
Request for Proposals

SUBJECT MATTER EXPERT – CRIMINOLOGY/REACHING INCARCERATED PEOPLE CONSULTATION SERVICES

BACKGROUND AND CONTEXT

Nishnawbe Aski Nation

Nishnawbe Aski Nation (“NAN”) is a political territorial organization representing 49 remote First Nation communities within northern Ontario. The total population of membership of NAN First Nations, including on and off reserve members, is estimated to be at least 45,000 people. Many of the 49 First Nations within NAN do not have year-round road access, and even among those who do, many health and social services are not available or accessible.

Lack of access to health and social services is a historical and ongoing issue for members of NAN First Nations. This lack of access, coupled with ongoing discrimination has negatively impacted the quality of life of First Nations in NAN territory, including the Indigenization of the Canadian jails. NAN has been continuously advocating for access to health and social services for its members since its inception in 1973.

Canadian Human Rights Tribunal – First Nations Child Welfare Case

In 2007, the Assembly of First Nations and the Caring Society launched a human rights complaint against Canada for discriminating against First Nations children, youth, and families in the provision of the First Nations Child and Family Services (“FNCFS”) program, and narrow implementation of Jordan’s Principle.

In 2016, the Canadian Human Rights Tribunal (“CHRT”) found that Canada did wilfully and recklessly discriminate against First Nations children, youth, and families. The CHRT found that discrimination common to First Nations is often exacerbated in remote communities and some discrimination is specific to remote communities.

The CHRT ordered that Canada cease its discriminatory practices, and reform FNCFS, as well as the implementation of Jordan’s Principle. Further, it ordered that Canada compensate the First Nations children, youth, and families who were victims of its discrimination.

On October 24, 2023, the Federal Court approved the Compensation Final Settlement Agreement (“FSA”), providing \$23.34 billion to the victims of Canada’s discrimination, which are estimated to be over 300,000 people. The Compensation FSA represents the largest compensation settlement in Canadian history. There are five different classes of eligibility, which will be launching on a staggered timeline. Currently there is no infrastructure in place to support claimants and First Nations throughout this complex process. The claims process is not open yet.

Coordination and Oversight Team

In February 2024, NAN Chiefs-in-Assembly directed the NAN Executive Council to create a Coordination and Oversight Team (“COT”) to immediately begin pre-emptive planning to forecast and manage vulnerabilities in advance of the commencement of the \$23.3B compensation payouts and the associated long-term reform funding.

The work of the COT is to develop a plan to ensure NAN members eligible for compensation are able to successfully navigate the claims process and receive their compensation. The COT will comprise of Elders, Knowledge Keepers, and subject matter experts in reaching, communicating with, and supporting people who: are incarcerated, living with moderate to severe mental health and/or addictions, experiencing homelessness, have FASD, would benefit from financial literacy. COT members will also include subject matter experts in public safety and First Nations Child and Family Services.

OBJECTIVE

NAN is seeking a qualified, reputable, and experienced individual with expertise in strategies to reach, communicate and with people involved in the criminal justice system, including incarceration. The individual will provide consultation services such as evidence-based information, recommendation, and guidance as part of a multi-disciplinary COT.

As a member of the COT, the successful proponent will be required to:

- Participate in regular committee meetings.
- Provide evidence-based advice and recommendations with respect to reaching and supporting people who are incarcerated or involved with the criminal justice system and the most effective ways to provide information and support to this group of people.
- Contribute to the development of a plan to reach people who have barriers to accessing the compensation to which they are entitled.
- Contribute to the development of a plan to support individuals to use the compensation in a way that is meaningful to them and reduces the potential for unintended harms that have resulted from previous class action payouts to First Nations people.

PROJECT TIME FRAME

The work shall be conducted between May 27, 2024, and February 28, 2025. The estimated time commitment may be up to 10 hours per month. Commitment will include a combination of meeting preparation, meeting attendance and occasional consultation via email or phone/videoconference.

PROPOSAL SUBMISSION INSTRUCTIONS

All proposals shall be received by NAN no later than April 14 2024, at 11:59 p.m. EDT.

All proposals will clearly identify the name of the proponent. The subject title must read: "RFP for Coordination and Oversight Team – Incarceration and Involvement with Criminal Justice System"

Proposal submissions shall be sent by email to Joanne MacMillan, A/Director, Social Services Strategic Advancement, Nishnawbe Aski Nation.

Proposal submissions shall be emailed to jmacmillan@nan.ca

PROPOSAL SUBMISSION REQUIREMENTS

All proposals shall include the following information:

- **Qualifications:** provide a description of the proponent's education, any affiliations with professional bodies, capabilities/experience with respect to people who are incarcerated and/or involved in the criminal justice system.
- **Experience:** outline your experience working with First Nations people and communities. Provide a description of your experience with geographic remoteness.
- **Knowledge:** provide an overview of your knowledge of previous class action compensation payouts to First Nations, including the process and impacts. Include a high-level overview of your knowledge of this class action case and impending payouts.
- **Payments:** provide the hourly rate and preferred payment schedule.

EVALUATION CRITERIA

NAN will select the Proponent(s) which, in NAN's sole discretion, best serves the overall needs of NAN. The following is a summary of the general considerations that will be used to determine the Proponent(s) that will be selected:

Proposal Requirements	Maximum Points
Qualification: Education, experience, registration with professional body, capabilities.	20
Experience working with First Nation people and communities.	25
Experience working with people and communities that experience geographic remoteness.	15
Knowledge of class action compensation payouts to First Nations people.	10
Hourly rate of pay.	Not scored
Total possible score.	70

SUBMISSION PROCESS

Proposals are to be received electronically (via email) by **11:59 pm on April 14, 2024**. Send proposals to Joanne MacMillan, A/Director Social Services Strategic Advancement @ jmacmillan@nan.ca

Thank you for your interest. All proposals will be reviewed; however, only successful proponents will be contacted.