

# AN ACT RESPECTING FIRST NATIONS, INUIT, AND MÉTIS CHILDREN, YOUTH, AND FAMILIES

## BEST INTEREST OF THE INDIGENOUS CHILD

### CAN WMFN MAKE OUR OWN BEST INTERESTS OF THE CHILD?

**Yes**, WMFN *can* create **Best Interests** *in addition* to the national standard and create **Best Interests** that are more *specific and detailed* than the national standards. For example, considerations for a child's siblings, for infants, for cultural safety, for the role of the family and/or community).

### WHAT CAN WE EXPECT TO SEE IN OUR BEST INTERESTS OF THE CHILD?

**Five themes** have emerged from early consultations with Chief and Council. Four of the themes, **Belonging, Mastery, Independence**, and **Generosity**, are aligned with Dr. Brokenleg's "Circle of Courage". **Health, Healing, and Safety** are a fifth theme, underpinning all **Best Interests**.



#### **Health, Healing, and Safety**

Restorative practices will be implemented to protect and empower West Moberly families.



#### **Belonging**

Opportunities for family, cultural, and community involvement will be pursued in the care of West Moberly Children.



#### **Mastery**

Traditional values and practices of the West Moberly First Nations will be honoured and upheld when providing services.



#### **Independence**

Children, youth, and families must have the ability to exercise their personal power, make choices, and be heard at all levels of support services or interventions.



#### **Generosity**

Relationships are critical to child development and all community members have a role in providing support to the children. The importance of sharing knowledge, stories, and teachings with children in a kind, generous, and loving manner is best when a child is in their community on their traditional land.

These themes, and the language used to represent them, will be part of the upcoming, in-person community engagement discussions. We are looking forward to hearing your unique and personal stories, experiences, insights, ideas, and suggestions on West Moberly's Best Interest of the Child.



West Moberly  
First Nations





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## BEST INTEREST OF THE INDIGENOUS CHILD

### WHAT IS THE "BEST INTEREST OF THE INDIGENOUS CHILD"?

Included in the Act Respecting First Nations, Inuit, and Métis Children, Youth, and Families (The Act) is a section named "Best Interest of the Indigenous Child. This section outlines National standards that "...must be a primary consideration in the making of **decisions or the taking of actions in the context of the provision of child and family services in relation to an Indigenous child** and, in the case of decisions or actions related to child apprehension, the best interests of the child must be the paramount consideration."

### WHAT BEST INTERESTS ARE INCLUDED IN THE ACT?

#### Primary Consideration

" [The] primary consideration must be given to the child's **physical, emotional and psychological safety, security and well-being**, as well as to the importance, for that child, of having an **ongoing relationship with his or her family** and with the Indigenous group, community or people to which he or she belongs and of preserving the child's connections to his or her culture."

#### Additional Considerations

- **cultural, linguistic, religious and spiritual** upbringing and heritage;
- **age and stage of development**, such as the child's need for stability;
- **nature and strength of the child's relationship with his or her parent, the care provider** and any member of his or her family who plays an important role in his or her life;
- the importance to the child of **preserving the child's cultural identity and connections to the language and territory** of the Indigenous group, community or people to which the child belongs;
- **views and preferences**, giving due weight to the child's age and maturity
- any plans for the child's care, including **care in accordance with the customs or traditions** of the Indigenous group, community or people to which the child belongs;
- **any family violence and its impact on the child**, including whether the child is directly or indirectly exposed to the family violence as well as the physical, emotional and psychological harm or risk of harm to the child; and
- any **civil or criminal proceeding, order, condition, or measure** that is relevant to the safety, security and well-being of the child.

