

December 17, 2023

Judy Dubois
Registry Officer
Canadian Human Rights Tribunal
160 Elgin Street, 11th Floor
Ottawa, ON K1A 1J4

Dear Ms. Dubois:

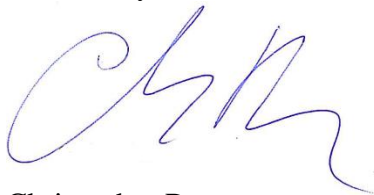
**Re: *First Nations Child and Family Caring Society et al v Attorney General of Canada,*
Tribunal File: T1340/7008
Response of the Attorney General of Canada**

Please bring this correspondence to the attention of the Tribunal members. This letter will provide our submission for the case conference set for December 19th.

I will begin by emphasizing that Canada has always and continues to advocate for negotiated resolutions to any issues relating to Long Term Reform of the Child and Family Services Program or Jordan's Principle. We remain committed to the work of long-term reform and hope to be able to build on recent momentum to reach a final settlement agreement on long-term reform.

The success of the negotiations between the parties is evident from the recently concluded landmark negotiated settlement on compensation in this matter. We also note the Agreement in Principle on Long-Term Reform that was reached by the parties in December 2021, and the immediate measures consent motion before this Tribunal in March of 2022. The parties are currently engaged in negotiations concerning a final settlement agreement on long term reform and are in discussions for an intensive and ambitious schedule in January through March of 2024 to achieve that goal. We would also note that the parties are in the process of determining an Eminent First Nations Person who will assist the parties in these ongoing negotiations.

Yours truly,

A handwritten signature in blue ink, appearing to read 'CR', is written over a light blue circular stamp.

Christopher Rupar
Counsel for the Attorney General of Canada

Case Management Submissions

The following is Canada's submission concerning the case management conference. With reference to the Caring Society's three identified "priority items", it explains Jordan's Principle operations as well as ISC's plans for the holiday period. It also sets out supporting information and data.

Priority 1

Putting in place an automatic response responding to Jordan's Principle requests that identifies how requestors can get in touch with live agents for urgent requests over the holiday period;

Canada provides requestors with timely, caring, culturally-sensitive support and necessary services through Jordan's Principle.

Jordan's Principle National Call Centre (headquarters) tree provides clear information to guide requestors for their specific need. Requestors will be directed to press 1 and 1 for an urgent request. In the event that an agent is not available at the time of the request, the call is placed automatically into a priority callback queue. Between May and September 2023, the median callback time for urgent requests ranged from 12 to 21 minutes.

Regional and National Call Centres provide instructions to callers when there is an emergency medical need to contact the local 911 or equivalent, for the immediate care required.

For the Holidays

The NCC will prioritize live calls and those requests in the urgent call back queue.

Recognizing that requestors may have to wait to hear all options on the call centre tree, Canada will remove the option to hear information on the CHRT orders . This adjustment will allow a requestor to reach an agent in the most timely manner.

All regional inboxes will have automatic reply messages during the holidays that provide direction to requestors on how and where to submit their urgent request.

Priority 2

Ensuring that there is sufficient coverage and staffing at the National and Regional Jordan's Principle contact centres so that calls can be answered 24/7, including by having case managers in place 24/7 to determine urgent requests, take immediate measures to meet the needs of the child, and who will do "active hand-offs" of urgent cases to other case managers in the event of a shift change;

Jordan's Principle NCC provides 24/7 support to requestors, regional call lines operate during regular business hours.

Jordan's Principle has staff on call 24/7 to determine urgent requests received after regular business hours.

For the Holidays

Jordan's Principle NCC and regional call lines will ensure sufficient staffing levels over the holiday period inclusive of all statutory holidays. All holidays, including Christmas day, boxing day and New Years day are staffed.

Based on previous years call volumes, the projected volume of calls, including those of an urgent nature, is expected to be less than during non-holiday periods (please see **section B**). The NCC has a contingency plan in place to ensure staffing levels will respond to any increase in demand.

Regions will maintain and ensure Jordan's Principle focal points are on duty, as well as having on call staff available, specifically to address any urgent requests. Required coordination of hand-overs including necessary communication are well established in all regions to make sure that a child's urgent needs are met.

Priority 3

Ensuring that, however a requestor makes a Jordan's Principle request, there is sufficient staffing and coverage on ISC's part to ensure that with access to and the authority to approve the use of acquisition cards may do so 24/7.

Jordan's Principle is identifying acquisition card holders across the country in regions and National Headquarters who will be available during the holiday period (December 20 – January 5) to process credit card transactions approved by Jordan's Principle delegated decision makers. Credit card transaction limits have been increased to ensure they can accommodate payment requests.

SECTION B

Supporting Information and Data

1. Trend in Volume and Nature of Calls.

Over the last 12-months (December 5, 2022 - December 12, 2023):

- The Jordan's Principle National Call Centre received on average **471 calls per day**.
 - During the holiday season (December 19, 2022 to January 5, 2023), there was a **55% decrease** in calls to an average **of 214 calls per day**.
 - On Sunday, December 25, 2022 and Sunday, January 1, 2023, **19 and 24 calls** were received, respectively. This is **72% and 78% lower than average Sunday call volumes**.
- On average **14 calls per day were classified as urgent**, which comprises just **3% of all calls received**.
 - During the holiday season (December 19, 2022 to January 5, 2023), there was a **57% decrease in urgent calls to 6 per day**.
 - On Sunday, December 25, 2022 and Sunday, January 1, 2023, **3 and 0 urgent calls were received, respectively**.

- In May 2023, an increase in the number of urgent calls were observed due to the implementation of the new "Child at Risk" phone tree queue.

