

# FREQUENTLY ASKED QUESTIONS



## 1. What is law?

- The rules that will be established for child well-being and the governance structure that needs to be set up to operate the Koognaasewin system.

## 2. How long will it take to implement?

- The implementation process will take place at a pace and speed determined by communities based on readiness to take over responsibilities.

## 3. How will this initiative benefit the communities?

- The existing child welfare system has created harm to our people and our communities, so the development of a Koognaasewin Child Well-Being law and service delivery system will replace the Ontario child welfare system.
- Reclaiming jurisdiction over who provides services to community members.
- Autonomy over decisions that will impact children and youth placement and care options
- Restoring jurisdiction over prevention and intervention services for children at risk/in need.
- Family/extended family and community connections remain intact and strong with children no longer having to be placed outside of their community (and displaced) in order to receive the care and protection they need.

## 4. Will this include children off-reserve?

- The Koognaasewin law will apply to a First Nation's child regardless of where they live.
- An interjurisdictional agreement will need to be established with the existing provincial child welfare system to address matters related to responsibility to provide services and the costs.

## 5. Who will approve the Child Well-Being Laws?

- The First Nation's community members are the inherent rights holders, so they will be involved in the development and approval of their law.
- Consultation will take place throughout the adoption and creation of law development.

## 6. Will all 7 communities have the same law?

- Decision to rest with leadership and members of each First Nation.
- Economies-of-scale may be a factor as well as the fact that all communities are Anishinaabe communities.
- Each community will ratify its law, but there could be significant similarity among the community laws with distinctions based on community preferences.



## 7. When will communities take Child Protection?

- Child protection is an important feature of child well-being. Communities may not be ready to take over that responsibility and could be left in the hands of Nogdawindamin (under Anishinaabe law) until such time as communities decide to assume that function of child well-being.

## 8. How do we ensure this process does not cause more trauma?

- Ensure that local community programs (ie., adult/children's mental health) within each First Nation are available when consultation takes place.
- Include internal cultural staffing in the consultation sessions.

## 9. What happens to Nogdawindamin?

- Uncertain; Nogdawindamin's future role depends on consultation feedback.
- It is a provincial child welfare agency that would have to transform to an agency operating under Anishinaabe law.

## 10. What is a Coordination Agreement?

- Such an agreement will set up funding requirements from the federal and provincial governments.
- Such an agreement will also set out arrangements between the provincial child welfare system and the Anishinaabe child well-being system.

## 11. What is a Fiscal Agreement?

- It is the funding agreement that will commit the federal and provincial governments to support the needs and cost of operating the Koognaasewin system.
- A Fiscal agreement is an arrangement with the federal and provincial governments to provide necessary tools and resources to be able to best care for children, youth, and families.

## 12. What happens to the Ontario Welfare System?

- The Koognaasewin system will replace the Ontario child welfare law and system.
- The Ontario welfare system will continue to exist and could provide services to off reserve membership, once an interjurisdictional protocol has been established.



13. What if my child/grandchild/grandchildren are living-off reserve but I want to bring them home, will this new law help me with that process?

- The new Koognaasewin law will likely address jurisdiction issues for on-reserve and off-reserve children based on the principle that the communities should have primary responsibility.

14. What is the role of the Negotiating Committee?

- The Negotiating Team is comprised of representatives from the communities. Their task is to negotiate funding to support Koognaasewin system operations in the communities and any regional child and family support agencies.
- The Negotiating committee primary responsibility is to work with the federal and provincial government's funding bodies to address funding requirements for all Koognaasewin system requirement including prevention, children in care, alternative care homes, kinship care, dispute resolution, etc.

15. What services or departments will take over child welfare services in the community?

- The design of the Koognaasewin system will be based on feedback from community consultation sessions.

16. How will dispute resolution be addressed?

- Research about Anishinaabe practices, customs and traditions and the views from community members will help design the dispute resolution process that will replace the provincial court system.

17. What is InWithForward going to do as part of the project?

- People with lived experience in the child welfare system have important perspective and knowledge to share and InWithForward has an innovative approach and way that is focused on relationship building with such individuals.
- The InWithForward process is to meet individuals from population segments and demographics to collect stories. They will be collecting stories from 25–30 individuals that will be very personal and reflective of their experience. Additionally, InWithForward will be collecting a series of 30 micro stories that will be more specific recounts of interactions with the child welfare system.



18. What will be the role of law enforcement, external social workers, external service providers (healthcare/primary care etc.), and child well-being when our Koognaasewin law comes into effect?

- These details will be part of the consultation process with existing service providers and with community members to determine roles and responsibilities.

19. Who will have oversight of child protection, prevention, welfare services in my community under Koognaasewin?

- This will be determined by community members determined by the feedback in the consultation process.



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