

# KAWASKIMHON MOOT 2019

## RESOURCES

*Version française à venir bientôt/French translation to come soon*



### Cases

*First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), 2016 CHRT 2*

### Articles

Cindy Blackstock, "The Complainant: The Canadian Human Rights Case on First Nations Child Welfare," (2016) 62 McGill L.J. 285

Michael Coyle, "Indigenous Legal Orders in Canada: A Literature Review" (2017). Law Publications. 92.  
<http://ir.lib.uwo.ca/lawpub/92>

Anne Fournier, "De la Loi sur la protection de la jeunesse au Système d'intervention d'autorité atikamekw (SIAA)-La prise en charge d'une nation pour assurer le bien-être de ses enfants » *Enfances, Familles, Générations – revue scientifique internationale* 2019: no 25:

<http://journals.openedition.org/efg/1152>

Sebastien Grammond, "Federal Legislation on Indigenous Child Welfare in Canada," (2018) 28 *Journal of Law and Social Policy* 132

Christiane Guay et Sébastien Grammond, « À l'écoute des peuples autochtones ? Le processus d'adoption de la "loi 125" » *Nouvelles pratiques sociales*, vol. 23, n° 1, 2010, p. 99-113.

Christiane Guay et Sébastien Grammond, « Les enjeux de l'application des régimes de protection de la jeunesse aux familles autochtones » *Nouvelles pratiques sociales*, vol. 24, n° 2, 2012, p. 67-83.

Christiane Guay, Emmanuelle Jacques et Sébastien Grammond, « La Protection des Enfants Autochtones - se tourner vers l'expérience américaine pour contrer la surreprésentation » *Canadian Social Work Review*, Volume 31, Number 2 (2014) / *Revue canadienne de service social*, volume 31, numéro 2 (2014) 195-209.

Christiane Guay et Sébastien Grammond, « L'interaction entre le droit innu et le droit québécois de l'adoption » (2018) 48 R.G.D. 123-152.

Anne Levesque, Sarah Clarke et Cindy Blackstock, « La plainte de discrimination devant le Tribunal canadien des droits de la personne portant sur les services d'aide à l'enfance aux enfants des

Premières Nations et le Principe de Jordan » *Enfances, Familles, Générations – revue scientifique internationale* 2019 : no 25 : <http://journals.openedition.org/efg/1196>

J Loxley et al, *Wen:de: The Journey Continues*, 1st ed (Ottawa: First Nations Child and Family Caring Society of Canada, 2005

Naiomi Metallic, “A Human Right to Self-Government over First Nation Child and Family Services and Beyond: Implications of the Caring Society Case,” *Journal of Law and Social Policy* (forthcoming Fall 2018)

Judith Rae, “Program Delivery Devolution: A Stepping Stone of Quagmire for First Nations?” (2009) 7 (2) *Indigenous LJ* 1

Hugh Shewell, “Why Jurisdiction Matters: Social Policy, Social Services and First Nations” (2016) 36 *Canadian Journal of Native Studies* 179

## **Books & Collections**

CIGI, *UNDRIP Implementation: Braiding International, Domestic and Indigenous Laws* (2017)

<https://www.cigionline.org/publications/undrip-implementation-braiding-international-domestic-and-indigenous-laws>

CIGI, *UNDRIP Implementation: More Reflections on the Braiding of International, Domestic and Indigenous Laws*

<https://www.cigionline.org/publications/undrip-implementation-more-reflections-braiding-international-domestic-and-indigenous>

Patrick Johnston, *Native Children and the Child Welfare System* (Canadian Council on Social Development in association with James Lorimer & Company: Toronto, 1983)

Janna Promislow and Naiomi Metallic, “Realizing Administrative Aboriginal Law” in Colleen M. Flood & Lorne Sossin, eds, *Administrative Law in Context*, 3d ed., Chap. 3 (Emond Publishing: Toronto, 2017)

## **Organizations**

First Nation Caring Society: <https://fncaringsociety.com/main> (the Caring Society maintains a large database of research on First Nations child welfare issues:

<https://fncaringsociety.com/publications/search>).

## **International instruments**

Convention on the Rights of the Child <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

Committee on the Rights of the Child <https://www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx>

United Nations Declaration on the Rights of Indigenous Peoples

[https://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)