

2023

Report to Chief and Council and Membership

Our Children
and Families
Come First

Organizational History

Peguis Child and Family Services Inc., was integrated with Anishinaabe Child and Family Services from 1980 to 1987. In 1987, the communities of Fisher River, Jackhead, Dakota Tipi and Peguis became mandated as Intertribal Child and Family Services Inc. This came after years of negotiations between Federal and Provincial governments and Chief and Council. Peguis Child and Family Services Board of Directors became an autonomous Agency on April 1, 1999, and was mandated under the *Manitoba Child and Family Services Act*. The Agency has been incorporated for approximately 24 years and the Board of Directors revised and approved the Agency By-Laws on May 10, 2023.

Governance

Mission Statement

The Agency's mission statement is to provide child and family services to our members that request services wherever they may reside in Canada.

Agency Goal

The Agency's goal is to provide culturally appropriate services that strengthen the family unit, recognize the importance of the child's cultural heritage, identity, and sense of belonging to their family and community as a whole.

Objective

The Agency's objective is to provide competent and supportive services to families and their children to prevent children from coming into care.

Vision

The Agency's vision of success is a community where each and every person is strong, healthy, empowered, engaged and is enjoying an enhanced quality of life.

5 Pillars of Peguis Child and Family Services

1. Traditional and Cultural Services that are formed on traditional ways of providing prevention services. This consists of the Elders Council and Sharing Circle Elders who assist in the alternatives to the court process to protect children and youth while balancing the unique needs and rights of our members.
2. Enhancing the children's, youth, and family's right to make decisions that provide cultural continuity, connections to family and their community.
3. Strengthening the Traditional Customs of supporting children, youth and families.
4. Affirming our inherent right to the land, language, culture, traditions, heritage, and customs to continue to enhance our sacred relations to our children, youth and families.
5. To ensure young adults have on-going access to their inherent right to the land, language, culture, traditional ceremonies and customs that strengthen their identity as Anishinaabe.

On January 19, 2021, at the Sun Lodge Village in Peguis Indian Reserve a ceremony was conducted where the Peguis First Nation *Honouring our Children, Families and Nation Act* was blessed by our



Elders when they raised their pipes. Through this process our ancestors have given us guidance to send this Legislation to Manitoba and Canada.

Peguis First Nation provided formal Notice of Intent to enter into a Coordination Agreement pursuant to subsection 20(2) of *An Act respecting First Nations, Inuit and Metis children, youth, and families*, on January 20, 2021.

Manitoba and Canada were provided the following: Notice of Intent Letter to enter into a Coordination Agreement, Peguis First Nation *Honouring our Children, Families and Nation Act* and a photo of Chief and Council with Peguis Child and Family Services Board of Directors, Executive Director and Legal Counsel.

On January 21, 2022, the *Honouring our Children, Families and Nation Act* came into force as federal law for Peguis First Nation. The Agency is no longer mandated by Southern First Nations Network of Care through the legislative authority of the Province of Manitoba. This also includes all other provincial bodies such as the Manitoba Advocate for Children and Youth (MACY).

As per *Honouring our Children, Families and Nation Act*, Board Governance Policy and Board By-Laws, the Agency reports to leadership every quarter. The report provides an overview of the Agency's activities.

The Board of Directors will continue to provide leadership, direction, guidance and support to the Agency utilizing Board of Director Governance Policy, Board By-Laws and most importantly is guided by the newly implemented federal legislation approved by former Chief and Council.

The Agency recently completed the Strategic Service Plan that guide the operations of the Agency for the next couple of years, April 1, 2023, to March 31, 2026 that is in alignment with *Honouring our Children, Families and Nation Act*. The Board of Directors approved the Agency's Annual Operation Budget as per new funding agreement for 2023-2024 as per motion. The Board of Directors also approved the 2022-23 annual audit.

Overview of Implementation of *Honouring our Children, Families and Nation Act* is also contained in the Strategic Service Plan, however, the brief timeline is below:

- January 20, 2021, Chief and Council provided notice to Canada and the Province as per Peguis First Nation proposed federal legislation, *Honouring our Children, Families and Nation Act*.
- January 21, 2022, *Honouring our Children, Families and Nation Act* came into force
- January 31, 2023, Signing Ceremony of Coordination and Funding Agreement

Peguis Child and Family Services Board of Directors were appointed by former Chief and Council until 2025. The Board of Directors are Louise McCorrister, Board Chair, Winnie Bair, Oliver Cameron, Sharon Mann, Irene Madison and Rhonda McPherson.

The Board of Directors consists of community members that are representatives of the community which they serve. Their primary role is to develop a vision that is based on community values and beliefs to guide service.

The Board of Directors continues to operate under the governance policies approved July 3rd, 2009. Activities of the Board of Directors include the following four components:

- Board Conduct and Process
- Monitoring organizational performance; Agency Results (Board Vision)
- Monitoring Executive Performance; Executive Director Limitations
- Monitoring Board; Executive Director Relationship



Overview of Funding Agreement

The interim funding model is for the sole purpose of providing child and family services as per legislation, *Honouring our Children, Families and Nation Act*, schedule A:

- a) Core services (protection, prevention, operations, First Nations Representative/Community Navigator Services);
- b) Governance;
- c) Dispute resolution for child and family services and the exercise of legislative authority as set out in the Coordination Agreement;
- d) Insurance costs;
- e) Post Majority Support Services;
- f) Administration;
- g) Information Technology (IT) and information. Management (IM);
- h) Operations and maintenance (O&M is for costs related to capital facilities/assets or physical space);
- i) Initial start up, and;
- j) Capital and Capital Revitalization for exiting Capital assets.

6.1 The Agency shall provide Child and Family Services using the Federal Transfer Payment received under this Agreement and in accordance with the Coordination Agreement as well as the service delivery requirement under the Peguis Act.

For more information on the journey to achieve Peguis First Nation's federal legislation known as *Honouring our Children, Families and Nation Act*, watch video's on the Agency's website, www.peguisdfs.ca .

All documents referenced are available on the Agency website, www.peguisdfs.ca .

Peguis Child and Family Service Report Financial Snapshot April 1, 2023 to August 31, 2023

Child and Family Services	Expenditures (unaudited)
Prevention and Service to Services (Intake/After Hours Program, Community Wellbeing, Reclaiming Our Ways, Grandparent Mentorship Program)	\$2,114,807.66
Children In Care, Customary Care Agreements, Customary Acceptance, Kinship Supported Subsidized Guardianship	\$5,552,512.08



Highlights of 2022-2023 Annual General Report

Ogagwaadagi'ann Investigative Program

Is to provide a standardized approach to investigate allegations of physical, sexual and emotional abuse against children. The goal of the Ogagwaadagi'ann is to ensure that children and their families receive protection and prevention services.

Abuse Referral Type:	Expenditures (unaudited)
Physical Abuse	31
Physical Abuse referrals sent to other agency	31
Sexual Abuse	38
Sexual Abuse referrals sent to other agency	32
Dual Sexual and Physical	0
Dual Sexual and Physical sent to other agency	1
Neglect	2
Neglect referrals sent to other agency	1
Child Death (were not receiving CFS services)	2
Courtesy Service provided for other agency	2
Total Abuse Investigations:	140

Intake Services

The Intake department is the first point of contact for members. The Intake department works closely with families to conduct and complete assessments that identify brief services or ongoing supports that are identified by the family.

The Intake program responds to a variety of requests for members such as:

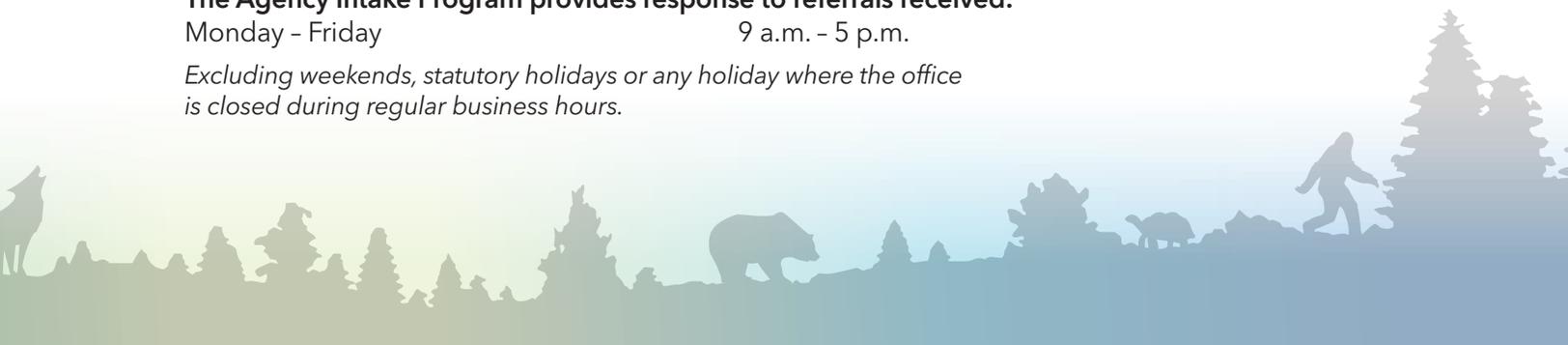
- Requests for information of resources;
- Advocacy for members to access community resources and supports;
- Police requests for service;
- Brief services (short term prevention supports);
- Child protection concerns;
- Request for service from other CFS Agencies;
- Expectant Parent Services;
- Wellbeing checks;
- Work in conjunction with After Hours Program to ensure service delivery;
- Assessment and transfer for ongoing services when concerns cannot be resolved at the Intake level or if families require ongoing supports.

Intake Program Hours of Operation

The Agency Intake Program provides response to referrals received:

Monday - Friday 9 a.m. - 5 p.m.

Excluding weekends, statutory holidays or any holiday where the office is closed during regular business hours.



After Hours Services

The Agency After Hours Program operates outside of regular business hours as well as statutory holidays. The After Hours Program provides crisis response to emergencies and after hours CFS referrals received, screening referrals to ensure validity and appropriate response times, and to ensure assessment and/or investigation occurs if required.

After Hours Program Hours of Operation

The Agency After Hours Program provides emergency response to referrals received:

Monday - Friday 5 p.m. - 9 a.m.
Weekends (Saturday and Sunday) 5 p.m. Friday - 9 a.m. Monday
Statutory holidays
Any holiday where the office is closed during regular business hours.

The Agency manages an average of 229 intake and after service requests per month at both Main and Winnipeg office.

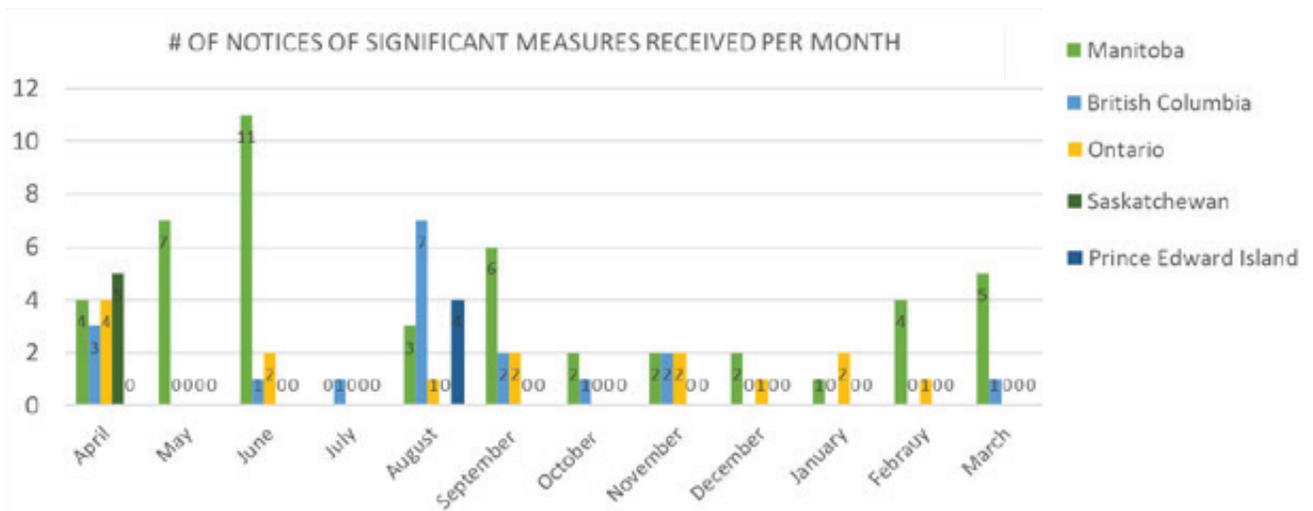
Breakdown of issue of concern - Intake and After Hours	
Child Afraid to Return Home	4
Child Exploitation	4
Conduct of a child	84
Conduct of parent/caregiver	334
Emotional Abuse	0
Medical	46
Mental Health - Child	29
Mental Health - Parent/Caregiver	17
Missing Child	212
Child Neglect	32
Non - Child Welfare Matter	62
Other	846
Parent/Caregiver - Child Conflict	13
Physical Abuse	25
Sexual Abuse	27
Supervision	53
Voluntary Services	961
Total Number of Intake and After Hour Management:	2,749



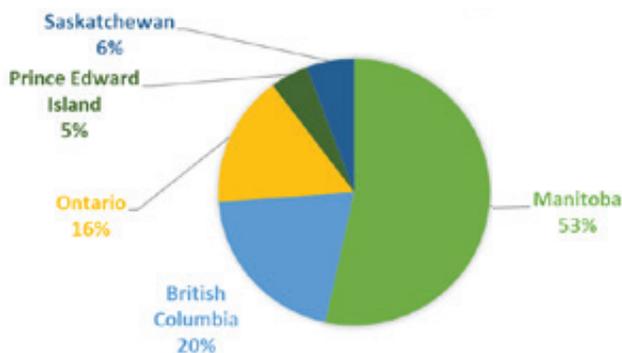
Inter-Nation Affairs Services

Inter-Nation Affairs Services is responsible to manage and receive Notices of Significant Measures, liaison between the Agency and out of province child welfare agencies, confirming Peguis First Nation membership for out of province children and families. To support and ensure child and family services as per *Honouring our Children, Families and Nation Act* are achieved for members who are actively involved with a child welfare system.

Pursuant to section 12(1) of *An Act respecting First Nations, Inuit, Metis children, youth and families* ("Bill C-92") notices of significant measures must be reported to First Nations for their members that are receiving child and family services. During this reporting period, the Agency has received 30 out of province Notices of Significant Measure. Notices are provided to the Agency for the following reasons: notice of court dates, a Temporary Order or Permanent Order was granted, a child was placed under apprehension, a child welfare investigation is being conducted, notice of adoption, change of placement/placement breakdowns and file closures.



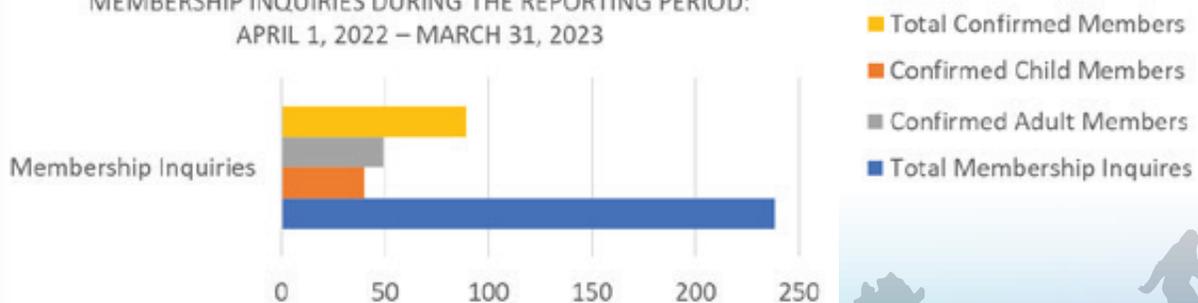
NOTICES OF SIGNIFICANT MEASURES PERCENTAGES:
REPORTING PERIOD APRIL 1, 2022 - MARCH 31, 2023



ACTIVE CASE CONSULTS FOR OUT OF PROVINCE CHILDREN



MEMBERSHIP INQUIRIES DURING THE REPORTING PERIOD:
APRIL 1, 2022 – MARCH 31, 2023



Quality Assurance Services

Quality Assurance is to review and assess complaints from clients that the Agency serves and usually are from issues related to case management. Also, if other bodies file a complaint regarding the Agency's communications or conduct, it is the responsibility of the Agency representative to inform the public of the complaint process as outlined below.

1. An initial assessment of the complaint process is a team approach, it is the responsibility of the worker and supervisor to address and meet prior to proceeding with the formal complaint process,
2. The worker and supervisor need to document their efforts to resolve the concern/complaint, and
3. If the client is not satisfied, they must be informed of the complaint process.

Complaint Process

- a. Quality Assurance Coordinator (QAC) is provided the contact information of the client.
- b. QAC will contact the client and arrange an interview and will determine the location, i.e., office or in the home.
- c. QAC will document the complaint.
- d. QAC will interview the social worker and supervisor assigned to gather more information with respect to the complaint.
- e. QAC will consult with the Director of Service to determine if further investigation is needed.
- f. The QAC determines if a file review is required, he/she will complete a file review of service delivery specific to the complaint.
- g. The written report will be provided to the Director of Service to review with the Executive Director if required to determine if the complaint is substantiated or unsubstantiated.
- h. If the complaint is unsubstantiated, then the report will be filed in the client's physical file.
- i. If the complaint is substantiated, then the formal meeting will occur with the supervisor to address the valid concerns reported. An action plan will be developed and implemented to address the concern.
- j. It is the responsibility of the QAC to send a formal letter to the client notifying them of the outcome of the complaint process. A copy of the letter will be placed on the client's file.

Individual Telephone Inquiries Answered	
After Hours Program (5:00pm - 9:00 am)	4,400
Outreach Office	12,567
Main Office	2,561
Total Telephone Inquiries	19,528



Why Children Come Into Care	
Abandonment:	1
Domestic Violence:	6
Both parents deceased:	1
Abuse:	1
Substance Abuse:	14
Transfers from Other agencies:	25

Services to Families

It is recognized that often the best way to serve and protect children is to help their families. We know that the best time to assist families is before problems grow serious enough to cause family issues that may require removal of children from their home.

These services are geared to helping families stay together. They recognize the importance of helping families in their homes and encourage community participation.

Agency Case Load	Federal	Provincial	Total
Children in Care	44	180	224
Customary Care	7	22	29
Extension of Service	0	78	78
Prevention Services	35	43	78
Protection Services	41	124	165
Prenatal Services	0	4	4
Total	127	451	578

Children In Care: There are 224 children in care as of March 31, 2023, and 95% of children in care are placed with kinship. The goal continues to be reunification.

Children In Care: As of August 31, 2023 there are 218 children in care with a reduction of 6 children that have been reunified with family.

10 Year Snapshot of Agency Caseload (Excluding Intake and After Hour Services)

Year	All Cases	Children in Care
2011-2012	417	183
2012-2013	447	215
2013-2014	442	225
2014-2015	460	243
2015-2016	485	290
2016-2017	506	318
2017-2018	545	362
2018-2019	540	353
2019-2020	571	349
2020-2021	585	354
2021-2022	552	315
2022-2023	578	224

Customary Care Services

Customary Care recognizes the importance of community in raising children and is an essential part of the Peguis Child and Family Services model that reflects the *Honouring our Children, Families and Nation Act*.

Sharing circles are an important aspect in our Indigenous heritage and are guided by the 7 Sacred Teachings: love, respect, courage, honesty, wisdom, humility, and truth. Sharing circles are meant to bring together families and the people who work with them to make decisions or develop service plans to address a child's needs for safety, security, and well-being.

- 43 Children who have been under a Customary Care Agreement
- 29 Children are in an Active Customary Care Agreement
- 14 Children with an inactive Customary Care Agreement:
 - 9 Children have been reunified with parent(s)
 - 1 Child transitioned to an Extension of Service Agreement
 - 1 Agreement expired and is now deemed a private arrangement
 - 2 Agreements have been terminated by the Agency due to child neglect
 - 1 Agreement was terminated by a party to the Agreement and the child was reunified.

Sharing Circles - Traditional Ways of Gathering

Sharing Circles are guided by the 7 Sacred Teachings; love, respect, courage, honesty, wisdom, humility and truth. Sharing Circles allow all staff involved to empower a family and be an agent of change. It will help us all empathize and recognize that healing is a lifelong journey. Families are knowledgeable about their history and family dynamics and know their strengths and make decisions.

Below is how each teaching is represented by this new programming:

LOVE

Sharing Circles channel Love, hope and energy to support the family to create positive outcomes.

RESPECT

Sharing Circles is based on cultural ways of the family.

COURAGE

Sharing Circles facilitated an opportunity to hear all relevant information even if it is painful.

HONESTY

Sharing Circles facilitates an ability to be transparent, open, clear, and act with integrity.

WISDOM

Sharing Circles supports families to share their wisdom, knowledge as they are the experts of their children and family.

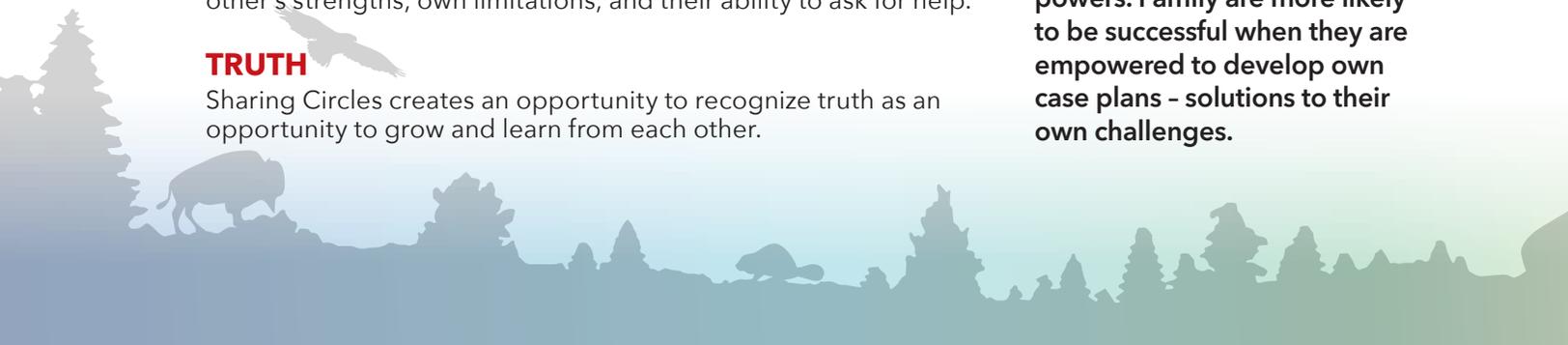
HUMILITY

Sharing Circles supports each participant to understand each other's strengths, own limitations, and their ability to ask for help.

TRUTH

Sharing Circles creates an opportunity to recognize truth as an opportunity to grow and learn from each other.

All families have unique strengths and decision-making powers. Family are more likely to be successful when they are empowered to develop own case plans - solutions to their own challenges.



Grandparent Mentorship Services

Grandparent Mentor services is geared to provide in home support to children and families to strengthen the family unit and prevent children from coming into care. We rely on our grandparents to pass on teachings of life from birth and throughout our journey. The Grandparent Mentor Program was developed to prevent children from coming into care and to help the parents from being overwhelmed with the domestic matters of running the home. Mentors are there to be guides in everyday living and to encourage parents and help with children and to be motivators and encouragers in everyday living. Mentors strengthen the family bonds in being together.

The SunLodge Village Traditional Land-Based Programs

Peguis Child and Family Services (PCFS) and the SunLodge Village have joined together to provide Spirit and the Land experiences for children youth and families, as shown within the medicine wheel below. The Agency understands that these traditional ways of being provide the healing and guidance needed to regain our original strength as Anishinaabe people. The Agency is committed to providing opportunities for every child, youth and family served to reconnect with these traditional ways.

Family Camps

Eight seasonal Family Camps were offered this year as part of Spirit and the Land. These three-day overnight camps will provide for up to four families and up to a total of 24 participants. Participation will include ceremony, traditional teachings, land-based experiences, and sharing circles. The family camps include participation in seasonal activities such as fall garden harvesting, winter snowshoeing, spring fishing, and summer medicine picking. Indoor activities will include crafts, artwork, sewing, and traditional food preparation.

Four Season Child and Youth Camps

The Four Season Camps provide two weeks of traditional land-based experience for children and youth in each of the four seasons throughout the year. Each week will consist of three days and two overnights. Camp activities will include preparing for ceremony, survival skills training, being with the horses, hiking and snowshoeing; four-season fishing, hunting, and trapping; overnight camping excursions; medicine picking; and traditional food gathering and preparation. Participants are invited to express themselves through traditional handicrafts, sewing ribbon skirts/shirts, painting, drums and rattles and other forms of self-expression.

Traditional Elder Services (TES)

Traditional Elder Services provide children and youth who are struggling with serious emotional and behavioural issues with an intensive one-to-one experience with Elders and Elder's helpers at the SunLodge Village. Children and youth are encouraged to form personal relationships with Elders and Elder's helpers, as they participate in a wide range of traditional activities.

SunLodge Village Traditional Land-Based Programs	Total Participants
Four Season Children and Youth Camps (FSC)	199
Family Camp (FC)	102
Traditional Elder Services (TES)	2
Grand Total	303



SunLodge Village Traditional Ceremonies		Dates	Total Participants
1.	Sweat Lodge Ceremony	Every Sunday	520
2.	Warrior Dance Ceremony	May 15-19, 2022	540
3.	Sun Dance Ceremony	July 12-16, 2022	1700
4.	Warrior Dance Ceremony	Sept 10-13, 2022	960
5.	Ancestor (Chibay) Ceremony	Oct 9-12, 2022	960
6.	Eagle Ceremony	Nov 9-11, 2022	400
7.	Christmas/Winter Solstice Ceremony	Dec 21-24, 2022	30
8.	New Year's Eve Memorial Round Dance	Dec 31, 2022	200
9.	Windigocon Ceremony	Feb 14-17, 2023	425
		Grand Total	5735

The Peguis Annual Youth Gathering is an annual two-day outdoor event to build on identity and living a good way of life Mino-Bimaatisiwin. This gathering is open to the community and takes place at the SunLodge Village in Peguis First Nation. Children, youth, and families have the opportunity to learn traditional teachings of making drums and rattles.

SunLodge & CFS Annual Event		Dates	Total Participants
1.	Annual Youth Gathering	Sept 2-3, 2022	567
		Grand Total	567

Prevention Services

Prevention services are tailored to meet the unique needs of each family and aimed to prevent children from coming into care.

"Reclaiming Our Ways" is a term used to help community members reclaim the ways of our culture and to engage in a way of healing to prevent children from coming into care by addressing the needs of the child and family.

Reclaiming Our Ways provides:

- Community referrals
- Increased flexibility in responding to families with different needs to ensure the child's safety and well-being
- Children and families are involved in decision-making

Types of Prevention Programs and Services:

- Faith Based Support
- Traditional Parenting
- Children, Youth, Women & Men Gatherings
- Cultural Support/Ceremony/Teaching Support
- One on One Support
- Emergency Crisis Support
- Youth Programming - Debinan Services



Prevention Services Statistics: April 1, 2022 -March 31, 2023

	Winnipeg Office	Main Office
Family Wellness	48	102
Women's Gathering		263
Men's Gathering		32
Community Engagement	4	1010
Debinan Program	1001	2258
Total	1053	3665
Grand Total	4718	

Breakdown of Agency Team(s): 150

Teams	Total	Winnipeg Office	Peguis Office
Abuse Team	7	4	3
Debinan Team	12	6	6
Intake Team	14	7	7
After Hours Team	20	10	10
Service Delivery Team	33	25	8
Quality Assurance Team	8	4	4
Director of Human Resource Team	9	0	9
Human Resource Manager Team	8	8	0
Legal Team	3	2	1
Youth Empowerment Team	10	8	2
Customary Care Team	3	2	1
Kinship and Foster Team	3	3	0
Sharing Circle Team	4	1	3
Inter-Nation Team	2	1	1
Resource Team	4	3	1
Finance Team	8	4	4
Project Management Team	2	0	2



List of Agency federal law, Policies and Regulations but not limited to the following:

1. *Honouring our Children, Families and Nation Act* (2021)
2. Coordination Agreement (2023)
3. Fiscal Agreement (2023)
4. Board Governance Policy and By-Laws (last revision, June 2022, May 2023)
5. Human Resource Policy (last revision, June 2022)
6. Finance Policy (2023)
7. Child Abuse Regulations (2022)
8. Complaints and Appeals Regulations (2022)
9. Kinship and Foster Home Regulations (2022)
10. Customary Care and Customary Care Agreement Regulations (2022)
11. Designated Intake and Emergency Services Regulations (2022)
12. Service Delivery - Case Management Regulations (2022)
13. Transfer Regulations (2022)
14. Customary Care Procedure and Policy (2022)
15. After Hours Procedure and Policy Manual (2022)
16. Intake Procedure and Policy Manual (2022)
17. Elders Council Policy (2023 pending final review)
18. Grandparent Mentor Policy and Procedures (2022)
19. Vehicle Procedure and Policy Manual (2022)
20. All My Relations Program Procedures Policy (2022)
21. Sharing Circle Program Procedures Policy (2022)
22. Kinship Care Policy and Procedures Manual (2022)
23. Service Delivery-Case Management Program and Procedures Manual (Pending final review 2023)
24. Extension of Services Procedures and Policy (Pending final review 2023)
25. Prevention Services Procedures and Policy (Pending final review 2023)
26. Abuse Investigation Procedures Manual (2023)
27. Prevention Services (2016 -Pending final review 2023)
28. Foster Care Policies - Family/Kinship First (2016)
29. Finding Family, Family Connection Policy (2018)
30. Preventing Children from Entering Care (2018)
31. Emergency Home and Procedures Policy (2022)
32. Business Continuity Plan (2020)
33. Covid Procedures and Policy (2020)
34. Health and Safety Procedures and Policy (2020)
35. Strategic Service Plan (2022-2026)
36. IT Policy (2023)
37. Data System - FAMCare Policy Manual (2023)
38. Child and Family Service Information Policy (2023)
39. Therapy Services Policy and Procedures Manual (2020)
40. Acceptance Commission - Alternatives to the Court Process Policy (2023 pending final review)

Communication and Correspondents provided to Chief and Council April 1, 2023 to August 2023:

June 19, 2023: Meeting with newly elected Chief and Council and Peguis Child and Family Services Board of Directors where a presentation occurred on *Honouring our Children, Families and Nation Act*. This consisted of providing the respective information:

1. Report to Leadership on all child and family services
2. Honouring our Children Families Nation Act legislation
3. Board Governance Policies and By-Laws
4. Coordination and Funding Agreement
5. All key documents as per Coordination Discussion Table that transpired over an 18-month period
6. 2021-2022 Annual General Report
7. 5 Year Strategic Service Plan

July 10, 2023: Received letter from contractor M. Stevenson, subject line, "Letter from Leadership re: Human Resources Data", as shown below. The Agency is elated to report the following information was prepared and provided to M. Stevenson and Chief and Council on July 28, 2023 as follows:

1. Memo, Program Review from Chief and Council
2. Letter from Chief and Council
3. Peguis Child and Family Services, Board of Directors Policy Manual
4. Peguis Child and Family Services, Board of Directors By-Laws
5. Legislation, *Honouring our Children, Families and Nation Act*
6. Coordination and Fiscal Agreement
7. Peguis Child and Family Services Employee Policy Manual
8. Employment Standards
9. Provincial Payscale for child and family services
10. Peguis Child and Family Services, Strategic Service Plan, April 2023 ending March 2026.





DATE: June 14, 2023

TO: All Peguis Program and Service Organizations

RE: Program Review

The Peguis Chief and Council are performing a mandatory review on our programs and service human resource components. This is a data collection process, and it is one part of a review of our governance capacity development, which an important area in the ten functions of local government. These reviews are normally carried out to identify areas/gaps that need development, and measure progress and growth of our departments and employees in our efforts to support staff development, and to promote fairness and transparency.

This review will include a review of your program/organization's procedures surrounding areas such as, but not limited to: policies, program appraisals, job descriptions, hiring, recruitment practices, personnel file checklist, and annual program and succession planning.

Please note that this review is separate information from the Comprehensive Community Plan (CCP), as this data collection process is geared generally toward reviewing human resource components; however, all information being collected is important and will greatly contribute to our community planning process. We intend to utilize the information in the most productive way to broaden our community planning efforts, provide support for our managers/directors, conduct workshops in helpful areas, and to enhance and build capacity within our community.

Mavis Stevenson has been contracted to do the field work and she will be in contact with your department to arrange for a time to meet. We require your cooperation as she will be working on a schedule within a set timeframe.

If you have any questions, you may call Mavis Stevenson at (204) 308-2520. Thank you.

Sincerely,
PEGUIS FIRST NATION



Chief Stanley Bird



Councillor Mary Tyler Bear



Councillor Linda Sinclair



Councillor Doana Sutherland

Councillor Dennis Cameron



Councillor Terrance Sinclair

Councillor Kelvin Wilson

cc: Gerald McCorrister, PFN Human Resource Manager
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Program Review Template

The information contained in this template will provide data that will assist the PFN Leadership and Human Resource program to identify staffing and training needs & issues, produce an effective workforce, and build capacity. By determining our current HR status, we can establish a baseline for developing a well-structured HR management system that will contribute to our community planning and benefit both employer and employee and ultimately program delivery. This information will further serve the following purposes:

- Produce updated data on the human resource aspects within Peguis First Nation departments.
- Contribute to producing and maintaining an effective workforce through streamlined recruitment and hiring & onboarding protocols, and retention strategies.
- Identify and support various training and development needs necessary to meet the employer needs of a trained and skilled workforce to accommodate the changing trends of workplace.
- Effectively fulfil annual program goals through in-house training programs, workshops, and/or seminars aimed at meeting the human resource needs of our community programs.
- Initiate a human resource support network group to collaborate and share resources.
- Assist in the development of a planning and review cycle for each department.
- Support and promote accountability, fairness, and transparency by addressing HR components and addressing any staff issues/concerns through a structured process.

Organization/Program: _____

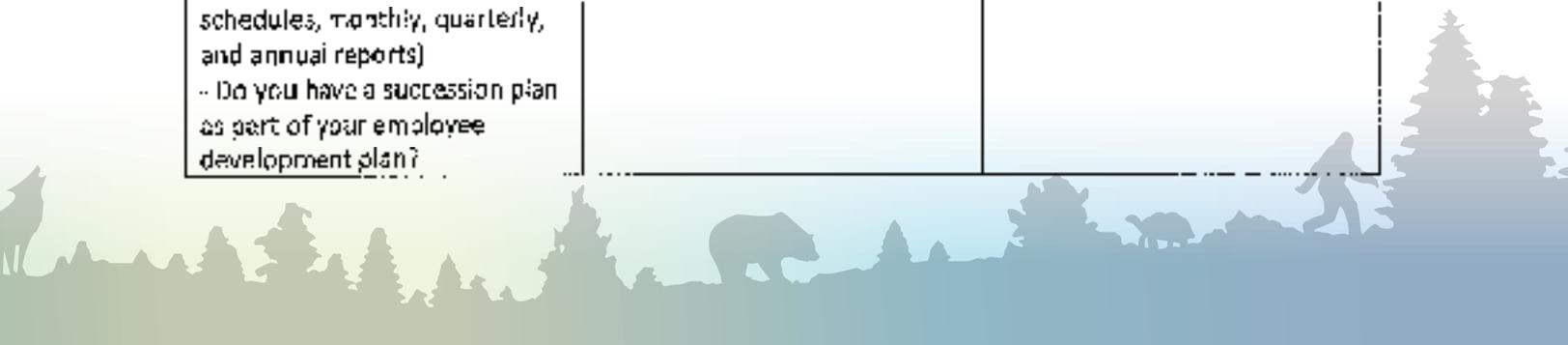
Staff Present: _____

Date/Time: _____

HR Components	Comments	HR Component Status
<p>Program Overview -What is your organization's vision and mission statement? -Do you have annual program plan in place with goals, objectives, activities, schedules, etc.?) Can you provide a sample? Do you have an organization chart and program pamphlet? -When was the last update?</p>		<p><input type="checkbox"/> All Completed <input type="checkbox"/> In Process <input type="checkbox"/> Needs Work</p>
<p>Job Descriptions -Do all staff have job descriptions? -Date of last review and/or update.</p>		<p><input type="checkbox"/> All Completed <input type="checkbox"/> In Process <input type="checkbox"/> Needs Work</p>

<p>Employee Performance Appraisals</p> <p>-When do performance appraisals take place? (ie annually or anniversary date)</p> <p>Are performance appraisals up-to-date?</p> <p>-What process do you employ for following up with "areas of concern or areas that need improvement?"</p> <p>Who conducts the Director's/Management performance appraisals?</p>		<p><input type="checkbox"/> All Completed</p> <p><input type="checkbox"/> In Process</p> <p><input type="checkbox"/> Needs Work</p>
<p>Recruitment & Hiring</p> <p>-How are your new or vacant positions filled? (ie. Posted, appointed, or hired on contract)</p> <p>- Are New Employee Forms completed and on file for each employee?</p> <p>-Are all new employees provided a copy of the personnel (HR) policy?</p> <p>-Do employees receive a letter of offer prior to job entry?</p> <p>-Do employees receive a formal orientation upon job entry? If so, what is included in the orientation?</p> <p>How long is your employee probationary period?</p> <p>-Do you have an employee retention strategy? (performance management, training & development, and/or succession plan)</p>		<p><input type="checkbox"/> All Completed</p> <p><input type="checkbox"/> In Process</p> <p><input type="checkbox"/> Needs Work</p>
<p>Pay & Benefits</p> <p>-What process is utilized for establishing salary/wages? (ie. How is salary determined?)</p> <p>-Do you have in place a job classification and pay scale?</p>		<p><input type="checkbox"/> All Completed</p> <p><input type="checkbox"/> In Process</p> <p><input type="checkbox"/> Needs Work</p>

<p>Disciplinary and/or Termination of Employment</p> <ul style="list-style-type: none"> -What steps do you utilize for staff discipline? -What steps are taken voluntary/involuntary termination of employment -What are some issues you experience around termination of employment? - Do you conduct exit interviews with employees? 		<ul style="list-style-type: none"> <input type="checkbox"/> All Completed <input type="checkbox"/> In Process <input type="checkbox"/> Needs Work
<p>Data Management & Confidentiality</p> <ul style="list-style-type: none"> - Are your personnel files updated? (Acquire random sample - refer to personnel file checklist) -What process do you take to update and maintain personnel files & records (ie. Annual/leave/other forms, review and changes of job descriptions and/or employee job status). -Are personnel files and data stored in safe, secure location? 		<ul style="list-style-type: none"> <input type="checkbox"/> All Completed <input type="checkbox"/> In Process <input type="checkbox"/> Needs Work
<p>Annual Planning & Review Cycle</p> <ul style="list-style-type: none"> -Do you have an annual planning & review cycle in place for your organization? If so, what does this consist of? - Do you have an implementation and monitoring strategy in place? (ie. Monitoring of activities/ programs, staff weekly schedules, monthly, quarterly, and annual reports) - Do you have a succession plan as part of your employee development plan? 		<ul style="list-style-type: none"> <input type="checkbox"/> All Completed <input type="checkbox"/> In Process <input type="checkbox"/> Needs Work



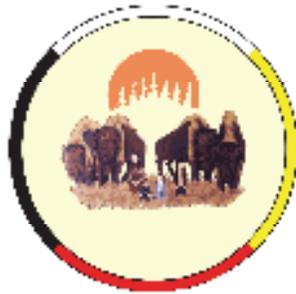
Do you have any questions and/or concerns you would like to add?

Is there anything you would like assistance with regarding the HR components discussed in this program review?

August 10, 2023: Brief Meeting with Chief Dr. Stan Bird and Councillors, T. Sinclair, and D. Sutherland regarding main office expansion. This consisted of providing the respective information:

1. Community Comprehensive Plan PowerPoint presentation on Top Issues identified in report prepared by Agency,
2. Briefing Note on Fuller Road as per Selkirk Child and Family Services capital project approved via coordination agreement,
3. Letter regarding access to Peguis School Board Camp.





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MEMO

TO: Chief Bird and Council

FROM: Earl C. Stevenson, In-House Legal Counsel

CC: Clemene Hornbrook, Executive Director
Leah McPherson, IRA Membership

RE: Membership vs. Status

DATE: September 19, 2023

INTRODUCTION

Peguis First Nation ("Peguis") is a Section 10 Band under the *Indian Act* (the "Act"). Section 10¹ states,

Band control of membership

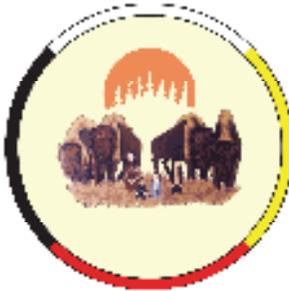
10 (1) A band may assume control of its own membership if it establishes membership rules for itself in writing in accordance with this section and if, after the band has given appropriate notice of its intention to assume control of its own membership, a majority of the electors of the band gives its consent to the band's control of its own membership.

Membership rules

- (2)** A band may, pursuant to the consent of a majority of the electors of the band,
- (a)** after it has given appropriate notice of its intention to do so, establish membership rules for itself; and
 - (b)** provide for a mechanism for reviewing decisions on membership.

Exception relating to consent

¹ *Indian Act*, R.S.C., 1985, c. I-5 <https://www.canlii.org/en/ca/laws/stat/isca-1985-c-i-5/latest/isca-1985-c-i-5.html>



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(3) Where the council of a band makes a by-law under [paragraph 81\(1\)\(p.4\)](#) bringing this subsection into effect in respect of the band, the consents required under subsections (1) and (2) shall be given by a majority of the members of the band who are of the full age of eighteen years.

Acquired rights

(4) Membership rules established by a band under this section may not deprive any person who had the right to have his name entered in the Band List for that band, immediately prior to the time the rules were established, of the right to have his name so entered by reason only of a situation that existed or an action that was taken before the rules came into force.

Idem

(5) For greater certainty, subsection (4) applies in respect of a person who was entitled to have his name entered in the Band List under [paragraph 11\(1\)\(c\)](#) immediately before the band assumed control of the Band List if that person does not subsequently cease to be entitled to have his name entered in the Band List.

Notice to the Minister

(6) Where the conditions set out in subsection (1) have been met with respect to a band, the council of the band shall forthwith give notice to the Minister in writing that the band is assuming control of its own membership and shall provide the Minister with a copy of the membership rules for the band.

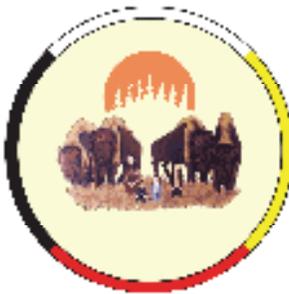
Notice to band and copy of Band List

(7) On receipt of a notice from the council of a band under subsection (6), the Minister shall, if the conditions set out in subsection (1) have been complied with, forthwith

- (a) give notice to the band that it has control of its own membership; and
- (b) direct the Registrar to provide the band with a copy of the Band List maintained in the Department.

Effective date of band's membership rules

(8) Where a band assumes control of its membership under this section, the membership rules established by the band shall have effect from the day on which notice is given to the Minister under subsection (6), and any additions to or deletions from the Band List of the band by the Registrar on or after that day are of no effect unless they are in accordance with the membership rules established by the band.



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Band to maintain Band List

(9) A band shall maintain its own Band List from the date on which a copy of the Band List is received by the band under paragraph (7)(b), and, subject to [section 13.2](#), the Department shall have no further responsibility with respect to that Band List from that date.

Deletions and additions

(10) A band may at any time add to or delete from a Band List maintained by it the name of any person who, in accordance with the membership rules of the band, is entitled or not entitled, as the case may be, to have his name included in that list.

Date of change

(11) A Band List maintained by a band shall indicate the date on which each name was added thereto or deleted therefrom.

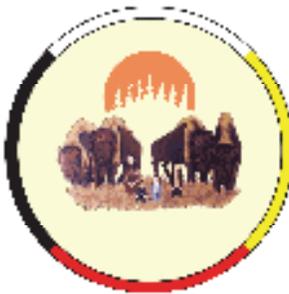
What does this mean? Going back to 1951, the federal government amended the Act, where in order to be a Member of a Band, one also had to be a Status Indian in accordance with the Act's status provisions. The federal government had complete control and created a centralized list of Indians – in most cases this became the prerequisite for membership in Bands.² This created explicit gender-based barriers to First Nation kinship and citizenship systems.

The 2009 *Mcivor*³ and the 2015 *Descheneaux*⁴ decisions revealed Canada's human rights violations against First Nations women and families across generations. Due to the Act's gendered discriminatory provisions and activism from First Nations women in the 1980's and going forward, Bill C-31 was introduced in 1985 by the federal government. Section 10 was enacted and it is membership in a specific form of belonging statutorily created under the Act at that time. Ultimately, Bill S-3 *An Act to amend the Indian Act in response to the Superior Court of Quebec decision in Descheneaux c. Canada (Procureur general)*, SC 2017, c 25 was enacted. Bill S-3 sought to address key issues related to

² *Between Membership and Belonging: Life Under Section 10 of the Indian Act*, D. Lee and K. Horn-Miller, Yellowhead Institute, November 2022, at p. 4. <https://yellowheadinstitute.org/wp-content/uploads/2022/11/BMB-Report-Yellowhead-Institute-Nov-22.pdf>

³ *Mcivor v. Canada (Registrar of Indian and Northern Affairs)*, 2009 BCC 153 (CanLII) ("Mcivor")

⁴ *Descheneaux v. Canada (Attorney General)*, 2015 QJCS 3555 ("Descheneaux")



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adoption, unstated paternity, enfranchisement, and the federal government's role in determining Indian Status and Band membership.

Returning to the amendments to the Act from 1985, they empowered Bands to manage membership and can be seen as a form of self-government. Peguis did just this by passing and enacting its Membership Code⁸ (the "Code") in 1987. As a result of the 1985 amendments to the Act, just over one-third of Bands nation-wide opted into Section 10.⁹ Again, Section 10 can be touted as a form of self-government putting First Nations in a better position to balance the needs to protect finite resources while including individuals who feel they belong.

There is no defined term of "Member" within the Code. There are enumerated criteria to be on the "Membership/Band list" at section 8. Additionally, section 9 of the Code outlines criteria for "persons who may apply for Membership in the Nation".

The fusion of "Membership/Band list" at section 8 unfortunately opens the door for ambiguity in relation to Membership List and Band List⁷ – both which are also not defined in the Code. Under the Act a Band List is maintained by the Department, but the Department must also provide a copy of the Band List to a Band that has undertaken the authority of maintaining membership. Whether a list of people is called a Band List or Membership List is not a substantive issue – just acknowledging that according to the Act, a Band List can also be considered as a Membership List under the Act.

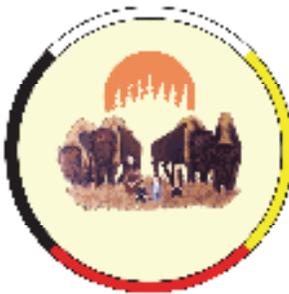
As far as the writer understands, there have been no substantive amendments to the Code and this memo is written with the presumption that no amendments to the Code have been made since its enactment.

As a further note, Section 11 of the Act was also enacted which deemed that Indian and Northern Affairs Canada (as that Department was then known) would maintain control of

⁸ Membership Code of the Peguis Indian Band, June 1987. https://peguisfirstnation.ca/en-content/uploads/2015/11/membership_2.pdf

⁹ *Supra*, Note 2 at page 4.

⁷ Band List means a list of persons that is maintained under [section 8](#) by a band or in the Department, Section 2(1) of the Act. Section 8 states, There shall be maintained in accordance with this Act for each band a Band List in which shall be entered the name of every person who is a member of that band.



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the Band List, thus Band Membership under Section 11 is contingent upon Indian Status. Those Bands that have not enacted their own membership codes by default are deemed a Section 11 Band.

Through the self-determination of Peguis and its inherent rights protected by Section 35 of the *Constitution Act, 1982*, the *Honouring our Children, Families and Nation Act* (the "Peguis Act") was enacted and came into force as federal law on January 21, 2022. The Peguis Act defines "Member" as,

... means any person whose name appears or is entitled to appear on the Band Membership List as maintained by the First Nation or the Band List maintained by the Indian Registry Administrator for the First Nation and the registrar of ISC pursuant to the provisions of the *Indian Act*, R.S.C. 1985 c. I-6;

As we are all aware, oftentimes one's "registration" or lack thereof, may not necessarily reflect how such individuals familial recognition within our Nation is acknowledged. Therefore, in order for a person to receive services from the Agency pursuant to the Peguis Act, they either have to be on the Membership List (or entitled to be) maintained by Peguis OR be on the Band list maintained by ISC (or entitled to be).

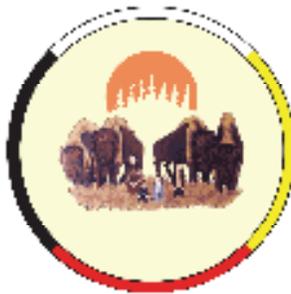
To be clear, this memo only deals with services provided by the Agency, not in relation to services or benefits provided by other Peguis entities such as health or education.

ISSUE

There are people who wish to become Band Members or who should be eligible for Membership through their familial connections thereby allowing them to access services from the Agency.

ANALYSIS

Anecdotally, member confirmation requests from the Agency to Peguis' Indian Registry Administrator have been returned based on the ISC criteria and an Indian parent's ability to pass down registration (status) eligibility. To the writer's understanding, there has been no member confirmation requests that have been returned based upon the Code.



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On June 21, 2021 Canada passed the *UN Declaration on the Rights of Indigenous Peoples Act*⁶ ("UNDRIPA") which now requires the federal government to deal with the fact that defining Indians under the *Indian Act* must fall in line with the Declaration. The UNDRIPA acknowledges that the Act is inconsistent with *The United Nations Declaration on the Rights of Indigenous Peoples*⁷ which has many informative clauses that are supportive of Peguis' inherent rights to invoke and implement its Code, for example,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind, (Preamble)

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources, (Preamble)

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child, (Preamble)

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights⁸ and the International Covenant on Civil and Political Rights,⁹ as well as the Vienna Declaration and Programme of Action,³ affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development, (Preamble)

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

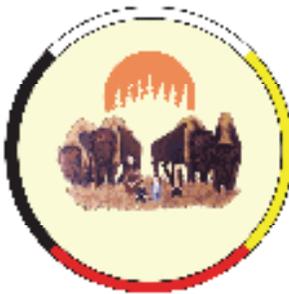
Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

⁶ *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14

<https://www.canlii.org/en/ca/laws/stat/sc-2021-c-14/latest/sc-2021-c-14.html>

⁷ The United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP" or the "Declaration") adopted by the UN General Assembly September 13, 2007.

https://social.desa.un.org/sites/default/files/migrated/19/2018/11/UNDRIP_E_web.pdf



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Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 6

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 9

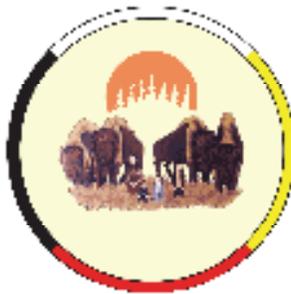
Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

UNDRIP established a universal framework of minimum standards for the survival, dignity and well-being of global Indigenous Peoples while elaborating on existing human rights standards and fundamental freedoms as they apply to Indigenous Peoples. One will note that the Preamble and various Articles noted above give further support and authority for Peguis to implement its inherent jurisdiction as it relates to the Code. At the same time, the ongoing discriminatory provisions of the *Indian Act* still exist, although to a lesser extent today, and that the status and registration provisions run contrary to the UNDRIP and UNDRIPA.

The UNDRIPA commits Canada to aligning federal laws with the UNDRIP. First Nations, including Peguis, will need to be supported through funding for all aspects of our society to bring our kinship and families together in accordance with our own laws and legal orders. These are reflective of our inherent rights and self-determination affirmed by the Declaration.



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The Code is derived from never extinguished rights that were in place pre-Treaty and are inherent and self-determining to First Nations. Such rights are acknowledged and protected by Section 35 of the *Constitution Act, 1982*.

The Peguis First Nation website hosts information on Membership¹⁰, amongst others, where the website states,

As of 1985, Peguis First Nation became a Section 10 Band. This means that there are two (2) lists that the Band must maintain:

1. Registry List

This is where an individual receives their registration number (example 269 00000 01). This entitles individuals to health, prescription drugs, dental, vision (all these determined by First Nations Inuit Health- FNHI, not your band) and post-secondary benefits (based on available funds).

2. Band Membership List

This entitles individuals the right to vote in all matters pertaining to their First Nation. It also entitles an individual to live on reserve and housing on reserve (based on availability)

Key provisions from the Code include,

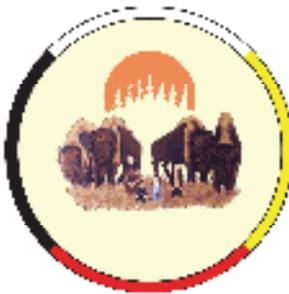
4. The Peguis Ojibway-Cree Nation hereby authorizes and delegates to the Chief and Council the authority to determine Membership under the provisions of this Code.

5. The Peguis Membership List shall be maintained by the Band Council in the offices of the Band. There shall be entered in the Band Membership List the names of every person who is a member of the Peguis Band.

5.3 The Membership Committee shall act in an advisory capacity and make recommendations to the Chief and Council.

9. The following persons may apply for Membership in the Nation:

¹⁰ <https://peguisfirstnation.ca/membership/>



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9.1 Descendant Members: All persons born of a parent who was or is entered on the Band List shall upon application be considered for membership by the Membership Committee.

13. The Band Council may, at any time, add to or delete from the Band/Membership List the name of any person who in accordance with this Code is entitled or not entitled to have their names on the Membership List.

What is interesting to note is that the terms "Status" or "Status Indian" are not utilized in any manner within the Code. There is no requirement to be Status to become a Member of Peguis in accordance with the Code. The Code does state at 9.1 (noted above) that a descendant member may apply for membership. This aligns closely with the "...entitled to appear on the Band Membership List..." definition of Member from the Peguis Act.

Section 10 of the *Indian Act* was considered in *Landry v. Council of the Abenaki of Wolinak*¹¹ heard by Madam Associate Chief Justice Gagne of the Federal Court. In *Landry*, members of the Landry family challenged the Membership Code of the Wolinak First Nation which was enacted in 1987 pursuant to section 10 of the Act. Members of the Landry family were "associate members" which meant they were not allowed to vote in Band elections and they claimed this was illegal and discriminatory¹². Associate members of Wolinak First Nation are non-Indigenous persons married to ordinary members, non-Indigenous children adopted by ordinary members or children of associate members.

Madam A.C.J. Gagne held that since the Band was not required to grant any status or entitlement to associate members because they were not persons who are registered as Indians or entitled to be registered.¹³ The Court went on to state that

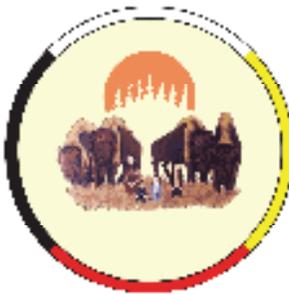
...It was open to the Band to allow certain non-Indigenous people to participate in the cultural life of the Band while keeping the Band's destiny in the hands of ordinary members of Abenaki descent. It is perfectly legitimate for an Indigenous band to take the necessary steps to preserve its identity and culture, and to protect itself against a takeover of its destiny and its assimilation by a majority of non-Indigenous members [citation omitted].¹⁴

¹¹ [2020] F.C.T. No. 957 ["*Landry*"]

¹² *Ibid* at para. 2.

¹³ *Ibid*, at para. 47.

¹⁴ *Ibid*, at para. 47.



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The Court found that the Abenaki First Nation Membership Code was valid and did not constitute discrimination within the meaning of section 15 of the Charter.¹⁵

One of the takeaways from *Landry* is that membership codes adopted from the Bill C-31 amendments to the *Indian Act* reflect the directions of First Nations as they plan for ongoing citizenship and membership requirements. The ability to determine entitlements for membership is a direct result from the 1985 amendments and also reflects First Nation inherent authority as affirmed in *Landry*.

Kinship is a circle of responsibilities – not just anyone can belong, and kinship does allow a basis for exclusion for those outside the circle. The point being is that Peguis should not continue to condone the Acts logic but properly implement its Code so that those who are deserving of being within the circle can become Members.

CONCLUSION

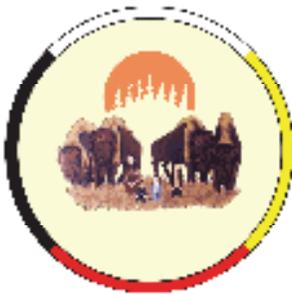
The era of having the Department dictate who should be entitled to membership in a Band is long gone by. Membership codes should be kinship-based and to belonging that is reflective of Indigenous peoples inherent laws, including the Code as it applies to Peguis. Indian status is important, however overreliance upon Status creates a risk of perpetuating the Acts logic and flawed rationale at the expense of our inherent rights and the premise of the Code. Application of the Status Indian premise internalizes the colonial *Indian Act* order which was designed to eliminate inherent Indigenous governance systems.¹⁶

Through the operation of the Peguis Act, the Agency is attempting to be inclusive as to who can receive services. The Agency must follow the Peguis Act as it applies to Members, but we also must find ways to move beyond the strict application of "Status" as it is currently being applied and determinative of who is eligible for service from the Agency.

The floodgates theory is always at play – if the Membership door is swung too far open, many people would then apply to become members and this may overwhelm finite resources of the Agency and the Band. A reasoned and rationale approach applying some type of kinship analysis is required.

¹⁵ *Ibid*, at para. 49.

¹⁶ *Supra*, Note 2 at p. 23.



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The 1, 2 or 3 generation approach may be considered. If a person is not registered as a Status Indian within Peguis, but affiliated through family, then the Band can implement its Inherent rights and determine eligibility for Band Membership generationally. Research and analysis on this or any other approach must be undertaken to determine which approach would be most suitable.

For the interim, *in order to receive services from the Agency*, a letter signed off by Chief and Council could be applied so that the Agency can provide services to that child or family that is not registered as a Status Indian to the Band or not on the Band membership list but can trace their geneology and lineage to Peguis thereby being "entitled to appear on the Band Membership List as maintained by the First Nation". A person's identity is central to their being and being part of Peguis carries significant meaning to that identity. Everyone needs an anchor and to belong somewhere - our Members need to know they belong to Peguis since one may consider this an important aspect to healing.

The Code is 36 years in existence and is due for modernization based on today's views and values and what may be expected in the years to come. Chief and Council should establish a task force to undertake a review of existing Codes across Turtle Island and have this concordance of codes inform on best practices that may inform of recommended amendments to the Peguis Code. This should be done in conjunction with consultation of our Membership via workshops or table sessions in Peguis, Winnipeg and Selkirk.

ES



Peguis Child & Family Services Inc. Selkirk Office- Peguis Reserve 1H

May 13, 2021
Session 3

Our History and Relationship to the Land

Selkirk, Manitoba and the surrounding area was the location where the first treaty was signed in Western Canada by Chief Peguis, amongst several other Chiefs, and Lord Selkirk as signatories in 1817. This treaty was referred to as the Selkirk Treaty. Therefore, this land is very significant for our First Nation and our members that still reside in the area of the former St. Peter's Reserve. The St. Peter's Reserve was established through Treaty 1 which was signed by Henry Prince, son of Chief Peguis, on August 3, 1871, on behalf of our Nation.



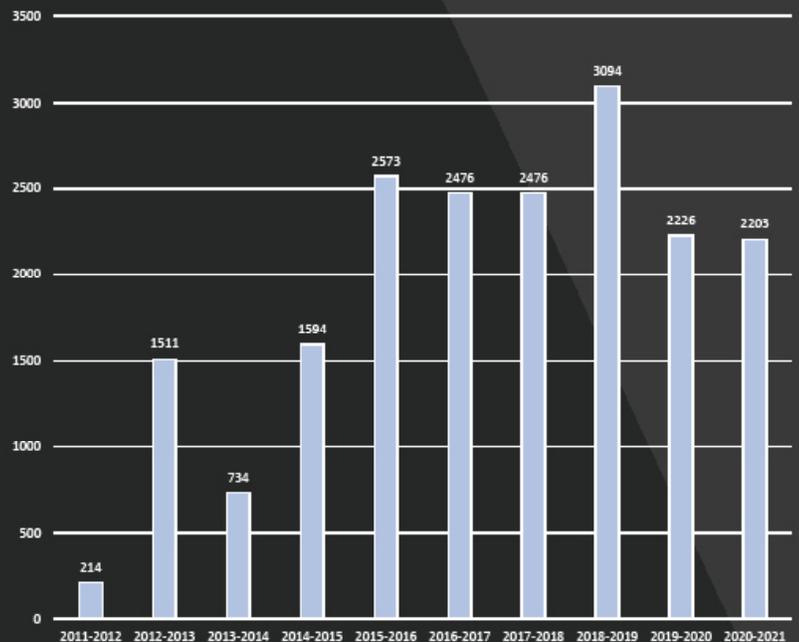
Key Components

- Located on Peguis Reserve 1H (known as Fuller Road)
- 14,000 sq. ft. Office Building
- 14 office space; approximately 20 staff
- 4 Buffalo Rooms
- Large Teaching Kitchen
- Outdoor spaces for children and families
- Private Kiln space
- Large Lounge area
- Large Parking Lot
- Meeting areas for families, Teaching Garden, Family Camping, along with Ceremonies and Healing areas



Overview: The office at the Selkirk location will be the gathering place for our urban Members that reside in surrounding areas. The estimated population is 800 Members that reside in the surrounding areas.

Family Enhancement Program Participants by Year

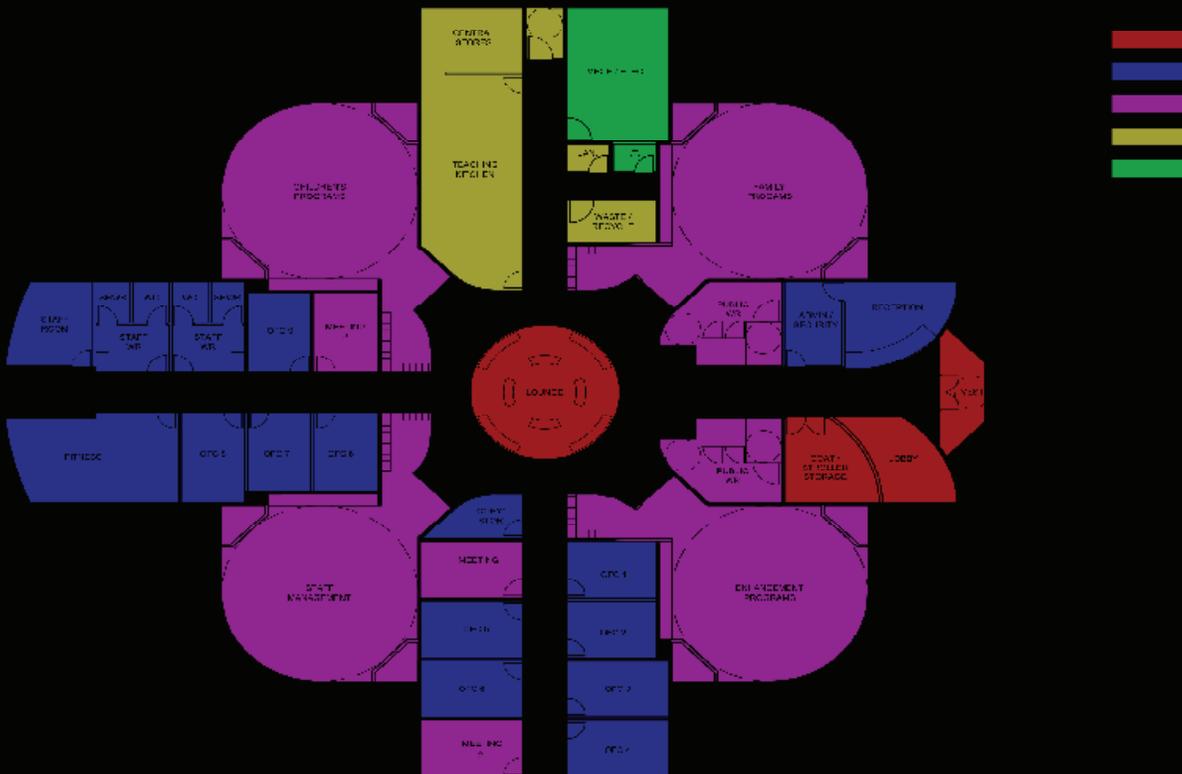


Overview of Service Delivery

As per Customary practices tobacco will be passed to name the sacred place where our community members will gather to reconcile with themselves, their families and strengthen their vision to foster healing.

This gathering place will provide onsite childcare for families that will participate in traditional and cultural ceremonies and other programs such as; Mino-Bimaatziwin, Family Well Being, Breaking the Silence and Healthy and Unhealthy Relationships.

The following staff at this location will consist of but are not limited to: Customary Care Coordinator, Sharing Circle Coordinator, Family Enhancement Coordinator, Resource Social Worker, Family Crisis Workers, Nookomis Care Providers, Traditional Elder(s), Intake Worker, Child Abuse Investigator, After Hours Worker and Support Staff.







Project:	Pepin Child & Family Services	Component:	EHS Office
Owner:	Pepin First Nation	Gross SF Area:	11,300
Location:	Bellevue, Manitoba (Tullee Road)	Offices:	14
		Parking Stalls:	51
		Stores:	1
Div.	Description		TOTAL
31 - 2	Site Development Work - (Fence/Landscaping/Paving)		838,000
3 - 31	Foundation Structure		217,814
2 2 4 5	Building Structure		294,249
6	Millwork / Finish Carpentry / Rough Carpentry		204,806
7	Thermal & Moisture Protection		418,221
8	Doors - Common, Offices, Main Entry, Windows		128,624
9	Finish - Drywall, Paint, Flooring		440,000
10	Specialties - Washroom, Dressing, Closets		30,717
11	Equipment - Kitchen, Appliances, Stairguard		167,928
12	Handrails		148,083
13	Specialty Construction Items		188,248
14	Gaslines		387,314
21 - 24	Mechanical - Fire Protection/Plumbing/HVAC		1,202,125
26	Electrical - Data/Power/Lighting/Control Systems		750,062
	Total Work Division 2 - 16		5,997,186
	CASH ALLOWANCES		
00	Geotechnical Testing/Report and Survey		20,000
00	Leasehold Interior Storage		10,000
00	Gate/Truck Allowance		40,000
00	White Goods in the Heating & Cooling Allowance		4,100,000
	total Cash Allowances		290,000
	General Contingency 2%	5.99%	354,151
05-000	Performance & PM Payment Bonds		21,000
	Contingency	5.06%	315,350
05-020	Warranty & Deficiency Repairs		48,425
	Sub Total		605,334
	Total Hard Costs		6,872,519
	General Requirements 1		
05-N12	Builder's Risk & Waiver Insurance		150,000
05-N15	General Liability Insurance		5,000
05-N18	Utility Agreements (Hydro, etc)		30,000
05-200	Security		25,000
	Sub total		210,000
	General Construction Fee	7.5%	515,439
	Professional Services Fee	6.5%	446,714
	Project Management Fee	6.5%	446,714
	Sub total		1,408,866
	Project Total including taxes		8,501,386



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BRIEFING NOTE

TO: Chief and Council
Board of Directors

FROM: Earl C. Stevenson
Peguis CFS In-House Legal Counsel

DATE: June 19, 2023

CC: Clemene Hornbrook, Executive Director
Barry Mann, Director of Finance

RE: Peguis Indian Reserve 1H
Proposed Peguis CFS Build

Peguis CFS has proposed to have an office/resource space to serve our Members in and around Selkirk, Manitoba on Peguis Indian Reserve 1H also known as the Fuller Road property. A six (6) acre parcel has been surveyed and sub-divided on this parcel. To date, I have not confirmed if this sub-divided plan has been registered with Natural Resources Canada to have a CLSR number indexing such a plan. Attached is a Location Plan showing the 6 acre parcel.

In the past week the Agency received a draft Sub-Lease for the 6 acre parcel. The parties to this sublease are Peguis Development Corporation ("PDC" or the "Sublessor") and Peguis Child and Family Services (the "Agency" or "Sublessee"). This Sub-Lease is a requirement under the Head Lease between PDC and Canada. The only way for an entity like the Agency to lawfully possess Indian Reserve Lands is through a lease of designated lands. Indian Reserve 1H went through the land designation process previously which then allowed for PDC and Canada to enter into the Head Lease. The Agency requires a copy of the Head Lease to confirm cross-references to the Head Lease within the Sub-lease.

In accordance with at clauses 16.1 to 16.3 of the Canada Fiscal Agreement, which outline Agency responsibilities, state:

"Our children and families come first."



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16.1 Peguis and Canada acknowledge that the Agency shall have legal and beneficial interest in any capital facility or asset constructed or acquired with funding provided by Canada. Such legal and beneficial interest shall be confirmed through a leasing arrangement pursuant to the *Indian Act*, RSC 1985 c I-5 for any capital facility or asset constructed on reserve.

16.2 Peguis and Canada acknowledge that the Agency shall enjoy peaceful enjoyment, possession and control over any capital facility or asset acquired with funding from Canada and shall have, subject to terms of the leasehold interest on reserve, responsibility for any matters arising from the construction, possession, control, operation or maintenance of the facility or asset.

16.3 If the Agency constructs a building on reserve using a Federal Transfer Payment, Peguis and the Agency shall comply with and ensure that the building meets all federal or provincial laws, as applicable, as well as any federal guideline, code, standard, directive, protocol and plan, pertaining to the following: occupational health and safety, fire protection, air quality, hazardous substances, water and wastewater systems.

McMullan and Associates provided an Appraisal Report (the "Report") dated October 25, 2017 for Indian Reserve 1H. At that time the report indicated an Annual Fair Market Land Rent of \$7,200.00/One Acre Site. Monthly costs based on this number would come in at \$3,600.00. (6 acres x \$7,200/acre = \$43,200 annually divided by 12 months = \$3,600.00 month)

This Report will likely have to be updated to ensure fair market rent is current and up to date. This will be the responsibility of PDC.

Both the Agency and PDC will have to conclude the Sub-Lease with the updated Report to assist in final determination of leasing costs for the 6 acre parcel.

Unfortunately, PDC and Canada have taken a fairly long time to conclude a Head Lease and the Agency has not been provided a copy of the Head Lease. The Agency has been waiting for almost 2 years for a Head Lease to be concluded so that the Agency can move forward of the build.

"Our children and families come first"





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Ingress and egress can both be taken from Fuller Road and Highway 508. An application to the Province is required to confirm access from Highway 508. PDC has a further responsibility to negotiate a services agreement with the RM of St. Clements. The Agency is not aware of the state of discussions regarding a services agreement for the Fuller Road lands.

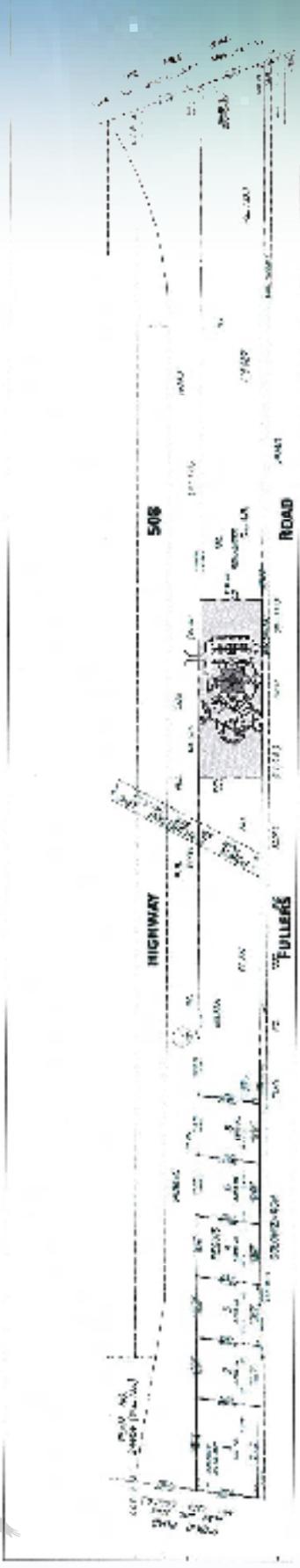
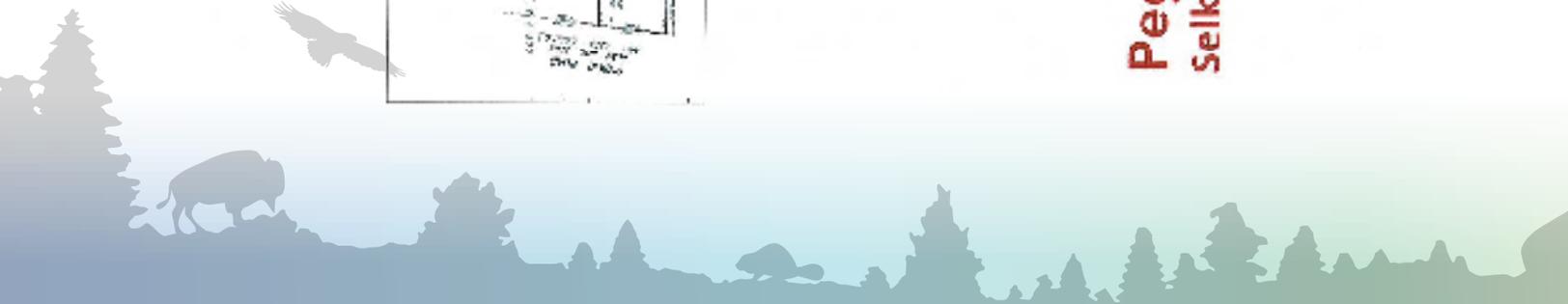
A Request for Proposals process was completed for designing the Agency office at Fuller Road. Director of Finance Barry Mann can provide more details on the RFP decision.

ES/kl



"Our children and families come first."





**PEGUIS CFS
NEW OFFICE
6 ACRE SITE**

Peguis CFS Office
Selkirk, Manitoba

LOCATION PLAN

SEPTEMBER 2021



