



# Secwépemc Law of Stsmémelt and K'wséltkten

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Presentation for Secwépemc Nation

2026

# Vision

- To implement a nation-based, family-focused, community-driven approach to child and family services.
- What is the history behind this vision?



# History

- **Prior to contact**-governing systems, oral stories held laws, impact of colonialism.
- **1999:** Secwépemc Child and Family Services incorporated under the Society's Act to act as a temporary delegated agency. Supported by 7 Secwépemc Chiefs. Similar actions were taken in the northern territory of Secwépemculw. This was to be a temporary measure.
- **2008:** SCFS took a contract to extend services to Métis, Inuit, and other First Nations children.
- **2009:** 17 Chiefs committed to support a nation-based approach to achieve full jurisdiction over Secwépemc children and families.
- **2009-2013** Research and learning of traditional laws through stories
- **2000-2022:** Drafting of Law and 11 Communities agreed to advance implementation of the law.
- Desire to move away from colonial governance models-revitalize our governance.
- **2023/24** STWG working towards community readiness for implementation of the law.



# What Does the Law Look Like?

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- Goal was to draw on the principles of our traditional laws.
- Healing is a major focus.
- Education must be an important component of revitalizing our law.
- Structure is necessary to ensure people are respected and treated fairly.
- Space for communities to develop policy and procedures that suits their community needs.





**Secwépemc have supreme authority to govern our lands and people.  
(Preamble)**



## Foundation of our laws are the Four Pillars.

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- Language
- Culture
- Healing
- (Preamble)

Connection to Lands and Laws



# Principles of Secwepemc Kw'seltkten: responsibilities-

Yecwmeníl'e – Guardians of the Children

Xwexwéyt te k'wséltkten – All My Relations

Knucwentsút-ce – Help Yourself

Knucwentwécw – Help Each Other

Kweséltknews – We Are All Related

Méllélc - Take Time For Yourself

Slexléxs - Development Wisdom

(Section 1 (a))



Section 1 (a-i) contain the obligations

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# The Story of Owl and Grouse Children

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- Obligation to look after children.
- Tend to their needs.
- If neglected, there will be consequences.
- Obligation to teach children life skills.
- Communities obligation to care for children.
- A child has a right to belong.
- (Section 1, a-i)



# White Arrow of Peace

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- Respect underlies all relationships among people and between people and the environment.
- (Section 1, f)



## Coyote and His Hosts

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- Cultural continuity is essential to the well-being of a child and a family.
- Language, cultures, practices, customs, traditions, ceremonies and knowledge of Secwépemc history is an essential part of a child's life and cannot be imitated by others.

(Section 1, g-h)



## Trout Children

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- Children belong with family and in community.

(Section 1, i)



# Jurisdiction (s4-8)

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- Secwepemc adopt the law as our own
- Applies to all Secwepemc regardless of location.
- Where a child has ties to other Nations, we will work together in respectful manner to find solutions.
- We will work with other governments and delegated agencies in implementation of our Law
- Exemption provision to allow individual autonomy

**If your community signs on through your community process, this law will apply.**

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If you or your family member have a child welfare matter, you can opt out of the Secwépemc Stsmémelt Law and go to through the Provincial Court system.

(Section 8)



## How will the law work?

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Two Circles: Secwépemc Stsmémelt Circle and a Community Circle.

- Minimum of 4 community members
- Chosen for skills and wisdom
- Training and supports to be provided to Circles
- Duties: To hear all matters related to child welfare

(Section 9-28)





## Decision-Making Body: Section 9- 19

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- Circle members to be chosen for their skills, knowledge and good judgement.
- Will be provided training to learn the law and how to apply it.

# Circles

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## Secwépemc Stsmémelt Circle

- This is the Nation body.
- Will hear matters from any community upon request.
- Will hear all customary adoption requests.

## Community Circles

- Will hear matters specific to their own community members.
- Can develop and adopt their own procedures and policies for the operation of the community circle.





# Both Circles must administer and implement the law.

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- Each community to have a designated member who will make the decision about what Circle should be used. This person is the key contact for the Band, for example the Director of Social Development.
- Circles must take into consideration Section 18 factors when making decisions.
- Must focus on providing supports for the family, healing for family, and community supports.
- If it is necessary to remove a child from a family, the Circle must follow the Law to seek the appropriate person to care for the child. (Priority Placement)



## Section 18 considerations (a-i)

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- Child's cultural ancestry, access to language, spirituality and heritage.
- Child's needs
- Child's relationship with parent, caregiver and family members.

## Section 18 (continued)

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- Child's cultural identity and connections to Secwepemc community and other Secwepemc children.
- The child's views and preferences (consider age of child).

## Section 18 (continued)

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- Plans for child's care
- Any violence and impact on the child.
- Capacity of parent to provide care
- Best interests of the Secwepemc child.



## Section 19

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- Where there is allegations of violence, including any criminal activity, police must be called to investigate.
- Safety of the child is paramount.
- Circle can take action on emergency basis.



## Section 20

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- Family is provided support and services.
- Designed to protect the child first, secondly to heal the family.



## Section 21

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- Where child is removed, priority placement applies.
- Secwepemc parent (1)
- Secwepemc family member
- A Secwepemc adult from same community

# Section 21

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- Secwepemc adult or other Indigenous adult
- With any adult
- In all cases, the best interests of the Secwepemc child are the deciding consideration.

ADVOCATE ATTORNEY



## Section 22

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- A child shall be entitled to be represented by a child advocate (someone to talk to the child and speak on their behalf).



## Section 23-25

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- Where child has to be taken into care, the parents can remain as joint guardians if possible.
- Purpose: to not cut off relationship-safety first.



## Section 26- Permanent Care

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- Where all efforts to reunite family have been exhausted, only then will the Circle consider a decision for permanent care.



## Section 27 and 28

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- Circle decisions must be supported by services and programs.
- Community may adopt policy, procedures and operational processes to administer the law in community, (autonomy)



## Section 29 Regathering

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- Where a party does not agree with the decision of a Circle they may request a reconsideration of the decision through the Regathering process.
- No limit on number of requests, at the discretion of the Circle.



## Custom Adoption- Section 30-35

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- By consent of birth parents.
- No consent by parents, then by order of the Stsmémelt Circle.
- Community will accept child and parent and all other governing authorities will recognize the decision of the Stsmémelt Circle.
  - Will include ceremony.
- Decisions of adoption cannot be subject to Regathering.



# Amendment

- Signatory to the law can request an amendment. Communities seek approval through their own processes to find consensus for amendment.
- BCR confirming community support or traditional governing body providing indication of support.
- (Section 36-38)





## Section 40-59

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- This section contains definitions of terminology used throughout the law.

# Comments / Questions?

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