Zaag'idiwin

This Law was ratified by Saugeen First Nation community members on August 30, 2024, and came into force on November 17, 2025.

STATEMENT OF INTELLECTUAL PROPERTY

Saugeen First Nation declares its inherent cultural rights and ownership of all oral histories and cultural information on Saugeen First Nation contained within, as well as further claiming first rights to any intellectual property arising from the cultural knowledge derived from elders of Saugeen First Nation and other Anishinaabe cultural specialists.

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***Maejtawin* – In the Beginning**

Saugeen First Nation (or "**Saugeen**") is rooted in Onakonigewin, as expressed in Inwewin, and Gikinoo'amaagoowin, and in particular the Grandfather Teachings, the Colour Teachings, and the Sacred Wheel Teachings. These Gikinoo'amaagoowin are central to Saugeen Anishinabeg, our spirit our culture, Anishinaabemowin, and our relationship to the land and water, and guide our decision-making, our stewardship of the land and water, and the care and respect we practice toward each other and all living beings.

Since time immemorial, our people have cared for our children, youth, and families in accordance with Onakonigewin, customs, and traditions. Children, youth, and their families thrived because they were immersed in Inwewin, connected to our land and water, and cared for by our people.

Onakonigewin has governed these lands and waters for millennia, well before any colonial laws were brought and imposed on our people, lands and waters. By asserting this Inaakonagewin, we are not bringing into force a new law but are using our knowledge of Onakonigewin to provide aid to our people in a modern context, in a way that cares for them, our ancestors, and our descendants.

The only way to undo the damage that has been inflicted on our people by colonial governments is to re-assert our inherent right to care for our children and youth. For this reason, Saugeen First Nation has come together to create and assert *Zaag'idiwin,* the name of which came to Saugeen by way of our naming ceremony in accordance with Inaakonagewin.

Abinodjiiag and Ishkiniigjig belong with our community, and it is vital for their growth as confident Anishinabeg who can take their rightful place in our community that Abinodjiiag and Ishkiniigjig and Saugeen families grow up amongst their elders and community.

The right of Saugeen to determine how best to care for Abinodjiiag, and to make laws to permit and protect that right, has been recognized and affirmed in Canadian and International law, including in the Canadian *Constitution Act, 1982*, being Schedule B to the Canada Act 1982 (UK), 1982, c 11, in the *Declaration on the Rights of Indigenous Peoples,* UNGA, 33rd Sess, UN Doc A/RES/61/295 (2007) GA Res 61/295, in Canada's *United Nations Declaration on the Rights of Indigenous Peoples Act*, SC 2021, c 14, in Canada's *Act respecting First Nations, Inuit and Métis children, youth and families* SC 2019, c 24, and in Ontario's *Child, Youth and Family Services Act, 2017,* SO 2017, c14, Schedule 1.

PART 1 – INTERPRETATION

Title of Law

1.01 This Law shall be cited as "*Zaag'idiwin*" or the "Law".

Definitions

1.02 In this Law, the following terms shall have the following meaning:

(a) **Abinodji(iag)** means a Saugeen Citizen under 13 years of age;

(b) **Dibakonnigewin** means a binding decision of the Elder's Tribunal;

(c) **Ishkiniigig (Ishkiniigjig)** means a Saugeen Citizen between 13 and 29 years of age;

(d) **Nin wangoma** means, as a last resort, the welcoming of an Abinodji or Ishkiniigig into a family other than that of their parents, on a permanent basis, and the assumption by that family of all the care, support, decision-making, and other obligations normally borne by the family of the Abinodji or Ishkiniigig;

(e) **Saugeen Citizen** means a member of Saugeen First Nation or an individual who has at least one grandparent who is or is entitled to be a member of Saugeen First Nation pursuant to the *Indian Act*, RSC 1985, c I-5 as amended;

(f) **Saugeen Community** means such group of persons recognized by Saugeen First Nation as making up the carers for Abinodjiiag and Ishkiniigjig, which include parents, grandparents, elders, teachers, healers, as well as any other person who may participate in a Healing Circle in accordance with Section 10.05;

(g) **Zaag'idiwin** Ngodoodegizwin Dibendaagizwin Naaknigewin means Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, the child well-being agency established pursuant to PART 12 of this Law.

(h) **Naagdewenmaag (Naagdewenmaan)** means a person, other than a parent, who cares for an Abinodji or Ishkiniigig on a day-to-day basis, and may include members of the Abinodji or Ishkiniigig's extended family.

PART 2 – PURPOSE AND PRINCIPLES

General Purpose

2.01 *Zaag'idiwin* is an expression of Onakonigewin that allows Saugeen First Nation to ensure the health, well-being, and strength of all Abinodjiiag and Ishkiniigjig.

General Principles

2.02 Abinodjiiag are the heart of Saugeen and are to be supported by the overlapping care of the four circles:

(a) the Abinodji or Ishkiniigig's parents are the first protectors of their Abinodji or Ishkiniigig and are to be supported in making decisions for Abinodjiiag and Ishkiniigjig;

(b) Grandparents, aunts, and uncles, who are central to an Abinodji or Ishkiniigig's upbringing and have rights and authority in determining the best path for an Abinodji or Ishkiniigig;

(c) the community, which has obligations to keep the Abinodji or Ishkiniigig safe and nurtured; and

(d) the land and water.

2.03 Each of the above circles has an obligation to help each other and all Saugeen community members.

2.04 This Law must be interpreted and administered in accordance with the following principles:

(a) Every Abinodji and Ishkiniigig must have the following to ensure that they can be strong and healthy:

(i) their name;

(ii) a connection to their parents, siblings, and family relations, by bringing power back to family and community, through:

(A) families working together in the best interests of the Abinodji or Ishkiniigig as set out in PART 4;

(B) providing a safe place for children and youth in the community; and

(C) wherever possible bringing children and youth home;

(iii) access to learning Anishinaabemowin;

(iv) a connection to our land and water;

(v) access to meaningful education, including to learn and be taught the right ways and be welcomed into our community;

(vi) access to ceremony from the beginning of the child's life and throughout each developmental stage of their lives;

(vii) access the rites of passage of its family and Saugeen;

(viii) express their identity, in terms of their gender and sexuality;

(ix) express their identity, in terms of their beliefs, values, and cultural belonging;

(x) make their voice heard;

(xi) a rootedness in community and a sense of belonging and kinship so that every Saugeen child and youth knows where they are from; and

(b) the protection and safety of our community;

2.05 An Abinodji or Ishkiniigig has a responsibility to help with the care of their siblings.

2.06 Saugeen Community members have responsibilities and obligations with respect to the protection and fostering of the well-being of Abinodjiiag, Ishkiniigjig, and their families. Community members have a duty to be role models for the children of the community.

2.07 Every family member, including male figures, have a role and an obligation to ensure that each Abinodji and Ishkiniigig is strong and healthy.

2.08 Parents are entitled to education, support, and rest in their efforts to raise their Abinodjiiag and Ishkiniigjig with Saugeen's values and beliefs, health, language, land, water and law.

2.09 Anishinaabemowin, values, and beliefs are vital pieces of child well-being and Onakonigewin.

2.10 Abinodjiiag and Ishkiniigjig who are removed or distanced from Saugeen by virtue of a connection to another community or country are still owed a duty by Saugeen.

2.11 An Abinodji or Ishkiniigig with more than one community or other cultural, ethnic, or racial identity maintains the right to be supported within their Saugeen family and the First Nation.

Healing

2.12 Parents and Naagdewenmaan have the right to ongoing opportunities to recover, connect, and re-connect as they move through their healing journey from trauma.

2.13 Healing must be a central component to the care and protection of our Abinodjiiag, Ishkiniigjig and families.

2.14 Healing is a lifelong process which requires love and care.

2.15 The Saugeen Community has an obligation to heal, in order to protect all Saugeen Abinodjiiag and Ishkiniigjig.

2.16 Preventative care includes taking in family members of any age who cannot look after themselves.

2.17 An Abinodji or Ishkiniigig should be provided ample resources for healing, and supported both mentally and physically, to the full extent of their needs and abilities.

Interpretive principles

2.18 *Zaag'idiwin* is to be liberally construed and interpreted as expressing the inherent jurisdiction and ongoing authority of Saugeen First Nation and consistent with any treaties and other agreements that may be negotiated by Saugeen.

2.19 *Zaag'idiwin* and any regulations made pursuant to the Law shall be read and interpreted in a manner consistent with Inaakonagewin.

2.20 For greater certainty, nothing in *Zaag'idiwin* is to be construed as abrogating, derogating, or limiting the ability of Saugeen First Nation to enact, amend, or enforce its own laws.

PART 3 – APPLICATION AND JURISDICTION

Application of Zaag'idiwin

3.01 *Za'agidiwin* governs all Abinodjiiag, Ishkiniigjig, and families wherever they may be.

Jurisdiction

3.02 Saugeen exercises exclusive jurisdiction over all Abinodjiiag and Ishkiniigjig on Saugeen territory.

3.03 Where an Abinodji or Ishkiniigig lives

(a) outside of Saugeen territory, in the territory of another First Nations, Inuit, or Métis community recognized by Saugeen which is exercising jurisdiction over Saugeen children, this Law applies in coordination with the Indigenous governing body it law, or its agency; and

(b) in a territory where no First Nations, Inuit, or Metis community whose jurisdiction is recognized by Saugeen is exercising their inherent jurisdiction over Abinodjiiag and Ishkiniigjig, this Law applies and is paramount over any federal or provincial law. Services shall be delivered to Abinodjiiag or Ishkiniigjig in coordination with agencies or authorities operating under provincial or federal law in a manner according with *Zaag'idiwin* and as directed by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

Paramountcy of Zaag'idiwin

3.04 In the event of any inconsistency between *Zaag'idiwin* and any Canadian federal, provincial, or territorial law, *Zaag'idiwin* shall prevail and be paramount to the extent of the inconsistency or conflict, regardless of where an Abinodji or Ishkiniigig and their family resides.

3.05 Where there are safety concerns with respect to an Abinodji or Ishkiniigig, a decision or order relating to the care, guardianship, or adoption of an Abinodji or Ishkiniigig made by a court, tribunal, or other decision-maker pursuant to their purported jurisdiction under Canadian federal or provincial law, including but not limited to the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Schedule 1, shall be of no force or effect insofar as it relates to Abinodjiiag or Ishkiniigjig.

Blended Families

3.06 Where an Abinodji or Ishkiniigig has ties to another Indigenous community recognized by Saugeen, whose Indigenous governing body is asserting inherent jurisdiction over Abinodjiiag, Ishkiniigjig, and their families, Saugeen may exercise its jurisdiction in coordination and cooperation with the other Indigenous governing body.

3.07 Where a child or youth is a sibling of an Abinodji or Ishkiniigig, Saugeen may exercise its jurisdiction in coordination and cooperation with agencies or authorities operating under provincial or federal law.

Coordination with Indigenous Governing Bodies

3.08 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin may negotiate coordination agreements with other Indigenous communities where coordination of jurisdiction and services is likely to be required on a regular basis.

Jurisdictional Disputes and Delivery of Services

3.09 Jurisdictional disputes shall not delay the delivery of necessary services to Abinodjiiag, Ishkiniigjig, or their families under this Law.

PART 4 – WELL-BEING OF CHILDREN & FAMILIES (BEST INTERESTS)

Primary considerations

Determination of Best Interests by the Parent

4.01 Where a parent or Naagdewenmaag does not require Ganawendan in order to ensure the safety or well-being of its members, the best interests of the Abinodji or Ishkiniigig shall be determined by the parent or Naagdewenmaag.

4.02 Where Ganawendan is required to keep the Abinodji or Ishkiniigig safe and well, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall engage, where possible with the parent or Naagdewenmaag to make determinations of the Abinodji's or Ishkiniigig's best interests.

Paramount Consideration

4.03 The paramount consideration in any decision made pursuant to this Law and in relation to an Abinodji or Ishkiniigig shall be the best interests of the Abinodji or Ishkiniigig.

Best Interests

4.04 When considering the best interests of an Abinodji or Ishkiniigig, primary consideration must be given to the Abinodji's or Ishkiniigig's:

(a) physical, emotional, psychological, and spiritual safety, security, and well-being;

(b) continued relationship with their parent or Naagdewenmaag and with Saugeen First Nation; and

(c) connections to Anishinaabemowin, and Saugeen's history and culture.

4.05 A decision made in the best interests of an Abinodji or Ishkiniigig must consider the following factors:

(a) any plans for the Abinodji's or Ishkiniigig's care, in a way that aligns with the Grandfather Teachings;

(b) the Abinodji's or Ishkiniigig's needs, given their age and stage of development, such as their need for stability;

(c) the importance of belonging with their parent or Naagdewenmaag and Saugeen Community, with a particular focus on:

(i) the nature and strength of the Abinodji's or Ishkiniigig's relationship with their parent, Naagdewenmaag, and any member of their family who plays an important role in their life;

(ii) the centrality of the Abinodji's or Ishkiniigig's grandparents to their upbringing where the grandparents are acting to protect the Abinodji or Ishkiniigig;

(iii) the Abinodji's or Ishkiniigig's views and preferences, giving due weight to the Abinodji's or Ishkiniigig's age, maturity and mental capacity unless they cannot be ascertained; and

(iv) the Abinodji's or Ishkiniigig's rights as set out under Section 2.04(a);

(d) the importance of preserving and promoting healthy relationships for the Abinodji or Ishkiniigig;

(e) any family, colonial, or other violence and its impact on the Abinodji or Ishkiniigig, including whether the Abinodji or Ishkiniigig is directly or indirectly exposed to the any such violence as well as the resulting physical, emotional, psychological, and spiritual harm or risk of harm to the Abinodji or Ishkiniigig;

(f) the importance of preserving respect for the people and environment involved; and

(g) any civil or criminal proceeding, order, condition, or measure that is relevant to the safety, security, and well-being of the Abinodji or Ishkiniigig.

PART 5 – MINOGI'AAWASO – WE CARE FOR OUR CHILDREN (PREVENTION)

Prevention – General Principles

5.01 In providing Minogi'aawaso programming, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall be guided by the following principles:

(a) Naagdewenmaan and the Saugeen Community have an obligation to teach, and Abinodjiiag and Ishkiniigjig have a responsibility to listen and learn;

(b) the care of an Abinodji or Ishkiniigig extends beyond the immediate family—it is a responsibility of the Saugeen Community to keep the Abinodji or Ishkiniigig safe and nurtured;

(c) there is a responsibility to look after those who are vulnerable;

(d) Saugeen Community has an obligation to immediately help a vulnerable Abinodji or Ishkiniigig; and

(e) members of the family and Saugeen Community should always try to "put things right", and the opportunity to do so should always be afforded to a person and family.

Minogi'aawaso Delivery Principles

5.02 Saugeen looks after its Abinodjiiag or Ishkiniigjig by holding Abinodjiiag or Ishkiniigjig, and their families in the center of the community and providing all with the care that is needed to ensure the health, well-being and strength of all Abinodjiiag and Ishkiniigjig.

5.03 Services are to be provided to:

(a) all families in need of aid, not just those in respect of whom safety concerns exist, including pregnant Saugeen Citizens and those pregnant persons carrying an Abinodji; and

(b) extended family members, including but not limited to grandparents, aunts, and uncles as needed to provide care for Saugeen children and Saugeen youth.

5.04 Minogi'aawaso under this Law shall be delivered and administered in accordance with the following principles:

(a) Abinodjiiag, Ishkiniigjig, and their families are to be informed of the full range of services available to them;

(b) services will be voluntary except where the Elders Tribunal has determined that services are necessary to support and ensure the safety and well-being of an Abinodji or Ishkiniigig; and

(c) services delivered to Abinodjiiag and Ishkiniigjig must prioritize healing from harms inflicted by colonial violence including colonial child welfare laws and systems.

Availability of Minogi'aawaso

5.05 Minogi'aawaso shall be made available to all Abinodjiiag, Ishkiniigjig, and their parent or Naagdewenmaag, regardless of whether or not there are safety concerns.

5.06 Wherever possible, Minogi'aawaso shall be offered and encouraged for any family where it appears possible or likely that concerns may develop about the safety and well-being of its members.

5.07 Any person caring for an Abinodji or Ishkiniigig shall be able to access Minogi'aawaso as needed.

5.08 Minogi'aawaso shall include but not be limited to:

(a) prenatal care;

(b) family supports;

(c) family and community care supports, including traditional learning opportunities focused on parenting and targeted elder support;

(d) respite care;

(e) emergency and transitional housing supports;

(f) youth supports;

(g) education;

(h) addiction and substance abuse supports;

(i) supports for Saugeen boys and men;

(j) family connection supports; and

(k) urban member supports;

Non-Exhaustive List of Supports, Services and Programs

5.09 This Part does not provide an exhaustive list of Minogi'aawaso programming, supports and services that may be offered, and Saugeen may make regulations prescribing any additional prevention programming, services, and supports that may be required to support and promote the safety, health, and well-being of Abinodjiiag, Ishkiniigjig, and their families.

Housing Priority

5.10 Saugeen First Nation's policies and procedures shall ensure that Saugeen housing provision is prioritized on the basis of the needs of Abinodjiiag, Ishkiniigjig, and their families to access stable housing to facilitate Minogi'aawaso.

PART 6 – VOLUNTARY SERVICES AND AGREEMENTS

General

6.01 At any time, a parent or Naagdewenmaag of an Abinodji or Ishkiniigig may request voluntary services from Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin to support the parent or Naagdewenmaag in the upbringing and raising of the Abinodji or Ishkiniigig.

6.02 Requesting or accessing voluntary support services shall be deemed as positive and in the best interests of an Abinodji or Ishkiniigig for whom support is sought.

6.03 At any time whatsoever, where Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin has a reasonable belief that:

(a) the parent is experiencing challenges that could reasonably expect to lead to safety concerns; or

(b) the parent cannot otherwise safely care for their Abinodji or Ishkiniigig;

6.04 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall, prior to any other steps being taken, offer voluntary programs, supports, and services to the parent for their consideration.

6.05 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin may enter into a written agreement with a parent or Naagdewenmaag of an Abinodji or Ishkiniigig to provide programs and services or assist the parent or Naagdewenmaag in obtaining programs and services, to support and assist them in the care of the Abinodji or Ishkiniigig.

Voluntary Services

6.06 The voluntary services to support and assist the parent or Naagdewenmaag may include:

(a) cultural support and guidance of elders;

(b) professional counseling;

(c) in-home support;

(d) respite care;

(e) parenting programs, including Saugeen traditional parenting;

(f) services for improving the family's housing;

(g) substance abuse treatment and rehabilitation;

(h) mediation of disputes;

(i) services to assist the family to deal with the illness or death of a Saugeen family member; and

(j) any other services agreed to by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin to support the raising of the Abinodji or Ishkiniigig.

PART 7 – DECISION-MAKING AND RESOLVING DIFFERENCES

Authority of the family

7.01 Decisions made by the parent or Naagdewenmaag of an Abinodji or Ishkiniigig shall be guided by the following principles:

(a) the parent or Naagdewenmaag shall seek guidance from the grandparents of the Abinodji or Ishkiniigig, with input from extended family, particularly when the grandparents are not able to provide guidance;

(b) parents or Naagdewenmaan should have input in decision-making where the parents choose to participate, to the extent that it is safe for the Abinodji or Ishkiniigig;

(c) irrespective of the level of day-to-day involvement of a parent in the Abinodji or Ishkiniigig's life, the involvement of the parents of an Abinodji or Ishkiniigig must be sought at every step of the decision-making process about an Abinodji or Ishkiniigig;

(d) the Abinodji or Ishkiniigig shall have a voice to the extent possible, having regard to the age and development of the Abinodji or Ishkiniigig; and

(e) grandparents have authority in decisions concerning the well-being of their families, except in the event that the grandparents are the source of safety concerns as set out in Section 8.09.

7.02 *Zaag'idiwin* recognizes and affirms the inherent right of Saugeen extended family, including grandparents, aunts, uncles, siblings, and cousins to provide care where, in the opinion of the family member or Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, a child's parents or Naagdewenmaan are not physically, emotionally, or mentally well enough to provide safe care for a child.

7.03 The Saugeen Community should be able to provide resources to families to encourage reunification with the land, water, and Saugeen First Nation.

Decisions

7.04 Saugeen First Nation will respect the importance of decisions by parents or Naagdewenmaan and support parents or Naagdewenmaan in addressing safety concerns when they are brought forward. Where a parent or Naagdewenmaag does not take steps to address any safety concerns, as defined in Section 8.09, the Saugeen Community and Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall intervene in accordance with PART 8.

Family Circle

7.05 A Family Circle is available at any time to every member of the Saugeen Community to address safety concerns and resolve issues and differences regarding the physical, emotional, psychological, spiritual, and cultural safety and well-being of an Abinodji or Ishkiniigig.

7.06 All participants who would be directly affected by any decision made at the Family Circle must provide their consent to participate in order for the voluntary convening of the Family Circle.

7.07 The facilitator of the Family Circle may include any one (1) or more of the following:

(a) an elder;

(b) a member of the Saugeen Community who is an accredited Indigenous dispute resolution facilitator; or

(c) such other members of the Saugeen Community who has a reputation for honesty, integrity, humanity, and a demonstrated practice of resolving local problems by means that honour the Saugeen First Nation values of peace and healing.

7.08 Where the participants agree that a decision needs to be made but cannot agree on a facilitator, a Healing Circle may be convened in accordance with PART 10.

Purpose of Family Circle

7.09 A Family Circle may consider any issue relating to the health, safety, and general well-being of Abinodji or Ishkiniigig, including:

(a) questions of decision-making for Abinodji or Ishkiniigig;

(b) the residence or change of residence of Abinodji or Ishkiniigig; and

(c) services, supports, and programs for the parent or Naagdewenmaag and/or Abinodji or Ishkiniigig

(d) the development of safety and other plans concerning the care of an Abinodji or Ishkiniigig where safety concerns have been identified by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin; and

(e) the steps toward keeping together, or the return to, the parent, where safety concerns have been identified by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, and the Abinodji or Ishkiniigig has been voluntarily placed with other extended family or another Naagdewenmaan, or where the Abinodji or Ishkiniigig has been involuntarily removed from the parent or Naagdewenmaag who had care immediately prior to the child being taken in;

Participants

7.10 The participants in a Family Circle shall, where possible, include:

(a) the parents of the Abinodji or Ishkiniigig;

(b) the grandparents of the Abinodji or Ishkiniigig;

(c) the Naagdewenmaan of the Abinodji or Ishkiniigig if other than the parents and grandparents;

(d) other members of the family of origin involved in the care and well-being of the Abinodji or Ishkiniigig;

(e) the Abinodji or Ishkiniigig, as appropriate considering their age, maturity and mental capacity;

(f) where the Family Circle has been convened to discuss a possible adoption, the prospective adoptive parents; and

(g) anyone else that all participants agree should be present, including (where requested by participants) a Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin representative.

Good Faith

7.11 Any person who participates in the Family Circle will act in good faith to resolve their differences in a respectful manner and in consideration of the best interests of the Abinodji or Ishkiniigig.

Authority to make Decisions and Consent to a Final Decision

7.12 Notwithstanding those individuals who may be participating in the Family Circle, only those who:

(a) would be directly affected by a decision; and

(b) have authority to settle the matter in respect of that participant's interest;

shall be required to consent to a final decision.

PART 8 – ZAAG'IDIWIN INTERVENTION

Principles

8.01 A family shall not be subject to Ganawendan solely on the basis of the family's socio-economic conditions, including but not limited to:

(a) lack of adequate housing or infrastructure;

(b) poverty; or

(c) the health of the family or Naagdewenmaan of the Abinodji or Ishkiniigig.

Family Intervention

8.02 This Law recognizes and affirms the inherent right of the family of an Abinodji or Ishkiniigig, including grandparents, aunts, uncles, siblings, and cousins to provide care where, in the opinion of the parents or any other Naagdewenmaan of an Abinodji or Ishkiniigig in whose care the Abinodji or Ishkiniigig has been placed, is not physically, emotionally, mentally, or otherwise well enough to provide proper care for an Abinodji or Ishkiniigig.

8.03 At all times it is the priority of *Zaag'idiwin* to ensure that the family of an Abinodji or Ishkiniigig can remain or become a safe place for its Abinodji or Ishkiniigig, and as such, a return of the Abinodji or Ishkiniigig to their family must always be considered, at the earliest opportunity, where it is safe to do so.

Duty to Help a Vulnerable Abinodji or Ishkiniigig

8.04 Every member of the Saugeen Community has a duty to help any vulnerable Abinodji or Ishkiniigig.

Duty to Report

8.05 Where any member of the Saugeen Community anywhere is aware of safety concerns relating to an Abinodji or Ishkiniigig and needed assistance cannot be provided directly, that member of the Saugeen Community has a duty to notify the Executive Director of the safety concerns.

8.06 The duty to report safety concerns set out in Section 8.05 is not extinguished by information that the safety concerns have already been reported. More specifically, each and every member of the Saugeen Community who has information regarding the safety and well-being of an Abinodji or Ishkiniigig must notify the Executive Director of the safety concerns even where there is information that a report has already been made.

Liability

8.07 Any person, who in good faith, reports safety concerns to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, is immune from any civil or criminal liability based on the report.

8.08 Any person who makes a report knowing the report to be false or unfounded may be subject to civil liability.

Safety Concerns

8.09 Safety concerns means any conditions, experiences, circumstances, or treatment of an Abinodji or Ishkiniigig that are likely to significantly compromise an Abinodji's or Ishkiniigig's physical, emotional, or psychological well-being, and which the family is not taking steps to address, which includes, but is not limited to:

(a) abandonment by a family or Naagdewenmaan or the absence of Naagdewenmaag options within the family;

(b) suffering physical violence or the threat of physical violence;

(c) suffering or risk of suffering sexual abuse or exploitation;

(d) lack of adequate supervision and care;

(e) untreated medical or psychiatric conditions;

(f) emotional or psychological abuse;

(g) exhibiting self-harming behaviours;

(h) exposure to domestic or other violence, or high-risk conflict;

(i) denying access to education appropriate to the age and stage of the Abinodji or Ishkiniigig;

(j) denying spiritual or religious choice;

(k) denying expression of sexuality, gender and gender expression; or

(l) any other information relating to the actual harm or risk of harm to the physical, emotional, psychological health and well-being of the Abinodji or Ishkiniigig.

Responsibility to Investigate

8.10 Subject to information that the Abinodji or Ishkiniigig may be in imminent danger or harm, and upon receipt of a report pursuant to Section 8.05, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall immediately, and without delay, initiate a thorough investigation within twenty-four (24) hours after receiving the report to determine the nature, extent, and cause of any safety concern or condition which has caused harm or risk of harm to the Abinodji or Ishkiniigig.

8.11 Where Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin identifies safety concerns through its investigation, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall:

(a) provide immediate voluntary supports and services, including in-home caregiving supports, in an effort to ensure that the family remains intact and that an Abinodji or Ishkiniigig is not removed from their home;

(b) place the Abinodji or Ishkiniigig in Ganawendan where:

(i) the parent or Naagdewenmaag agrees that they are not in a position to safely care for their Abinodji or Ishkiniigig and agrees to the Ganawendan; or

(ii) where the Abinodji or Ishkiniigig faces imminent danger or harm if left in the care of parent or Naagdewenmaag; and

(iii) immediate support and services are not agreed to, unavailable, or cannot address imminent risk of harm to the safety and well-being of the Abinodji or Ishkiniigig;

8.12 Whether or not the Abinodji or Ishkiniigig has been removed to Ganawendan, a referral shall be made to the Healing Circle.

Conclusion of Investigation

8.13 Where Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin has completed an investigation into the safety concerns raised, and is of the opinion that there are no safety concerns, or that the safety concerns do not give rise to Ganawendan:

(a) no further steps will be taken by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin without the consent of the parent or Naagdewenmaag; and

(b) in the event that an Abinodji or Ishkiniigig was removed from the family home, the Abinodji or Ishkiniigig will be immediately returned to their parent or Naagdewenmaag at the time of Ganawendan.

PART 9 – GANAWENDAN – TO TAKE CARE OF, PROTECT (COMMUNITY CARE)

Principles of Ganawendan

9.01 Ganawendan is provided to Abinodji or Ishkiniigig only when and if it is necessary for Saugeen First Nation to assume responsibility for the care of and decision-making regarding an Abinodji or Ishkiniigig. Ganawendan may include:

(a) the care of an Abinodji or Ishkiniigig by a Naagdewenmaan;

(b) a shelter for family members caring for their Abinodji or Ishkiniigig;

(c) conditions for families caring for their Abinodji or Ishkiniigig to ensure their safety and well-being; and

(d) Emergency Care as set out in Section 9.03.

9.02 Where Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin contemplates Ganawendan for an Abinodji or Ishkiniigig, the parents of that Abinodji or Ishkiniigig, shall be given notice of the contemplated Ganawendan prior to provision of Ganawendan.

Emergency Care

9.03 If, pursuant to Section 8.11, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin has reasonable grounds to believe that the immediate taking in of an Abinodji or Ishkiniigig from their surroundings is necessary to prevent imminent danger or harm to the Abinodji or Ishkiniigig, the parent or Naagdewenmaag is unable or unwilling to protect the Abinodji or Ishkiniigig from such imminent danger or harm, and there are no reasonable alternative means of protecting the Abinodji or Ishkiniigig other than Emergency Care, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall remove the Abinodji or Ishkiniigig and may appoint a person to care for the Abinodji or Ishkiniigig until such time as the Abinodji or Ishkiniigig can be returned to the care of their parent or Naagdewenmaag.

9.04 If Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin is satisfied that without the provision of Emergency Care an Abinodji or Ishkiniigig may be in need of intervention because the parent or Naagdewenmaag cannot be located after a reasonable search or has died or become incapacitated, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin may appoint a person to care for the Abinodji or Ishkiniigig until the parent or Naagdewenmaag can be located or other satisfactory arrangements can be made for the care of the Abinodji or Ishkiniigig, and Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin may convey the Abinodji or Ishkiniigig for the purpose of placing the Abinodji or Ishkiniigig in the care of that person.

9.05 A person appointed under Section 9.03 may care for the Abinodji or Ishkiniigig in the residence in which the Abinodji or Ishkiniigig was found and for that purpose may:

(a) enter the residence;

(b) live in the residence;

(c) carry on normal housekeeping activities in the residence that are necessary for the care of the Abinodji or Ishkiniigig; and

(d) exercise reasonable control over all Abinodjiiag or Ishkiniigjig residing in the residence.

9.06 The person appointed under Section 9.03 may care for the Abinodji or Ishkiniigig in the person's own residence for the amount of time that Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin directs.

9.07 When a person is appointed under Section 9.03, no liability attaches to that person in the course of carrying out that person's duties under Section 9.05 or to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin assisting that person in carrying out those duties by reason only of the entry into and occupation of the residence without the consent of the owner or occupier.

9.08 If any member of the community has reasonable grounds to believe that Emergency Care of an Abinodji or Ishkiniigig is necessary to prevent imminent danger or harm to the Abinodji or Ishkiniigig, and the parents or Naagdewenmaan are unable or unwilling to protect the Abinodji or Ishkiniigig from such imminent danger or harm, that member of the Community shall have the authority to take physical custody of the Abinodji or Ishkiniigig notwithstanding the wishes of the parents or Naagdewenmaan and immediately deliver the Abinodji or Ishkiniigig to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin. Any person acting in good faith in accordance with this Section shall be immune from all liability.

9.09 Where Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin acts in accordance with Sections 9.03 and 9.04, a Healing Circle shall be convened within forty-eight (48) hours of the Abinodji or Ishkiniigig being placed in Emergency Care.

Ganawendan

9.10 Where Ganawendan may be required it shall be determined by:

(a) the parent or Naagdewenmaag, independently or through a Family Circle pursuant to PART 7; or

(b) Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin through a Healing Circle pursuant to PART 10.

9.11 Where no consensus can be arrived at by means of the processes referred to in Section 9.10, Ganawendan shall be determined by:

(a) the Elders Tribunal as set out in PART 10;

(b) Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin intervention pursuant to Section 8.11(b).

9.12 Any placement of an Abinodji or Ishkiniigig in Ganawendan shall be pursuant to the principles and priorities set out in Section 9.16.

Connections while in Ganawendan

9.13 To the extent that such connection is safe for the Abinodji or Ishkiniigig, Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall work with the members of that Abinodji's or Ishkiniigig's family and Naagdewenmaan to ensure that the Abinodji or Ishkiniigig maintains their connection with their parent at all times while out of the care of their family.

Review of Ganawendan

9.14 A review of a decision to place an Abinodji or Ishkiniigig in Ganawendan shall take place at such times and in such a manner as set out in the regulations.

Regulations

9.15 Saugeen First Nation may enact regulations in relation to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin intervention and Ganawendan, including with respect to:

(a) voluntary service agreements;

(b) funding for services;

(c) the licensing of residential facilities;

(d) procedures for assessing the need for Ganawendan ;

(e) procedures for conducting investigations;

(f) notice and community consultation requirements;

(g) participatory rights for parents and Naagdewenmaan;

(h) the process for the taking in of an Abinodji or Ishkiniigig from their family; and

(i) any other matter the Chief and Council of Saugeen First Nation considers important for the administration or operation of PART 9 of this Law.

Placement

9.16 The order of priority for the placement of an Abinodji or Ishkiniigig in Ganawendan shall be as follows:

(a) with a parent;

(b) with an extended family member, including sibling, aunt, uncle, grandparents, and cousins;

(c) with a community member;

(d) with an Anishinabe family;

(e) with a member of another Indigenous community; and

(f) with another adult as approved by the family and Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

9.17 If a child does not show due respect towards their Naagdewenmaan in a placement, they will be moved by the person who has charge in the family.

9.18 If a Naagdewenmaan does not show due respect to an Abinodji or Ishkiniigig in their care, raising safety concerns as set out in Section 8.09, they will be moved by the person who has charge in the family.

Placement with or near other children

9.19 When the order of priority set out in Section 9.16 is being applied, the possibility of placing an Abinodji or Ishkiniigig with or near children who have the same parent as the Abinodji or Ishkiniigig or who are otherwise members of the Abinodji or Ishkiniigig must be considered in the determination of whether the proposed placement would be consistent with the best interests of the Abinodji or Ishkiniigig.

Exceptions to priority of placement

9.20 This priority of placement is determinative, except to the extent that:

(a) the safety of the Abinodji or Ishkiniigig is at risk; or

(b) the Abinodji or Ishkiniigig's family agree to maintain an exceptional placement.

PART 10 – HEALING CIRCLE AND ELDERS TRIBUNAL

Purpose

10.01 A Healing Circle shall be convened where the family members of an Abinodji or Ishkiniigig, are unable to intervene in order to ensure the safety and well-being of an Abinodji or Ishkiniigig, or where their efforts to do so have been unsuccessful.

When a Healing Circle Shall be Convened

10.02 A Healing Circle shall be convened within forty-eight (48) hours of the earlier of:

(a) an Abinodji or Ishkiniigig being removed from their home and placed in Ganawendan; or

(b) Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin determining that safety concerns regarding an Abinodji or Ishkiniigig exist, and the family has declined a

Family Circle or such a Family Circle has concluded without a final decision that addresses the outstanding safety concerns.

10.03 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, in consultation with the parent or Naagdewenmaag of the Abinodji or Ishkiniigig, shall be responsible for convening the Healing Circle.

When a Healing Circle May be Convened

10.04 A Healing Circle may be convened voluntarily as a means of resolving differences as set out in Section 7.08.

Composition

10.05 A Healing Circle shall include:

(a) the parents of the Abinodji or Ishkiniigig;

(b) the Abinodji or Ishkiniigig, as appropriate;

(c) a representative of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin;

(d) where the Healing Circle has been convened to discuss a possible adoption, the prospective adoptive parents;

(e) wherever possible or appropriate:

(i) the grandparents of the Abinodji or Ishkiniigig; and

(ii) other members of the family involved in the caring and well-being of the Abinodji or Ishkiniigig;

(f) a minimum of two (2) Saugeen First Nation elders who are not members of the family; and

(g) anyone else that all participants agree to having present.

Decision-Making

10.06 The Healing Circle may determine:

(a) whether parents or the Naagdewenmaan from whom the Abinodji or Ishkiniigig was removed can safely care for the Abinodji or Ishkiniigig with or without community intervention;

(b) what community intervention is necessary in order for the parents or Naagdewenmaan to safely care for the Abinodji or Ishkiniigig; and

(c) if the parents or previous Naagdewenmaan are not able to safely care for an Abinodji or Ishkiniigig:

(i) who should care for them;

(ii) what contact between the Abinodji or Ishkiniigig and their parents or previous Naagdewenmaan is in the best interests of the Abinodji or Ishkiniigig;

(iii) in the case of siblings not residing together, what if any supports are necessary to ensure that the siblings have regular contact with each other;

(iv) what community intervention is necessary for the parent to support and strengthen their continued relationship with and care for an Abinodji or Ishkiniigig, regardless of whether the Abinodji or Ishkiniigig is placed in the care of a family;

(v) what pathways are available for the reunification of the Abinodji or Ishkiniigig with their parents or previous Naagdewenmaan;

(vi) whether the adoption of a Saugeen child and Saugeen youth should occur;

(vii) any other measures wanted or needed to ensure the well-being of an Abinodji, Ishkiniigig, or their parents; and

(viii) questions of decision-making, residence, and time spent with parents.

Consensus

10.07 The Healing Circle shall make all decisions by consensus.

Regulations

10.08 The Chief and Council of Saugeen First Nation may make and amend regulations under this Law on the basis of recommendations by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin to provide for the operation and procedures of a Healing Circle.

Referral to Elders Tribunal

10.09 Where following the meeting(s) of the Healing Circle, there is no agreement:

(a) either with respect to the existence or nature of the safety concerns;

(b) how the parent or Naagdewenmaag shall address the safety concerns;

(c) whether community intervention is necessary; or

(d) in respect of the approach or extent of community intervention that is required,

the Healing Circle shall refer the Abinodji or Ishkiniigig and their parent or Naagdewenmaag to the Elders Tribunal.

When the Elders Tribunal shall be Convened

10.10 The Elders Tribunal shall be convened:

(a) upon a referral from the Healing Circle, where no consensus was arrived at on any or all of the issues before the Healing Circle, or there was a withdrawal by any of the participants of the Healing Circle prior to arriving at a consensus;

(b) upon a referral by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin of a decision that an Abinodji or Ishkiniigig needs community intervention and the interested participants declined to participate in a Healing Circle;

(c) to review a decision on temporary Ganawendan; or

(d) in the event that adoption is being sought.

Composition

10.11 The Elders Tribunal shall include a minimum of three (3) individuals who are not members of the Advisory Committee.

Standing at the Elders Tribunal

10.12 The following individuals have standing to attend and participate in the Elders Tribunal:

(a) any member of the family who has material information that can assist the Elders Tribunal in arriving at a plan that is in the best interests of the Abinodji or Ishkiniigig;

(b) any authorized person from Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin with direct knowledge and decision-making authority in the matter of the Abinodji or Ishkiniigig;

(c) a person representing the interests, views, and preferences of the Abinodji or Ishkiniigig;

(d) an Ishkiniigig who wishes to participate in a proceeding in which Nin wangoma is contemplated and who has the maturity and capacity to do so; and

(e) a representative member of the caregiving family.

Addressing Safety Concerns through the Elders Tribunal

10.13 Within thirty (30) days of receiving a referral from the Healing Circle, or within five (5) days of receiving a referral from Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, the Elders Tribunal shall be convened to:

(a) determine whether and to what extent there are safety concerns, and the nature of the safety concerns;

(b) what programs, services, and supports are available for the Abinodji or Ishkiniigig and their parents;

(c) whether the parent or Naagdewenmaag is able to address the safety concerns; and

(d) whether Ganawendan is necessary, and if so, what form community intervention will take.

10.14 The Elders Tribunal may order that the parent or Naagdewenmaag enter into temporary arrangements in the best interests of the Abinodji or Ishkiniigig pending a final decision by the Elders Tribunal.

Decisions by the Elders Tribunal are Final

10.15 A Dibakonnigewin made at the Elders Tribunal is final and is to be respected and followed by all those who are affected by the Dibakonnigewin.

10.16 In the event that one or more of the participants do not respect and follow the temporary or final Dibakonnigewin of the Elders Tribunal, the matter may be referred back to the Elders Tribunal to determine whether any orders for sanctions ought to be made.

Regulations

10.17 Notwithstanding PART 7 and PART 10, Saugeen First Nation may make regulations providing for decision-making and dispute resolution mechanisms other than those set out in this Law.

PART 11 – NIN WANGOMA – A SUPPORTED ONE, AN ADOPTED ONE

Principles

11.01 Children placed in families have the right to be loved and respected like a biological member of the family unit.

11.02 Qualifications for child care placements cannot be rooted in colonialism.

11.03 This Law recognizes the traditional practice of Nin wangoma as being the act of taking in an Abinodji or Ishkiniigig where the Abinodji or Ishkiniigig is in need of parenting and care, as if the Abinodji or Ishkiniigig was the Abinodji or Ishkiniigig of birth, for those exceptional cases upon which a return to the parent or Naagdewenmaag is not possible and in limited circumstances.

11.04 The parents must provide their consent to Nin wangoma by meeting with the Elders Tribunal for that purpose.

11.05 If the parents are unwilling or unable to provide such consent, the Elders Tribunal may make a Dibakonnigewin to allow Nin wangoma to proceed, taking into consideration the best interests of the Abinodji or Ishkiniigig.

11.06 Nin wangoma may also be by way of consent to the Abinodji's or Ishkiniigig's wishes if the Elders Tribunal determines the Abinodji or Ishkiniigig is mature enough and taking into consideration the principles in PART 2 and all factors in Sections 4.04 and 4.05.

11.07 At no time shall an Abinodji or Ishkiniigig be adopted into a non-Saugeen First Nation family, unless otherwise decided by the Elders Tribunal, based on the principles of PART 2 and all factors in Sections 4.04 and 4.05.

11.08 If the Elders Tribunal decides on Nin wangoma in relation to a non-Saugeen First Nation placement, as set out in Section 11.07 above, the Abinodji or Ishkiniigig will remain eligible to be registered through the *Indian Act*, RSC 1985, c I-5.

Confirmation of Nin wangoma

11.09 The Chief and Council of Saugeen First Nation shall confirm the Nin wangoma decision of the Elders Tribunal by facilitating the registration of the Abinodji or Ishkiniigig under the *Indian Act*, RSC 1985, c I-5 or the adopted parent's name as a member of the Saugeen Community.

11.10 Where an individual or couple accepts an Abinodji or Ishkiniigig by Nin wangoma, and the Chief and Council of Saugeen First Nation has confirmed the Nin wangoma, those individuals shall be recognized in the community and to all other non-Saugeen First Nation government authorities as the parent of that Abinodji or Ishkiniigig.

11.11 A Nin wangoma decision by the Elders Tribunal shall include ceremony as guided by the traditional and/or spiritual advisor(s) in the Saugeen Community.

11.12 A Nin wangoma completed in accordance with this Part shall terminate any other order, agreement, or proceeding with respect to the Abinodji or Ishkiniigig.

PART 12 - ZAAG'IDIWIN NGODOODEGIZWIN DIBENDAAGIZWIN NAAKNIGEWIN

Objectives

12.01 Saugeen First Nation shall establish Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin which will be responsible for the implementation, operation, and administration of this Law and its regulations.

Authority and Responsibilities

12.02 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall have the authority and be responsible to:

(a) develop, provide, and coordinate the delivery of supports and services to Abinodjiiag, Ishkiniigjig and their families, in accordance with this Law;

(b) advocate for the best interests of Abinodjiiag, Ishkiniigjig and their families;

(c) develop policies and standards for the delivery of supports and services to Abinodjiiag, Ishkiniigjig and their families;

(d) convene the Healing Circle and Elders Tribunal as needed under this Law;

(e) support, and where required, coordinate the implementation of any decisions made by the Healing Circle and Elders Tribunal;

(f) approve Naagdewenmaan in accordance with regulations made pursuant to Sections 9.15 and 13.09.

(g) receive, administer, distribute, and report to Saugeen on funding secured for the administration and operation of this Law; and

(h) do all things reasonably incidental to these objectives and the administration of this Law.

Executive Director

12.03 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall appoint a person to serve as its Executive Director to:

(a) oversee the day-to-day operations of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin;

(b) oversee Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin's exercise of such powers and performance of such duties as are set out in this Law and the regulations; and

(c) oversee Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin as it carries out any other powers, duties, and functions as may be delegated by the Board of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin from time to time.

Regulations

12.04 Saugeen Chief and Council may make and amend regulations under this Law to provide for the establishment and operations of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

PART 13 – PRIVACY & INFORMATION SHARING

Right to Information

13.01 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin has the right to receive any information, including personal information and personal health information, or record of information, relating to an Abinodji or Ishkiniigig, or their parent or Naagdewenmaag, in the context of child and family services, that is held by an agency, government, First Nations, Inuit, or Metis community recognized by Saugeen, or other service provider.

13.02 Subject to any regulations made pursuant to Section 13.09 below, or agreements made pursuant to such regulations, any custodian of the information described in Section 13.01 shall provide such information on request from Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

13.03 Any youth in receipt of, or having received services under this Law, upon reaching eighteen (18) years of age**,** shall have the right to request a review, in writing, of the contents of their file, as maintained by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

Confidentiality

13.04 Any information or record of information relating to an Abinodji or Ishkiniigig, or their family, is confidential where it is received, obtained, created, or retained by any person:

(a) pursuant to this Law or the regulations;

(b) in the exercise of their powers or in the performance of their duties under this Law or the regulations;

(c) who acts as Naagdewenmaag respecting an Abinodji or Ishkiniigig; or

(d) who is employed by or retained on contract to provide services to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

Permitted Use of Information

13.05 Confidential information shall only be used for the purpose for which the confidential information was collected or created pursuant to this Law and for all the functions reasonably necessary for carrying out that purpose.

Prohibition on disclosure and communication of information

13.06 No person required to maintain confidentiality under *Zaag'idiwin* may disclose or communicate any confidential information to any person except:

(a) where disclosure or communication is required for the purposes of *Zaag'idiwin* or to otherwise ensure the safety and well-being of an Abinodji or Ishkiniigig;

(b) where necessary or appropriate in the exercise of their powers or in the performance of their duties under this Law or the regulations;

(c) where necessary for the provision of services or care to the Abinodji or Ishkiniigig;

(d) with the written consent of the person to whom the information or record relates;

(e) for the purposes of participating in a Healing Circle;

(f) where required by, or on the direction of, the Elders Tribunal;

(g) to a person conducting an investigation under Section 8.10;

(h) to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin or such person authorized by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, at their request;

(i) to a peace officer, if the person believes on reasonable grounds that:

(i) failure to disclose the confidential information is likely to cause physical or emotional harm to a person or serious damage to property; and

(ii) the need for disclosure is urgent; or

(j) where, in the opinion of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, the benefit of the release of the information would clearly outweigh any invasion of privacy that could result from the release.

13.07 For greater certainty, any confidential information disclosed pursuant to this Law shall not be disclosed further.

Information-sharing

13.08 Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin may enter into agreements with the federal government, a provincial or territorial government, an Indigenous governing body, agency, or service provider regarding the collection, retention, use, and disclosure of information respecting child and family services that are provided in relation to Abinodjiiag, Ishkiniigjig, and their families.

Regulations

13.09 Saugeen First Nation may make regulations further to this Part, including with respect to:

(a) the provision of information to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin;

(b) the management of confidential information, including use and access to such information;

(c) the exchange of information with individuals and or entities performing substantially similar functions as the Executive Director and Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin; and

(d) access to information as between Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin and other Saugeen First Nation organizations.

PART 14 – ACCOUNTABILITY

Compliance

14.01 Once a decision has been agreed on and made in accordance with this Law, everyone must do their best to do as they have promised.

Liability

14.02 Subject to Section 14.03 no action lies or may be commenced or maintained against:

(a) any individual;

(b) Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin;

(c) the Chief and Council of Saugeen First Nation;

(d) the Healing Circle; or

(e) the Elders Tribunal;

in respect of anything done or omitted to be done in the exercise or intended exercise of any power under this Law or in the performance or intended performance of any duty or function under this Law.

14.03 Section 14.02 does not apply in relation to anything done or omitted to be done in bad faith.

Offences

14.04 No person shall:

(a) induce or attempt to induce an Abinodji or Ishkiniigig to run away from a childcare facility, foster home, or a person entrusted with the care of the Abinodji or Ishkiniigig under this Law;

(b) remove or attempt to remove an Abinodji or Ishkiniigig unlawfully from the care, custody, control, or charge of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin;

(c) abandon an Abinodji or Ishkiniigig in that person’s care, custody, control, or charge, without having made adequate provision for the care and custody of the Abinodji or Ishkiniigig;

(d) abuse or harm an Abinodji or Ishkiniigig in that person’s care, custody, control, or charge;

(e) procure the abandonment, abuse, or harm of the Abinodji or Ishkiniigig in that person’s care, custody, control, or charge; or

(f) omit to perform a duty imposed on that person by or under this Law.

Punishment

14.05 Every person who breaks this Law may be subject to sanctions by Saugeen First Nation in a manner that is consistent with Saugeen First Nation's Inaakonagewin, Gikinoo'amaagoowin, practices, and values, provided that such sanctions are proportionate to the seriousness of the offence.

Regulations

14.06 Saugeen First Nation may enact regulations in relation to liability, offences, or punishments under this Law, or for any matter the Chief and Council of Saugeen First Nation considers important for the administration, operation, or enforcement of this Law.

PART 15 – TRANSITIONAL MEASURES AND CIRCUMSTANCES

Return of children

15.01 The community should support families by arranging reunification plans in the event an Abinodji or Ishkiniigig is removed or displaced from their family and later returned.

Existing services provided under provincial law

15.02 If an Abinodji or Ishkiniigig is receiving services under the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Schedule 1 or any other provincial, federal or territorial child protection scheme, the services and care provided to the Abinodji or Ishkiniigig are deemed to be delivered under *Zaag'idiwin* and *Zaag'idiwin* takes precedence over any proceeding, order, or decision in respect of the Abinodji or Ishkiniigig not made pursuant to *Zaag'idiwin*.

Proceedings commenced under provincial law

15.03 Any proceedings commenced but not fully disposed of under the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Schedule 1, after the coming into force of this Law shall be assessed by Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin in accordance with this Law, and Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin shall determine whether and how the processes required under this Law may replace proceedings commenced under the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Schedule 1.

No jurisdiction of Canadian courts

15.04 After the coming into force of this Law, no Canadian court has any jurisdiction to consider any application or make any order pursuant to *the Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Schedule 1, or any other statute addressing the safety and protection of an Abinodji or Ishkiniigig without the consent of Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

Disputes

15.05 For greater clarity, any disputes or decisions made under any Part of this Law shall be addressed by a Healing Circle or Elders Tribunal.

PART 16 – CODIFYING & AMENDING THE LAW

Resolutions

16.01 The Chief and Council of Saugeen First Nation may make any Resolutions required to facilitate the operation of this Law, but those Resolutions are void if they conflict with any provisions of this Law.

Regulations

16.02 The Chief and Council of Saugeen First Nation may make regulations for any purposes incidental to this law or related to the implementation of this Law.

16.03 The Chief and Council of Saugeen First Nation has full discretion as to whether and when to make regulations on any matter under this Law, and whether such regulations are to be separate or consolidated.

16.04 The Chief and Council of Saugeen First Nation may, by regulation, assign any function to Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin.

16.05 Unless otherwise set out in the regulation, a regulation made under this Law comes into force on the day after it is published.

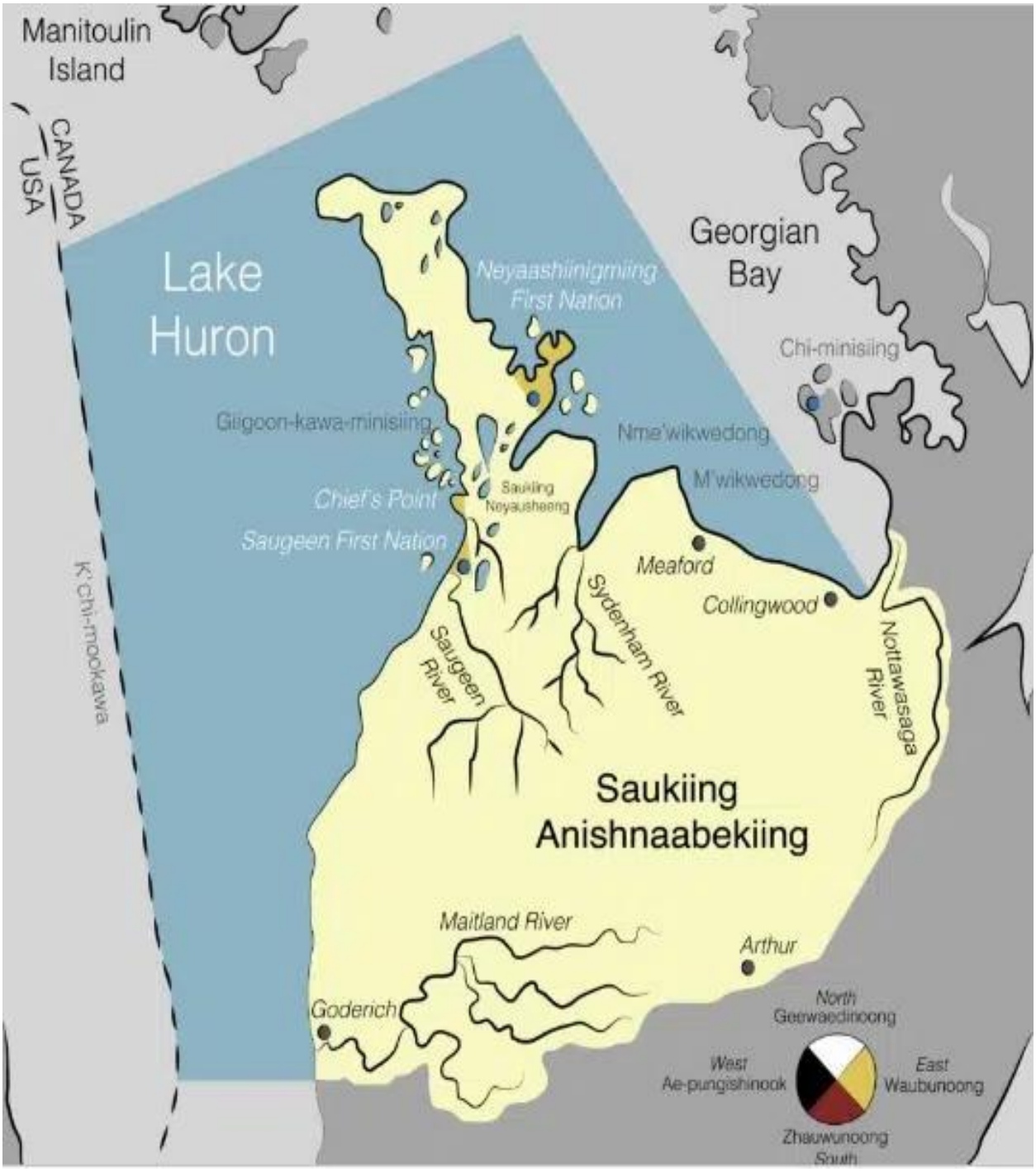
16.06 To the extent this Law has the power to prevail over a territorial, provincial, federal or other law, then a regulation made under this Law has that same power.

Review and Amendments

16.07 This Law will be reviewed by Saugeen First Nation, in consultation with Zaag'idiwin Ngodoodegizwin Dibendaagizwin Naaknigewin, with a view to identifying necessary amendments to this Law one (1) year after the day on which *Zaag'idiwin* comes into force, and thereafter every four (4) years.

16.08 This Law may be amended in accordance with the ratification policies and procedures as may be adopted by Saugeen First Nation from time to time.

SCHEDULE "A" – MAP OF SAUGEEN TERRITORY



SCHEDULE "B" – GLOSSARY

Anishinaabemowin Term (plural)	Meaning Provided	Meaning in *Zaag'idiwin*
Abinodji(iag)	Child(ren)	Child up to 13
Anishinabe (Anishinabeg)	Good Being, Ojibwe person	Saugeen person
Anishinaabemowin	Language (Humanity, human nature)	Language
Dibakonnigewin	Judgment, court	Elder's tribunal decision
Ganawendan	To take care of, protect, look after the young one	Community care
Gikinoo'amaagoowin	All (great) Teachings	teachings
Inaakonagewin	Changes something decided on, a plan, rule, a law, a policy agreement	Law
Inwewin	Language, voice, tune or melody of a hymn – the way you talk	Language – way of being
Ishkiniigig (Ishkiniigjig)	Youth	Youth
Maejtawin	Begin, start, start off	Preamble
Minogi'aawaso	Children that we are raising/swaddling/protecting baby and bringing values and beliefs to that child s/he raises a child or children in a good way	Prevention
Naagdewenmaag (Naagdewenmaan)	Looking after the ones that need care	Caregiver
Nin wangoma	A supported one, an adopted one; one who looks after that being/spirit	Adoption
Oshkinigiwin	s/he is young, is an adolescent (someone young)	(a) youth
Oshki-aya'aa	Puberty to 16 yrs of age), Young adult to 21 yrs. of age	youth (time)
Onakonigewin	Law	Law
Zaag'idiwin	Unconditional Love	To love, to care for