Over seven in ten First Nations or Canadians with status under the *Indian Act* say it is unreasonable or somewhat unreasonable for the federal government to have a role in regulating entitlement to register for status.

Online Survey | Summary | Confidential | Draft Conducted by Nanos for the Native Women's Association of Canada, January 2022 Submission 2021-2008



Native Women's Association of Canada

L'Association des femmes autochtones du Canada



# **Views on Scenarios**

### BRANDY'S ENTITLEMENT TO STATUS

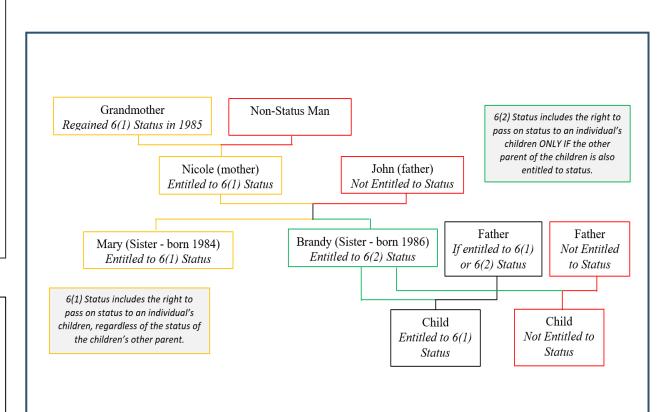
A strong majority of First Nations or Canadians registered for status under the *Indian Act* believe it is **unreasonable** (80%) or **somewhat unreasonable** (5%) that Brandy is not entitled to status under subsection 6(1) because she was born after April 17, 1985 and her parents were never married.

### **BRANDY'S CHILDREN'S ENTITLEMENT TO STATUS**

They also believe it is **unreasonable** (58%) or **somewhat** 

unreasonable (27%) that Brandy's children can only be entitled

to status if the other parent is also entitled to status.







# **Views on Moving Forward**

ROLE OF FEDERAL GOVERNMENT IN STATUS REGISTRATION Over seven in ten First Nations or Canadians with status under the Indian Act say it is unreasonable (48%) or somewhat unreasonable (24%) for the federal government to have a role in regulating entitlement to register for status and subsequently granting access to rights reserved to First Nations people.

### **GROUP MOST RESPONSIBLE FOR STATUS REGISTRATION**

When asked who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations, First Nations or Canadians with status under the Indian Act most often ranked **Traditional Indigenous Governing Bodies** as the group **most responsible** (56%).

# 6 years

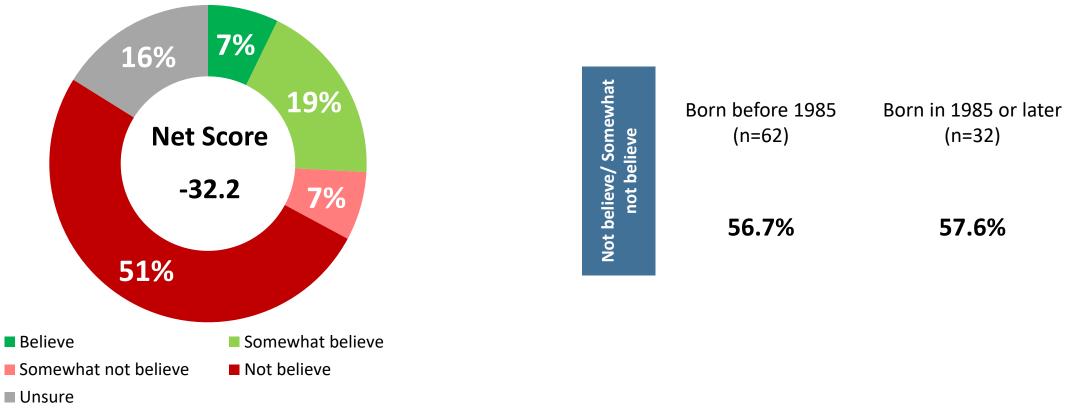
The average timeline given by participants when asked the reasonable timeline for the federal government to transfer decision-making power with respect to status registration to Indigenous governing bodies.





## Belief that marital status is inclusive of Indigenous social and familial systems

Do you believe, somewhat believe, somewhat not believe, or not believe that marital status (as a factor affecting entitlement for status under the *Indian Act*) is inclusive of Indigenous social and familial systems?



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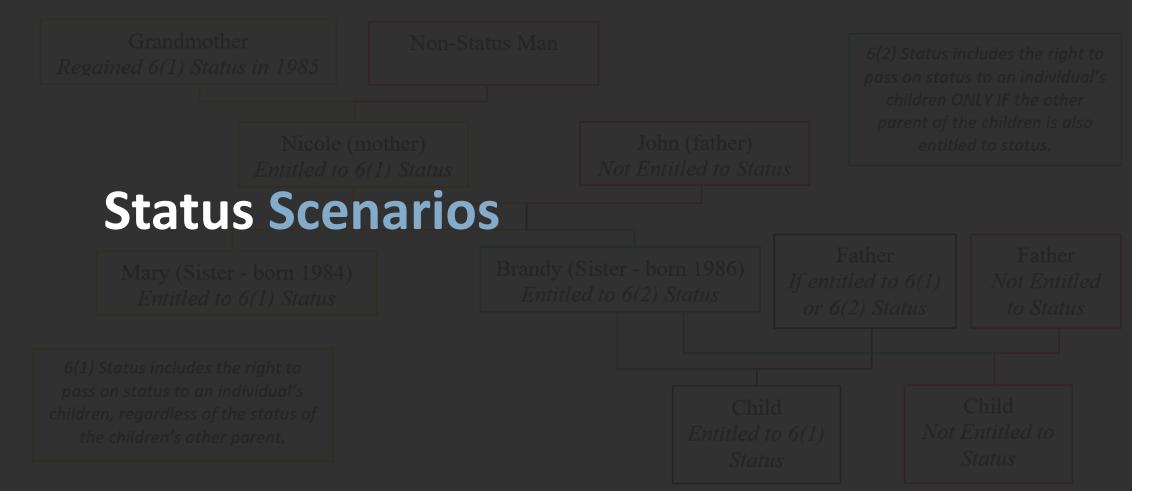
\*Charts may not add up to 100 due to rounding.

\*The net score is the difference between all positive and negative numbers in a question.

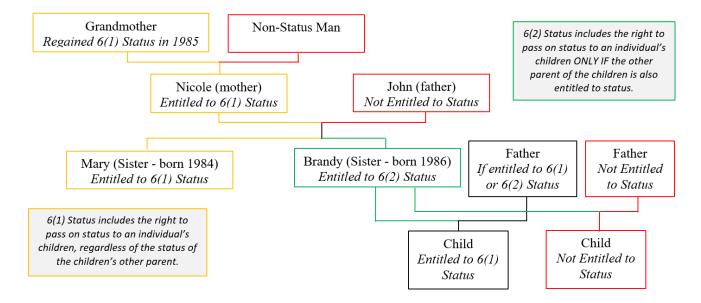




Source: Nanos Research, online survey, January 11<sup>th</sup> to 12<sup>th</sup>, 2022, n=101 First Nations OR has status under the *Indian Act* 



# Scenario 1



Please read the following sample situation and share what you think might be reasonable or unreasonable for Brandy and her children. Let us show you a family tree. Please keep it in mind while reading the sample situation below and feel free to refer to it as you answer questions.

Mary, born in 1984, and Brandy, born in 1986 are sisters. Their parents, Nicole and John, never married.

Mary and Brandy's grandmother, lost her status under the Indian Act for marrying a non-status man, but she regained her status in 1985.

Brandy's mother (Nicole) and sister (Mary) are both entitled to status under subsection 6(1) of the *Indian Act* because they are "direct descendants" of their mother and grandmother respectively, and were born before April 17, 1985.

Although her sister, Mary, is entitled to status under subsection 6(1), Brandy is NOT because she was born after April 17, 1985 and her parents were never married to each other.

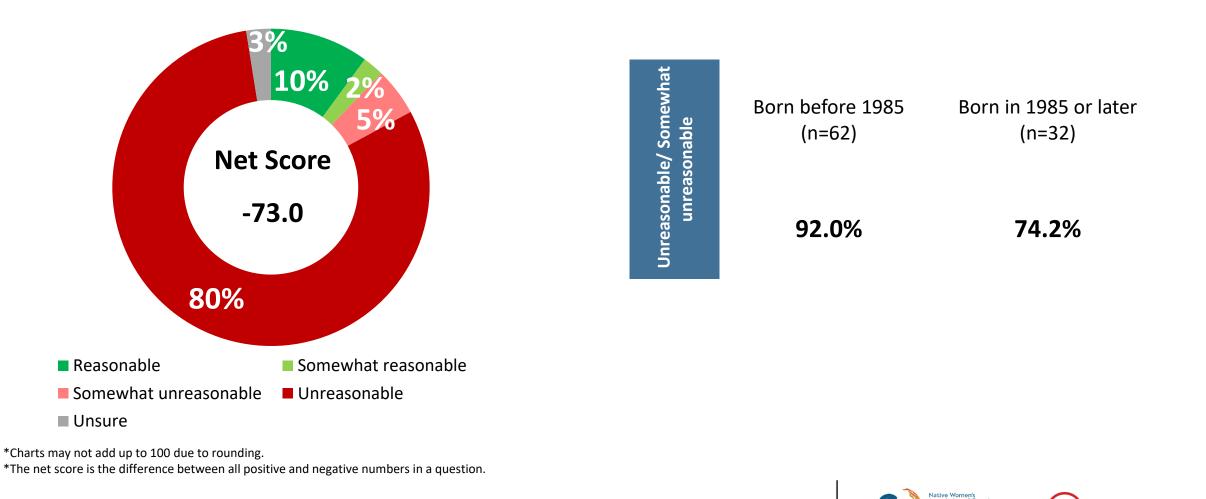
Brandy is entitled to status under subsection 6(2) because her mother Nicole is entitled to status under subsection 6(1) and her father John is not entitled to status.

Because Brandy is entitled to status under subsection 6(2), she may pass on status to her children only if the other parent of her children is also entitled to status under subsection 6(1) or subsection 6(2).

Views on whether it is reasonable that Brandy is not entitled to 6(1) status because she was born after April 17, 1985

Do you believe it is reasonable, somewhat reasonable, somewhat unreasonable or unreasonable that Brandy is not entitled to status under subsection 6(1) because she was born after April 17, 1985 and her parents were never married to each other?

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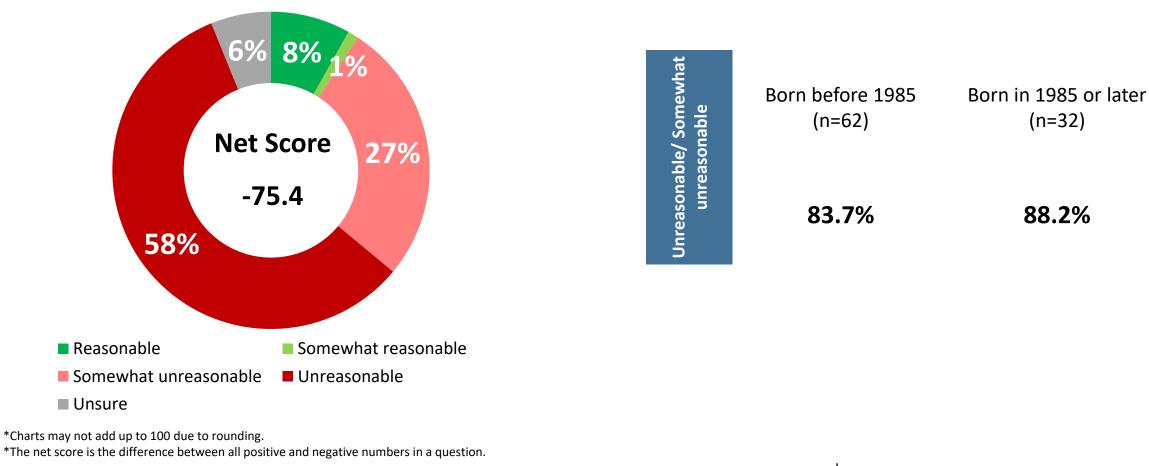
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Source: Nanos Research, online survey, January 11<sup>th</sup> to 12<sup>th</sup>, 2022, n=101 First Nations OR has status under the *Indian Act* 

Views on whether it is reasonable that Brandy's children can only be entitled to status if the other parent is also entitled



Do you believe it is reasonable, somewhat reasonable, somewhat unreasonable or unreasonable that Brandy's children can only be entitled to status if the other parent is also entitled to status?



Source: Nanos Research, online survey, January 11<sup>th</sup> to 12<sup>th</sup>, 2022, n=101 First Nations OR has status under the *Indian Act* 





(n=32)

# **Moving Foward**

Our next couple questions are about something that has not happened, but we would like to get your reaction if it did happen.

Following possible national consultations with Indigenous Peoples, the Government of Canada agreed to begin the process of potentially repealing the Indian Act in a way that preserves the rights and entitlements of First Nations people protected under the legislation. If this occurred, please share your views on the following:

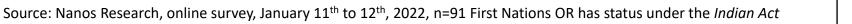
# Ranking who should be responsible for deciding who can register for status

C

Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

When asked who should be responsible
for deciding who can register for status
and subsequently granting access to
rights for First Nations, First Nations or
Canadians with status under the *Indian*Act ranked Traditional Indigenous
Governing Bodies as the group most
responsible (56%).

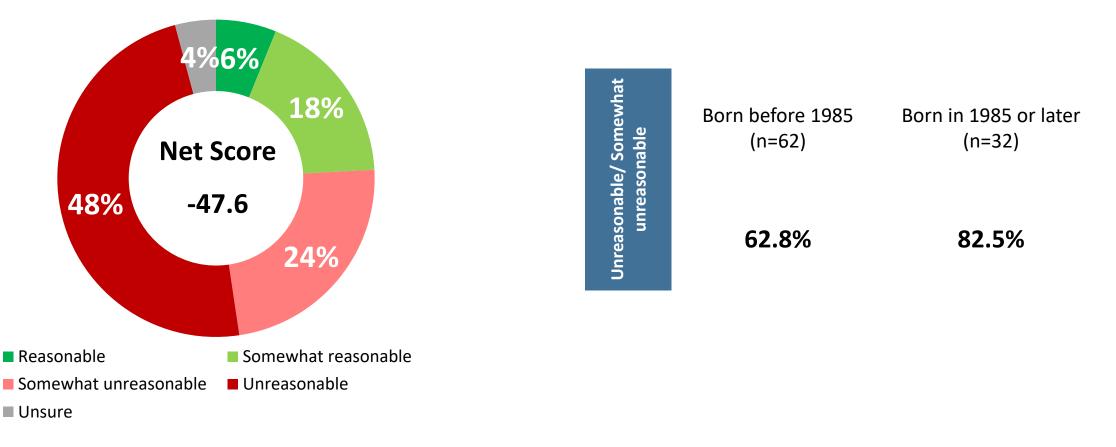
Top Responses	1 <sup>st</sup> Ranked (n=91)	2 <sup>nd</sup> Ranked (n=82)	3 <sup>rd</sup> Ranked (n=60)
Traditional Indigenous Governing Bodies	55.9%	31.6%	6.9%
Government of Canada	13.9%	8.2%	44.5%
Band Councils	12.1%	46.7%	29.3%
All have the same responsibility	10.7%	7.6%	7.9%
In-depth consultation among all parties	1.5%	-	1.1%
Community elders/grand-parents/Council of Elders	-	1.2%	1.1%
Community collective/ Indigenous communities	-	1.3%	2.3%
An Indigenous panel/government created to oversee these decisions	-	-	2.9%
Proof of lineage	-	-	1.6%
Other	1.2%	-	-
Unsure	4.6%	3.3%	2.3%
	<b></b>		



Views on whether it is reasonable for the government to have a role in regulating entitlement to register

Q

Do you think that it is reasonable, somewhat reasonable, somewhat not reasonable or not reasonable for the federal government to have a role in regulating entitlement to register for status and subsequently granting access to rights reserved to First Nations people?



\*Charts may not add up to 100 due to rounding.

\*The net score is the difference between all positive and negative numbers in a question.

Source: Nanos Research, online survey, January 11<sup>th</sup> to 12<sup>th</sup>, 2022, n=101 First Nations OR has status under the Indian Act





Timeline for the federal government to transfer decision-making power with respect to status registration

Q

What is a reasonable timeline for the federal government to transfer decision-making power with respect to status registration and respecting entitlement to rights reserved for First Nations to Indigenous governing bodies? \_\_\_\_ years

When asked what timeline is reasonable for the federal government to transfer decisionmaking power with respect to status registration and respecting entitlement to rights reserved for First Nations to Indigenous governing bodies, First Nations or Canadians with status under the *Indian Act* on average said **six years**.

	_	Frequency (n=102)
	Mean	5.9 years
S	Median	3.0 years
N S E S	One year	28.7%
0 4	Five years	20.3%
R E S	Two years	14.1%
ΤΟΡ	Ten years	8.5%
	Three years	6.3%
	No answer	9.9%





Source: Nanos Research, online survey, January 11<sup>th</sup> to 12<sup>th</sup>, 2022, n=102 First Nations OR has status under the Indian Act

## **Additional comments**

"It is problematic to have elected officers from band councils making these decisions. It is also problematic that the government is making these decisions. It is also problematic that bands would be determining membership and status. Membership with status decisions may influence decisions based on financial reasons (trust payments and financial implications)."

"Indigenous people haven't had enough of a voice and repealing the Indian Act is the right thing to do. I cannot stress enough the importance of self identity."

"It is unfortunate that the Federal government still governs over Indigenous people and decides who can be designated status or non-status. This gendered discrimination is unfair to women and children."

"As an Indigenous Nation - we should set our own governance systems - not based on colonist systems."

"I am one of the many Indigenous people whose ancestors lost status due to marriage and since the Halifax explosion records were destroyed. In the eyes of the government I am unable to prove my ancestry, however this does not stop me from engaging in ceremony and following the ways of my people."

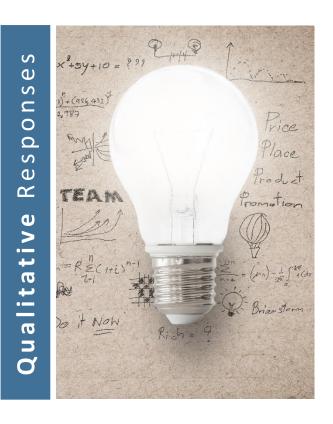
Are there any other views or opinions you would like to share on this topic? [OPEN]

> "I feel the government needs to transfer this immediately, laws in the Indian act have been designed to oppress and need to be adjusted to relinguish power and give it to traditional indigenous governments."

"I believe all indigenous people deserve the right to obtain status, especially indigenous women who were denied based on marriage."

"I just believe that any topic about Indigenous issues are required to be led by Indigenous leaders when it comes to making decisions. It should be an inclusive environment for Indigenous leadership to thrive within the governing bodies and facilities."

"I look forward to the day when we do not talk about Indian status at all because all it does is create a tribe of Indians and not our nations. It is wrong to have the government determine our pedigree it is wrong to have status and non status people"





### On behalf of the Native Women's Association of Canada, Nanos conducted an online survey of 102 First Nations and Indigenous peoples registered for status under the *Indian Act* between January 10<sup>th</sup> to 11<sup>th</sup>, 2022.

Participants were recruited through NWAC's social media platform(s). The survey was conducted in English and French.

Note: Charts may not add up to 100 due to rounding.

This research was commissioned by the Native Women's Association of Canada and was conducted by Nanos Research.

Element	Description	Element	Description
Research sponsor	Native Women's Association of Canada	Weighting of Data	The results were weighted by province by Nanos using the latest Census information (2016) to ensure that the final weighted group of responses was
Population and Final Sample Size	102 First Nations or Canadians with status under the Indian Act		geographically representative of Indigenous people across Canada.
Source of Sample	Open-link survey promoted via NWAC's social media	Screening	Screening ensured potential respondents did not work in the market research industry, in the advertising industry prior to administering the survey to ensure the integrity of the data.
Type of Sample	Open-link survey		
Margin of Error	No margin of error applies to this research.	Excluded Demographics	Individuals younger than 18 years old; individuals who are not First Nations or are not Indigenous peoples registered for status under the <i>Indian Act;</i> individuals without internet access could not participate.
Mode of Survey	Online survey		
		Stratification	Not applicable
Sampling Method Base	Non-probability.		
		Estimated Response Rate	Not applicable
Demographics (Captured)	Canada; First Nations and Indigenous peoples registered for status under the <i>Indian Act;</i> Men and Women; 18 years or older. Six digit postal code was used to validate geography.	Question Order	Question order in the preceding report reflects the order in which they appeared in the original questionnaire.
Field Dates	January 11 <sup>th</sup> , to 12 <sup>th</sup> , 2022.	Question Content	All questions asked are contained in the report.
Language of Survey	The survey was conducted in both English and French.	Question Wording	The questions in the preceding report are written exactly as they were asked to individuals.
	Nanos Research is a member of the Canadian Research Insights	Research/Data Collection Supplier	Nanos Research
Standards	Council (CRIC) and confirms that this research fully complies with all CRIC Standards including the CRIC Public Opinion Research Standards and Disclosure Requirements. https://canadianresearchinsightscouncil.ca/standards/	Contact	Contact Nanos Research for more information or with any concerns or questions. <u>http://www.nanos.co</u> Telephone:(613) 234-4666 ext. 237 Email: info@nanosresearch.com.



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		-		Do you hav	e status under the	Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - Do you pelieve, somewhat	Total	Unwgt N	101	56	28	12	5	96	3	2	62	32	7
pelieve, somewhat not pelieve, or not believe		Wgt N	101	56	32	8	5	94	3	4	57	37	6
hat marital status (as a a actor affecting	Believe	%	7.2	11.1				7.7			11.5	0.0	
entitlement for status under the Indian Act) is nclusive of Indigenous	Somewhat believe	%	18.6	16.7				15.7			7.3	36.5	
social and familial systems?	Somewhat not believe	%	7.0	2.5				7.5			4.9	6.5	
	Not believe	%	51.0	49.9				52.9			51.8	51.1	
	Unsure	%	16.1	19.9				16.2			24.6	5.9	



#### Scenario 1

Please read the following sample situation and share what you think might be reasonable or unreasonable for Brandy and her children. Let us show you a family tree. Please keep it in mind while reading the sample situation below and feel free to refer to it as you answer questions.

Mary, born in 1984, and Brandy, born in 1986 are sisters. Their parents, Nicole and John, never married. Mary and Brandy's grandmother, lost her status under the Indian Act for marrying a non-status man, but she regained her status in 1985. Brandy's mother (Nicole) and sister (Mary) are both entitled to status under subsection 6(1) of the Indian Act because they are "direct descendants" of their mother and grandmother respectively, and were born before April 17, 1985. Although her sister, Mary, is entitled to status under subsection 6(1), Brandy is NOT because she was born after April 17, 1985 and her parents were never married to each other. Brandy is entitled to status under subsection 6(2) because her mother Nicole is entitled to status under subsection 6(1) and her father John is not entitled to status. Because Brandy is entitled to status under subsection 6(2), she may pass on status to her children only if the other parent of her children is also entitled to status under subsection 6(2).

				Do you hav	e status under the	Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - Do you believe it is reasonable,	Total	Unwgt N	101	56	28	12	5	96	3	2	62	32	7
somewhat reasonable, somewhat unreasonable		Wgt N	101	56	32	8	5	94	3	4	57	37	6
or unreasonable that Brandy is not entitled to status under subsection	Reasonable	%	10.1	7.1				6.9			0.5	24.7	
6(1) because she was born after April 17, 1985	Somewhat reasonable	%	2.2	1.3				1.9			3.1	1.2	
and her parents were never married to each	Somewhat unreasonable	%	4.9	4.2				4.1			4.8	2.7	
other?	Unreasonable	%	80.4	85.0				84.4			87.1	71.5	
	Unsure	%	2.5	2.5				2.7			4.4	0.0	



				Do you have	e status under the	Indian Act?			Gender			Age	
		-	Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - Do you believe it is reasonable,	Total	Unwgt N	101	56	28	12	5	96	3	2	62	32	7
somewhat reasonable, somewhat unreasonable		Wgt N	101	56	32	8	5	94	3	4	57	37	6
or unreasonable that Brandy's children can	Reasonable	%	8.1	11.5				3.7			6.2	10.7	
only be entitled to status if the other parent is also	Somewhat reasonable	%	1.1	2.0				1.2			1.9	0.0	
entitled to status?	Somewhat unreasonable	%	26.8	22.1				28.3			12.5	46.7	
	Unreasonable	%	57.8	58.0				60.2			71.2	41.5	
	Unsure	%	6.1	6.4				6.6			8.2	1.1	



Scenario 2

Our next couple questions are about something that has not happened, but we would like to get your reaction if it did happen.

Following possible national consultations with Indigenous Peoples, the Government of Canada agreed to begin the process of potentially repealing the *Indian Act* in a way that preserves the rights and entitlements of First Nations people protected under the legislation. If this occurred, please share your views on the following:

#### Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

				Do you have	e status under th	e Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question – Rank 1	Total	Unwgt N	91	52	25	10	4	86	3	2	55	31	5
		Wgt N	92	53	28	7	4	85	3	4	51	36	4
	Government of Canada	%	13.9	10.3				10.7			7.0	25.1	
	Band Councils	%	12.1	13.2				12.7			14.6	6.2	
	Traditional Indigenous Governing Bodies	%	55.9	53.4				57.0			51.4	61.1	
	All have the same responsibility	%	10.7	15.8				11.5			14.3	6.8	
	In-depth consultation among all parties	%	1.5	2.6				1.6			2.7	0.0	
	Other	%	1.2	0.0				1.3			2.2	0.0	
	Unsure	%	4.6	4.7				5.0			7.7	0.8	

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#### Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

				Do you have	status under the	Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	l do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question – Rank 2	Total	Unwgt N	82	45	25	9	3	77	3	2	48	29	5
		Wgt N	84	47	28	6	2	77	3	4	45	35	4
	Government of Canada	%	8.2	10.8				8.9			13.8		
	Band Councils	%	46.7	45.9				47.1			40.0		
	Traditional Indigenous Governing Bodies	%	31.6	28.4				34.1			33.7		
	All have the same responsibility	%	7.6	9.9				3.6			4.0		
	Community elders/grand-parents/Council of Elders	%	1.2	2.1				1.3			2.3		
	Community collective/ Indigenous communities	%	1.3	0.0				1.4			0.0		
	Unsure	%	3.3	3.0				3.6			6.3		



Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

				Do you have s	status under the	e Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	l do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question – Rank 3	Total	Unwgt N	60	34	16	7	3	56	3	1	34	23	3
		Wgt N	63	35	21	4	2	57	3	4	29	32	2
	Government of Canada	%	44.5	54.6				45.3			43.6		
	Band Councils	%	29.3	20.0				32.7			28.4		
	Traditional Indigenous Governing Bodies	%	6.9	10.4				1.2			2.4		
	All have the same responsibility	%	7.9	5.1				8.1			6.2		
	Proof of lineage	%	1.6	2.9				1.8			3.5		
	Community elders/grand-parents/Council of Elders	%	1.1	2.0				1.2			2.4		
	Community collective/ Indigenous communities	%	2.3	0.0				2.5			4.9		
	An Indigenous panel/government created to oversee these decisions	%	2.9	2.0				3.2			2.4		
	In-depth consultation among all parties	%	1.1	0.0				1.2			2.4		
	Unsure	%	2.3	3.0				2.6			3.7		



Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

		_		Do you have	status under the	Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question – Rank 4	Total	Unwgt N Wgt N	31 29	17 17	9 9	4	1	29 25	1 0	1	19 17	12 12	0
	Government of Canada	%	33.1	-		-	-		-				
	Band Councils	%	21.3										
	Traditional Indigenous Governing Bodies	%	8.7										
	All have the same responsibility	%	22.0										
	Community elders/grand-parents/Council of Elders	%	4.8										
	Unsure	%	10.0										



Please rank who should be responsible for deciding who can register for status and subsequently granting access to rights for First Nations only, where 1 is the group most responsible, 2 the group with the second most responsibility and so on. [RANDOMIZE]

				Do you have	status under th	e Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	l do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - Rank 5	Total	Unwgt N	22	11	8	3	0	21	1	0	13	9	0
		Wgt N	18	9	7	1	0	17	0	0	12	6	0
	Government of Canada	%					-			-			
	Band Councils	%					-			-			
	All have the same responsibility	%					-			-			
	Community collective/ Indigenous communities	%					-			-			
	Unsure	%					-			-			

Nanos conducted an open-link online survey of 102 First Nations or Canadians with status under the *Indian Act*, 18 years of age or older, between January 10<sup>th</sup> and 11<sup>th</sup>, 2022. \*Some results have been shaded due to small

sample size.



				Do you hav	e status under the	Indian Act?			Gender			Age	
			Canada 2022-01	Status 6(1)	Status 6(2)	I do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - Do you think that it is reasonable,	Total	Unwgt N	101	56	28	12	5	96	3	2	62	32	7
somewhat reasonable, somewhat not reasonable or not		Wgt N	101	56	32	8	5	94	3	4	57	37	6
reasonable for the federal government to	Reasonable	%	6.2	7.3				6.6			9.6	0.0	
have a role in regulating entitlement to register	Somewhat reasonable	%	18.0	27.1				15.4			23.3	12.9	
for status and subsequently granting	Somewhat unreasonable	%	23.5	18.2				24.1			18.4	26.7	
access to rights reserved to First Nations people?	Unreasonable	%	48.2	44.4				49.4			44.3	55.8	
	Unsure	%	4.2	3.0				4.5			4.4	4.6	



		_	Do you have status under the Indian Act?					Gender			Age		
			Canada 2022-01	Status 6(1)	Status 6(2)	l do not have status	Unsure	Female	Male	Two- Spirit	Born Before 1985	Born in 1985 or later	Refuse/no answer
Question - What is a reasonable timeline for the federal government to transfer decision- making power with respect to status registration and respecting entitlement to rights reserved for First Nations to Indigenous governing bodies?years	Total	Unwgt N	102	57	28	12	5	97	3	2	63	32	7
		Wgt N	102	57	32	8	5	95	3	4	58	37	6
		Mean	5.9	7.5				5.4			6.5	5.4	
		Median	3.00	3.00				2.00			2.00	5.00	
	0	%	2.1	3.7				2.2			1.8	2.9	
	1	%	28.7	21.9				30.3			34.0	18.5	
	2	%	14.1	18.4				13.3			19.6	7.7	
	3	%	6.3	5.6				6.7			4.2	6.8	
	5	%	20.3	21.8				21.8			11.4	34.2	
	6	%	1.1	0.0				1.2			0.0	3.1	
	7	%	0.7	1.2				0.7			1.2	0.0	
	10	%	8.5	8.8				8.0			13.4	2.2	
	15	%	1.4	0.0				1.5			2.4	0.0	
	20	%	4.7	8.4				1.2			1.9	9.9	
	30	%	1.1	2.0				1.2			1.9	0.0	
	100	%	1.1	2.0				1.2			1.9	0.0	
	No answer	%	9.9	6.2				10.6			6.1	14.8	