

Overview of Bill C-92

A law that recognizes Indigenous communities' authority in caring for their children

What is Bill C-92?

Bill C-92 is An Act respecting First Nations, Inuit and Métis children, youth and families. The legislation came into force on **January 1, 2020**.

This federal law affirms that First Nations have the inherent right to exercise jurisdiction over child and family services, based on their own laws, values, and traditions.

Recognition of First Nations' right to self-governance

Bill C-92 aligns with the recognition of Aboriginal and treaty rights under **Section 35 of the Constitution Act, 1982**.

It recognizes and affirms the inherent right of First Nations to self-governance, including authority over child and family well-being and protection services.

Why Bill C-92 Was Created

For decades, First Nations children have been significantly overrepresented in Canada's child welfare system. Decisions were often made far from families and communities, without sufficient respect for culture, identity, and Indigenous laws.

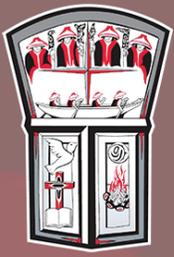
Bill C-92 represents a major legal step toward:

- Justice and non-discrimination
- Reconciliation
- Strengthened First Nations governance
- Respectful government-to-government relationships between First Nations, federal, and provincial governments

Connection to Other Legal and Human Rights Frameworks

The intent and outcomes of Bill C-92 align with national and international human rights commitments, including:

- The **Universal Declaration of Human Rights**
- The **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**
- The **Truth and Reconciliation Commission of Canada's Calls to Action**, particularly those related to children, families, and child welfare



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Cultural Significance of Bill C-92 for Children's Welfare Governance

Bill C-92 recognizes the right of First Nations to:

- Develop and enact their own laws, policies, and practices related to child well-being and the best interests of the child
- Ground decisions in their own cultural values, traditions, and legal systems
- Determine their own governance structures for delivering child and family services
- Decide how, and to what extent, federal and/or provincial governments are involved
- Establish their own processes for law-making, service delivery, and decision-making
- Amend their laws as community needs evolve

The Act also strengthens the obligation to keep families informed and involved when decisions affect their children.

What This Means for the Gitxaala Families

Rooted in the ancestral territory of the Lax Klan, this work honours Gitxaala children and families wherever they live across Canada.

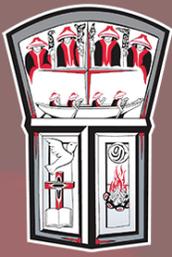
For Gitxaala families, Bill C-92 means that decisions about children are guided first and foremost by **Gitxaala values, Gitxaala laws, and Gitxaala ways of caring for one another.**

It means:

- A stronger focus on **supporting families early**, wherever they live
- Greater efforts to **keep children connected to parents, extended family, culture, and community**
- Increased use of **family- and kinship-based care** within the broader Gitxaala family network
- Clearer communication and involvement of families when decisions affect their children
- Services that respect **culture, language, identity, and lived experience**

Decision-making that reflects the realities of Gitxaala Citizens living both close to home and farther away, while maintaining strong cultural and community ties

At its heart, Bill C-92 supports Gitxaala's vision of children growing up **safe, supported, culturally grounded, and connected to who they are and where they come from — no matter where they live.**



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Funding and Capacity Building

Bill C-92 provides for financial support to assist First Nations in developing and implementing their own child and family well-being laws. This includes funding for:

- Capacity building
- Governance development
- Community-driven systems grounded in each Nation's own laws and values, including **Gitxaala Law**

Foundations for Successful Implementation

Successful implementation of Bill C-92 requires sustained attention to cultural continuity, family strengthening, and governance sustainability.

CULTURAL CONTINUITY

Prioritizing Indigenous cultural practices when determining the best interests of children

Supporting language preservation and cultural revitalization

Ensuring Indigenous communities lead all decision-making processes

FAMILY STRENGTHENING

Emphasizing prevention and early intervention

Supporting family reunification wherever possible

Investing in community-based and kinship-care solutions

GOVERNANCE SUSTAINABILITY

Supporting Indigenous-led governance structures and capacity development

Fostering collaboration among First Nations, Indigenous service agencies, provincial governments, and the federal government

Ensuring adequate and sustained funding

Using community-led evaluation and feedback to ensure systems remain responsive to community needs.

Status

This overview is intended for **public information purposes** and reflects Gitxaala Nation's approach to understanding and implementing Bill C-92 in alignment with its values, laws, and responsibilities to children and families.