generation in a culture of nurturing love.⁵ In Mi'kmaq culture, children are kept close to their mothers, celebrated around important milestones, and encouraged to support and spend time with elders.⁵ Children are taught about values of respect for all living things and interdependence through

storytelling and legends about nature.⁵ Traditionally, Mi'kmaq people "listen with their hearts, eyes, as well as their ears", which has deep benefits for developing children who feel understood and can trust when parents "listen with their hearts."⁵ Traditional customs and ceremonies along with the commitment of whole communities and multi-generations to raising children creates a sense of belonging.⁵

SOCIAL, POLITICAL CONTEXT AND GOVERNANCE

There are currently 13 distinct Mi'kmaq First Nations communities in Nova Scotia, each with their own history, culture, and spiritual belief system.²⁹ Today, Mi'kmaq people may live on one of 42 reserve satellite communities across the province, and many live off-reserve.³⁰

Efforts by Mi'kmaq communities and their leaders have long been underway in Nova Scotia to restore self-determination and to implement the treaty rights of their people. Efforts to design and deliver culturally safe care and services that are especially critical to the well-being of Mi'kmaq children and youth living on and off reserves in Nova Scotia include:

- The establishment of the Mi'kmaq Family and Children's Services in 1985 and the child welfare initiative, Maw-Kleyu'kik



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Knijannaq (MKK) – which translates to “keeping our children together”. Currently this only applies to families and children living on reserves, possibly leaving some Mi'kmaw children in urban areas of NS without access to culturally safe child welfare services.

- The establishment of the Mi'kmaq Education Authority Mi'kmaw Kina'matnewey (MK) in 1997, serving 12 of 13 First Nations communities in Nova Scotia. As the collective voice for Mi'kmaq education, the primary MK mission is to actively promote excellence in Mi'kmaq education, interests and rights for our communities and to facilitate the development of lifelong learning. (<https://www.kinu.ca>)
- The establishment of the Mi'kmaw Client Linkage Registry, a comprehensive health care database for Mi'kmaw communities. The Mi'kmaq of Nova Scotia have achieved unparalleled access to a broad range of population level health surveillance data. Communities are using this information to monitor changes in the health status of our population, measure health equity gaps, inform our health planning processes, and advocate for the services and resources that

we need. Key to our success has been the ability to take advantage of administrative health data collected by the Nova Scotia Department of Health and Wellness and provincial health authorities. (www.tuikn.ca/wp-content/uploads/2021/02/Overview-of-the-NSMCLR-Jan-2021.pdf)

- The recent establishment of Tajikeyimik, the new and developing Health and Wellness Authority, created to lead health transformation for the 13 Mi'kmaw First Nations in Nova Scotia. This includes the transfer of responsibility for health services from the federal government and the design and delivery of health and wellness services to improve the overall health for individuals and communities. (<https://mhwns.ca>)

While this path to self-governance is evolving, important aspects of the lives of Mi'kmaw children, youth, and their families on and off reserves continue to be governed by federal and provincial laws and policies. This mix of jurisdictional authority often results in a level of uncertainty and dispute surrounding the delivery of programs and services for communities and individuals. Mi'kmaw children and youth may be excluded from receiving important programs and services.



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Jordan's Principle

Jordan's Principle is a legal rule in Canada established to resolve jurisdictional disputes arising between provincial, territorial and federal governments related to payment of services for First Nations children. The rule is named in honour of Jordan River Anderson, a First Nations child born with complex medical needs who died in hospital rather than in his community while waiting for the federal and provincial governments to decide who was financially responsible for his care.³¹ If Jordan had been a non-Indigenous child, the Manitoba government would have covered the cost of his care in the community without delay.³¹ With Jordan's Principle, the needs of First Nations children are paramount, and who is responsible for payment is decided later.³¹ This principle is integral to ensuring that First Nations children and youth receive the same standard of care as non-Indigenous Canadians.³¹

In Nova Scotia, 638 First Nations children accessed Jordan's Principle between July 2016 and April 2018³². The most requested and approved services in the Atlantic Region during that time were for respite, 24/7 placement, childcare/fees, speech language, specialized diagnostic assessment, educational assistants,

intensive behavioural interventions, special needs assistants, assisted communication devices/technology, and transportation to Jordan's Principle funded services. It will be important to seek ongoing input of community leaders regarding any ongoing unmet needs, as it is unlikely that Jordan's principle is consistently honoured and meeting the needs of Mi'kmaq communities. It will also be important to identify the growing pressure of children who are aging out of Jordan's Principle.

It is critical that both non-governmental institutions and federal, provincial, and municipal governments ensure that laws, policies, services and programs that impact Mi'kmaq people in Nova Scotia are rights respecting and do not further reinforce or create gaps for Mi'kmaq children, youth and their families.

A LOOK AT THE WELL-BEING OF MI'KMAW CHILDREN AND YOUTH

Well-being for Indigenous peoples is viewed holistically and through an understanding of the interconnectedness of the individual, community, and natural environment.³³ This view encompasses Indigenous knowledge, culture, language, worldview, and spirituality.³³



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Any data that reflect the well-being of Indigenous peoples belong to individuals and communities.³⁴ The principle of Indigenous data sovereignty recognizes that Indigenous peoples have the right to steward the collection, use and access to their information, and the authority to interpret information through an Indigenous lens with relevant context.³⁴ The data presented here belong to Mi'kmaq and other First Nations communities in Atlantic Canada.

It is also critical to appreciate that while some outcome data are important for uncovering or evaluating progress on inequities in well-being, they may be seen as deficit-based or as reinforcing negative stereotypes without consideration of the deep influence of structural, historic or cultural factors.³⁵ Further work is needed to ensure data are available that reflect holistic worldviews, resilience and protective factors for Mi'kmaq communities in Nova Scotia.

TWO-EYED SEEING

Developing an understanding of how health and well-being are conceptualized among Indigenous peoples is essential to improve the health and well-being of Mi'kmaq children and youth.³⁶ Two-eyed seeing, or etuaptmumk,

attempts to bring together the lens of Indigenous knowledge and that of Western science, to see the world from both perspectives. The roots of this approach can be traced to Eskasoni Elder Albert Marshall.³⁷ Two eyed seeing is also described as learning “to see from your one eye with the best or the strengths in the Indigenous knowledges and ways of knowing... and learn to see from your other eye with the best or the strengths in the mainstream (Western or Eurocentric) knowledges and ways of knowing... but most importantly, learn to see with both these eyes together, for the benefit of all”.³⁷

Albert says “As wonderful as science is, science cannot see nature from an Aboriginal lens. The big difference is that science sees nature as an object; the Aboriginal lens sees nature as a subject. Because it’s through the language, it teaches you that everything is alive, physically and spiritually.”³⁸

Physical, Mental, Emotional Well-being and Healthcare

The consequences of structural inequities, settler colonialism, intergenerational trauma, and persistent racism continue to impact the physical, mental and emotional well-being of Indigenous peoples across Canada. This is seen



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in higher rates of physical health conditions such as arthritis, asthma and diabetes, and mental and emotional challenges including greater risk of suicide.³⁹ The landmark report *Empathy, dignity, and respect: Creating cultural safety for Aboriginal people in urban health care* affirmed that many Indigenous peoples feel distrustful of the healthcare system given ongoing experiences of racism and stereotyping that are well documented.⁴⁰ In addition to training in anti-racism and cultural competencies, healthcare leaders and staff must also have robust and timely accountability policies (that developed with First Nations leaders) to monitor and address racist incidents when they arise.

The Tui'kn partnership is a health partnership of the 13 First Nations bands in Nova Scotia who each deliver critical health services.⁴¹ It also supports health-surveillance data for these Mi'kmaw communities. The partnership determined that between 2004 and 2013, 80 percent of all deaths in Nova Scotian Mi'kmaw communities were premature compared to 38 percent in Nova Scotia overall. Further, it is estimated that 6 out of 10 deaths in the Indigenous communities could have been avoided with prevention or treatment.⁴²

Critical research carried out in the Atlantic Provinces through a Two-Eyed Seeing approach has also shown that disparities exist between First Nations children and their non-First Nations peers when it comes to physical, mental and emotional well-being. In one study, First Nations children including Mi'kmaw children and youth in Nova Scotia, had a higher number of admissions to neonatal intensive care units, diagnoses of dental and ear conditions, diabetes, headaches, burns, and fractures - they experienced more pain than non-First Nations children.⁴³ Despite this, they were less likely to be diagnosed, treated, or referred for specialist care than non-First Nations children.⁴³

Addressing key social and structural determinants of health such as poverty, food insecurity and lack of access to appropriate housing, are critical to improving physical, mental and emotional well-being outcomes for Mi'kmaw children, youth and their families in Nova Scotia. It is also essential that Mi'kmaw communities in Nova Scotia be empowered to design and deliver culturally safe health programming and services that account for Indigenous ways of knowing.



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ECONOMIC AND MATERIAL SECURITY

The economic and material security of Indigenous children, youth and their families across Canada is deeply influenced by colonial structural inequities and a history of inadequate infrastructure funding and other discriminatory policies.^{35,44} Accurately estimating the number of children and youth from Indigenous communities experiencing poverty in Canada is complex because data are not routinely collected for all Indigenous populations. For example, the Canadian Income Survey excludes people living on-reserve.⁴⁵ Even the definition of poverty used in mainstream discourse is problematic, having its roots in colonial structures and concepts that focus on individual risk or absolute terms rather than the broader, more holistic concepts of building community that underpin Indigenous culture.⁴⁶

Based on one available measure for estimating the burden of poverty, Mi'kmaw children and youth in Nova Scotia are experiencing poverty at a rate that is unacceptably high and higher than the general population of children and youth in Nova Scotia. Based on 2019 tax-filer data and the CFLIM-AT, well over 50 percent of children and youth were living in families experiencing poverty in postal areas that include reserve communities.⁴⁵ Data from the 2015 Census show that child poverty rates in Nova Scotia

were higher for off-reserve Mi'kmaw people as well.⁴⁵ Responses to the Nova Scotia 2018-2019 *Student Success Survey* indicate children and youth are feeling the effects. Mi'kmaw/Indigenous children reported higher rates of feeling less respected because of their family's income compared to their peers (24.0 percent vs. 16 percent).⁴⁷

High levels of income poverty further threaten the material security and broader well-being of Mi'kmaw children and youth who may be deprived of affordable, accessible, culturally appropriate food or safe, appropriate housing. While comprehensive data about food insecurity for Mi'kmaw communities in Nova Scotia is lacking, qualitative work carried out in Pictou Landing First Nation in 2014 uncovered key barriers that prevented residents from achieving food security in their community.⁴⁸ These barriers included the predominance of convenience stores and lack of proximity to grocery stores, insufficient income assistance rates for meeting a nutritious diet, and pollution from a nearby mill that threatened access to traditional foods, including the area of A'se'k, or the Boat Harbour area.⁴⁸

There is also a need for more comprehensive data about the housing needs of Mi'kmaw people living on and off reserve in Nova Scotia.



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A Housing Needs Assessment carried out by the Atlantic Policy Congress of First Nations Chiefs Secretariat in 2016, however, uncovered significant needs with respect to housing availability, appropriateness, and safety, such as presence of overcrowding and homes in need of significant repairs for health hazards such as mould.⁴⁹

Concerted efforts are needed to erase structural inequities, to adequately fund necessary infrastructure, and to create opportunities for Indigenous peoples to shape their economic circumstances.⁴⁶

LEARNING AND LANGUAGE

The cognitive, social, and emotional well-being and educational attainment of Indigenous peoples in Canada is influenced by historical trauma and injustice, ongoing inequities in funding, and Eurocentric curricula and practices of assessment that are prevalent in the Canadian Education system.⁵⁰ While Indigenous peoples in Canada have historically had lower educational attainment than their non-Indigenous peers, there is evidence of increasing educational attainment over recent years.⁵⁰ This change can be traced to the leadership of Indigenous communities

Eskasoni First Nation's Transformation of Youth Mental Healthcare

A partnership between the Mi'kmaw community of Eskasoni and Access Open Minds is an example of successful community-driven, transformative mental health services co-designed with youth. Using the Fish Net Model, mental health staff in Eskasoni have implemented a host of services and activities to reach out and identify youth in need of care early including recreation and cultural activities and wellness groups. Youth in need of support can choose between mainstream mental health service and Indigenous methods of improving well-being, or a combination of both. Appropriate care is accessed close to home.

https://accessopenminds.ca/our_site/eskasoni-first-nation-ns-2/



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who have worked to deliver culturally safe and appropriate education and are striving to increase opportunities for participation in higher education.

In the *2018-2019 Student Success Survey*, 8 percent of respondents identified as Mi'kmaw/ Indigenous Ancestry out of 53, 578 students and 2.0 percent of these students spoke Mi'kmaq at home.⁴⁷ Mi'kmaw students may attend public schools or local band schools.⁴⁷

Mi'kmaw Kina'matnewey (MK) is the Mi'kmaq Education Authority which supports 12 Mi'kmaw communities in Nova Scotia to deliver language immersion and other culturally important programs and activities. MK has also provided expertise to improve language and Mi'kmaw programming and curriculum in public schools. MK has overseen substantial improvements in the graduation rates of First Nations students in Nova Scotia, improved numeracy and literacy rates in elementary and secondary schools and increasing enrolment of First Nations students in post-secondary institutions.⁵¹

CHILD WELFARE

The Mi'kmaq were the first in the country to establish an Indigenous Child Welfare Agency to serve all FN communities in the province, and how now are in the process of creating Mi'kmaq Child Welfare Legislation.

Indigenous children and youth remain over-represented in child welfare systems across Canada. Indigenous children aged 0 to 4 years represented 52.2 percent of children in foster care in 2016, while only making up 7.7 percent of the child population within the same age group.⁵² When Canada's progress was last reviewed by the United Nations Committee on the Rights of the Child in 2012, there was grave concern that Indigenous children in Canada faced discrimination by the Canadian government.⁵³ Unpublished data from the Department of Community Services indicate that between 2015-2019 Mi'kmaw children and youth in Nova Scotia remained over-represented in child welfare in the province.

In 2020, Federal Bill C-92, *An Act respecting First Nations, Inuit and Métis children, youth and*



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families was passed and affirmed Indigenous jurisdiction over child and family services.⁵⁴ This federal legislation will further ensure that the best interests of the child come first when considering child and family services for Indigenous children, including maintaining the child's cultural connection and relationship to family and community.⁵⁵ In the words of former Paqtnkek First Nation Chief Paul Prosper (now

Regional Chief of the Assembly of First Nations), "There is a critical need for the Mi'kmaq to take control and jurisdiction over our most important resource, our children. Proposed Federal Child Welfare legislation will enable the Mi'kmaq to heal our communities through our own customs, values, and traditions. Solutions in Child Welfare can't be imposed; rather, they must be developed by and for the Mi'kmaq people."⁵⁶

MOVING FORWARD IN RECONCILIATION

The release of the Truth and Reconciliation Commission of Canada's report in 2015 represented a call to action for every Canadian to support the restoration of rights for Indigenous peoples. Although progress has been made in some areas, there is still substantial systemic change required.¹ It is incumbent on individuals and non-governmental and governmental institutions in Nova Scotia to advance the calls to action once and for all.

Mi'kmaq people and communities in Nova Scotia are resilient and have many strengths. Honouring the treaty rights of Mi'kmaq people and their right to self-determination is critical to defining success and improving outcomes for children, youth and families. Mi'kmaq people must be heard and have the opportunity to shape their well-being using the wisdom and knowledge they hold about what their communities need to be well.¹

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