



Remedies for Delayed or Denied Jordan's Principle Requests

Jordan's Principle ensures that First Nations children can access the health, social, and educational services, supports and products they need without delay, denial or disruptions. Although the House of Commons unanimously passed a Private Member's motion supporting Jordan's Principle in 2007, its purpose has been undermined by repeated government efforts to narrow its scope, restrict eligibility, and put in place other administrative barriers.

In 2016, the Canadian Human Rights Tribunal (CHRT or the Tribunal) found that Canada is racially discriminating against First Nations children and ordered the full and proper implementation of Jordan's Principle.¹ Since then, the Tribunal has issued multiple orders to ensure this implementation.² In November 2024, the Tribunal ordered Canada to immediately address the growing backlog of delayed requests.³ Yet as of March 2025, 135,000 requests remain.⁴

For more information, including information sheets and the latest on the case before the Tribunal, please visit jordansprinciple.ca.

This information sheet contains general information and is ***not legal advice***. Legal counsel should be consulted for guidance on your situation.

What to do if your request is delayed

The Tribunal has ordered Indigenous Services Canada (ISC) to approve or deny requests within these timelines:

Urgent Requests	Non-Urgent Requests
Individual request: 12 hours	Individual request: 48 hours
Group request: 48 hours	Group request: 1 week

ISC is not complying with the Tribunal's orders on the timelines.

If your request is delayed, you may first want to try:

- Contacting your regional Jordan's Principle [focal point](#) to ask

about the status of your request and to express concerns regarding the delay.

- Reaching out to the Jordan's Principle Call Centre at 1-855-JP-CHILD (1-855-572-4453) to indicate your request has become urgent while waiting for a determination and asking to escalate your request to urgent.
- Engaging with local Jordan's Principle service coordinators in First Nations communities or organizations for support in navigating the process. The Jordan's Principle Call Centre at 1-855-JP-CHILD (1-855-572-4453) or your regional Jordan's Principle [focal point](#) can connect you with a Jordan's Principle service coordinator.

Required documentation

The Tribunal has ruled that the documentation to support a request should be kept minimal. Reasonable documentation to determine a request includes parent or guardian consent and one recommendation from a registered/licensed professional making a recommendation related to their scope of practice (for example, a dentist recommending a dental service) or Elders/Knowledge Keepers making a recommendation related to a request for cultural, wellness or language supports. If ISC requires more information to make a determination, they can contact the recommending professional directly.

If you feel that the information requested by ISC does not uphold the privacy and confidentiality of your child(ren) and is not needed to determine the request, you may wish to place a complaint through the [Office of the Privacy Commissioner of Canada](#).

¹ First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), [2016 CHRT 2](#).

² First Nations Child and Family Caring Society of Canada, CHRT Orders: fncaringsociety.com/i-am-witness/chrt-orders.

³ First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), [November 21, 2024 Letter-Decision](#).

⁴ Department of Justice Canada, [7 March 2025 Report to the Tribunal](#).

Mandamus Order

In addition to the processes outlined above, another option you may want to consider is filing an application for **judicial review** requesting a writ of mandamus at Federal Court. A **mandamus** is a court order that can compel a government body to carry out a legal duty it owes to the public.

While it does not determine the outcome of your request, the order can require ISC to perform its duty to make a decision within a reasonable time. To succeed, applicants must demonstrate that there is a clear duty to act, an unreasonable delay, and no other adequate remedy.

You may wish to seek a [lawyer to represent you](#).

What to do if your request is denied

If your request under Jordan's Principle has been denied, you may **appeal** the decision within **one year** of the date of denial.

How to start an appeal

To appeal a denied request, you must begin by submitting a **written notification** to your regional Jordan's Principle [focal point](#).

While not required, it may be helpful to provide additional information such as: updated letters of support from registered/licensed professionals or Elders/Knowledge Keepers.

Appeals are reviewed by the Jordan's Principle External Expert Review Committee. This committee is comprised of non-governmental professionals who provide a recommendation to

ISC on whether to uphold or overturn the original decision. A final decision is rendered based on this recommendation along with the information provided. Jordan's Principle aims to review the appeal request within **30 business days**. ISC does not often adhere to this timeline, particularly given ISC's report to the Tribunal that it has a backlog of nearly 730 requests at appeals.⁵

Judicial Review

If you disagree with the outcome of an appeal, you may apply for a **judicial review** of the decision by the Federal Court. Judicial review is a legal process where the court examines whether a decision was fair, reasonable, and followed the proper procedures. It does not re-evaluate the facts of your case but instead looks at whether the decision-maker acted within their legal authority.

This application must be filed within **30 days** of receiving the appeal decision and you may wish to seek [a lawyer to represent you](#).

Injunction

An **injunction** is a court order that can prevent or force a government body to take an action to avoid irreparable harm or maintain the status quo. The Federal Court can order can require ISC to continue a previously approved service, support or product in order to prevent irreparable harm coming to a child.

You may wish to seek [a lawyer to represent you](#).

⁵ Department of Justice Canada, [7 March 2025 Report to the Tribunal](#).

Contact information

Province/ Territory	Legal Services	Child Advocate Offices
Alberta	Legal Aid Alberta 1-866-845-3425	Office of the Child and Youth Advocate Alberta 1-800-661-3446 Email: ca.information@OCYA.alberta.ca
British Columbia	Aboriginal Legal Aid in BC (offered through Legal Aid BC) Greater Vancouver area telephone: 1-604-408-2172 Other areas of BC telephone: 1-866-577-2525 Legal Aid BC Greater Vancouver area telephone: 1-604-408-2172 Other areas of BC: 1-866-577-2525 Email: info@legalaid.bc.ca	Representative for Children and Youth 1-800-476-3933 Email: rcy@rcybc.ca
Manitoba	Legal Aid Manitoba 1-800-261-2960 Email: info@legalaid.mb.ca	Manitoba Advocate for Children and Youth 1-800-263-7146 info@childrensadvocate.mb.ca
New Brunswick	New Brunswick Legal Aid Services and Commission 1-506-444-2776 Email: info@legalaid.nb.ca	Child and Youth Advocate 1-888-465-1100 Email: advocate-defenseur@gnb.ca
Newfoundland and Labrador	Newfoundland Legal Aid 1-800-563-9911 Email: nlac@legalaid.nl.ca	Office of the Child and Youth Advocate 1-877-753-3888 Email: office@ocya.nl.ca
Nova Scotia	Nova Scotia Legal Aid 1-877-420-6578 Legal aid online application form	Nova Scotia Office of the Ombudsman - Youth Services 1-800-670-1111 Email: ombudsman@gov.ns.ca
Northwest Territories	Legal Aid Commission for the Northwest Territories 1-844-835-8050 Email: lac@gov.nt.ca	The Northwest Territories does not have a Children's Advocate Office. Concerns should be directed to the appropriate Health and Social Services Authority and/or the Health and Social Service Navigator .
Nunavut	Legal Services Board of Nunavut 1-866-240-4006 Email: info@nulegalaid.com	Nunavut Representative for Children and Youth 1-855-449-8118 Email: contact@rcynu.ca
Ontario	Legal Aid Ontario 1-800-668-8258 Email: info@lao.on.ca Aboriginal Legal Services 1-844-633-2886 Email: info@aboriginallegal.ca	Ontario Ombudsman 1-800-263-1830 Email: info@ombudsman.on.ca

	Pro Bono Ontario 1-855-255-7256 info@probonoontario.org	
Prince Edward Island	Prince Edward Island Legal Aid Reach out to the Charlottetown or Summerside office Email: legalaid@gov.pe.ca	Prince Edward Island does not have a Children's Advocate Office. Concerns should be directed to the appropriate office of child and family services. Department of Family and Human Services 1-866-594-3777
Quebec	Quebec Legal Aid (<i>Commission des Services Juridiques</i>) 1-514-873-3562 Email: info@csj.qc.ca Centre communautaire juridique de l'Abitibi-Témiscamingue (Legal aid for the Abitibi-Témiscamingue and Nord-du-Québec Regions in Quebec) 1-866-815-5215	Commission des droits de la personne et des droits de la jeunesse 1-800-361-6477 Email: information@cdpdj.qc.ca
Saskatchewan	Saskatchewan Legal Aid 1-800-667-3764	Saskatchewan Advocate for Children and Youth 1-800-322-7221 Email: contact@saskadvocate.ca
Yukon	Yukon Legal Services Society 1-800-661-0408 Ext. 5210 Email: intake@legalaid.yk.ca	Yukon Child & Youth Advocate Office 1-800-661-0408 Email: info@ycao.ca

Additional resources

[National Association of Friendship Centres](#) for a list of legal aid and justice programs across Canada that may provide legal assistance.

[Canadian Child Welfare Research Portal](#) for a more detailed list of contact information for the following provincial and territorial assistance service providers.