



Sunday, August 6, 2017

Honourable Scott Fraser  
Minister of Indigenous Relations and Reconciliation  
Province of British Columbia

**Re: Métis Child SS – Urgent Request**

**Via Email**

Dear Minister Fraser,

The BC Métis Federation is seeking your support to work with you colleague Honourable Katrine Conroy as the recently appointed Minister of Children and Family Development (MCFD) to reverse the ongoing Métis child foster case of our member only known as "SS".

This is a tragic case where one of our Métis families lost their customary adopted Métis child SS from our Métis family LM and RB. The situation exemplifies all that can go wrong with the system when Ministry staff, Ministry lawyers and coopted Métis agencies make decisions in the absence of grassroots Métis communities.

Therefore, we want to meet asap to consider how we can support the following:

1. All litigation by the Province against the customary adoption needs to be immediately frozen.
2. Métis SS daughter needs to be released to the care of her legally adoptive Métis parents.
3. An inquest should be done into how much money has been spent on legal costs to separate a Métis child who was thriving in her Métis home where she had been adopted by custom and place her in non-Aboriginal foster care, breaking all bonds for the child from her cultural community, her adoptive mother and her birth mother only to send her across the country to a non-Aboriginal family she had never met.
4. MCFD has not put the best interest of the child first. They did not use a balanced approach that was required by law. They ignored the warnings of the child's doctors, the child's bonds with her adoptive parents, the ongoing contact with her birth parents, and the bonds of her cultural community.
5. MCFD has been aware of customary adoption since before a Continuing Custody Order (CCO) was made. They have been aware of our court ordered adoption now legally recognized for several months and still have not released our daughter from foster care.
6. Instead they have brought against our Métis members (the customary adoption family) litigation purposefully delaying the return of SS.
7. BC Legislation 24 (1) (2) states that when there is an adoption the director and the Public Guardian and Trustee must step aside. The Canadian Constitution which is the Supreme Law of the Land states at Section 35 that Métis traditions and customs are protected. Section 52 states that any law that comes into conflict with the Constitution is of no force or effect.
8. The United Nations Rights of Indigenous Peoples makes it clear that Métis customs (included in the term Indigenous) are to be respected and the Aboriginal Custom Adoption Recognition Act

has made an order in the court of the Northwest Territories that we are her legally adoptive parents as of October 24, 2013.

9. The BC Adoption Act at Section 46 also allows for custom adoption and much of the MCFD government literature claims that they support it.
10. The MCFD social workers, in the case of our daughter, neglected to consider her best interests, neglected to bring forward custom adoption as required in Section 31 of the adoption standards and practices, and pushed forward, using a highly questionable “exceptions committee” to separate our daughter from us. They fabricated a “review” that was not accurate in order to support their decision that was made without consideration to the child’s culture and they put together a cultural plan that contained misinformation and false claims.
11. Cultural plans are not enforceable by law. In fact, we know with certainty today that while our Métis customary adoption family visited SS in the non-Métis home this past February, she was referred to by the non-Aboriginal foster family as Italian and she had had no Métis cultural experiences.

This past week I was with Premier Horgan and his words and passion to ensure a just and inclusive society, one that fights institutional racism and discrimination for all British Columbians was clear in the reestablishment of the BC Human Rights Commission.

Therefore, this situation needs resolution and justice, BC Métis Federation’s constitutional right to speak and represent our members has not been considered given the discriminatory Provincial Government one window Métis policy. The entire decision was based on the previous Liberal Government’s limited Métis policy of only recognizing the Métis Nation BC. This led to letters from Métis Nation BC supporting the removal of Métis child SS never having met this Métis family who were never their members or discussing the situation. By extension this one window Métis policy led to MCFD officials refusing to recognize the voice of the BC Métis Federation for our members.

We want to work constructively with your offices and this new government to address this situation. The impacts to remove another Métis child from her culture cannot be acceptable in this Day of Reconciliation. Let’s show British Columbians and all Métis people that there is a better way forward.

Please contact me at your earliest convenience.

Thank you



Keith Henry  
President

cc Honourable John Horgan, Premier of British Columbia  
Honourable Katrin Conroy, Minister for Children and Family Development  
BC Métis Federation Board  
BC Métis Federation Members