



# Aboriginal Affairs

**ANNUAL REPORT**

2022-2023

## **Aboriginal Affairs**

### **ANNUAL REPORT 2022-2023**

Province of New Brunswick

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## TRANSMITTAL LETTERS

### From the Minister to the Lieutenant-Governor

**Her Honour The Honourable Brenda Murphy**  
**Lieutenant-Governor of New Brunswick**

May it please your Honour:

It is my privilege to submit the annual report of the Department of Aboriginal Affairs, Province of New Brunswick, for the fiscal year April 1, 2022, to March 31, 2023.

Respectfully submitted,



Honourable Arlene Dunn  
Minister

### From the Deputy Minister to the Minister

**Honourable Arlene Dunn**  
**Minister of Aboriginal Affairs**

Madam:

I am pleased to be able to present the annual report describing operations of the Department of Aboriginal Affairs for the fiscal year April 1, 2022, to March 31, 2023.

Respectfully submitted,



Cade Libby  
Deputy Minister

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## MINISTER'S MESSAGE

Through 2022-2023, the Department of Aboriginal Affairs has much to be proud of in what it has accomplished in its mandate to ensure a whole-of-government approach to Indigenous relations and to create a better understanding of First Nations' needs and priorities.

Across government, there is work underway to implement the Calls to Action identified in the Truth and Reconciliation Commission of Canada's report. To ensure transparency in that work, Aboriginal Affairs launched a website in June to allow the public to track government progress. We have made considerable headway in this regard and are dedicated to continuing this important work.

Transparency was also a driving factor in establishing a second website, this one focused on the Duty to Consult, which is an established five-step process that is applied consistently throughout the Government of New Brunswick. The public can monitor completed Duty to Consult process file reviews as well as the number of files that are active.

In addition to those notable achievements, other highlights include:

- Hosting two Blanket Exercises, which are interactive educational programs that teach the history of colonization in Canada, for GNB employees and several members of the legislature;
- Participating in several engagement sessions regarding regulations for New Brunswick's new *Child and Youth Well-Being Act* to deepen the department's understanding of First Nations' concerns and to better advise in this area;
- Engaging with residential school survivors from First Nation communities on the Truth and Reconciliation Commission Call to Action #82, to commission and install a publicly accessible, highly visible residential schools monument in Fredericton to honour survivors and the children who did not survive residential schools;
- Participating in over 100 bilateral or trilateral negotiation sessions with First Nations to advance priorities identified by First Nations across many different subject areas and Government of New Brunswick departments in order to reach agreements with First Nations on matters of mutual interest.

I am grateful for the work my department is doing each day, including their efforts to improve our relationship with First Nations. They are a talented group that goes above and beyond, and I cannot thank them enough for their dedication and commitment.



Honourable Arlene Dunn  
Minister of Aboriginal Affairs

## DEPUTY MINISTER'S MESSAGE

This report outlines the numerous accomplishments of the Department of Aboriginal Affairs, which have been made possible due to the dedication and commitment of its staff.

Throughout the 2022-2023 fiscal year, there were many opportunities to fulfill the department's mandate to oversee a whole-of-government approach to Indigenous relations and to coordinate the Province's initiatives with First Nations. Respecting Aboriginal and treaty rights, consultation, providing guidance to other departments on engagement, and collaborating to advance reconciliation remain at the heart of what this department does.

In keeping with the department's mandate and goals, an interim rights implementation agreement was again negotiated and signed with the Peskotomuhkati Nation for a special moose harvest in the fall. The hunt provides a source of food for the Peskotomuhkati and enables the Department of Natural Resources and Energy Development, which collaborated on the agreement, to collect valuable data to aid conservation efforts.

As the relationship between the Province and First Nations is of the utmost importance, the department coordinated efforts to ensure all initiatives with First Nations achieve their intended results, thus strengthening positive collaborations with the communities as part of the Province's commitment to that relationship. While every department continues to value the work that it does with First Nations, Aboriginal Affairs' Initiative Management Advisors were able to work collaboratively with those departments to ensure that all of government was aligned moving forward.

The department will continue to build upon its achievements and successes in the coming years and strengthen its relationship with First Nations. There are many reasons for the department to be proud of its accomplishments, many of which you will read about in this report.



Cade Libby  
Deputy Minister

## GOVERNMENT PRIORITIES

### Delivering for New Brunswickers - One Team One GNB

*One Team One GNB* is our vision as an organization and a collaborative approach to how we operate. It is our path forward, and it represents a civil service that is working collectively across departments, professions, and sectors. Together, we are learning, growing, and adapting, and discovering new and innovative ways of doing business. It is enabling us to achieve the outcomes needed for New Brunswickers, and we are working more efficiently and effectively than ever before.

As *One Team One GNB*, we are improving the way government departments:

- communicate with one another;
- work side-by-side on important projects; and
- drive focus and accountability.

### Strategy and operations management

The Government of New Brunswick (GNB) uses a Formal Management system built on leading business practices to develop, communicate, and review strategy. This process provides the Public Service with a proven methodology to execute strategy, increase accountability and continuously drive improvement.

### Government priorities

Our vision for 2022-2023 is a vibrant and sustainable New Brunswick. To make progress towards this vision, we must focus on our government's priorities.

- Energize private sector
- Vibrant and sustainable communities
- Affordable, responsive, and high-performing government
- Dependable public health care
- World-class education, and
- Environment

## HIGHLIGHTS

During the 2022-2023 fiscal year, Aboriginal Affairs focused on these government priorities through:

- Launching the Truth and Reconciliation Commission (TRC) Portal/Website in June 2022, to provide transparency through regular, accessible updates on the provincial government's progress in implementing the TRC's Calls to Action.
- Launching the Duty to Consult Portal/Website in January 2023, to provide clear and transparent information as it relates to a whole-of-government approach to consultation with First Nations. This means that all consultations with First Nations are coordinated through the department and based on an established five-step process that is applied consistently throughout the Government of New Brunswick.
- Successfully negotiating the 2022 renewal of an interim Moose and Deer Harvesting Agreement with the Peskotomuhkati Nation at Skutik.



## PERFORMANCE OUTCOMES

### **Outcome # 1 – Implementation of Truth and Reconciliation Commission’s Calls to Action**

The Truth and Reconciliation Commission (TRC) identified 94 Calls to Action in its final report. Thirty-one of those Calls to Action fall under the jurisdiction of the provincial government with some overlap with other government organizations – federal, municipal, territorial, and Indigenous.

#### **Why is it important?**

GNB has pledged its support for the implementation of the Calls to Action, and to repair and rebuild its relationship with Indigenous peoples.

#### **Overall performance**

The provincial government has either initiated or completed 27 of the 31 Calls to Action that fall under its jurisdiction. The department has developed an interdepartmental workplan to monitor overall progress within GNB and a webpage was also created and launched on June 21, 2022, to share information publicly about steps GNB is taking to implement the Calls to Action.

#### **Initiatives or projects undertaken to achieve the outcome**

In collaboration with other departments, Aboriginal Affairs continues to identify, lead, and support initiatives that help GNB advance the Calls to Action and reconciliation with Indigenous peoples in the province.

Some of the work underway or completed by GNB that is responsive to the Calls to Action includes:

- The provincial government waived the fees related to a legal change of name to help residential school survivors and their families reclaim their traditional names.
- Declared September 30<sup>th</sup> as a provincial holiday in recognition of the National Day for Truth and Reconciliation. The day honours the children who never returned home from residential schools, as well as survivors, their families, and communities.
- Engaged with survivors and their families from First Nation communities in New Brunswick to establish a residential schools monument.

## PERFORMANCE OUTCOMES

### Outcome # 2 Initiatives management

The department's Initiatives Management Branch applies a "whole-of-government" approach by exploring all initiatives, programs and services, overcoming silos, and looking for opportunities, gaps and overlap between initiatives.

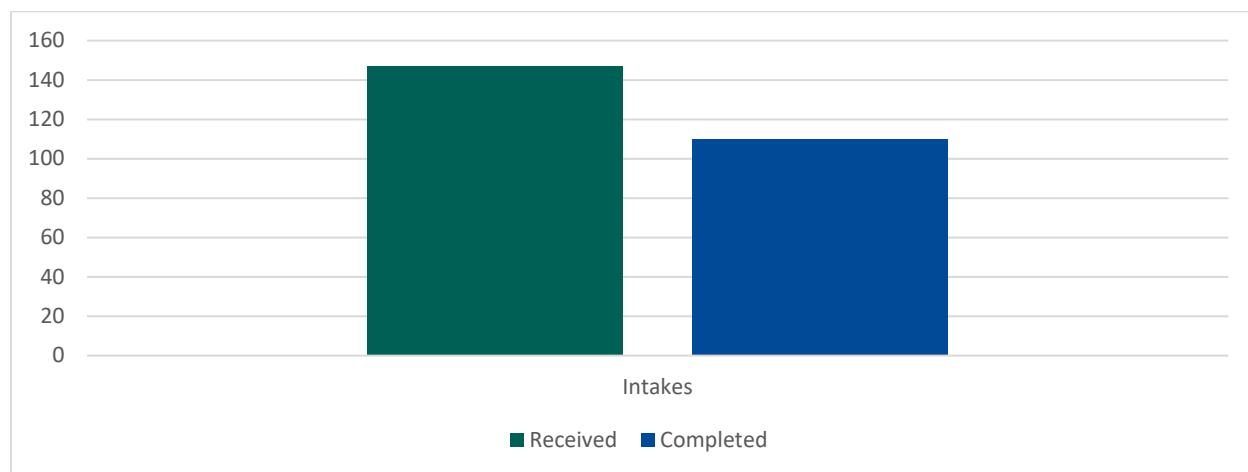
#### Why is it important?

The branch supports departments and builds relationships with Indigenous communities and organizations to ensure that government is delivering programs and services that are responsive to the needs and priorities of First Nations and have the greatest positive impact.

#### Overall performance

Initiatives are assessed and categorized based on whether the interaction is 1) part of ensuring the rights of First Nations are respected; 2) part of ensuring legislated obligations are satisfied; and 3) a consensual arrangement with an intended objective and whether the objective is being met.

The department assessed 147 initiatives and completed 110 (75 per cent) of them during the fiscal year. A list of those initiatives can be viewed at [Aboriginal Affairs - New Brunswick \(gnb.ca\)](https://www2.gnb.ca/content/gnb/en/departments/aboriginal_affairs.html) [https://www2.gnb.ca/content/gnb/en/departments/aboriginal\\_affairs.html](https://www2.gnb.ca/content/gnb/en/departments/aboriginal_affairs.html)



#### Initiatives or projects undertaken to achieve the outcome

All GNB departments, agencies and crown corporations have an Aboriginal Affairs Advisor assigned to them. The GNB entity shares information about their initiative with the department. The appropriate Advisor reviews the initiative from a "whole of government" perspective and offers advice and guidance to the GNB entity. Depending on the initiative, the Advisor is involved in the implementation of the initiative as well.

## PERFORMANCE OUTCOMES

### Outcome # 3 Duty to Consult Process

The department is mandated to lead a whole-of-government approach to consultation with First Nations. This means that all consultations with First Nations are coordinated through the department and based on an established five-step process that is applied consistently throughout the Government of New Brunswick.

#### Why is it important?

GNB has a constitutional obligation to consult Indigenous peoples when contemplating a decision or action that has the potential to adversely impact Aboriginal and Treaty rights.

The five key steps in GNB's Duty to Consult process are:

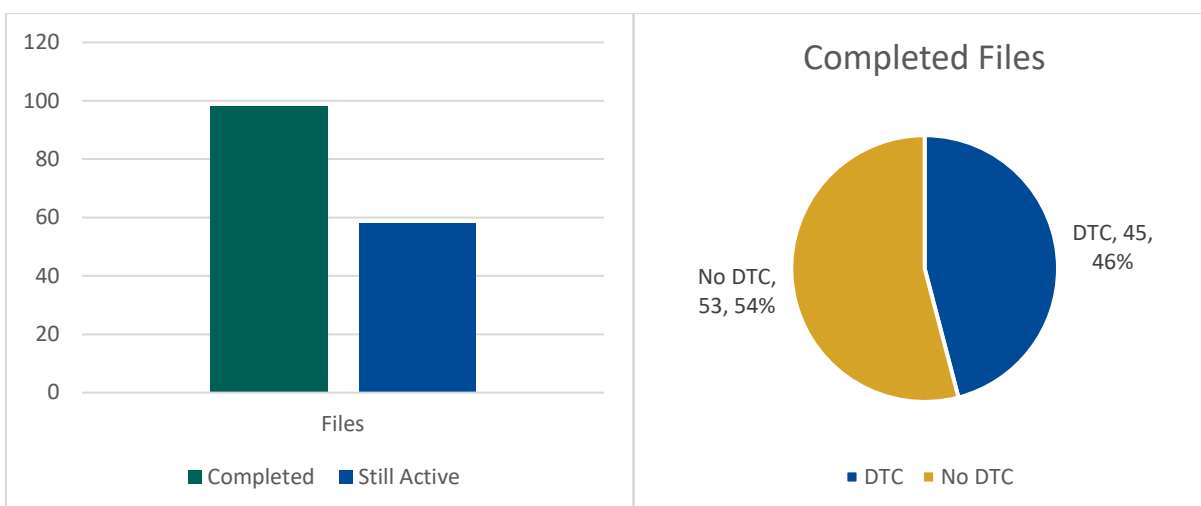
1. Assessment of the potential for adverse impacts;
2. Notification and/or initiation of consultation;
3. First Nation input;
4. Consultation and accommodation if appropriate; and
5. Evaluation of the adequacy of the consultation/accommodation.

The Duty to Consult process will vary depending on the decision being considered by GNB. It provides a mechanism for meaningful dialogue where First Nations can raise concerns which GNB considers when making decisions that could have an adverse impact on Aboriginal and Treaty rights.

#### Overall performance

Within the fiscal year, the Consultation Branch completed **98** file reviews under the Duty to Consult process. Of these, **45** were identified as having the potential to adversely impact Aboriginal and Treaty rights and required notification and/or consultation, whereas **53** were found to have no potential for impact on Aboriginal and Treaty rights.

As of March 31, 2023, the branch had **58** active files.



**Initiatives or projects undertaken to achieve the outcome**

Presented GNB's Duty to Consult process to Mi'gmawē'l Tplu'taqnn Incorporated (MTI), a First Nations organization which represents eight of the nine Mi'gmaq communities; Wolastoqey Nation in New Brunswick and Resource Development Consultation Coordinators who represent the six Wolastoqey communities; Kopit Lodge (Elsipogtog First Nation), and Peskotomuhkati Nation at Skutik.

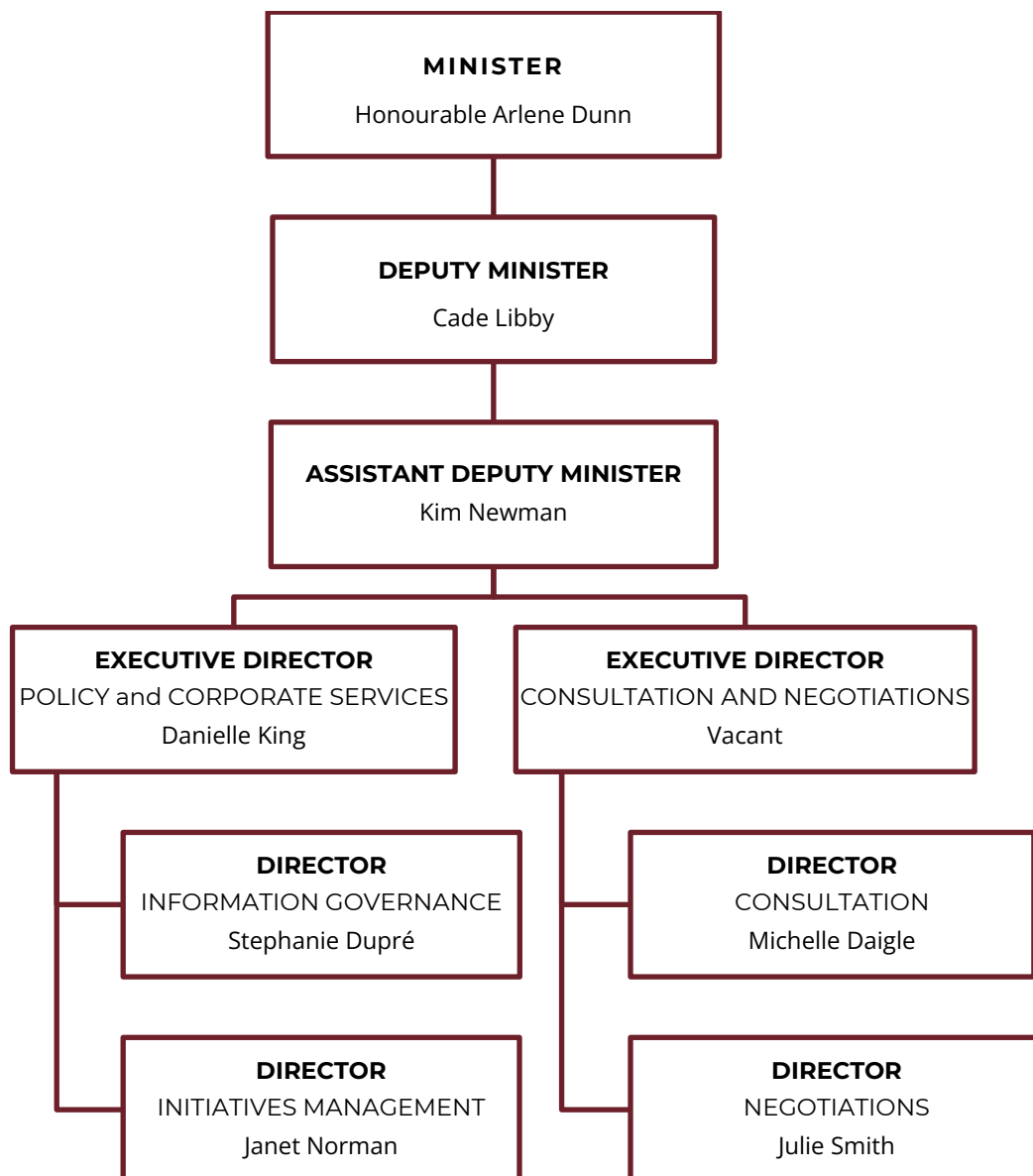
Assigned staff to key departments with resource and/or land management mandates and responsibilities. These individuals continued efforts to educate and support departmental staff on the Duty to Consult obligations and provide guidance on matters related to consultation and engagement with First Nations.

The department launched the "Duty to Consult with First Nations" website in January 2023 to inform the public of the Duty to Consult process.

## OVERVIEW OF DEPARTMENTAL OPERATIONS

The Department of Aboriginal Affairs oversees a whole-of-government approach to Indigenous relations and is responsible for the coordination of all the province's initiatives with First Nations. The department is the main point of contact and represents the interests of the province in multilateral initiatives and negotiations. The department leads the consultation process with Indigenous Nations and provides research, analysis, and policy advice to government on matters involving Indigenous peoples.

### High-Level Organizational Chart



As of March 31, 2023.

## DIVISION OVERVIEW AND HIGHLIGHTS

### POLICY AND CORPORATE SERVICES

#### Overview

The **Policy and Corporate Services Division** provides direction and support to the department in strategic planning, policy development, legislative affairs, information management, performance management and process improvement. In addition, it provides support in matters relating to cultural awareness and training as well as federal-provincial-territorial activities as it relates to First Nations.

The division comprises two branches: Information Governance and Initiatives Management.

The **Information Governance Branch** supports the department as it oversees the collection, management, access, use and final disposition of all information assets relating to the department's mandate, activities, and initiatives. The branch also manages the department's financial services, correspondence, and provides advice and expertise related to research, policy development, and legislative affairs.

The **Initiatives Management Branch** provides direction and coordination related to all provincial initiatives that involve Indigenous peoples.

#### Highlights

- Supported the department's One Team, One GNB effort on behalf of the deputy minister.
- Hosted two Blanket Exercises for GNB employees along with several Members of the Legislative Assembly. The Blanket Exercise is an interactive educational program that teaches the history of colonization in Canada.
- Engaged with residential school survivors from various First Nation communities on the Truth and Reconciliation Commission Call to Action #82, to commission and install a publicly accessible, highly visible residential schools monument in Fredericton to honour survivors and the children who did not survive residential schools.
- Facilitated a panel at the NB Restorative Justice Symposium.
- Provided \$105,000 to the Joint Economic Development Initiative (JEDI), which aims to strengthen entrepreneurship and economic development opportunities for First Nations. JEDI provides programs and services to support Indigenous entrepreneurship, economic development, workforce development, and partnership with the public and private sectors.
- Provided capacity funding to Under One Sky (Monoqonuwicik-Neoteetjg Mosigisg Inc.) which is a service provider for Indigenous peoples living outside of First Nations communities. Under One Sky is committed to empowering a healthy and proud Indigenous community in New Brunswick and provides over 13 culturally-informed programs and services to the community. These services include health and family support, education, cultural teachings, and community events.

The **Information Governance Branch** is responsible for advancing Memoranda to Executive Council; providing direction and decisions related to agreements, policies, and financial transactions; managing ministerial correspondence; administering the department's financial resources; coordinating and supporting the Minister's legislative business; and providing services to the department in information and records management as it oversees the collection, management, access, and use of all information assets relating to the department's mandate, activities, and initiatives.

## Highlights

- Provided \$150,309 in funding to Indigenous individuals, communities, and organizations through the department's Grants Program and Initiative Fund. Grant recipients can be viewed at [www.gnb.ca/aboriginal](http://www.gnb.ca/aboriginal).
- Implemented the use of Microsoft Teams and SharePoint as replacement for outdated technologies.
- Implemented improved dashboarding capabilities for more accurate and consistent reporting across the department.
- Assisted with the development of tools regarding the management and use of information for several branches.
- Provided financial analysis and support to key government priorities throughout the fiscal year including but not limited to Main Estimates, Public Accounts, Memorandums to Executive Council, briefing notes, quarterly reporting, and variance analysis.
- Coordinated the review of 116 Memorandums to Executive Council from other departments that may have had the potential to impact Indigenous peoples in New Brunswick to ensure known concerns of First Nations were being considered.
- Coordinated a provincial response to three Addition to Reserve proposals.

## Key Performance Indicators

Ministerial correspondence completed.

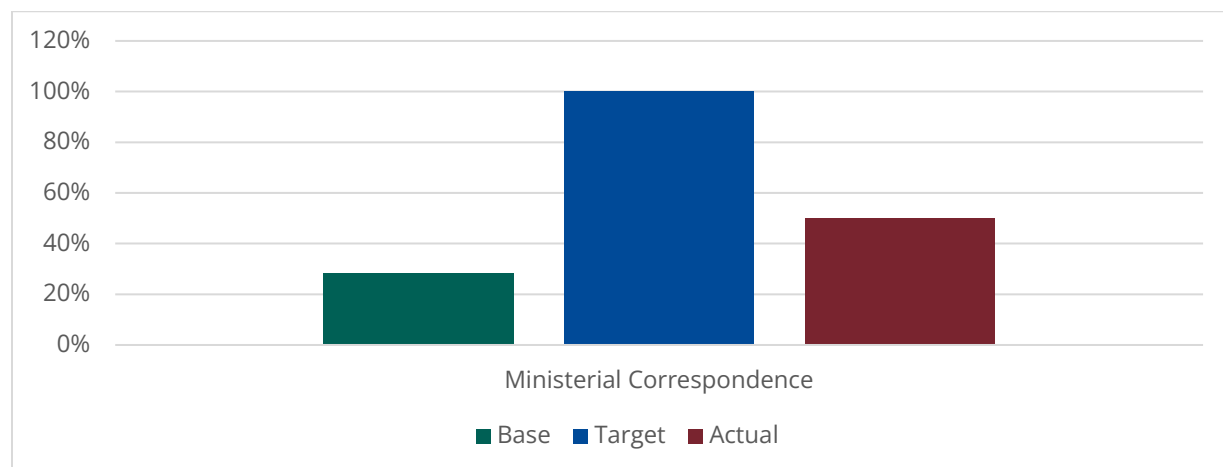
**Description:** This measure describes the percentage of Ministerial correspondence completed within five to 10 business days.

**Results:** The percentage of Ministerial correspondence completed within the allotted time frame increased to 50 per cent from 28 per cent. While the result is below the 100 per cent target, the improvement was a considerable achievement.

**Base:** 28%

**Target:** 100%

**Actual:** 50%



The **Initiatives Management Branch** is responsible for leading and fulfilling the department's mandate as the hub for all initiatives across government that involve Indigenous peoples by applying a "whole-of-government" approach in exploring all initiatives, programs and services, overcoming silos, and looking for opportunities, gaps and overlap between initiatives. The branch also is responsible for supporting all GNB departments by building relationships with Indigenous communities and organizations to ensure that government is delivering programs and services that are responsive to the needs and priorities of Indigenous peoples and have the greatest positive impact.

## Highlights

- In partnership with the Regional Development Corporation and Opportunities New Brunswick, the department facilitated information sessions with First Nations communities to increase awareness of various programs and services that are available. These sessions assisted Opportunities New Brunswick and the Regional Development Corporation in updating their program criteria and services to be more accessible to New Brunswickers, including First Nations.
- Through a partnership with the Department of Tourism, Heritage, and Culture, provided \$10,000 in funding towards the Indigenous art education program pARTnerships for the 2022-2023 school year. This program facilitated professional development and appreciation activities in three First Nations schools in the province.
- Participated in several engagement sessions regarding regulations for New Brunswick's new *Child and Youth Well-Being Act*, to deepen the department's understanding of First Nations' concerns, to better advise in this area.
- Participated in the Atlantic Canada engagement session on the Urban, Rural and Northern Indigenous Housing Strategy to learn about strategy scope, long term vision, objectives, First Nations' perspective, priority areas and governance models.



## Key Performance Indicators

### Initiatives management intakes completed

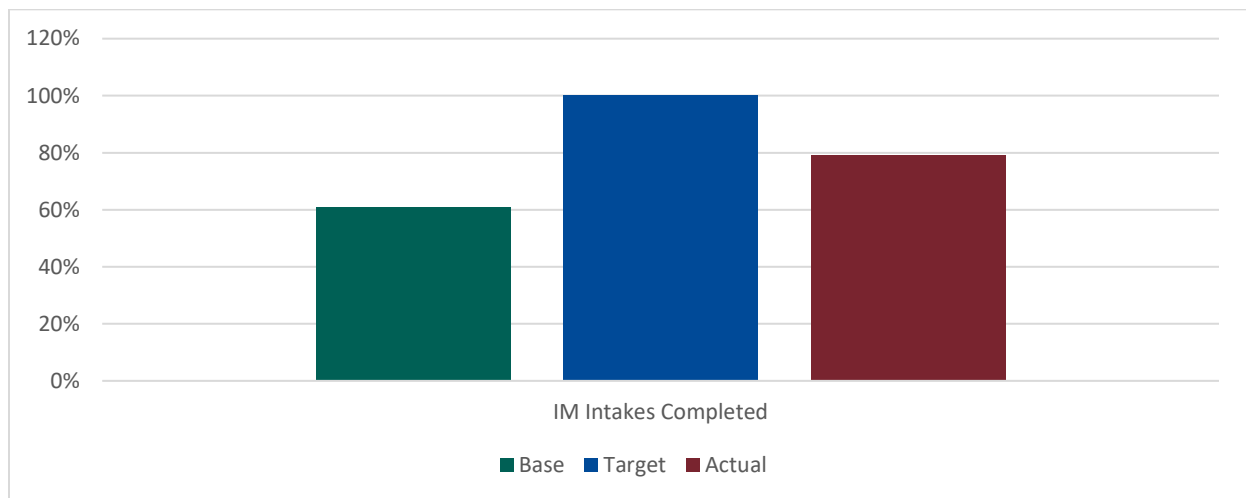
**Description:** This measure describes the percentage of Initiative Intakes completed within 7 business days.

**Results:** The percentage of Initiative Intakes completed within seven business days increased to 79 per cent from 61 per cent. While the result is below the 100 per cent target, the improvement was a considerable achievement.

**Base:** 61%

**Target:** 100%

**Actual:** 79%



## CONSULTATION & NEGOTIATIONS

### Overview

The **Consultation and Negotiations Division** provides direction and leadership to all GNB departments regarding consultation, engagement, and negotiations with First Nations.

The division comprises two branches: Consultation Branch and the Negotiations Branch.

The **Consultation Branch** provides direction and coordination related to the Duty to Consult and accommodate, consultation and engagement with First Nations.

The **Negotiations Branch** provides direction and support related to long-term negotiations with First Nations on land, resource, and governance related matters.

### Highlights

- Provided core capacity funding in the amount of \$1,400,000 to enable First Nations to participate meaningfully in consultations and negotiations.

The **Consultation Branch** is responsible for implementing the Duty to Consult process; leading consultation with First Nations relating to private industry project proposals and provincial government projects and initiatives; liaising with First Nation communities and working with government departments on provincial matters which may have an adverse impact on Aboriginal and Treaty rights. The branch is also responsible for overseeing accommodation measures identified during a consultation and conducting research and developing ethnohistoric reports for the province.

## Highlights

- In partnership with the Department of Natural Resources and Energy Development, completed consultation on the 2022 Forest Strategy.
- Co-hosted an Atlantic Canada Consultation Coordinators conference and presented on GNB's Duty to Consult process.
- Presented GNB's Duty to Consult process to Mi'gmawe'l Tplu'taqnn Incorporated (MTI) a First Nations organization who represents eight of the nine Mi'gmaq communities; Wolastoqey Nation in New Brunswick and Resource Development Consultation Coordinators who represent the six Wolastoqey communities; Kopit Lodge (Elsipogtog First Nation), and Peskotomuhkati Nation at Skutik.
- Launched the "Duty to Consult with First Nations" website to advise the public of the Duty to Consult process.
- Completed 98 file reviews under the Duty to Consult process.

The **Negotiations Branch** coordinates and leads negotiations with New Brunswick First Nations in areas of mutual interest. The branch is responsible for negotiating agreements and arrangements that support the achievement by First Nations of their goals and priorities, enhance clarity on Aboriginal and Treaty rights, address matters of trilateral interest involving First Nations, New Brunswick and Canada, and foster a positive and productive partnership. Negotiations play a critical role in advancing reconciliation in New Brunswick.

## Snapshot of Negotiation Activities – 2022-2023 Fiscal Year

The 2022-2023 fiscal year was an active year, with First Nation negotiations involving many GNB departments across a wide range of topics. A snapshot of activities:

	2022-2023
Negotiation meetings held with First Nations	101
First Nations and First Nations Organizations involved	17
*Formal Negotiation Tables	6

\*GNB also engaged in several subject-specific negotiations with First Nations outside of formally established negotiation tables.

## Highlights

- The negotiations are in large part confidential, but the branch was actively involved in multiple negotiation tables as well as bilateral negotiations with 15 First Nations communities, as well as various Indigenous organizations.
- Building and strengthening relationships with First Nations is a government priority. To enhance these relationships the province provided \$600,000 in capacity funding to First Nations to allow them to fully and meaningfully participate in negotiations.
- In 2022-2023, the province attended 101 negotiation tables or bilateral negotiation meetings, which means the province met with First Nations in negotiation meetings on average twice a week. In addition to these negotiation meetings, there were numerous ad hoc informal discussions and much work completed by all parties in the background between meetings.
- Topics covered included housing, justice, community safety, governance, archaeology and culture, protection and conservation of land, child and family services, community infrastructure, and economic development, among others.

## FINANCIAL INFORMATION

This financial overview was prepared based on the best available information at the time of publication and therefore may not correspond exactly with the figures that will be subsequently published in GNB's Public Accounts.

Ordinary Budget – The Ordinary Budget expenditures cover the day-to-day operations of the department.

**TABLE 1: ORDINARY EXPENDITURE  
STATUS REPORT BY PROGRAM COMPONENT**

**Fiscal Year Ending March 31, 2023 (\$000s)**

<b>ORDINARY PROGRAM</b>	<b>FINAL BUDGET</b>	<b>ACTUAL</b>	<b>VARIANCE (UNDER) OVER</b>
<b>Aboriginal Affairs</b>	<b>\$10,181</b>	<b>\$8,735</b>	<b>(\$1,446)</b>

## SUMMARY OF STAFFING ACTIVITY

Pursuant to section 4 of the *Civil Service Act*, the Secretary to Treasury Board delegates staffing to each Deputy Head for his or her respective department(s). Please find below a summary of the staffing activity for 2022 for Aboriginal Affairs.

NUMBER OF PERMANENT AND TEMPORARY EMPLOYEES AS OF DEC. 31 OF EACH YEAR		
EMPLOYEE TYPE	2022	2021
Permanent	29	18
Temporary	1	2
<b>TOTAL</b>	30	20

The department advertised three competitions, including two open (public) competitions and one closed (internal) competition.

Pursuant to sections 15 and 16 of the *Civil Service Act*, the department made the following appointments using processes to establish merit other than the competitive process:

APPOINTMENT TYPE	APPOINTMENT DESCRIPTION	SECTION OF THE CIVIL SERVICE ACT	NUMBER
Specialized Professional, Scientific or Technical	An appointment may be made without competition when a position requires: <ul style="list-style-type: none"> <li>a high degree of expertise and training</li> <li>a high degree of technical skill</li> <li>recognized experts in their field</li> </ul>	15(1)	0
Equal Employment Opportunity Program	Provides Aboriginals, persons with disabilities and members of a visible minority group with equal access to employment, training and advancement opportunities.	16(1)(a)	0
Department Talent Management Program	Permanent employees identified in corporate and departmental talent pools, who meet the four-point criteria for assessing talent, namely performance, readiness, willingness and criticalness.	16(1)(b)	1
Lateral transfer	The GNB transfer process facilitates the transfer of employees from within	16(1) or 16(1)(c)	9

APPOINTMENT TYPE	APPOINTMENT DESCRIPTION	SECTION OF THE CIVIL SERVICE ACT	NUMBER
	Part 1, 2 (school districts) and 3 (hospital authorities) of the Public Service.		
Regular appointment of casual/temporary	An individual hired on a casual or temporary basis under section 17 may be appointed without competition to a regular properly classified position within the Civil Service.	16(1)(d)(i)	3
Regular appointment of students/apprentices	Summer students, university or community college co-op students or apprentices may be appointed without competition to an entry level position within the Civil Service.	16(1)(d)(ii)	0

Pursuant to section 33 of the *Civil Service Act*, no complaints alleging favouritism were made to the Deputy Head of Aboriginal Affairs and no complaints were submitted to the Ombud.

## **SUMMARY OF LEGISLATION AND LEGISLATIVE ACTIVITY**

The department did not have any legislative activity.

# SUMMARY OF OFFICIAL LANGUAGES ACTIVITIES

## Introduction

In 2022-2023, the Department of Aboriginal Affairs continued to fulfill its obligation under the *Official Languages Act* and was committed to actively offering and providing quality services in both Official Languages. Below are associated activities that were carried out on an ongoing basis during the year.

### Focus 1

Ensure access to service of equal quality in English and French throughout the province.

Activities that took place to meet the objective of Language of Service and ensure employees have a good understanding of the Language of Service Policy:

- Required employees to complete the Language of Service module through the GNB Knowledge Center. Managers are to ensure the modules are completed and verified annually during the performance review period.
- Active offer reminder is sent yearly to all staff. Additionally, staff are provided with tools and coaching is offered by Official Languages Coordinator to assist employees in providing the appropriate level of service.
- Ongoing discussions between human resources consultants and managers to ensure the department best meets the linguistic profile requirements. Linguistic profiles are all completed and reviewed on an as-needed basis.

### Focus 2

An environment and climate that encourages, for all employees, the use of the Official Language of their choice in their workplace.

Activities that took place to meet the objective of Language of Work and ensure employees have a good understanding of the Language of Work Policy:

- Required employees to complete the Language of Work module through the GNB Knowledge Center. Managers are to ensure the modules are completed and verified annually during the performance review period.
- New employees were provided an opportunity to state their preferred language of work for communication purposes through the employment acceptance form. A Language of Work Quick Reference Guide is offered to new employees through the employee orientation package.
- Ensured employees received their performance review in the language of their choice. Managers also review the Language of Work and Language of Service policies with their employee to ensure they understand their right to work in their language of choice, as well as their obligation to provide an active offer of service in both Official Languages.
- Provided second-language training to employees who met the requirement of the department's Second-Language Training Policy. One employee received second language-training in 2022-2023.



### Focus 3

New and revised provincial government programs and policies will consider the realities of the two Official Linguistic communities.

- Through the department's onboarding program, new employees are required to familiarize themselves with the *Official Languages Act* by completing mandatory modules through the GNB Knowledge Center.
- Employees are required to review the *Official Languages Act* during the annual performance management process.

### Focus 4

Ensure Public Service employees have a thorough knowledge and understanding of the *Official Languages Act*, relevant policies, regulations, and the province's obligations with respect to Official Languages.

Activities that took place to meet the objective of knowledge of the *Official Languages Act*:

- Ensured orientation was provided to all new employees, which included information about the *Official Languages Act* and the policies and regulations governing their interaction with respect to Official Languages. They are asked to sign and send confirmation to Human Resources upon completion.
- Current employees are required to read the Official Languages policies as part of their annual performance review.
- Continue to remind all employees of their responsibility to provide an active offer of service in both Official Languages.
- The department's Official Languages coordinator attended quarterly meeting established through Treasury Board to remain knowledgeable and proactive on all activities regarding Official Languages.

### Conclusion

The department did not have any Official Languages complaints for fiscal 2022-2023.

## **SUMMARY OF RECOMMENDATIONS FROM THE OFFICE OF THE AUDITOR GENERAL**

The department did not have any recommendations from the Office of the Auditor General in the current reporting year and the previous four years.

## **REPORT ON THE PUBLIC INTEREST DISCLOSURE ACT**

As provided under section 18(1) of the *Public Interest Disclosure Act*, the chief executive shall prepare a report of any disclosures of wrongdoing that have been made to a supervisor or designated officer of the portion of the public service for which the chief executive officer is responsible. The Department of Aboriginal Affairs did not receive any disclosure(s) of wrongdoing in the 2022-2023 fiscal year.

## APPENDIX A

### Indigenous peoples in New Brunswick / Aboriginal peoples in New Brunswick

The term 'Indigenous peoples' or 'Aboriginal peoples' is a collective name for the original peoples of North America and their descendants.

The Canadian Constitution recognizes three groups of Aboriginal peoples: Indians (more commonly referred to as First Nations), Inuit and Métis. These are three distinct peoples with unique histories, languages, cultural practices, and spiritual beliefs.

In New Brunswick, there are nine Mi'gmaq communities and six Wolastoqey communities, totalling 15 First Nation communities with 32 reserve locations across the province. Each community is governed by an elected Chief and Council. The type of system used by a community in the selection of its Chief and Councillors can be that provided for under the *Indian Act*, the *First Nations Elections Act* or the provisions of a self-governing agreement, or a custom system. Most communities in New Brunswick have now moved to the election system under the *First Nations Election Act*, which is a four-year term, apart from two communities that still use the system under the *Indian Act*, which is a two-year term, and one community that has a custom system, which is a five-year term.

The Peskotomuhkati (Passamaquoddy) Nation is still considering Band status options. A claim by the Peskotomuhkati Nation at Skutik located in southwest New Brunswick was received in 2017 by the federal government. Recognition of rights and/or status is under the jurisdiction of the federal government, and they have a mandate to negotiate with the group. The province initially participated as an observer in these negotiations between the federal government and the Peskotomuhkati until 2018 when the Province entered into a Comprehensive Land Claims Negotiations process with Canada and the Peskotomuhkati Nation at Skutik. A tripartite Framework Agreement between the Peskotomuhkati, New Brunswick, and Canada was signed in 2019.

According to the federal Indian Registry System, as of December 31, 2022, 17,270<sup>1</sup> First Nation peoples lived in New Brunswick, both on and off-reserve (See Table 2). However, based on the 2021 census, it is estimated that there are 33,295<sup>2</sup> Aboriginal people (Aboriginal identity) living in New Brunswick.

New Brunswick's total population in 2022 was 812,061<sup>3</sup>, meaning that First Nations accounted for two per cent. Even though this may seem a small percentage, based on Statistics Canada's 2021 census, the First Nations population had a much higher population growth of 7.2 per cent compared to the 3.8 per cent for New Brunswick overall (See Table 3 and Table 4 below). The 2021 census also indicated that the Aboriginal population was much younger than the rest of the population, in both New Brunswick and Canada. The median age of the First Nations population in New Brunswick was 35 compared to 45 for the population as a whole.<sup>4</sup>

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<sup>1</sup> **Source:** ISC/CIRNAC's Indian Registry System as of Dec. 31, 2022

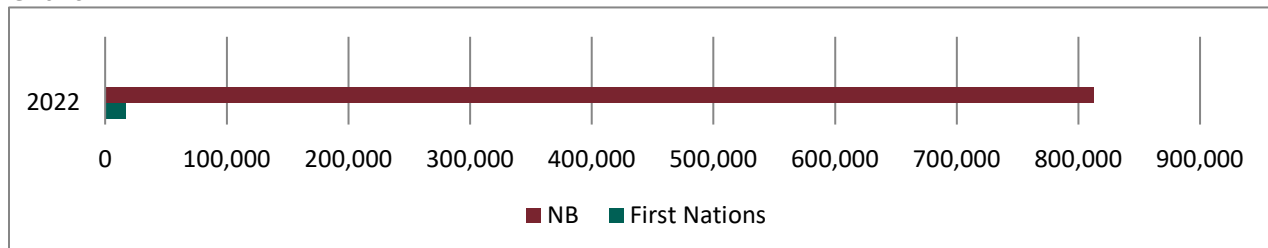
<sup>2</sup> **Source:** Statistics Canada, 2021 Census of Population.

<sup>3</sup> **Source:** Statistics Canada, Population estimates for New Brunswick, 2022

<sup>4</sup> **Source:** Statistics Canada, National Household Survey, 2021.

**Table 1**

NEW BRUNSWICK AND FIRST NATIONS POPULATION		
YEAR	NEW BRUNSWICK POPULATION <sup>5</sup>	FIRST NATIONS POPULATION
2022	812,061	17,270

**Chart 1****Table 2<sup>6</sup>**

	TOTAL	ON-RESERVE	OFF-RESERVE
<b>FIRST NATIONS IN NEW BRUNSWICK</b>	<b>17,270</b>	<b>10,014</b>	<b>7,256</b>
Bilijk (Kingsclear)	1,069	739	330
Buctouche Micmac (Tijpogtotjg)	128	80	48
Eel River Bar First Nation (Ugpi'ganjig)	823	357	466
Elsipogtog First Nation (Big Cove)	3,562	2,774	788
Esgenoôpetitj First Nation (Burnt Church)	1,948	1,379	569
Fort Folly (Amlamgog)	140	35	105
Indian Island (L'nui Menkiuk)	216	115	101
Madawaska Maliseet First Nation (Matawaskiye)	377	159	218
Metepenagiag Mi'kmaq Nation (Red Bank)	715	464	251
Natoaganeg (Eel Ground)	1,094	592	502
Oromocto First Nation (Welamukotuk)	869	352	517
Pabineau (Oinpegitjoig)	363	105	258
Saint Mary's (Sitansisk)	2,166	966	1,200
Tobique (Neqotkuk)	2,613	1,598	1,014
Woodstock (Wotstak)	1,188	299	889

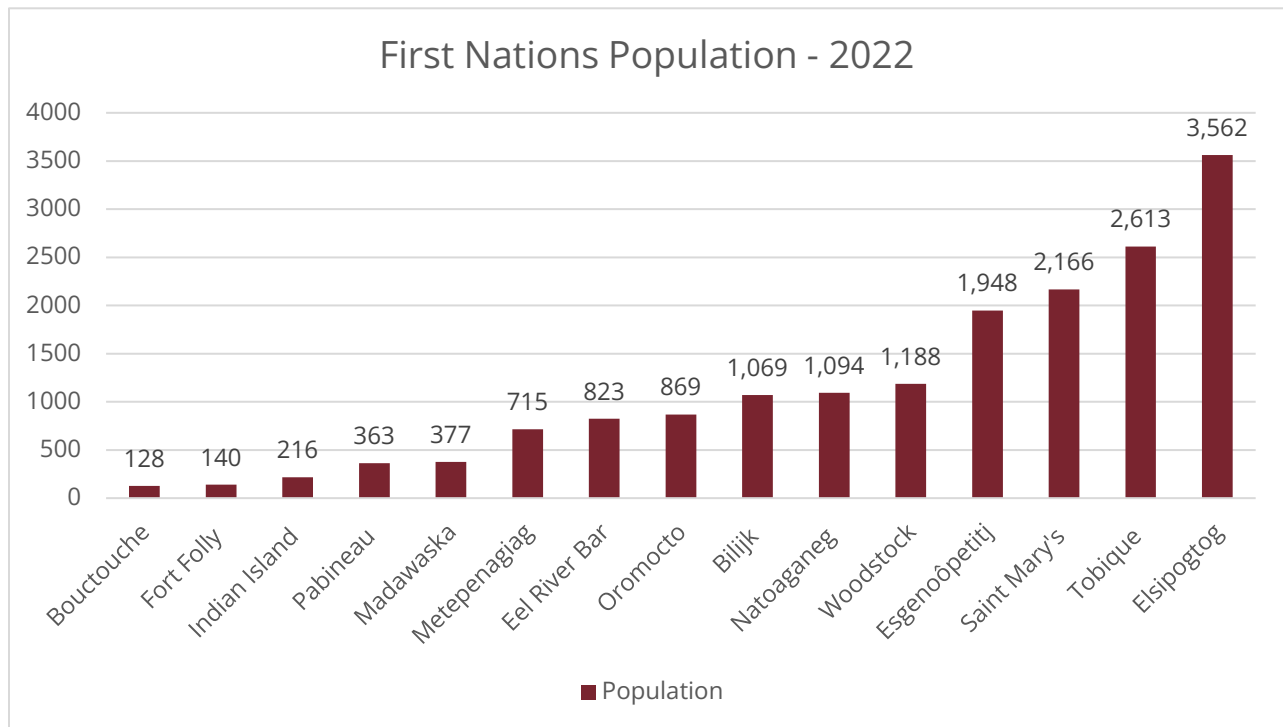
**NOTE:** On-reserve numbers for each First Nation should not be taken to represent the true population for the following reasons:

- 1) They contain no information on any non-registered individuals who may be living on reserve, and
- 2) Similarly, they contain no information on any members registered to other bands who may be living on reserve.

<sup>5</sup> **Source:** Statistics Canada, Population estimates for New Brunswick, 2022

<sup>6</sup> **Source:** ISC/CIRNAC'S Indian Registry System as of Dec. 31, 2022

**Chart 2A**



**Chart 2B**

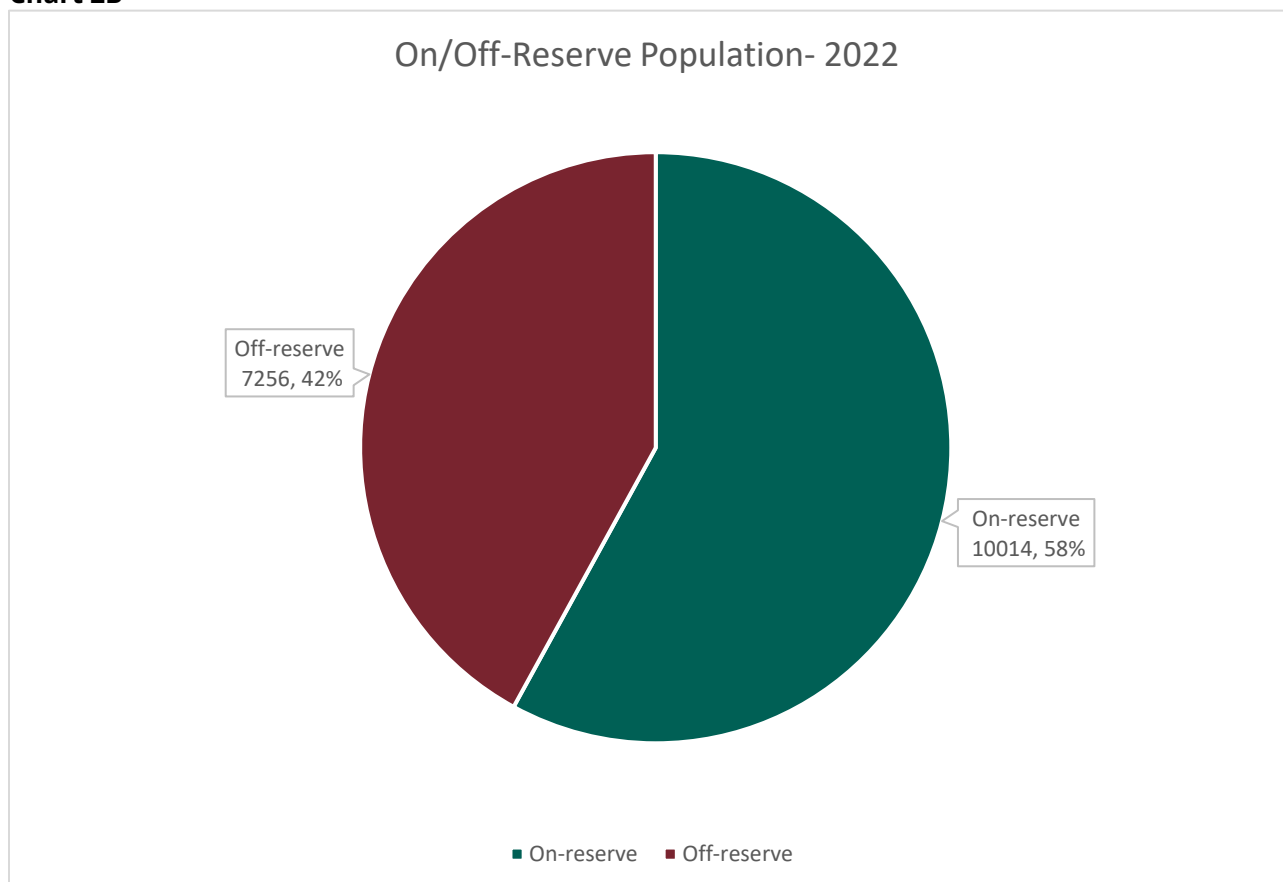
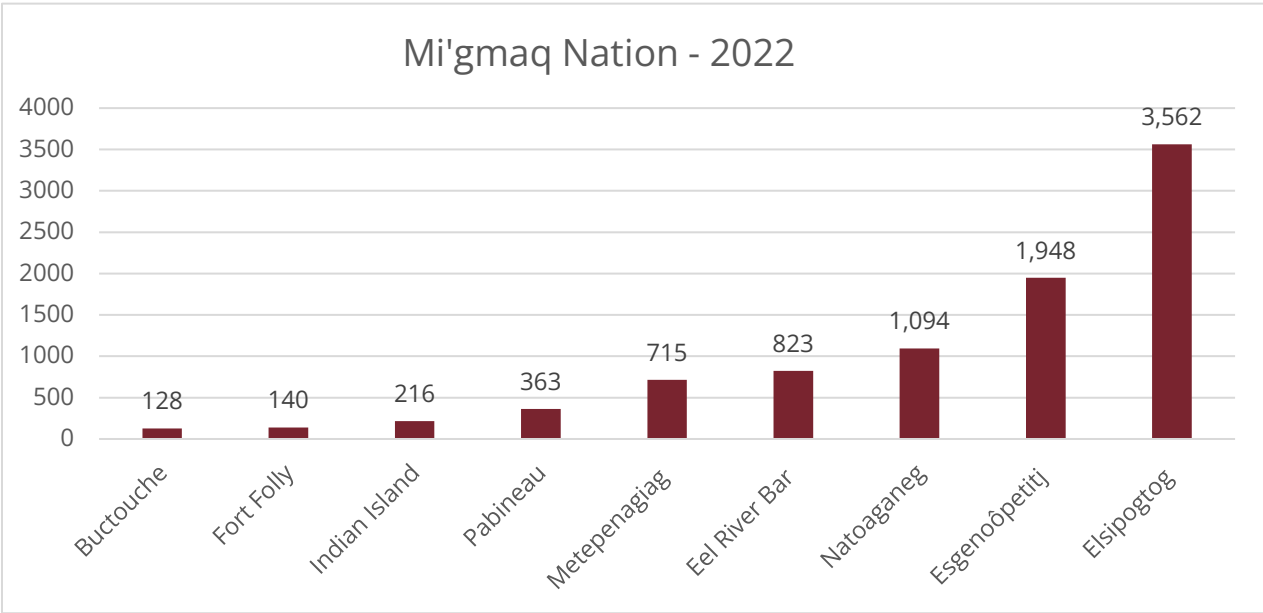
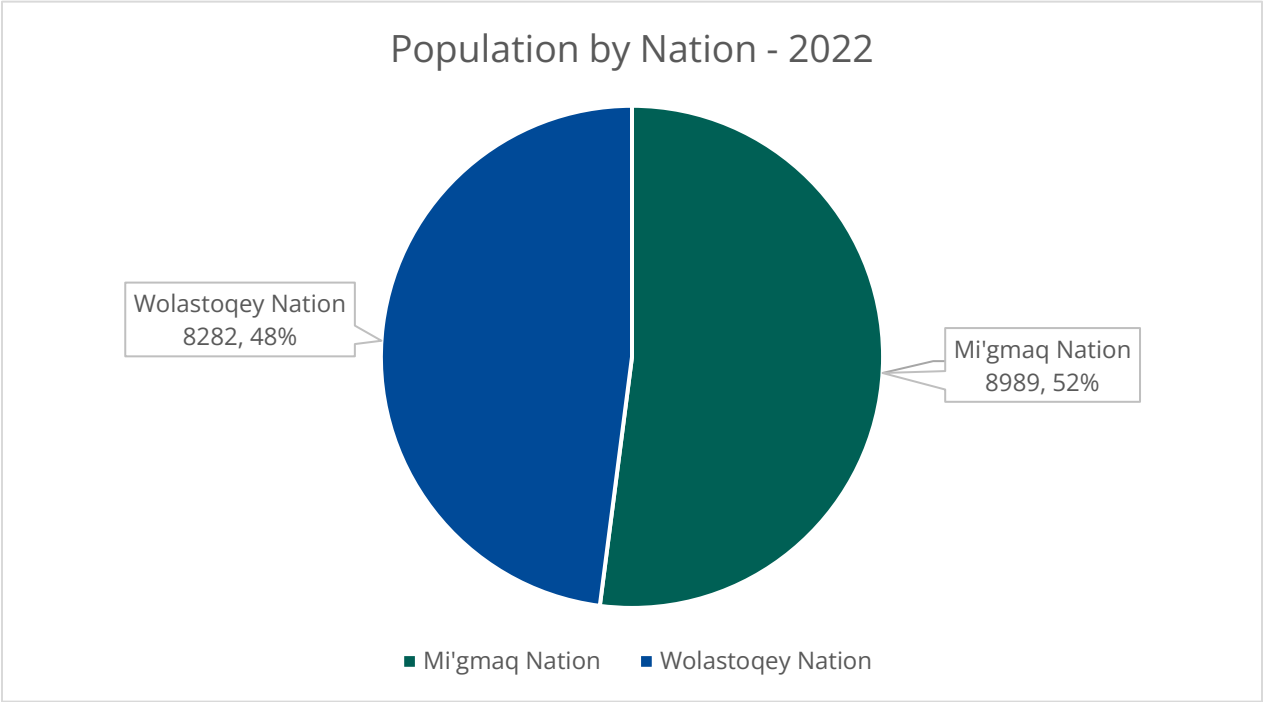
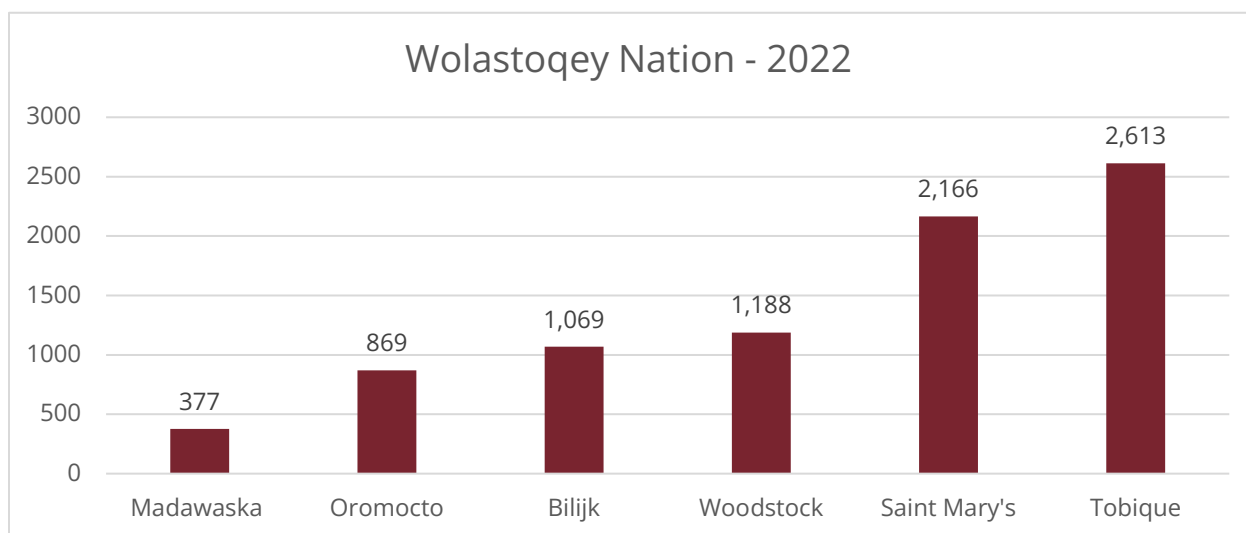


Chart 2C

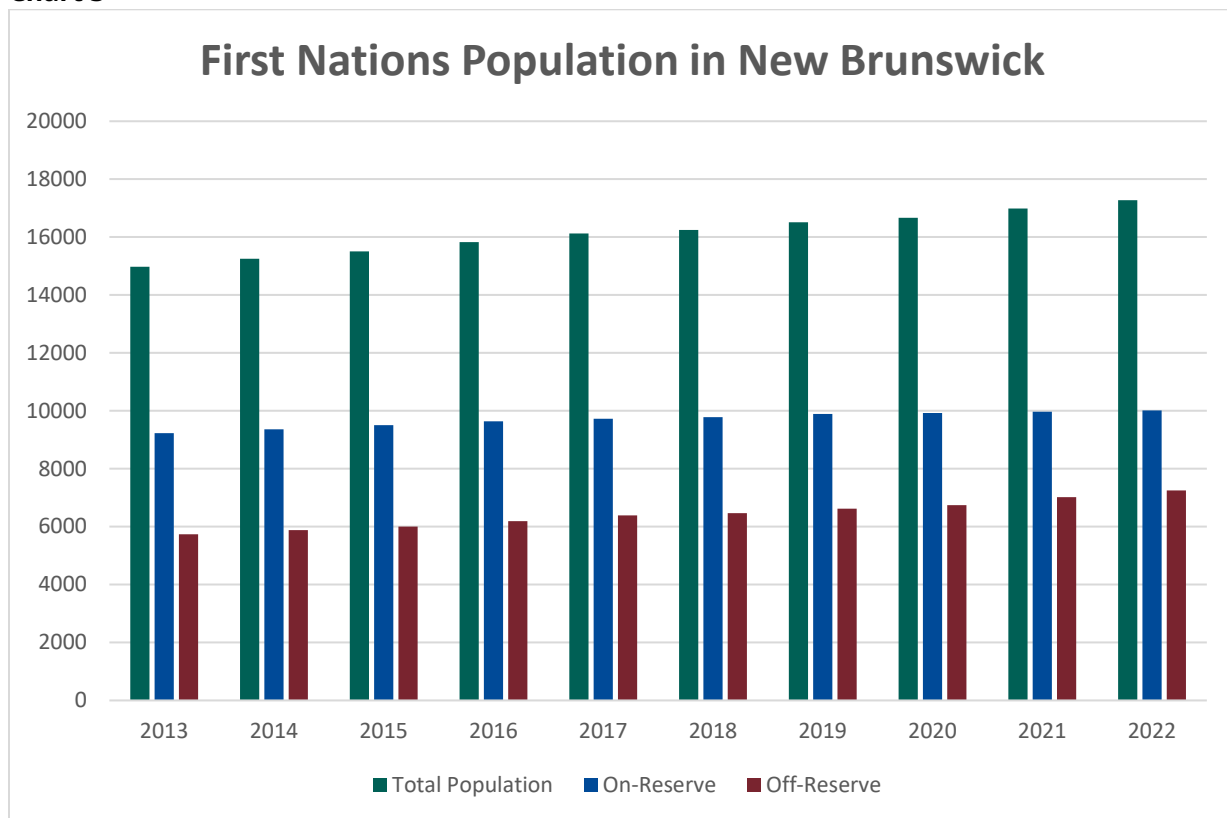




**Table 3**

FIRST NATIONS POPULATION IN NEW BRUNSWICK <sup>7</sup>			
YEAR	TOTAL	ON-RESERVE	OFF-RESERVE
2013	14,978	9,233	5,740
2014	15,249	9,366	5,883
2015	15,506	9,501	6,005
2016	15,830	9,644	6,186
2017	16,123	9,732	6,391
2018	16,246	9,781	6,465
2019	16,509	9,889	6,620
2020	16,662	9,922	6,740
2021	16,985	9,968	7,017
2022	17,270	10,014	7,256

<sup>7</sup> **Source:** ISC/CIRNAC's Indian Registry System.

**Chart 3****Table 4**

NEW BRUNSWICK AND FIRST NATIONS POPULATION		
YEAR	NEW BRUNSWICK POPULATION <sup>8</sup>	FIRST NATIONS POPULATION IN NEW BRUNSWICK <sup>9</sup>
2018	772,238	16,246
2019	780,021	16,509
2020	781,476	16,662
2021	789,225	16,985
2022	812,061	17,270

<sup>8</sup> **Source:** Statistics Canada, Table 17-10-0009-01 Population estimates, quarterly

<sup>9</sup> **Source:** ISC/CIRNAC's Indian Registry System.



Chart 4A

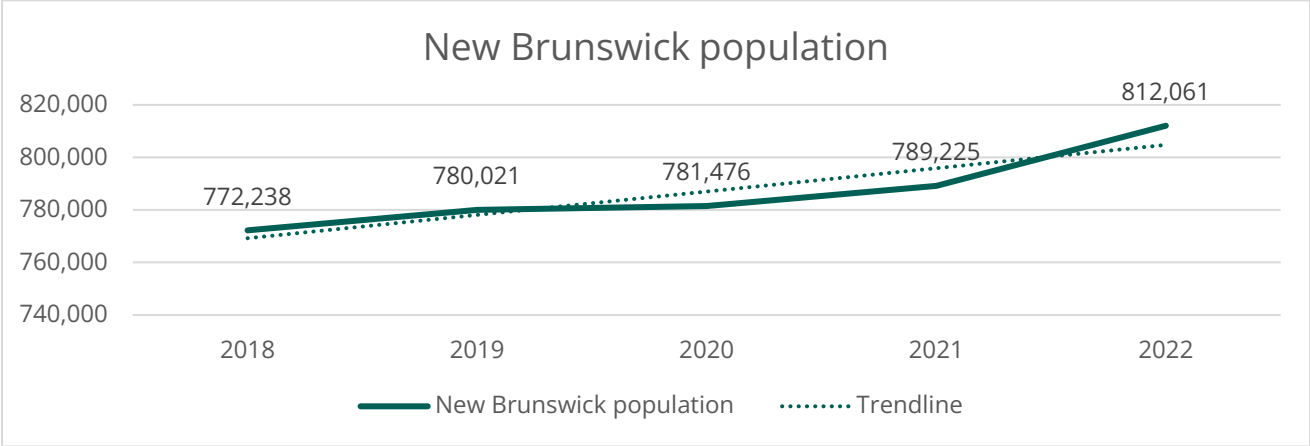
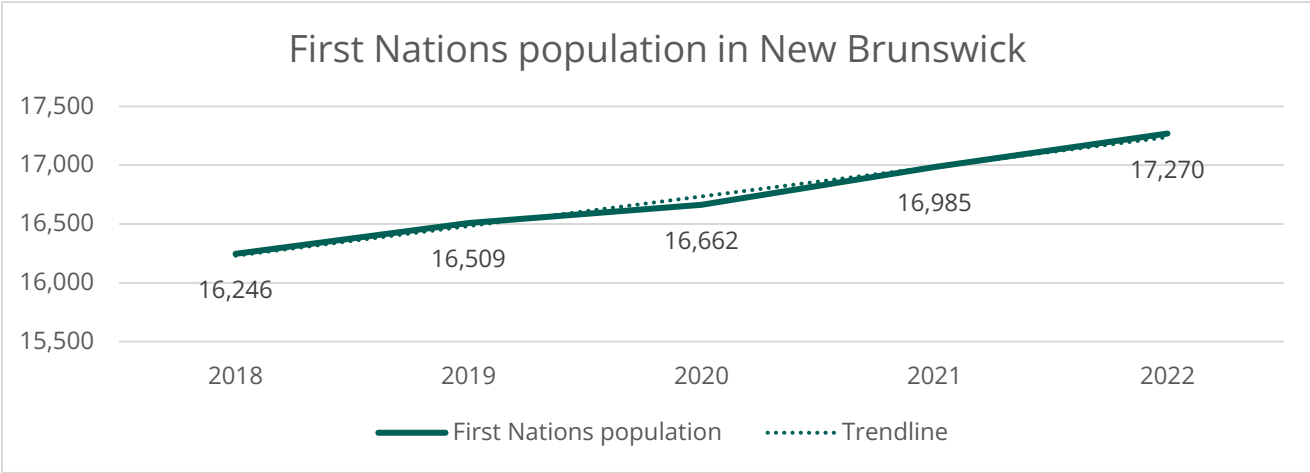
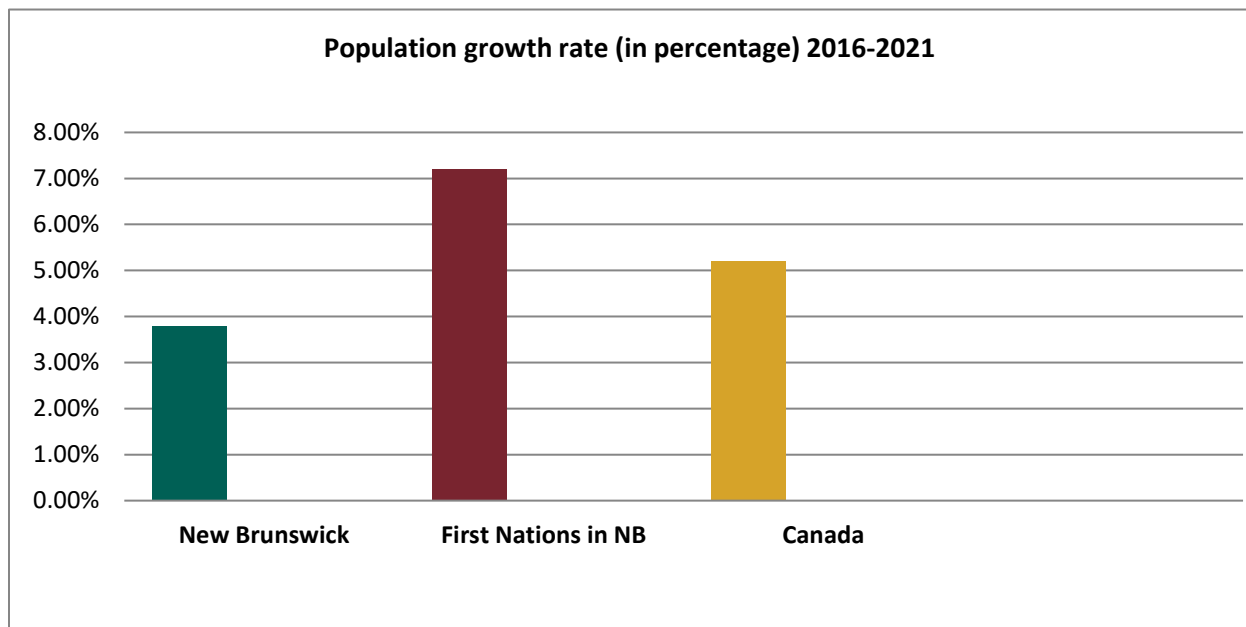


Chart 4B



**Table 5**

POPULATION GROWTH <sup>10</sup>			
YEAR	NEW BRUNSWICK POPULATION	FIRST NATIONS POPULATION IN NEW BRUNSWICK	CANADA POPULATION
2016	747,101	15,830	35,151,728
2021	812,061	17,270	36,991,981
<b>Population growth rate</b>	<b>3.8%</b>	<b>7.2%</b>	<b>5.2%</b>

**Chart 5**

<sup>10</sup> **Source:** Statistics Canada, 2021 Census of Population