

FEDERAL COURT

BETWEEN

Attorney General of Canada

Applicant

and

First Nations Child and Family Caring Society of Canada, Assembly of First Nations, Canadian Human Rights Commission, Chiefs of Ontario, Nishnawbe Aski Nation and Amnesty International Canada

Respondents

AFFIDAVIT OF SAM HULL

I, Sam Hull, of the City of Edmonton in the Province of Alberta, AFFIRM THAT:

1. I am the Child and Family Services Lead ("**CFS Lead**") for the Confederacy of Treaty Six First Nations ("**CT6FN**"), a position I have held since September 16, 2024. Part of my duties and responsibilities in this role are to assist CT6FN member Nations in navigating the federal First Nations Child and Family Services Program ("**FNCFS Program**"), with a particular focus on addressing the unique needs of each member Nation with respect to their ability to provide child and family services ("**CFS**") to their people.

2. I also assist the National Children's Chiefs Commission ("**NCCC**") as one of two technicians in the Alberta region, a role I have held since June 17, 2025. In this role, I am responsible for ensuring information from the Canadian Human Rights Tribunal ("**CHRT**") or ("**Tribunal**") proceedings are relayed to Alberta Treaty Nations and specifically, CT6FN member Nations. This includes working on engagement sessions, as well as organizing the information for dissemination by the NCCC.

3. In my capacity as the CFS Lead for the CT6FN and as a technician for the NCCC, I have personal knowledge of the facts and matters hereinafter deposed to in this affidavit.

Where my information came from someone else, I identify the source of my information, and I believe the information to be true.

4. Since December 2024, as CFS Lead, I have been involved in leading CFS technical meetings for the CT6FN's member Nations, providing support to those Nations regarding the pursuit of equitable and non-discriminatory service provision, facilitating discussion at these meetings, and disseminating information. More recently, as a technician assisting the NCCC, I have been involved in similar tasks specifically relating to long-term reform of the FNCFS Program, as the NCCC was established to gather feedback from First Nations communities relating to long-term reform and provide recommendations on reform. Through both roles, I am also responsible for gathering research, feedback, and surveys on CFS matters impacting member Nations, as well as analyzing and recording that data.

5. As CFS Lead, I am also responsible for ensuring that the CT6FN's member Nations are kept updated on the ongoing legal proceedings concerning long-term reform of the FNCFS Program, including at the CHRT. I undertook this responsibility for the recent orders rendered in the *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)*, 2025 CHRT 80 ("**CHRT 80**") decision released in August of 2025.

6. In particular, I was tasked with leading or assisting in engagement sessions for the CT6FN's member Nations, as well as assisting with and speaking at engagement sessions on CHRT 80 with the G4 Stoney Nakoda Tsuut'ina Tribal Council in Treaty No. 7 territory and the Treaty 8 Urban Child and Family Services organization, which has its urban office on Treaty No. 6 territory in Edmonton.

7. For the engagement session regarding CHRT 80 held by the Treaty 8 Urban Child and Family Services organization, which took place on October 15 and 16, 2025 in Edmonton, and at which I spoke, there were approximately 110-120 political, technical and CFS representatives from Treaty No. 8 Nations in the Alberta region, which included families of children in care.

8. In fulfilling my duty to gather information from these engagement sessions for the NCCC as a technician, I am aware that the Alberta region generally had the largest number of group and individual submissions to the request for comment from the NCCC on the orders in CHRT 80.

9. Ultimately, the primary purpose of the engagement sessions and my role as NCCC technician in assisting with these engagement sessions, was to ensure that feedback from the Alberta region was gathered and recorded. Since Alberta Nations are not represented at the AFN Executive level, it was important that First Nations in the Alberta region were able to provide this feedback on long-term reform of the FNCFS Program.

History and Role of the CT6FN in CFS Matters

10. The CT6FN was established in 1993 as a non-profit treaty rights advocacy organization representing affiliated Treaty No. 6 member Nations located within what is now called Alberta. The CT6FN's mandate is to continue to protect the fundamental inherent and human rights of the Treaty Peoples of Treaty No. 6.

11. The CT6FN represents 16 First Nations, including Cree, Dene, Nakota and Saulteaux/Anishinaabe peoples: Alexander First Nation, Alexis Nakota Sioux Nation, Beaver Lake Cree Nation, Cold Lake First Nations, Enoch Cree Nation, Ermineskin Cree Nation, Frog Lake First Nation, Heart Lake First Nation, Kehewin Cree Nation, Louis Bull Tribe, Montana First Nation, O'Chiese First Nation, Paul First Nation, Samson Cree Nation, Sunchild First Nation, and Whitefish Lake First Nation #128.

12. The CT6FN advocates on behalf of its member Nations on a wide range of issues, including in the upholding of the Medicine Chest and Education clauses in Treaty No. 6. The Medicine Chest clause in Treaty No. 6 required that the Crown keep a medicine chest at the house of each Indian Agent for the "use and benefit" of First Nations. Modern interpretations by Treaty No. 6 Peoples view this provision as a foundational treaty right to comprehensive healthcare, including modern medical services, rather than simply a physical chest. The Education clause in Treaty No. 6 commits the Crown to maintain schools on reserves for Indigenous children of Treaty No. 6.

13. The Medicine Chest and Education clauses of Treaty No. 6 have direct impacts on the health and safety of the children of Treaty No. 6, and have ultimately led to the CT6FN establishing a dedicated CFS advocacy and information-sharing arm to support member Nations under Canada's FNCFS Program, of which I am the lead. The CT6FN also assists those Nations that wish to provide CFS under their own jurisdiction, a role in which I assist as well, where requested.

14. As part of the CFS advocacy, on January 25, 2017, I am aware that the Chiefs of the CT6FN's member Nations approved and ratified the *Declaration of the Rights of Treaty No. 6 First Nations Child and Family Wholistic Wellness*. This declaration enshrines principles for the protection of children from harm, and is an important document to guide my role as CFS Lead for the CT6FN. The declaration states:

The Treaty No. 6 Nations and Tribes proclaim this *Declaration of the Rights of the Child and Family Wholistic Wellness* that the child and family unit may have a safe, happy and healthy home for the good of our society. The individual and collective rights, responsibilities and freedoms herein set forth call upon parents, men and women as individuals, local authorities, First Nations, Federal and Provincial governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in accordance with the principles as set out in the U.N. Convention on the Rights of the Child.

Attached to my affidavit and marked as **Exhibit "1"** is a copy of the *Declaration of the Rights of Treaty No. 6 First Nations Child and Family Wholistic Wellness*.

15. In my role and involvement as CFS Lead since 2024, I am also aware of a template law that was developed by the CT6FN, and supported by its member Nations' Chiefs, with the assistance of its long-time advisor, Dr. Wilton Littlechild. I am aware that Dr. Littlechild is a widely known and respected First Nations leader who has worked nationally and internationally to advance Indigenous rights and Treaties, including at the United Nations (the "**UN**"), at which he also worked on the *United Nations Declaration on the Rights of Indigenous Peoples*, specifically on economic and social issues. He was also a Commissioner of the Truth and Reconciliation Commission. Dr. Littlechild was a Cree Chief, a former Grand Chief of the CT6FN, as well as a residential school survivor, former member of Parliament, and a lawyer. Through this role, I am aware that the template law

was developed to support the CT6FN member Nations that wanted to exercise their jurisdiction in CFS matters.

The NCCC

16. I am aware in my capacity as NCCC technician that in April 2025, the Chiefs of the CT6FN's member Nations, alongside the Chiefs of other First Nations in Alberta, passed a resolution to replace the AFN as the negotiator for the CT6FN on the long-term reform of the FNCFS Program, and to appoint the NCCC in its place. Attached to my affidavit and marked as **Exhibit "2"** is a copy of Resolution 60/2024.

17. I am aware in my capacity as NCCC technician that the NCCC was, in part, created to ensure representation of those First Nations not affiliated, and therefore not represented by, the AFN at the Executive level, and that did not have regional representation in the ongoing FNCFS Program's long-term reform process.

18. I am aware in my capacity as NCCC technician that the CT6FN's member Nations appointed Chief Kelsey Jacko to the position of NCCC commissioner in November 2024. Chief Desmond Bull of Louis Bull Tribe, a Treaty No. 6 Nation and CT6FN member Nation, is Chief Jacko's alternate. As no candidate has been put forward by the Nations of Treaty No. 7 and Treaty No. 8, the current commissioners from the CT6FN's member Nations have taken on the responsibility of ensuring that all Nations in the Alberta region are kept updated on the proceedings at the CHRT and are provided with opportunities to have their voices heard on CFS provision matters.

My Roles as CFS Lead and NCCC Technician

19. As CFS Lead, I have been involved in carrying out the CT6FN's mandate of ensuring that its member Nations are kept updated on proposed reform to the FNCFS Program, including funding issues as well as litigation in relation to the reform of this program. I have done this, in part, by hosting and assisting with engagement sessions for CT6FN member Nations on CHRT 80 and other CHRT proceedings to obtain feedback, perspectives and experiences from the CT6FN's member Nations.

20. As a NCCC technician, I largely assist with and speak at engagement sessions to gather and disseminate information for the NCCC on CHRT 80 and other CHRT proceedings from Treaty Nations in the Alberta region, including for the CT6FN member Nations, as well as Nations of Treaty No. 7 and Treaty No. 8. I presented some of this information at the Indigenous Child Welfare Conference in 2025, held in Edmonton, Alberta.

21. In both my roles, as CFS Lead and NCCC technician, I have worked to preserve the information gathered at these engagement sessions for the CT6FN's member Nations and other Treaty Nations in the Alberta region, and ensure that any new CFS representatives at the First Nation government level are able to access this information so that they may participate, in a fully informed manner, in discussions regarding the reform of the FNCFS Program. These responsibilities are particularly important given that the Alberta region is not represented at the AFN Executive level.

22. Through the engagement sessions, I have been advised by attendees that the orders issued by the Tribunal in CHRT 80, in particular, are viewed by CT6FN member Nations as an opportunity to provide a better future for our children. I have also been advised by attendees that, in the view of the CT6FN, the consultation and engagement processes set out in CHRT 80 were an important alternative opportunity to have its member Nations' voices heard, given that the CT6FN was not granted interested party status in *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)*, 2025 CHRT 86 ("**CHRT 86**") concerning the joint motion proceedings for approval of the Ontario Final Agreement ("**OFA**").

23. To achieve the outcomes requested of the AFN and the Caring Society in CHRT 80, considerable time and effort was dedicated to disseminating the information from that decision, above and beyond the regular tasks I undertake in my positions. I am also aware that this was done with very little funding, with the CT6FN's member Nations using their own resources to ensure meaningful engagement on this important and complex issue.

The Administrative Reform Agreement

24. As CFS Lead at the CT6FN, I am required to understand and work within the Administrative Reform Agreement (“**ARA**” or “**Agreement**”), which is an agreement ratified in 1991 between Canada and Alberta that requires Alberta to provide social services on reserve in a manner comparable to that of Canadian citizens. Indigenous Services Canada then reimburses Alberta for the provision of those services. Attached to my affidavit and marked as **Exhibit “3”** is a copy of the ARA.

25. To my knowledge, there has not been a substantial update to the ARA since it was ratified in 1991, despite the requirement, as set out at paragraph 14 of the Agreement, that the ARA be reviewed periodically, including “whenever significant concerns are raised by Canada, Alberta, Indian Bands, Indian Agencies, and Indian organizations”, and in consultation with “Indian Bands, Indian agencies, and Indian organizations as part of the review process”. I am also aware of a Report of the Auditor General of Alberta from July 2016, entitled “Human Services – Systems to Deliver Child and Family Services to Indigenous Children in Alberta,” which states that the ARA “has never been amended and has not been reviewed since 2003, despite significant changes to legislation, programs and practices.” Attached to my affidavit and marked as **Exhibit “4”** is a copy of this Report.

26. I have been told by the other NCCC technician I work with who also represents the region that is now called Alberta, Kim Warnke, and do verily believe, that there was an update of the ARA funding terms in 2018 to bring the agreement in line with the various CHRT orders regarding the FNCFS Program. To my knowledge, this information has not been publicly released, however, and so I have not personally reviewed this update to the ARA.

27. I have also been told by Ms. Warnke and do verily believe, that the Caring Society initiated an Access to Information and Privacy (“**ATIP**”) request to gain access to information concerning this update to the ARA in 2018. Additionally, I have been told by Ms. Warnke and do verily believe, that the response to the ATIP request stated that that

information was protected under s. 13(1)(c) and 14(b) of the federal *Access to Information Act* as being information obtained in confidence from a provincial government, and strategy or tactics adopted or to be adopted by the federal government relating to the conduct of federal-provincial affairs.

28. In the engagement sessions I have hosted on CFS issues with the CT6FN's member Nations, I have heard repeated concerns regarding the framework of the ARA and Alberta's unwillingness to publicly discuss any amendments to their processes or the details of the contents of the ARA. I am aware that on March 16, 2026, Member Brooks Arcand-Paul of Alexander First Nation, during the Legislative Assembly of Alberta's Standing Committee on Families and Communities session, requested information regarding whether the Government of Alberta kept funds received by Canada for CFS provision to on-reserve First Nations in a separate account to ensure they did not get absorbed into the general revenue. However, the Minister responsible did not respond to this question. Attached to my affidavit and marked as **Exhibit "5"** is a Hansard transcript of this exchange.

The Loving Justice Plan

29. In my capacity as an NCCC technician, I am aware that a plan called the Loving Justice Plan: First Nations Child and Family Services (Outside Ontario) (the "**Loving Justice Plan**" or the "**Plan**") was developed, in part, by the NCCC and the Caring Society for long-term reform of the FNCFS Program outside of Ontario as directed by the CHRT in CHRT 80. I assisted in ensuring Nations' and agencies' comments on the subject matter were collected, organized and made available to the Loving Justice Plan's drafting team. I am aware that the feedback received from First Nations and CFS agencies through the engagement sessions was collected, organized and made available to the Loving Justice Plan's drafting team, which included some of my co-technicians at the NCCC. I have been told by Ms. Warnke, and do verily believe to be true, that these NCCC technicians worked to ensure that CT6FN's member Nations' voices were reflected therein. Attached to my affidavit and marked as **Exhibit "6"** is a copy of the Loving Justice Plan.

30. In my role as NCCC technician, I am aware that the Loving Justice Plan sets out the plan, developed with input from First Nations, including those in the Alberta region, to end discrimination in Canada's FNCFS Program outside of Ontario, as the CHRT ordered the Caring Society and AFN to submit in CHRT 80. Further, the Plan sets out clear accountability measures and a binding framework to ensure Canada's agreements with the provinces and territories in the provision of CFS for on-reserve First Nations children and families achieve the purposes and principles as set out in the Loving Justice Plan. These include but are not limited to "intergenerational equity and substantive equality" achieved by Canada's obligation to "ensure that its actions result in effective, needs-based, and culturally appropriate outcomes that prioritize the best interests of First Nations children, youth and families." The Plan requires that this be done in consultation with affected First Nations.

31. I am also aware through my roles that the Loving Justice Plan is particularly important for First Nations in the Alberta region because the voices and perspectives of these Nations are not represented at the AFN Executive level.

The CT6FN's Interest in the Legal Proceedings

32. I am aware in my capacity as CFS Lead that on April 9, 2025, the CT6FN's member Nations' Chiefs passed motion M1:2025-04-09 which directed the CT6FN to apply for interested party status at the CHRT regarding the motion to approve the OFA. Attached to my affidavit and marked as **Exhibit "7"** is a copy of this motion.

33. I am aware in my capacity as CFS Lead that CT6FN was denied interested party status in this motion in CHRT 86. I am also aware that one of the reasons that the CT6FN was denied interested party status is because CHRT 80 provided mechanisms by which regional representation would be preserved in the long-term reform of the FNCFS Program.

34. In my capacity as CFS Lead, I have been told by attendees at the engagement sessions on CHRT 80 that there is concern among the CT6FN's member Nations that if

CHRT 80 is overturned, regional representation and consultation in relation to long-term reform of the FNCFS Program will be at risk. Additionally, concerns have been raised at these forums that overturning CHRT 80 would mean that the OFA will be used as a template by Canada for the reform of the FNCFS Program. In the view of these attendees, this would ignore the distinct issues faced by the CT6FN's member Nations in CFS provision to their people.

35. In my capacity as CFS Lead, I have also been told by attendees at these engagement sessions that because the CT6FN's member Nations are not represented at the AFN Executive level, overturning CHRT 80 will create an additional means by which the voices of the CT6FN's member Nations will not be adequately considered in the long-term reform of the FNCFS Program.

36. As CFS Lead, my involvement in issues related to assisting our member Nations with the provision of child welfare services to their members has led to a strong understanding and appreciation of the need for the CT6FN to be involved as an intervenor in the Federal Court's judicial review of CHRT 80. My experience in disseminating information concerning the numerous CHRT orders regarding this matter, and in particular CHRT 80, as well as gathering feedback and comments, analyzing data and compiling information regarding CT6FN member Nations' perspectives on CFS issues and long-term reform to the FNCFS Program, makes it clear to me that our member Nations' voices must be heard at these proceedings, in particular because they are not represented at the AFN Executive level. This is underscored by the CT6FN's mandate and duty to ensure our member Nations are adequately represented on the crucial issue of CFS provision.

37. I make this affidavit in support of CT6FN's motion for intervenor status on the application for judicial review before the Federal Court, and for no other or improper purpose.

38. I was not physically present before the person before whom this affidavit was affirmed but was in that person's presence using video conferencing.

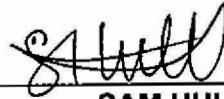
AFFIRMED BEFORE ME at the City of
Vancouver, in the Province of British
Columbia, this 17th day of August, 2026.



A Commissioner for taking Affidavits in and
for the Province of British Columbia

LSA #17295

AARON CHRISTOFF
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SAM HULL

This is Exhibit "1" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

LSA # 17295

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DECLARATION OF THE RIGHTS OF TREATY NO. 6 FIRST NATIONS CHILD AND FAMILY WHOLISTIC WELLNESS

Recalling and agreeing with the *Chiefs in Canada 1981 Declaration*, stating as follows:

"We the original peoples of this Land know the Creator put us here.

The Creator gave us Laws that govern all our relationships to live in harmony with nature and mankind.

The Laws of the Creator define our rights and responsibilities.

The Creator gave us our spiritual beliefs, our Languages, our culture, and a place on Mother Earth which provided us with all our needs.

We have maintained our freedom, our Languages, and other traditions from time immemorial.

We continue to exercise the rights and fulfill the responsibilities and obligations given to us by the Creator for the Land upon which we were placed.

The Creator has given us the right to govern ourselves and the right to self-determination

The right and responsibilities given to us by the Creator cannot be altered or taken away by any other Nation."

Noting that the *Royal Proclamation of 1763*, initiated and adopted by the British Government, recognize Nations or Tribes of Indians. The *Proclamation* recognizes our original title of all lands traditionally occupied and used by our ancestors. The status of our Indian Nations was confirmed and entrenched by our entering into Treaties with the British Crown.

Recognizing that in 1982, at the peak of our Indian Nations' struggle to securely entrench our Treaty and Inherent Rights in the *Constitution Act*; Justice Lord Denning supported the solemnity, integrity and durability of our Treaties with the British Crown. On January 28, 1982, Lord Denning in the High Court of the United Kingdom, proclaimed in judgement:

"There is nothing, so far as I can see, to warrant any distrust by the Indians of the Government of Canada. But, in case there should be, the discussion in this case will strengthen their hand so as to enable them to withstand any onslaught. They will be able to say that their rights and freedoms have been guaranteed to them by the Crown, originally by the Crown in respect of the United Kingdom, now by the Crown in respect of Canada, but in any case, by the Crown. No Parliament shall do anything to lessen the worth of these guarantees. They should be honoured by the Crown in respect of Canada "as long as the sun rises and the river flows". The promise must never be broken."

Further noting that, on July 5, 1972 Her Royal Highness Queen Elizabeth II affirmed the Treaties in an address to the Chiefs in Alberta, stating: "You may be assured that my Government of Canada recognizes the importance of full compliance with the Spirit and intent of your Treaties".

Emphasizing that sections 25 and 35 (1) of the 1982 *Constitution Act* of Canada recognizes and affirms existing Aboriginal and Treaty rights.

Acknowledging that international law recognizes the nationhood of the Cree, Dene, Nakota Sioux, Saulteaux/Ojibway in Treaty No. 6 in the official United Nations General Assembly *Declaration on the Rights of Indigenous Peoples*, the International Labour Organization *Convention 169*, the *International Convention on the Rights of the Child*, and the *Organization of American States Declaration on the Rights of Indigenous Peoples* among other international normative instruments set out in Annex "A".

Acknowledging in particular Preambular Paragraphs 2 and 13, Articles 6, 14, 17(2), 21(2), 22, among other relevant sections of the official United Nations General Assembly *Declaration on the Rights of Indigenous Peoples*, adopted pursuant to United Nations *Resolution 1/61/L.67* by the General Assembly of the United Nations, on 13 of September 2007.

Further to Article 19 of the United Nations Declaration on the Rights of Indigenous Peoples, and specifically noting the internationally and domestically recognized principle of Free, Prior and Informed Consent, which requires full disclosure and consultation of all those Indigenous peoples who may be affected by any action, agreement, policy, legislation or other similar instrument.

Further Article XVII of the Organization of American States Declaration on the Rights of Indigenous Peoples on the Indigenous Family:

1. The family is a natural and fundamental group unit of society. Indigenous peoples have the right to preserve, maintain, and promote their own family systems. States shall recognize, respect, and protect the various indigenous forms of family, in particular the extended family, as well as the forms of matrimonial union, filiations, descent, and family name. In all cases, gender and generational equity shall be recognized and respected.
2. In matters relating to custody, adoption, severance of family ties, and related matters, the best interests of the child shall be a primary consideration. In determining the best interests of the child, courts and other relevant institutions shall take into account the right of every indigenous child, in community with member of his or her people, to enjoy his or her own culture, to profess and practice his or her own religion or to use his or her own language and in that regard shall look to the indigenous law of the peoples concerned and shall consider their points of view, rights and interest, including the positions of individuals, the family, and the community.

WE NOW THEREFORE DECLARE:

As Treaty First Nations, we hereby recognize and affirm the natural laws, customs, traditions and protocols of each Treaty First Nation signatory to this Declaration, and undertake the reciprocal recognition of each First Nation's natural laws, customs, traditions and protocols in the implementation of this Declaration so as to ensure the proper expression of each Nation's distinct identities through the children, youth and families of those Nations.

As Treaty First Nations, there is nothing more important than our children and their well-being as our future generations, and the beneficiaries of our lands and our Treaties.

Our inherent rights, which are held both individually and collectively, are recognized in Treaties between the Crown and the Nations and Tribes as per *Treaty No. 6, 1876 and its Adhesions* ensuring the wholistic and the spiritual concepts of Treaties.

That the Creator created all and gifted our women with the power to bring forth life, our Children, as Mother Earth's powers to bring forth life.

Children are a gift from the Creator and our future; the peoples of Nations and Tribes of Treaty No. 6 have the right to maintain our family units and nurture our children to continue our traditional way of life.

That the individual and collective rights are recognized under Treaties that bind the Federal Crown to provide goods and services and all other incidental rights required to maintain healthy First Nations in Canada.

The individual and collective rights, responsibilities and obligations that were not specifically set down in Treaty were retained by the Nations and Tribes of the Treaty No. 6 pursuant to their inherent rights of self-determination, self-governance and sovereignty. Further to, both inherent rights and Treaty Rights, all the children, youth and families of the Nations and Tribes of Treaty No. 6 fall under the jurisdiction of such Nations and Tribes.

The Treaty No. 6 Nations and Tribes proclaim this *Declaration of the Rights of the Child and Family Wholistic Wellness* that the child and family unit may have a safe, happy and healthy home for the good of our society. The individual and collective rights, responsibilities and freedoms herein set forth call upon parents, men and women as individuals, local authorities, First Nation, Federal and Provincial governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in accordance with the principles as set out in the *U.N. Convention on the Rights of the Child*:

Principle 1

The child shall enjoy all the rights set forth in this Declaration. Every child, without any exception whatsoever, shall be entitled to these rights, without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. All appropriate measures shall be taken to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members. Further, the child shall be brought up in a spirit of understanding, tolerance, friendship

among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow man.

Principle 2

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.

Principle 3

The Child shall be entitled from his birth to a name and a nationality.

Principle 4

The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, legal guardian, caregiver or family member(s), including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, physical activities, recreation and medical services.

Principle 5

A mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community, First Nation, municipality, province or territory. The right of the disabled child to special care is hereby recognized, and is hereby encouraged and ensured the extension of such right, subject to available resources, to the eligible child and those responsible for his care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or other caring for the child. Recognizing the special needs of a disabled child, assistance extended in accordance with the present principle shall be provided in accordance with the applicable Treaty or Agreement and, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

Principle 6

The child, for the full and harmonious development of his personality, needs love and understanding. He shall, whenever possible, grow up in the care and under the responsibility of his parents, and, in any case, in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances be separated from his mother. The Treaty Nations undertake to ensure the equitable provision of care and services to the children, youth and families of the Treaty Nations, with particular regard to the Canadian government(s) programs and services to carry out their duty to extend particular care to children without a family and to those without adequate means of support. Payment of financial assistance towards maintenance of children of large families is desirable.

Principle 7

The child is entitled to receive an education, which shall be free and compulsory. He shall be given an education which will promote his general culture and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgment, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the building principle of those responsible for his education and guidance: that responsibility lies in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education: society and the public authorities shall endeavor to promote the enjoyment of this right.

Principle 8

The child shall in all circumstances be among the first to receive protection and relief. Such protection and relief shall take into full account and be in complete compliance with *Jordon's Principle*, as adopted by Motion dated 5 December 2007 by the 39th Parliament of Canada, 2nd Session.

Principle 9

The child shall be protected from all forms of sexual exploitation and sexual abuse. For these purposes, all appropriate First Nation, provincial, territorial, national, bilateral and multilateral measures shall be undertaken to prevent:

- a. The inducement or coercion of a child to engage in any unlawful sexual activity;
- b. The exploitative use of children in prostitution or other unlawful sexual practices;
- c. The exploitative use of children in pornographic performances and materials.

Any and all appropriate First Nation, provincial, territorial, national, bilateral and multilateral measures shall be undertaken to prevent the abduction of, the sale of or traffic of children for any purpose or in any form.

Principle 10

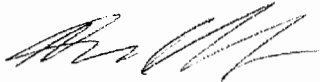
The child has a right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. Any and all legislative, administrative, social and educational measures shall be undertaken so as to ensure the implementation of the present principle. To this end, and having regard to the relevant provisions of other international instruments, the following shall be provided for in particular:

- a. Provide for a minimum age or minimum ages of admission to employment;
- b. Provide for appropriate regulation of the hours and conditions of employment;
- c. Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present principle.

**SO LONG AS THE SUN SHINES, THE RIVERS FLOW
AND THE GRASS GROWS,
THESE WORDS MUST NEVER BE BROKEN**

We, the Chiefs, hereby Approve and Ratify this DECLARATON OF THE RIGHTS OF TREATY No. 6 FIRST NATIONS CHILD AND FAMILY WHOLISTIC WELLNESS as adopted by Motion this 25th Day of January 2017 in the Traditional Territory of Treaty No, 6 (the City of Edmonton in the Province of Alberta).

This is Exhibit "2" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

LSA # 17295

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SPECIAL CHIEFS ASSEMBLY
October 16, 17, 18, 2024, Calgary, AB

Resolution no. 60/2024

TITLE: Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle

MOVED BY: Khelsilem, Council Chairperson, Squamish Nation, BC

SECONDED BY: Chief Ira McArthur, Pheasant Rump Nakota First Nation, SK

DECISION Carried; 7 opposition; 10 abstention

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions;
- ii. Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them; and
- iii. Article 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements, and other constructive arrangements.

B. Recognizing the sacredness of First Nations children, youth and families and Jordan's Principle, a child-first legal requirement ensuring substantively equal and culturally appropriate access to products, services and supports for First Nations children, and that the government entity of first contact pays for the support without delay.

C. The First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) filed a Canadian Human Rights Act complaint in 2007 alleging Canada's inequitable provision of First Nations Child and Family Services (FNCFS) and its choice not to implement Jordan's Principle were discriminatory resulting in serious and irreparable harms.

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- D. The parties (“CHRT Parties”) to the 2007 Canadian Human Rights Act complaint included:
- i. The AFN;
 - ii. The Chiefs of Ontario;
 - iii. The Nishnawbe-Aski Nation;
 - iv. Caring Society;
 - v. The Canadian Human Rights Commission; and
 - vi. Amnesty International;
- E. The Canadian Human Rights Tribunal (CHRT) substantiated the discrimination claim in 2016 CHRT 2 and ordered Canada to cease its discriminatory conduct immediately.
- F. Between 2016 and 2024, the CHRT Parties were required to hold Canada accountable and return to the Tribunal on multiple occasions, resulting in 24 non-compliance and procedural orders.
- G. On December 31, 2021, an Agreement in Principle (AIP) was signed as a framework for the negotiations of a Final Settlement Agreement (FSA) on First Nations child and family services, Jordan’s Principle, and the reform of Indigenous Services Canada.
- H. The Final Settlement Agreement will have a direct impact of unprecedented magnitude on the lives of First Nations children, youth, their families, and their communities for generations to come.
- I. The CHRT Parties have agreed to split the FSA negotiations with a child and family services agreement to come first and an agreement on Jordan’s Principle to follow.
- J. Canada has entered negotiations with some of the CHRT Parties (AFN, Chiefs of Ontario, Nishnawbe-Aski Nation) to complete an FSA on child and family services while other CHRT Parties are not included (Caring Society, the Canadian Human Rights Commission, and Amnesty International).
- K. In 2022 CHRT 8, the CHRT ordered the creation of the Expert Advisory Committee (EAC) composed of independent and multidisciplinary experts to develop and oversee the implementation of an evidence-informed workplan to prevent the recurrence of discrimination by ISC.
- L. The CHRT ordered the federal government to work with the Parties to completely overhaul the on-reserve child and family services program and fully implement Jordan’s Principle.
- M. As a result, an agreement was made to re-establish the National Advisory Committee on First Nations Child and Family Services Program Reform (the NAC) to address issues pertaining to child and family services reform, including funding, legislation, immediate relief, Jordan’s Principle and other reforms.
- N. The NAC was mandated by the First Nations-in-Assembly to provide expert advice on long-term reform of FNCFS.
- O. The NAC has not:
- i. completed its review of the proposed funding model for First Nations agencies;
 - ii. begun to review the proposed funding model for First Nations without agencies; or
 - iii. met since February 8, 2024.

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- P. The AFN has not set any further NAC meetings despite requests to do so.
- Q. The AFN and Caring Society requested that the Institute of Fiscal Studies and Democracy (IFSD) conduct community-based research to inform the reform of the FNCFS Program and Jordan's Principle.
- R. Recalling and reaffirming Resolution 40/2022, *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan's Principle*, directing:
- i. the Parties to develop evidence-and policy-based options for the long-term reform of Jordan's Principle that will include mechanisms to enable and support self-determination and to return to the First Nations-in-Assembly for review and approval;
 - ii. Canada to extend the timeframes for signing the FSA on long-term reform. The First Nations-in-Assembly must approve the FSA on long-term reform; and
 - iii. Canada to fund the AFN National Advisory Committee on First Nations Child and Family Services Program Reform and regional and other technical experts to inform the FSA.
- S. In light of these legal proceedings and their outcomes, it is critical to ensure that any long-term reforms of the FNCFS Program and Jordan's Principle are driven by community-led processes that reflect the needs of First Nations children and families, and that any agreements related to the FNCFS Program and Jordan's Principle (the LTR Agreements) shall meet the needs of First Nations children, youth and families.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:**Final Settlement Agreement**

1. Reject the draft Final Settlement Agreement on Long-Term Reform of the First Nations Child & Family Services Program dated July 11, 2024 and the "Proposed Amendments on the Draft Agreement on Long Term Reform" released on or about October 7, 2024, and call for a new negotiation process for agreements related to the First Nations Child and Family Services (FNCFS) Program and Jordan's Principle (the LTR Agreements) to be developed and approved by the First Nations-in-Assembly based on the spirit and intent of this resolution.

Governance and Transparency of the LTR Agreements for the FNCFS Program and Jordan's Principle

2. Direct the Assembly of First Nations (AFN) Executive Committee to adopt the following approach to the LTR Agreements negotiations:
 - a. establish a national Children's Chiefs Commission with representation appointed by every region (including regions not represented by the AFN) that will work openly and transparently to provide strategic direction and oversight of the LTR Agreements negotiations, reporting back to the First Nations-in-Assembly;
 - b. the Children's Chiefs Commission will establish a negotiation team, with regional representation and a new legal team, that will be responsible for carrying out the negotiations for the LTR Agreements under the direction of, and reporting to, the Children's Chiefs Commission;

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- c. the negotiation team's Terms of Reference for the FNCFS Program will be provided to the First Nations-in-Assembly for approval no later than December 2024 ; and
 - d. the Children's Chiefs Commission shall report to the First Nations-in-Assembly in December 2024 as to its anticipated timeframes for the completion of the negotiations in relation to the FNCFS Program and on the anticipated timeframes for the Terms of Reference for Jordan's Principle.
3. Direct the AFN Executive Committee and the Children's Chiefs Commission to ensure that governance structures set out in an LTR Agreement shall uphold the sacredness of children, youth, and families, be transparent, open, and accountable to First Nations, preserve First Nations decision-making, and include the guidance of youth, youth in care and formerly in care, and First Nations child and family service experts.
 4. Direct the AFN Executive Committee and the Children's Chiefs Commission to develop an open and transparent amendment process for the First Nations-in-Assembly to suggest changes, allow for consideration of those changes, and make changes to the LTR Agreements before being put to a vote, such process to be approved by the First Nations-in-Assembly.
 5. Direct the Children's Chiefs Commission to provide a detailed report to the First Nations-in-Assembly on all suggested amendments, the decisions made on each amendment, and the outcomes of negotiations, before the First Nation-in-Assembly proceed with any decision-making on the LTR Agreements.
 6. Direct the AFN to refrain in the future from committing to support or otherwise make efforts to procure support from First Nations leadership on an agreement, arrangement, protocol or other similar instrument that has not been approved by First Nations-in-Assembly.

Inclusion and Representation

7. Direct the AFN Executive Committee and the Children's Chiefs Commission to take positive and effective measures throughout the respective LTR Agreement negotiations, review, and approval processes (including at the negotiation tables) to seek out and incorporate the expertise of:
 - a. First Nations;
 - b. First Nations child and family service providers;
 - c. Jordan's Principle experts;
 - d. Elders and Youth;
 - e. the National Advisory Committee ("NAC");
 - f. Jordan's Principle Operations Committee (JPOC), and;
 - g. Regional experts.
8. Direct the AFN Executive Committee and the Children's Chiefs Commission to review and approve the Terms of Reference for the NAC no later than December 2024.
9. Call upon Canada and direct the AFN Executive Committee to unconditionally include the Caring Society in negotiations of the LTR Agreements on the FNCFS Program and Jordan's Principle, and to conduct those negotiations pursuant to a negotiation protocol developed in collaboration with the Caring Society,

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including the requirement that those negotiations be conducted in a manner that is open, transparent, and accountable to First Nations.

10. Call upon Canada to obtain a new negotiation mandate to address the matters in this resolution.

Communication and Feedback

11. Call on Canada to fulfill its obligation to consult with First Nations on any long-term reform approaches of the FNCFS Program and Jordan's Principle in a manner consistent with honour of the Crown.
12. Direct the AFN Executive Committee to postpone any votes on the LTR Agreements or any other agreements until all First Nations have had at least 90 days to review the complete agreement with appendices, available in both official languages.
13. Call on Canada to ensure that First Nations who are not AFN members are given a formal opportunity to express their views on the LTR Agreements, and for Canada, the AFN Executive, and the Children's Chiefs Commission to fully consider and incorporate those perspectives into the LTR Agreements.

Voting

14. Direct the AFN to ensure that First Nations Chiefs and Proxies can vote on the LTR Agreements virtually, in-person, or by another means (via specific accommodation to a Chief or Proxy), to accommodate First Nations leadership who are unable to attend in person due to community circumstances or emergencies.
15. Direct the AFN Executive Committee to support the EAC to conduct its work freely as an independent expert body and invite the EAC Members and NAC Members to present to the First Nations-in-Assembly in December 2024 and prior to any vote on the LTR Agreements.

Support and Resources

16. Call on Canada to provide funding for First Nations to secure independent legal and technical advice, ensuring that all communities can review the LTR Agreements with a full understanding of its implications.

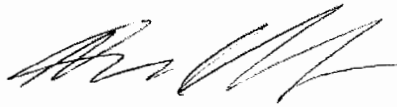
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Cindy Woodhouse

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This is Exhibit "3" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

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ARRANGEMENT FOR THE FUNDING AND ADMINISTRATION OF SOCIAL SERVICES

BETWEEN:

**HER MAJESTY THE QUEEN IN RIGHT OF
CANADA** as represented by the Minister of Indian Affairs and
Northern Development (hereinafter referred to as "Canada")

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF
ALBERTA** as represented by the Minister of Family and Social
Services (hereinafter referred to as "Alberta")

WHEREAS:

Canada continues to have a special relationship with and interest in the Indian people of Canada arising from history, treaties, statutes and the Constitution;

Canada and Alberta recognize and agree that this arrangement will not prejudice the treaty rights of Indian people, nor alter any obligations of Canada to Indian people pursuant to treaties, statutes and the Constitution, including any rights protected by section 35 of the Constitution Act, 1982, nor affect any self-government rights that may be negotiated in future constitutional negotiations;

Canada and Alberta recognize that Indians and Indian Families should be provided with Social Services which take into account their cultures, values, languages and experiences;

Canada and Alberta are desirous of developing an arrangement in respect of the funding and administration for Social Services which would be applicable to Indians in the Province of Alberta; and

Canada and Alberta acknowledge that Indians have aspirations towards self-government and both therefore wish to support the establishment, management, and delivery by Indians and Indian organizations of child and family services and other community-based Social Services for Indians in Alberta.

NOW THEREFORE Canada and Alberta agree as follows:

1. In this arrangement,

- (a) "*Band*" or "*Indian Band*" means, a band as defined in the Indian Act;
- (b) "*care facility*" means, a facility for treatment, care or accommodation, including, but not limited to, homes for special care, group homes, foster homes, institutions, hospitals, nursing homes, alcohol and drug treatment centres, shelters for battered women and children, and community homes for care, that is recognized by, or utilized under, Provincial legislation;
- (c) "*child*" means a person who is less than eighteen years of age;
- (d) "*fiscal year*" means, the twelve month period commencing April 1 of a year and ending March 31 of the next following year;
- (e) "*home for special care*" means, a home for special care as defined in the Canada Assistance Plan Act, R.S.C. 1970, c. C-1, as amended from time to time;
- (f) "*Indian*" means an Indian as defined in the Indian Act;
- (g) "*Indian Act*" means the Indian Act, R.S. 1985, C. 1-5, as amended from time to time;
- (h) "*Indian Family*" means a family where at least one adult is an Indian or where the sole adult is the spouse of an Indian; and includes a single individual who is the former spouse of an Indian;
- (i) "*ordinarily residing on a Reserve*" means residing on a Reserve, and includes:
 - (i) persons residing in a community listed in Appendix III;
 - (ii) in the case of a child,
 - (a) a child whose parent or guardian having custody of the child was or is residing on a Reserve at the time the child was or is apprehended by or commences to receive Social Services from a Provincial Director of Child Welfare;

- (b) a child who was or is residing on a Reserve in an extended family situation at the time the child was or is apprehended by or commences to receive Social Services from a Provincial Director of Child Welfare;
 - (iii) persons who are away from a Reserve for the purpose of obtaining care in a care facility;
 - (iv) persons who are away from a Reserve, but who were ordinarily resident on-Reserve immediately preceding their leaving, for the primary purpose of accessing a Social Service described in Appendix I because there is no appropriate comparable social service presently available on-Reserve; and
 - (v) persons, described in section 4, who are away from a Reserve for the purpose of accessing post-secondary education or a training program.
 - (j) "*Indian Reserve*" or "*Reserve*" means a reserve as defined in the Indian Act;
 - (k) "*Social Services*" means the programs and services as described in Appendix I of this arrangement; and
 - (l) "*spouse*" includes a common law spouse pursuant to the laws of Alberta.
2. This arrangement replaces the Memorandum of Understanding Confirming Existing Financial Transfer Agreements, between Alberta and Canada, executed by Canada on September 27, 1985 and Alberta on October 31, 1985, in respect to Treaty Seven and Treaty Eight Indian First Nations, Tribes, and Bands only. This arrangement supersedes and replaces all previous written and verbal negotiations and agreements between Alberta and Canada relating to the matters contained herein, in respect to Treaty Seven and Treaty Eight Indian First Nations, Tribes, and Bands only.
 3. Canada will by this arrangement and in accordance with Appendix II:
 - (a) arrange for the delivery of Social Services comparable to those provided by Alberta to other residents of the Province, directly or through negotiated agreements with Indian Bands, Indian agencies, Indian organizations, or with Alberta, to persons ordinarily residing on a Reserve; and
 - (b) fund Social Services for Indians and Indian Families ordinarily residing on a Reserve comparable to those provided by Alberta to other residents of the Province; and in particular, reimburse Alberta for those Social Services which Alberta delivers to Indians and Indian Families ordinarily residing on a Reserve.

4. Canada will by this arrangement and in accordance with Appendix II, fund Social Services for an Indian and his or her Indian Family where said Indian is currently residing off-reserve for the primary purpose of accessing post-secondary education or training, provided that said Indian:
 - (a) was ordinarily resident on-reserve immediately preceding his or her enrolment in a post-secondary education or training program;
 - (b) is in active full-time attendance in a post-secondary education or training program;
 - (c) is receiving financial support from the Government of Canada or from an Indian Band or Indian organization for such education or training; and
 - (d) maintains, or is a member of an Indian Family which maintains a home on a Reserve.
5. Alberta will by this arrangement and in accordance with Appendix II:
 - (a) unless otherwise stated herein, fund Social Services for non-Indian persons who are not members of an Indian Family and who are ordinarily residing on a Reserve;
 - (b) deliver, or enter into agreements to deliver, Social Services to persons ordinarily residing on a Reserve;
 - (c) fund and deliver, or enter into agreements to deliver, Social Services to Indians in the province who are not ordinarily residing on a Reserve; and
 - (d) fund and deliver, or enter into agreements to deliver, Social Services to non-Indian persons ordinarily residing in Redwood Meadows.
6. In principle Alberta is responsible for the funding and delivery of Social Services to all non-Indians residents of the province. However, notwithstanding subsection 3(b) and 5(a), in view of the small number of non-Indians ordinarily residing on Reserves, Canada will fund and deliver, or enter into agreements to fund and deliver, Social Services for non-Indians ordinarily residing on a Reserve. Where the amount paid by Canada for Social Services delivered to non-Indians ordinarily residing on a Reserve exceeds five percent (5%) of the amount paid by Canada for all Social Services on that Reserve, Canada may require Alberta to reimburse it for all amounts paid for Social Services delivered to non-Indians ordinarily residing on a Reserve. For the purposes of this section, the five percent (5%) does not include amounts paid to deliver Social Services to non-Indian members of an Indian family.

7. In principle, Canada is responsible for the funding of Social Services to all Indians who are ordinarily residing on a Reserve. However, notwithstanding section 5(d), in view of the small number of Indians ordinarily residing in Redwood Meadows, Alberta will fund and deliver, or enter into agreements to deliver, Social Services to Indians residing in Redwood Meadows. Where the amount paid by Alberta for Social Services delivered to Indians residing in Redwood meadows exceeds five (5%) of the amount paid by Alberta for all Social Services in Redwood Meadows, Alberta may require Canada to reimburse it for all amounts paid for Social Services delivered to Indians residing in Redwood Meadows.
8. Notwithstanding other provisions of this arrangement, Canada will provide emergency Social Assistance on Reserves and Alberta will provide emergency Supports For Independence off Reserve, to any person, as required, at the point need arises, without cost to or reimbursement from the other party.
9. For the purposes of this arrangement only, Canada and Alberta agree in principle that there is no duplication of funding of Social Services, and that the administration of Social Services does not inhibit the mobility of persons who wish to change their place of residence.
10. Canada and Alberta may enter into arrangements with Indian Bands, Indian agencies, or Indian organizations to enable these groups to administer and deliver Social Services to persons ordinarily residing on Reserves.
11. Alberta, in consultation with Canada,
 - (a) may enter into negotiations with Indian Bands, Indian agencies, and Indian organizations which deliver or wish to deliver Social Services to Indians not ordinarily residing on Reserves, in order to establish funding and administrative arrangements, which will enable the Indian Band, agency, or organization to deliver Social Services comparable to those available to other residents of the province; and
 - (b) will enter into negotiations with the Lesser Slave Lake Indian Regional Council and the Bigstone Band, which currently deliver Social Assistance to Indians not ordinarily residing on Reserves, in order to establish funding and administrative arrangements which will enable the said Council and Band to deliver Supports For Independence to Indians not ordinarily residing on Reserves.

12. Alberta or Canada, or both upon the written request of a Chief or Band Council, will make available information and statistics relating to the delivery of Social Services to that particular Band. However, either government may withhold any information that it considers private, sensitive, or the release of which is prohibited by law.
13. Canada will review those Social Services delivered by Alberta for which Canada provides funding and will identify to Alberta its concerns and the concerns of Indian Bands, Indian agencies, and Indian organizations relating to the delivery of those Social Services. Alberta will then indicate to Canada the action it will take to address those concerns.
14. Canada undertakes, in consultation with Alberta, to conduct a formal review of this arrangement at the second anniversary of the date on which it is entered into, and to conduct subsequent reviews whenever significant concerns are raised by Canada, Alberta, Indian Bands, Indian agencies or Indian organizations. Canada further undertakes to consult with Indian Bands, Indian agencies, and Indian organizations as part of the review process.
15. Prior to the commencement of each fiscal year, Alberta will deliver to Canada a budget of Alberta's anticipated expenditures for those Social Services Alberta delivers to Indians ordinarily residing on Reserves. Upon acceptance of the budget by the Minister of Indian Affairs and Northern Development, Canada will each month pay to Alberta one twelfth (1/12) of the accepted expenditure budget, this amount to be adjusted quarterly on the basis of invoices submitted and payable in accordance with Appendix II.
16. The final amounts payable to Alberta pursuant to section 15 will be adjusted in accordance with invoices received within thirty (30) days of the end of the fiscal year. Invoices submitted after six (6) months following the end of the fiscal year will not be paid. In the event that Alberta cannot provide Canada with invoices within thirty (30) days of the end of the fiscal year, Alberta will then provide an estimate of amounts payable for that fiscal year. Amounts which have not been identified in the year-end estimates will not be paid. Canada will make payment within thirty (30) days of its receipt of either invoices or year-end estimates acceptable to Canada. However, invoices which are submitted within twelve (12) months following the end of the first fiscal year of this arrangement and which relate to that first fiscal year will be paid.
17. In the event that Alberta is reimbursed in accordance with a year-end estimate, and the amounts of the invoices subsequently received by Canada are less than the amounts contained in the year-end estimate, Alberta will reimburse Canada for the overpayment.
18. Invoices submitted by Alberta shall provide details of expenditures and related information for each type of Social Service as outlined therefore in Appendix II and shall be certified by a designated representative of the Minister of Family and Social Services who has knowledge of the accounts.

19. Alberta will inform Canada annually prior to May 31 of changes in program rates and services which are anticipated for the current and subsequent fiscal years. Alberta will report to Canada annually prior to June 30 statistics for the previous year as agreed for each Social Service.
20. In the event that a dispute arises between Canada and Alberta with respect to this arrangement, either may give written notice to the other setting out the dispute and its desired solution. Upon receipt of the notice, the Federal Regional Director General and the Assistant Deputy Minister, Program Policy Development, Alberta Family and Social Services will together endeavour to resolve the dispute. In the event the dispute cannot be resolved, either party may take any other recourse, pursuant to this arrangement.
21. Alberta and Canada will make available to the other, any and all information required to enable the other to keep books and records, and to audit amounts received or requested. Where disclosure of certain information is prohibited by law, either party may withhold such information.
22. Either Canada or Alberta may at any time terminate this arrangement by providing the other with at least twelve (12) months written notice of its intention to terminate this arrangement, and where notice is so given, the arrangement shall cease to be effective after the date fixed in the notice. However, Canada and Alberta may together agree to terminate this arrangement without notice, and where such agreement is made, this arrangement shall cease to be effective after the date fixed by agreement.
23. In the event that this arrangement is terminated, Canada and Alberta agree that the provision of essential Social Services to Indians will be maintained. Any contractual obligations or responsibilities which either Canada or Alberta, or both, has entered into with any Indian Band, Indian agency, or Indian organization pursuant to this administrative arrangement will not be altered or amended solely as a result of the termination of this arrangement unless specifically provided for in the agreements entered into pursuant to this arrangement.
24. In the event that Canada or Alberta implements legislative, program or policy changes which will affect the terms of this arrangement, the parties agree to review these changes and to amend this arrangement if necessary.
25. This arrangement and any schedule or appendix hereto may be amended from time to time by the mutual consent, in writing, of the authorized representatives of Canada and Alberta. In the case of substantive amendment of the arrangement, Canada and Alberta will provide reasonable notice of such amendment to Indian Bands, Indian agencies, and Indian organizations, and will provide Indian Bands, Indian agencies, and Indian organizations with an opportunity to raise their concerns.

26. This arrangement deals only with the Social Services referred to herein and the programs and benefits described in Appendix I hereto. With the exception of the Social Services referred to herein, it is the intention of both Canada and Alberta that programs, benefits or services available from either, or from any other organization, will not be withdrawn, reduced or withheld because of this arrangement.
27. This arrangement is effective as of April 1, 1991, and applies to those Bands, Tribal Councils, Indian Agencies, and Indian organizations in the Treaty Seven and the Treaty Eight areas.
28. Any notice required to be given under this arrangement by either Canada or Alberta to the other shall be in writing and delivered, as applicable, to:
- Minister of Indian Affairs and Northern Development (Canada)
Minister of Family and Social Services (Alberta)
29. Notwithstanding section 22, every payment under this arrangement is subject to an appropriation of either Parliament or the Alberta Legislature. In the event that the said appropriations are not made, either Canada or Alberta, or both, may suspend or terminate any obligations thereby affected.
30. Canada and Alberta covenant and agree that the definition of "ordinarily residing on a Reserve" used in this arrangement is strictly limited to the terms of this arrangement, and has no bearing on the meaning of the words "ordinarily resident" or "ordinarily residing" as these are used in any other agreement, arrangement, statute, or law.

IN WITNESS WHEREOF this arrangement has been executed by Canada and Alberta by the delegated officials authorized on their behalf.

Signed on the 19th day
of December, 1991

HER MAJESTY THE QUEEN IN RIGHT OF
CANADA as represented by the Minister of Indian
Affairs and Northern Development

Arne L. Heston

Witness

Tom Siddon

Tom Siddon
Minister of Indian Affairs and Northern Development

Signed on the 17th day
of December, 1991

J. Pauline Neaton

Witness

HER MAJESTY THE QUEEN IN RIGHT OF
ALBERTA as represented by the Minister of
Family and Social Services

[Signature]

John A. Oldring
Minister of Family and Social Services

Signed on the 23rd day
of January, 1992 J.D.H.

NA Zaver

Witness

APPROVED pursuant to the Alberta Department
of Federal and Intergovernmental Affairs Act

[Signature]
Dorinda J. Reame

James D. Horsman
Minister of Federal and Intergovernmental Affairs

APPENDIX I

Description of Social Services

1. **SUPPORTS FOR INDEPENDENCE (ALBERTA)
SOCIAL ASSISTANCE (CANADA)**

The program provides financial assistance directly to families and individuals in need of food, clothing, shelter and other needs essential to health and safety.

2. **CHILD WELFARE**

The program ensures that the survival, security and development of children are protected. The services include the following: intake, investigation, apprehension and supervision orders, family support agreements, guardianship agreements and orders, foster care, residential services, and adoptions.

In addition, the program provides funds to assist families of handicapped children with the extraordinary demands and costs resulting directly from the handicapping condition, in order to maintain their children within the family home or in as normal a community setting as possible.

3. **CHILD CARE (Day Care)**

The program provides financial assistance to day care facilities and low income families through the provision of operating allowances, low income family subsidies, administrative fees and funding for integration of handicapped children in day care.

4. **ADULT SERVICES - SERVICES TO PERSONS WITH DISABILITIES**

The program funds or provides residential care and professional services and supports the development of services designed to meet the special needs of adults with disabilities. These services include, but are not limited to: residential care, group homes, proprietor based residential services, supported living arrangements, outreach services, in-home and out-of-home relief services, case planning, and day programs.

5. **WIDOWS' PENSION**

The program is income-tested and provides financial benefits to eligible widows and widowers.

6. **ASSURED INCOME FOR THE SEVERELY HANDICAPPED**

The program provides an assured income for severely and permanently handicapped adults, designed as an income-tested alternative to social allowance.

7. **ALBERTA FAMILY AND COMMUNITY SUPPORT SERVICES**

The program provides funding to municipalities and Bands to support services and activities which strengthen the family and the community.

8. **OFFICE FOR THE PREVENTION OF FAMILY VIOLENCE**

The program provides support and leadership in developing an effective approach to the problem of family violence in Alberta including information, education, consultation, community liaison, coordination of services, and limited funds for prevention projects.

9. **FAMILY RELATIONS**

The program assists families to resolve legal issues related to marital breakdown including disputes over the custody/access of children, assists in establishing the paternity of children born out of wedlock and in obtaining appropriate maintenance orders and agreements.

10. **WOMEN'S EMERGENCY SHELTERS**

The program provides short-term, safe and supportive environments for abused women and their children and to other women in crisis.

11. **VOCATIONAL SUPPORT SERVICES - SERVICES TO PERSONS WITH DISABILITIES**

The program assists individuals with disabilities to participate in and contribute to the social and economic aspects of the community on an equal basis with all citizens. The services funded or provided include, but are not limited to: developmental/isolation prevention services, day programs, employment preparation services, and placement support services.

12. **ALBERTA ASSURED INCOME PLAN**

The program provides an automatic income supplement to seniors in Alberta who are in receipt of the federal Guaranteed Income Supplement or the federal Extended Spouse's Allowance.

13. SHELTERS FOR HOMELESS ADULTS

The program provides meals and temporary accommodation to adults who are employable but temporarily unemployed and in need of assistance; it provides indigent men and women with a sheltered environment and helps them to regain and maintain their health and social functioning skills; and it provides emergency over-night accommodation for transients.

14. EMPLOYMENT SUPPORT SERVICES (CANADA)

The Department of Indian Affairs and Northern Development Social Development and Economic Development programs provide various employment support services.

APPENDIX II

Delivery and Funding Arrangements for Persons Ordinarily Residing on a Reserve

A. GENERAL DELIVERY AND FINANCIAL ARRANGEMENTS

1. SOCIAL ASSISTANCE (CANADA) SUPPORTS FOR INDEPENDENCE (ALBERTA)

(a) Delivery

Canada will deliver or make arrangements with Indian Bands, Indian agencies, or Indian organizations to deliver the Department of Indian Affairs and Northern Development Social Assistance program, and will provide the resources to permit delivery of Social Assistance to persons ordinarily residing on a Reserve that is comparable to the Supports For Independence benefit which is available to other residents of the Province.

Alberta will deliver or make arrangements with Indian Bands, Indian agencies, or Indian organizations to deliver the Supports For Independence program to non-Indians ordinarily residing in Redwood Meadows.

(b) Financial Arrangement

Financial arrangements will be pursuant to Sections 3, 5, 6, and 7 of the arrangement, and in accordance with Part B of this Appendix II.

2. CHILD WELFARE

(a) Delivery

Alberta will directly deliver or enter into arrangements with Indian Bands, Indian agencies or Indian organizations, either bilaterally, or trilaterally with Canada as the third party, to deliver Child Welfare services. Alberta agrees that in the event that a child who is a member of an Indian Band is apprehended, is to be the subject of a temporary or permanent guardianship order or agreement or is to be placed for adoption, the Alberta authorities will consult with and take into consideration the opinion of the Chief and Council of the Band or a designate of either of them except as limited by sections 62.1 and 73 of the Child Welfare Act. Where an Indian Band in Alberta is serviced by an Indian organization or agency with powers and duties delegated under Section 87 of the Child Welfare Act, Alberta authorities will immediately consult with and involve the Indian

agency or organization in planning for any child who is a member of the Band, except as limited by sections 62.1 and 73 of the Child Welfare Act.

(b) Financial Arrangement

Canada will reimburse Alberta in accordance with Part B of this Appendix II, for Child Welfare services provided to Indians, Indian Families and children who are members of Indian Families, in cases where Alberta delivers the services directly or through a non-Indian agency or organization.

Canada will directly fund an Indian Band or Indian agency for delivery of Child Welfare services for Indians, Indian Families and children who are members of Indian Families, when the Indian Band, Indian agency, or Indian organization has entered into, or enters into:

- (i) a tripartite agreement with both Alberta and Canada for the delivery and funding of Child Welfare Services, or
- (ii) two separate bilateral agreements, one with Alberta for delivery, and one with Canada for funding, of Child Welfare services.

3. **CHILD CARE (DAY CARE)**

ADULT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

WIDOWS' PENSION

ASSURED INCOME FOR THE SEVERELY HANDICAPPED

ALBERTA FAMILY AND COMMUNITY SUPPORT SERVICES

OFFICE FOR THE PREVENTION OF FAMILY VIOLENCE

FAMILY RELATIONS

WOMEN'S EMERGENCY SHELTERS

VOCATIONAL SUPPORT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

(a) Delivery

Alberta will deliver or together with Canada make arrangements with Indian Bands, Indian agencies, or Indian organizations for the delivery of the above-listed services.

(b) Financial Arrangement

In the case of Indians and Indian Families ordinarily residing on a Reserve, Canada will reimburse Alberta for delivery of the above-listed services in accordance with Part B of this Appendix II.

4. ALBERTA ASSURED INCOME PLAN

(a) Delivery

Alberta will deliver this service.

(b) Financial Arrangement

Canada will not reimburse Alberta for any amount paid in relation to the delivery of this service. Alberta Assured Income is an Alberta supplement to the Federal Old Age Security and Guaranteed Income Supplement benefits and is outside of the program mandate of Indian Affairs and Northern Development.

5. SHELTERS FOR HOMELESS ADULTS

(a) Delivery

Alberta will deliver or together with Canada make arrangements with Indian Bands, Indian agencies, or Indian organizations to deliver this service.

(b) Financial Arrangement

Canada will reimburse Alberta for delivery of the above listed services to Indians and Indian Families ordinarily residing on a Reserve in accordance with Part B of this Appendix II.

6. EMPLOYMENT SUPPORT SERVICES (CANADA)

(a) Delivery

Canada will deliver or make arrangements with Indian Bands, Indian agencies, or Indian organizations for the delivery of various employment support services through DIAND Social Development and Economic Development Programs.

(b) Financial Arrangement

Canada will directly fund these services.

B. REIMBURSEMENT BY CANADA TO ALBERTA

1. SUPPORTS FOR INDEPENDENCE

The amount payable by Canada to Alberta pursuant to section 7 of the arrangement will be the actual amount paid by Alberta to Indians residing in Redwood Meadows.

2. CHILD WELFARE

The amount payable by Canada to Alberta pursuant to the arrangement will be determined in accordance with the program funding formula set out in Schedule A.

3. CHILD CARE (DAY CARE)

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) the amount of any day care operating funds provided by Alberta; and
- (b) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A; and
- (c) for an Indian Family which qualifies, the actual child care subsidy paid to or on behalf of the Indian Family by Alberta.

4. ADULT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) an amount based on the Canada Assistance Plan criteria for determining sharing in the costs of care in homes for special care, in respect of each disabled adult who is admitted to a home for special care facility after March 31, 1991; and
- (b) an amount for professional and support services, contracted services, day programs, independent living programs, financial assistance, and other Adult Services paid by Alberta; to be determined in accordance with the program funding formula set out in Schedule A.

5. WIDOWS' PENSION

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) the actual amount paid by Alberta pursuant to the Widows' Pension Act, S.A. 1983, c.W-7.5 to Indians ordinarily residing on a Reserve; and
- (b) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A.

6. ASSURED INCOME FOR THE SEVERELY HANDICAPPED

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) the total amount paid by Alberta pursuant to the Assured Income For The Severely Handicapped Act, R.S.A. 1980, c.A-48 to Indians ordinarily residing on a Reserve; and
- (b) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A.

7. ALBERTA FAMILY AND COMMUNITY SUPPORT SERVICES

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) the amount paid by Alberta as a grant to a Band, up to a maximum of the legislated grant per person for the number of persons residing on a Reserve for which the Band received a grant; and
- (b) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A.

8. OFFICE FOR THE PREVENTION OF FAMILY VIOLENCE

The amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:

- (a) the amount paid by Alberta as a community project fund grant to an Indian Band, Indian agency, or Indian organization; and
- (b) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A.

9. FAMILY RELATIONS

The amount payable by Canada to Alberta pursuant to the arrangement will be determined in accordance with the program funding formula set out in Schedule A.

10. WOMEN'S EMERGENCY SHELTERS

The amount payable by Canada to Alberta pursuant to the arrangement will be determined in accordance with the program funding formula set out in Schedule A.

11. VOCATIONAL SUPPORT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

The amount payable by Canada to Alberta pursuant to the arrangement will be determined in accordance with the program funding formula set out in Schedule A.

12. ALBERTA ASSURED INCOME PLAN

No reimbursement.

13. SHELTERS FOR HOMELESS ADULTS

- (a) There will be no reimbursement for program or administration costs relating to the provision of emergency over-night accommodation and services to transients.
- (b) In respect of all other program components, the amount payable by Canada to Alberta pursuant to the arrangement will be the aggregate of:
 - (i) an amount based on the Canada Assistance Plan criteria for determining sharing in the costs of care in homes for special care, in respect of each recipient; and
 - (ii) an amount for administration, to be determined in accordance with the program funding formula set out in Schedule A.

C. REIMBURSEMENT BY ALBERTA TO CANADA

1. SOCIAL ASSISTANCE

The amount payable by Alberta to Canada in respect of the delivery of this service pursuant to section 6 of the arrangement will be the actual amount paid by Canada to non-Indians ordinarily residing on a Reserve.

APPENDIX III

Specific Communities

Communities

1. Cadotte Lake
2. Fort Chipewyan
3. Fort McKay
4. Garden River
5. Little Buffalo
6. any other Bands that are established under the Indian Act.

NOTE: FOR INFORMATION PURPOSES ONLY:

The Indian Bands listed below are respectively associated with the same numbered communities listed above.

1. Woodland Cree Band
2. Fort Chipewyan Cree Band
Athabasca Chipewyan Band
3. Fort McKay Band
4. Little Red River Band
5. Lubicon Lake Band

SCHEDULE A

Program Funding Formulae

1. At the commencement of each fiscal year, calculations made pursuant to this schedule will be based on the actual year-end figures for the preceding fiscal year. Prior to the expiration of the time limited by the arrangement, an adjustment will be made based on the actual figures for the current fiscal year.

2. CHILD WELFARE

The amount referred to in Appendix II(B)(2) will be calculated in accordance with the formula

$$A + \left(\left(\frac{B}{C} \right) \times D \right) + \left(\left(\frac{\left(\left(\frac{E}{F} \right) \times G \right)}{C} \right) \times D \right)$$

where

- A is the actual expenditure by Alberta in respect of Indian children and members of Indian Families ordinarily residing on a Reserve who received the service.
- B is the actual direct administration cost to Alberta in respect of the service.
- C is the average total caseload in respect of the service.
- D is the actual number of recipients served who ordinarily reside on a Reserve.
- E is the actual indirect administration support service cost to Alberta in respect of the service.
- F is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.
- G is the actual expenditure by Alberta in respect of the service.

3. CHILD CARE (DAY CARE)

The amount referred to in Appendix II(B)(3)(b) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) - \left(\left(\frac{\left(\left(\frac{D}{E} \right) \times F \right)}{B} \right) \times C \right)$$

where

- A is the actual direct administration cost to Alberta in respect of all day care services.
- B is the average total number of children who received day care services.
- C is the actual number of children in receipt of day care services who ordinarily reside on a Reserve.
- D is the actual fiscal year indirect administration support service cost to Alberta in respect of the service.
- E is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.
- F is the actual expenditures by Alberta in respect of the service.

4. ADULT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

The amount referred to in Appendix II(B)(4)(b) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) + \left(\left(\frac{D}{B} \right) \times C \right) + \left(\left(\frac{\left(\left(\frac{E}{F} \right) \times A \right)}{B} \right) \times C \right)$$

where

- A is the actual expenditure by Alberta in respect of the service.
- B is the average total caseload in respect of the service.
- C is the actual number of recipients served who ordinarily reside on a Reserve.
- D is the actual direct administration cost to Alberta in respect of the service.
- E is the actual indirect administration support service cost to Alberta in respect of the service.
- F is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.

5. WIDOWS' PENSION

The amount referred to in Appendix II(B)(5)(b) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) + \left(\left(\frac{\left(\left(\frac{D}{E} \right) \times F \right)}{E} \right) \times C \right)$$

where

- A is the actual direct administration cost to Alberta in respect of the service.
- B is the average caseload in respect of the service.
- C is the actual number of recipients served who ordinarily reside on a Reserve.
- D is the actual indirect administration support service cost to Alberta in respect of the service.
- E is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.
- F is the actual expenditures by Alberta in respect of the service.

6. ASSURED INCOME FOR THE SEVERELY HANDICAPPED

The amount referred to in Appendix II(B)(6)(b) will be calculated in accordance with the formula set out in section 5 of this Schedule A.

7. ALBERTA FAMILY AND COMMUNITY SUPPORT SERVICES

The amount referred to in Appendix II(B)(7)(b) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) + \left(\left(\frac{\left(\left(\frac{D}{E} \right) \times F \right)}{B} \right) \times C \right)$$

where

- A is the actual direct administration cost to Alberta in respect of the service.
- B is the total number of Municipalities that received a service grant.
- C is the total number of Indian Bands that received a service grant.
- D is the actual indirect administration support service cost to Alberta in respect of the service.
- E is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.
- F is the actual expenditures by Alberta in respect of the service.

8. OFFICE FOR THE PREVENTION OF FAMILY VIOLENCE

The amount referred to in Appendix II(B)(8)(b) will be calculated in accordance with the formula set out in section 5 of this Schedule A.

9. FAMILY RELATIONS

The amount referred to in Appendix II(B)(9) will be calculated in accordance with the formula set out in section 5 of this Schedule A.

10. WOMEN'S EMERGENCY SHELTERS

The amount referred to in Appendix II(B)(10) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) + \left(\left(\frac{D}{B} \right) \times C \right) + \left(\left(\frac{\left(\left(\frac{E}{F} \right) \times A \right)}{B} \right) \times C \right)$$

where

- A is the actual expenditure by Alberta in respect of the service.
- B is the average total number of women and children served.
- C is the actual number of women and children served who ordinarily reside on a Reserve.
- D is the actual direct administration cost to Alberta for the Office For the Prevention of Family Violence.
- E is the actual indirect administration support service cost to Alberta in respect of the service.
- F is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.

11. VOCATIONAL SUPPORT SERVICES - SERVICES TO PERSONS WITH DISABILITIES

The amount referred to in Appendix II(B)(11) will be calculated in accordance with the formula

$$\left(\left(\frac{A}{B} \right) \times C \right) + \left(\left(\frac{D}{B} \right) \times C \right) + \left(\left(\frac{\left(\left(\frac{E}{F} \right) \times A \right)}{B} \right) \times C \right)$$

where

- A is the actual expenditure by Alberta in respect of the service.
- B is the average total caseload in respect of the service.
- C is the actual number of recipients served who ordinarily reside on a Reserve.
- D is the actual direct administration cost to Alberta in respect of the service.
- E is the actual indirect administration support service cost to Alberta in respect of the service.
- F is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.

12. SHELTERS FOR HOMELESS ADULTS

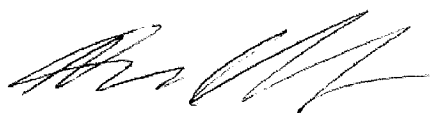
The amount referred to in Appendix II(B)(13)(ii) will be calculated in accordance with the formula

$$\left(\frac{\left(\left(\frac{A}{B} \right) \times C \right)}{D} \right) \times E$$

where

- A is the actual indirect administration support service cost to Alberta in respect of the service.
- B is the aggregate total program expenditures, including administration costs, in respect of all services provided by Alberta.
- C is the actual expenditures by Alberta in respect of the service.
- D is the average caseload in respect of the service.
- E is the actual number of recipients served who ordinarily reside on a Reserve.

This is Exhibit "4" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

LSA #17295

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Report of the Auditor General of Alberta

JULY 2016

HUMAN SERVICES—SYSTEMS TO DELIVER
CHILD AND FAMILY SERVICES TO
INDIGENOUS CHILDREN IN ALBERTA



Mr. David Shepherd, MLA
Chair
Standing Committee on Legislative Offices

I am pleased to submit my *Report of the Auditor General of Alberta—July 2016* on the systems the Department of Human Services has to deliver child and family services to Indigenous children in Alberta. This report is being sent to Members of the Legislative Assembly of Alberta as required by Section 20(1) of the *Auditor General Act*.

[Original signed by Merwan N. Saher FCPA, FCA]
Auditor General

Edmonton, Alberta
July 8, 2016

Department of Human Services—Systems to Deliver Child and Family Services to Indigenous Children in Alberta

GUIDANCE TO READER

Prevention and Early Intervention Programs—Families can access early supports through several programs. These programs are designed to increase the health and well-being of children and families, and reduce the impact of risk factors. They range from non-targeted programs that are accessible without screening requirements to more targeted interventions that include screening requirements.

Funding—Funding for child and family services comes from either the federal or the provincial government, depending on where the child normally resides:

- **For children normally resident on First Nations reserves**, funding comes principally from the federal government, although the provincial government provides some funding.
- **For all other children**, funding comes entirely from the provincial government.

Jordan's Principle—A child-first approach to ensure the needs of First Nations children are not lost in jurisdictional disputes over funding responsibility, Jordan's Principle states that the level of government of first contact should initially pay for services and later seek reimbursement from the appropriate level of government, if different.

SUMMARY

The Department of Human Services is responsible for providing child and family services in Alberta. It offers a range of services and programs designed to support families and communities in safeguarding and enhancing the well-being of children.

In recent years, the department has made important changes to the way it provides its services.¹ The department has led social work practice across Canada in its focus on keeping children in the family home when safe to do so and preventing them from having to enter temporary or permanent care.² However, there is an important problem facing the department and the system as it stands today. Indigenous children in Alberta experience less favourable results than non-Indigenous children in terms of whether:

- families are kept together
- children are returned to their families from temporary care
- permanent homes are found for children in permanent care
- children require additional services within 12 months of receiving services previously

¹ The 2008 Alberta Incidence Study reported that in 85 per cent of cases the department becomes involved because of concerns about neglect, rather than direct risk to the immediate safety of children. Front-line staff can often safely deal with neglect concerns while keeping children with their families and communities.

² Aboriginal Children in Care: Report to Canada's Premiers, July 2015, page 30.

We conducted our audit to examine the systems and processes the department uses to deliver child and family services to Indigenous children in Alberta. We identified three areas where the department can improve its performance, thereby increasing the chances for Indigenous children who receive services to experience improved results. We found that the department should act to:

- improve its early supports and early intervention programming
- ensure its processes support a child-centred approach
- improve staff training in the area of intercultural understanding

The department provides services to at-risk Indigenous children in Alberta. The challenges can be formidable; of all the children in care in Alberta, Indigenous children are overrepresented in the system by a factor of seven,³ and the programs in place to assist them are complex. But as the province improves its services, more of these children will build rewarding and fulfilling lives and have the potential to play important roles in the futures of their families, their communities and the province.

The department has substantially reduced the number of children in care over the past several years. Indigenous children have benefited from the reduction of numbers in care, but not to the same degree as non-Indigenous children. As a result, the amount they are overrepresented in care continues to increase.

Supports for at-risk Indigenous children are top of mind in communities, news reports and government. Recently, the Canadian Human Rights Tribunal found that children and families on reserve were denied supports equal to their off-reserve counterparts.⁴ Likewise, the Truth and Reconciliation Commission of Canada documented the destruction wrought on families by the residential school system, providing a cautionary lesson about the negative effects of past policies.⁵ These are only two examples where the welfare of Indigenous children in care has been pushed into the spotlight, but they serve to underscore that jurisdictions are still not acting in the best interests of this vulnerable segment of the population.

Children receiving intervention services often face challenging social situations and have greater need for support and services in order to achieve positive results. The department provides services in the most difficult of circumstances. The added complexity of program delivery to Indigenous children and families has impeded the department in making needed changes. The problems are challenging; the answers are complex and sometimes difficult to act on. But understanding the factors underlying poor results is vital to improving the lives of Indigenous children and families in Alberta.

Improvements start with understanding the unique needs of Indigenous children and communities. From that point, relationships can develop that are based on respect and understanding, and sustainable change can occur.

³ Child Intervention Information and Statistics Summary 2015–2016 Fourth Quarter (March) Update, Department of Human Services. In March 2016, 69 per cent of children and youth in care were Indigenous; one in 10 children living in Alberta were Indigenous.

⁴ Canadian Human Rights Tribunal, Decision, Citation: 2016 CHRT 2, January 2016, paragraph 456, page 160.

⁵ Honouring the Truth, Reconciling for the Future, Summary of the Final Report of the Truth and Reconciliation Commission of Canada, 2015, http://nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf.

What we examined

We conducted this audit to determine if the department has adequate systems to provide child and family services to Indigenous children and families in Alberta.

We examined the systems and processes the department uses to support child and family services for Indigenous peoples in Alberta. The audit looked at programs and services designed to provide early supports to vulnerable families as well as systems designed to keep children safe when the department needs to intervene.

Within the broad continuum of care the department provides, we examined the following systems, which we deemed to be key systems:

- Early supports and early intervention programming: We examined the department's processes to identify needs of Indigenous children and families, align resources to needs and report on the results of the services provided.
- Processes to support a child-centred approach: We focused on two processes, the department's compliance monitoring processes and its performance reporting processes.
 - We examined the department's processes to ensure each Indigenous child receiving services has a care plan that is followed. The department monitors care plans by performing file reviews to test case work against provincial standards of care.
 - We examined the department's processes to analyze its results and report on its progress in achieving its operational and department level objectives.
- Staff training in the area of intercultural understanding: We examined the department's processes to ensure its staff receive adequate training on First Nations, Métis and Inuit history and cultural practices.

As we did not examine every system, our overall conclusion relates only to the processes we examined. We interviewed staff from the department's head office, field operations, regional offices and Delegated First Nations Agencies, reviewed documentation, tested file monitoring activities, and performed detailed analysis of data, focusing on the period of April 1, 2012 to March 31, 2015.

Overall conclusion

The department has systems to provide child and family services to Indigenous children and families in Alberta. We believe this report demonstrates these systems need to be improved. We acknowledge the hard work being done throughout the system. Too often jurisdictional and other limitations have resulted in weak processes to meet the needs of Indigenous children. Put simply, Indigenous children in care experience less favourable results than non-Indigenous children.

What we found

We have grouped our findings into three broad areas, according to the three key systems we looked at: the department's early supports for Indigenous children, its systems to provide child-centred support and its intercultural understanding.

Early supports for Indigenous children

Prevention and early intervention are key to reducing the number of children who require long-term care. We found that the department does not have clear, coordinated processes for providing early support services to Indigenous children and families.

Effectively delivering early supports to Indigenous children requires recognizing the unique needs of Indigenous communities. A blanket strategy for all children will fail to close the gap between Indigenous and non-Indigenous children's experiences of support. While the department gathers information on these needs from a variety of sources, it does not have processes to compile or analyze the data. It is therefore unable to align its funding with Indigenous needs.

Early intervention for children living on First Nations reserves is a special case, since funding on reserves is a federal responsibility. Responsibility aside, the Government of Alberta has not assessed what role it itself should play in funding early intervention on reserves. The department does provide some additional funding for early intervention on reserves, amounting to \$1.7 million. However, this funding is divided among 18 First Nations, and the department has not analyzed whether the amount is enough to make a material difference.

Systems to provide child-centred support

Every child supported by child and family services requires a care plan. Care plans help to make support child-centred, since caseworkers can tailor plans to the needs of individual children.

When reviewing data on care provided by regional offices, we found that Indigenous children received less-frequent contact with caseworkers than non-Indigenous children. Further, Indigenous children had their care plans reviewed less often than non-Indigenous children. The department's reporting of these standards, and of other standards, does not identify the differences between the level of care for Indigenous children and the level of care for non-Indigenous children.

To analyze its performance in delivering child and family services, the department has identified five planned results for children receiving care. For example, the department measures the proportion of children and youth in temporary care who are reunited with their family and do not move into permanent care.

When the department assesses how well it is performing under these measures, it does not consider its performance for Indigenous children separately. It therefore does not know whether the results are less favourable for Indigenous children than they are for non-Indigenous children. In fact, we found the results *are* less favourable for Indigenous children. Despite the imbalances, the department does not set targets specifically aimed at improving its planned results for Indigenous children.

Intercultural understanding

First Nations, Métis and Inuit peoples living in Alberta each have their own approaches to caring for their children. Indigenous approaches to a child's well-being are ingrained in their cultures, history and ways of being. Each people has its own unique customs and approaches, but generally children form the centre of Indigenous concepts of family and community.

The term "culturally appropriate" pervades the department's documentation related to Indigenous clients. The prevalence of the term suggests that the department recognizes the need for awareness about cultural differences. However, the department provides no guidance to staff on what the term should mean. Without such guidance, there will be inconsistency in how the concept is applied, and the department will not know whether it is serving Indigenous families according to their cultural needs.

The department's training on intercultural understanding is insufficient. The only specific Indigenous-focused training the department requires is part of its delegation training for new social workers, and there is no requirement to update or retake the training regularly.

There have been some improvements in training in recent years. Some regional offices have undertaken their own initiatives to improve their staff's intercultural understanding, and the department has begun developing an expanded training program. However, the expansion of the program is still being planned, and the department does not know when it will be completed. The slow progress in improving training in intercultural understanding is at least partly due to a lack of coordination between internal divisions within the department.

We noted several effective practices in regional offices and Delegated First Nations Agencies to build cultural understanding and respect by integrating workers within an Indigenous context. The department has an opportunity to share best practices and promote improved intercultural understanding through experience-based learning.

What needs to be done

While there are complexities surrounding the delivery of child and family services to Indigenous children, we believe there is important work the department can do to make meaningful improvements. We therefore make three recommendations, one for each of our key findings above:

RECOMMENDATION 1: ENHANCE EARLY SUPPORT SERVICES

We recommend that the Department of Human Services:

- enhance its processes so that they include the needs of Indigenous children and families in the design and delivery of its early support services
- report to the public regularly on the effectiveness of early support services

RECOMMENDATION 2: ENSURE A CHILD-CENTRED APPROACH

We recommend that the Department of Human Services improve its systems to:

- ensure the care plan for each Indigenous child requiring intervention services is adhered to and meets the standards of care the department sets for all children in Alberta
- analyze the results of services to Indigenous children and report to the public regularly on its progress in achieving planned results

RECOMMENDATION 3: STRENGTHEN INTERCULTURAL UNDERSTANDING

We recommend that the Department of Human Services continue to enhance its staff training of the history and culture of Indigenous peoples, as well as its training of intercultural understanding. The department should seek the expertise of Indigenous leaders and communities when developing the training.

Engagement with other jurisdictions

As well as providing audit findings and recommendations on the three areas discussed above, we include in this report some broader observations on the delivery of child and family services to Indigenous children. Our observations focus on the relationships, often complex, between the Government of Alberta and other jurisdictions playing a role in service delivery. The complexities of these relationships affect the province's delivery of services to Indigenous families, so it is important to understand the relationships to see how they can be better aligned with service delivery.

There are three partners in the delivery of child and family services to Indigenous children and families: First Nations, Canada and Alberta. Trilateral engagement of this sort can result in challenges. For example, it is difficult to instigate change when the policies and practices of one partner are out of step with those of another.

A further challenge is in deciding who should pay for services given that a child in Alberta is, at the same time, under the jurisdiction of Canada. This particular challenge in another province led to Jordan's Principle, a child-first approach to ensure the needs of First Nations children are not lost in jurisdictional disputes over funding responsibility. Jordan's Principle states that the level of government of first contact should initially pay for services and later seek reimbursement from the appropriate level of government, if different.

Our main observations related to trilateral engagement can be summarized as follows:

- Although the shared goal is to achieve the best results for children needing care, each partner has unique roles and responsibilities, and priorities may not always align.
- Service needs are specified in one set of agreements, while funding is specified in others. These two types of agreement are not sufficiently aligned for funding to meet the requirements of service needs. Further, the complexities of updating agreements make it difficult to update funding to meet needs.
- As part of the Child and Family Services Trilateral Engagement Process, the partners have developed a five-year plan to safely reduce the number of First Nations children in care. The department will need to identify how it will integrate this work into its decisions on policy or practice.
- There is a lack of clarity on the Government of Alberta's interpretation of the scope of Jordan's Principle.

Relationships between the respective parties are defined through negotiated agreements, so we make no specific recommendation to the department regarding its relationships with First Nations and federal partners, or its participation in the Child and Family Services Trilateral Engagement Process. However, change will require improved relations with First Nations, as well as coordination among all partners. Specifically, the department will need to:

- continue to develop and promote renewed, respectful relationships with First Nations, Métis and Inuit peoples in Alberta
- develop its systems to support Indigenous leadership and their involvement in decisions that affect their children, in recognition of the right and ability of Indigenous peoples to determine what is best for their children
- prioritize its participation in the Child and Family Services Trilateral Engagement Process and implementation of the five-year action plan

As we see, some of the work necessary to improve results for Indigenous children is beyond the role of the department. However, the department still has a responsibility to work with First Nations and the federal government in carrying out this work.

Why this is important to Albertans

The continuum of care provided to the most vulnerable children and their families is vital work, and the consequences are tragic when the system fails. Long-term social costs are great. Indigenous children receiving services experience greater risk. As Alberta plans for a future of reconciliation and improved quality of life for Indigenous children, we must learn from past failures to ensure that the well-being of every Indigenous child is safeguarded and enhanced. The system must focus on the child.

AUDIT OBJECTIVES AND SCOPE

Our audit assessed whether the department has adequate systems to deliver child and family services to Indigenous children and families in Alberta.

We focused our audit on department records and activities for the period of April 1, 2012 to March 31, 2015. We also considered relevant new developments in policy and practice.

We examined department records, data and reporting. We reviewed relevant documentation at the department and interviewed staff at the department, at some of the department's regional offices and at some Delegated First Nations Agencies.

Our audit did not examine:

- **Delegated First Nations Agencies**—Delegated First Nations Agencies are bodies that are independent from the department. They provide services to First Nations children and families living on 39 of the 48 First Nations in Alberta. The agencies operate under the governance of a board and receive funding from the Government of Canada. We did not audit the operations, funding or governance of specific DFNAs.
- **Quality of care**—We did not assess the quality of care directly through detailed inspection of children's records and case files. Instead we assessed the department's systems to monitor case files to ensure they comply with standards.

We conducted our field work from August 2015 to June 2016. We substantially completed our audit on June 1, 2016. We conducted our work in accordance with the *Auditor General Act* and the standards for assurance engagements set out in the CPA Canada Handbook—Assurance.

We developed our criteria for this audit based on the entity's accountabilities and responsibilities and applicable legislation.

BACKGROUND

Continuum of care

Parents, families and communities share an interest in and responsibility for the safety and well-being of children. Parents and families sometimes experience difficulties in providing for the needs of their children. The Department of Human Services offers a range of services and programs designed to support families and communities when a child's security or development may be at risk in Alberta.

Children and families who experience difficulties are often supported effectively through the provision of prevention and early intervention services. Early interventions are typically short-term in nature and involve working with community organizations and partners to build parenting capacity, provide counselling services and help support stability in the home.

In other circumstances, where a child's safety or well-being may be at risk because of neglect or abuse, the department provides child intervention services. When the department receives a report of potential harm, it performs an assessment and, if ongoing services are required, may provide those services while the child remains at home. Alternatively, it may remove the child from the home on a temporary or permanent basis.

Together, early support services and child intervention activities and programs form a continuum of care to support vulnerable children and families (see Exhibit 1 below).

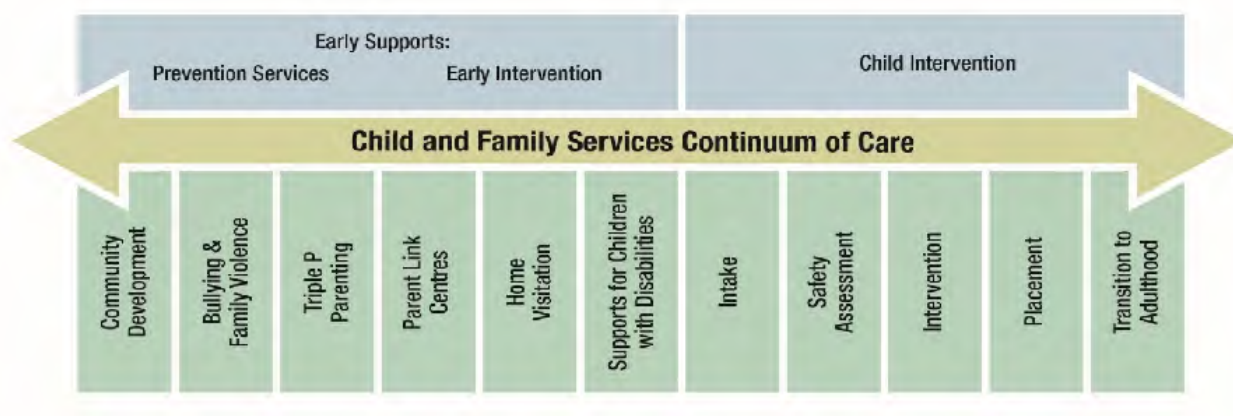


Exhibit 1 – Continuum of care for children and families

Note that provision of services does not necessarily progress from left to right. Early supports include a range of optional programs available to families. Child intervention phases are based on requirements of the *Child, Youth and Family Enhancement Act*. Families receiving child intervention services may also be referred to, or continue to participate in, community-based programs such as Parent Link Centres or home visitation for additional and ongoing support.⁶

Contemporary Indigenous children and families in Alberta

Alberta is home to a large and growing Indigenous child population. Indigenous peoples include the three main groups defined in the *Constitution Act (Canada)* as Aboriginal—First Nations, Inuit and Métis—as well as a small number of other Indigenous peoples.

One in 10 children living in the province is Indigenous (see Exhibit 2).

Proportions of Indigenous and Non-Indigenous Children in Alberta (2011)

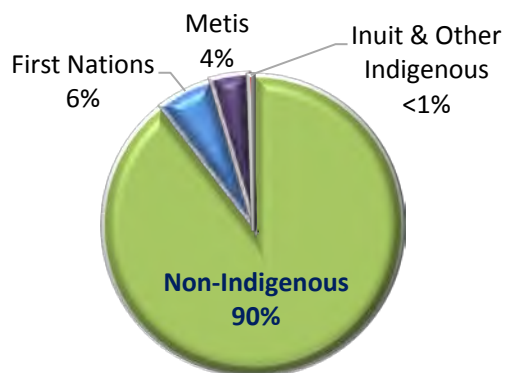


Exhibit 2—Alberta's child population in 2011⁷

⁶ Adapted from the Prevention and Early Intervention Framework for Children, Youth and Families, April 2012, page 7.

⁷ Department of Human Services citing Statistics Canada, 2011 Census.

Alberta is home to Canada's largest population of Métis peoples, and a large and growing number of Indigenous people in the province live in major urban centres. Edmonton has Canada's second largest urban Indigenous population.⁸

Three main First Nations treaty areas cross Alberta. Treaty 6, traditional lands of the Cree, covers the middle of the province. Treaty 7, traditional lands of the Blackfoot and Nakota, covers the south of the province. Treaty 8, traditional lands of the Woods Cree, Chipewyan and Dene, covers the north of the province.

Child and family services to Indigenous peoples in Alberta

The department is responsible for providing services to all children in the province. The federal government is responsible for providing funding for services for all First Nations children who normally live on reserve.

A few First Nations began administering their own child and family services in Alberta in the late 1970s through specific agreements with Canada and Alberta. Today Delegated First Nations Agencies provide child and family services to 39 of 48 First Nations communities on reserves in the province. The Department of Human Services provides services directly to eight communities through its regional offices.⁹ Regional offices also provide services to Alberta's large urban Indigenous population.

Agreements allow for the delegation of responsibility to First Nations agencies for service delivery. The province has entered into agreements with 17 Delegated First Nations Agencies. DFNAs deliver child and family services to First Nations children and families who normally live on reserves.

Although legal agreements outline respective roles and responsibilities, decisions over case management and funding responsibilities become complicated very quickly because of the governance and operating structures.

The governance structure for Delegated First Nations Agencies is outlined in Exhibit 3 on the following page.

⁸ Statistics Canada, Aboriginal Peoples of Canada, 2006.

⁹ One remaining community is not administered by the Government of Alberta and has no DFNA.

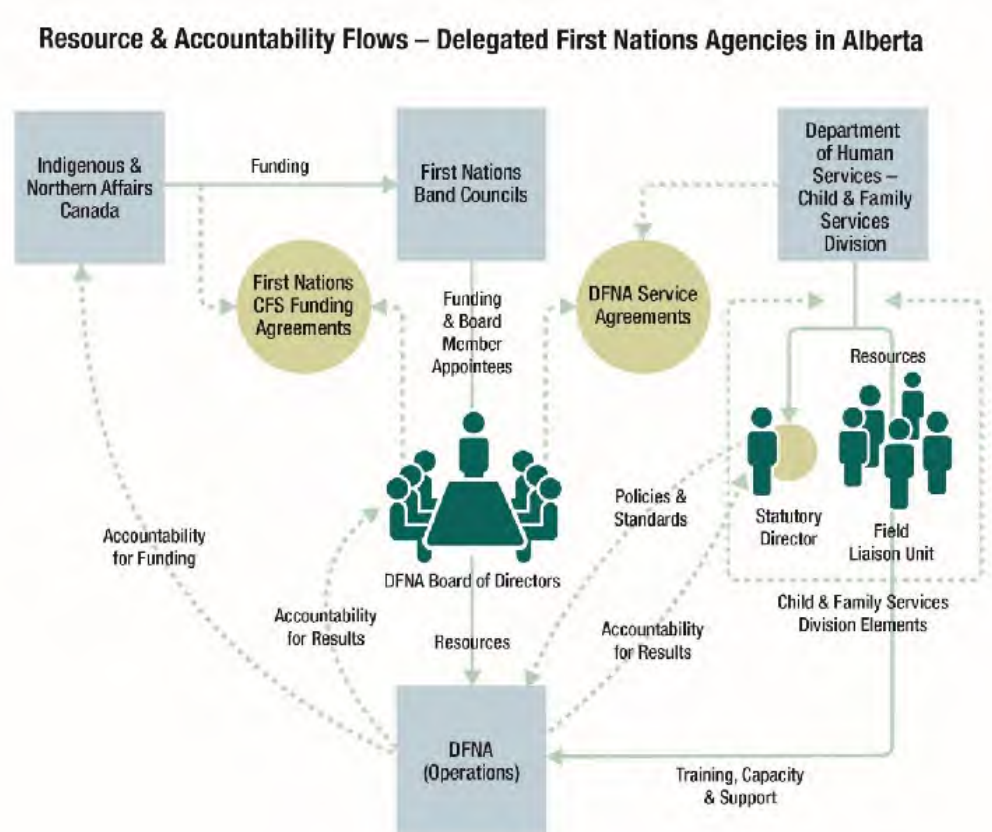


Exhibit 3—Governance structure for DFNAs

DFNAs report to a Board of Directors made up of representatives from its member First Nations. Agencies are also accountable to Canada for the funding they receive and to the province for ensuring they adhere to provincial standards for all children.

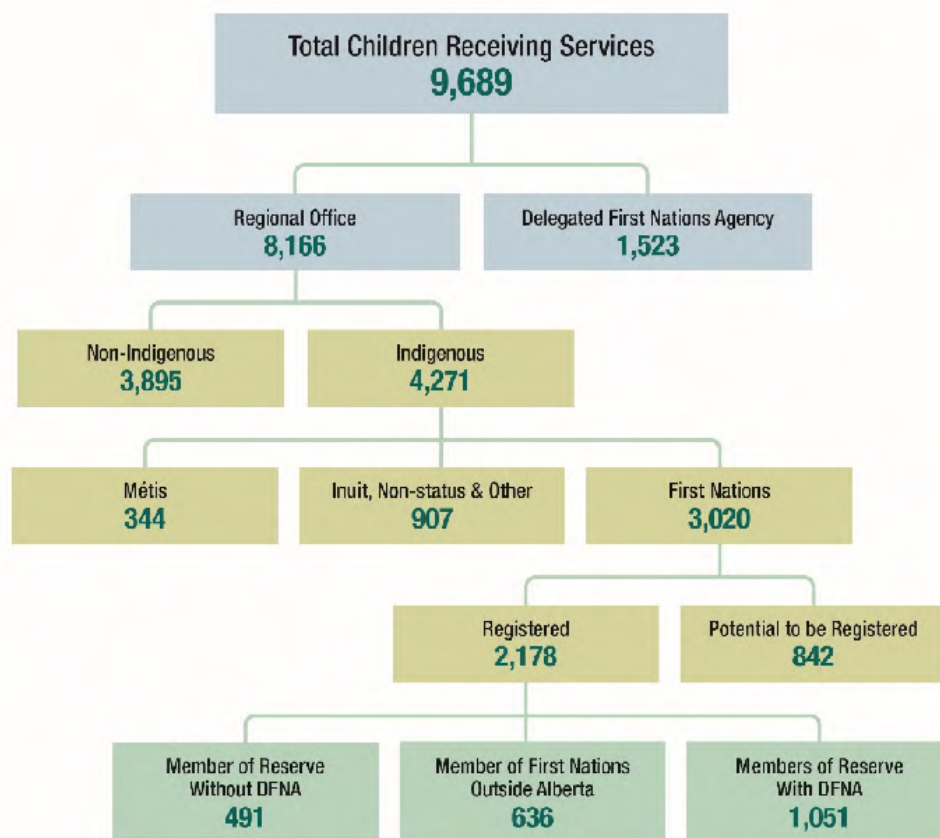
The department enters into agreements with DFNAs to deliver child and family services. Responsibility for delivering services is transferred to the First Nation agency through delegation; the agency agrees to deliver services that meet provincial standards.

Caseloads for regional offices and DFNAs

At March 31, 2016 the department reported an average monthly caseload of 9,689 children receiving child intervention services in the province. DFNAs averaged 1,523 children. The province provides services directly to the remaining children through its regional offices; more than half of these children are Indigenous.

Exhibit 4 provides a breakdown of the numbers of children receiving services from regional offices and DFNAs. First Nations children receiving services from regional offices have been identified as either being “registered” or having the “potential to be registered.” In this context, “registered” means First Nations children who have status registered with Indigenous and Northern Affairs Canada, and “potential to be registered” means children who are eligible to obtain status in the future by registering.

Average Monthly Caseload – 2015/2016

Exhibit 4—Average monthly caseload for 2015/2016¹⁰

FINDINGS AND RECOMMENDATIONS

Providing effective early support

BACKGROUND

Changes in practice over the past five years, such as the introduction of the Child Intervention Practice Framework and Signs of Safety, mean that more children, both Indigenous and non-Indigenous, remain in the home to receive services. However, Indigenous children are still apprehended—temporarily or permanently—much more often than non-Indigenous children.

Research indicates that a key to reducing the number of children in care is to promote the development of strong families. In describing the overrepresentation of Indigenous children in child welfare systems across the country, the July 2015 Report to Canada's Premiers states:

There is a body of evidence that suggests child welfare systems must evolve toward providing families with holistic, targeted, community-based programs and support systems that are culturally

¹⁰ The information is derived from the department's Intervention Services Information System data for the year ended March 31, 2016. A data extract from this system was provided to us by the department.

appropriate. The most effective prevention programs that are known to improve child welfare outcomes encompass a constellation of services that encourage family preservation.¹¹

The report continues:

In promoting the development of strong families, prevention services limit interactions with child protection authorities and quicken the return of apprehended children to the family home, thus reducing the numbers of children in care. It is for these reasons that prevention supports, including early intervention to families at risk, are seen as more effective than emergency intervention.¹²

In 2012 the department developed a model that describes its early support programs and its child intervention services as a continuum of care designed to provide the full range of support required by children and their families. Early supports can help strengthen vulnerable families, reducing the risk of neglect and safety problems before intervention by the department is required. The department refers to these early support services as “prevention and early intervention programs.”¹³ They are often grouped into three levels of prevention:

Primary prevention—Programs and services designed to build protective factors¹⁴ and prevent the development of risk factors. They are typically non-targeted programs and services accessible to families without screening requirements. Primary prevention includes programs such as early childhood development and parenting programs.

Secondary prevention (early intervention)—Involvement with families when vulnerabilities are first identified to strengthen protective factors, reduce the impact of risk factors and reduce the need for more intrusive interventions. Secondary prevention includes programs such as home visitation, youth mentoring and Family Support for Children with Disabilities.

Tertiary prevention (intervention or treatment)—More targeted interventions after the child has suffered maltreatment, designed to prevent its recurrence and reduce its negative effects. Tertiary prevention includes programs provided under Child Intervention Services such as in-home family support programs.

The department funds and supports a range of programs and services designed to provide prevention and early intervention supports to children and families.

In 2014–2015 these included:

PROGRAM	\$ (MILLIONS)
Family Support for Children with Disabilities (FSCD)	142.7
Early Intervention Services for Children and Youth. For example:	95.5
Parent Link Centres (\$28.5M)	
Home Visitation (\$10M)	
Triple P Parenting Programs (\$1M)	
Early Intervention Programs for First Nations (\$1.7M)	
Family and Community Support Services (FCSS)	76.0
Total	314.2

¹¹ Aboriginal Children in Care: Report to Canada’s Premiers, July 2015, page 23.

¹² Aboriginal Children in Care: Report to Canada’s Premiers, July 2015, page 23.

¹³ Prevention and Early Intervention Framework, Alberta Human Services, August 2012.

¹⁴ Protective factors are conditions in families and communities that increase the health and well-being of children and families—Prevention and Early Intervention Framework for Children, Youth and Families, Alberta Government, August 2012, page 4.

Our review did not specifically include the following programs: Early Childhood Development Programs, Fetal Alcohol Spectrum Disorder Awareness and Prevention, Head Start Programs, Youth Mentoring Programs and Prevention of Family Violence Programs.

Funding on reserve is the responsibility of the federal government, which provides funding and delivers some programs to First Nations. However, the availability of prevention and early intervention programs on reserve is very limited.

RECOMMENDATION 1: ENHANCE EARLY SUPPORT SERVICES

We recommend that the Department of Human Services:

- enhance its processes so that they include the needs of Indigenous children and families in the design and delivery of its early support services
- report to the public regularly on the effectiveness of early support services

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should prioritize prevention and early intervention services where appropriate. Specifically, it should have:

- processes to assess the needs of Indigenous children and families for early intervention and prevention services
- processes to ensure that service delivery by service providers aligns with identified needs, matching services with demand
- systems to monitor and report on the planned results of its early intervention and prevention services

OUR AUDIT FINDINGS

KEY FINDINGS

We found a lack of clear, coordinated processes regarding the provision, access, delivery and funding of early support services for Indigenous children and families. The department:

- does not have a system to identify needs for early supports or to align services with needs
- has limited public reporting on the results of its early support services
- has identified that Indigenous families underutilize its Family Support for Children with Disabilities program and has begun work on processes to increase awareness of the program by First Nations
- has funded some early supports on reserve for many years but has not assessed if the funding meets the level of need

Identifying needs for early supports

The department uses a variety of sources to obtain information about the needs of children and families for programs and services, both Indigenous and non-Indigenous. These include environmental scans, Canada and Alberta Incidence studies, work on National Outcome Measures and child intervention data. This research provides extensive information on the overall environment, but is not specific about who the programs and services are available and accessible to, and whether programming meets current requirements.

The department has also been involved with the departments of Education and Health to establish a project based on the Early Development Instrument (EDI), a tool to assess children's preparedness for school at the community level. To some extent this work has been helpful in developing an overall understanding of the needs of Alberta's children. For example, Human Services has used this information as one criterion to assess requests for new Parent Link Centres. EDI information is less helpful in understanding the needs specific to Indigenous children, however, because the information is

collected through provincial elementary schools so does not include data from schools on Alberta's 48 First Nations.

The department gathers information from a variety of sources, but it does not have a process to compile and analyze the data to assess needs for early intervention programs and services. It does not receive this information from its regional offices to compile a provincial view of current service needs or to assess how well needs are met by current programs.

Aligning funding with needs

Because the department does not have a process to document its needs assessment for prevention and early intervention services, we were unable to test whether funding was aligned with identified needs.

Of the programs we examined, Parent Link Centres, home visitation programs and Triple P Positive Parenting programs are funded by the department and administered by regional offices. Indigenous service providers deliver these programs in some cases, including on Alberta's eight Métis settlements. For example, there are five Indigenous Parent Link Centres designed to meet the needs of First Nations, Métis and Inuit families. These programs are not available on First Nations.

Family and Community Support Services is funded on a cost-shared basis: 80 per cent by the province and 20 per cent by municipalities. Programs are administered by municipalities and designed so that each community can meet the needs of its residents. Program roles, responsibilities and respective accountabilities are outlined in legislation.¹⁵ The legislation includes provision for the minister to enter into an agreement with the Government of Canada to establish services on reserve at the request of the Band Council.¹⁶ However, there are no FCSS programs operating on First Nations reserves. Métis settlements do offer FCSS programming.

The Family Support for Children with Disabilities program is available both on First Nations reserves and off. Use of the program by Indigenous families has been limited. The department has identified potential barriers and is working on processes to increase awareness of the program by First Nations.

Reporting on results for early support services

The department has identified short-, medium- and long-term planned results in its Prevention and Early Intervention Framework. However, it has not publicly reported against these planned results. There is limited reporting of results at the provincial level for prevention and early intervention programs. Reporting is particularly limited in terms of how well services meet the needs of Indigenous children, families and communities.

For individual programs such as the home visitation program, the department receives data on usage that it compiles into annual activity reports, but these do not speak to the usefulness or effectiveness of the services provided. The department uses an established survey tool to evaluate its Parent Link Centre programs. PLC users complete surveys that measure changes in parenting skills and knowledge and parental satisfaction with the program. The department also performed an evaluation at the 10-year anniversary of the first PLCs.

¹⁵ *Family and Community Support Services Act*, RSA 2000, Chapter F-3, current as of January 1, 2002, from <http://www.qp.alberta.ca/documents/Acts/F03.pdf>, accessed October 12, 2015.

¹⁶ *Family and Community Support Services Act*, RSA 2000, Chapter F-3, current as of January 1, 2002, S 3(4), from <http://www.qp.alberta.ca/documents/Acts/F03.pdf>, accessed October 12, 2015.

The department has developed results reporting for its Family and Community Support Services programs. Municipalities receiving FCSS funding are asked to report on one of five possible planned results. The department has compiled the results for 2013 and made them available publicly.

Information the department has received for programs such as home visitation, PLCs and FCSS does not assess or include reporting on the effectiveness of the programs in meeting the needs of Indigenous children and families. The programs are universally available, and the province relies on community-based program delivery to meet the needs of Indigenous families as needed. The department has no means to oversee whether this happens or whether the programs are working.

Funding for early intervention programs on First Nations

Although funding on First Nations is a federal responsibility, the department has also funded prevention and early intervention services to First Nations on reserve for close to 20 years. The amount is limited; a total of \$1.7 million is allocated to 18 First Nations or First Nations agencies. Funds are provided through annual contracts and are used for child-focused programs such as counselling and after-school and hot-lunch programs. The department receives annual reporting on the use of funds but has not assessed if overall program objectives are met or if available funding is sufficient and aligned to the needs of First Nations for early intervention programs and services.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

Early supports are valuable in keeping children safely with their families and communities and not in need of intervention services. Without this programming, this opportunity is lost. The consequences for Indigenous children and families can be significant.

Systems to provide child-centred services to Indigenous children

BACKGROUND

The department's systems to provide child intervention services are large, complex and decentralized.

However, the department administers one set of policies and standards to govern child intervention services in Alberta. Its systems are designed to safeguard and enhance the well-being of children in need of its services. Each child receiving services should have the same opportunity to benefit from the services they receive.

At the heart of the department's responsibility is the principle of delivering services that are child-centred; that is, the needs of the children are the primary focus of the design and delivery of child intervention services.

To determine whether the department's systems to provide child intervention services to Indigenous children support a child-centred approach, we examined three components—the department's systems to:

- monitor care against standards
- analyze and report on progress toward planned results
- support First Nations children living on reserve

Systems to monitor care against standards

We focused on determining if the department had systems to ensure regional offices and DFNAs had a care plan for each child receiving child intervention services, and to ensure regional offices and DFNAs followed up on those plans. Care plans are central to ensuring the needs of each child are met—and are therefore evidence of a child-centred system.

The department monitors care plans through its provincial standards monitoring process. Monitoring provides the department with the opportunity to understand results for children across the province and to determine whether their care meets standards set by the department. The monitoring process involves a detailed review of several thousand case files each year, comparing service with the department's six safety standards for its child intervention practice:

- emergency response and safety
- initial client contact
- planning for permanency
- caseworker contact
- cultural connectedness for Indigenous children
- placement

Reviews are conducted at all regional offices and DFNAs in the province. Regional office staff perform their own reviews, while department staff perform reviews at DFNAs. When performing reviews, the department tracks whether children are Indigenous.

We assessed data from 2012 to 2015 and performed detailed testing on the three standards most closely associated with care plans for Indigenous children:

- planning for permanency
- caseworker contact
- cultural connectedness for Indigenous children

Systems to analyze performance and report on results

Complying with minimum standards is important, but the department also reports on its progress in meeting planned results to know whether its programs and services are meeting the needs of children in the intervention system. It has identified five planned results for children receiving its services, based on various points along the continuum of care it provides:

- vulnerable children have the support they need to live successfully in their communities
- children in temporary care are quickly reunited with their families
- children in permanent care are quickly placed in permanent homes
- youth make successful transitions to adulthood
- Indigenous children live in culturally appropriate homes

The department uses a case management information system to track and manage the services it provides. It uses reporting from the system to understand and report against the results of cases managed at regional offices and DFNAs.

The department also includes its child and family services results as part of its performance reporting in its annual report. It reports:

- the percentage of children and youth who received child intervention services (family enhancement or protective services) and did not require protective services within 12 months of file closure
- the percentage of Aboriginal children in foster care or kinship care who are placed with Aboriginal families

We examined the department's internal and external reporting on its performance. We looked specifically at how and where the department identifies and analyzes the results experienced by Indigenous children as part of its results analysis process.

Systems to support First Nations children

First Nations children experience different service delivery depending on where they live. They may receive services through provincial delivery systems, or from a DFNA if they live on a reserve served by a First Nation agency. Each has unique challenges.

DFNAs deliver services guided by the terms set out in agreements between the province, member First Nations and sometimes the Government of Canada. The agreements establish complex relationships and are subject to some variation in practice and service delivery; however, all include provisions that they will meet provincial legislation and standards.

Regional offices deliver services to First Nations children and families through provincial delivery systems. Legislation indicates that Aboriginal traditions and culture should be considered and that a band's representative should be consulted and involved in the care of its members' children.¹⁷ Further, legislation states the importance of preserving the cultural identity of a child through a cultural connection plan.

RECOMMENDATION 2: ENSURE A CHILD-CENTRED APPROACH

We recommend that the Department of Human Services improve its systems to:

- ensure the care plan for each Indigenous child requiring intervention services is adhered to and meets the standards of care the department sets for all children in Alberta
- analyze the results of services to Indigenous children and report to the public regularly on its progress in achieving planned results

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should have adequate systems to:

- ensure care plans for children receiving child intervention services exist for each child and are followed by regional offices and DFNAs
- report on and evaluate the results of child intervention services it provides

OUR AUDIT FINDINGS

KEY FINDINGS

- Compliance results for Indigenous children receiving services are less favourable than for non-Indigenous children. For example, Indigenous children in Alberta receiving services from regional offices experience less-frequent caseworker contact and less-frequent review of their care plans than non-Indigenous children.
- Results analysis and reporting specific to Indigenous children receiving services is limited.
- Complex governance and operating structures have hindered DFNAs' ability to provide services that are appropriate to need.

Deficiencies in file review processes

The department does not have a process to follow up on instances where it has identified service does not meet provincial standards. Upon completion of file reviews, results are sent to case managers and supervisors. However, the department does not obtain or maintain sufficient information to ensure that

¹⁷ *Child, Youth and Family Enhancement Act*, RSA 2000, Chapter C-12, S2(p), S107, current as of July 23, 2014.

caseworkers correct deficiencies in case files. The department relies on regional offices and DFNAs to make necessary corrections.

The department lacks strong follow-up processes and clear accountability for results. It has accepted non-compliance in casework, and needed improvements have not happened. We examined three years of file review results and found that regional offices and DFNAs do not consistently comply with provincial standards and there has been no significant improvement over that period. For two particular key standards—making a permanent care plan and caseworker contact—results are actually worse.

In 2014–2015 the overall provincial compliance rate for the planning for permanency standard was 65 per cent. The compliance rate for the caseworker contact standard was 16 per cent. This means that out of the approximately 10,000 children receiving services from the department, more than 8,000 did not receive frequent enough contact with their caseworker to meet the minimum standards.

Regular and ongoing contact with a child receiving services is so important that it is one of the six minimum standards of care. The standards require that evidence of contact be documented. Evidence is how the department knows the contact took place.

In the review of a particular two-year-old child, the department identified a number of deficiencies in the file, including:

- five or more monthly contacts were missed
- the longest gap between face-to-face contact was more than seven months
- the child's care plan had not been reviewed every three months

In this case, and others where contact is not evidenced, the department is unable to distinguish whether the caseworker did not make the necessary contact with the child, or whether they made the contact but did not document it in the file. The department's monitoring processes record either circumstance as no contact.

Indigenous children experience more non-compliance

The data we analyzed showed that Indigenous children throughout the province receive care that is consistently less likely to meet provincial standards than non-Indigenous children.

Compliance results for regional offices

The majority of First Nations, Métis and other Indigenous children receiving child and family services receive those services from one of the department's regional offices. Children receiving services from regional offices have access to specialists, contracted support workers and other provincial services to help ensure they receive the care they need.

However, in assessing the department's file review results, we found that in regional offices, Indigenous children were, on average:

- more than twice as likely not to have had their permanency plan followed up every three months (see Exhibit 5 on page 19)
- nearly one-and-a-half times as likely not to have face-to-face contact with their caseworker every three months (see Exhibit 6 on page 20)
- more than one-and-a-half times as likely to have gaps of seven months or more between face-to-face contact with their caseworker (see Exhibit 7 on page 20)

In its reporting of the results of compliance reviews, the department does not report separately on the care received by Indigenous children. In the absence of this reporting, we used the department's data, isolated the results for Indigenous children and compared those results to non-Indigenous children receiving services from regional offices.¹⁸ We have presented three years of data in the following charts to illustrate the trends over that time period (see Exhibits 5, 6 and 7 on pages 19–20).¹⁹

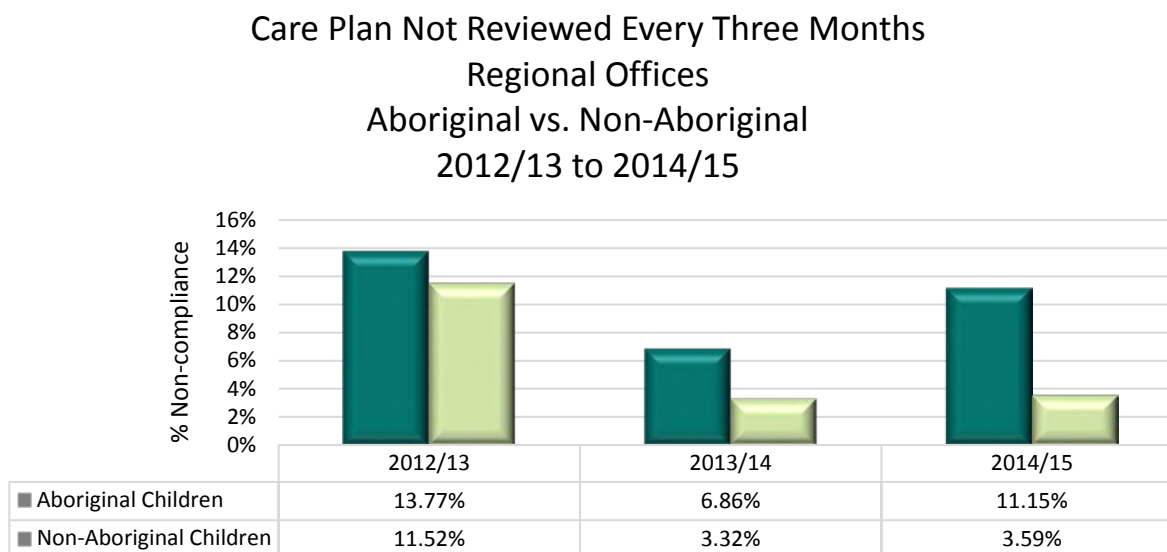


Exhibit 5—Non-compliance on care plan reviews, regional offices²⁰

¹⁸ The department uses the term “Aboriginal” to refer to First Nations, Métis and Inuit children receiving services. We have used the same terminology to present information in the following charts, as we have used the department's data for this presentation.

¹⁹ This non-compliance information is derived from the department's Provincial Standards Monitoring system data for the three years ended March 31, 2015. A data extract from this system was provided to us by the department and included information for those children receiving services. The extract included a specific identifier for children receiving services as Aboriginal or non-Aboriginal. We summarized those identified as Aboriginal and those not identified as Aboriginal to calculate the percentages included in the following charts.

²⁰ Calculated as the count of files for children and youth who did not have their care plan reviewed every three months divided by the total number of files reviewed for each year.

No Face-to-Face Contact Every Three Months
Regional Offices
Aboriginal vs. Non-Aboriginal
2012/13 to 2014/15

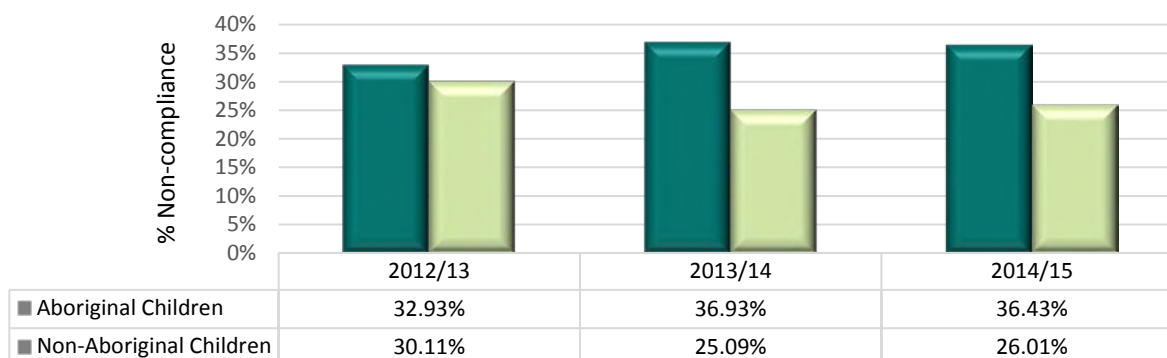


Exhibit 6—Non-compliance on face-to-face contact, regional offices²¹

Gaps in Face-to-Face Contact of Seven Months or More
Regional Offices
Aboriginal vs. Non-Aboriginal
2012/13 to 2014/15

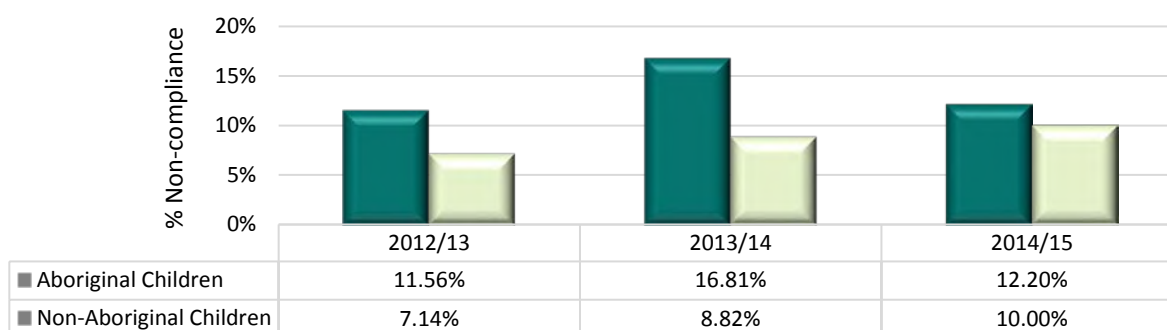


Exhibit 7—More than seven months between face-to-face contact, regional offices²²

The department had not performed an analysis to compare compliance results for Indigenous and non-Indigenous children. It was unaware of the differences Indigenous children experience.

²¹ Calculated as the count of files for children and youth who did not receive face-to-face contact every three months divided by the total number of files reviewed for each year.

²² Calculated as the count of files for children and youth who had gaps in face-to-face contact greater than seven months divided by the total number of files reviewed for each year.

Compliance results for DFNAs

We found that children served by DFNAs experience care that does not meet standards at rates that are, on average, double those of children served by regional offices.

The department's field liaison group supports DFNAs in meeting provincial standards. However, the group's capacity is constantly stretched. It spends much of its time filling front-line staff roles in DFNAs because many agencies experience persistent staff shortages. The field liaison group also trains delegated agency staff in changing practices and tools, and deals with other matters as they occur. As a result the group often works more in crisis-management than building capacity for improved service delivery.

Compliance reporting is insufficient and not used

The department's internal reporting of compliance results is primarily quantitative and lacks sufficient analysis of results. We examined reporting for individual regions and DFNAs, and at the province-wide level. We found the reporting provides standard descriptions of context around the standard and the compliance rates on a per cent basis. However, we found no substantive analysis of results and no strategies for improvement in results reporting.

Compliance results analysis and reporting were insufficient to identify the worse results experienced by Indigenous children. Reporting considers Indigenous children separately only in the standard for cultural connectedness. Even then the reporting for the standard does not directly identify whether or not a child was appropriately culturally connected. Cultural connection did not meet standards for one-quarter of Indigenous children in the three years we analyzed. The department does not analyze or report on differences for Indigenous children in results for the other four practice standards.

Documentation of senior management's use of compliance monitoring results is limited. We reviewed meeting minutes, talked to staff at all levels and reviewed three years of compliance results. It is not evident how results have been used to make needed improvements in practice.

For example, reported compliance rates for caseworker contact are below 20 per cent year-on-year, and there has been no immediate plan for improvement. Leadership must drive needed change—the level of detail and qualitative analysis possible through provincial standards monitoring can help guide this change.

Analyzing performance and reporting results for Indigenous children

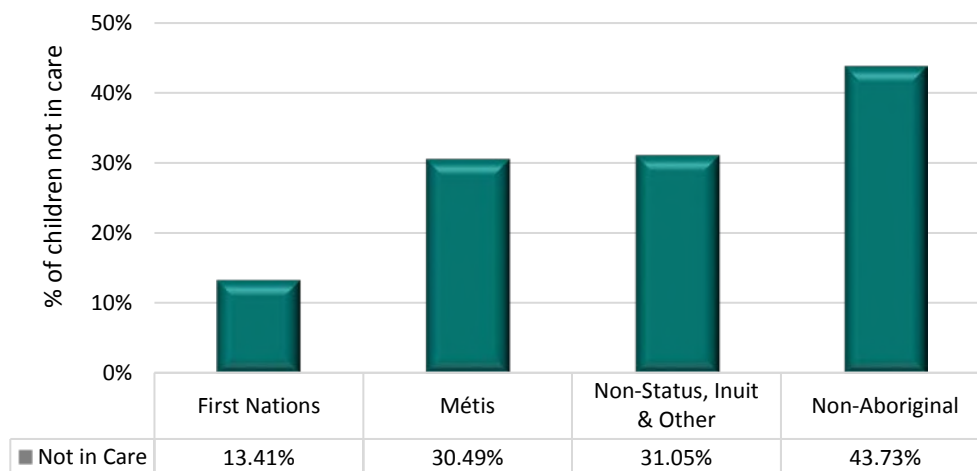
Despite the overrepresentation of Indigenous children receiving services and in care, the department's analysis system is not focused on understanding why Indigenous children experience different results.

Continued overrepresentation of Indigenous children

The department has made significant changes to its practice in recent years. The department's new practice focuses on supporting children in their homes and communities when possible, and taking them into care when there is an immediate safety concern in accordance with statutory requirements.

The department reports internally and publicly on the numbers and proportions of Indigenous children in care and receiving services, caseloads and other information regarding the number of children receiving services. Despite practice changes, Indigenous children—particularly First Nations children—continue to receive services in their home less often than non-Indigenous children (see Exhibit 8 on following page).

Children Receiving Services at Home Aboriginal vs. Non-Aboriginal Average Monthly Caseload 2014/15



**Exhibit 8—Not-in-care caseload as a percentage of total,
Indigenous children vs. non-Indigenous children²³**

(Note: “Not in care” means a child is receiving services while remaining in their home)

The department does not have a goal, target or specific strategy to safely reduce overrepresentation or correct the inequity in results experienced by Indigenous children.

Internal results reporting needs improvement

The department has developed measures for four of the five planned results it uses to measure its child intervention practice. Reporting against these planned results should allow regional offices, DFNAs and department staff to understand how well its practice is working. However, we found the following parts of the system were not in place:

- concrete, defined short- and medium-term goals to guide progress toward long-term planned results
- performance targets or indicators for each measure and a means to update them
- regular reporting of measures against all five desired results with analysis of the results and assessment of required changes

Limited reporting and analysis of results for Indigenous children

The department prepares only limited analysis and reporting of results for the Indigenous children receiving services. We found that in some monthly reporting, specific operational statistics look at Indigenous results separately from non-Indigenous results. We also examined several custom, one-time reports that focused on Indigenous children.

During our audit we requested more detailed reporting of the department’s five planned results to understand how First Nations, Métis, Inuit, non-status First Nations and other Indigenous children experience the system. The department does not regularly examine the results and experiences of Indigenous children at this level of detail.

²³ “Potential to be registered” refers to First Nations children who have not yet been registered with Indigenous and Northern Affairs Canada as status First Nations but may be eligible to be registered.

We assessed data used by the department to measure results against four of the five child intervention practice framework outcomes. We looked specifically at results for Indigenous children.

In regional offices, we identified that Indigenous children experience results that are consistently less favourable than for non-Indigenous children. A comparison of results for Indigenous children between regional offices and DFNAs indicated that DFNAs are achieving better results for Indigenous children on some measures than regional offices. Refer to Appendix B for a detailed summary of the results.

Department level reporting is insufficient and lacks relevance

We found that the department's performance measures of child and family services do not provide decision makers or Albertans the information they need to understand whether the services delivered to children and families are working well.

The department's annual report includes two performance measures for child and family services, including one specific to Indigenous children. The report provides context for initiatives and key activities undertaken in the year but does not explain how much they cost and whether they worked.

The current measures lack relevance to decision makers and Albertans. We reviewed minutes of executive management meetings between 2012 and 2015 and found no documented discussion of the measures or their results. Executive management discussed other relevant information such as fatalities and serious injuries for children under the department's care.

The department is currently reviewing the measures.

Ensuring First Nations children receive services appropriate to need

DFNAs experience a number of structural barriers that affect the service they provide to 1,500 children, including:

- inequities in the funding they receive from the federal government when compared to their provincial counterparts
- dated and rigid funding structures that implicitly encourage DFNAs to place children in care
- limited access to contracted support services, social work specialists, mental health services and trained counsellors to support children in their homes
- problems with high staff turnover
- unreliable network connectivity and limited information technology support in many cases

Neither DFNAs, the federal government nor the department can solve these problems unilaterally. However, the department is responsible for designing the standards and policy used to deliver services in Alberta, including by DFNAs. It also develops practice tools to support service delivery.

In recent years the department has made substantial changes to its practice. As it introduced these changes, the department has often failed to accurately judge the resource capacity and/or desire of DFNAs to make the changes.

In response, the department's field liaison group has nearly tripled in size in the past five years. It works with DFNAs to bridge disparities and build capacity, but overcoming the structural barriers is a continual challenge.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

The department is responsible for safeguarding and enhancing the well-being of all children in the province. If the department fails to develop systems to ensure Indigenous children receive the care they require, Indigenous children will continue to be disadvantaged.

Systems to promote intercultural understanding

BACKGROUND

First Nations, Métis and Inuit peoples living in Alberta each have their own approaches to caring for their children. Indigenous approaches to a child's well-being are ingrained in their cultures, history and ways of being. Each people has its own unique customs and approaches, but generally children form the centre of Indigenous concepts of family and community.

Positive, effective and lasting relationships are key to making meaningful improvements in the way the department serves Indigenous children and families. The foundation of these relationships is reconciliation, respect and deep understanding of Indigenous world views and ways of being.

The Truth and Reconciliation Commission of Canada underlined the importance of developing understanding, respect and reconciliation to support positive relationships through staff training and intercultural competency.²⁴ Call to Action 57 reads:

We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

The department acts in a number of areas to facilitate work with Indigenous peoples in Alberta and notify communities of changes it is making. We focused our analysis on the department's systems to develop and promote understanding of Indigenous world views and work with Indigenous partners to promote Indigenous involvement in decisions that affect their children and families.

In response to recommendations from a 2010 review of its child intervention system,²⁵ the department created the Indigenous and Community Connections division.²⁶ The division's broad mandate includes supporting child and family services to achieve improved outcomes for Indigenous people in Alberta through cultural understanding, relation building and strategic leadership.

The Truth and Reconciliation Commission of Canada highlighted the importance of rigorous and universal training to promote and support robust intercultural understanding to guide relationships and reconciliation.

RECOMMENDATION 3: STRENGTHEN INTERCULTURAL UNDERSTANDING

We recommend that the Department of Human Services continue to enhance its staff training of the history and culture of Indigenous peoples, as well as its training of intercultural understanding. The department should seek the expertise of Indigenous leaders and communities when developing the training.

²⁴ Truth and Reconciliation Commission of Canada: Calls to Action, 2015.

²⁵ Closing the Gap Between Vision and Reality: Strengthening Accountability, Adaptability and Continuous Improvement in Alberta's Child Intervention System, Final Report of the Alberta Child Intervention Review Panel, June 30, 2010.

²⁶ When the division was originally created, it was called the Aboriginal Engagement and Strategy division. It was renamed the Indigenous and Community Connections division in April 2016.

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should have systems to ensure child and family services workers receive adequate training on First Nations, Métis and Inuit history and cultural practices.

OUR AUDIT FINDINGS

KEY FINDINGS

The department has not:

- provided guidance to staff to clarify its expectations for providing “culturally appropriate” services
- provided sufficient training in intercultural understanding; it identified the need for more comprehensive training in 2010, but progress since then has been minimal
- widely adopted or supported identified best practices within regions and DFNAs

Guidance to define “culturally appropriate”

The department does not have a working definition or consistent explanation of its expectations in the context of providing “culturally appropriate” services to Indigenous clients. During our audit we reviewed the department’s strategies, plans, standards, policy and presentations. We found the term “culturally appropriate” to be pervasive throughout the documents when referring to Indigenous clients. When documents expanded on the concept, the discussions were often vague and inconsistent.

The prevalence of the term suggests that the department recognizes the need for awareness about cultural differences. Indigenous communities have their own protocols and practices, so there can be significant differences among groups. The department has not provided guidance or outlined a process to clarify how it expects the uniqueness of Indigenous cultures, heritage and traditions to be respected and considered.

Without an agreed-upon working definition and guidelines for practical use as a starting point, the department cannot expect consistent application of the concept. Nor can it judge whether appropriate consultation has occurred or if it is serving Indigenous children and families in a culturally appropriate way.

Current training is not sufficient

The mandate of the Indigenous and Community Connections division includes the development of internal training to build Indigenous cultural understanding throughout the department.

In the five years since the division was created, it has developed tools and materials designed to assist in building good relations with Alberta’s Indigenous communities. However, the child and family services training materials have received minimal attention. As of early 2016, the division had begun work on developing an expanded training program in Indigenous cultural understanding. The training remains in a planning stage and the timeline for its completion and adoption is unknown.

Currently, the only specific Indigenous-focused training the department requires is part of its delegation training for new social workers. The training is provided to new front-line workers and supervisors. There is no requirement to update or retake the training regularly.

The Indigenous component of the training contains aspects of Indigenous history, including residential schools and the Sixties Scoop, as well as Indigenous social work and strategies to work with individuals.

The Indigenous and Community Connections division, the department's internal group of experts, has not reviewed the training materials. Further, the department has not partnered with Indigenous groups, DFNAs or other external experts to specifically assess training needs or identify best practices.

Through interviews with individuals in the department and front-line staff at regional offices we found that the current required training is not sufficient.

Some regional offices have undertaken their own initiatives to improve the intercultural understanding of their staff. One region contracted a neighbouring delegated agency to design, develop and deliver an in-depth training program for its staff. The training promotes cross-cultural understanding and respect for Indigenous children, families and others.

Indigenous staff in and outside of the department reported instances of paternalistic attitudes and a lack of understanding of the structural challenges that affect DFNAs in their dealings with regional office staff. The lack of understanding was not universal, but instances occurred across the province.

The slow progress in this area is at least partly due to a lack of coordination between internal divisions within the department. The Child and Family Services division also has expertise in relations with Indigenous peoples through its field liaison group. There is a lack of clarity around the roles and responsibilities between that division and Indigenous and Community Connections to strengthen Indigenous communities and improve intercultural understanding to better support child and family services.

Intercultural best practices

We noted several effective practices in regional offices and DFNAs to build cultural understanding and respect by integrating workers within an Indigenous context.

The South Region ran a trial program to temporarily exchange staff with a neighbouring delegated agency. Staff in the region and the delegated agency benefited from cross-cultural learning, as well as by developing relationships and understanding of their different operating environments.

Some DFNAs experience persistent staff turnover. The department's field liaison group provides support to temporarily fill shortages. Many members of the department's field liaison group began their careers in regional offices as front-line staff. They report that it was not until they began working with DFNAs that they started to understand the challenges experienced by these agencies.

The department has an opportunity to share best practices and promote improved intercultural understanding through experience-based learning. Temporary placements could also free up capacity within field services to focus on training and sharing expertise.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

Understanding Indigenous world views is a vital first step in developing respectful, productive relationships with Indigenous communities. Relationships and the decisions they support impact every individual in the organization and the children they serve, every day.

Engagement with other jurisdictions

The findings and recommendations earlier in this report concern matters that the department can act on directly within its mandate. To conclude this report, we turn to several observations on the broader picture. To understand more fully why progress on the delivery of child and family services to First Nations children is difficult, it is necessary to understand the complex interactions between the Government of Alberta, the federal government and First Nations. We highlight four main observations:

Relationships defined through negotiated agreements—The structure established in agreements between the various jurisdictions makes the provision of services complicated. Despite the shared goal of improved results for children, each partner has unique roles and responsibilities, and priorities may not always align.

Funding implications—Service needs are specified in one set of agreements, while funding is specified in others. These two types of agreement are not sufficiently aligned for funding to meet the requirements of service needs. Further, the complexities of updating agreements make it difficult to update funding to meet needs.

Trilateral process and action plan—As part of the Child and Family Services Trilateral Engagement Process, the partners have developed a five-year action plan to safely reduce the high number of First Nations children in care. The department will need to identify how it will integrate this work into its decisions on policy and practice.

Jordan's Principle—Alberta supported Jordan's Principle in 2008. However, a lack of clarity on its scope has impeded the province's progress in adopting it.

Because these observations concern jurisdictions other than the Government of Alberta, it is beyond our mandate to make formal recommendations on them.

Relationships defined through negotiated agreements

First Nations have a unique relationship with Alberta and Canada. Interests may overlap, so the different jurisdictions must negotiate respective roles and responsibilities. With regard to child and family services, the results of these negotiations are embodied in the Administrative Reform Arrangement and the DFNA service agreements.

Administrative Reform Arrangement

The Governments of Canada and Alberta entered into an agreement²⁷ in 1991 to provide funding and administration for child and family services and other social services to First Nations peoples in Alberta. The agreement is based on the principles that:

- services should take into account Indigenous “culture, values, language and experiences”
- Canada and Alberta support the establishment, management and delivery of child and family services and other community-based social services by and for First Nations
- Canada will arrange for the delivery of services comparable to those provided by Alberta to other residents
- Alberta will directly deliver or enter into agreements with First Nations or First Nations agencies to deliver child and family services. Alberta agrees to consult with First Nations, their designate or their delegated agency in instances where a child who is a member of a band is apprehended.

²⁷ Arrangement for the Funding and Administration of Social Services, effective April 1, 1991.

Under this agreement the department bills Canada for child and family services it provides to First Nations communities on reserve that are not served by a DFNA. When the department provides services off-reserve to children and families residing in First Nations communities served by a DFNA, it bills the agency directly for these services. Refer to Appendix C for a more detailed explanation of the billing process.

The Administrative Reform Arrangement includes child intervention services and other social service programs, such as Family Support for Children with Disabilities. The agreement has never been amended and has not been reviewed since 2003, despite significant changes to legislation, programs and practices.

DFNA service agreements

Service delivery on reserves is guided by the terms set out in agreements between First Nations bands and the province, and in some cases the federal government. There are both bilateral and trilateral agreements. Each agreement is negotiated with the respective First Nations, so they are subject to service and practice variations.

However, each agreement includes commitments to meet legislation, policy and standards set by the department for all children in Alberta. The agreements also include commitments by the department to consult with DFNAs on the care of children of its member First Nations. This means when a child who is a member of a First Nation receives care from another regional office or delegated agency, the office must involve the delegated agency director in care decisions. This involvement is often facilitated through First Nations designates.

First Nations designates

Provincial legislation²⁸ and agreements between Alberta, First Nations and Canada acknowledge the role of First Nations designates in ensuring First Nations are involved in planning regarding their members' children. First Nations chiefs and councils appoint First Nations designates to support case planning for children who are in care away from their First Nations community. Designates have an understanding of the families, extended families and communities involved and provide the cultural connections with Elders and other resources on reserve.

The designate's role and funding have been the subject of ongoing discussion, in part because First Nations, the province and federal counterparts interpret the provisions for financial responsibility within their agreements differently. In recent years, the provincial government has provided grants to treaty areas to assist with developing business cases and continued support for designates, but there is no permanent financial support in place.

Funding implications

The Administrative Reform Arrangement and DFNA service agreements establish governance and operational structures that make the provision of services to First Nations complicated. Federal, provincial and First Nations priorities may not always align, despite the shared goal of improved results for children. This misalignment makes funding for child and family services challenging.

The province funds services for Indigenous children and families living off-reserve. The federal government funds child intervention services on reserve through individual agreements with DFNAs, communities or the province. First Nations in Alberta are funded under a federal model called the

²⁸ *Child, Family and Youth Enhancement Act*, RSA 2000, Chapter C-12, S107(1), current as of July 23, 2014.

Enhanced Prevention Focused Approach, which includes funding for early interventions and prevention as well as agency operating costs and the costs of maintaining children in care.

In January 2016, after years of disagreement between the federal government and First Nations over the funding for child and family services on reserve, the Canadian Human Rights Tribunal concluded that “First Nations children and families living on reserve ... are denied equal child and family services and/or differentiated adversely in the provision of child and family services.”²⁹ Discriminatory practices were found to be due to “[Aboriginal Affairs and Northern Development Canada]’s design, management and control of the First Nations Child and Family Services (FNCFS) Program, along with its corresponding funding formulas and other related provincial/territorial agreements.”³⁰

The tribunal panel issued orders to the federal government to cease its discriminatory practices and reform its FNCFS Program to reflect the decision’s findings, and also to immediately implement the full meaning and scope of Jordan’s Principle. Funding changes that may result from the ruling are currently unknown, but First Nations and DFNA in Alberta have reason to expect positive changes to come.

Prevention and early intervention funding

Although funding on First Nations is a federal responsibility, the department has also funded prevention and early intervention services to First Nations on reserve for close to 20 years, creating a lack of clarity around established funding roles. We discussed prevention and early intervention programs on page 15.

Trilateral process and action plan

The department has participated in the Child and Family Services Trilateral Engagement Process since 2010. The group includes representatives from Treaty 6, 7 and 8 organizations, Indigenous Relations, and the department’s Indigenous and Community Connections division and Child and Family Services division. The federal government joined in 2013–2014, represented by Indigenous and Northern Affairs Canada and Health Canada.

The group focuses on safely reducing the high number of First Nations children in care and informing the development and implementation of an action plan. In 2015 the group developed a five-year action plan identifying key short- and long-term priorities.

The department will need to identify how it will integrate decisions and work from the action plan into its decisions on policy and practice.

Integrating Indigenous partners into practice

The department balances the development of service delivery, monitoring and reporting for all children with the unique needs of Indigenous children, families and communities. These latter needs include the complex governance and operating structures described above.

Signs of Safety and First Nations practice standards represent opportunities for the department to work with its delegated agency partners to further develop positive, supportive relationships based on incorporating more Indigenous culture and practices into its child and family services processes.

²⁹ Canadian Human Rights Tribunal Decision, Citation: 2016 CHRT 2, January 2016, paragraph 456, page 160.

³⁰ Canadian Human Rights Tribunal Decision, Citation: 2016 CHRT 2, January 2016, paragraph 458, page 161.

Signs of Safety

Signs of Safety is a new approach to practice originally developed in Australia and piloted by two First Nations child services agencies. The tool helps front-line staff consider the skills, strengths and resources existing in a family when making child intervention decisions. The department adopted the Signs of Safety approach in 2013 and rolled it out across the province after more DFNA's and regional child and family services offices were using it. The approach has been instrumental in promoting positive change and has helped reduce the number of children in care.

The department has made adopting the Signs of Safety approach optional for DFNA's. For a variety of reasons, most DFNA's have only partially adopted the approach. There are specialized training requirements to implement the approach that pose challenges for some DFNA's because of resource limitations; other DFNA's have found it did not fit with their practice approaches.

First Nations practice standards

In 2003 the department provided support for the development of First Nations practice standards by working with DFNA's to form a joint steering committee. The committee was tasked with developing practice standards for First Nations communities that reflected a holistic, family- and community-centred approach incorporating First Nations culture and traditions while promoting safety and well-being. Progress was made until 2006, but the group was not successful in getting full agreement with the draft standards.

The department did not endorse the standards because there was a lack of consensus. Progress on the standards for the next several years was limited. DFNA's still varied their use of the standards—some have incorporated them into their agreements and into practice, some use portions of them and others do not use them at all.

Jordan's Principle—Putting the needs of children first

Jordan's Principle was established in the wake of a tragic situation in Manitoba, where Jordan River Anderson, a First Nations child, died before a jurisdictional dispute over payment for the services he needed was resolved. After spending his first two years of life in hospital, Jordan was medically able to be moved to a specialized foster home. But Canada and the Province of Manitoba could not agree on who should pay for the costs. Jordan died in hospital at the age of five, having never lived at home or in his community.

In 2007 Jordan's Principle received unanimous support in the House of Commons and has since been supported by all provinces in Canada. The principle means that when funding disputes occur involving the care of First Nations children, the level of government of first contact will pay for the required services and seek reimbursement from the appropriate level of government later.

Western premiers—including Alberta's—supported Jordan's Principle in 2008. In 2012 the Canadian Pediatric Society described Alberta's adoption as poor.³¹ The report stated that Alberta had not adopted a child-first approach.

All levels of government have debated the interpretation and scope of Jordan's Principle. Recent court decisions, the Truth and Reconciliation Commission of Canada, and the January 2016 Canadian Human Rights Tribunal decision have called on governments to take a broad and inclusive interpretation of the principle.

³¹ Are We Doing Enough?: A Status Report on Canadian Public Policy and Child and Youth Health, 2012 Edition, Canadian Paediatric Society, page 29.

When we examined the department's approach to Jordan's Principle cases, we found there was no plan or documented process. The department was unsure how many, if any, Jordan's Principle cases involving child and family services clients have occurred since 2008.

The reason progress on Jordan's Principle has been limited is that the government as a whole has not clarified its interpretation of the scope of Jordan's Principle. Before the department can make progress, the government will need to clarify its position.

Adopting and implementing Jordan's Principle would require the department to define a process and communicate it to front-line staff and others who may encounter potential Jordan's Principle cases.

TRUTH AND RECONCILIATION COMMISSION OF CANADA CALLS TO ACTION

Child welfare

In January 2016, the Truth and Reconciliation Commission of Canada made 94 Calls to Action as a result of its extensive review of the impacts of the Residential School System. The first five actions related to child welfare. We include them here as a reminder of the important work ahead for all levels of government across Canada.

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
 - a. monitoring and assessing neglect investigations.
 - b. providing adequate resources to enable Aboriginal communities and child welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
 - c. ensuring social workers and others who conduct child welfare investigations are properly educated and trained about the history and impacts of residential schools.
 - d. ensuring that social workers and others who conduct child welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
 - e. requiring all child welfare decision makers consider the impact of the residential school experience on children and their caregivers.
2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and publish annual reports on the number of Aboriginal children (First Nations, Inuit and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child welfare agencies, and the effectiveness of various interventions.
3. We call upon all levels of government to fully implement Jordan's Principle.
4. We call upon the federal government to enact Aboriginal child welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
 - a. affirm the right of Aboriginal governments to establish and maintain their own child welfare agencies.
 - b. require all child welfare agencies and courts to take the residential school legacy into account in their decision making.
 - c. establish, as an important priority, a requirement that placements of Aboriginal children into temporary or permanent care be culturally appropriate.
5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

CHILD INTERVENTION PRACTICE FRAMEWORK —REPORTING ON RESULTS

We used the department's data to isolate the results for Indigenous children receiving services. We have presented three years of data in the following charts to illustrate the trends over that time period.

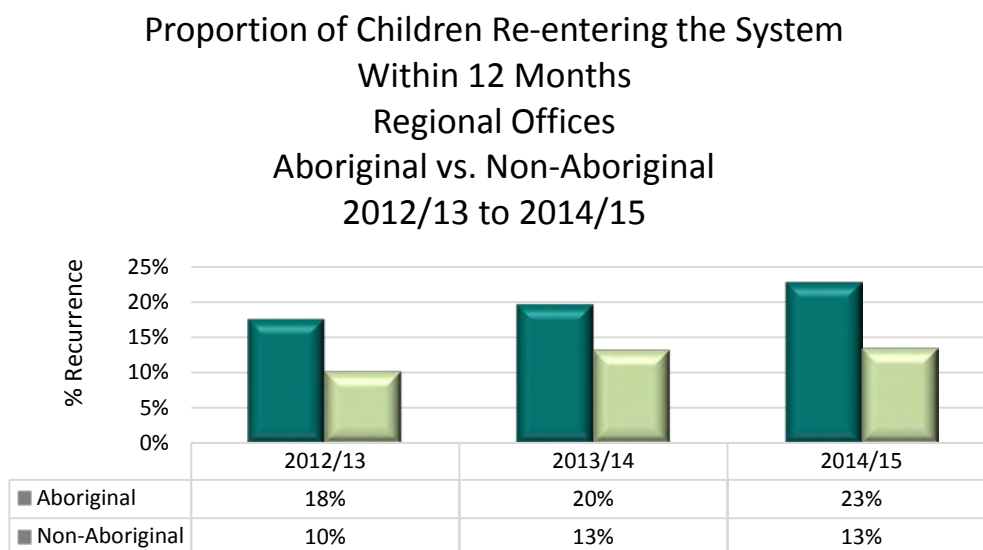
The information is derived from the department's Intervention Services Information System data for the three years ended March 31, 2015. A data extract from this system was provided to us by the department and included primarily numeric information for those children receiving services. The extract included a specific identifier for children as Aboriginal or non-Aboriginal. The extract also included whether a child was the responsibility of a regional office or a DFNA.

CIPF Outcome 1 — Vulnerable children live successfully in their community

Measure: "Recurrence"

Description of the measure: The proportion of children and youth with a new child intervention file who had a child intervention file closed in the previous 12 months.

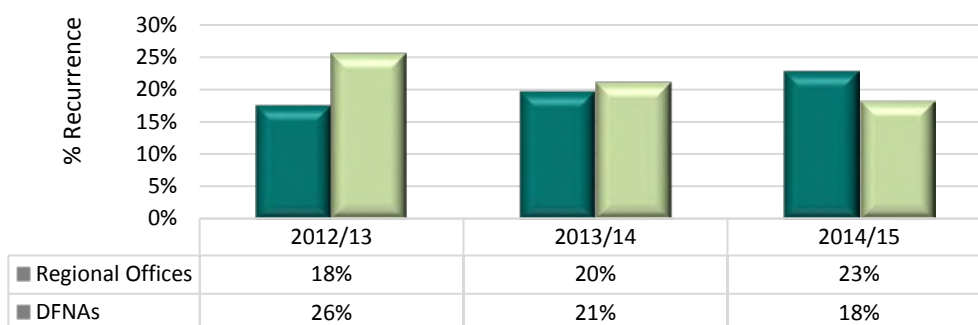
Results at Regional Offices



This chart looks at how likely it is that a child who has been receiving intervention services will re-enter the system within 12 months. In regional offices, Aboriginal children are more than one-and-a-half times as likely to re-enter the system as non-Aboriginal children. Results have worsened over the last three years.

Results for Aboriginal children

Proportion of Children Re-entering the System
Within 12 Months
Aboriginal Children
Regional Offices vs. DFNAs
2012/13 to 2014/15



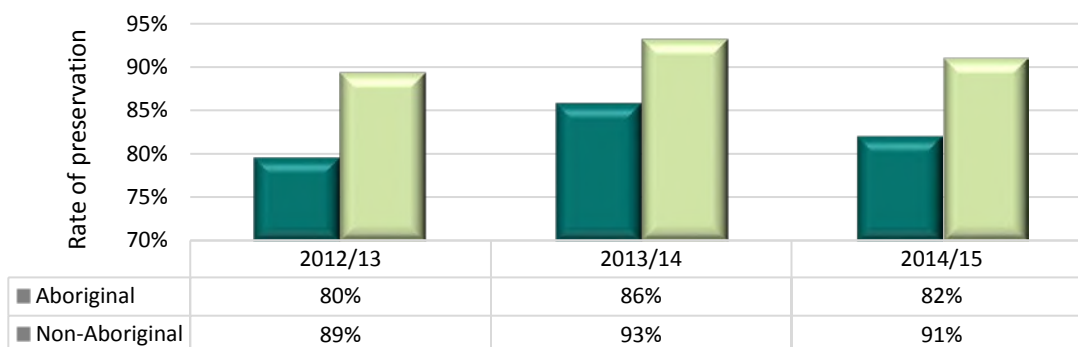
DFNAs have improved their rate of recurrence over three years, whereas regional offices have worsened.

Measure: “Family preservation”

Description of the measure: The proportion of children and youth receiving child intervention services who remain with their family for the duration of their involvement.

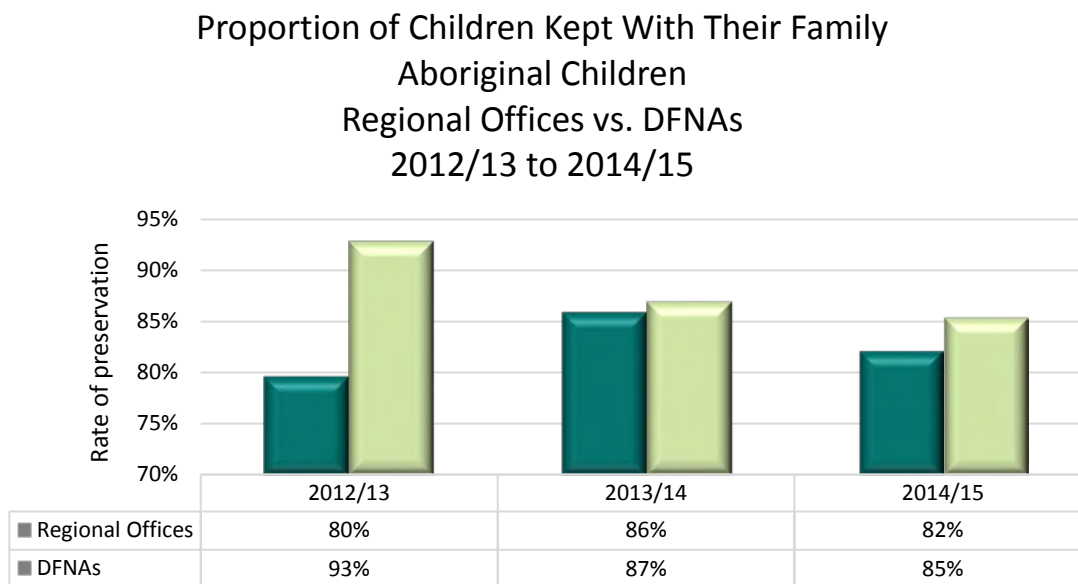
Results at regional offices

Proportion of Children Kept With Their Family
Regional Offices
Aboriginal vs. Non-Aboriginal
2012/13 to 2014/15



This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Regional offices are more successful in making sure non-Aboriginal children remain with their families than they are of make sure Aboriginal children are.

Results for Aboriginal children



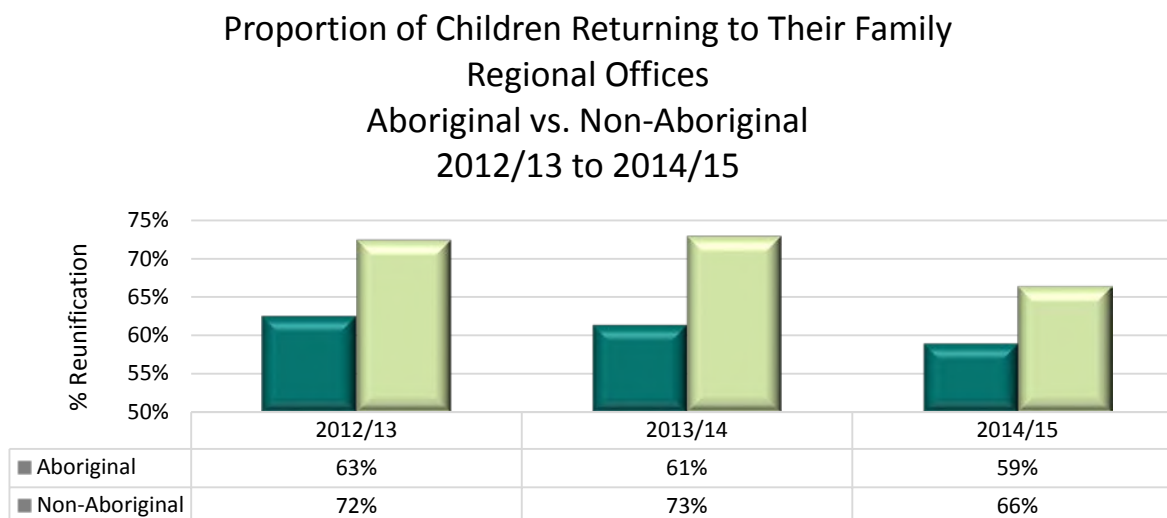
This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs. DFNAs are more successful in making sure Aboriginal children are kept with their families than regional offices area.

CIPF Outcome 2—Children in temporary care are reunited with their families

Measure: “Family Reunification”

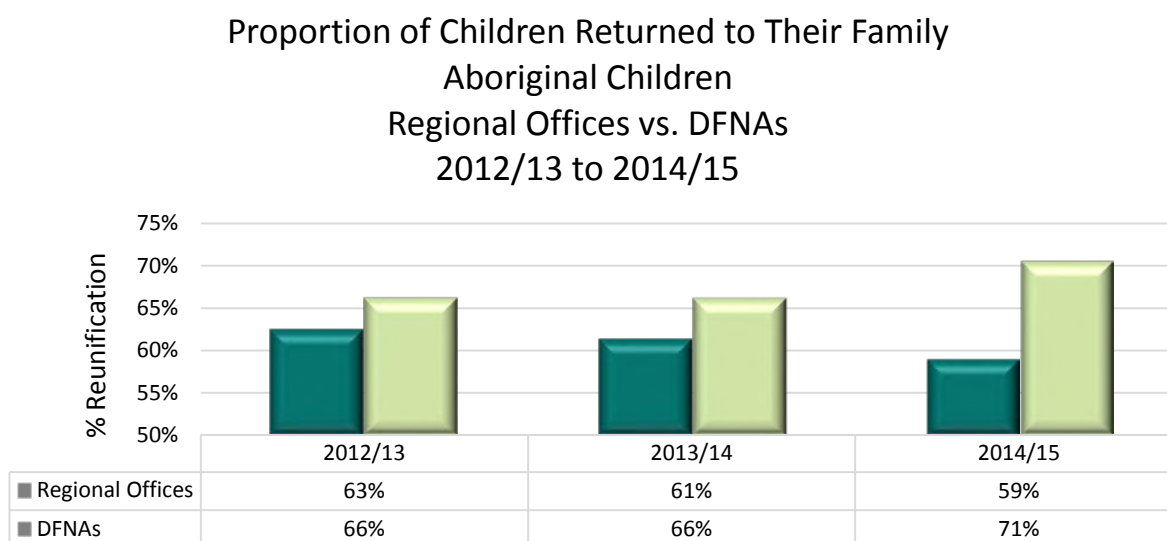
Description of the measure: The proportion of children and youth in temporary care who are reunited with their families and do not move into permanent care.

Results at regional offices



This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Aboriginal children receiving services from regional offices are less likely to be reunited with their family and not brought into permanent care than non-Aboriginal children. Results have worsened over the last three years for Aboriginal and non-Aboriginal children.

Results for Aboriginal children



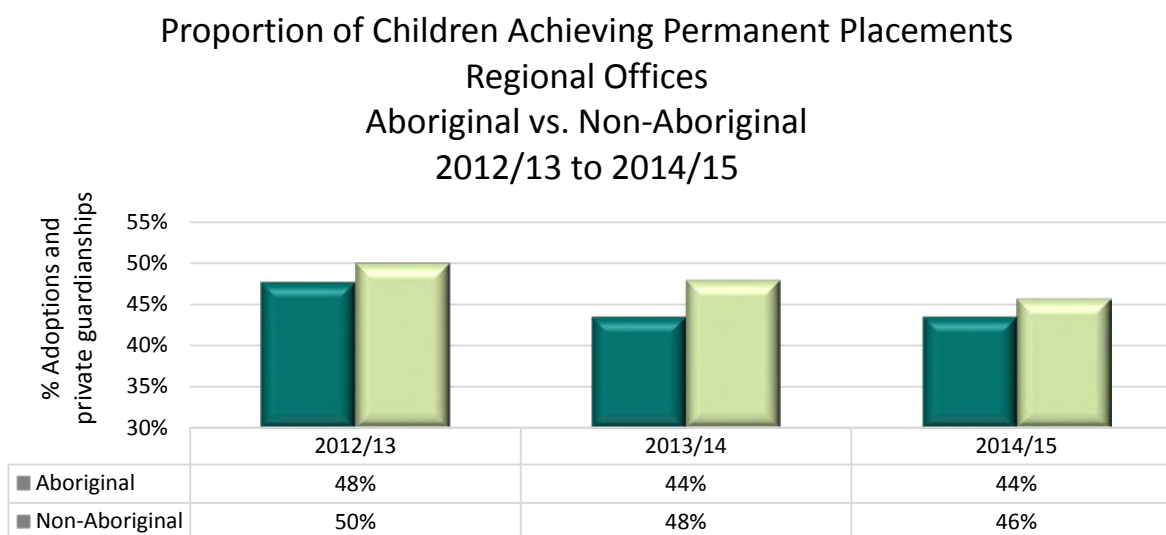
This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs. DFNAs are more successful in returning Aboriginal children to their family home than regional offices.

CIPF Outcome 3—Children in permanent care achieve permanent placements

Measure: “Adoption and Private Guardianship”

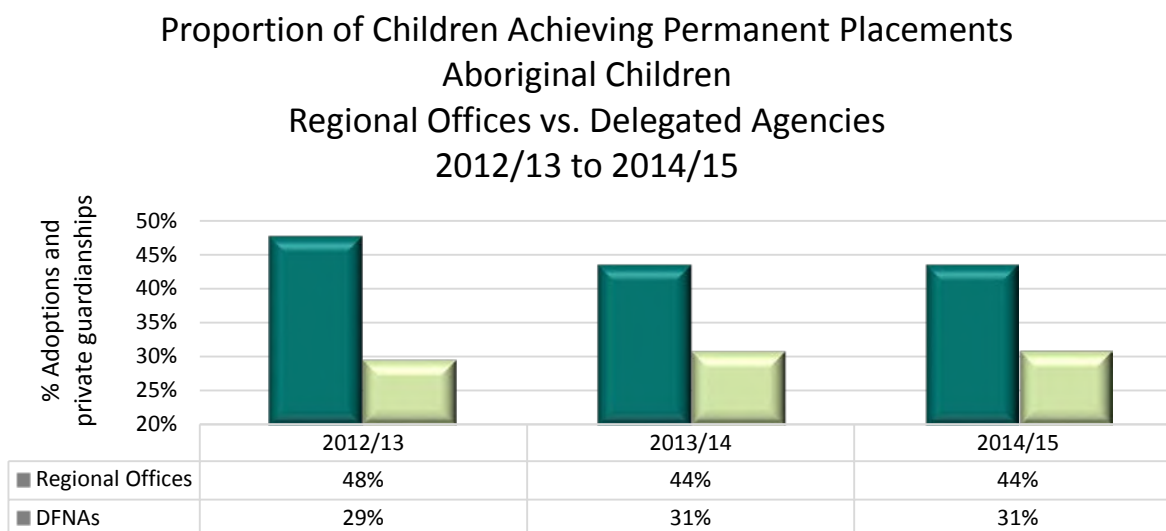
Description of the measure: The proportion of children in permanent care who find permanent homes through either private guardianship or adoption.

Results at regional offices



This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Aboriginal children are less likely to achieve permanency through private guardianship or adoption than non-Aboriginal children. Results have worsened over the last three years for both Aboriginal and non-Aboriginal children.

Results for Aboriginal children



This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs.

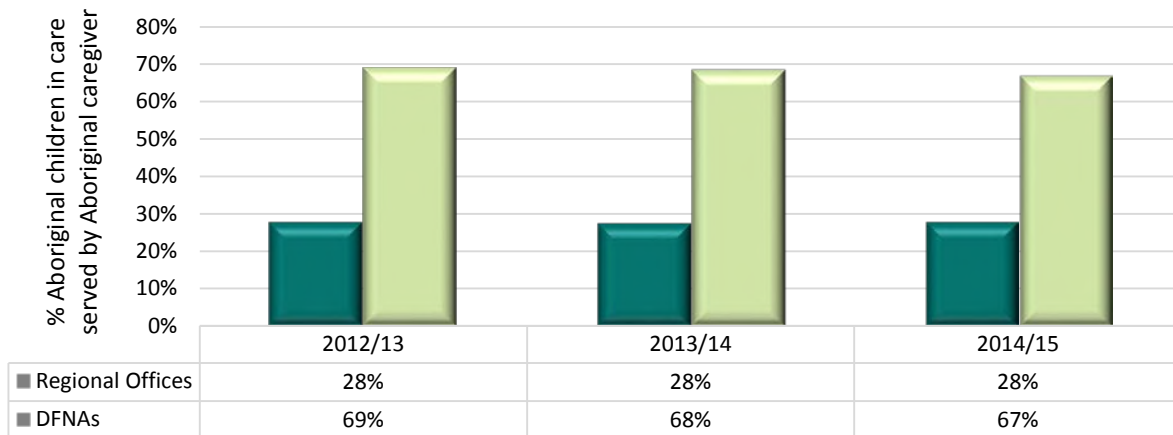
CIPF Outcome 4—Aboriginal children are connected to their culture

Measure: “Aboriginal children live in culturally appropriate homes”

Description of the measure: The proportion of Aboriginal children in foster or kinship care who are placed with an Aboriginal caregiver.

Provincial results

Aboriginal Children Served in Culturally Appropriate Homes
Regional Offices vs. Delegated Agencies
2012/13 to 2014/15



This chart looks at the proportion of Aboriginal children in care who are in culturally appropriate homes. For children served by regional offices, the proportion is just over one-quarter. For children served by DFNAs, the proportion is much higher, nearly three-quarters.

APPENDIX C

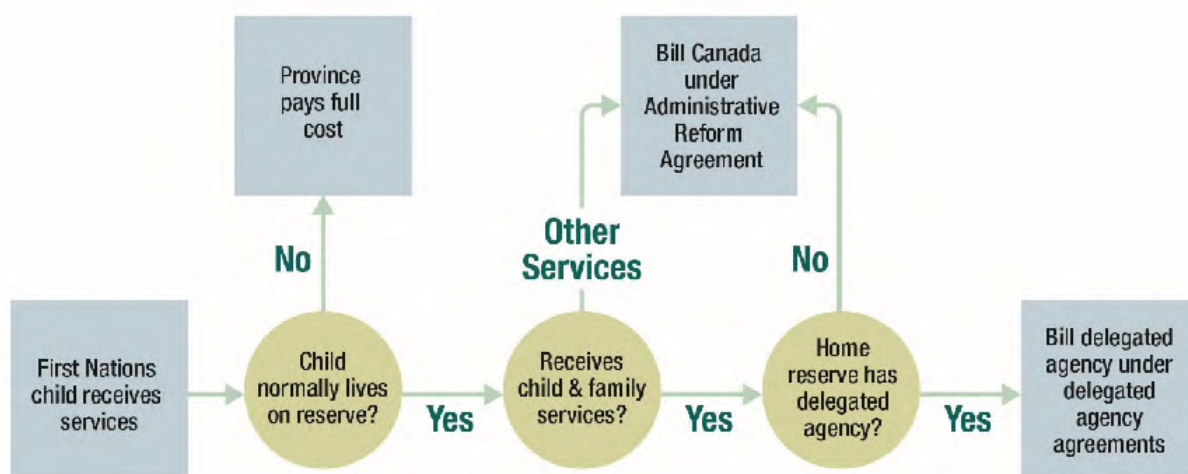
BILLING ARRANGEMENTS FOR SOCIAL SERVICES FOR FIRST NATIONS

The Government of Canada provides a number of social service programs on First Nations reserves in Alberta. Several of these programs have some similarities to early support programs offered by the province off-reserve.

Many First Nations families find it necessary to access social services, including early support and child and family services, delivered by the province off their reserve in urban and rural centres. The department entered into a complex billing arrangement with the federal government to recover the costs of services provided.

The Governments of Canada and Alberta entered into the Administrative Reform Arrangement in 1991. Under this agreement the department bills Canada for social services provided to First Nations people who normally live on reserve. For child and family services, the province bills either Canada or the delegated agency depending on whether the child's home reserve has a delegated agency.

Billing Arrangements for Social Services to First Nations Normally Living on Reserve





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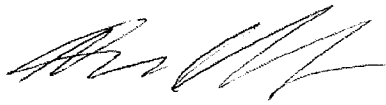
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Legislative Assembly of Alberta

The 31st Legislature
Second Session

Standing Committee
on
Families and Communities

Ministry of Children and Family Services
Consideration of Main Estimates

Monday, March 16, 2026
7 p.m.

Transcript No. 31-2-7

**Legislative Assembly of Alberta
The 31st Legislature
Second Session**

Standing Committee on Families and Communities

Lovely, Jacqueline, Camrose (UC), Chair
Goehring, Nicole, Edmonton-Castle Downs (NDP), Deputy Chair
Arcand-Paul, Brooks, Edmonton-West Henday (NDP), *Acting Deputy Chair

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Standing Committee on Families and Communities**Participant**

Ministry of Children and Family Services
Hon. Searle Turton, Minister

7 p.m.

Monday, March 16, 2026

**Ministry of Children and Family Services
Consideration of Main Estimates**

[Ms Lovely in the chair]

The Chair: All right. I'd like to welcome everyone and call the meeting to order. The committee has under consideration the estimates of the Ministry of Children and Family Services for the fiscal year ending March 31, 2027. I'd ask that we go around the table and have members introduce themselves for the record. Minister, when we come to you, if you would kindly introduce your team at the table with you, that would be great. My name is Jackie Lovely. I'm the MLA for the Camrose constituency and chair of the committee. We will start to my right.

Mrs. Johnson: Good evening. Jennifer Johnson, MLA for Lacombe-Ponoka.

Ms Schulz: Good evening. Rebecca Schulz, MLA for Calgary-Shaw.

Mr. Lundy: Hi. Good evening, everyone. Brandon Lundy, MLA for Leduc-Beaumont.

Mrs. Sawyer: Good evening. Tara Sawyer, MLA for the outstanding constituency of Olds-Didsbury-Three Hills.

Mr. Singh: Good evening, everyone. Peter Singh, MLA, Calgary-East.

Mr. Turton: Good evening, everyone. I am Searle Turton, Minister of Children and Family Services. To my left are Joni Brodziak and David Wheeler. On my right are Lisa Sadownik and Lillian Yu.

Ms Gray: Good evening, everyone. My name is Christina Gray. I'm the MLA for Edmonton-Mill Woods.

Member Batten: Good evening. I'm Diana Batten, MLA for Calgary-Acadia.

Ms Hayter: Good evening. Julia Hayter, MLA for Calgary-Edgemont.

Member Arcand-Paul: Brooks Arcand-Paul, MLA for Edmonton-West Henday.

The Chair: I see that we have no remote participation today. I'd like to note the following substitutions for the record: Member Arcand-Paul will be substituting as deputy chair for Ms Goehring, and hon. Ms Schulz will be substituting for Mr. Getson.

Please note that the microphones are operated by *Hansard* staff. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV. The audio- and videostream of the meetings can be accessed via Legislative Assembly website. Please set your cellphones and other devices on silent; that includes myself.

Speaking rotation and time limits. Hon. members, the main estimates for the Ministry of Children and Family Services shall be considered for three hours. Standing Order 59.01 sets out the process for consideration of the main estimates and legislative policy committees; 59.01(6) sets out the speaking rotation for this meeting. The speaking rotation chart is available on the committee's internal website, and hard copies have been provided to the ministry officials at the table. For each segment of the

meeting blocks of speaking time will be combined, but only if both the minister and the member agree. If debate is exhausted prior to three hours, the ministry's estimates are deemed to have been considered for the allotted time in the main estimate schedule and the committee will adjourn. Should members have any questions regarding speaking times or rotation, please e-mail or message the committee clerk about the process.

With concurrence of the committee I will call a five-minute break near the midpoint. Does anyone object to having a break today? All right, seeing none, we will have a break.

Ministry officials who are present may, at the direction of the minister, address the committee. Ministry officials seated in the gallery, if called upon, have access to the microphone in the gallery area and are asked to please introduce themselves for the record prior to commencing. Pages are available to deliver notes or other material between the gallery and the table. Attendees in the gallery may not approach the table. Space permitting, opposition caucus staff may sit at the table to assist their members. However, members have priority to sit at the table at all times.

Points of order will be dealt with as they arise, and individual speaking times will be paused. However, the block of speaking time and the overall three-hour meeting clock will continue to run. Any written materials provided in response to questions raised during the main estimates should be tabled by the minister in the Assembly for the benefit of all members.

Finally, the committee should have the opportunity to hear both the questions and the answers without interruption during estimates debate, and debate flows through the chair at all times, please, members, including instances where speaking time is shared between a member and the minister.

I would now invite the Minister of Children and Family Services to begin with your opening remarks. Sir, you have 10 minutes.

Mr. Turton: Yes. Well, thank you very much, and good evening, everyone. Again, I'm Searle Turton, Minister of Children and Family Services. Joining me on my right are deputy minister, Lisa Sadownik, and assistant deputy minister of financial services and senior financial officer, Lillian Yu; and on my left is chief operating officer and assistant deputy minister for child intervention delivery, David Wheeler, and assistant deputy minister for youth and preventative family services, Joni Brodziak. In the gallery I have assistant deputy minister for Indigenous partnerships and strategic services, Cynthia Dunnigan and assistant deputy minister of regulatory compliance, quality assurance, and business supports, Brian Mackowecki.

Madam Chair, I'm pleased to present the Children and Family Services Budget 2026 estimates and 2026-28 business plan. We're investing nearly \$1.7 billion into services for Alberta's vulnerable children, youth, and families. This is an increase of 5.6 per cent from Budget 2025-2026. We are focused on what matters most, meeting our legislative responsibilities to keep children safe and keeping our promise to support Albertans fleeing violence. Alberta's fiscal reality is challenging, and my ministry is experiencing growing case complexity, inflation, and rising service delivery costs. We're making disciplined choices so that services are available where they're needed the most. We will continue to listen to and work with our partners, who are caregivers, agencies, women's shelters, and sexual assault centres, to make collaborative program improvements while investing in supports for lower income families and youth with complex needs.

Our core responsibility is the safety and well-being of about 9,000 children receiving child intervention services right across the province, and this includes investing in front-line staff and caregivers. This year we're increasing child intervention delivery

funding by nearly 5 per cent to more than \$1 billion. Family-based placements, such as kinship and foster care, provide children unable to safely remain at home with stability, access to essential supports, and connections with family and culture. This is why we're investing in over 8,000 compassionate, hard-working foster, kinship, and permanency caregivers right across the province. Budget 2026 increases their rates by 2 per cent, and this helps cover day-to-day necessities like food and clothing, skill fees for foster caregivers, babysitting, and relief costs.

Many Albertans become caregivers because someone they know has fostered. So we are expanding the refer-a-foster caregiver program to include kinship caregivers, supports for permanency recipients, those who were previously licensed foster caregivers, and nonprofit organizations. When a caregiver becomes fully licensed, they will receive \$1,500, as will the person who refers them, up from \$500. We clearly heard from caregivers that we needed to modernize our system, which is why we will be launching a new online portal. This new tool will enable them to access information and submit claims through a secure account. Recruiting and retaining caregivers is part of our long-term strategy to connect children and youth to the right placement for their diverse needs.

Budget 2026 also invests in our front-line child intervention workforce. Some of these supports include a new job classification with a pay increase of up to 9 per cent, enhanced mental health and OHS supports, and tuition so that eligible employees can advance their education. With Mental Health and Addiction, we are maintaining annual funding of \$3.7 million to the eight provincially funded child and youth advocacy centres that offer co-ordinated multidisciplinary services to children who experience abuse.

My ministry also helps families build resilience and avoid the need for intervention. We fund prevention and early intervention systems through 70 family resource networks right across the province, centres that offer free services, including parenting classes and targeted supports for families with complex needs. Budget 2026 invests \$66.7 million in FRNs. Through this funding, we're strengthening services and increasing access to supports for youth as well as Indigenous, ethnocultural, and rural communities. These actions also respond to the Auditor General's recommendations to help Indigenous families stay together through culturally appropriate supports. We're also adding \$4.3 million to the transition to adulthood program, which empowers young adults leaving government care to live independently, pursue education, build careers, and maintain lifelong connections.

Budget 2026 invests more than \$93 million into addressing family and sexual violence, strengthening our response to the government's strategy for ending gender-based violence. Fifteen sexual assault centres and their umbrella organizations will receive \$15.8 million in 2026 and 2027.

7:10

Albertans fleeing violent relationships also need safe places, so Budget 2026 maintains funding to 32 women's emergency shelters and 19 second-stage shelters right across Alberta. Over the past year we have worked with shelters to renew the grant program to allow for innovation and flexibility based upon their local needs. This will also ensure the funding is data driven, equitable, and needs based. In addition, we are investing in a safe and welcoming environment. Over the next three years Budget 2026 will invest \$4 million in a first-of-its-kind capital grant program for women's shelters. This new program will address urgent facility renewal, repair, and maintenance. This way shelters can continue to provide reliable and welcoming environments so that women and children can focus on recovery and next steps. For youth the moment they choose to

access help can be pivotal, and that is why we will continue to fund six youth emergency shelters right across Alberta with \$4.4 million.

We're also reducing duplication to our focus on proactive, client-focused strategies that support victims of domestic violence. As a result, the Family Violence Death Review Committee has been dissolved. Many of their insights, such as early intervention, risk identification, and crossministry co-ordination, are now standard components of a broader government strategy and will continue to guide our government's response to family violence, and we are very grateful to this committee for their incredible work.

Across Alberta government-owned buildings support front-line services for vulnerable children, youth, and families. These are the places where children in my ministry's care live and where families meet with front-line workers. Over time these facilities need small-scale upgrades to safely meet the needs of the people who use them. Budget 2026 commits \$2.1 million per year to support improvements as well as \$6.3 million through Alberta Infrastructure to replace four community group-care facilities.

Additional capital funding from Alberta Infrastructure invests nearly \$60 million in provincial campus-based centres over four years, providing wraparound supports for children and youth with complex needs. This includes the development of a new centre in Grande Prairie, ensuring that support is close to home for northern Alberta youth, and the modernization of the Yellowhead Youth Centre, the largest of its kind in the province.

My ministry is also helping lower income families keep more of what they earn and provide more for their children through the Alberta child and family benefit. We're investing \$405 million, an increase of \$30 million from budget 2025-26 to support Alberta's growing population. This benefit funds basic necessities through a monthly tax-free payment to about 190,000 families right across the province and encourages workforce participation.

My ministry is also actively working with First Nations, the transition authority in line with the federal government's An Act Respecting First Nations, Inuit and Métis Children, Youth and Families. As of this March five First Nations in Alberta have fully enacted children and family services laws under the federal act. We understand how important it is for Indigenous children and youth to stay connected to their families, communities, and culture, and we support this incredible work. Budget 2026 continues to invest into Indigenous cultural understanding training for staff, enhancing connections, and working with communities.

Madam Chair, my ministry is dedicated to caring for people, and our budget clearly reflects this while meeting today's challenges. We're strengthening child intervention, supporting caregivers and youth transitioning to adulthood, and maintaining safe places for women and children fleeing violence. Through it all we are working with sector partners to make our programs more responsive to community needs. I'm incredibly proud to lead a ministry of talented and dedicated employees who work tirelessly to make a positive difference in the lives of Albertans.

Thank you very much for having me here today. I look forward to answering all the questions from the committee members. Thank you.

The Chair: Thank you, Minister.

We will now begin the question and answer portion of the meeting. For the first 60 minutes members of the Official Opposition and the minister may speak. Hon. members, you will be able to see the timer for the speaking block in the committee room and on Microsoft Teams.

Do you prefer blocked or shared time this evening?

Member Batten: Through the chair to the minister, I would love to do shared time if he's up for it.

The Chair: Minister, your choice.

Mr. Turton: Block time is fine.

The Chair: We'll go with blocked. Please proceed, Member.

Member Batten: Thank you so much, and thank you to everyone who has prepared for these estimates. I know there's a lot of work that goes into it, so thank you to everyone.

Through the chair to the minister, page 22 of the 2026-29 government of Alberta strategic plan speaks to modernizing services and improving supports for vulnerable Albertans. At the same time page 75 of government estimates shows youth in transition operating expenses, budget line 3.2, increasing by approximately \$4.78 million, or about 5.8 per cent, over this year's forecast.

Of course, investment in youth who are transitioning into adulthood is critical for their long-term success. Can the minister, through the chair, outline what concrete outcomes the government expects this additional funding to achieve for youth transitioning out of care from government? Will this funding expand access to housing supports, increase financial assistance, improve access to education or employment programming, or strengthen mental health and mentorship supports?

Per the most recent publication 2,120 young adults currently access the program. How many additional youth does the ministry expect will benefit from this additional funding? What measures will the ministry use to track whether this investment is actually improving stability and long-term outcomes for youth leaving the child intervention system? Through the chair to the minister: when the funding increases by \$4.78 million, what will be the difference for a young person aging out of care in this coming year relative to one that is aging out today?

Of course, through the chair to the minister, youth who have aged out of care have been clear that the previous support and financial assistance agreements often provided greater stability than the current transition to adulthood program, particularly because supports under the SFAA could extend financial supports to the age of 24 and were often more responsive to individual needs. Many youth and advocates have since raised concerns that the transition to adulthood program, with its reduced length and flexibility of these supports, has created new gaps for young people who are trying to secure stable housing, pursue education, or enter the workforce while transitioning out of care of government. Through the chair to the minister: with the additional funding now being allocated to youth in transition supports, how will the ministry ensure that this investment actually addresses the gaps youth have identified in the current TAP program? How will the ministry measure whether these changes are improving stability and long-term outcomes for the young people who rely on these programs?

Through the chair to the minister, advancing futures is intended to support youth who have aged out of government care in pursuing postsecondary education. Given the rising cost of postsecondary education, including tuition, textbooks, housing, and basic living expenses, does the ministry believe the current level of support available through advancing futures is sufficient for youth transitioning out of care to realistically complete their studies?

Now, through the chair to the minister, 1,051 young adults accessed this program as of December 2025. Can the ministry outline how many youth leaving care each year are eligible for the advancing futures program? What is the level of financial assistance currently provided per student? What proportion of youth

transitioning out of care are actually able to benefit from the advancing futures supports, and how many youth who may wish to pursue postsecondary education are unable to access the program due to limitations in funding or eligibility criteria?

Through the chair to the minister: is any portion of the increase to youth in transition funding on budget line 3.2 intended to strengthen the advancing futures program either by increasing the financial support available per student or by expanding the number of youth who can access the program? Does the ministry measure long-term outcomes such as whether participants remain employed, continue their education, achieve financial independence, or achieve financial independence after leaving the program?

Given the public investment in advancing futures what performance indicators does the ministry use to determine whether the program is delivering a strong return on investment for both the youth and for the province? If participants are not securing stable employment after completing the program, what steps does the ministry take to adjust program design or supports to improve these outcomes? Through the chair to the minister: does the ministry publish or report employment or education outcomes for the advancing futures participants so Albertans can see whether the program is effectively helping youth transition out of care and build stable, independent futures?

Now, with the increase in youth in transition funding outlined in this year's estimates, will the ministry expand access to advancing futures so that more youth leaving care can pursue postsecondary education? How is the ministry ensuring that youth who are aging out of care are aware of and able to access these supports so that financial barriers do not prevent them from continuing their education?

7:20

Now, to the minister through the chair, page 22 of the 2026-29 government of Alberta strategic plan speaks to modernizing services and improving supports for vulnerable Albertans. However, page 75 of the government estimates, item 3.1, early intervention and early childhood development, shows an increase of \$859,000, which is just over 1 per cent over forecast. Now, experts across childhood development and social services consistently highlight that early intervention is one of the most effective ways to improve outcomes for children and families while reducing the need for more complex and costly interventions later in life, and of course many communities, service providers continue to report growing pressures on the programs that support children and families proactively, so before the challenges escalate.

Our family resource networks, or FRNs, are doing an incredible job and providing incredible work supporting families. As the minister had mentioned in his opening, they provide parenting supports, early childhood development programs, and community connections that help stabilize families and strengthen outcomes for children. Given that the government's own strategic plan emphasizes strengthening supports for vulnerable Albertans and given the proven value of early intervention programs delivered through FRNs, to the minister through the chair: why is the ministry failing to invest strategically in these preventative programs?

With the increase in budget line item 3.1 sitting just over 1 per cent, how will this funding meaningfully expand the early intervention services that help families before situations escalate? More specifically, what concrete improvements will families actually see as a result of this increase? Will it expand access to FRN programming, increase the availability of preventative supports for families, or strengthen community services designed to help families stay stable? And if early intervention programs like those delivered through FRNs are widely recognized as effective at

improving outcomes and reducing the long-term system costs, why is the ministry not prioritizing a larger investment in these preventative supports?

Now, page 75 shows budget line 3.1, again, increasing roughly about 1 per cent over forecast. Given inflation, population growth, and the rising demand for youth services, isn't this effectively a real reduction in spending capacity for programs intended to support Alberta's youth? The ministry's mandate commits to improving outcomes for Alberta's young. Through the chair to the minister: how does a 1 per cent increase in line item 3.1 meaningfully support that mandate when service demand and operating costs continue to rise? What analysis did the ministry conduct to determine that that 1 per cent increase was sufficient to deliver on those objectives? How can these outcomes realistically be achieved without proportional increases in program funding or staffing capacity? And if funding remains essentially flat, which programs or services connected are going to see reduced reach, delayed rollout, or limited availability for Alberta's youth?

What specific outcome targets for youth are expected this fiscal year, and how do those targets compare with last year's? If the ministry fails to meet the objectives outlined, what accountability measures are in place given this limited increase in funding in Budget 2026? If these objectives are not fully developed, what will be the impact on Alberta's youth? How does the government justify proceeding with funding levels that appear insufficient to meet its own commitments?

Further, page 41 of business plan 2026-2029, key objective 1.2, states, "support [FRNs] to deliver universal, targeted and intensive prevention and early intervention services that focus on child development and well-being, caregiver capacity building, and social connections" and then under initiatives supporting key objectives shows a \$67 million allocation to FRNs. Given the almost \$82 million allocated in budget line 3.1, where are the remaining \$15 million being allocated, and what outcomes are being monitored to ensure responsible and adequate investment in services that serve Alberta's youth?

The Chair: All right. Thank you so much, Member.

We will move over to the minister for his response.

Mr. Turton: Yes. Thank you very much, Madam Chair, and again thank you to the member for those heartfelt questions. I have appreciated her passion in the Chamber, and I appreciate her questions here tonight. You touched base on a number of different topics, and I will do my best to answer as many of them as I can. If not, I will make sure I answer them on the next one. That way each section is properly addressed.

The first question that you did talk about at great length at the start of your question block, Member, was about the youth in transition. This is obviously something that's very near and dear to my heart. For any of us that have teenagers or young adults, we realize how important that stage of your life is, and as the Minister of Children and Family Services I understand and have heard firsthand about the challenges that so many youth transitioning out of care are going through as they enter adulthood. I realize that's challenging for most young people, and those transitioning out of government care can face even more challenges. That's why we deliver a program that prepares youth and young adults with child intervention involvement to live independently, pursue education, build careers, and have every opportunity to find success. I think that's something that each and every one of us around this table wants for these amazing young adults.

The transition to adulthood program that the member talked about is helping young adults find mentors, develop employment

and life skills, attain postsecondary education, build careers, and maintain emotionally supportive and lifelong connections. By investing in the future of youth and young adults transitioning out of care, we are better supporting vulnerable young people with a more co-ordinated, specialized support program, which is an investment in our province's future. In addition to TAP, as the member talked about, youth in care and young adults transitioning out of care are able to access a wide number of programs and services to support successful transitions. Some of these programs include advancing futures, the registered education savings program, mentoring for youth and young adults from care, youth employment connections program, foster caregivers caring for young adults, the Youth Advisory Task Force, family resource networks, and, of course, youth hubs.

The budget, as the member has asked, for TAP in 2026-2027 is \$65 million. This is consisting of \$17.9 million for TAP delivery, which is soft supports, and \$47.1 million in financial supports. The member was asking about how many individuals are receiving these supports. As of December 2025 2,123 young adults are receiving supports through TAP. Of these, 1,878, or approximately 88 per cent, are receiving services through the ministry's provincial service delivery or off-reserve service arrangements. This is about a 1 per cent decrease from 2024-25 Q3 to '25-26 Q3. Of the 1,878 young adults receiving services from the province or off-reserve, 1,426 have TAP financial support agreements, 80 receive services through a TAP foster caregiver caring for a young adult agreement, and 372 have TAP soft supports.

TAP recipients can choose between one of four pathways based on their individual goals. One of the goals is stability, adult support services, education, and employment or career: 14 per cent are enrolled in the adult support services pathway, 37 per cent in the stability pathway, 21 per cent in the employment and career pathway, 19 per cent in the educational pathway, and 9 per cent are still in the process of selecting a pathway. And with the guidance of our amazing staff at CFS we're going to do our best to help ensure that they have a path that's viable for them. A TAP recipient's monthly core benefit is \$810, and TAP also provides supplemental funding for annual or as-needed expenses such as medical, cultural, damage deposits, and child care. So there's an extensive support network for many of these amazing youth that are transitioning into adulthood.

The youth employment connections program is funded in collaboration with the Assisted Living and Social Services ministry to support employment readiness. Since the program was launched in April 2024, 331 recipients have received services; 272 have completed career planning; 250, pre-employment supports; and 195 completed skills and development training. Again, another positive example about how the youth in this program are receiving the care and the attention that they require so that they can transition into adulthood.

The member asked in her questions about some of the support offered to young adults transitioning out of care into adulthood, and I just want to again highlight a couple aspects. TAP recipients are eligible for financial core monthly benefits up until the day before their 22nd birthday.

7:30

Also, there are a number of programs that they have access to for mentoring employment, which I had touched base on. Just one example: the mentoring for youth and young adults in and from care program provides tailored training and resources to build service providers and mentors capacity to meet the needs of youth and young adults from care, including ensuring that Indigenous youth and young adults are connected to Indigenous communities and

culture. Again, it's extremely important to increase those cultural and family connections for so many of our kids because, as we know and I'm sure we will talk about later on today, of the large number of Indigenous youth within the system.

I also want to talk a little bit about some of the financial benefits for those over the age of 22, as the member talked about. Support for TAP recipients does not stop when they turn 22. TAP recipients aged 22 to 24 have a choice to continue to access transitional and nonfinancial supports such as mentoring opportunities, life skills programming, employment readiness supports, and regular connection to a dedicated TAP practitioner. Some supports, it's also important for the committee to realize, do continue up to the age of 31. Young adults can apply to the advancing futures program up until the day before they turn 25 and can receive supports to pursue their educational goals for up to five years or until the day before they turn 31.

Now, the member also talked a little bit about advancing futures. Note that no changes are planned for '26-27, but we are committed to continuous improvement. I think that's really important both for the ministry as well as for myself, that we want to make sure that this program is constantly evolving and improving to ensure that the kids are looked after.

Regarding advancing futures, as the member talked about, is something very near and dear to my heart. The government of Alberta is committed to ensuring that young adults transitioning out of care into adulthood have access to postsecondary opportunities and support life skills development and long-term success. The member rightly talked about the success of advancing futures because we know that it does make a difference. This program is open to young adults aged between 18 and 31 who have been in care who wish to pursue postsecondary studies. Through this program recipients have access to financial, social, and emotional supports. Young adults can apply to advancing futures program up until the day before they turn 25 and can receive supports to pursue their educational goals for up to five years or until the day before they turn 31.

Our government provides 25 students a year with a \$2,000 Duke and Duchess of Cambridge scholarship award, and these scholarships are awarded to students from advancing futures program based upon their academic performance. Recipients of the Duke and Duchess scholarship have achieved exceptional grades while dealing with challenging circumstances and should be proud of their academic performance and hard work. Again, this is definitely one of those programs that I like to brag about as it's really providing a leg-up for so many children and youth that are advancing into adulthood.

The 2026 budget for advancing futures is at \$19.5 million, of which \$14.2 million is allocated to recipient bursaries or grants. Just some of the stats: in 2024-25, eighty-four point five per cent of the recipients completed their program of study. Again, this is showing success in this program. The target for 2024-25 was 89 per cent and continues to be the same in 2025 and 2026-27. And again I just want to thank all those amazing students for their incredible hard work fighting through all their challenges and advancing their education.

As of January 2026 one thousand one hundred and nine advancing futures recipients are enrolled in the program: 31 per cent are enrolled in a degree program, 33 per cent are enrolled in a diploma program, 13 per cent are enrolled in upgrading, and 23 per cent are enrolled in our certificate program. Again, for the people that are interested in the economic side, every \$1 spent on advancing futures creates approximately \$4 in economic and social benefits.

The member was talking real briefly about some of the breakdowns for the youth in transition budget, the youth in

transition budget being \$86 million for '26-27. That would include TAP delivery at \$17.9 million and TAP financial support at \$47.1 million for a total of \$65 million. So again, this is a sheer example of an amazing program that provides incredible supports for young adults.

The Chair: Thank you, Minister.

We'll head back over to the Official Opposition for their next segment of questions.

Member Batten: Thank you, Madam Chair, and through you a thank you to the minister for those answers.

Page 75 of the government estimates 2026-27, business line 2.2 shows a \$3 million underspending for child intervention delivery while the budget now proposes a \$49.8 million dollar increase, or 5.2 per cent. Can the minister, through the chair, explain why the ministry was unable to spend the funds allocated last year? Does this underspend indicate vacant front-line positions, delayed services, or administrative barriers? What has been done to ensure these gaps do not continue this year?

There's approximately \$33 million in additional funding for budget line 2.2, child intervention delivery and, of course, front-line workers are consistently reporting staffing challenges, shortages, and high caseloads. Can the minister clarify whether the budget increase is primarily maintaining existing service levels or whether it will allow the ministry to expand services or reduce caseload pressures? How will this funding translate into measurable improvements in caseload ratios and workforce capacity? Can the minister provide the current vacancy rate for child intervention positions and explain how this budget possibly addresses those shortages? If the workforce shortages persist despite this funding increase, what contingency plan does the minister have to ensure vulnerable children are not left without adequate protection or services?

Key objective 2.3 focuses on improving outcomes for children, while key objective 2.4 focuses on supporting the workforce. Through the chair to the minister: what proportion of the \$33 million increase is directed towards improving outcomes for children versus supporting staff capacity? What specific performance targets will the ministry use to demonstrate that the additional \$33 million in child intervention delivery funding is improving outcomes for children and stabilizing the workforce?

Now, Minister through the chair, Bill 38, the Red Tape Reduction Statutes Amendment Act, 2025, where the government changed reporting requirements so that serious incidents and deaths were no longer required to be reported once a young person in care of government turned 18: while this was framed as an administrative change, the practical effect is that some of the outcomes affecting youth who were in government care are no longer systematically being tracked or publicly reported. For many young people who grew up in the child intervention system, the transition out of care is one of the most vulnerable periods of their lives. These youth often face adulthood without family support, financial stability, or safe housing, and the risks they encounter – homelessness, mental health challenges, and exploitation – are well documented. When reporting requirements for serious incidents or deaths are reduced, it risks obscuring the very outcomes that should inform policy improvements and system accountability. To the minister: given the mandate of the ministry noted on page 39 of the business plan to ensure that children and vulnerable adults are protected, what concrete actions have been taken to address this lack of insight into government-directed programs?

This change sends a troubling message at a time when Albertans are facing both a mental health crisis and an affordability crisis,

conditions that disproportionately affect young people leaving care. By limiting the reporting of tragic outcomes after youth transition out of the system, the province also limits its own ability to learn from those outcomes, correct course, and ensure that future youth leaving care are better protected. Through the chair to the minister: how are you ensuring that you are informed and able to make evidence-based decisions in allocating Albertan tax dollars towards Albertan priorities, including keeping Albertan children and youth safe while supporting them to participate fully in the economy as adults?

When oversight and transparency are reduced, the system risks losing sight of the young people it was responsible for protecting precisely at a moment when understanding their outcomes is most critical to preventing future harm. Through the chair to the minister: reducing red tape is advertised as saving Albertans' time and money. What funds have been saved from this policy change, and where have those dollars been reinvested in support of Albertan children?

Page 74 of the 2026-2029 government estimates, budget line 4.2, under prevention of family and sexual violence, which focuses on the prevention of family violence, sexual violence, and abuse as well as promoting healthy relationships across Alberta: these programs play a critical role in protecting vulnerable individuals and strengthening families by addressing the root cause of violence before harm occurs. By supporting prevention initiatives, education, and community partnerships, this work helps build safer communities, breaks the cycle of abuse, and ensures that Albertans have access to the supports and resources needed to foster healthy, respectful relationships. However, budget line 4.2, prevention of family and sexual abuse, shows an increase of approximately \$540,000, less than 2 per cent over forecast. Through the chair to the minister: can you explain what new or expanded prevention initiatives Albertans will see as a result of this increase? How will this funding improve the province's ability to educate Albertans about healthy relationships and prevent family and sexual violence before it occurs?

7:40

Studies show that 1 in 3 Albertan children will be exposed to sexual abuse before reaching the age of 18 and nearly 1 in 2 adults in Alberta will be assaulted in their lifetime and that when children are exposed to or experience abuse in childhood, they are highly likely to repeat the pattern as adults. Through the chair to the minister: how will the funding indicated on budget line 4.2 support public awareness campaigns, school-based education, or community outreach programs aimed at preventing violence and abuse? Does the ministry anticipate that the almost 2 per cent increase will expand geographical reach of preventative programming, particularly in rural or underserved communities? What specific populations or communities does the minister expect to reach who were not previously being served? What outcomes is the ministry measuring to determine whether investment in violence prevention and healthy relationship promotion are actually reducing the incidence of abuse over time?

What role will community organizations and service providers play in delivering the prevention program supported through budget line 4.2? And given the importance of early education and preventing violence and that the highest risk for abuse is seen in women and girls, Albertans with disabilities, Indigenous peoples, and sexually diverse peoples, how is the ministry working with schools and youth-focused organizations to ensure prevention efforts reach the young people across the province? How does the ministry ensure that prevention programming funded under budget line 4.2 is culturally appropriate and accessible to diverse

communities across Alberta? What long-term outcomes does the ministry expect from this investment in strengthening prevention efforts, particularly in terms of reducing the number of Albertans experiencing family or sexual violence?

The ministry's business plan on page 42, key initiatives supporting key objectives, bullet 3, highlights \$29 million to provide services to Albertans impacted by sexual and family violence, which appears to refer primarily to response and survivor supports. Can the minister through the chair provide a clear breakdown of how much total funding in this budget is dedicated to prevention programs versus services for people already impacted by violence? If the \$29 million referenced in the business plan is primarily directed towards supporting victims after the violence has occurred, can the minister explain what proportion of the minister's overall funding is actually being invested upstream in prevention initiatives?

As the minister had said in his opening, we know that investment up front saves everyone headaches and hardship and heartache when things escalate and aren't addressed initially. I would love the minister to explain how – given the earlier comment about investing a dollar into advancing futures and how we see \$4 back in social benefits, very similar math happens here where we invest in prevention, we provide those resources, we educate children so that they're aware of their resources, their options. Can the minister through the chair share with us what return on investment he is expecting to see given the – what was it? – less than 2 per cent investment into the prevention of family and sexual abuse?

Thank you.

The Chair: That's the wrap-up of your questions, Member? Okay. Very good. That gives us 30 more seconds.

We'll move back over to the minister for his response.

Mr. Turton: Yes. Thank you very much, Madam Chair, and again thank you to that member for those questions. To touch base a little bit on what the member was saying in the last block, I just want to answer quickly her questions pertaining to early intervention services for children and youth.

In 2026-27 Children and Family Services is administering approximately 50 community-based grants totalling \$6 million for the provision of mental health, youth suicide prevention, mentoring, and early intervention supports and services for children and youth right across Alberta, including 12 First Nations communities here in the province. The breakdown for that grant is \$1.5 million to support mentoring opportunities for children and youth with a focus on youth in care, \$1.2 million to support mental health supports for children and youth, \$1.3 million to support prevention and early intervention services on First Nations, and \$2 million to support youth suicide prevention initiatives, including front-line service delivery, training, education and awareness, research, and reduced access to means of suicide. In 2026-27 Children and Family Services is also administering grants totalling \$4.4 million for six youth emergency shelters right across the province located in Calgary, Edmonton, Red Deer, Fort Mac, Lethbridge, and Grande Prairie.

Also regarding early intervention services about the budget, there is an increase of \$4.1 million, or 2.5 per cent, from the 2025-2026 forecast. This increase from the forecast is primarily due to higher caseloads in the transition to adulthood program and public-sector compensation adjustments. Children and Family Services is and will remain committed to using taxpayer dollars in a targeted, effective way for prevention and early intervention services. Albertans should receive consistent, high-quality services regardless of where they live.

That really ties into one of the parts of the ministry that I'm always happy to talk about, and that's family resource networks. I know the member talked at great length about the preventative nature of family resource networks, and I really think that this is the best tool that we have to provide those preventative services so that we can pour into amazing families and young adults and kids and ensure that they lead healthy lives. This continues to be one of my highest priorities as Minister of Children and Family Services.

Our FRNs provide a wide range of high-quality prevention and early intervention supports for children, youth, and families right across our province so that so that they can access the supports that they need regardless of where they live. These services focus on the well-being of families and help build healthy, strong communities, which is something I know that the member has been talking about with her range of questions. Through family resource networks we have been able to connect thousands of children, youth, and families to supports and services that help them build their resilience and reach their fullest potential. In 2026-2027 we are maintaining the family resource budget at \$66.7 million, and we will continue to leverage current investments to reduce waitlists, enhance service delivery, and support impactful outcomes.

I will say that I have experienced first-hand the positive benefits of the family resource network in my area, APFA, which is located in Stony Plain. I remember just a couple of short years ago I decided to come out to their father and son night. It was *Finding Nemo* night, I think was the theme. So I was very pleased to go out with my two boys, a good father-son bonding moment. While I was there, I remember seeing a young father with his two young kids. As soon as he walked in, you could tell he was a little out of place. He didn't quite know the routine and what to do. His daughter brought him on over to the playdough area, and he was kind of working, you know, playing a little bit. While he was playing, I saw some of the staff at APFA come over to him and start chatting with him and provide him some information. At the end of that evening that young father, who I found out later was a single dad, received a food basket, a bunch of supports to access in the area, and was actually able to be a better father for his daughter. Those are the types of experiences I know that family resource networks have throughout the entire province.

When I was first appointed as Minister of Children and Family Services, it became very clear that while the family resource networks were very strong in some urban areas of the province, there were other areas of the province that needed a little bit more attention, and we needed to be able to look at a bit of a renewal of the program. That's why, since being appointed as minister, we have been really putting forth those resources to ensure that they are targeted and they are focused on those families that need help the most.

Since 2021 this program has been undergoing a phased evaluation with the participation of family resource networks right across the province. Again this is speaking to the continuous improvement for the programs that are located within CFS. The evaluation confirms that the program is having a positive impact on children, families, and communities right across Alberta, and this is resoundingly endorsed when I talk with municipal leaders or community leaders as I've been travelling around Alberta. Participants who have experienced the family resource networks have shown improved well-being, enhanced their parenting knowledge like that amazing young dad, strengthened relationships, and were better connected to the culture, language, and community. Again, we are continuing to meet the needs of children and families here in the province of Alberta.

7:50

The member was asking about how many individuals have been accessing these amazing supports. The overall number of participants accessing family resource networks here in the province in '24-25 was 128,900, and this was comparable to the year previous, in 2023-24, of 128,300. It demonstrates the ongoing need for this program. The need is great regardless if you're in a rural area or in an urban area, as I'm sure many of the members here at the table can attest to.

Family resource networks ensure that children are supported to build the best possible foundation in their early years, youth have the resources that they need to be successful, and parents and caregivers are supported in raising their families. These include programs focused on parenting skills, improved child and youth development, social supports, and increasing well-being and resilience. We do realize that mental health is playing such a large part when it comes to the health of so many of our young adults. With the program that is currently being evaluated, we are going through that phase evaluation, again speaking to that continuous improvement that I touched base with in my first phase.

To do a bit of a funding breakdown: the available funding within the family resource network budget has been invested to address some notable service gaps which had been clearly identified when I became minister almost two and a half years ago. This includes access to short-term mental health supports, \$1 million annually; expanding services in rural and remote communities, \$300,000 annually; enhancing service delivery in Métis settlements, \$500,000 annually; youth programming for pregnant and parenting teens, \$260,000 annually; building capacity to support ethnocultural families in rural communities, \$500,000 annually; capacity building to address the needs of the LGBTQ for their youth, \$500,000 over two years; addressing wait-list pressures for intensive services, \$1.5 million annually; and a one-time 3 per cent increase to address identified cost pressures.

Again, it was very clear when I became minister almost two and a half years ago. We want to make sure that all kids and families and groups here in the province continue to get the support that they require. The evaluation has shown that FRNs are positively impacting children, youth, and families. Participants experience improved well-being, which, again, is very similar to much of the feedback that we've been getting from recipients for this program.

The member talked a little bit as well in her question block here about the OCYA reporting. First of all, I just want to say that there is no greater tragedy than the death of a child or young adult in care. This is something that hits me very near and dear as a father and especially as Minister of Children and Family Services when I hear first-hand about these experiences about kids that could potentially be hurt. When a child does receive child intervention services and has died or is seriously injured, we conduct a rigorous internal examination of what happened. The safety of vulnerable children and youth is a top priority for our government, and we will not stop in our work to make a meaningful difference.

The office of the Child and Youth Advocate does incredible work. I'm very thankful for Ms Pelton and her work in investigating deaths of children, youth, and young adults in care. Alberta's government through the Ministry of Children and Family Services is aligned with the office of the Child and Youth Advocate, making a positive difference in children and families. I'm very thankful that we have been able to meet well over 100 of the recommendations put forth by the OCYA, and again, I appreciate her work.

The Chair: Thank you, Minister.

We will move back over to the Official Opposition. Please proceed with your questions, Member.

Ms Hayter: Thank you, Chair. Minister, would you like to do shared time, or would you like to do block time?

The Chair: Shared or block time, Minister?

Mr. Turton: Oh, sorry. Block time.

Ms Hayter: Okay. Thank you.

As we know, for women to leave and not return to abusive homes, having economic independence is crucial. On page 41 of the business plan objective 1.6 mentions addressing affordability concerns and providing financial supports to eligible Alberta families and children. I'm curious. If we're addressing affordability and wanting women to be economically independent and resilient, as a cost-saving measure and preventative work, what is your ministry doing to advocate for increasing the minimum wage and pay equity?

On page 22 of the '26-27 strategic plan, priority 2, objective 5, supporting vulnerable Albertans, it states that the government is "preventing gender-based violence through awareness, education and community engagement. Government is supporting the implementation of [a] 10-year Strategy to End Gender-based Violence and support survivors." Within the '26-27 business plan, outcome 3, key objective 3.1 is a co-ordinated implementation of Alberta's 10-year strategy to end gender-based violence. Within that plan on page 6 the report states that "to [improve] the quality of life for all Albertans," it is a shared, reflected "commitment across government to end gender-based violence." I truly, actually do appreciate the co-ordinated approach and the implementation of this crossministry strategy to end gender-based violence.

Referring to page 28 of the '26-27 business plan, how much of the \$15.7 million is allocated to the implementation of the 10-year GBV plan? How much money went into the creation of the Alberta 10-year strategy to end gender-based violence? Where in the budget documents does it show the total cost implemented and paid for this plan? Can the minister confirm that the \$19 million allocated to the gender-based prevention is allocated from his ministry to other ministries for implementation? Can the minister list which of the other ministries have been allocated this funding and how much was allocated to them? Can the minister confirm if there are any performance metrics for the use of this funding? If so, what are they, and if not, why? Will the minister provide this information to me in writing if it's not available today?

With the implementation of this crossministry strategy, what formal co-ordination is in place between Children and Family Services and other ministries for Albertans whose needs go beyond the narrow family-violence funding stream? Has the ministry created any clear referral or funding pathways for shelters serving clients whose needs overlap with housing, addiction, mental health, immigration, or other issues? If the shelters are being told to seek other funding streams, which ministries are expected to pick up those unmet needs?

In the '24-25 annual report it showed shelter pressures increasing, with longer stays linked to increased client complexities, safety considerations, housing costs, or the lack of affordable housing options to transition into. In the business plan key objective 1.4 on page 41 the ministry refers to reviewing and updating the investments in the women's shelter programming. Can the minister explain what has changed in this budget to ensure shelter funding is better aligned with the actual pressures shelters are facing? The annual report showed that women are staying longer in emergency

shelters in part because of housing pressures. Where in the budget documents can I find the specific funding or program changes that are intended to reduce those longer shelter stays? With increasing complexity, what additional support is being provided for staffing, programming, and wraparound services beyond just shelter beds?

In the business plan, page 42, key objective 2.5 refers to renewed shelter programming and funded community-based supports. Can the minister explain what measures the ministry will use in '26-27 to show whether those investments are actually reducing pressures on the shelter system? How much is coming as stable operating funding to front-line GBV organizations versus short-term project grants? What is the plan to move them to multiyear funding?

Stakeholders have consistently raised concerns about short-term and one-time funding. One-year grants do not allow for meaningful long-term programming or evaluation. They are causing a lot of instability. Has the minister heard from shelter directors that short grant timelines make budgeting and planning unmanageable? If so, what changes are going to be made in response to this? In the current business plan what portion of women's shelters and sexual violence funding is stable, operational-based funding, and what portion remains one time, short term, and project based?

Can the minister explain how the '26-27 budget gives shelters and community agencies the stability to plan for staffing and services over multiple years when they're relying on short-term grants? Will the renewed women's shelter program provide multiyear operational funding, or are shelters still expected to work under short-term grant agreements? What metrics is the ministry using to judge success for the programs that are funded for only one year and may not continue? How will the ministry make sure that the smaller shelters without large advocacy teams are not disadvantaged in seeking additional funding or capacity? Where is the planning to give shelters enough stability to plan staffing, programming, and capacity long term? Does the ministry see these one-year gender-based violence grants as pilot projects, and if so, what process exists to continue or scale successful ones?

8:00

In the government estimates page 74, 4.3, it states that women's shelters "[provide] safe accommodation for women and children in crisis due to family violence, and helps connect them with resources they need to rebuild their lives." Are shelters now being told that provincial funding will apply only to beds or services for clients who meet a narrower family violence definition? If so, what is the definition? How is the ministry expecting shelters to support clients who do not fit that definition but still need shelter and safety? Is the ministry's position that domestic violence funded beds should never be used for women facing other urgent safety and housing crises? Are shelters now to find separate grants or other funding streams to cover those clients? If the ministry is funding only part of the shelter's actual demand, what plan is in place to make sure those women and children are not simply left without support?

Stakeholders are hearing that there will be implementation of a new shelter funding approach. Can the ministry confirm whether the implementation of the new shelter funding approach was delayed from April 1 to July 1, or do the '25-26 grants extend to July 1, with the rest of the year still uncertain? How are the shelters supposed to budget for a full year when they don't have confirmed funding? Did the ministry assess the risk that these short-term extensions could lead to staffing instability, service reductions, and delayed planning? Why was the ministry not in a position to provide full-year clarity before the start of the fiscal year?

Last year's budget promised shelters a \$19 million additional funding that they are still waiting on. Many stakeholders are wondering where the money went. I don't see it referred to at all in

the ministry's '26-27 budget or business plan. When they asked this ministry, they were referred to Status of Women, and they still don't have an allocation breakdown. Has the entire \$19 million allocated over the three years been spent? If so, what did the funding go to, and what were the tangible outcomes? Was the \$19 million used to create the Alberta 10-year strategy to end gender-based violence?

With Alberta's agreement with the federal government we have received \$7 million in transfers in '25-26 and '26-27 for gender-based violence prevention and related social policy funding. The federal gender-based violence prevention funding peaked in '23-24, and the federal funding is now declining as the federal agreement expires. Page 30 of the business plan is related to federal cost-shared agreements for the gender-based violence prevention and related social policy funding. What provincial dollars are being spent to end gender-based violence? Can the ministry outline what actions it has taken to identify additional funding or other funding sources to ensure the continuing of funding for prevention of gender-based violence after the federal funding ends? What contingencies has the minister accounted for should the federal funding be lost for either the separatism question or other reasons? Can the ministry outline what actions are being taken to identify alternative or additional sources of funding to ensure the continuity of prevention of gender-based violence should federal funding cease to exist?

The government ended the Family Violence Death Review Committee, a body that reviewed deaths related to family violence, identified patterns of risk factors, and made recommendations to help prevent future deaths. The government said that that work was to become redundant because of the other review bodies and newer initiatives. I want to ask very clearly: what in this year's budget replaces that work? Which branch, unit, or funded initiative is now responsible for reviewing deaths linked to family violence? Which body is specifically there to identify patterns of systematic failures and family violence related deaths? Why did the government think that it was acceptable to remove one of the few mechanisms specifically focused on family violence death while also claiming that prevention is a top priority?

The government has said that this change allows for resources to be directed to front-line work. Was any of that money transferred into prevention of family and sexual violence, into the gender-based violence strategy, women's shelter renewal, or community-based violence supports? What metrics in this year's business plan tell Albertans that this ministry is still learning from family violence related deaths and using that information to prevent future ones?

The Chair: Thank you so much, Member.

We'll move back over to the minister for his response.

Mr. Turton: Yes. Well, thank you very much, Madam Chair. Thank you again, Member Hayter, for your questions as well as your passion, which you have clearly exhibited in the Chamber as well, which I appreciate.

Just real briefly, I do want to touch base on the previous block's question regarding the OCYA reporting, and then I'll be referring to a number of the questions regarding women's shelters and sexual assault centres. Again, briefly, to the last segment, amendments to the Child and Youth Advocate Act were proclaimed in June of 2025. The reason for this is it really improved alignment between the office of the Child and Youth Advocate's mandatory reviews and government reporting. Reviews are mandatory when a child under the age of 18 receiving intervention services dies, and reviews are discretionary when a child dies within two years of receiving intervention services up to the day before the age of 20.

The changes made to the Child and Youth Advocate Act are helping to streamline reporting.

The advocate's work is now only focused on children and youth who have recently or are currently receiving child intervention services, leading to a timelier recommendation process in support of improved outcomes for children and youth. Aligning the advocate's mandatory reviews with government reporting has reduced the intrusion on the privacy of families and young adults over the age of 20. Reviews are still mandatory for deaths of children under 18 receiving services and are now discretionary when a child dies within two years of receiving services up to the day before they turn 20. The death of any person in Alberta can still be investigated by a fatality inquiry pursuant to the Fatality Inquiries Act, as recommended by the Fatality Review Board.

Alberta is committed to ongoing systemic improvement and is a leader in public reporting, including posting online when a child or youth has passed away in care or receiving services. Again, I just want to express my grief for any of the families that have experienced a loved one who has passed away within Children and Family Services.

The member also, and a little bit alluding to Member Hayter's questions, talked a lot about family violence and the important role of women's shelters and sexual assault centres and the key role that they have to keep women safe here in the province of Alberta. Experiencing any form of family violence is devastating, and that is why our government wants to ensure that anyone who experiences it has a safe place to turn for help. Again, my heart grieves when I have heard so many stories as I've been travelling around the province. You don't have to go very far to come across someone that has been through the scourge of sexual or domestic violence and to hear about the impact that it has on their families and their kids and perpetuates generational trauma.

Children and Family Services is committed to ensuring that individuals or families experiencing family violence get the supports and services that they need. Alberta's government has numerous programs and supports in place for those experiencing domestic, family, or intimate partner violence. We also invest in programs that help those perpetrating abusive behaviours to get healthier, including investment in men's and boys' programs. Again, this is something that has come out loud and clear when talking with stakeholders in the sector, that additional funding has to go to help support men and boys throughout the province of Alberta.

Budget 2026 commits almost \$10 million to family violence programming here in Alberta. We will continue to invest in strategies to promote healthy relationships and support individuals who have experienced violence. In total CFS will spend almost \$7.3 million in 2025-26 and '26-27 to support Alberta's 10-year strategy to end gender-based violence. The member talked about many of the different ministries that are collaborating together, and I do appreciate the leadership of Minister Fir in Arts, Culture and Status of Women. For the member's question, the total cost of the GBV plan should be asked to that ministry, but we are trying to get you the individual breakdowns within this ministry.

In 2025-26 and '26-27 the ministry is investing almost \$7.3 million to implement prevention initiatives that target root causes of violence before it occurs and increase protective factors for Albertans, especially in marginalized and underserved communities. We also conduct public opinion studies to understand the prevalence of family violence and Alberta's perceptions. This work will inform investments in prevention and intervention, again, getting that public feedback about how we can improve the system.

As well, we fund Indigenous-led organizations aimed at providing culturally appropriate family violence prevention initiatives and support women's shelter programming to offer safe and inclusive supports and services. To distribute the \$3 million of the \$7.3 million available in '25-26 for family violence prevention grants, in mid-January of 2026 CFS launched two grant calls, an open grant call and an invitational grant call specific to Indigenous-led programs and services. Children and Family Services will continue our work to promote healthy relationships, invest in family violence programming, women's shelters, and sexual assault centres to support and empower Albertans fleeing gender-based violence.

8:10

The member talked at great length about women's shelters, and this is one of the aspects of my ministry that I've appreciated travelling around the province. I think at this point I've travelled to most of the women's shelters here in the province. There are still a couple that I haven't had a chance to be able to go to, but I've appreciated the experiences and the stories that many of the executive directors have shared with me and conversations with survivors of domestic and sexual violence as they've been seeking refuge and looking for a safe place to find supports in these various women's shelters around the province.

In Budget 2026 we invest nearly \$62.2 million for women's shelters to help individuals and families to get the support that they need. This includes \$2 million for CFS's mandate to increase funding for women's shelters by \$10 million. I'm very pleased to say that we are on track to meet our mandate commitments. The 2026-2027 budget also includes a \$500,000 capital grant funding to support the women's shelter facility pilot program, which aims to address critical facility renewal and maintenance needs, enhance safety, and maintain adequate capacity to serve vulnerable women, children, and youth fleeing violence or crisis while maintaining a safe and functional facility. This is something that I have been advocating for since becoming minister almost two and a half years ago.

To mention about two specific examples of how the safety and well-being of women and families has been affected in the past, there was one shelter that became very apparent had a black mould issue, and that was causing an unsafe spot for safety and refuge for women and children in a rural women's shelter, and there's another one that had very much of an emergent situation regarding some safety and sprinkler issues. We were able to meet those needs to make sure that those women's shelters were repaired and they continued to be a safe place. But this capital grant funding is really going to allow women's shelters throughout the entire province to on an ongoing basis meet the maintenance needs of their various shelters and ensure that these facilities are safe for women and children in their darkest days. By maintaining these safe places, the government will ensure that the shelters are safe, secure, and meet the increasing demands for emergency accommodations for women or children in crisis.

Over the past year CFS has met with shelters, the Alberta Council of Women's Shelters, and crossministry partners to develop guidelines that balance provincial consistency with flexibility for shelters to provide services and ways that work for their respective communities. The renewed funding approach is based on need and ensures that a wide range of services are available for Albertans to access in each region while helping maintain stable funding for shelters.

I understand quite clearly the differences between the needs and challenges of shelters that are located in rural areas versus the ones in urban. They are both complex environments to be able to act in.

I know in rural areas, as I've been travelling around the province, it's challenging when women are fleeing in the middle of the night with their kids. They might have to travel for hours at a time to be able to access a shelter. We want to make sure that those shelters are there when they need them, but in large urban areas there are also issues. There are issues about cultural understanding and making sure that we can enhance family relationships with Indigenous communities.

The member talked quite at great length about shelter capacity, and I just want to again assure Albertans and many of the people that are watching that there are always supports there when you need them. Ideally, I would wish that all of our women's shelters should not need to exist, but unfortunately there are individuals that definitely need these services, and that is why I'm very thankful to continue to help support these throughout the entire province. We are remaining committed to reducing family violence and ensuring access to some of the most critical services that women and children need to keep safe. That's one of the aspects of the capital renewal program I was very thankful to help support in this budget.

The Chair: Thank you so much, Minister.

We will move over to the government side. Will you be using shared or blocked time?

Mrs. Johnson: I would love shared if the minister is willing.

The Chair: Minister, what's your preference?

Mr. Turton: Block time, please.

The Chair: All right.

Please proceed, Member.

Mrs. Johnson: Well, thank you. Thank you through you, Madam Chair, to the minister for being with us here today. Thank you for the work you do and to all of your staff as well for the very difficult job that you have in this ministry. Appreciate this time this evening.

I'd like to talk first on child intervention delivery. It's an essential, legislated program that provides a safety net to the most vulnerable children in our province. Looking at the statement of operations on page 44 of the business plan, the child intervention program is anticipated to grow by approximately 3.1 per cent from the 2025-26 forecast to the 2026-27 estimate, where it sits at just over \$1 billion. That's followed by a decrease of about .3 per cent in 2027-28 and no change in 2028-29.

First, would the minister outline what child intervention delivery does and how it works, and then can the minister please explain what factors are driving the increased investment into child intervention delivery and how this funding will be used? And then: which 2026-27 initiatives will most directly strengthen placement stability and reduce risk for children and youth with complex needs?

Continuing on with the child intervention system programming, I'd like to look at the initiative related to that child intervention system, to the improvements located under outcome 2 on page 42 of the business plan. This initiative has allocated \$652 million in 2026-27 to improve the child intervention system through the implementation of preventative, safety-oriented, evidence-based programming and the operation of government-supported facility-based care which targets the complex care needs of children and youth in care. First, would the minister explain how the \$652 million investment in budget 2026-27 will be used to strengthen prevention, safety-oriented programming, and care for children and youth with complex needs within this child intervention system?

There's mention of implementing preventative, safety-oriented, evidence-based programming. How will this programming improve the child intervention system, and is the ministry tracking progress on this initiative? Then: how will the implementation of preventative, safety-oriented, evidence-based programming improve outcomes for children and youth, and what measures is the ministry using to track progress and effectiveness?

Then under caregiver supports if we look at the initiative on page 42 of the business plan, there's \$340 million allocated to support foster, kinship care, and permanency placements, increase caregiver rates, and attract new caregivers. These caregivers play a critical role in providing stable and supportive environments for children and youth who require care outside of their family homes. First, can the minister please explain how foster, kinship, and permanency caregivers are contracted by the ministry? And then: what government-led recruitment strategies are under way to expand foster and kinship capacity, particularly in high-demand regions, and which KPIs will be tracked and publicly reported? Finally, would the minister outline how the investments through Budget 2026 will address concerns with caregiver recruitment and retention?

Staying with child intervention staffing under key objective 2.4 on page 42 of the business plan, this involves supporting the child intervention workforce through developing and implementing workforce strategies. I understand that there have been challenges in Alberta and across Canada around recruiting and retaining child intervention staff. This makes key objective 2.4 that much more critical to the success of this ministry. First, would the minister provide greater insights to this committee on the progress made that supports recruiting and retaining child intervention staff? Would the minister please highlight what types of strategies will be used to accomplish key objective 2.4?

8:20

Staying with the child intervention system under complex needs, as noted in Budget 2026 documents and through the discussion today, there are concerns about the sustainability of the workforce. It is a priority, and I noted with concern that there is increasing case complexity. The fiscal plan on page 82 indicates that more children and youth are experiencing mental health, addiction, emotional, aggressive, and behavioural difficulties, and I think we heard that from you a little bit. It is a disturbing trend, and I'd like to focus this question on how your ministry is addressing it. How is the ministry helping these children through Budget 2026, and could the minister please outline the top deliverables in 2026-27 for safety-oriented, evidence-based programming and complex needs capacity, including milestone timelines? Also, how is the ministry building on recommendations from the office of the Child and Youth Advocate to further strengthen assessment quality and front-line practice, and when will progress updates be published?

Going on to foster care and kinship supports, line item 2.4 on page 75 of the main estimates details foster care and kinship supports, and it stands at almost \$269 million in 2026-27. I understand that this item involves providing culturally appropriate and diverse supports to children temporarily unable to live in their family home. Would the minister please outline what this investment through Budget 2026 will go to support, and what is this ministry doing through Budget 2026 to address foster caregiver shortages so that children can find stability during challenging and difficult times?

Then one of my favourite topics, also one of my colleague's, is family resource networks. On page 41 of the business plan, key objective 1.2, it is referenced that the family resource networks

strengthen caregiving capacity. They support healthy families, child development and well-being, and increased social connections. We heard there are about 128,000 kids that are accessing this every year. It's amazing. I also read that these family resource networks deliver a continuum of targeted prevention and early intervention services, so I'd like to ask a little more about these networks and the services they provide. Would the minister please provide further information about family resource networks and how they offer preventative programming that benefits our communities? How will Budget 2026 impact the operations and reach of the family resource networks?

Finally, we've talked a little bit in these previous moments of women's shelters – I'm just going to touch on that briefly in these final couple of minutes – and the programming review. This goes to key objective 1.4, and this involves the review and update for women's shelters. More specifically, it changes the ministry to review and update government's investment and long-term vision for women's shelters' programming for individuals, women, children, and families experiencing family violence and abuse. Will the minister please explain how Budget 2026 will work to implement key objective 1.4 as it relates to the review and long-term vision? Through Budget 2026 how many shelter programs will be supported in 2026-27, and is the ministry providing for any other supports to this sector? Finally, my last question in this minute: how is the ministry ensuring the best use of these funds to support the women's shelter sector?

Again, I just want to thank the minister and his staff for this amazing work. I've been to some of these shelters. I've been to the family resource network in Lacombe. They are doing absolutely amazing, phenomenal work. It is preventative, it is helping in so many ways, and I'm just so grateful to my colleague for her work in it and to the minister and your staff for all that you've done in this.

I will pass the time over to you. Thank you very much, Madam Chair.

The Chair: Well, thank you so much. I appreciate the member wrapping up those questions. [interjections] There's a lively discussion happening between the two sides here. We'll just get focused back and turn this over to the minister for his response to those thoughtful questions.

Please proceed, Minister.

Mr. Turton: Yes. Thank you very much, Madam Chair, and thank you very much to the member for her questions as well. In the time that I've known her over the last couple of years, your passion for kids is pretty awesome. I do respect that, and I appreciate that.

You know, as Minister of Children and Family Services, as you can imagine, there are a number of stories that children and families go through that I receive. I'm very thankful to so many Albertans that have shared with me their experiences as they go through some of their darkest days. Every now and then there's a question that just kind of sinks a little bit deeper.

You know, I think of one individual story from someone that I have known for a very long time. They were involved in the children intervention system in another province. They told me about their experiences, and I think this pertains a little bit to what Member Johnson was talking about. This individual as a grown individual – he's older than me – was talking about how even to this day as a grown adult, as a leader in his respective community even simple things like garbage day get him triggered about his experiences that he had in the intervention system in another province where as a young boy, he confided in me, he went through the intervention system. He knew when he was growing up that

when he saw the garbage bag out front, that was almost a sign that he'd be moving on. As a 50-year-old individual, this still haunts him to this day. He made the point of telling me this experience and how it goes and affects his daily life as he lives here in Alberta.

Stories like this – even though that individual's experience was in another province, it ties in with what the member was talking about, the importance of the intervention system and that how for so many of these amazing kids they may not know where they can actually sleep, or they may not have someone that they can go to for comfort. That's an experience that maybe many Albertans are not aware of. When the member – in her first question she asked about the child intervention delivery and how it works and its impact. I mean, I think about my friend that confided that story. That is, again, a burden that I do take very seriously as the Minister of Children and Family Services and making sure that these kids are looked after.

Some of the services that are offered within my ministry include in-home services and supports; out-of-home placements, including kinship care and foster care and community group care and campus-based care; and, of course, permanency services such as adoption, private guardianship, and postpermanency services. I know I've been at this committee for many years talking about my experiences with adoption as I have experienced and gone through that process with my youngest son. I'm very thankful for my good friend MLA Schulz, who was at the brunt of many of my questions in her prior role pertaining to adoption.

When necessary, unfortunately, the department does have to step in, and we do have to make a difference and intervene sometimes on some of the darkest days of these families, but I'm pleased to say that we do collaborate with parents and extended family members to identify a safe and stable temporary caregiver, maintain important family and cultural connections, and support reunification of children with their parents. Again, this is the ultimate goal. We want to make sure that our families are safe and healthy and our kids are looked after. When a child must come into care, all efforts are made to place a child or youth in a family-based placement like kinship when it is safe to do so. However, the goal is to place children and youth in optimal placement that matches their needs. For children or youth who require more intensive placements, there are options, including community care, campus-based care, and personalized community care.

The member did talk a little bit about some of the factors that are driving the increased investment in the child intervention delivery system and how it will be used. One of the main drivers behind the investment in child intervention is increasing case complexity for youth receiving child intervention services. This includes severe mental health issues, substance abuse, developmental disorders, and youth justice system interaction. This complexity has resulted in an increase of out-of-home placements, which are more expensive than family-based placements. Budget 2026 invests over \$1 billion into child intervention, and this is an increase of almost \$31 million from 2025-26 to forecast and address case complexity, public-sector compensation, including implementation of the new child intervention practitioner classification, and to support caregivers and agencies with increasing pressure. This investment is critical to keep children safe and is legislated under the Child, Youth and Family Enhancement Act, which has taken up a great deal of time over the last year as we have been reviewing that important piece of legislation. Again, I'd like to thank two of the members here that have helped participate on that committee.

8:30

We are taking action to address rising case complexity to make sure that children and youth have placements that meet their needs

and to plan so that our system is sustainable. Our investments support children and youth in government care to have the right placement for their needs and support the potential to increase family-based placements, such as kinship and foster care, which support better outcomes. Again, I have appreciated my conversations and round-tables that I've had over the last couple of years with foster and kinship caregivers around the province as they've been telling me about their experiences and sharing with me ways that we can improve the system.

The member also asked about some of the initiatives that will most directly strengthen placement stability and reduce the risk for children and youth with complex needs. Again, some of the programs that we have to address the rising cases of complexity: we are working right across government with community partners to provide more appropriate supports and services to children and youth who are living with multiple health diagnoses or disabilities or addictions and behavioural challenges resulting from trauma.

I very much appreciate the collaboration that is currently existing within government amongst different ministries to be able to address these vital concerns. Some of these government partners include Mental Health and Addiction, to support programming and access to care for children and youth experiencing mental health and addiction challenges; Primary and Preventative Health Services, to facilitate access to medical care; Alberta Health Services and Recovery Alberta, to collaborate on complex medical decisions; Assisted Living and Social Services, to support transition to adult services and other programs that support children and youth with disabilities; and Education and Childcare, to support success in school, just to name a few.

Alberta's government recognizes that children and youth entering the child intervention system have increasingly complex needs requiring specialized care, stability, and access to therapeutic supports. Our goal is to make sure that the best, most appropriate placements are available to meet this need. As well, I'm very thankful for many of the stakeholders that we deal with, especially with our community-based care that provides such exemplary service for so many of our complex youth.

The member did talk briefly about the investment in the child intervention system programming. I'd like to thank the member for her question not just for tonight but for many of the sidebar conversations that we've had over the last little bit. For Children and Family Services Budget 2026 is focused on prioritizing core programs, keeping children safe, supporting early intervention for children, youth, and families, and assisting Albertans who experience family violence and sexual violence. Highlights for my ministry include an increase of almost 4 per cent from the 2025-2026 third-quarter forecast and investment of nearly \$1.7 billion in Budget 2026 for Children and Family Services to strengthen the programs for vulnerable children and families, especially the ones that they rely on.

The ministry and its partners are working to prevent family and sexual violence, which I know I will be touching on in my next block with the opposition. This is helping families stay together or reunite when safe to do so and finding placements in kinship, foster, and legal permanency homes when children and youth must come into care. This will include continuing to review policy and practice by implementing safety-oriented, evidence-based, and culturally appropriate approaches and methods; developing and implementing improvements to kinship and foster care to continue to provide children and youth in temporary care with a healthy, nurturing, and family environment; providing targeted support and optimal placements for children and youth with complex care along the continuum of available out-of-home placements and support, again, the reunification with their families and communities; and of

course, developing and implementing workforce strategies to support the child intervention workforce.

Again, I just want to take these last couple of seconds to let the workforce of Children and Family Services know how much I appreciate the incredible work that they're doing to help so many families and kids throughout the province. I appreciate them a great deal.

Thank you.

The Chair: Well, thank you so much, members.

As you all know, there is another group meeting in the other room across the hallway here. We have been in touch with them to figure out how we can collaboratively work together so that we're not all coffeing at the same time, so we will take our five-minute break now and get fresh coffee.

[The committee adjourned from 8:35 p.m. to 8:41 p.m.]

The Chair: All right. That's our break, everyone.

Minister, you're ready to go, I see. We'll move over to the Official Opposition. Please proceed, Member. Blocked or shared time?

Member Arcand-Paul: I would go back and forth if the minister is comfortable.

Mr. Turton: Blocked time is fine.

Member Arcand-Paul: Okay. Thank you, Madam Chair and through you to the minister. On page 79 of the estimates this government has a projected revenue of \$51 million for "Services on First Nations Reserves," with zero accountability for this transfer. I'm curious about this number and any other social transfer that this government receives from Canada, particularly under the administrative reform agreement. With these funds, does the government keep a distinct account for funds received from Canada on behalf of Canada's responsibility to First Nations children while ensuring the funds are actually used for First Nations children? What is the metric to confirm this?

Through you, Madam Chair, can the minister please explain where this revenue for services to First Nations reserves comes from, where it goes, and whether there is a performance metric to satisfy Indigenous peoples that the money that the provincial government is receiving is actually going to support First Nations children and youth? If not, why not?

I look at the budget estimate and see the provincial government receiving \$51 million for services to First Nations reserves and then subsequently see only a modest increase of \$980,000 to Indigenous partnerships, or line item 5, which includes a real cut to policy and partnerships and an increase of \$1 million in Indigenous connections. These modest increases are unlikely to meet key objective 2.7 of the business plan, especially given there are zero metrics to confirm the efficacy of this province with the administrative reform agreement, particularly in extraordinary situations including medical, foster, or kinship care and complex needs.

I'm curious how much this government applied for with the Make-A-Wish Foundation for children that are PGO in care of this government.

This government has also shown zero willingness to accomplish the very first call to action of the Truth and Reconciliation Commission, which, let me remind us all, is to reduce the amount of Indigenous kids in care to none. I'm appalled at this budget because we're seeing zero results, especially looking at an increase of 78 per cent of all children in care being Indigenous as of

December 2025. Madam Chair, this is unconscionable. Looking at the metric of DFNA involvement in child intervention under performance metric 2(b), the per cent of First Nation children and youth served by a DFNA is 34 per cent. This still does not deal with the fact that apprehensions are still largely carried out by the province, with 72 per cent of child interventions being with Indigenous children and families.

I do not see any line items relating to the band designate, either. Through you, Madam Chair, to the minister: can you please clarify how the government determines the amounts available for the band designate? As we all know, costs greatly exceed with CYFEA mandates. What is allocated for band designates?

This government is also hanging its hat on the TAP program, with \$65 million in '25-26 according to page 22 of the strat plan, which leaves \$25 million to the advancing futures program, if I'm calculating correctly, but no metrics to assess success for the TAP program.

The caveat under performance metric 1(b) does not give me much confidence in this government or this program given that it's been in place for quite some time now under this government. While a self-survey of youth participants to assess this government's program efficacy is, with great respect, Madam Chair, lazy. What the program does not accomplish is an understanding of the ongoing colonization that this government commits against Indigenous youth that go through the system. If you're forcing traumatized youth to self-report while holding the purse strings for support, it's another level of cruel that this government continues moving toward. When we see a mere provincial increase of 5 per cent in this program year over year with 2,123 young adults participating in this program – meanwhile, this and previous UCP governments have had between 7,000 and 8,000 youth in care year over year – Madam Chair, quick math: that's less than 26 per cent of all those that have aged out of care accessing this Alberta Works for former youth in care, if they have not yet passed away, like the several family members that I and countless Indigenous families in this province have lost in years.

To sum, Madam Chair, through you to the minister, I'm asking for accountability on the administrative reform agreement and how much this government receives for First Nation youth on- and off-reserve, how this budget addresses reducing the amount of Indigenous children in care with TRC call to action 1, and how this government can believe that the TAP program is accomplishing what it sought out to do, given the figures that we're seeing from this budget and the actual amount of youth that have aged out that are accessing this program.

Madam Chair, those are all my questions to the minister. Please, if you can't answer today, I'll accept them in writing as well.

Thank you.

The Chair: Thank you so much, hon. member.

We'll move back over now to the minister for his response.

Mr. Turton: Yes. Thank you very much, Madam Chair, and, again, thank you to the member for his passionate questions. The member talked a great deal about Indigenous children in care. This is something I know I've touched base on with my ministry team a great deal. We understand the impact that it has on Indigenous kids, which predominantly make up the system. Child intervention practitioners are guided by the child intervention practice framework. It does include six core principles, which help out our Indigenous kids. They are Indigenous experience, preserve family, strength-based connection, collaboration, and continuous improvement.

The Indigenous experience that we know is that Indigenous peoples have always had their own ways of ensuring that vulnerable members, including children, are safe, protected, and nurtured. We honour this by recognizing their expertise in matters concerning their children, youth, and families. With connection we understand that children and youth are supported to maintain relationships that are important to them, be connected to their own culture, practise their religions or spiritual beliefs, and for those with involvement have a plan for their care where they are included in the decision-making process. We remain committed, as always, to working in partnership with Indigenous communities and walking the path towards reconciliation. Our goal is to help Indigenous families stay together whenever possible by providing those culturally appropriate prevention and early intervention services through programs such as family resource networks.

Alberta's government is strengthening cultural supports and connections with communities for Indigenous children and youth who need child intervention services by ensuring that a cultural plan is in place for children and youth in care to maintain and build connections with extended family and community. This is something that has come up to me personally from Indigenous leadership as I've been travelling around the province as well as at protocol meetings. It also includes recruiting and training and supporting caregivers who can foster positive cultural and community connections for Indigenous children in their care and ensuring that Children and Family Services staff have the skills and understanding that they need to serve Indigenous families.

Children and Family Services works with First Nations to transfer authority as they exercise jurisdiction over child and family services under Canada's An Act Respecting First Nations, Inuit and Métis Children, Youth and Families. This is something that has taken up a great deal of time for myself as I've been travelling around the province meeting first-hand with nations on their respective lands, talking with their DFNA heads and other stakeholders on the respective nations that are involved with children's services to look for ways that we can help out these amazing kids.

When children and youth are unable to live with their families, we do prioritize placement with trained and supported kinship caregivers who can keep them connected to their community and culture. Again, this has come out loud and clear as I've been travelling around the province. We want to make sure that these kids know where they came from. We want to do everything we can to ensure that they have those family and cultural connections. We know that this has a lasting impact on these kids, leads to better outcomes, and we can end the cycle of generational trauma. This is something I'm very aware of. This is something that has been clearly communicated to me from First Nations leaders, and we're doing everything we can to ensure that those connections remain intact.

8:50

To the member's question on line 5.2, there is a \$1 million increase for Indigenous connections primarily related to public-sector compensation adjustments.

To tie in real briefly with some of the questions that were with the prior member about the TAP program evaluation, the question that the member asked previously was about how CFS will know that TAP is helping young adults prepare for a successful transition into adulthood. Obviously, this is something that we want to be able to measure and keep track of. TAP has been fully operational less than 3 years and continues to evolve based on feedback from stakeholders, participants, and practitioners. In 2025-2026 TAP implemented an evaluation framework to confirm programming is

meeting the participants' needs. This includes a survey that practitioners will complete with TAP recipients annually. Data collected from the survey will be used to inform continuous improvement of TAP, including opportunities to develop, pivot, and strengthen the program based upon the recipient's self-reported progress.

The ministry will continue to gather feedback through the Youth Advisory Task Force and the new performance measurement survey tool, and this data will help the ministry understand the effectiveness of the program and inform continuous improvement.

The Chair: Thank you so much.

Over to the government side. Please proceed, Member.

Mr. Singh: Thank you, Madam Chair. We'll continue on the block time, Minister, if that's okay with you?

Mr. Turton: Absolutely.

Mr. Singh: Through you, Madam Chair, to the minister, thank you to the minister for coming here today. I just want to express my gratitude to the minister and the entire team for improving outcomes for vulnerable children and women in Alberta.

Through you, Madam Chair, to the minister, my questions are on the capital investment. I see here on page 44 of the business plan and page 75 of the government main estimates that there have been new and significant capital investments into child intervention and women's shelters that increases over the next four years.

In child intervention I see \$2 million, quite a lot for new annual program. What kind of projects will this new capital program go into? I see that women's shelters will only be seeing \$500,000 of the \$4 million in the first year but close to \$1.5 million in the third year. Are there any limits to what a women's shelter can request for funding, or can one shelter get the whole amount budgeted for the year?

My next set of questions are on prevention of family violence, very important to the Calgary-East constituency. Through you, Madam Chair, on page 42 of the business plan, \$29 million is allocated to provide services for programs that support Albertans impacted by sexual violence, family violence, and abuse. These programs play an important role in ensuring survivors and their families have access to the supports they need during very difficult circumstances.

I don't see a lot of information about what is offered within the \$29 million. Could you please, Minister, expound on the different kinds of grants or programs offered through this funding and the outcomes that come with the funding? How much of this funding is allocated to sexual assault centres, child and youth advocacy centres, and how much of the remaining funds are allocated to other preventative supports and programs here?

Through you, Madam Chair, my next set of questions are on healthy development of Indigenous children and youth. It has been touched on by the previous member, and I know probably the minister wants to expand a little bit more on this subject here. In the ministry business plan it identifies a commitment to working with Indigenous communities and governing bodies. Key objective 2.6 on page 42 shows the ministry's commitment to work closely with First Nations, Métis, Inuit, and urban Indigenous communities to support the healthy development of Indigenous children and youth in care. It goes on to indicate this will be done by providing opportunities to maintain and enhance connections with family, community, and culture.

Additionally, key objective 2.7 outlines the commitment to work with the First Nations and the government of Canada to implement An Act Respecting First Nations, Inuit and Métis Children, Youth,

and Families, which would enable transfer of authority of a child in family service delivery. Could the minister please explain what this commitment means in relation to Budget 2026? And could the minister please provide this committee some specifics on what the ministry is doing about this in 2026 and 2027?

My next set of questions are on family, community, and culture. Through you, Madam Chair, while reading over the ministry fact sheet on page 39 of the business plan, I saw the ministry has a special focus when it comes to service design. I read that the ministry works with partners to design services that are culturally appropriate.

The Chair: Thank you so much, Member. We'll head to the minister for his answers.

Mr. Turton: Yes. Thank you very much, Madam Chair, and thank you again very much for the member's passion. As minister I've appreciated getting his questions over the last couple of years. To go through it real quickly. I know the member did talk specifically about the \$2 million that is allocated towards the new capital plan. In communities right across Alberta government-owned buildings provide front-line service to vulnerable children, youth, and families, and these facilities include group homes for children in government care and offices where families meet with caseworkers. To keep families and staff who support them safe, small-scale upgrades are needed to address the health, safety, and security needs such as keeping reception areas and doors secure and offering culturally appropriate client spaces.

The previous approach for small tenant improvement projects, implemented in co-operation with Alberta Infrastructure, frequently resulted in project delays due to administrative inefficiencies, including late assignment on project managers as a result of financial procedural delays. Even low-cost, low-complexity projects were subjected to extended timelines leading to missed schedules, cost pressures, and disruptions to program delivery. In several cases straightforward video doorbell installations or minor renovations did miss timelines. Part of the reason for this was because dollars were not clearly identified for this important work and required annual processes to identify the funds for the purpose that is a known annual requirement.

The member mentioned briefly and asked some questions specifically about the women's shelters and about the capital renewal program there. Again, as I stated to some of the other members earlier, this has been one of the programs that I'm most proud about that has been included in Budget 2026. In this year's budget it will invest \$4 million over three years into new funding to maintain and repair critical shelter infrastructure. This investment ensures that shelters are safe, secure, and ready to support women and children in crisis: \$4 million in capital grant funding over three years in 2026-27 to 2028-29 is allocated for the new women's shelter facility pilot program, a conditional capital grant program designed to address critical renewal and maintenance needs and enhance safety at more than 50 women's emergency and second-stage shelters right across Alberta.

You were asking questions about how the funding will be prioritized. That will be based upon the immediate safety risks, risk of facility failure, and professional assessment of infrastructure needs. By maintaining these safe spaces, the government ensures shelters are safe, secure, and meet the increasing demands for emergency accommodations for women and children in crisis. I will say that since the budget has been tabled, this one point has been the most talked about issue that has been referenced to me from women's shelter providers throughout the entire province. There's

a great deal of excitement about this new program, and they're already talking to me about how they can apply.

9:00

You're asking some specific questions about the \$29 million in terms of the different grants or programs that are currently being offered. The \$29 million is being invested in community-based organizations supporting Albertans impacted by sexual violence, family violence, and abuse. In addition, we're also investing in prevention programs that address abusive behaviours at their source. This specifically includes \$15.8 million to support 15 sexual assault centres right across the province, and the Association of Alberta Sexual Assault Services. Again, I also want to just speak to the leadership and guidance that Corinne and Haley have had over at the Alberta sexual assault services. Actually, I just met with them a couple of days ago and they've been providing exceptional guidance to us in terms of how we can invest in these programs.

This includes an additional \$2 million to SACs right across Alberta to help support and sustain existing programming – we continue to strengthen provincial co-ordination to better support survivors – and \$3 million under the 10-year made-in-Alberta strategy to end the gender-based violence. This plan builds on the extensive work done and already under way to address gaps in the system and streamline supports and funding to where it's needed most and includes prevention initiatives that target root causes of violence before it occurs and increase the protective factors for Albertans, especially in marginalized and underserved communities and, of course, to fund Indigenous-led organizations aimed at providing culturally appropriate family violence prevention initiatives.

The Chair: Thank you, Minister.

Over to the Official Opposition.

Member Batten: Thank you so much, Madam Chair. To the minister. The ministry launched the caregiver round-table action plan, as noted on page 42 of the business plan 2026-29, to better understand the experiences of kinship and foster caregivers and to develop recommendations to strengthen supports for them and ultimately for Alberta's children and youth. Given, of course, that these round-tables are ongoing, through the chair to the minister: what measurable outcomes has the ministry seen so far? Per the January 2026 government of Alberta release, child intervention placement numbers show year over year a decrease in the number of children and youth being placed in an at-home placement, where this last year there were 123 fewer kinship placements, 85 fewer foster care placements, 9 fewer permanent placements for children and youth in Alberta, for a total of 893 foster homes, 2,126 kinship placements, and 583 agency foster homes, where the agency foster homes have increased by 38 placements.

Since these round-tables have begun, through the chair to the minister, how many additional kinship or foster caregivers have been recruited and retained in Alberta? What is the minister's target number of caregivers needed to ensure that children can be placed in a stable family environment rather than having more disruptive placements? Given that the only at-home seeing increases are the agency foster homes, to the minister: is this the ministry's solution to the need for more placements? If so, how many agencies are selected and where can the public access this information? Now, many caregivers have identified practical supports such as increased respite as critical to sustaining placements. Where in this year's budget are we seeing investments that reflect those recommendations, including the increased respite funding or other direct supports?

Now, the supports for permanency program is provided to provide financial supports to families who adopt or obtain permanent guardianship of children under care of the government. Per the January 2026 government of Alberta release there has been a 2 per cent decrease in families accessing this support, and budget line 2.3, page 75 of government estimates, shows about a 3 per cent over forecast increase.

To the minister through the chair. At a time when needs are high, seeing a decrease in families accessing supports is a bit of a head-scratcher. However, the minister will recall that this government placed income testing on the support, breaking their good-faith agreement with families who had opened their homes and their lives to children and youth who had been in care of the government. Through the chair to the minister: how does the minister account for these supports not being accessed at a time when caregivers are asking loudly for additional supports, and given the strong pushback from families, is the minister considering removing the income testing from the support and making it easier for families to permanently bring children and youth into their families?

Per the government of Alberta release in January 2026, group-care placements have increased by 15 per cent and overall facility placements by 13 per cent. Given that the minister and I have previously agreed and hopefully still do agree that group-care placements are not as foundationally positive for children and youth when compared to at-home placements, and the minister had already mentioned that placing children out of home actually costs more, through the chair to the minister: can you explain how key objective 2.2, page 42 of the business plan, speaking to providing children in care with healthy nurturing family environments, is being met?

Now, caregivers are also frequently speaking about their need for trust and flexibility to make everyday decisions in the best interest of the children in their care. As these round-tables continue, to the minister: what steps is the ministry taking to ensure policies better reflect the lived experience of caregivers and the children they support, and how will the ministry evaluate whether the round-tables are actually improving recruitment, retention, and caregiver stability, and when can Albertans expect to see these improvements reflected in both outcomes and future budgets?

Now, page 75 of government estimates: capital investment shows a \$5.5 million overspend for children intervention delivery capital. To the minister through the chair: what was the \$5.5 million invested in? Who received this funding? How was the contract awarded, and what outcomes of this \$5.5 million investment demonstrate positive outcomes for Albertan children and youth, and how is that being measured?

Now, given the overspend and that the estimate reflects less than a third of this year's forecast for the coming year's estimate and a huge need for youth shelter spaces in Alberta, to the minister: do these capital investments captured in these estimates address the needs of Albertan youth?

The Chair: Thank you so much, Member.

We'll move over to the minister for his response.

Mr. Turton: Yes, thank you so much, Madam Chair. To answer a couple of questions that were asked in the previous block as well, there was a question related to the Make-A-Wish Foundation. We do not have a funding allocation for that amount. There was also a question about the First Nations designates. CFS has budgeted \$1.5 million annually to support these designates so that the funding is within the child intervention budget and split evenly between treaties 6, 7, and 8. Each treaty determines how they're split between First Nations. For the question that came a couple of blocks

ago about women's shelters, specifically about the grants, this is obviously something that has come out loud and clear with many of our stakeholders about the multiyear grants versus the single-year grants. The grants have been extended until July of 2026, and then when we implement the women's shelter renewal program we will look at longer grant periods at that point.

The member also did talk a little bit and ask questions about the engagement that we've had with women's shelters. There was a building on the women's shelter round-table, which was held in February of 2024. The women's shelter renewal program, or whisper initiative, launched in summer of 2024 to create a more culturally relevant, integrated, and responsive system of care and reimagine how family violence services are supported and delivered right across Alberta. Over the past year the government has met with shelters, the Alberta Council of Women's Shelters, and crossministry partners to develop guidelines that balance provincial consistency with flexibility for shelters to provide services in ways that work for their respective communities.

The renewal program, as I mentioned, will be implemented on July 1, and it aims to provide a provincially consistent framework that allows for flexibility based upon community context. It also will allow flexible, transparent, and needs-based family violence interventions in areas of the highest need and strengthen alignment, co-ordination, and integration within the broader family and gender-based violence system of care. It will also embed culturally-safe, trauma-informed, and survivor-centred approaches and improve performance measurement, accountability, and sector sustainability and create space for innovation and service delivery, including the development and scaling of alternate models.

The ministry is continuing to reduce red tape and administrative burden by making grant agreements more flexible, which will allow shelters to allocate funding to best meet their local needs. In addition to providing operational funding to more than 50 women's shelters in the province on an annual basis, CFS also provides annual funding to the Alberta Council of Women's Shelters, who provide co-ordination and support for members. Capital grant funding of \$500,000, which we have talked about earlier, has been provided to support the women's shelter facility pilot program.

9:10

In terms of the budget and some of the questions that the member talked about, there's no reduction to the operational funding for women's shelters. The difference between the 2025-2026 forecast and the '26-27 budget reflects one-time funding commitments, not reductions, to ongoing shelter operations. In fiscal year '25-26 we provided time-limited funding to modernize data systems, support regional collaboration, and pilot innovative service delivery approaches.

There were some questions as well regarding the Family Violence Death Review Committee. Again, I just want to thank all the members for their work on that committee. By shifting focus to more integrated and forward-looking prevention efforts, the government is better positioned to continue prioritizing the safety and well-being of Albertans affected by family violence. For example, we are advancing several high-impact strategies to prevent family violence, including Building on our Strengths: Alberta's 10-year Strategy to End Gender-based Violence and 113 Pathways to Justice: Recommendations of the Alberta Joint Working Group on Missing and Murdered Indigenous Women and Girls. These initiatives focus on proactive, community-based, and integrated approaches to violence prevention. We will continue to advance recommendations from the upcoming special case report.

The member also talked about sexual assault centres. I'll probably have to finish some of the information that the member

has been requesting in the next block. But I just again want to stress that no Albertan should ever have to experience sexual violence or abuse. Again, I'd just like to thank all the survivors of domestic and sexual violence that have come up to me and told me their stories and the impact that the sexual assault centres have had pertaining to their healing here in the province by providing the services and programs that they need to lead a healthier life. I'll talk more about them in the next block.

The Chair: Thank you so much, Minister.

We will move now over to the government side. Please proceed, Member.

Mrs. Sawyer: Thank you very much, Madam Chair and through you to the minister. I just want to echo what some of my colleagues have said. I do think that appreciation for the work that your ministry does is really important to express to you because you do have to deal with some very difficult stories, and you guys are all working really hard. For me, especially because you have touched on it, your visiting as a new MLA: I think you were the second minister to reach out to me, to want to come and meet with me and the Mountain View Emergency Shelter. You know, we had a rather unfortunate story that happened that resulted in them having to begin a build of a domestic violence women's shelter. It took tragedy in the community, and with some funding from our government I'm happy to say that, since you came to visit, it is now open and operating. I got to tour the facility. But you taking the time to sit with them, they really, really appreciate it. You getting around in the province means a lot. So I did want to just take a minute to thank you for that. My questions don't actually have to do with women's shelters. I think you've been covering that. But I did want to take a minute to express my gratitude.

Actually, I wanted to talk about the child and family benefit program. It was touched on lightly. Affordability is an issue for many Albertans and, you know, around our country, everyone. In the fiscal plan on page 82 there are added supports to the Alberta child and family benefit program. The Children and Family Services expense, I note, is increasing \$30 million, or 8 per cent, from the 2025-26 third-quarter forecast. The most operating increases are for child intervention and the Alberta child and family benefit payment. My questions are around the payments. First, what is the purpose of the Alberta child and family benefit, and how will it support the needs of Albertan families in 2026-27? How is Budget '26 impacting the Alberta child and family benefit, and how does Budget 2026 use the Alberta child and family benefit to help address affordability pressures for families with children?

My next set would be around operating expenses. We all know that the youth are our most precious in this province, and when they're in government care or transitioning out of care, whether it's to their families or they are now independent, children require our support as they process into adulthood. Under operating expense increases provided for in Budget 2026 on page 83 of the fiscal plan the total expense is forecast at a little under \$1.7 billion in '26-27, which is an increase of \$63 million, 3.9 per cent, from the '25-26 third-quarter forecast. My questions would be: through you, Madam Chair, to the minister, could you please break down the expense increase? How does this increase through Budget 2026 compare to previous years? What are the ministry's top priorities with the increased funding through Budget 2026? I think what would be of value as well is if you could tell how the ministry uses performance measures and public reporting to demonstrate the progress and support continuous improvement over the fiscal year.

We've talked a fair bit about TAP and advancing futures. If I could take the last few seconds here, I'll talk about advancing

futures. In performance metric 1(a) on page 41 this program addresses the needs of youth transitioning from government care to postsecondary education. Could you explain, through the chair, the program and the number of young people it will serve through Budget '26? The metric looks at the percentage of youth who complete their planned education. Could you speak, Minister, on how that performance is evaluated and how Budget '26 will support achieving the 2026 to 2027 outcomes? That would be great, Minister, if you could do that.

Thank you.

The Chair: Thank you so much, Member.

We will move over to the minister for his response.

Mr. Turton: Yes. Thank you very much to the member for her questions. I have appreciated meeting her constituents in her area. To address her first question, which is about the Alberta child and family benefit, we do realize as a government and as a ministry the cost of living challenges that many families face, and this benefit is an important way that we have been supporting them. The Alberta child and family benefit, or ACFB, is a tax-free benefit paid to lower- and middle-income families with children under the age of 18. This amount varies based upon family income and number of children under the age of 18. It is estimated that between 185,000 and 190,000 families right across Alberta access this credit every year. Many Albertans continue to struggle with the high cost of living as a result of inflation, and this benefit helps put more money into their pocket.

As part of Budget 2026 the government will invest \$405 million into the ACFB, which is a \$30 million, or 8 per cent, increase from forecasted 2025-26 expenses. This budget increases to support the scheduled 2 per cent increase to benefits with anticipated population growth. Effective July of 2026 the ACFB will be increasing by 2 per cent, based upon the Alberta escalator as defined in section 44.2 of the Alberta Personal Income Tax Act. Working families can expect to receive up to an additional \$45 per year if they have one child and up to an additional \$115 per year if they have four or more children. The ACFB includes a base component and a working component. From July of 2026 to June of 2027 the maximum yearly benefit will be \$5,882, up from \$5,767, for a family with four or more children.

The other question you did ask specifically was about the expense increase based upon page 83. In Budget '26 we are focused on what matters most, which is of course meeting the legislated requirements and keeping our kids safe. The \$63 million increase in funding is primarily from a \$31 million increase in child intervention programming. The increase in funding is public-sector compensation adjustments, including the new child intervention practitioner classification, additional support for rising costs associated with case complexity, and a 2 per cent increase in foster care, kinship care, and permanency caregiver rates. Again, this was the number one ask that caregivers have been asking me for the last couple of years. Very thankful we were able to put forth these increases for them.

9:20

As well, we have a \$30 million increase for the Alberta child and family benefit to support and increase benefits and phase out thresholds by 2 per cent for families who access these supports and to support population growth and a \$4 million increase in early intervention services to support the increasing caseloads in the transition to adulthood program.

Your question as well was pertaining to the increase through Budget 2026 compared to previous years. This budget continues to

support those families by building upon the investments from 2025-26. There's an increased focus on funding to support building capacity in child intervention and help address agency pressures and support case complexity. Further, this budget continues the commitment to foster care, kinship, and permanency caregivers by increasing those caregiver rates by, again, 2 per cent, which I'm very thankful that we're able to do.

You asked specifically about my top priorities with the increased funding through Budget 2026. The safety and well-being of children and youth, including those in child intervention, has always been and will always be my highest priority. We have to make sure that these vulnerable kids are safe and protected. In our budget we will focus on what matters most, meeting our legislated requirements to keep our children safe and keeping the promise to support Albertans fleeing violence.

You asked a question specifically about the performance measures and the public reporting and how it demonstrates progress to support our continuous improvement. At the start of each fiscal year the ministry publishes a business plan outlining key objectives, performance indicators, and annual targets related to child safety, permanency, well-being, and youth transitions. These measures establish clear expectations and provide a baseline for tracking progress. During the year we continue to monitor results and take input from our stakeholders about ways that we can continuously improve the system.

Thank you very much for your questions.

The Chair: Over to the Official Opposition.

Member Batten: Thank you, Madam Chair. To the minister through the chair, the Child, Youth and Family Enhancement Act was recently reviewed through a committee process with recommendations provided to the ministry in late November 2025 and subsequently tabled in the Legislature in February 2026. Highlighted on page 42 is key objective 2.1, which is to continue to review policy and practice by implementing safety-oriented, evidence-based, and culturally appropriate approaches and methods.

Now, given the time and resources invested into the review, through the chair to the minister, what specific legislative amendments to the Child, Youth and Family Enhancement Act will the ministry introduce in response to the recommendations made by the CYFEA review committee, and when can Albertans expect those amendments to be brought forward? How many of the review committee's recommendations has the ministry accepted, partially accepted, or rejected? Will the government publish a formal response outlining its decision? How will the ministry publicly track and report progress on implementation of these recommendations so that stakeholders and families can see a measurable outcome?

Given that the January 2026 government of Alberta statistics report shows an increase in the number of intakes of children and youth and that advocates and the youth themselves are both concerned at the ever-increasing complexity of their needs, given the high risks of homelessness, mental health challenges, and exploitation and given that as of December 2025 78 per cent of children receiving services and care from Children and Family Services are Indigenous, through the chair to the minister: what actions are being taken to address this continued overrepresentation of Indigenous children in Alberta's child intervention system?

How will the ministry ensure that CYFEA amendments align with the federal Indigenous child welfare legislation and support Indigenous jurisdiction over child welfare services? What specific measures will the government introduce to strengthen cultural

continuity and community connections for Indigenous children placed in care? Does budget line 2.4, kinship and foster care support, which is seeing a 5.4 per cent increase over forecast, provide the additional financial, social, and training supports to kinship caregivers who are now caring for a significant proportion of children receiving intervention services?

The January 2026 report shares that 86 per cent of children and youth who suffered a serious incident or died in care of the government were Indigenous. What concrete actions is the ministry taking to address this devastating overrepresentation of Indigenous children and youth who are dying in care of the government? In fact, looking at data as far back as 2026, Alberta now has the highest percentage of Indigenous overrepresentation for serious injury and death while in care of the government.

To the minister: will the government expand reporting requirements or oversight rules related to the Child and Youth Advocate to strengthen independent review of serious incidents involving children and youth receiving services? Will the minister reconsider adjusting the age of reporting back to 24 years of age to better understand outcomes facing youths who are in care of the government? Where in this year's budget are the resources allocated to support the implementation of the recommendations? How will the ministry ensure that the review results in tangible improvements for Alberta's most vulnerable rather than simply remaining a report to the government?

Now, Minister, I'd asked in the previous block and I have not yet heard the answer to the \$5.5 million overspend that we're seeing in child intervention delivery capital. Again, what was the \$5.5 million invested in? Who received this funding? How was the contract awarded? What outcomes for the \$5.5 million investment are demonstrating positive outcomes for Albertan children and youth, and how is this being measured?

Further, at 18 young people may legally be considered adults, but emotionally, their development, life experience, and stability do not suddenly change on their 18th birthday. Many youth, especially those navigating complex family situations, mental health challenges, and transition out of government care are still building the skills, confidence, and support networks they need to live independently. Several provinces have already recognized that young people do not suddenly become fully adult at 18, and they have extended robust supports, including financial ones, well into their 20s. For example, British Columbia provides financial, housing, education, and mental health supports up to the age of 26. Quebec supports youth through programs extended to the age of 25. Nova Scotia, up to the age of 24. Given that other provinces are clearly recognizing the developmental reality that youth often require support well into their . . .

The Chair: Thank you so much, Member. That's your time.

Now over to the minister for his response.

Mr. Turton: Thank you very much, Madam Chair. To answer a couple of those questions regarding the CYFEA review, which I have mentioned briefly has taken up a large part of the year, I'd like to thank again all the committee members for participating in that committee, including yourself, Madam Chair, and Member Batten. This committee has had a wide range of perspectives, with representation from Indigenous communities, guardians and caregivers, service providers, and a member from both caucuses. The committee has met from November 2024 to November 2025 and dedicated a significant amount of time to review the Child, Youth and Family Enhancement Act. The committee's report included 37 recommendations focused within four themes: administrative fairness, permanency for children, Indigenous

continuity, and cultural considerations. We are currently reviewing the actual reports, and my department and I will take time to consider the recommendations that are put forth. It is my expectation, however, that we will be bringing forth changes in the 2026-2027 fiscal year.

The member also talked in an earlier block about supports for permanency income testing. To deliver core services the government made difficult decisions such as reintroducing income testing of the basic maintenance benefit and the supports for permanency program for guardians with a combined income of \$180,000 or more. Families already receiving supports for permanency funding will continue to get the basic maintenance rate until the children age out of the program at 18. This change only applies to the basic maintenance benefit, meaning guardians with a combined gross annual income of \$180,000 or more would still have access to all the other supports in the program. Alberta's disciplined fiscal approach protects the vital services that Albertans count on, enables debt repayment, and supports savings for future generations.

9:30

The member mentioned a couple of times about the \$5.5 million in capital overspend; \$3 million of that is IT project, and that includes a caregiver portal delivered by T and I, and \$2.5 million for carry-over for capital investment from the prior year delivered by Infrastructure for group homes. Hopefully that addresses that member's question.

In a prior block the members were talking, asking questions specifically about trends that we have within the foster care system. Compared to December of 2024, there were 18 fewer approved and licensed foster care homes or 15 fewer homes managed through the regions, which means fewer foster care placement options to meet the needs of children or youth who come into care. This loss is on top of the historic shortage of foster caregivers right across the province. For regional and/or off-reserve foster homes, there has been a 1 per cent decrease from December of 2024.

The foster care recruitment process is being streamlined to be more responsive to potential foster caregivers. Children and Family Services is committed to increasing the number of foster care beds to better serve vulnerable children, youth, and families in need. Through strategic initiatives and partnerships, efforts are focused on expanding the availability of safe and supportive placements, ensuring that every child and youth receives the care and stability that they deserve.

Through a province-wide foster care procurement Children and Family Services significantly strengthens system capacity and caregiver support. Before this procurement the province contracted approximately 1,420 foster care beds. The ministry aimed to expand capacity to 1,700 beds, representing a 20 per cent increase, and ultimately awarded 1,659 beds. This procurement increased financial support for caregivers.

The daily foster care program rate did increase by 35 per cent, rising from \$34 to \$46 per day to better reflect the responsibilities of caregivers within Alberta. In addition, a tiered, incentive-based funding model was introduced to support recruitment and retention. Again, these are two aspects that came out loud and clear at the foster care round-tables that we have been having.

In addition to the enhancements made in 2023-24, we have also been increasing financial supports to caregivers annually to address inflation in line with the Alberta escalator. This includes the basic maintenance, babysitting, relief, and for skill fee per diems, and the next increase is planned for April 1, 2026. In 2024 I hosted a series of provincial round-table discussions with kinship and foster

caregivers to gain insights into their experiences, and I do continue those conversations with foster care families in the province.

The Chair: Thank you so much, Minister. Over to the government side.

Mr. Lundy: Thank you very much, Madam Chair, and of course thank you to the minister, through you, and his staff. Minister, I really appreciate hearing some of the stories about you interacting, and it's been well mentioned by my colleagues your commitment to travelling throughout Alberta, including, of course, in my riding as well. Just getting to hear from you about the impact, I would certainly add that in my constituency office I want to say thank you to your department and your office. You know, I would say that in my time since being elected, hearing from constituents who are dealing with issues in your ministry is certainly one of the most moving parts of my job, and I will say that when I get a chance to pass their stories along and talk to your office, they've been helpful and compassionate as is required.

Of course, through the chair, I do have some questions, a lot of questions maybe, on some of the transition pieces that you've talked about, but I did want to say to anyone who's watching who's ever come to my office to talk about this: I appreciate all that they do for this service to Alberta as well. Minister, through Madam Chair, we talked about transitions. I believe the TAP program has come up, and I just wanted to give you a chance, Minister, to maybe speak a little bit more broadly about this program.

You know, I'm just kind of looking at performance indicator 1(b). This is on page 42 of course. It's important because it talks about young adult outcomes, and TAP helps prepare young adults to live independently, pursue education, and build their careers. I see the indicator will measure the self-assessed progress of participants and support the continuous improvement of the program, so through the chair: would the minister explain who is eligible for this program? Also, could the minister tell us more about this program and how it supports youth?

Finally, through the chair, from reading the document, I understand performance indicators are still in progress. How is the ministry developing these indicators, and when is it expected to have them ready?

If I might transition my transition questions; definitely no pun intended there. Through the chair, this is about youth in transition, and specifically I'd like to ask a question about the youth in transition portion of the early intervention services program. Per the fiscal plan, this offers services to assist young adults transition from supported care programs to more independent adulthood. It does go on to indicate that this includes social and emotional support, financial assistance, and coverage for tuition and living expenses for youth pursuing postsecondary education.

I did note that this funding is increasing by \$4.8 million in '26-27. If it pleases you, Madam Chair, through you, I would like to ask the minister if he could please tell this committee more about this program and the demographic it serves. Is this program distinct from the others we've already discussed? I think this transition topic is obviously very important, so I would be interested to hear perhaps some of the distinctions between these programs and discuss what role those play. Then, finally, on this topic, through the chair: what role does this play in the early intervention services program?

I see I have about a minute left, so I would appreciate the opportunity to put one final question here on the table to you, Minister, through the chair. This is related to the family-based care metric. This is performance measure 2(a) on page 43 of the business plan, and it measures the percentage of children in care placed in

family-based care. I read that “This demonstrates the ministry’s commitment to prioritizing the best interests of children by placing them . . . in kinship care, in foster care or through permanent placements.” I do have a couple of questions, through the chair, to you, Minister. For the benefit of this committee, would the minister further outline the distinctions between the different types of care and the ways family-based care benefits the child? One last question here in our last 16 seconds. Through the chair, I see the target for ’26-27 is 85 per cent in both Indigenous and non-Indigenous children. How will Budget 2026 work to help the ministry achieve this target?

Thank you very much, Minister.

The Chair: Thank you, Member.

Over to the minister for his response.

Mr. Turton: Thank you very much, Madam Chair. Always happy to receive members from the sister riding for Spruce Grove-Stony Plain, which is Leduc-Beaumont, a very similar writing to the one that I represent, and I always appreciate the member’s advocacy.

To touch base on some of the questions. One of the first questions that the member talked about was TAP and who is eligible for that program. TAP is available for young adults between the ages of 18 and 24 who at the age of 18 were subject to a permanent guardianship order, a permanent guardianship agreement, a temporary guardianship order, a custody agreement with youth, or an enhanced agreement with youth. TAP recipients are eligible for financial core monthly benefits and nonfinancial supports up until the day before their 22nd birthday. TAP recipients aged 22 to 24 have access to transitional and nonfinancial supports, and they also continue to be connected to a TAP practitioner. These supports can be essential for helping a young adult build their future, so that they can lead a healthy and productive life.

It’s also important, as I mentioned earlier, that some supports can continue up to the age of 31, and young adults can apply to the advancing futures program up until the day before they turn 25 and can receive supports to pursue their educational goals for up to five years or until the day before they turn 31.

One of the questions that the member also asked about is, again, how these programs help out our youth. I just want to stress about some of the other programs that are available. In addition to TAP, youth in care and young adults transitioning out of care are able to access a number of programs and services to support successful transitions, which include advancing futures, which we’ve talked quite a bit about, registered education savings programs, mentoring for youth and young adults from care program, youth employment connections program, foster caregivers caring for young adults, Youth Advisory Task Force, family resource networks, and youth hubs. So there’s a wide and broad range of supports that the member has asked about in terms of that can help out youth.

9:40

The member also talked a little bit about the early intervention services program, so more about that specific program and the demographic that it serves. Youth in transition is the overarching program, like I mentioned below. But all youth in transition programs except for advancing futures do serve young adults from government care from the ages of 18 to 24. You also asked if this program is distinct from others that have been discussed at great length throughout the evening. It is not a distinct program. It is the overarching program that encompasses all the supports that the ministry provides to young adults ages 18 and up.

The member did talk a little bit about family-based care and some of the metrics that we have to measure the success for that program,

some of the distinctions that we have between the family-based care systems that we have within the ministry. We would have kinship and foster care. They provide that one-on-one relationship. Kinship care is the first placement explored for children and youth coming into care. That’s very important because we want to make sure that the family connection remains intact. We know clearly from evidence that if we can maintain those family connections, the child will be looked after well into the future. When that is not available, foster care placement options are explored at that point. We also know, again, that the main preference is kinship care as a first priority.

When family-based placement cannot meet the needs of a child or youth in care, additional options on the placement continuum are explored. I think that is important for all members of the committee to understand, that there is a continuum of care within Children and Family Services. It moves over from therapeutic foster care to community group care, campus-based care, or personalized community care placement. That may be necessary to best match the placements for the specific needs of children and youth.

There was a question about the accountability for child intervention delivery. To ensure transparency and objectivity when monitoring compliance, we did develop two new service delivery accountability frameworks, which were launched in early 2026. These frameworks are a quality assurance tool to ensure oversight on the performance of regions and delegated First Nations agencies, with the goal of continuous improvement. Again, this is something that we strive to do at every step of the process within Children and Family Services, working with our stakeholders, working with our caregivers to ensure that our kids receive the best care possible.

The Chair: Thank you, Minister.

We will now move over to the Official Opposition for their next set of questions.

Member Batten: Thank you, Madam Chair. Alberta is facing a \$9.4 billion deficit, without a plan to balance this budget in the coming years. Page 4 of the strategic plan 2026-29 vision statement indicates that investment in the Alberta advantage and supporting the things that matter most to Alberta are part of it. The Ministry of Children and Family Services’ mandate includes improving outcomes for vulnerable children, youth, and families in Alberta. As we discussed, the ministry is responsible for early intervention services, where the preventative portion, budget line 3.1, is receiving roughly 1 per cent increase over forecast. The ministry has allocated a 5.8 per cent increase, budget line 3.2, to help support the gap in supports provided to vulnerable young Albertans as they transition away from being under the guardianship of the government, which, I guess, is both interventional as well as preventative as it could set up these youths for a successful adult life.

The ministry has allocated 5.2 per cent increase to the child intervention services. Even with a year-over-year increase in the number of children and youth requiring intervention the ministry has cut funding overall to the prevention of family and sexual violence by almost 3 per cent. This funding is meant to not only prevent family and sexual violence through the delivery of preventative services, but also the same funding is meant to provide safe spaces and resources for Albertans experiencing family or sexual violence to help rebuild their lives. This cut is especially concerning considering that roughly 95 per cent of sexual assaults are not even reported to police, and there is a growing devastating trend where survivors are unable to find shelter space for themselves and their children.

The ministry, however, has allocated about 9 per cent, less than a million dollars over forecast, for Indigenous partnerships, when Alberta continues to see an overrepresentation of Indigenous youth in care of government at 76 per cent and overrepresentation of Indigenous young lives who die while under care of this government. From April 2025 till January 31 of this year 86 per cent of children and youth who died in care of this government were Indigenous. However, Madam Chair, the ministry has allocated a 13 per cent increase over forecast to their own operation budget, which is responsible for the minister's office, the deputy minister's office, and corporate services, all in service to the minister.

Now, Minister, through the chair, the budget does allocate funding to support public service agreements, and it's important to acknowledge the essential role these agreements play in delivering services across Alberta. The workers supported through these agreements are present throughout nearly every area of Children and Family Services' portfolio, from child intervention delivery and prevention programs to family supports, youth services, and community-based initiatives. These front-line professionals and organizations are often the ones working directly with children, youth, and families in communities across the province, providing critical supports, prevention programming, and crisis response. Their work forms the backbone of service delivery in this ministry and the effectiveness of many of the programs through the Children and Family Services budget. It ultimately depends on their capacity and the stability of the workforce operating through these public service agreements.

Many of the workers supporting vulnerable children, youth, and families are not government employees but staff of community agencies funded through the public service agreements. To the minister, through the chair: why has the government not prioritized strengthening these front-line workforces to the same degree as ministerial staffing? Has the ministry conducted any analysis on whether underfunding front-line service providers while increasing internal spending could undermine the effectiveness of the programs the ministry is responsible for delivering? Through the chair, how does the minister justify a 13 per cent increase when vulnerable Albertans are seeing cuts to preventative services, flat investment to interventional services, and a budget that clearly does not support the vision statement nor the ministry's mandate?

Given that research clearly shows that the best return on investment per dollar is spent in prevention, does the minister not understand, is there a lack of will, or is it an inability to responsibly invest taxpayer dollars for the largest return on investment focused on Albertans' priorities? Does the minister recognize that the inability to prioritize Albertans over government is not only a misuse of tax dollars but also a very, very good reason to call the next provincial election?

Further, the minister has noted many times a few things he has shared that I want to emphasize as we're discussing this last piece. The minister has said that he wants folks who are experiencing violence to always have the supports there when they need them. So do we, which is why I'm asking: why did the ministry prioritize a 13 per cent increase to their own pocket and not to providers?

The Chair: Thank you so much, Member. That's your time.

Over to the minister for his response.

Mr. Turton: Yes. Thank you very much, Madam Chair. I first of all just want to address the member's question pertaining to cuts to women's shelters. I guess to quote my good friend: nothing could

be further from the truth. There's no reduction to the operational funding for women's shelters. I just again want to stress that.

The difference between the 2025-2026 forecast and the '26-27 budget reflects a one-time funding commitment, not reductions to ongoing shelter operations. In fiscal year '25-26 we did provide time-limited funding to modernize data systems, support regional collaboration, and pilot innovative service delivery approaches. Those are strategic one-time investments to strengthen the system. They help to improve accountability through better data, reduce duplication through regional co-ordination, and test new ways to meet client needs more effectively. Because these initiatives are not ongoing operating pressures, they do not require continuing funding at the same level. I'm just pleased to help clear up some misinformation that was there.

Regarding the member's questions earlier about Bill C-92 – we didn't really have a chance to touch base about that too much – Alberta's government understands the importance of ensuring that Indigenous children and youth stay connected to their families, communities, and culture, and Children and Family Services works with First Nations to transfer authority as they exercise jurisdiction over child and family services under the federal act.

9:50

It's also important for members of this committee as well as many of the individuals watching online to know that Alberta is a leader when it comes to transferring children's services over to First Nations compared to other provinces. Community-led processes aim to ensure that children and youth benefit from a stronger connection with their community and culture, and Alberta will continue to engage the federal government to provide our perspective and the lessons learned. As of January 2026 five First Nations in Alberta have fully enacted children and family services laws under the federal act to which Children and Family Services has transferred over 248 case files. We are working in partnership with Indigenous communities and walking the path towards reconciliation.

As well, there were some questions about the contracted agencies. We do have a strong relationship with a broad network of contracted agencies and select grant-funded stakeholders. Their commitment to delivering essential services and providing crucial support for children, youth, and families throughout the province is pivotal to our success, and we're grateful for the support and services that they provide to children, youth and families.

We are committed to fostering and promoting a collaborative and supportive partnership with the child intervention contracted agency sector. I'm very thankful for the countless conversations I've had with stakeholders from all over the province, and I've always had an open door with meeting with these incredible stakeholders that are looking after our most vulnerable kids. Through our partnerships with contracted agencies we are ensuring that Alberta's children and youth in care have access to the high-quality services that make a meaningful impact to the lives of children.

We do allocate funding to contract agencies through open, transparent, and competitive tendering processes. This approach ensures value for money and aligns system capacity to support children and youth in care and their increasing complex needs. Agencies inform this process by identifying what they need to deliver services effectively and efficiently. Children and Family Services directs funding where it makes the most meaningful difference for vulnerable children, youth, and families. In 2025-26 an additional \$13.6 million was dedicated to community group-care services to support children and youth who are unable to live in

family-based placement due to behaviours that may result from unresolved trauma and may be more complex and outside of the ability of family-based caregivers.

Again, as I mentioned before, there is a vast spectrum of care that is available for some of our most vulnerable kids. As well, I just want to again stress that we're committed to fostering and promoting that collaborative relationship – I just want to highlight a line – and the association of other stakeholders throughout the entire province and the open-door policy that they have shown me, and vice versa, as they've been able to provide input on how we can improve the system.

I want to specifically talk about one partnership that we have. We have \$172,000 in partnership with the University of Calgary to deliver the leadership development program, providing no-cost, high-quality leadership training to approximately 112 supervisors and managers across the child intervention contracted agency sector. Again, I believe, as the Minister of Children and Family Services – most ministers are obviously biased towards their respective ministries, but I do think that the staff within CFS truly wear their hearts on their sleeve. I'm very thankful we've been able to provide the additional support so they can do the work that they have.

The Chair: Thank you, Minister.

Over to the government side.

Ms Schulz: Thank you very much. I want to thank the minister for his great work and his passion for this ministry. I also want to thank the team at Children and Family Services. I would agree with the minister. I've often felt that this is probably the most challenging and the most rewarding work in government, and I'm sure grateful for all that you do for vulnerable children and their families across the province.

I know we're running a little low on time here at the end of the night, but for all of those watching I do have two questions to finish up this evening. Minister, on page 41 of the business plan, outcome 1 emphasizes strengthening families and communities through early intervention and prevention supports. This is something I'm very passionate about and I think obviously has the biggest opportunity to change the trajectory for these children and their families. Can the minister explain how this budget – and you've already done this somewhat – is enhancing these services? Specifically I would like to know what specific programs or service expansions are being prioritized in '26-27 under this outcome.

I know we've talked about many of the programs' investment numbers and performance measures tonight. I'm grateful for all the minister has shared thus far in the evening. Given that we're nearing the end of our time together, the last question I'd like to ask the minister is if the minister would highlight the key focus areas for the ministry in '26-27 as it delivers on the priorities set out in Budget 2026. Then, through the lens of Budget 2026, would the minister highlight what he is most looking forward to addressing in 2026-27?

With that, Madam Chair, I will conclude my questions.

The Chair: Thank you so much.

Minister, over to you.

Mr. Turton: Yes. Thank you very much, Madam Chair. I just want to thank the member, MLA Schulz, for her incredible leadership when she was the minister for children's services for so many years. It's not lost on me that for three Committee of Supply sessions I sat almost in that exact chair asking you many questions about how we

were helping out vulnerable and complex kids, so I appreciate your support in that.

Anyways, thank you very much to the member for those questions. She did ask a couple of questions about highlights that I have appreciated with Budget 2026. As I mentioned before, at CFS we serve nearly 9,000 children receiving child interventions each and every year, so the \$1 billion investment into child intervention, which shows an increase of approximately \$31 million from the forecast, I know is going to be going to the right places. It's going to be earmarked towards helping some of the most vulnerable, complex, but absolutely amazing kids that need that additional support.

I'm very appreciative that we're able to help support our amazing caregivers and foster and kinship caregivers throughout the entire province with rate increases as well as trying to streamline the process to make their lives easier as they open up their hearts and their homes. The last thing I ever want to hear from a foster care or kinship care provider is that they want to be able to help look after an amazing child, but for whatever reason they can't. Knowing that in this budget we are knocking down those barriers so that these foster and kinship caregivers can continue to pour into these amazing kids brings great satisfaction to my heart.

Other aspects that I appreciate about this budget would be the capital renewal program that I mentioned repeatedly, which will be supporting women's shelters throughout the entire province. As I stated, this has been one of the number one priorities that women's shelters have talked to me since I've been appointed as minister almost two and a half years ago. It really shows their dedication to helping out some amazing women and kids who are going through their darkest days, who might not know where they can put their heads down for some rest, for some stabilization, to receive the support and care that they require. Knowing that our women's shelters continue to be supported with increased funding, knowing that the red tape continues to be reduced so that they can continue to pour into these amazing survivors of domestic and sexual violence also brings great joy to my heart.

I know the member talked at great length and I know her passion is about the intervention and prevention services and how it supports families. Since 2021 this program has been changing regarding family resource networks because for myself as Minister of Children and Family Services, it's really important to ensure that the services are targeted towards those families that need help the most. I understand that there is a role for universal services, and I'm very thankful that our family resource networks will continue to have universal services which will help out so many families here in the province, but I also realize that there are families that are in crisis. There are families that need a lot of extra help and attention, and the fact that we are going to be able to work with our family resource networks to be more targeted, more precise in helping out and providing those services for those families so that we can prevent them from entering more onerous aspects of the child intervention system, as well, I think will pay dividends here in Alberta for generations to come.

I would also say that knowing that our family resource networks continue to evolve, continue to cater to a wider range of ethnocultural and Indigenous families that they might not have had access to before, I know is going to make a huge difference. We realize that Alberta is changing, that there are new Albertans calling this place home. As much as some people would like to think that every family is perfect, I know that Children and Family Services is always going to be there to make sure that these families, these kids receive the support that they need.

Thank you very much, Madam Chair.

The Chair: Thank you, Minister.

I apologize for the interruption, but I must advise the committee that the time allotted for consideration of the ministry's estimates has concluded.

I'd like to remind committee members that we are scheduled to meet tomorrow, March 17, at 9 a.m. to consider the estimates of the Ministry of Primary and Preventative Health Services.

Thank you, everyone. This meeting is adjourned.

[The committee adjourned at 10 p.m.]

This is Exhibit "6" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

LSA # 17295

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The Loving Justice Plan: First Nations Child and Family Services (Outside Ontario)

Filed pursuant to 2025 CHRT 80

December 22, 2025

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"We Love You"

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Honouring

A. Honouring Statement: the voices of Indigenous youth

“The irony is that discriminating against Indigenous children and youth is an unnecessary expense for Canadians. Underfunding basic needs of Indigenous children and families actually costs governments more money in the long term than investing in the solutions. Canada has ignored the red flags for far too long by ignoring Indigenous voices and in some cases, directly invested in the discrimination against Indigenous children and youth. It is painful for survivors to imagine how their lives could have been if their well-being was honoured and respected but Canadians now have an opportunity to correct the inequalities and invest in bright and beautiful futures of all First Nations children and youth. It is not too late and hope is still alive that First Nations children and youth can not only survive but they can thrive.”¹

B. Honouring Statement from the National Children’s Chiefs Commission

In every child lies the promise of a better tomorrow: it is our collective responsibility to breathe life into that promise. This Plan begins with children because the work of ending Canada’s discrimination in First Nations Child and Family Services must be guided by the sacred place children hold in First Nations law, knowledge systems, languages, cultures—and in our hearts.

In this moment, we must remember how and why we came to be in this place. First Nations families have endured centuries of deliberate colonial policies designed to eradicate our cultures, languages, and worldviews. In targeting our children, these policies struck at the very heart of our Nations. Children were removed, harmed, and disconnected, while First Nations laws and systems of care were disregarded and displaced. This harm did not end in the past; it continues through ongoing discriminatory colonial child welfare policies that separate children from their families and communities

In First Nations knowledge systems, children are understood to arrive with inherent powers: gifts from the spirit world that bring a purity of vision and knowledge to teach those willing to listen from their souls. The failure to protect these inherent gifts, and the betrayal of trust that follows, is among the deepest traumas a family can endure. When children are

¹ Fayant, Gabrielle, and Ashley Bach, [A Follow-up Report of First Nations Youth of First Nations Youth in Care Advisors in Care Advisors](#), December 2021.

harmed, displaced, or disconnected, it is not only the child who suffers; the strength of families, clans, and Nations is diminished.

Our vision for the future is clear and enduring: that First Nations control our own lives and living conditions, live with dignity, and raise our children within our own laws, languages, and knowledge systems. Healing the wounds inflicted upon families is essential to realizing this vision. We must look to our resilient past and glean guidance from our stories of old, our myths, legends, and our ancestral teachings to forge a beautiful tomorrow. First Nations kinship systems are grounded in sacred responsibilities to teach, to care for one another, and to maintain balance for children and for those not yet born. They have always provided the pathway to well-being.

The spirit of this Plan comes from the children themselves. They have taught us about justice, fairness, forgiveness, and unconditional love. We honour First Nations children by affirming their right, in community with their Nations, to live their cultures, speak their languages, and be raised within their own systems of law, care, and belonging. In doing so, we affirm that protecting children's inherent gifts renews families, strengthens Nations, and upholds the collective responsibilities that carry the promise of generations yet to come.

C. Honouring Statement from Francis Verrault-Paul Regional Chief of the AFNQL and AFN Executive Portfolio Holder - Child and Family Services

This work is about our children and the sacred responsibility we carry as Nations. For generations, decisions were made about our children without us, and those decisions tore apart families, communities, and the threads of our cultures. Today, we stand at a turning point. These reforms are not just technical changes—they are a promise to our children that we will never allow discrimination to define their lives again.

As an Innu child, as an athlete and today as a leader, I have seen the strength and resilience of our families. I have also seen the harm caused when systems fail to recognize our rights, our dignity and humanity. The Canadian Human Rights Tribunal told the truth: Canada's discrimination was not an accident—it was systemic, and it lasted for decades. That truth must guide every step forward. We cannot settle for partial measures or temporary fixes. Our children deserve more than justice—they deserve loving justice, rooted in their languages, cultures, and communities.

Honouring this commitment means listening to the voices of those who have lived through these failures—youth who aged out of care without support, parents who fought to keep

their families together, and Elders who remind us that every child carries the spirit of their Nation. It means building systems that reflect who we are, not who others think we should be. It means funding that is fair, predictable, and based on need—not politics. It means an accountability process that is real, transparent, and enforced.

We must also remember that reconciliation is not a word on paper; it is action—real, positive action—rooted in the lessons of our past, and reaching forward to shape a better future. It is the courage to challenge old mindsets and dismantle structures that perpetuate harm. It is the humility to admit mistakes and the determination to turn forward with purpose to build what must endure. These reforms will only succeed if they are guided by our laws, our knowledge, and our vision for the future—a future where every child grows up safe, loved, and proud of who they are.

To the children: you are the heart of this work. You are not statistics or case files—you are sacred beings with dreams and gifts. We honour you by ensuring that the systems around you reflect your worth and protect your rights. We honour you by demanding that Canada does better—not someday, but now. And we honour you by standing together, as Nations, to make sure that this promise is kept for generations to come.

D. Honouring Statement from An lilxhl Majagalee, Dr. Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society of Canada

Elder Elmer Courchene said, “children deserve more than justice – they deserve loving justice.” Loving Justice is the full bloom of humility, spirit, love, wisdom, courage, respect, honesty and truth for every First Nations child and youth.

As Panel Chair Marchildon, Member Lustig and the late Member Belanger said in 2016 CHRT 2, “this decision concerns children.” It concerns the children, youth and families who came before and passed on the strength of our ancestors' teachings despite experiencing heartbreaking harms, including death, at the hands of a country that consistently describes itself as a global leader and defender of human rights. When Prime Minister Harper apologized to residential school survivors on behalf of Canada, he said “the burden of this experience has been on your shoulders for far too long, the burden is properly ours as a government and as a country. There is no place for the attitudes that gave rise to residential schools to ever prevail again.”

As Canada fought to continue its discrimination at the beginning of the hearings in 2013 and, despite brief glimmers of progress, continues to fight today, I have always believed that if the forces for Loving Justice prevail and the children win the case—the government wins too. Because, as the diversity of children, youth and caring adults who attended the hearings—along with Spirit Bear—have always known, when First Nations children receive loving justice, the country does too.

Loving Justice has inspired the many, many individuals and groups like the National Children's Chiefs Commission and the Assembly of First Nations who have supported the Caring Society in bringing this complaint to devote thousands of hours in pursuit of the transformational justice that First Nations children have received—and will continue to receive—through this process. Their families have generously supported these efforts by sharing their time and commitment with our children, youth, and families, for which we remain deeply grateful.

Today and every day, caring people work directly with First Nations children, youth and families to love and support them through the perils of colonial trauma. They include cultural workers, social workers, child and youth workers, alternative care providers, prevention workers, band representatives, mental wellness and addictions professionals. We honour and thank you all.

Reconciliation embraces the challenge of learning from the past but finds its full meaning in what we do next. The ancestors have done their work, the children have done their work, and we have done ours. The incredible Elder and National Film Board documentary film maker, Alanis Obomsawin, has seen it all unfold from behind her camera and now longs to tell the end of the story so, what will Canada do next?

In the words of Maaxw Gibuu (Mary Teegee-Gray):

“Tender is the heart of a child. Their heart doesn't understand politics, policies or prejudices. Their heart isn't aware of decisions made on their behalf, except when it breaks.

Chief Dan George once said, “A child does not question the wrongs of grown ups, he suffers them”.

The sacred work of caring for our children is a gift bestowed upon us by our Creator. We honour those who have chosen to use their Creator given talents, tools and gifts to make this world a better place – one tender heart at a time.

We must never forget that we are the ancestors those not yet born will speak of, and for all those who have contributed to this great and important sacred work, they will speak your name in reverence and with love.”

1. A teaching from the Hon. Murray Sinclair²

Our children are the ongoing prize in the cultural war that Canada declared against us over 150 years ago. Canada may believe that the war is over, but until the automatic weapons it created as part of that war, have been taken from their hands or altered in fundamental ways, or disabled totally, the war continues of its own momentum.

The Child Welfare System, the Youth Justice System and the Educational System all function from the inherent, fundamental, belief, that we as parents in our own communities do not have the right to birth, raise, educate, discipline and protect our children from Canada's inherent racism.

Canada believes fervently in the benevolence of its policies and fails to accept its own failings, because we are the faces of those failings. They treat us poorly because we are not like them, and they ignore our wounds and the deaths that result from their actions – past and present – because we are not like them.

We are asked to help Canada do better – to be better – and we willingly accept that challenge because Canada must change. But the struggle to create the change that Canada must undergo will be resisted and it will be a constant repetition of “two steps forward, one step back”, or sometimes three. It will not be easy.

What our leaders must realize is that we too must change. We must stop playing the victim's role of looking to our abuser for the help we need. We must accept the challenge of standing up and walking on our own two feet. And we must walk to the beat of our own drum.

We must demand that our leaders show the leadership necessary to strengthen our communities.

We must demand that our leaders show the leadership necessary to strengthen our families.

We must demand that our leaders show the leadership necessary to strengthen our children.

We need leaders to fight that ongoing battle with the enemies on the outside of our walls, and we need leaders who will fight the enemies who are inside the walls. Our traditions have taught us that.

² Published on Senator Sinclair's website on [28 December 2017](#). Also published in Macleans Magazine on [11 January 2018](#).

Our children do not set out in life to fail. They want to be someone. We have to be the someones they want to be.

We have to tell them about those of us who have come from the same ground they stand upon, who have the same kinds of community, parents and history that they have, and who look just like them, who are someone.

We have to make them believe in us and we have to train them how to become someone and we have to let them try.

...then we have to create the blankets with which we can wrap them when they stumble and fall, and we have to love them enough to help them get up and walk again.

No one escapes this world unhurt and unharmed. We will all be bruised at some point. But our traditions have sustained the warrior spirit inside us for thousands of years and they hold the key to our future. We will not survive by being better at the whiteman's game than the white man. We will survive by being the best Anishinaabe we can be. Tell them I said this.

2. Introduction

The Loving Justice Plan is organized according to the engagement themes outlined in the National Engagement Guide, namely: 1) purpose, principles and definitions, 2) governance, 3) enforcement and durability, 4) funding commitments and arrangements, 5) accountability, 6) regional variations, 7) reform of Indigenous Services Canada, 8) research and outcome data, and 9) transitions and readiness. These themes were identified based on the direction of First Nations Rights Holders, Tribunal orders, and the best available evidence dating back nearly 30 years.

The content of each theme is informed by the wisdom of First Nations Elders and Knowledge Keepers, youth, and First Nations child and family service experts who participated in the 105 engagement sessions held across Canada pursuant to 2025 CHRT 80. Sixty-four of the submissions were for groups – of up to 91 participants. The National Children’s Chiefs Commission and the First Nations Child and Family Caring Society engaged with First Nations leaders and Rights Holders, Elders, youth and First Nations Child and Family Service (FNCFS) experts to gather their perspectives on the components of this Plan. The “What We Heard” sections that follow provide summaries and illustrative quotations of the feedback shared during those engagements.

Their collective wisdom is critical to enabling regional variations to meet local needs, while building upon a national approach to long-term reform that sets fundamental minimum human rights standards and accountability mechanisms to permanently stop Canada’s discrimination in First Nations child and family services.

These reforms, in tandem with regional variations to reflect distinct cultures, languages and realities, will apply to First Nations child and family services excepting First Nations consenting to the application of the Ontario Final Settlement Agreement or its successors. Many First Nations that have affirmed, or are seeking to affirm, their own jurisdiction in child and family services in whole or in part are entitled to the benefits of these reforms as a minimum standard which ought to be upwardly adjusted to reflect the requirements of the respective First Nations law(s).

While recognizing the scope of the complaint, we urge Canada to take measures over and above those contemplated by this plan to extend these reforms and support substantively equitable and culturally appropriate First Nations Child & Family Services to all First Nations children wherever they reside, including off-reserve and in the Northwest Territories.

Throughout its process, the Loving Justice Plan demonstrates the love that First Nations have for their children, youth and families. There was no funding for this process, yet First

Nations governments and their experts joined with the National Children's Chiefs Commission and the Co-Complainants (the Caring Society and the Assembly of First Nations) to ensure the voices of Rights Holders are respected and the rights of their children, youth and families are upheld.

3. Purpose, Principles and Definitions

A. Purpose

Measure: Outlining Purpose, Scope and Interpretation

The Loving Justice Plan presents reforms intended to provide enduring protection for generations of First Nations children, youth, and families against Canada’s systemic discrimination in First Nations Child and Family Services (FNCFS)— discrimination that was substantiated in the 2016 CHRT 2 decision and subsequent rulings. These reforms are grounded in a decade’s worth of evidence collected since 2016 CHRT 2, as well as numerous earlier studies and recommendations, including the Royal Commission on Aboriginal Peoples, the Joint National Policy Review and the Wen:De reports, all of which were cited by the Tribunal in that landmark ruling. While Jordan’s Principle will be managed through a separate process, it will be considered wherever its provisions intersect with child and family services.

In accordance with the principles of intergenerational equity and substantive equality, Canada (Indigenous Services Canada and any successor department) is obligated to ensure that its actions result in effective, needs-based, and culturally appropriate outcomes that prioritize the best interests of First Nations children, youth and families. This includes upholding human rights as minimum standards, complying with relevant legislation and regulations, and supporting the distinct rights of First Nations and their children.

Where a measure in this plan has more than one interpretation, the interpretation most consistent with the spirit of the Tribunal’s orders including substantive equality and best interests of the child will prevail.

Rationale:

- CHRT Decisions/Jurisprudence
 - [2016 CHRT 2](#) at paras [463–465](#)
 - [2018 CHRT 4](#) at paras [236\(2\)](#) and [413\(2\)](#)
 - [2021 CHRT 41](#) at paras [348](#) and [545\(2\)](#)
 - *Ontario v Association of Ontario Midwives*, [2020 ONSC 2839](#) at para [189](#)
- First Nations-in-Assembly Resolutions
 - 60/2024: *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan’s Principle*, clause 3

- 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(a) and (c)
- 87/2024: *Ensuring Fair and Equitable Inclusion of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreement*
- National Children’s Chiefs Commission Terms of Reference, s. 4(B) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)

B. Principles

What We Heard:

Engagement participants provided broad support for long-term reform principles that include: intergenerational equity, cultural continuity, culturally-based safety and well-being of children. Participants noted that principles should be clearly defined to ensure they are interpreted as intended. Several participants described the holistic and interconnected nature of wellness. This view of physical, emotional, spiritual and cognitive wellness invokes mind, body, spirit and heart, along with connections to community, family, cultural teachings, First Nations languages, and, especially, the land. Long-term reform, and its underlying principles, should reflect this concept of wellness.

“A holistic concept rooted in the child’s identity, culture, language, and community connections, not limited to safety or welfare in isolation.”

“Recognizing the interconnection of physical, emotional, cognitive, and spiritual wellness in the life of a child, family, and community.”

Participants called for clear, plain language definitions of key terms and the principles. Definitions should be developed in consultation with First Nations and should reflect unique First Nations perspectives. Key terms like “safety” “well-being” “family” and “best interests of the child” should not be imposed by Canada and, instead, must be based on the realities, knowledge systems and priorities articulated by First Nations themselves.

“They need to be built and written by each Nation, and what the Nation’s understanding of these terms may be. Not Canada’s understanding.”

“Participants stressed that key terms should appear directly within any long-term reform Final Agreement, plan, or order, rather than only being referenced

elsewhere. Without definitions, participants cautioned, core ideas risk being interpreted inconsistently or diluted in implementation.”

How funding is tied to definitions—especially colonial definitions—is a key concern among engagement participants. This plays out most prominently with terms like “on-reserve/off-reserve” or “ordinarily resident on reserve.” The on/off-reserve distinction is widely seen as itself rooted in racism and the *Indian Act*, inconsistent with Canada’s constitutional obligations towards First Nations, First Nations self-determination and self-governance, and generating additional discrimination wherever it is allowed to stand. Several participants noted that many people would live on-reserve if they could, but lack of housing, services and opportunities has forced them off-reserve. Losing access to substantively equal child and family services as a result of living off-reserve is experienced as deeply unfair.

First Nations children and youth identify with Aboriginal and Treaty Nations. They do not identify with Indian Act definitions about status Indians, or who lives on-reserve and who does not. They assert that their constitutional and statutory rights are not restricted to a reserve, traditional or treaty homeland, but remain with them no matter where they choose to live. This identity goes with them wherever they go or live. They want their nationhood, their clans, their families to come together to reclaim and restore their nation-to-nation relationships. First Nations governance and institutions in the field of family and children’s services are the way of the future.

“Families have left reserve for housing, education, and health. These families should still be the responsibility of the Nations in which they are members.”

“I would like to see ‘normally resident on reserve’ include ‘eligible to reside on reserve.’ We know that there are housing shortages in most, if not all, First Nations communities. Restricting services to children and families who would reside on reserve if housing was available is unfair.”

“Because of second generation cut offs, even though they live on reserve they may not have membership with the band. We are still responsible for them.”

Participants identified a number of terms and principles requiring careful definitions: “best interests of the child”; “child”; “family”; “kKin”; “cultural continuity”; “culturally based safety”; “intergeneration equity”; “substantive equality”; “well-being”; “structural drivers”.

Effective & Durable Remedies

1. All First Nations children, youth and families have the right, individually and collectively, to be free of all forms of discrimination and have access to effective remedies.

Rationale:

- Constitutional provisions
 - [Constitution Act, 1982](#), Article [35](#), being Schedule B to the *Canada Act 1982* (UK), 1982, c 11
 - [Constitution Act, 1867 \(UK\)](#), 30 & 31 Vict, c 3, Article [132](#), reprinted in RSC 1985, Appendix II, No 5.
- Legislation
 - [Canadian Human Rights Act](#), RSC 1985, c H-6, [s. 2](#)
 - [Indigenous Languages Act](#), SC 2019, c 23, [Preamble](#) and [s. 6](#)
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), SC 2019, c 24, [ss 9\(3\)\(b\)–\(d\)](#)
 - [United Nations Declaration on the Rights of Indigenous Peoples Act](#), SC 2021, c 14, [Preamble](#), [Annex: Preamble](#), Articles [2](#) and [22\(2\)](#)
 - [United Nations Convention on the Rights of the Child](#), Articles [2](#), [3](#), [12](#) and [19](#)
 - [Interpretation Act](#), RSC 1985, c I-21, s. [8.3](#)
- CHRT Decisions
 - [2016 CHRT 10](#) at paras [15–16](#)
 - [2017 CHRT 14](#) at para [29](#)
 - [2018 CHRT 4](#) at para [387](#)
 - [2021 CHRT 41](#) at para [18](#)
 - [2022 CHRT 41](#) at para [227](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 1(g)
 - National Children’s Chiefs Commission Terms of Reference, s. 4(L) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)
- Research and Evidence
 - Canadian Bar Association, “[Rights of the Child on Children’s Access to Justice and Effective Remedies](#)” (26 August 2024)
 - UNICEF, “[In Focus: Access to justice for children](#)” (October 2024)

- [Maastricht Principles on the Human Rights of Future Generations](#), s. 30 (3 February 2023)

2. The order in 2016 CHRT 2 at para 481 that Canada “cease its discriminatory practices and reform the FNCFS Program [...] to reflect the findings in this decision” is a permanent injunction against Canada to cease its discriminatory conduct in First Nations child and family services. The permanent nature of this order upholds intra-generational equity and intergenerational equity and protects First Nations children and families for generations to come.

Rationale:

- Legislation
 - [Department of Indigenous Services Act](#), SC 2019, c. 29, s 336 at [Preamble](#), [ss. 6\(2\)\(a\)](#), [7\(a\)](#), [10\(2\)](#), [13](#)
- CHRT Decisions
 - [2016 CHRT 2](#) at para [481](#)
 - [2018 CHRT 4](#) at paras [34–43](#)
 - [2019 CHRT 7](#) at paras [45–55](#)
 - [2021 CHRT 41](#) at para [37](#)
 - [2022 CHRT 8](#) at para [34](#)
 - [2025 CHRT 80](#) at paras [59–64](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(a) and (c)
- Research and Evidence
 - Indigenous Services Canada, “[Jordan’s Principle guidance on the best interest of a child](#)” (23 December 2024)
 - Highlights the “intergenerational impacts of colonization, such as the impacts of the Indian Residential Schools system and 60’s scoop”
 - Prime Minister Harper, “[Statement of apology to former students of Indian Residential Schools](#)” (11 June 2008)
 - CHRC Book of Documents, Vol. 3, Tab 10: the apology recognized that “in separating children from their families, we undermined the ability of many to adequately parent their own children and sowed the seeds for generations to follow” and “[n]ot only did you suffer these abuses as children, but as you became parents, you were powerless to protect your own children from suffering the same experience”.

- Truth and Reconciliation Commission of Canada, “[Calls to Action](#)” (2015), numbers 1(v) and 3
- The Rome Declaration on [Safeguarding Seven Generations in times of Food, Social, and Ecological Crises \(2023\)](#), made at the UN Global Indigenous Youth Forum, hosted by the Food and Agriculture Organization of the United Nations in October 2023, at pp 2–3
 - “We demand justice, reparation and restoration for historical and intergenerational damages, recognizing the value of our knowledge and wisdom, custom and languages, including our food systems and the territories where life flourishes.”
- [Maastricht Principles on the Human Rights of Future Generations](#), s. 2, 5–7, 9, 13, (3 February 2023)
- Expert Advisory Committee, FSA Recommendations” (15 December 2025), p 1
- United Nations Committee on the Rights of the Child, “*General comment No. 26 (2023) on children’s rights and the environment, with a special focus on climate change*”, 93rd Sess., U.N. Doc. CRC/C/GC/26 (2023) at paras. 63–67. While in the environmental context, the UN Committee on the Rights of the Child stated: “While the rights of children who are present on Earth require immediate urgent attention, the children constantly arriving are also entitled to the realization of their human rights to the maximum extent.”
- [United Nations Convention on the Rights of the Child](#), Article 2
- Government of Canada definitions of Intra- and Intergenerational Equity
 - In the [environmental context](#): **Intergenerational equity**: includes the importance of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs.
 - In the context of [Labour Markets, Social Institutions, and the Future of Canada's Children](#)
 - In the context of the [Department of Justice](#)’s priorities regarding the Implementation of UNDRIP (prevention and mitigation of generational harms caused by the forcible removal of Indigenous children).

Positive Outcomes for First Nations Children, Youth, Young Adults and Families

The Reformed FNCFS will be structured and implemented to achieve the following outcomes for First Nations children.

3. Holistic and culturally based safety and physical, emotional, spiritual and cognitive well-being for First Nations children, youth, young adults, and families, including preserving the child's cultural identity and connections to the language and territory of the First Nations group to which the child belongs;

Rationale:

- CHRT Decisions/Jurisprudence
 - [2016 CHRT 2](#) at para [106](#)
 - *Varley v Canada (Attorney General)*, [2025 FC 753](#) at paras [130–134](#)
 - *Fisher River Cree Nation v Canada (Attorney General)*, [2025 FC 561](#) at para [75](#)
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at para [113](#)
 - *Reference to the Court of Appeal of Quebec in relation to An Act respecting First Nations, Inuit and Métis children, youth and families*, [2022 QCCA 185](#) at paras [476-485](#)
 - *Brown v Canada (Attorney General)*, [2017 ONSC 251](#) at paras [7](#), [52–53](#)
 - *Kina Gbezhgomi Child and Family Services v M.A.*, [2020 ONCJ 414](#) at paras [42-43](#)
 - First Nations-in-Assembly Resolutions
 - 40/2022: *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan's Principle*, clause 1
 - National Children's Chiefs Commission Terms of Reference, ss. 4(A), (F) and (G) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan's Principle Tables*)
 - Research and Evidence
 - Institute of Fiscal Studies and Democracy, "[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)" (2025)
 - Pp 168 & 169 "Both indicators [of the existing FNCFS program] are focused on the safety of children with no consideration of their overall well-being."
 - Truth and Reconciliation Commission of Canada, "[Calls to Action](#)", number#5
 - Assembly of Seven Generations, "Recommendations for the Long-Term Reform of FNCFS: Literature Scan", Recommendations 4, 5, 6,7.
4. Substantive equality, striving for equality in outcomes rather than providing formally equal treatment, in keeping with the following:

- i. The rights and distinct needs of a First Nations child impacted by historic and contemporary disadvantage are to be considered to promote the child's ability to live the life they wish to have;
- ii. The rights and distinct needs of a First Nations child with a disability are to be considered to promote the child's participation, to the same extent as other children, in the activities of their family or the First Nations group, community, or people to which they belong;
- iii. A First Nations child must be able to exercise their rights and benefits, including those conferred under the Reformed FNCFS, including the right to have their views and preferences considered in decisions that affect them, and they must be able to do so without discrimination, including discrimination based on sex or gender identity or expression;
- iv. A First Nations child's family member must be able to exercise their rights and benefits, including those conferred under the Reformed FNCFS, including the right to have their views and preferences considered in decisions that affect them, and they must be able to do so without discrimination, including discrimination based on sex or gender identity or expression;
- v. The First Nation must be able to exercise without discrimination its rights, including those conferred under the Reformed FNCFS, including the right to have the views and preferences of the First Nation considered in decisions that affect that First Nation.

Rationale:

- Legislation
 - [*An Act respecting First Nations, Inuit and Métis children, youth and families*](#), S.C. 2019, c. 24, [ss. 9\(3\)\(a\)–\(c\)](#)
- CHRT Decisions/Jurisprudence
 - [2016 CHRT 2](#) at paras [404](#), [455](#), [459](#), [465](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 3
- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 5.

- Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A performance budget approach to well-being](#)”, (2020)
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - First Nations Child and Family Caring Society of Canada, “[Wen:de – We are Coming to the Light of Day Reports](#)”, (2005)
5. The Best Interests of the First Nation Child are safeguarded, including the following factors to determine the best interests of the child:
- i. Primary consideration shall be given to ensuring the funding structure (including Canada’s design, management and control of FNCFS and all elements of Canada’s decision-making regarding FNCFS funding) protects the child’s right to holistic and culturally based safety and well-being.
 - ii. The child’s right to live up to their full potential, in line with their right to grow up with a sense of belonging, a sense of attachment, and access to basic necessities tied to personal dignity, including housing, health, education, and food security;
 - iii. The child’s cultural, linguistic, religious, spiritual knowing and being, and their inherent right be connected to traditional territory and to the land, generally;

Rationale:

- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, ss. [9\(2\)\(c\)](#), [9\(2\)\(d\)](#), [10\(3\)\(a\)](#), [11\(a\)](#)
 - *Convention on the Rights of the Child*, arts. 6, 27, and 30
 - [General Comment 11: United Nations Committee on the Rights of the Child](#), sections 30–33: “When State authorities including legislative bodies seek to assess the best interests of an indigenous child, they should consider the cultural rights of the indigenous child and his or her need to exercise such rights collectively with members of their group”
- Research and Evidence
 - Truth and Reconciliation Commission of Canada, “[Calls to Action](#)”, number 1(ii)

- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 4,5,6.
 - The Rome Declaration on [Safeguarding Seven Generations in times of Food, Social, and Ecological Crises \(2023\)](#), made at the UN Global Indigenous Youth Forum, hosted by the Food and Agriculture Organization of the United Nations in October 2023, at pp 2–3
6. The actual and changing FNCFS-delivery needs of First Nations children, youth, young adults, families, and communities, as First Nations and their child, youth and family service experts define their own needs, are met.

Rationale:

- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, [s. 10\(3\)\(b\)](#)
 - [Indigenous Languages Act](#), [S.C. 2019, c. 23](#), Preamble, [s. 6](#)
 - CHRT Decisions
 - [2016 CHRT 2](#) at paras [315](#), [347–348](#), [389](#), [422](#), [425–426](#), [448](#), [451–455](#), [458](#), [462–465](#), [482](#)
 - [2016 CHRT 16](#) at paras [18](#), [33–34](#), [38–41](#), [47](#), [60](#)
 - [2018 CHRT 4](#) at paras [63–67](#), [121](#), [143](#), [154](#), [163](#), [201](#), [206](#), [208](#), [222](#), [240](#), [252](#), [258](#), [264](#), [411](#), [416–418](#), [421](#), [436–437](#), [449](#)
 - [2022 CHRT 8](#) at para [34](#), [76](#), [109](#), [145](#), [149](#)
 - First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(h), (j)(ii) and (k)
 - 40/2022: *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan’s Principle*, clause 1
 - National Children’s Chiefs Commission Terms of Reference, ss. 4(B) and (F) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)
7. The actual and evolving FNCFS delivery needs of First Nations children, youth, and families are defined by First Nations and their child, youth, and family service experts in a manner that is sustainable to ensure long-term positive outcomes for First Nations children. These needs take into account the distinct circumstances of First Nations communities, historical and ongoing disadvantage, and the structural drivers of child maltreatment and family crisis—many of which Canada is responsible for—including poverty, substance abuse, inadequate housing, and the loss of language and culture.

Rationale:

- CHRT Decisions
 - [2016 CHRT 2](#) at paras [344](#), [388](#), [455](#), [462–465](#)
 - [2016 CHRT 16](#) at paras [18](#), [33](#), [38](#), [160\(A\)\(2\)](#)
 - [2018 CHRT 4](#) at paras [163](#), [237](#), [264–265](#)
 - First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 1(k)
 - Research and Evidence
 - Truth and Reconciliation Commission of Canada, “[Calls to Action](#)”, numbers 1(i)-(v), 2 and 5
 - [Prime Minister Harper’s apology on behalf of Canadians for the Indian Residential Schools system](#) (11 June 2008)
 - “The government now recognizes that the consequences of the Indian Residential Schools policy were profoundly negative and that this policy has had a lasting and damaging impact on Aboriginal culture, heritage and language.”
 - “The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a Government, and as a country. There is no place in Canada for the attitudes that inspired the Indian Residential Schools system to ever prevail again. You have been working on recovering from this experience for a long time and in a very real sense, we are now joining you on this journey.”
8. The child’s participation, views and preferences inform FNCFS-delivery, giving due weight to the child’s age and maturity, unless they cannot be ascertained.

Rationale:

- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, [ss.9\(3\)\(b\)](#) and [10\(3\)\(e\)](#)
 - [United Nations Convention on the Rights of the Child](#), Article 12
- Research and Evidence
 - Department of Justice Canada: “[Article 12 of the Convention on the Rights of the Child and Children’s Participatory Rights in Canada](#)”
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation, p 2, Recommendations 2, 3, 9, 10.

9. Cultural and linguistic continuity are established as essential to the holistic and culturally based safety and well-being of First Nations children, youth, families and communities, including the following:
 - i. The restoration and transmission of the languages, cultures, spirituality, practices, customs, traditions, ceremonies, and knowledges of First Nations peoples is integral to cultural continuity;
 - ii. A child's best interests are often promoted when the child resides with members of his or her family, the culture of the First Nations group, community, or people to which he or she belongs is respected, and the child is connected to their traditional territory;
 - iii. Child and family services provided in relation to a First Nations child are to be provided in a manner that does not contribute to the assimilation of the First Nations group, community or people to which the child belongs or to the destruction of the culture of that Indigenous group, community or people;
 - iv. Where a child is in alternative care, supports must be provided to ensure the child's needs are met including connection to culture and language and;
 - v. The characteristics and challenges of the region in which a First Nations child, a First Nations family or a First Nations group, community or people is located are to be considered.

Rationale:

- Legislation
 - [*An Act respecting First Nations, Inuit and Métis children, youth and families*](#), S.C. 2019, c. 24, [s 9\(2\)](#)
 - *United Nations Declaration on the Rights of the Indigenous Peoples Act*, [S.C. 2021, c. 14](#),
 - [Preamble](#)
 - Annex, Articles [8\(1\)](#), [8\(2\)](#), [12](#), [13](#), [14\(3\)](#), [22](#)
- CHRT Decisions
 - [2016 CHRT 2](#) at paras [457–465](#)
 - [2018 CHRT 4](#) at para [21](#)
- Research and Evidence
 - Truth and Reconciliation Commission of Canada, “Calls to Action”, numbers 1(ii) and 5

- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation, Recommendations 4, 6, 8.

Reconciliation and Human Rights

Canada’s conduct in the design, management and control, implementation and evaluation of the Reformed FNCFS will recognize a positive obligation and be aligned with the following:

10. Canada’s commitments to reconciliation require fundamental changes to FNCFS consistent with the Truth and Reconciliation Commission Final Report and Calls to Action and the National Inquiry into Missing and Murdered Indigenous Women and Girls’ Calls for Justice related to the child and family services.

Rationale:

- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, [Preamble](#)
- CHRT Decisions/Jurisprudence
 - [2018 CHRT 4](#) at paras [61](#), [77](#)
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [21](#) and [44](#)
- First Nations-in-Assembly Resolutions
 - National Children’s Chiefs Commission Terms of Reference, s. 4(H) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)
- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation, Recommendations 5, 9, p 8
 - United Nations Committee on Economic, Social and Cultural Rights concluding observations on the sixth periodic report of Canada (23 March 2016) [E/C 12/CAN/CO/6](#), paras 35–36

11. The *United Nations Declaration on the Rights of Indigenous Peoples Act* affirms the Declaration as a universal international human rights instrument with application in Canadian law and provides a framework for the Government of Canada’s implementation of the Declaration;

Rationale:

- Legislation
 - [United Nations Declaration on the Rights of Indigenous Peoples Act](#), S.C. 2021, c. 14, [s. 4](#)
- Jurisprudence
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [4-5](#)
 - *Gitxaala v British Columbia (Chief Gold Commissioner)*, [2025 BCCA 430](#) at paras [78](#), [126-129](#)
- First Nations-in-Assembly Resolutions
 - 89/2024: *Renewing Negotiations Toward Long-Term Reform of First Nations Child and Family Services and Jordan’s Principle*, clause 3
 - National Children’s Chiefs Commission Terms of Reference, s. 5 (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)
- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 2, 7, 8.

12. Canada recognizes that the honour of the Crown guides the conduct of the Crown, and is the measure against which that conduct is assessed, in all its dealings with First Nations peoples, including FNCFS reform, giving rise to the duty to consult and the duty of purposive and diligent implementation.

Rationale:

- CHRT Decisions/Jurisprudence
 - [2016 CHRT 2](#) at paras [104–110](#)
 - [2017 CHRT 14](#) at paras [116–120](#)
 - *Haida Nation v British Columbia*, [2004 SCC 73](#) at para [16](#)
 - *Mikisew Cree First Nation v Canada (Minister of Canadian Heritage)*, [2005 SCC 69](#) at para [33](#)
 - *Mikisew Cree First Nation v. Canada (Governor General in Council)*, [2018 SCC 40](#) at paras [26](#), [44-45](#)
 - *Ontario (Attorney General) v Restoule*, [2024 SCC 27](#) at paras [254–263](#)
 - *Quebec (Attorney General) v Pekuakamiulnuatsh Takuhikan*, [2024 SCC 39](#) at paras [185–192](#)
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [63–65](#)

- *St. Theresa Point First Nation v Canada*, [2025 FC 1926](#) at paras [125–127](#)
- First Nations-in-Assembly Resolutions
 - 90/2024: *Safeguarding First Nations Children and Holding Canada Accountable for its Canadian Human Rights Tribunal Legal Obligations*, clause 4
 - 88/2024: *Implementing the Chiefs’ Direction to End Canada’s Discrimination in First Nations Child and Family Services*, clause 3
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 5

13. Canada recognizes that all relations with First Nations peoples need to be based on the recognition and implementation of their right to self-determination, including the inherent right of self-government.

Rationale:

- Constitutional Provisions
 - [Constitution Act, 1982](#), s [35](#), being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.
- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, ss. [8\(a\)](#), [18\(1\)](#)
 - *United Nations Declaration on the Rights of Indigenous Peoples Act*, [S.C. 2021 c. 14](#), Annex, Preamble, articles 3 and 9
 - The right of Indigenous peoples to self-determination under article 3, has a direct impact on many areas that are directly addressed in the Convention of the Rights of the Child (“CRC”). This includes legislation concerning child and family services (Article 20 of the CRC). Indigenous self-determination facilitates the development of child welfare legislation that ensures Indigenous children are not separated from their families and communities except as a last resort (Declaration, Article 22(2)). While the CRC does not explicitly reference self-determination, implementing CRC rights for Indigenous children *requires* respect for Indigenous self-government as outlined in UNDRIP.
- Jurisprudence
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [4–6](#), [56–66](#)

- *Kebaowek First Nation v Canadian Nuclear Laboratories*, [2025 FC 319](#) at para [130](#)
- *Gitxaala v British Columbia (Chief Gold Commissioner)*, [2025 BCCA 430](#) at para [78](#), [126–129](#)
- *R v Desautel*, [2021 SCC 17](#) at para [86](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 5
 - 60/2024: *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan’s Principle*, clause 3
 - 87/2024: *Ensuring Fair and Equitable Inclusion of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreement*
 - 40/2022: *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan’s Principle*, clause 2

14. Consistent with the standard of free, prior and informed consent, Canada recognizes that First Nations are in the best position to determine the legal mechanisms, instruments, information, resources and processes to affirm jurisdiction, in whole or in part, over matters relating to their children, youth and families, and require complete and accurate information in order to do so. Canada must recognize and take positive measures to support and affirm the self-determined legal mechanism(s) that First Nations choose to exercise their jurisdiction in relation to child and family services.

Rationale:

- Constitutional Provisions
 - [Constitution Act, 1982](#) s [35](#), being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.
- Legislation
 - [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, [Preamble](#), ss. [8\(a\)](#) and [18\(1\)](#)
 - *Department of Indigenous Services Act*, [S.C. 2019, c. 29](#), s. 336, s 7
- CHRT Decisions/Jurisprudence
 - [2021 CHRT 41](#) at para [237](#)
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [23](#), [50](#), citing Hon. Seamus O’Regan, P.C.,

M.P., Minister of Indigenous Services in House of Commons debate on third reading of Bill C-92

- *Kebaowek First Nation v Canadian Nuclear Laboratories*, [2025 FC 319](#) at paras [92–134](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 1(b)
 - National Children’s Chiefs Commission Terms of Reference, s. 4(B)(i) (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan’s Principle Tables*)
- Research and Evidence
 - Expert Advisory Committee, “FSA Recommendations” (15 December 2025), Recommendation #2, p 2
 - Truth and Reconciliation Commission, “[Calls to Action](#)”, numbers 1(iv)

Accountability & Transparency

15. The starting premise for long-term reform must be accountability, openness and transparency. All negotiations and information relating to implementation of these reforms should be, to the maximum extent possible, transparent. Transparency ensures accountability. Transparency and accountability, together, help end discrimination and prevent its reoccurrence.

Rationale:

- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clause 1(a) and (d)
 - 60/2024: *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan’s Principle*, clauses 3, 9
- Research and Evidence
 - OHRC, “[Chapter 9 – Accountability and monitoring mechanisms: gaps in data management, performance review, and public transparency](#)”
 - For anti-discrimination policies and procedures to make real change, there must be strong accountability mechanisms in place that are used with transparency, which in turn promotes public confidence (in the context of anti-black racism within Ontario’s police force).
 - Global Affairs Canada, “[Advancing Human Rights](#)” (24 January 2024)

- Importance placed on transparency and accountability in advancing human rights, as evidenced by GAC’s tool for evaluating funding applications for Canadian funding on international development initiatives.
- OHRC, “[Anti-Racism and Organizational Change: A Guide for Employers](#)” (23 October 2023)
 - For “maintaining changes and improvements long-term, a culture of framework and accountability is needed” (in the context of preventing systemic discrimination and racism in the workplace).
- Assembly of Seven Generations, “Accountability in our Lifetime: A Call to Honour the Rights of Indigenous Children and Youth” (2021).
 - “Accountability mechanisms must lay the groundwork for harm prevention, from domestic abuse to systemic violence, in order to address the structural interventions that are required to move towards the holistic well-being of Indigenous youth.”
- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 2, 5, 10, p 8
- Expert Advisory Committee, “FSA Recommendations” (15 December 2025), Recommendation #3, p 2–3

C. Definitions

- a. **“Access to Justice”** means positive, public and effective measures to disclose all effective judicial remedies to redress any recurrence of discrimination and access to sufficient quality resources, including funding for legal fees, to give effect to such remedies.
- b. **“AFN”** means the Assembly of First Nations.
- c. **“Alternative Care”** means a person(s) or entity who has primary responsibility for providing the day-to-day care of an Indigenous child, other than the child’s parent, including in accordance with the customs or traditions of the Indigenous group, community or people to which the child belongs.
- d. **“Block funding”** means funds provided for child and family service purposes under a contribution agreement or statute to be used by service providers with flexibility to meet needs in communities. Carry forwards are allowed and unexpended funds can be retained. Associated terms and conditions should align to the spirit and intent of the Reformed Funding Approach and uphold

the Orders.

- e. **“Canada”** means His Majesty the King in Right of Canada and his successors including as represented by Indigenous Services Canada (ISC) and its successors.
- f. **“Capacity”** means the adequate supports, financial and human resources, time, and infrastructure required to ensure a First Nation(s), First Nations child and family service agency or other First Nations authorized FNCFS provider to design and operate FNCFS and related services, interventions and is consistent with the Act and provincial or First Nations child and family services legislation and corollary legislation.
- g. **“Capital”** means the long-term investments related to infrastructure that supports the delivery of FNCFS. This includes: construction, maintenance and operation of buildings, acquisition of vehicles and recapitalization (i.e., provision to replace an existing structure at the end of its natural life).
- h. **“Caring Society”** means the First Nations Child and Family Caring Society of Canada.
- i. **“Child maltreatment”** means all types of physical and/or emotional maltreatment, sexual abuse, neglect, negligence, and commercial and other exploitation, which results in actual or potential harm to the child’s safety, including culturally based safety, and well-being, best interests, development, and/or dignity in the context of a relationship of responsibility, trust or power.
- j. **“Child Participation”** means (a) a child’s rights under *An Act respecting First Nations, Inuit and Métis children, youth and families*, S.C. 2019, c. 24, including the right to have their views and preferences considered in decisions that affect the child, without discrimination, including discrimination based on sex or gender identity or expression; and (b) consideration of the rights and distinct needs of a child with a disability in order to promote the child’s participation, to the same extent as other children, in the activities of the child’s family or the Indigenous group, community or people to which the child’s belongs.
- k. **“Child removal”** means the placement of a child in alternative care pursuant to applicable child and family services legislation including but not limited to children placed in care by court order or through agreements with the child’s guardian(s) and the child and family service authority designated

under provincial/territorial or First Nations law.

- l. **“Complainants”** means the Caring Society and the AFN.
- m. **“Culturally Appropriate”** means reflective and responsive to the distinct First Nation(s) culture, including language, of the child and their family.
- n. **“Effective Remedies”** means process and outcomes to stop Canada’s discrimination, prevent its recurrence and restore the dignity of those affected including, but not limited to, (a) equal and effective access to justice (b) adequate, effective and prompt reparation for harm related to the discrimination and (c) access to relevant information concerning violations and reparation mechanisms.
- o. **“Emergencies”** means a serious event that raises the level of risk to the physical, emotional and psychological safety and well-being of First Nations children, youth and families requiring immediate and effective responses.
- p. **“Expert Advisory Committee (EAC)”** means an independent and public committee of multi-disciplinary experts formed by 2022 CHRT 4 and funded by Canada to assess and publicly comment on the causes and conditions of Canada’s discriminatory conduct and associated remedies.
- q. **“Family”** includes a person whom a child considers to be a close relative or whom the First Nations group, community, or people to which the child belongs considers, in accordance with the customs, traditions or customary adoption practices of that Indigenous group, community or people, to be a close relative of the child.
- r. **“First Nations”** means a government authorized by First Nations citizens but excludes First Nations who are subject to the Ontario Final Agreement.
- s. **“First Nations Child and Family Services (FNCFS)”** means services to protect First Nations children and youth from maltreatment and to support families to safely care for their children, including primary, secondary and tertiary prevention services, early intervention services, least disruptive measures, child protection, guardianship services, kinship and customary care, alternative care, respite care, post-majority care, reunification, adoption, custom adoption, and dispute resolution that ensure the full enjoyment of the national standards in an *Act Respecting First Nations, Métis, and Inuit children, youth and families*. It also includes services and products required to enable child and family services such as,

but not limited to: (1) development of Indigenous child and family services laws, (2) governance, (3) legal, (4) research (including data collection and analysis), (5) human resources, (6) capital resources (i.e.: buildings, vehicles, information technology), (7) communication technology, office equipment/supplies, (8) standards, and (9) design and evaluation to deliver such services and (10) supports for kinship and customary and alternative care providers.

- t. **“First Nations Child and Youth Rights Impact Assessment”** An evaluation carried out by the National FNCFS Technical Table that will review and publicly report on the child and youth rights impacts of all federal proposed legislation, budgets, policy, agreements and conduct related to First Nations child and family services prior to it coming into force except where prohibited by law.
- u. **“First Nation not affiliated with a FNCFSA”** means a First Nation that receives statutory child and family services from a province/territory and/or non-Indigenous child and family service provider and is not affiliated with a FNCFSA.
- v. **“First Nations child”** means a First Nations person or persons who, under applicable provincial or territorial law, is under the age of which an individual ceases to be a child, and includes the following:
 - i. The child is registered or eligible to be registered under the *Indian Act*, as amended from time to time;
 - ii. The child has one parent/guardian who is registered or eligible to be registered under the *Indian Act*;
 - iii. The child is recognized by their First Nation; or
 - iv. The child is ordinarily resident on-reserve.
- w. **First Nations Child and Family Service Experts (FNCFS Experts)** means persons, groups or organizations recognized by First Nations as having expertise in child and family service practice and/or policy and/or evaluation and other related areas.
- x. **“First Nations Child and Family Service Agency” (FNCFSA)** means an agency authorized by and affiliated with one or more First Nations and delegated or authorized, in whole or in part, pursuant to provincial or other authorities to provide legislated child and family services, and also includes

any service provider, other than a First Nation, that was funded to deliver child and family services (including non-delegated prevention services) by Canada under FNCFS in any of fiscal years 2022-2023, 2023-2024, 2024-2025, or 2025-2026.

- y. **“First Nations providing child and family services pursuant to their own laws”** means First Nations providing child and family services, in whole or in part, in accordance with their own laws and the regime implemented under *An Act Respecting First Nations, Métis and Inuit children, youth and families* and/or other mechanisms recognizing their inherent, Aboriginal, Treaty, and/or self-government rights.
- z. **“First Nations Representative”** means a person or group that is authorized by a First Nation to make representations on behalf of the First Nation in child and family service matters.
- aa. **“First Nations Representative Services”** means the research and development of an inventory of a range of services provided across regions to support First Nations children and families in contact with the child and family services sector, including by providing guidance and advocacy and making representations in civil proceedings in respect of the provision of child and family services to a First Nations child.
- bb. **“First Nations young person”** means a person who is between the age of majority as set out in the relevant, First Nations, provincial, or territorial law and 25 years of age (or such older age as may be set out in the applicable First Nations, provincial or territorial law) and includes:
 - i. The youth reside on or off reserve or in the Yukon and is registered or eligible to be registered under the Indian Act, R.S.C., 1985, c. I-5, as amended from time to time;
 - ii. the youth have one parent or guardian who is registered or eligible to be registered under the Indian Act, R.S.C., 1985, c. I-5;
 - iii. the youth reside on or off reserve or in the Yukon and is recognized by their First Nation; or
 - iv. the youth is ordinarily resident on-reserve.
- cc. **“Fully Reformed Funding Approach”** means a funding approach that adopts the Reformed Funding Approach as a funding base, adjusted

annually for inflation and population, for FNCFSAs, First Nations not affiliated with a FNCFSA, and other service providers, which will also have the capacity to track Measuring to Thrive indicators and adjust funding upwards to address increases in need. The Fully Reformed Funding Approach will adjust to the actual needs and distinct circumstances of First Nations children over time and address any recurrence of discrimination. Implementation of this approach is not currently possible given the lack of child-specific data collection and analysis supports but will be possible if the Reformed Funding Approach is fully implemented and baseline child-specific data is collected, analyzed and published.

- dd. **“Funding at Actuals”** means funding that is based on the actual cost of the product, asset or service (also referred to as “actuals”).
- ee. **“Funding Commitment”** means any resources, including financial resources payable or provided by Canada or its agents to fulfill the Purpose of these reforms.
- ff. **“Funding Mechanism”** means any arrangement including associated policies and conduct intended to transfer funding from the Government of Canada or its agents to another entity for the purposes of FNCFS.
- gg. **“Inflation”** means a minimum annual adjustment of 2% adjusted upwards to the Consumer Price Index (CPI) where it exceeds 2%.
- hh. **“Intergenerational Equity”** means positive duty on Canada to give due regard to the best interests and rights of future generations of First Nations children and the long term implications of its conduct including the rights of future generations to fully enjoy their to grow up as members of their Nation, the enjoyment of their culture and language(s), their rights to land and the minimum standards afforded to them in the United Nations Convention on the Rights of the Child, the United Nations Declaration on the Rights of Indigenous Peoples, the Canadian Human Rights Act and other legal human rights standards and instruments.
- ii. **“Least Disruptive Measures”** means statutory secondary and tertiary prevention services required by the Act and/or provincial or First Nations child and family service legislation to address child maltreatment risk factors, including **Structural drivers**, for child(ren) who experience, or are likely to experience, a high risk of child maltreatment and services to children and families to support a child in alternative care’s safe

reunification with their family, including extended family.

- jj. **“Measuring to Thrive”** means a set of indicators developed by FNCFS experts with the IFSD to define and monitor child and family service outcomes for the well-being of First Nations children, youth, families, and communities.
- kk. **“Minimum Base Funding”** means the minimum funding required to deliver First Nations child and family services.
- ll. **“National Oversight Council”** means a First Nations-led body, constituted and mandated by rights holders, established to provide ongoing oversight and strategic direction for the implementation, operationalization and governance of the Reformed FNCFS. It will consist of representatives appointed by First Nations from each region through their own self-determined processes, including Elders/knowledge-keepers and youth representatives. A core mandate will be to oversee and guide the design, management, and control of the reformed FNCFS ensuring that the implementation of reform is aligned with the principles and attains long-term positive outcomes for First Nations children.
- mm. **“National Secretariat”** means non-political technical secretariat functions to collect regional and national data on First Nations children, youth, and families relevant to First Nations Child and Family Services, conduct and disseminate research, best practices, and professional and public education.
- nn. **“National Technical Advisory Committee”** means one or more Technical Expert Advisory Committee(s) on First Nations Child and Family Services approved by the National Oversight Council to provide advice on the design, implementation and evaluation of First Nations child and family services.
- oo. **“Non-reallocation”** means pursuant to 2018 CHRT 4 at para. 422 Canada must not reallocate funds from other social programs, especially housing, to fund its obligations pursuant to the Orders and related agreements.
- pp. **“Orders”** means decisions and orders made by the Tribunal or Courts respecting First Nations Child and Family Caring Society et al. v. Attorney General of Canada T1340/7008.
- qq. **“Ordinarily Resident on-Reserve”** means that the individual or their caregiver:

- i. maintains a primary residence on-reserve;
 - ii. usually lives on-reserve but is temporarily residing off-reserve for purposes related to health, education, poor housing, or to access other services that are not available on-reserve; or
 - iii. wishes to live on-reserve and is on a waiting list to secure housing on-reserve.
- rr. **“Population served”** includes all residents on-reserve (regardless of status) and in the Yukon and persons off-reserve who meet the substantive equality-informed definition of being Ordinarily Resident On-Reserve.
- ss. **“Post Majority Services”** means services, supports and products provided to a First Nations Young Person who was in care as of the day they reached the age of majority and are eligible for post majority services.
- tt. **“Public Funding Review”** a review to be completed every five years by an independent, non-political expert who is qualified in public finance and has experience working on matters relating to First Nations and First Nations child and family services in order to ensure that the Reformed Funding Approach, and ISC’s related conduct, are meeting the needs of First Nations children and is adequate for First Nations service providers to meet statutory child and family services requirements.
- uu. **“Reformed Funding Approach”** means evidence-informed, First Nations-led, transparent, multi-year, performance-informed funding structure(s) that shall support and promote the substantive equality and best interest rights of First Nations children, youth, and families receiving, or eligible to receive, child and family services. Funding levels shall be calibrated to achieve substantive equality and shall be determined based on the actual needs of First Nations children, youth, and families, based on the following considerations:
 - i. Funding shall be culturally appropriate and enable holistic services targeting the structural drivers, focused on prevention and based on the actual needs of First Nations children, youth, and families, taking full account of the unique circumstances of the respective First Nation(s), including their historical, cultural, and geographical needs and circumstances.
 - ii. Funding shall address, through culturally based child and

family services, the structural drivers and root causes of the over-representation of First Nations children and youth encountering the child and family service system.

- iii. Funding shall not be subject to downward adjustments or other adverse conduct by Canada and will be determined pursuant to an evidence-based approach linking a multi-year, performance informed, flexible funding structure (block approach that permits the service-provider to reinforce successes in prevention by re-investing protection savings arising from reduction of the rate of children in care into still greater prevention activities) that permits needs-based and bottom-up budgeting to support well-being, as informed by the Measuring to Thrive framework, which was developed through community-driven evidence-informed research.
- iv. Funding shall ensure that outcome data on First Nations children, youth, and families can be collected and analyzed to monitor for the recurrence of discrimination, inform child and family services interventions, and calibrate resources to any increased need.
- v. Funding Mechanisms and related policies, practices and mechanisms shall be measured against the Purpose and Principles of the Loving Justice Plan, and Canada's legal obligations.
- vv. **“Regional Variations”** mean variations that meet or exceed the Reformed Funding Approach and address variations due to region-specific considerations that require accommodation to address ongoing discrimination
- ww. **“Remoteness”** means a variable factor measured on a continuum and describes the lived circumstances of First Nations communities for whom issues of access (by road network, by ice road only, by air only, or otherwise), geography, and context exacerbate challenges faced by all First Nations, including increasing the costs associated with child and family services. Remoteness is generally associated with geographic distance from, and access to, service centres (often defined based on population size and density), which affects the costs of shipping goods as well as costs

related to personnel, including travel, and living costs.

- xx. **“Reunification”** means any process to reunite children and youth in alternative care or formerly in alternative care with their family, extended family or First Nation.
- yy. **“Retaliation”** Any conduct by Canada or its agents, including economic retaliation and other conduct inconsistent with the *United Nations Declaration on the Right and Responsibility of Individuals, groups, and Organs of Society that seek to protect Universally Protected Human Rights and Fundamental Freedoms* that seeks to frustrate the efforts of peaceful human rights defenders to uphold the human rights of First Nations children, youth, young adults and families set out in these reforms and/or related to First Nations Child and Family Caring Society of Canada et al. v Attorney General of Canada T1340/7008.
- zz. **“Special Purpose Allotment”** (SPA) means a specific authority in the Treasury Board Transfer Policy designed to protect funds from departmental internal vote transfers as with authority to carry over funding across fiscal years.
- aaa. **“Structural drivers”** mean factors that are largely out of a caregiver or caregivers’ control, including factors linked to Canada’s conduct, which reinforce, perpetuate or exacerbate disadvantage for First Nations children, youth, and their families and/or which contribute to the overrepresentation of First Nations children and youth in the child and family service system, including:
 - i. poverty;
 - ii. poor housing;
 - iii. exclusion factors like racism, systemic racism, and colonialism; and
 - iv. multi-generational trauma, manifested as substance misuse and intimate partner violence.
- bbb. **“Transition Period”** means the period during which an FNCFS Agency or First Nation undergoes the process of changing from the current state to a desired future state.
- ccc. **“Tribunal”** means the Canadian Human Rights Tribunal.

ddd. **“Young Adult”** means a First Nations person aged between the age of majority in the jurisdiction of their residency up to and including age 25 eligible for post-majority services.

4. Governance

What We Heard:

Engagement participants stated very clearly that First Nations Rights Holders are central to decision-making regarding children, youth and families. Rights Holders are responsible for the safety and well-being of children and families and must actively participate in governance processes to ensure that reform reflects First Nation ways. Among Rights Holders, the voices of Elders and youth with lived experience in care deserve particular consideration. Both are seen as providing important perspectives grounded in personal experience and wisdom and should play an advisory role in governance.

“A future governance model should be grounded in decision-making authority that flows from Rights Holders.”

“First Nations Rights Holders must be at the centre of the ongoing governance of long-term reform and the implementation of any final orders from the Tribunal. They play a foundational role.”

“Create mechanisms that enable rights holders to participate meaningfully in governance processes. Recognize their role as community experts and ensure they have significant influence in the reform decision-making process”

“Elders should guide reform as knowledge keepers and moral authorities, grounding system changes in Indigenous law, tradition, and relational accountability.”

“Youth who have experienced the system firsthand must be meaningful contributors to the governance of reform, not token representatives. Their lived experience provides the most authentic insight into where systems fail and what supports create stability.”

Participants provided clear guidance on the essential role their Chiefs play in governance. As elected and traditional leaders, Chiefs are expected to represent community views and to implement the decision-making authority of Rights Holders in governance processes (e.g., approving mandates and governance structures, establishing strategic priorities).

“Chiefs are the recognized political voice of their individual communities and must remain central to governance.”

“[Chiefs’] inclusion is essential, as they offer important perspectives on the needs of First Nation children, families and communities.”

Participants expressed widespread support for the National Children's Chiefs Commission to play a key role in governance. Some participants cautioned against allowing the NCCC to replace the decision-making authority of Rights Holders. Indeed, the structure of the NCCC (i.e., regionally representative, accountable to communities, focused on child and family well-being) leaves it well-positioned to stand as the main oversight body and to serve as the link between national reform and regional and community realities.³

"The NCCC should serve as the core accountability, oversight, and reform body responsible for ensuring that Canada meets its legal obligations under CHRT 80 and implements the principle of substantive equality."

"The NCCC is dedicated to the best interests of the child and should remain a central partner."

"NCCC should lead the role in governance long-term, reporting to the FN rights holders."

"The National Children's Chiefs Commission has an important role but it must be understood carefully and respectfully within the broader landscape of self-determination. Their role should not replace or overshadow the authority of individual First Nations Rights Holders. Instead, their responsibility should be to support, amplify, and protect the direction that Nations set for themselves."

Participants noted that the valuable roles of FNCFS experts and expert tables include gathering, generating and sharing information, as well as in coordination, analysis and interpretation. There is widespread agreement that experts should play an advisory role in governance, without straying into the decision-making roles. The work of the Caring Society, in particular, is valued and respected: the Caring Society is seen as a strong advocate and an excellent source of evidence-based information. There was support for a range of technical tables, including regional technical tables and secretariats and an emphasis on including frontline experts to ensure reform decisions are informed by real operational experience.

"Technical tables play a supporting, advisory, and facilitative role in long-term reform, but they must never replace or override the authority of First Nations Rights Holders or Nations themselves."

"All existing tables should be able to speak into the process. If they are doing work on behalf of our children we need to hear from them"

³ To note: The NCCC does not have an ongoing mandate to participate in governance; however, the NCCC can seek that mandate or serve as a transitional body and as a model for a newly-constituted national oversight body.

“The Caring Society should remain the human rights conscience and research partner of the reform process.”

A. Measure: Key Organizations and Actors Overseeing the Reformed FNCFS

Implementation Timeline: Within six months of plan approval

A First Nations-led governance structure will support, guide and oversee the implementation and ongoing functions of long-term reform of FNCFS. The governance structure described in this Chapter 4 will include regional and national bodies working in a fully coordinated manner with a mandate to ensure all First Nations children have access to culturally based and substantively equal child and family services.

National governance bodies will include:

1. The **National Oversight Council** will be created, mandated and guided by First Nations Rights Holders. Subject to the sovereign will of Rights Holders, the National Oversight Council will be comprised as follows:
 - a. Representatives appointed by each region through their own self-determined processes;
 - b. Elder/knowledge holder and Youth representatives; and
 - c. Representatives of the Complainants

Subject to the sovereign will of Rights Holders, the National Oversight Council’s role will notably include:

- d. Ensure Canada’s accountability including its obligation to permanently cease all discriminatory conduct in FNCFS;
- e. Oversight of all aspects of the design, management and control of FNCFS or the Reformed Funding Approach (and any successor); and
- f. Consultation with, and reporting to, First Nations through national and regional processes; and
- g. Foster and promote Canada’s observance of international and domestic human rights law, instruments and norms including, in particular, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations

Convention on the Rights of the Child and the Organization of American States, American Declaration on the Rights of Indigenous Peoples.

Canada shall fund the National Oversight Council and upon request of the National Oversight Council, take positive and effective measures to ensure the National Oversight Council can discharge its mandate.

Where there are ongoing legal proceedings related to the Tribunal's orders, the National Oversight Council will collaborate with the Complainants to ensure Canada permanently ceases its discriminatory conduct.

Rationale:

- First Nations-in-Assembly Resolutions
 - 60/2024: *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle*, clause 3
 - Research and Evidence
 - Assembly of Seven Generations, "Recommendations for the Long-Term Reform of FNCFS: Literature Scan", Recommendation, Recommendation 10.
2. The **National FNCFS Technical Table** will be comprised of the First Nations Child and Family Caring Society of Canada and FNCFS experts appointed by each region, and will:
- a. Coordinate with regional technical tables to provide advice to the National Oversight Council;
 - b. Review existing and proposed legislation, budgets, regulations, operational bulletins, policy, agreements and conduct related to FNCFS and provide recommendations to the National Oversight Council;
 - c. Develop, implement, disseminate and evaluate the Child and Youth Impact Assessment Tool described in Chapter 5, Measure C
 - d. Review data and research from the National Secretariat to inform recommendations to the National Oversight Council;
 - e. Support the participation of youth and young adults, including youth and young adults with lived experience in alternative care;
 - f. Contract additional expertise as necessary;
 - g. Support capacity-building of Regional Technical Tables;

- h. Support First Nations pursuing jurisdiction in child and family services upon request; and
- i. Other duties required to discharge the purpose and principles.

Canada shall fund, upon request of the National FNCFS Technical Table, positive and effective measures to ensure the National FNCFS Technical Table, can discharge its mandate. The National FNCFS Technical Table will develop models for the National FNCFS Secretariat and mechanisms for coordinating with Regional Secretariats and provide recommendations to the National Oversight Council.

3. The **National FNCFS Secretariat** functions will be fulfilled by one or more apolitical and independent First Nations-led non-profit organization(s) recommended by the National Oversight Council and authorized by Rights Holders outside the Ontario FSA. The National Secretariat will:

- a. Collect, analyze and disseminate non-identifying First Nations child and family services outcome data consistent with Measuring to Thrive;
- b. Be a national convening and knowledge mobilization centre for holistic policy, practice and evaluation of First Nations child and family services, capital, custom adoption, post-majority services and First Nations representative services honouring First Nations languages and publishing in English and French;
- c. Provide secretariat support to the National Oversight Council and the National FNCFS Technical Table;
- d. Support capacity-building of Regional Secretariats;
- e. Support the participation of youth and young adults, including youth and young adults with lived experience in alternative care;
- f. Support Public Funding Review;
- g. Working with the National Oversight Council, foster and promote Canada's observance of international and domestic human rights law, instruments and norms including, in particular, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Convention on the Rights of the Child and the Organization of American States, American Declaration on the Rights of Indigenous Peoples;
- h. Support dispute resolution and accountability processes; and
- i. Other duties required to discharge the purpose and principles.

Canada shall fund the National Secretariat, and, upon request of the National Secretariat take positive and effective measures to ensure the National Secretariat can discharge its mandate. Canada shall not, otherwise, interfere in the National Secretariat's governance, operations or decision-making or works, nor use funding or administrative measures to influence or fetter or retaliate against the National Secretariat's governance, operations, work or findings unless otherwise required by law.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, "[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)" (2025)
 - An expert roundtable of First Nations child and family services (FNCFS) leaders, practitioners, and academics (First Nation, Indigenous, and non-Indigenous) worked with IFSD to prepare recommendations on a First Nations-led Secretariat in FNCFS. The IFSD report includes:
 - Pages 369–456 provides a paper describing the rationale, mandate, structure and cost of the secretariat.
 - Rationale for measuring to thrive indicators found at pp 350–353
 - Case Studies of use of Measuring to Thrive framework from a pilot project (Figures 47, 49, 50) (pp 139, 142, 144)
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), at p 9
 - The Secretariat should be apolitical.
 - No endorsement of a National Secretariat only, instead endorsement of regional and National Secretariat approach.
 - Assembly of Seven Generations, "Recommendations for the Long-Term Reform of FNCFS: Literature Scan", Recommendations 1, 2, 3, 4, 5 and pp 7–8.

Regional governance bodies will include:

1. **Regional Technical Tables** will be comprised of FNCFS experts within each region. Wherever possible, existing regional technical tables will fulfill the regional technical functions—with funding from Canada for additional capacity building as needed. Regional Technical Tables will:

- a. Review existing and proposed legislation, budgets, regulations, policy, agreements and conduct related to FNCFS and provide region-specific recommendations to the National FNCFS Technical Table;
- b. Review data and research from the applicable Regional Secretariat to inform recommendations;
- c. Support the participation of youth and young adults, including youth and young adults with lived experience in alternative care
- d. Contract additional expertise as needed;
- e. Report to regional First Nations;
- f. Meet with regional ISC representatives; and
- g. Other duties required to discharge the purpose and principles.

Canada shall fund the Regional Technical Tables and, upon request of the Regional Technical Tables, take positive and effective measures ensure the Regional Technical Table can discharge its mandate. Canada shall not, otherwise, interfere in the Regional Technical Table's governance, operations or decision-making or works, nor use funding or administrative measures to influence or fetter or retaliate against the Regional Technical Table's governance, operations, work or findings unless otherwise required by law.

2. **Regional Secretariats** will be comprised of one or more apolitical and independent First Nations-led non-profit organization(s) authorized by First Nations within each region. Wherever possible, existing regional secretariats (or similar organizations) will fulfill the regional secretariat functions—with funding from Canada for additional capacity and service delivery as needed. Regional Secretariats will:

- a. Support needs assessments related to First Nations child and family services;
- b. Support FNCFS Agencies and First Nations in the design, delivery and evaluation of prevention services to build capacity to deliver service-outcome data consistent with Measuring to Thrive;
- c. Support FNCFS Agencies and, as applicable, First Nations in the design delivery and evaluation of child protection services, including coordination with prevention, to deliver service-outcome data consistent with Measuring to Thrive;

- d. Support FNCFS Agencies and, as applicable, First Nations in the design, delivery and evaluation of alternative care placements and arrangements, custom adoption, post majority and band representative services;
- e. Support the participation of youth and young adults, including youth and young adults with lived experience in alternative care;
- f. Support and coordinate interjurisdictional FNCFS service delivery;
- g. Share regional data with the National Secretariat;
- h. Be a regional convening and knowledge mobilization centre for holistic policy and practice;
- i. Provide secretariat support to the Regional Technical Table; and
- j. Other duties required to discharge the purpose and principles.

Canada shall fund the Regional Secretariats and, upon request of the Regional Secretariats, take positive and effective measures ensure the Regional Secretariats can discharge their mandate. Canada shall not, otherwise, interfere in the Regional Secretariats' governance, operations or decision-making or works, nor use funding or administrative measures to influence or fetter or retaliate against the Regional Secretariats' governance, operations, work or findings unless otherwise required by law.

Rationale:

- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(l)
- Research and Evidence
 - Assembly of Seven Generations, "Recommendations for the Long-Term Reform of FNCFS: Literature Scan", Recommendations 1, 2, 3, 4, 5 and pp 7–8.

Canada will recognize and fully cooperate with the governance structure described in this Chapter 4 and will provide adequate and sustained funding to realize and maintain this structure. Canada will support, including by participating and providing information as appropriate, but it shall not interfere in the National and/or Regional Secretariat's operations or decision-making, nor use funding or administrative measures to influence or penalize the Secretariats' work or findings. Canada will consult with the National Oversight Council to establish statutory provisions recognizing the oversight authority of the governance structure.

Youth Engagement: Truth and Reconciliation Commission Call to Action 66

The governance mechanisms noted above will make provision for youth involvement in long-term reform of FNCFS. The public good would, however, be served by providing a means for youth to be directly involved in this work, as recognized by Truth and Reconciliation Commission Call to Action 66. Recognizing the scope of this complaint, Canada is strongly encouraged, above and beyond the measures proposed in this plan, to work with Indigenous youth, including youth in and from alternative care, to fund an Indigenous youth organization and foundation.

- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 1, 2 and 9.

B. Measure: Oversight of the Design, Management and Control of FNCFS

Implementation Timeline: Within six months of establishment of governance mechanisms

Canada will meaningfully consult with the Complainants and take positive and effective measures to substantively implement the recommendations of the National Oversight Council regarding all aspects of the design, management and control of FNCFS.

This will include all new measures required to reform FNCFS and all existing and proposed legislation, budgets, regulations, policy, operational bulletins, agreements and conduct related to FNCFS. If the National Oversight Council determines that any current measures associated with First Nations Child and Family Services (FNCFS) and Jordan’s Principle do not align with the established Principles, and until a formal Jordan’s Principle governance structure is in place, Canada is committed to promptly withdrawing those measures. Furthermore, Canada will collaborate with the National Oversight Council to develop new measures that uphold the Principles and reflect meaningful consultation.

Canada must implement recommendations from the National Oversight Council to permanently cease its discriminatory conduct or, in the alternative, within 15 business days provide credible evidence that its current or proposed conduct is fully aligned with the Purpose and Principles. Where Canada’s evidence that it is aligned with the Purpose and Principles is in dispute, and/or implementation of recommendations is unduly delayed or recommendations are partially implemented or not implemented, recourse will be had to the Enforcement and Durability measures described in Chapter 5.

C. Measure: Moratorium on, and Redress of Existing and Planned Operational Bulletins and related mechanisms designed and implemented without consultation

Implementation Timeline: Upon plan approval (review with complainants pending implementation of governance mechanisms)

Canada shall cease the design or implementation of policies and conduct including through operational bulletins and funding mechanisms without consultation with the Complainants and National Oversight Council and/or NCCC. Unless otherwise agreed to in writing by the NCCC and Complainants, Canada must withdraw operational bulletins and other policy or conduct related to FNCFS that were developed and/or implemented without consultation with First Nations, pending review by the National Oversight Council and the National FNCFS Technical Table.

Rationale:

- Legislation
 - [United Nations Declaration on the Rights of Indigenous Peoples Act](#), SC 2021, c 14, [Annex](#), Articles [15\(2\)](#) and [19](#)
- CHRT Decisions/Jurisprudence
 - [2018 CHRT 4](#) at paras [233](#) and [251](#)
 - *Gitxaala v British Columbia (Chief Gold Commissioner)*, [2025 BCCA 430](#) at paras [78](#), [126–129](#), [160–163](#)
- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 7.

5. Enforcement and Durability

What We Heard:

Engagement participants expressed significant mistrust that Canada will voluntarily end its discrimination or abide by the Tribunal's orders: participants consistently cited Canada's history of non-compliance and emphasized the need for enforceable oversight until discrimination is demonstrably ended.

“Any long-term reform plan must include tools to enable the comprehensive oversight of reform implementation. Canada’s history of non-compliance with the Tribunal’s orders, such as the ongoing failure to address the significant backlog of Jordan’s Principle requests, demonstrates the need for strong oversight and accountability mechanisms in relation to reform implementation.”

When asked about enforcement mechanisms, participants expressed support for both continued Tribunal oversight (with clear criteria for ending the Tribunal's jurisdiction) and an alternative dispute resolution mechanism. Participants identified several parameters to ensure the efficacy of any alternative dispute mechanism including: independence and the capacity to make enforceable orders regarding both systemic and specific failures in FNCFS and Jordan's Principle. The alternative dispute resolution mechanism should be grounded in First Nations law and legal traditions and be built on an expert-informed, rights-based design with a built-in non-discrimination assessments and protections from retaliation. Timeliness is important: the alternative dispute resolution mechanism should offer immediate relief in cases of urgent child-specific harms and timely responses in all other cases. The ADR should be responsive to unique circumstances, transparent and accountable, and subject to mandatory period reviews.

“The CHRT must play an active and ongoing role in overseeing the implementation of the reform until an independent dispute resolution mechanism is in place. The Tribunal’s neutrality is essential to prevent Canada from reinstating discriminatory practices once the Tribunal is no longer involved.”

“Canada must comply with CHRT Orders as legally required. This is a Canadian process set up by Canada. If Canada can not comply how does it expect others to respect it.”

“If ongoing Tribunal oversight is not possible, accountability should be ensured through Nation-led dispute resolution processes. These processes would be co-

designed by First Nations, grounded in their laws, languages, and cultural practices, and structured to monitor compliance, limit external discretion, and prevent discrimination. By placing authority and accountability in the hands of the Nations themselves, children, families, and communities are protected, and reforms are implemented in ways that are culturally safe, enforceable, and self-determined.”

A. Measure: Effect of the Reforms on Canada’s Human Rights Obligations

These reforms do not constitute a limitation or waiver of Canada’s human rights obligations including through 2016 CHRT 2.

Rationale:

- CHRT Decisions
 - [2022 CHRT 41](#) at paras [178–179](#)
 - [2025 CHRT 80](#) at paras [68–70](#)

B. Measure: Scope of the Continued Jurisdiction of the Tribunal

The Tribunal has authority to retain its jurisdiction until such time as the Reformed FNCFS has been fully complied with, so as to consider and decide any dispute arising from its implementation. In the event that the Tribunal retains jurisdiction, the National Oversight Counsel will collaborate with the Complainants to ensure Canada’s discrimination regarding FNCFS permanently ceases and does not recur including through Canada’s conduct respecting Jordan’s Principle.

In order for the Reformed FNCFS to be fully complied with and the Tribunal to consequently cease its jurisdiction over First Nations Child and Family Services, Canada must:

- i. demonstrate to the satisfaction of the Tribunal, based on submissions from the Complainants that are informed by the views of the Expert Advisory Committee and the National Oversight Council, that the discriminatory conduct has stopped;
- ii. demonstrate to the satisfaction of the Tribunal, based on submissions from the Complainants that are informed by the views of the Expert Advisory Committee and the National Oversight Council, that the discrimination will not recur;
- iii. fully implement the Reformed Funding Approach;

- iv. amend provincial/territorial agreements in alignment with the Orders in a manner that ensures full consultation with respective First Nations and/or First Nations service providers;
- v. implement and maintain effective quality control measures to detect and effectively remedy the recurrence of discrimination;
- vi. implement and maintain effective and accessible complaints and dispute resolution mechanisms that are as effective as or improve upon the Tribunal, has the capacity and authority to address systemic cases and order and enforce effective remedies including those required to prevent and effectively respond to all forms of retaliation.

Rationale:

- CHRT Decisions
 - [2017 CHRT 14](#) at paras [27–34](#)
 - [2018 CHRT 4](#) at paras [48–52](#)
- Jurisprudence
 - *McKinnon v Ontario (Ministry of Correctional Services) (No. 3)*, [1998 CanLII 29849](#) (ON HRT) at para [354](#)
 - *Ontario v McKinnon*, [2002 CanLII 46519](#) at para [313](#):
 - I shall remain seized of these matters until such time as this entire series of orders has been implemented and the complainant’s remedial right to full compliance with the *Code in respect of future practices* has been satisfied in substantial conformity with the orders as read in the context of the findings, conclusions and reasons found in this decision and in the April 1998 decision of this Board. If the complainants and Canada are unable to agree with respect to any of the matters regarding which their common approval is required, or if there are any other matters relating to the implementation of these orders that are in dispute or appear to require clarification, I am to be contacted without delay so that I may hear and decide such matters [emphasis added].
 - *Ontario v McKinnon*, [2004 CanLII 47147](#) (ONCA) at para [2](#)
 - *McKinnon v Ontario (Correctional Services)*, [2007 HRTO 4](#) at para [551](#)
 - *Walden v Canada (Treasury Board and Human Resources and Skills Development Canada)*, [2016 CHRT 19](#), [2018 CHRT 20](#), [2023 CHRT 13](#) (matters heard by Member Garfield, in the decade following a 2012 Memorandum of Agreement, which itself followed liability ([2007 CHRT 56](#)))

and remedy ([2009 CHRT 16](#)) decisions by Member Jensen (as she then was), who retained jurisdiction over the complaint).

- As noted by the Commission on its November 9, 2020 submissions in this matter regarding the Compensation Process (at para 16), in the consent order resolving the *Walden* matter, “the Tribunal retained jurisdiction to deal with any “... dispute or controversy surrounding the meaning or interpretation of the Agreement, or its implementation or fulfillment...” – whether brought by a party, or by a non-complainant individual claiming eligibility.” (citing *Walden et al v Attorney General of Canada*, Consent Order dated July 31, 2012 at para 4 (CHRT File Nos. T1111/9205, T1112/9305, T1113/9405).
- Research and Evidence
 - Naomi Metallic et. al, “[Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report](#)” (31 March 2022), p 40: Discussion of the Tribunal’s eventual relinquishing of jurisdiction

Guidance from the Tribunal following a Dispute/Complaint

The Tribunal shall retain jurisdiction over the complaint in relation to FNCFS for a minimum of five (5) years from the date of its FNCFS long-term reform order and thereafter until Canada has demonstrated sustained compliance (that is independently verified) with the National FNCFS Reforms and the risk of recurrence of discrimination has been eliminated. In the event that the complainants and Canada are able to agree to an effective dispute resolution mechanism as part of the FNCFS reforms, the complainants and Canada shall only return to the Tribunal for assistance following the full adjudication of a dispute using that mechanism.

Subject to Canada’s compliance with the FNCFS Reforms, following the five (5) year supervision role of the Tribunal, the complainants and Canada shall report to the Tribunal regarding the Initial Five-Year term and seek guidance and direction regarding the Tribunal’s ongoing jurisdiction in relation to the FNCFS Reforms. For clarity, the Tribunal’s reasons and findings made in all existing orders shall continue and the FNCFS Reforms have no impact on any of the Tribunal’s orders in relation to Jordan’s Principle.

Rationale:

- Research and Evidence
 - Naomi Metallic et. al, “[Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report](#)” (31 March 2022), at p 40: Discussion of the Tribunal’s eventual relinquishing of jurisdiction

C. Measure: Child and Youth Impact Assessment Tool

Implementation Timeline: Within 18 months of plan approval

Before Canada makes any decisions to change the Reformed FNCFS, unless otherwise directed in the Loving Justice Plan, the National FNCFS Technical Table will review and publicly report, via the National Oversight Council, on the child and youth rights impacts of all federal proposed legislation, budgets, policy, agreements and conduct related to First Nations child and family services prior to it coming into force, except where prohibited by law. Canada will have a positive obligation to bring any such decision-making to the National FNCFS Technical Table's attention prior to implementation.

The National FNCFS Technical Table will develop, implement and evaluate the Child and Youth Impact Assessment Tool in collaboration with youth and young adults with lived experience in child and family services and Elders/Knowledge keepers, as well as the Regional Technical Tables, the Complainants and the National Oversight Council.

Rationale:

- Research and Evidence
 - Modified version of existing government tool: [Child Impact Assessment](#)
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3, 10
 - [United Nations Convention on the Rights of the Child](#), Article 3
 - UNICEF, “[What is a Child Rights Impact Assessment?](#)”, Canada criteria for child rights impact assessments

D. Measure: Complaint and Dispute Resolution Mechanisms

Implementation Timeline: Within three months of plan approval (subject to agreement by Canada)

To the extent that Canada fails to abide by the reforms, the complainants, the National Oversight Council and funding recipients must have direct and responsive recourse to a process grounded in Indigenous law, First Nations processes and loving justice, that ensures compliance in a manner that accounts for children's safety, physical, emotional, spiritual and cognitive well-being, and best interests and cultural continuity, and is informed by the human-centered aspects of dispute resolution, including love and compassion. At a minimum, this must include an independent, non-complex and effective,

credible, national complaints mechanism.

Consistent with the Tribunal’s recognition that it may be acceptable for a decision-maker to encourage parties to engage third party arbitration as part of an attempt to reach agreement on an issue, even where the decision-maker does not have the jurisdiction to order binding arbitration (2021 CHRT 6 at para 130), this plan proposes a Dispute Resolution Mechanism (“DR Mechanism”) that reflects the minimum standards of the Tribunal orders and incorporates access to justice, and loving justice principles, for both systemic complaints (brought by the complainants) and individual complaints (brought by funding recipients), including those of an urgent nature. It is recognized that while an effective alternative dispute measure would reduce the need for the complainants and Canada to call on the Tribunal’s jurisdiction “in order to resolve a dispute that negotiation fails to resolve” (2021 CHRT 6 at para 130).

However, Canada’s cooperation would be required in order to implement such a measure. As a result, this plan provides high-level principles that would be applicable for such a DR Mechanism. The details of any DR Mechanism to support this plan would be developed after Canada’s cooperation has been confirmed.

This mechanism must be principled, public, accessible, rooted in First Nations legal traditions and laws, and include the following features:

- i. **Enforceable:** The DR process must be transparent, accessible, and enforceable in court with clear, specific and actionable orders.
- ii. **Based on the paramountcy of human rights:** The DR must offer First Nations parties and claimants at least the same level of protection as Canadian and International human rights regimes, so as not to treat them as second-class rights bearers as they have been in the past. Canada must not be allowed to “contract out” of human rights in the reforms.
 - 1. **Primary principles:** Human right norms, the best interests of the First Nations child and the terms of the Fully Reformed Funding Approach, as endorsed by orders of the Tribunal, must prevail in any disputes.
 - 2. **Protection against retaliation:** Robust protections against retaliation must be available to anyone engaged in the DR process. This includes provisions for injunctive relief, compensation and effective measures to stop retaliation and prevent its recurrence.

- iii. **Honourable character and demonstrated impartiality and independence requirement:** Adjudicators, staff, and agents will be selected by the Complainants and Canada based on recommendations from the National Oversight Council and must be honourable with demonstrated experience in adjudicating matters respecting Indigenous children, youth, young adults and families. They have an obligation to carry out their duties with the highest level of independence and integrity.
- iv. **Conflict of Interest:** Adjudicators, staff, and agents must not have served in a federal, provincial/territorial, or municipal political capacity in the prior five years and are required to disclose any perceived or actual conflicts of interest to the Complainants and Canada.
- v. **Available effective remedies:** The DR mechanism must have the capacity to order Canada to make procedural and substantive decisions, order Canada to take any reasonable effective action (including interim), provide funding or other remedies.
- vi. **Limitations:** The DR mechanism would not have the capacity to amend Tribunal orders related to FNCFS reforms, reduce existing funding or funding entitlement of service providers, reduce the overall funding commitment in the FNCFS Reforms, nor implement changes to the funding structure of the FNCFS Reforms.
- vii. **Reflect First Nations Perspectives:** The procedure adopted in the DR mechanism would adopt and embody the principles and values of respect, restitution, reconciliation, responsibility and interconnectedness.
- viii. **Reflect Youth Perspectives:** The procedure adopted in the DR mechanism would support and welcome the participation, views and expertise of youth, including youth with lived experience of placement in alternative care.

Except for requirements under the *Privacy Act* or the confidentiality provisions of provincial, federal or First Nations child and family services legislation, only a First Nations litigant may request the confidentiality of procedures, hearings, documents or decisions when it is in the best interest of the child.

The decision-maker in the DR Mechanism would be selected by agreement between the complainants and Canada following discussions in collaboration and consultation with the National Oversight Council.

Rationale:

- CHRT Orders
 - [2025 CHRT 6](#) at paras [515–551](#)
- Research and Evidence
 - Naomi Metallic et. al, “[Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report](#)” (31 March 2022), pp 77–78: Recommendation for a National Indigenous Child and Family Tribunal as a dispute resolution mechanism.
 - Truth and Reconciliation Commission, “[Calls to Action](#)” number 50
 - National Inquiry into Missing and Murdered Indigenous Women and Girls, [Call for Justice 1.7 Final Report](#)
 - Expert Advisory Committee, “FSA Recommendations” (15 December 2025), Recommendation #11, at p 6-7
 - N. Sikka et al “[Indigenous Centered Conflict Resolution Processes in Canada](#)” (March 2021), posted as a resource document on the National Aboriginal Land Managers’ Association website
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3, 10

E. Measure: Funding for Judicial Reviews

Implementation Timeline: By the commencement of the Reformed FNCFS Approach

In the event that there is no DR Mechanism, the reformed FNCFS would require Canada to establish an adequate litigation fund to ensure access to justice, under the supervision of the National Oversight Council, to enable FNCFS Agencies and First Nations to review federal decisions made pursuant to these reforms before a court or Tribunal of competent jurisdiction. The amount of funding provided per challenge would be subject to budgetary approval by the National Oversight Council, with the maximum amount of funding available, per challenge, being consistent with the amount available, per challenge, for human rights litigation under the Court Challenges Program as of April 1, 2026.

Rationale:

- Research and Evidence

- Naiomi Metallic et. al, “[*Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report*](#)” (31 March 2022), at p 78: Recommendation for funding of legal services for Indigenous Children and Families.
- Court Challenges Program, [Funding Guidelines](#) (1 October 2024)
- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 10 and pp 7 and 9

6. Funding Commitments and Arrangements

What We Heard:

Engagement participants described numerous funding challenges—both in the funding amount and how the funding flows—that often have a direct impact on services and ultimately on children and their families. Bureaucratic and constantly shifting funding processes and requirements result in service gaps and operational challenges. Some of the key challenges include: significant delays in funding approvals and disbursements; failure to approve work plans or confirmation of funding amounts, and unexpended funds in a timely way or provide clear reasons for not approving workplans in whole or in part. Changes in Canada’s policy without notice, that often applies retroactively and burdensome reporting requirements.

“Problems with flows and rules: unpredictable approvals, unilateral bulletins and eligibility shifts, thin and confusing templates, uncertainty about surpluses, missing capital envelopes, and limited mechanisms for kinship providers. Fixes: time-bound approvals with clear criteria, stable terms and carry-forward rules, explicit capital with replacement cycles, flexible kinship supports at actuals, and transparent notice whenever terms change.”

“Delays in ISC payments were described as chronic, leaving agencies to carry costs for extended periods while waiting for reimbursement. Individual First Nations are often forced to front costs for child and family services, which was described as unsustainable. Such funding delays and/or shortfalls repeatedly occur even though an agency has consistently demonstrated the funding need, year after year.”

“Provide long-term funding guarantees to allow agencies to plan, hire, and deliver services without fear of retroactive denials or program instability.”

“Some participants described the approval process as opaque and unpredictable — regional ISC staff frequently lack authority to approve expenditures, and requests are escalated to ISC Headquarters with no clear timeline or feedback.”

“The consequences of these shortfalls are not abstract; they directly affect the well-being and safety of the children and youth we serve.”

Participants described chronic shortfalls in capital funding, with extensive delays and ISC-imposed funding caps leaving First Nations and their agencies without the facilities they need

for programming and service delivery. Lack of housing is a persistent and widespread problem driving families into contact with child protection services.

“We have some small renovations that we have the capacity to do quickly, but the eligibility requirements for prevention funds coupled with the lengthy application requirements for capital funds are interfering with our ability to move forward.”

“Lack of housing is bringing children into care when they have appropriate caregivers in the family they just don't have somewhere to live.”

Prevention funding is well established as a core component of FNCFS but remains inadequate in many cases. The splitting of prevention funding across First Nations and FNCFS Agencies has disrupted the work of many agencies and failed to provide time or resources to build capacity among First Nations. Many First Nations that do have the capacity to deliver prevention services are constrained by a lack of operational funding. The population-based formula for prevention funding can be insufficient in cases such as supporting children with complex needs to remain in the care of their families; or providing addictions treatment to parents to support families staying safely together or reunifying.

“The Nation cannot cover staffing & operations with the current prevention funding. Typically, one staff person delivers all prevention service: need to add staffing costs to the per capita allotment of prevention funds.”

“Addictions is a big expense when it comes to programming, if preventative treatment is needed to ensure family reunification, there should be additional funding available (our smaller First Nations should not be put in a position to have to choose who is attending treatment service).”

A. Measure: Limiting the Restricting Influence of Other Canadian Legislation

Canada shall not rely on the *Financial Administration Act* or any other federal act as a basis for failure to expend any Funding Commitment or to fail to fully implement the nature, scope, and purpose of the Reformed Funding Approach, ensuring that the Reformed Funding Approach is interpreted and implemented in a manner that reflects the quasi-constitutional nature of the *Canadian Human Rights Act*, and the remedies made thereunder.

Consistent with the Tribunal’s orders to safeguard multiple generations of First Nations children from Canada’s discrimination and recognizing the rights of First Nations children and the inherent right of self-determination, including self-government, over children and families, the Reformed Funding Approach will not be time limited and will not be dependent on government political decision makers. To uphold the honour of the Crown and permanently cease its discriminatory conduct, Canada must systematically design, administer and evaluate this funding, including funding mechanisms, as a non-discretionary obligation constrained by the inherent rights of First Nations and the constitutional and human rights of First Nations children, youth and families.

First Nations prefer a statutory funding mechanism that is co-developed between First Nations and Canada to achieve the durability and protection required by these reforms to safeguard children and families from Canada’s discriminatory conduct in First Nations Child and Family Services.

The Reformed Funding Approach will be the minimum standard for Canada’s funding of child and family services and provide the flexibility to improve upon its key components pursuant to the needs identified by First Nations and FNCFS service providers.

No policy, conduct or other mechanism, including funding mechanisms, may be adopted in respect of Funding Commitments for FNCFS which could reasonably result in a lower level of funding or adverse funding structures than contemplated by these reforms.

Rationale:

- CHRT Decisions
 - [2018 CHRT 4](#) at paras [40–48](#)
 - [2021 CHRT 41](#) at paras [373–377](#)
 - [2025 CHRT 6](#) at paras [463–468](#)
- Research and Evidence
 - Expert Advisory Committee, “FSA Recommendations” (15 December 2025), Recommendation #1, at pp 1–2
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3, 4, 5, 6, 7

B. Measure: Protecting FNCFS Funding

Implementation Date: Immediately upon plan approval.

Canada shall not reallocate funding from other First Nations programs (e.g., housing or education), services, claims or initiatives to achieve the Purpose.

Consistent with the Tribunals' non-reallocation order (2018 CHRT 4), Canada must not engage or require First Nations not affiliated to a FNCFS Agency and/or FNCFS Agencies or any other entity to engage in the practice of reallocation. Canada shall not repeat its practice of reallocating funding from other First Nations to address shortfalls in FNCFS.

Child and family services are essential services for First Nations. As recognized by the Court of Appeal of Quebec, responsibility for funding is a crucial issue related to First Nations child and family services, which has not been addressed by the *Act respecting First Nations, Inuit and Métis children, youth and families*. The Reformed Funding Approach requires safeguarded and guaranteed funding allocations through statutory measures. However, it is recognized that the Tribunal does not have the jurisdiction to order Parliament to enact legislation. In the absence of such legislation; however, Canada should be required to place funds related to the implementation of this plan in a Special Purpose Allotment with authority to carry over to future fiscal years to avoid the money being used for other government priorities.

Rationale:

- Jurisprudence
 - [2022 QCCA 185](#) at paras [165](#) and [271–279](#)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[First Nations not affiliated to a First Nations child and family \(FNCFS\) services agency: Defining a baseline](#)” (4 April 2024)

Special Purpose Allotment Approach

In the absence of a statutory funding mechanism, Canada shall restrict any and all funding commitments to achieve the Purpose in a Special Purpose Allotment.

Rationale:

- CHRT Decisions
 - [2018 CHRT 4](#) at para [391](#)

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - In a fee-for-service model (i.e., ISC pays bill for activity), power rests with ISC: ISC reallocates resources within the department and different priorities because funding is not infinite, nor is it protected (through a SPA) for FNCFS (p 24)

Statutory Approach

- The Reformed Funding Approach calls for, and should be supported by, legislation co-developed by First Nations, and Canada, in consultation with the National Oversight Council, that enshrines effective statutory funding to embed the funding purpose, principles, structures, and levels as minimum standards to be adjusted annually on the basis of population and inflation, as well as funding review mechanisms.

Rationale:

- Research and Evidence
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), p 20: Support for the idea of statutory funding to ensure that discrimination does not recur.
 - Expert Advisory Committee, FSA Recommendations (15 December 2025), Recommendation #1, pp 1-2

C. Measure: Reformed FNCFS Funding

Implementation Timeline: Next fiscal year after plan approval (so long as at least six months’ lead-time)

Overview: Capacity-Based Funding Approach

Present State:

FNCFS Agencies have been funded through a variety of funding sources at the federal level since the Decision on the Merits, including Budget 2016 and Budget 2018 funding, actuals-based funding through 2018 CHRT 4, and additional per capita and top-up based funding released in FY 2022-2023 and 2023-2024 (much of which has been shared with First Nations).

There have been no adjustments to the baseline funding model that was implemented in

Budgets 2016 and 2018 to account for the actual cost of providing services based on the actuals claims from 2018/19 through 2024/25.

This funding approach as implemented by ISC is not stable or predictable and is highly dependent on ISC's discretion. While claims on actuals have provided important information regarding the real needs of FNCFS Agencies, a "claims-based" funding mechanism does not fully capture the needs of First Nations and FNCFS Agencies due to ISC operational, reimbursement and cash-flow policies and conduct, which prevent full implementation of needs-based programs and services (i.e., First Nations and FNCFS Agencies do not have the funds they need, when they need them).

Most unaffiliated First Nations have received Community Wellbeing Jurisdiction Initiative funding since Budget 2018, followed by per capita prevention funding following 2021 CHRT 12, as well as percentage-based top-up related funding from FY 2023/24 forward. However, it is unclear how many unaffiliated First Nations were funded under CWJI to do jurisdictional initiatives versus prevention. Moreover, Unaffiliated First Nations do not have access to a First Nations-based protection service provider, and receive protection services via the applicable provincial or territorial government through funding mechanisms with Canada.

All First Nations have received some or all of the per capita prevention funding amount introduced in FY 2022/23 and some or all of the percentage-based top-ups introduced in FY 2023/24.

Funding for First Nations has generally not been accompanied by clarity regarding the range and scope of service delivery, governance or financial responsibilities associated with the funding or time and capacity to develop the services and associated infrastructure and coordinate with the province/territory in the provision of FNCFS services. Such guidelines must be developed in consultation with affected First Nations, in partnership with the National Oversight Council and the Caring Society.

"Future State":

First Nations not served by a delegated FNCFS service provider are required to be funded in accordance with community need and informed by evidence. Such funding must ensure First Nations have adequate time to build capacity, including a culturally informed skilled workforce, to meet the needs of their children, youth, and families.

FNCFS Agencies to operate with block funding pursuant to the IFSD Phase III recommendations adjusted to FY 2024/25 levels, with access to funding at actuals as a backstop for a period of five years, with a funding review in Year 3 to make required adjustments. The actuals backstop recognizes that, across Canada, service providers

have operated on a wide variety of funding mechanisms and, in many cases, have not had access to capacity building funding. It also recognizes that the split in prevention funding levels between two service providers has led to uncertainty regarding the effectiveness of integrated service delivery (see IFSD Phase 3, Figure 13).

Under the “backstop actuals” system, the National Oversight Council must be notified of any requests that are outstanding for more than 30 calendar days. Requests outstanding for more than 30 calendar days will also be eligible for interim funding pending ISC’s decision-making. Denials must include ISC’s evidence and rationale confirming that denial respects the Purpose and Principles of the FNCFS Reforms.

Some level of actuals-based funding will be required to continue for maintenance in the case of First Nations children coming into care with complex needs that exceed the ordinary cost of maintenance placements (e.g.: Fetal Alcohol Spectrum Disorder, severe mental health needs) as such placements involve per-child costs that are orders of magnitude greater than those for non-complex placements.

Consistent with the honour of the Crown and the developmental process for FNCFS Agencies in Directive 20-1, First Nations to be provided with capacity building funding and time to design and build capacity to enable their prevention delivery model and other services. This will include a clear definition of the prevention services and other services, if applicable, to be provided within that service delivery model, and an understanding of how Least Disruptive Measures (secondary and tertiary prevention) will be funded within the protection service provider’s budget and coordinated with the First Nation’s service model. Applicable FNCFS services needs will be provided by a First Nations authorized service provider until First Nations capacity is established.

For First Nations that have an existing prevention delivery model and capacity to deliver that model, or once the First Nation’s capacity building and evaluation process is complete, per capita prevention funding will follow the service provider, according to the service delivery model adopted by the First Nation, with a clear definition of coverage of Least Disruptive Measures (secondary and tertiary prevention) within the protection service provider’s budget.

Rationale:

- Jurisprudence
 - *St. Theresa Point First Nation v Canada*, [2025 FC 1926](#) at para 171
 - An example of Canada’s provisioning of on-reserve housing, with a high degree of federal discretion, and in a manner similar to the “Present State” above.

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025), Figure 13 and Appendix H: Maintenance
 - Ontario Association of Children’s Aid Societies, “[2025 Pre-Budget Submission](#)”(24 January 2025) at pp 8–9 (Access to Highly Specialized, Intensive Out-of-Home Care & Live-in Treatment)
 - EngageFirst Management Consultants, “[Study of Budget Needs and Funding in the Amended Draft Agreement for Long Term Reform of FNCFS Program: Final Report](#)” (May 2025), at p 50

Baseline Budget

Baseline budget: The budget considered sufficient for the delivery of needs-based child and family services, as defined by the relevant First Nation, in keeping with mandated legislation, including provincial/territorial legislation, the national standards contained in the *Act respecting First Nations, Inuit and Métis children, youth and families* and in any applicable First Nations legislation. Baseline funding will cover the actual costs of core operations related to the child and family service provider in question (prevention, protection, or both). For FNCFS Agencies providing protection services, baseline funding will also provide for protection service costs (e.g., intake, maintenance payments, etc.). This amount will be increased annually to adjust for population growth and inflation.

As noted in the description of the “future state” above, for the first five years of the Reformed Funding Approach FNCFS Agency and First Nation baseline budgeted will be backstopped by a funding at actuals process to provide for sufficient funding to meet community needs in special circumstances (e.g., circumstances, whether anticipated or unanticipated, that cause the cost of required services to exceed the amount of funding provided via the Baseline Budget).

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - Figures - Five-year national projections estimate the total system cost to be \$17.5B with IFSD’s recommended scenario (p 41)
 - Baseline budget - Total federal expenditures for the delivery of CFS as reported by FNCFS agencies
 - See Table 9 and Figure 12 (p 36); Table 10 pp 38–39.

- See pp 98 and 104.

Functional Funding Adjustment Factors

Functional Funding Adjustment Factors (referred to as “top ups” in the IFSD reports) are tied to the specific purpose of child and family services and are not intended to remedy community-wide needs in these areas:

- i. information technology
- ii. results and data collection
- iii. poverty fund
- iv. capacity development fund
- v. emergency fund
- vi. maintenance allocation
- vii. prevention
- viii. geography/remoteness
- ix. inflation with a 2% base adjusted annually upwards to the Consumer Price Index
- x. population
- xi. insurance and liability coverage
- xii. cultural continuity

Rationale:

- Legislation
 - [Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24, [s 9\(2\)](#)
- CHRT Decisions
 - [2016 CHRT 2](#) at paras [106](#), [151](#)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “Funding First Nations child and family services (FNCFS): A blueprint for program reform” (2025)
 - Prevention - \$2,500 per person resident on-reserve, adjusted for population and inflation since fiscal year 2022/23 (p 34)
 - Resources to deliver activities and services to stop or reduce the risk of child maltreatment.
 - Three levels of prevention that are mutually reinforcing:
 - Primary: Public health measures to prevent child maltreatment and public education on how to report child maltreatment

- Secondary: A child and/or family are at high risk of child maltreatment
 - Tertiary: A child is at risk of child maltreatment or alternatively is in care and efforts to reunify the child with their families are underway (it is expected that at least secondary and tertiary services are being delivered by FNCFS agencies)
- See commentary in the overview regarding the capacity-based approach to service delivery
- Information technology (IT) - 5.5% of the baseline budget
 - Allocation for hardware and software, based on not-for-profit industry standards (p 34).
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), p 25: Agreement for 6% of the baseline otherwise.
- Results and data collection – 5% of the baseline budget
 - Allocation to support data collection and analysis. Data is essential for control and improved decision-making, in particular to allow for early warnings or signs of challenges and to highlight successes (p 35).
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), p 27: Consensus is for 5%
- Poverty Fund – 5% of the difference between regionally relevant MBM and total after-tax median household income (p 35)
 - Provides resources to mitigate the impacts of deprivation as a driver of contact with protection.
 - Figure 41, pp 112–113.
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), p 27: Eliminate 3% as a possibility and reconsider 5 and 7%
- Maintenance allocation – 3% of baseline budget (pp 35, 106 and 110)
 - Contingency amount to mitigate changing costs of child maintenance (over and above inflation) within the regular course of business
 - Variability in maintenance expenditures to otherwise be managed by the protection service provider within their block funding, subject to maintenance expenses arising from special

circumstances, which are beyond the usual cost of doing business (e.g.: complex needs, specialized homes, sudden increase in the number of children coming into care), which are to be reimbursed at actuals

- See analysis in Appendix H “Maintenance” (pp 337-338)
- Geography/remoteness – 15% scaled average of CAF applied to all FNCFS agencies (p 34)
 - 15% scaled average of Cost Adjusted Factor (CAF).
Remoteness can impact FNCFS agency operations and budgets. The remoteness/ geography component should be recognition of the differentiated costs of delivering and acquiring needed services in different geographic contexts (beyond year-round road access alone), acknowledging that some of these costs will already be factored into a service provider’s Baseline Budget due to interim funding at actuals in prior fiscal years.
 - Page 256 (Figure 3 – Geographic Zone distribution – i.e. accessibility)
- Inflation with a 2% base adjusted annually upwards to the Consumer Price Index (p 35)
 - Adjustment to correct for changes in purchasing power, based on Consumer Price Index (CPI) inflation in order to reflect changes in the costs of goods and services.
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), p 33: 2% as the floor with CPI as the adjustor for real time costs.
- EngageFirst Management Consultants, [“Study of Budget Needs and Funding in the Amended Draft Agreement for Long Term Reform of FNCFS Program: Final Report”](#) (May 2025), at p 35–36
- Measuring to Thrive Framework (Appendix J to Institute of Fiscal Studies and Democracy, [“Funding First Nations child and family services \(FNCFS\): A performance budget approach to well-being”](#) (2020), at pp 387–390)
 - Connection to culture and language are essential indicators of well-being for children and families
- Cultural continuity:
 - Determined the impacts Canada’s discriminatory practices on First Nations languages and cultures as well as cultural continuity

being a protective factor in the physical, emotional, cognitive and spiritual well-being and best interests of First Nations children. Cultural continuity, and specifically First Nations language knowledge, are associated with dramatic reductions in youth suicide and adverse outcomes.

- Depending on community readiness, this may be funded as a primary prevention item pending development of a cultural-continuity specific funding adjustment factor developed in the first five years of the Reformed Funding Approach.
- Chandler, M. J., & Lalonde, C., “Cultural continuity as a hedge against suicide in Canada's First Nations” (1998). *Transcultural psychiatry*, 35(2), at pp 191–219
 - Cultural continuity is a protective factor against mental health issues. Language is foundational to culture.
- Douglas Hallett, Michael J. Chandler & Colette E. Lalonde, “Aboriginal Language Knowledge and Youth Suicide” (2007) *22 Cognitive Development* 392
- Michel J Chandler & Christopher Lalonde, “Cultural Continuity as a Protective Factor Against Suicide in First Nations Youth” (2008) 10:1 *Horizons (Special Issue: Aboriginal Youth, Hope or Heartbreak: Aboriginal Youth and Canada’s Future)* 6 First Peoples’ Cultural Council, [“Costing Models for Language Maintenance, Revitalization and Reclamation in Canada”](#), (May 2018)
- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3, 4,5, 6,10

Population

Following the enactment of *An Act respecting First Nations, Inuit and Métis children, youth and families*, S.C. 2019, c. 24, the federal and provincial Crown are bound to act on the basis that First Nations’ inherent right to self-government has constitutional status and that, from a jurisdictional standpoint, this right includes the jurisdiction of First Nations in relation to child and family services. There is no geographic limitation to Parliament’s statutory affirmation of this right, such that, subject to the terms and adequacy of funding, First Nations and Agencies may provide child and family services to their members wherever they reside (as per minimum standards set out in *An Act respecting First Nations, Inuit and Métis children, youth and families*, S.C. 2019, c. 24).

In correspondence on September 12, 2025 and October 3, 2025, the Panel addressed the

scope of the complaint regarding First Nations children residing off-reserve being limited to Jordan's Principle and not to First Nations children receiving child and family services more generally. This plan has been prepared in keeping with that direction. However, nothing in this plan is intended to support or permit conduct on Canada's part in implementing Jordan's Principle off-reserve in a way that increases, in any way, the likelihood of First Nations children either coming into contact with the child and family services sector or being brought into care, or that fetters their reunification with their homes, families and communities.

It bears noting that consistent and strong feedback during the regional engagement process following the Tribunal's ruling in 2025 CHRT 80, however, noted that many First Nations individuals do not live off-reserve by choice, but rather face limited ability to remain on-reserve for systemic reasons, including lack of housing and other services (including education, health, mental health, and specialized services for children with complex needs). Indeed, many of the same structural forces that drive contact with the child and family services system drive families away from reserves.

This plan's approach to population served seeks to respect the Panel's October 3, 2025 direction on scope by focusing on a substantive equality-based definition to the population that is "Ordinarily Resident On-Reserve". As the Panel noted in its 2016 Decision on the Merits, FNCFS have always applied to First Nations children and families ordinarily resident on-reserve. In the 2005 National Program Manual, the definition of "ordinarily resident on-reserve" acknowledges that individuals may continue to be ordinarily resident on-reserve where they maintain a primary residence on-reserve "may be absent for a period of time for purposes related to education, health, or other services that are unavailable in the reserve community where the child lives".

This plan proposes a substantive-equality-based definition of "ordinarily resident on-reserve" to include those who wish to live on-reserve and are on a waiting list to secure housing on-reserve. This recognizes the breadth of service gaps that lead First Nations individuals to leave their Nations' territory.

In addition to the above-noted considerations, ISC's Indian Registration System ("IRS") does not capture the entire population served, in particular given members moving on- or off-reserve in ways that are not reflected in the IRS, nor does it reflect anticipated addition of members due to legislative changes related to eligibility for *Indian Act* status. In particular, any approach to population adopted must be responsive to the potential elimination of the second generation cut-off rule in s. 6(2) of the *Indian Act*, which is currently under consideration by Parliament given the repeal of subsections 6(2) and (2.1) of the *Indian Act* by clause 4(5) of Bill S-2: *An Act to amend the Indian Act (new registration*

entitlements), which received Third Reading in the Senate on December 4, 2025 (63 Senators voting in favour, no Senators voting against, and eight Senators abstaining) and received First Reading in the House of Commons on December 10, 2025. If Bill S-2 passes in its current form, as has been called for by the Chiefs in Assembly, many minor children who reside on-reserve and are subject to the second-generation cut-off would be eligible to be added to the IRS.

Funding must not rely solely on the per capita formulas, especially those tied to the IRS. With the guidance of the National Oversight Council and the National FNCFS Reform Technical Table, the complainants and Canada must work towards a population framework within the first three years of the FNCFS Reforms, such as a First Nations-led census, to estimate the actual population served.

Rationale:

- Constitutional Provisions
 - [Constitution Act, 1982](#), ss [35](#), [52\(1\)](#), being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.
 - [Constitution Act, 1867 \(UK\)](#), 30 & 31 Vict, c 3, s [91\(24\)](#), reprinted in RSC 1985, Appendix II, No 5
- Legislation
 - [Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24
 - [United Nations Declaration on the Rights of Indigenous Peoples Act](#), SC 2021, c 14, [Annex](#), [Article 32](#)
- CHRT Decisions/Jurisprudence
 - [2016 CHRT 2](#) at paras [52–58](#)
 - *Dickson v Vuntut Gwitchin First Nation*, [2024 SCC 10](#) at paras [363](#) and [368](#) (per Martin and O’Bonsawin JJ)
 - *Corbiere v Canada (Minister of Indian and Northern Affairs)*, [\[1999\] 2 SCR 203](#) at para [19](#)
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#), at paras [60](#), [63](#), [65](#), [66](#), [107](#)
- Research and Evidence
 - October 3, 2025 direction from the Panel regarding the scope of the complaint
 - Indian and Northern Affairs Canada, “First Nations Child and Family Services National Program Manual” (May 2005), at p 51

- Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - Population - IRS population by Band (p 35)
 - Changes in population size impact service delivery. Population and projections should use the Indian Registry Service (IRS) by Band. See Table 35 (p 116) for projected population growth
- NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), at pp 18–19
 - Non-status children must be included in the population count because they are considered part of the community vis a vis the family living on-reserve (e.g. some family members are eligible for status, and some aren’t). First Nations will serve the children in the community regardless of status.
 - Service population extends beyond those who live in community at the moment, e.g. those who have moved away for various reasons but still remain part of the community. This is needed to promote connections.
 - IRS based population creates conditions for discrimination.
- EngageFirst Management Consultants, “[Study of Budget Needs and Funding in the Amended Draft Agreement for Long Term Reform of FNCFS Program: Final Report](#)” (May 2025), at pp 27, 35–37

Insurance and Liability Coverage

Canada shall provide sufficient funding to ensure FNCFS service providers including FNCFS Agencies are able to purchase adequate liability insurance.

Canada will be the insurer of last resort for all First Nations Child and Family Services, their employees, agents, and advisors (including Elders, Knowledge Keepers, and youth) when the First Nations Child and Family Services provider is unable to access insurance or access adequate levels of insurance to safeguard against tort actions or other claims arising from good-faith actions or decision making.

Rationale:

- Research and Evidence
 - Alexander Holburn Beaudin & Lang LLP, “Legal Opinion to IFSD” (31 August 2018), at p 6
 - “Notwithstanding a mandatory insurance coverage provision in a

provincial delegation agreement, each of the provinces is subject to the non-delegable duty doctrine, which provides that a party upon whom the law has imposed a strict statutory duty to do a positive act cannot escape liability simply by delegating the work”

- Similar logic applies at the National level

Emergency Plan Funding

Canada shall fund First Nations child and family service providers to develop and execute emergency response plans specific to children, youth, young adults and families in coordination with affected First Nations. These plans will contain measures to prevent emergencies and mitigate harm related to unforeseeable events beyond the service providers control such as:

- a. actions of military, naval, or civil authority, the King's or a public enemy, war, revolution, political disturbance, and terrorism;
- b. civil disturbance;
- c. expropriation, acts of restraints of a governmental body or authority, and failure to obtain a requisite permit or authorization from a governmental authority by reason of any statute, law, or Order-In-Council, or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller, or board, or any governmental department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby;
- d. unusual delay by common carriers;
- e. sabotage, rebellion, vandalism, riot, blockade, insurrection, strike, lockout, and explosion;
- f. power failure and non-availability of labour, materials service, equipment, goods, or utility
- g. epidemic and quarantine including substance misuse;
- h. fire;
- i. pandemics; and
- j. significant class action payments to vulnerable people as a result of Canada's conduct.

Canada shall provide sufficient and additional resources, including funding, to prevent and respond to unforeseeable events.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - Emergency Fund – 2% of the baseline budget (p 35)
 - Recommendations summarized on p 335
 - Report of the Auditor General of Canada, “[Emergency Management in First Nations Communities, Report 8, \(2022\)](#)” at paras 8.13, 8.44, 8.47, 8.67, 8.68.
 - Inter-Agency Standing Committee, “[With Us and For Us: Working With and For Young People in Humanitarian and Protracted Crises](#)”, UNICEF and the Norwegian Refugee Council for the Compact for Young People in Humanitarian Action, (2020) online, at pp 34–39, 100–103

Funding at Actuals or with Actuals as a Backstop

Additional funding will be required in the following areas:

- i. capital, maintenance, and capital replacement (actuals)
- ii. First Nations representative services (actuals)
- iii. post-majority services (including reunification services), supports, and products (actuals, to provide the range of services identified by the National FNCFS Technical Table and Regional Technical Tables, and not the narrower range of services presently approved under ISC Operational Bulletins)
- iv. development of new FNCFS Agencies (actuals)
- v. regional and national technical secretariats (actuals)
- vi. planning funds (to achieve substantive equality for those affected by Directive 20-1 until 2016 or were not receiving FNCFS funding pursuant as of 2016 or later) (actuals as a backstop)
- vii. funds for special circumstances (e.g., costs for very high needs of children in care) (actuals as a backstop with limited ISC discretion, as constrained by the purpose and principles of the Loving Justice Plan and CHRT orders)

IFSD’s recommended budget framework does not include a funding methodology for post-majority services or First Nations representative services, both of which will be funded at actual costs. The list above similarly includes other expenditures that, due to a lack of reliable data, will be funded at actuals, or for which actuals will be used as a backstop. Any amounts exceeding the percentage of the baseline budget allocated for planning funds

(5% for results and data) and special circumstances (3% for maintenance allocation) will be funded at actuals to account for the uncertainty inherent in governance and predicting the costs required to care for children with complex needs. In addition, the development of new FNCFS agencies will be funded at actuals for a minimum of five years, as explained above, to allow new agencies the time required to build sufficient capacity. The at-actuals funding model will be maintained until the first public review of the reformed FNCFS, to facilitate necessary adjustments.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - Capital, maintenance and capital replacement
 - Table 42 (pp 121–122) provides the assumptions of the bottom-up capital calculations; Table 43 discusses asset types (p 122)
 - Full analysis regarding capital funding (pp 233–242)
 - First Nations representative services
 - Appendix B3 (pp 215–220) provides a breakdown of costs for First Nations Representative Services
 - Post-majority services, supports and products
 - Estimations of costs of post-majority supports (pp 225–227)
 - Development of new FNCFS Agencies
 - Directive 20-1 recognized that service providers would require time to be able to take on services (see Directive 20-1, section 6.4: “The expansion of First Nations Child and Family Services (FNCFS) will be gradual as funds become available and First Nations are prepared to negotiate the establishment of new services or the takeover of existing services”). Directive 20-1 contemplated multiple ramp-up phases for a new service provider: pre-planning, planning, and start-up (see Directive 20-1, section 7).
 - Regional and national technical secretariats
 - An expert roundtable of First Nations child and family services (FNCFS) leaders, practitioners, and academics (First Nation, Indigenous, and non-Indigenous) worked with IFSD to prepare recommendations on a First Nations-led Secretariat in FNCFS.

The call for the body has been documented by IFSD in its work since 2018 with FNCFS providers (p 43)

- Pages 366–456 provides a paper describing the rationale, mandate, structure and cost of the secretariat.
- Planning Funds
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025):
 - Results and data collection – 5% of the baseline budget
 - Allocation to support data collection and analysis. Data is essential for control and improved decision-making, in particular to allow for early warnings or signs of challenges and to highlight successes (p 35).
 - NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), at p 27: Consensus is for 5%
- Special Circumstances
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - Maintenance allocation – 3% of baseline budget (pp 35, 106 and 110)
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3,4,5,8.

D. Measure: Funding for Regional Organizations, Agencies and Technical Secretariats

Implementation Timeline: Upon plan approval

Canada shall negotiate honourably and in good faith with First Nations outside the Ontario FSA and with First Nations national and regional organizations (including, but not limited to, the **National Oversight Council**, the National FNCFS Technical Table, the National FNCFS Secretariat, Regional Technical Tables, and Regional Secretariats) to adequately, and on an ongoing basis, fund regional technical secretariats and a national apolitical technical secretariat to support the delivery of First Nations child and family services to a

standard that enables First Nations, First Nations child and family service providers to discharge their mandates in keeping with the Principles.

Rationale:

- CHRT Decisions
 - [2018 CHRT 4](#) at para [265](#)
 - [2025 CHRT 80](#) at para [110](#)
- First Nations-in-Assembly Resolutions
 - 42/2018: *Data Sovereignty and the Ownership, Control, Access and Possession (OCAP)*
- Research and Evidence
 - Funding National Secretariat
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025)
 - An expert roundtable of First Nations child and family services (FNCFS) leaders, practitioners, and academics (First Nation, Indigenous, and non-Indigenous) worked with IFSD to prepare recommendations on a First Nations-led Secretariat in FNCFS. The call for the body has been documented by IFSD in its work since 2018 with FNCFS providers (p 43)
 - Pages 369–456 provides a paper describing the rationale, mandate, structure and cost of the secretariat.

Regional Organizations

Canada shall establish an annual fund to be allocated to Regional Technical Tables and Regional Secretariats (see Chapter 4, above) in a manner directed by the National Oversight Council to build capacity, establish new organizations where no existing entity can assume the Regional Secretariat role, collect and analyze regional child and family services data and support best practices to deliver child and family services in whole or in part, including by providing training.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “Funding First Nations child and family services (FNCFS): A blueprint for program reform” (2025), Appendix K: First Nation-led Secretariat Analysis

Capacity Development for New Service Providers (Agencies and First Nations)

Canada shall fund the development of First Nations and First Nations Agencies. This funding includes but is not limited to the provision of child and family services by First Nations pursuant to their own laws, the establishment of new First Nations Agencies, and expansion of service provision at existing First Nations and First Nations Agencies to include, among other things, the delegation to provide protection services. This funding is intended to enable and provide the necessary capacity to discharge their responsibilities, including pursuant to the applicable child and family services and related legislation and regulations.

Canada shall fund the development of First Nations and First Nations Agencies in a manner that attains long-term positive outcomes for First Nations children and their families and supports First Nations providing services under their own laws to exercise their legislative authority effectively, consistent with the honour of the Crown and with the Crown's fiduciary relationship with First Nations children.

Canada provided prevention funding to unaffiliated First Nations without providing sufficient funding and time to develop and implement those services. This means that there is wide variation in the capacity of unaffiliated First Nations to deliver or expand prevention services to meet the changing needs of their children, youth and families in a manner consistent with the rights of First Nations children, the honour of the Crown, and *An Act Respecting First Nations, Métis and Inuit children, youth and families* and the Tribunal's orders. Capacity funding is required to enable unaffiliated First Nations and new agencies to develop or expand capacity to consult with their communities and experts to design and implement the range of prevention services they self-determine as necessary to meet their needs. Such capacity funding shall be based on actuals for at least five years.

Rationale:

- Jurisprudence
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#), at para [63](#)
- Legislation
 - [Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, [s 20\(2\)\(c\)](#)
- Research and Evidence
 - Directive 20-1 recognized that service providers would require time to be able to take on services (see Directive 20-1, section 6.4: "The expansion of

First Nations Child and Family Services (FNCFS) will be gradual as funds become available and First Nations are prepared to negotiate the establishment of new services or the takeover of existing services”).

Directive 20-1 contemplated multiple ramp-up phases for a new service provider: pre-planning, planning, and start-up (see Directive 20-1, section 7).

- [IFSD First Nations not affiliated to a First Nations child and family \(FNCFS\) services agency](#): Defining a baseline (4 April 2024)
- EngageFirst Management Consultants, “[Study of Budget Needs and Funding in the Amended Draft Agreement for Long Term Reform of FNCFS Program: Final Report](#)” (May 2025), at pp 4, 19, 26, 47 and 50
- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 4,5,6,7,8.

First Nations Child & Family Wellbeing Research Fund

Canada shall establish a First Nations-led national research fund focused on First Nations child and family wellbeing. The fund will support research capacity to: identify and address the structural drivers of contact with child protection services among First Nations families; distinguish preventable service failures from protection concerns; assess whether long-term reforms address structural drivers; and demonstrate sustained compliance with Tribunal orders.

The research fund will support First Nations-led efforts to ensure policies are supported by adequate evidence and prevent the persistence of discriminatory outcomes. The fund will support First Nations-led efforts to:

1. identify and prioritize research focuses related to child and family well-being;
2. develop First Nations-specific solutions, integrating Indigenous Knowledge and leading research;
3. explore emerging and under-examined areas of inquiry that address First Nations-specific challenges through creative, culturally grounded approaches that centre Indigenous worldviews and responsibly leverage new technologies;
4. develop a First Nation approach to collect data and information about child and family wellbeing; and
5. develop a robust evaluation and accountability framework to ensure discrimination is eliminated and does not re-emerge through policy design, implementation, or system practices.

Rationale:

- CHRT Orders
 - [2016 CHRT 16](#) at paras [150–152](#)
 - [2018 CHRT 4](#) at paras [259, 264](#)
 - [2022 CHRT 8](#) at paras [74–86](#)
- Legislation
 - [Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, [s 20\(2\)\(c\)](#)
- Research and Evidence
 - Canada Foundation for Innovation, “[Research in Canada, for Canada: A Value Proposition](#)” (September 2023)

E. Measure: Transition from Funding at Actuals

Funding at actuals as articulated in Chapter 6, Measure C, will continue for a minimum of three years or until such time as the Public Funding Review recommendations are implemented.

ISC shall reimburse claims for FNCFS Agencies’ actual costs for intake and investigations, legal fees, building repairs, child service purchase, and small agency costs incurred in the last fiscal year of funding at actuals that are submitted on or before September 20 of the following fiscal year. Where funding requests are received after September 20, ISC will consider any exceptional circumstances relating to the late submission.

For the Initial Five Years, First Nations, except for First Nations in Ontario, shall have access to reimbursement for their actual costs for First Nation Representative Services equivalent to the actual costs available pursuant to 2018 CHRT 4, including but not limited to:

- a. salaries, benefits, workplace safety and costs to support the delivery of child and family services;
- b. human resources recruitment, training or professional development;
- c. paraprofessional and professional fees;
- d. general delivery costs such as non-medical travel costs, accommodations, transportation or meals for First Nations Representatives to support the

delivery of services;

- e. delivery costs and family support services including prevention services and services for those involved with the child and family services system; and
- f. overhead, administrative costs (office rent, computer, information technology, utilities, insurance to help support FNRS services).

FNCFS service providers must be provided with a model budget of their funding allocation under the Reformed Funding Approach for their assessment and approval and will determine the timing of their transition to the Reformed FNCFS, in consultation with their First Nations, when they are ready. A minimum of 12 months must be provided to ensure adequate time to transition.

Data from the First Nations Canadian Incidence Study on Reported Child Abuse and Neglect (2019) indicate the significant and interdisciplinary needs of First Nations children, youth and families coming to the attention of child and family services. Funding at actuals will ensure these needs are met while creating a costing track record to inform future funding approaches.

The transition to the Reformed Funding FNCFS will take several years and additional resources, requiring Canada to fund and implement transition measures as recommended in IFSD reports on First Nations Child and Family Service Agencies and First Nations not affiliated with a First Nations agency. Transition will take approximately 3–5 years for FNCFS Agencies and 5–10 years for First Nations without existing capacity and new agencies to deliver services.

Rationale:

- CHRT Decisions
 - [2018 CHRT 4](#) at para [421](#)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, [“Funding First Nations child and family services \(FNCFS\): A blueprint for program reform”](#) (2025)
 - Based on collaborator feedback, existing service providers will be better positioned to implement changes in 2 to 5 years, whereas those without existing services can take 10 to 15 years for operational stability. Service providers are shaped by their contexts and are distinguishable through several characteristics, e.g., remoteness, operational sophistication, size of the population served, etc. (p 56)
 - Challenges to transition described in p 62, Figure 19.

- Figure 15, gives a chart on the transition readiness of several actors (p 55)
- NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024), at pp 1, 5
 - First Nations in consultation with the Agencies decides if/when they will move to the reformed approach.
 - Consider First Nations and Agencies being provided with budgets with both scenarios to inform decision making.
- Barbara Fallon, Rachael Lefebvre et al, “[First Nations Canadian Incidence Study on Reported Child Abuse and Neglect](#)”, (2019)
- Directive 20-1
 - The Directive recognized that service providers would require time to be able to take on services (see Directive 20-1, section 6.4: “The expansion of First Nations Child and Family Services (FNCFS) will be gradual as funds become available and First Nations are prepared to negotiate the establishment of new services or the takeover of existing services”). Directive 20-1 contemplated multiple ramp-up phases for a new service provider: pre-planning, planning, and start-up (see s. 7).

Post-Majority Supports

Post-majority support services shall continue at their actual cost pursuant to 2022 CHRT 8 until such time that effective evidence informed funding mechanism, based on services needed to ensure substantive equality, is provided by a body appointed by the National Oversight Council and approved by the Tribunal consistent with the Purpose and Principles.

Canada must continue to fund post-majority supports for First Nations young persons from care (including those aging out of care and those reaching the age of majority while subject to youth agreements) from the age of majority up to and including age 25 at actual cost, consistent with 2022 CHRT 8 and Assembly of First Nations Resolution 84/2023.

Post-majority support funding following the Initial Five-Year term shall be determined in accordance with the Public Funding Review but shall not be less than the highest amount received in any given fiscal year. That approach shall align with the principles of needs-based funding, be culturally appropriate and shall recognize the distinct realities of First Nations.

Rationale:

- CHRT Decisions
 - [2022 CHRT 8](#) at paras [41–60](#)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, [“Funding First Nations child and family services \(FNCFS\): A blueprint for program reform”](#) (2025), at pp 225–227
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 5, 8.

Capital Funding

Capital funding and all related requests shall continue at actual cost for a minimum of five years, pursuant to 2021 CHRT 41, until such time as an effective capital funding mechanism, which includes planning, building, operations, and recapitalization is developed based on evidence from First Nations and First Nations-authorized service providers, is reviewed by First Nations capital and service delivery experts, and is approved by the National Oversight Council and by the Tribunal.

Any new capital funding mechanism must be evidence based and consistent with the purpose and principles of this plan, the honour of the Crown, cultural appropriateness, and substantive equality, taking into full account the distinct circumstances of the child’s First Nation and community.

The capital funding mechanism cannot create delays, gaps or denials that perpetuate the discrimination that Canada was ordered to stop.

Canada must undertake positive efforts to ensure the prompt completion of projects and shall not unreasonably delay capital projects due to administrative procedures, particularly in rural and remote regions where building supply routes are restricted.

A First Nation or FNCFS Agency’s determination of their need shall be presumed valid.

Canada has the burden of proof to demonstrate, with evidence, that the proposed capital project is not needed, or only partially needed, for the delivery of child and family services.

If Canada’s position is that it will not fund the full cost of a capital project that a First Nation or FNCFS Agency determined that it needs to deliver child and family services, or if it requires more than thirty business days from the receipt of a request to make a determination, Canada must inform the First Nation or FNCFS Agency in writing why the project is being delayed, deferred, or denied in whole or in part. A request that outstanding

for more than thirty business days will be deemed denied and referred to the National FNCFS Technical Table and the National Oversight Council.

In the event that a DR Mechanism is established as contemplated in Chapter 5, Measure D, any denial of capital funding, in whole or in part, may be referred to the proposed DR Mechanism.

In the event of a dispute regarding capital costs, Canada shall release interim funding to the First Nation and the FNCFS Agency sufficient to ensure that the delivery of child and family services is not interrupted or adversely affected while the dispute is resolved.

Rationale:

- CHRT Decisions
 - [2021 CHRT 41](#) at paras [142](#), [174](#), [184](#), [213](#), [294](#), [475](#)
 - [2025 CHRT 80](#) at paras [107](#) and [114](#)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, [“Funding First Nations child and family services \(FNCFS\): A blueprint for program reform”](#) (2025)
 - Table 42 provides the assumptions of the bottom-up capital calculations (pp 121–122); Table 43 discusses asset types (p 122)
 - Full work up (pp 233–242)
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 4, 5

First Nations Representative Services

Canada shall fund First Nations Representative Services at actual cost until at least 180 days from the time that an effective evidence-based funding mechanism is approved by the body appointed by the National Oversight Council and approved by the Tribunal consistent with the Principles.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, [“Funding First Nations child and family services \(FNCFS\): A blueprint for program reform”](#) (2025) at pp 215–220: breakdown of costs for First Nations Representatives
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3, 10

7. Accountability

What We Heard:

Feedback regarding accountability addressed both Canada's accountability for ending its systemic discrimination in FNCFS, and accountability of First Nations and their FNCFS agencies for prudent management of FNCFS funding. Participants called for an end to Canada's unilateral decision-making—this was a clear and consistent theme. Instead, decisions related to policy and funding (and any aspect of FNCFS) must be made transparently and in consultation with First Nations. All decisions must be clearly communicated to anyone impacted by the decision. After decades of willful and reckless systemic discrimination, there is little trust that Canada will remain accountable. Instead, the view is that Canada will require continuing independent oversight with statutory authority. Suggestions for fulfilling that role included: dispute resolution mechanisms and ombudspersons. Participants also made numerous comments about inter- and intragovernmental accountability and the need for clear mechanisms to prevent jurisdictional and funding gaps.

“Staff also noted that accountability requires ISC to communicate clearly and engage First Nations and service providers before developing or implementing policy changes. They emphasized that unilateral decision-making reduces transparency and undermines accountability, and that meaningful engagement must form part of any responsible and accountable funding system.”

“ISC’s history of unilateral decision-making and policy changes without notice has damaged trust and created instability in service delivery. Accountability, they emphasized, cannot rely solely on policy commitments—it must be legally enforceable and transparent.”

“Participants supported establishing a First Nations-led ombudsperson or commissioner with legal authority to monitor compliance, investigate breaches, and hold Canada accountable.”

“Accountability must include clear mechanisms that prevent jurisdictional and funding gaps between federal and provincial systems from continuing to harm First Nations families.”

With respect to the accountability of FNCFS funding recipients, participants noted that current reporting requirements are paternalistic, overly burdensome, repetitive, and punitive. The

burden of reporting can divert resources from service-delivery to administrative tasks with little perceived value. This should be replaced with outcomes-based reporting focused on metrics that are useful and relevant to First Nations and their service providers. Some participants suggested narrative reporting supported by independent financial audits. Others focused on reciprocal accountability where funding recipients report on their use of funds and Canada, in turn, must demonstrate that funding flows appropriately and is sufficient to meet the needs of First Nations children and families. Finally, participants emphasized that strong relationships between First Nations leadership and their child and family services agencies are essential for accountability to children and families.

“ISC must be held accountable for ensuring that funding for First Nations child and family services is sufficient, timely, and responsive to agency and community needs. They stated that accountability mechanisms should require ISC to operate within an outcomes-based model, in which ISC must demonstrate that funding is flowing appropriately and that the needs of agencies—and therefore the needs of children and families—are being met.”

“Identify a high level outcomes framework agreed-upon between ISC and First Nations in the region. From this, Nations can adapt individual indicators to suit their priorities, services, and culture.”

“Reports should highlight progress, challenges, and outcomes, and include the voices of First Nations children, youth, and families.”

A. Measure: ISC’s Discretion to be Constrained by the Principles in this Plan

As the primary funder of FNCFS activities outlined within this plan, Canada’s capacity to realize the projected outcomes will depend on its exercise of discretionary decision-making authority as described herein (for example, in responding to actuals-based requests, funding capital costs, and providing “special circumstances” funding). The Plan also grants Canada the discretion to implement proposed measures including appointing an Ombudsperson, establishing a dispute resolution mechanism, and allocating implementation funding into a Special Purpose Allotment.

To the extent that Canada retains discretionary powers under the Loving Justice Plan, Canada must exercise its discretion in a manner consistent with the purpose and principles outlined in the Loving Justice Plan, as well as the minimum standards in the

Tribunal's orders and its related legal obligations to First Nations and First Nations children.

Rationale:

- Jurisprudence
 - *Cully v Canada (Attorney General)*, [2025 FC 1132](#) at paras [5](#), [35](#), [55](#), [84](#)
 - *Powless v Canada (Attorney General)*, [2025 FC 1227](#) at para [45](#) (aff'd in [2025 FCA 226](#) at para [9](#))
- Research and Evidence
 - Assembly of Seven Generations, "Recommendations for the Long-Term Reform of FNCFS: Literature Scan", Recommendations 3, 10

B. Measure: Review of Material Changes to Funding Arrangements

Any material changes in respect of fiscal arrangements respecting the funding of provision of child and family services must, in collaboration with affected First Nations, be reviewed for adequacy of the quantum and method of funding no fewer than once every three years.

The Minister will in consultation with the National Oversight Council publish an annual report on its compliance with the terms of these reforms and publicly and prominently post the report and any response to the annual report that the National Oversight Council wishes to make.

Rationale:

- See transparency principles in Chapter 3.

C. Measure: Funding Arrangements with Provincial/Territorial Governments Providing Services to Unaffiliated First Nations

There are approximately 172 unaffiliated First Nations located largely, but not exclusively, in British Columbia and the Yukon. These First Nations are united in their love and dedication to their children and very diverse in terms of context, needs and existing capacity to deliver child and family services. Unaffiliated First Nations shall be supported to choose the child and family service delivery model that best suits their needs and context.

There are also partially delegated First Nations child and family service agencies that rely on the provinces for the delivery of certain aspects of child and family services.

Given the inter-relationship between protection and prevention services, unaffiliated First Nations and partially delegated FNCFS Agencies and their affiliated First Nations require detailed and accurate information regarding the protection services being provided by provincial and territorial service providers, the terms and funding on which those services are being provided, and the outcomes to which the federal and provincial/territorial governments have agreed.

Canada must, in consultation with affected First Nations, ensure its agreements with provinces/territories and others to provide child and family services achieve the Purpose and Principles of these reforms. First Nations will be provided resources sufficient to participate in such consultations and will have access to Regional Tables and Regional Secretariats for assistance in performing this work.

Rationale:

- CHRT Decisions
 - [2021 CHRT 12](#) at para [35](#)
- Research and Evidence
 - IFSD First Nations not affiliated to a First Nations child and family (FNCFS) services agency: Defining a baseline (4 April 2024) at pp 5–7, 22 and 90–91
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendations 3, 10

D. Measure: Public Reporting

Implementation Timeline: Within 30 days of plan approval

To ensure access to information relevant to the violation of rights and remedies, Canada shall publish on a prominent and accessible platform the causes and conditions resulting in Canada’s discrimination substantiated in 2016 CHRT 2 and related orders, any remedies Canada has implemented to address the causes and conditions and associated outcomes.

Rationale:

- CHRT Decisions
 - [2017 CHRT 14](#) at paras [111–112](#)
 - [2018 CHRT 4](#) at paras [391–394](#)

E. Measure: Data Collection

Canada shall ensure that it provides the National Secretariat and Regional Secretariats with all data collected regarding First Nations child and family services, nationally (to the National Secretariat) and in each region (to the Regional Secretariats), calibrated to the Measuring to Thrive framework to ensure that funding is needs-based. Such data shall be collected in an accountable and ethical manner, in keeping with the principles of Ownership Control, Access, and Possession (OCAP).

Rationale:

- CHRT Decisions
 - [2018 CHRT 4](#) at para [265](#)
- First Nations-in-Assembly Resolutions
 - 42/2018: *Data Sovereignty and the Ownership, Control, Access and Possession (OCAP)*
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025) at pp 350–353: Rationale for measuring to thrive indicators
 - Case Studies of use of Measuring to Thrive framework from a pilot project (Figures 47, 49, 50) (pp 139, 142, 144)
 - EAC FSA Recommendations (15 December 2025), Recommendation #8, p 5
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3, 10

8. Regional Variations

What We Heard:

Engagement participants strongly supported the need for regional variations: long-term reforms must address local and regional realities, including: geography, population size, specific needs, transportation barriers, service availability, and existing capacity and infrastructure—or lack thereof.

The engagement reemphasized the criticality that funding and reform must reflect specific cultural and linguistic needs, and respect diverse First Nations governance and service delivery models.

“The unique needs in our region cannot be addressed through standardized funding or reporting templates. Reform must be flexible, Nation-driven, and reflective of the realities of remote communities, ensuring that every child and family no matter where they live has access to culturally safe, consistent, and life-saving supports.”

“The realities of remoteness and poverty profoundly shape service delivery and the well-being of children and families. These factors increase operational costs, limit access to resources, and constrain the agency’s ability to deliver prevention-focused and family-centred services.”

“Long-term reform must ensure that funding and regional support are scaled for equity, not size, so that every child, regardless of their community's population, receives consistent and culturally grounded care.”

There was also strong support for establishing FNCFS technical hubs that support community accountability, connection-building and coordination. Some participants described existing hubs in their regions. Others remarked on the absence of such organizations in their regions, but they did see value in the potential role to support their capacity and strengthen coordination.

“The absence of such a hub means that much of this work is done “off the side of the desk,” creating inconsistent capacity and limiting our ability to respond collectively to regional challenges or engage effectively in national reform processes. A First Nations–mandated technical hub would significantly strengthen implementation, accountability, and sovereignty-based decision-making across the region.”

Participants highlighted training; recruitment and retention/workforce development; and increased opportunities for knowledge, information and culturally relevant resource sharing as key areas where regional support would be beneficial.

“We need to focus on workforce development by recruiting and retaining a more diverse workforce that reflects the children and families we serve. This includes training and support for professionals who are already in the field, ensuring they have the cultural awareness to understand and address the specific needs of these populations”

To support negotiation and implementation of federal/provincial/territorial funding arrangements, the engagement identified a number of capacity building and regional support needs. This included specific capacity building funding, technical, legal and negotiation support—with recommendations for regional support for accessing shared services, coordination and consultation assistance.

Furthermore, for successful negotiations for regional variations, the participants highlighted the importance of establishing a federal-provincial coordination mechanism; having a willing, transparent partner at the table; and the need to prevent interruption to service delivery.

“First Nations in our region need dedicated negotiation capacity, including legal, financial, and policy expertise that is mandated by and accountable to our Nations—not federal systems.”

A. Measure: Negotiation of Regional Variations

Implementation Timeline: Within six months of plan approval

Canada is required to negotiate, in good faith and in line with the honour of the Crown, regional variations with First Nations and Agencies to identify modifications that meet or exceed the Reformed Funding Approach and to address variations that require accommodation to address ongoing discrimination.

This plan is mindful of the experience of ISC’s “jurisdiction-by-jurisdiction” approach with the EPFA, pursued with “ready and willing First Nations and provincial/territorial partners” (2016 CHRT 2 at para 443), which incorporated many of the failings of Directive 20-1 and did not contain measures or mechanisms to address changing circumstances after the EPFA had been implemented. Instead, this plan takes the same approach as

past Tribunal orders in this matter, setting a strong core approach to FNCFS reforms that can be varied to meet distinct regional needs and circumstances.

As a result, these regional variations will be supported by the Purpose and Principles outlined in these reforms, consider inequities due to the prior funding model, be sufficiently responsive to emergencies and ensure measures that are culturally appropriate and respond to the distinct community circumstances of the region.

Unless it has been advised that the relevant First Nation or region wishes to negotiate a new approach Canada must also continue to implement existing regional approaches that are:

- (a) Effective;
- (b) Supported by the relevant First Nations; and
- (c) Consistent with the long-term reform measures in this plan and/or the CHRT orders.

To ensure that negotiations are conducted in good faith, Canada must report, on a monthly basis, to the National Oversight Council on the progress of regional agreement negotiations over the first six months of the Tribunal's FNCFS long-term reform order to ensure that negotiations are conducted in good faith.

In any region for which regional plans are not submitted by Canada to the National Oversight Council by six months following the Tribunal's FNCFS long-term reform order, that region may submit a plan detailing the regional variations required, to be raised by the complainants with the Tribunal as part of the Tribunal's continuing supervision of the first five years of the implementation of this plan.

Rationale:

- CHRT Decisions
 - [2016 CHRT 2](#) at paras [278–293](#), [311](#), [330–331](#), [386–387](#), [425](#), [443](#), [458](#), [461](#), [463](#)
 - [2018 CHRT 4](#) at paras [236](#) and [413](#)
 - [2021 CHRT 41](#) at para [545](#)
 - [2025 CHRT 80](#) at paras [18](#), [26](#), [110](#), [113](#)
- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(h) and 1(k)

- Research and Evidence
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3,4,5, 6,8,10 and p 7

B. Measure: Canada’s Obligation to Develop Regional Plans

Consistent with UNDRIP, Canada is required to meaningfully support affected First Nations for consultation in the development of federal/provincial agreements and related mechanisms including funding agreements and amendments thereto that affect them and their citizens (see Chapter 7, Measure B). Further, Canada must ensure said agreements ensure that children, youth and families in those nations receive the full enjoyment of *An Act Respecting First Nations, Métis and Inuit children, youth and families* and the Tribunal’s orders.

Consistent with Chapter 7, Measure B (Funding Arrangements with Provincial/Territorial Governments Providing Services to Unaffiliated First Nations), Regional Secretariats shall manage pools of capacity funding to support the development of regional approaches and region-specific capacity building. Regional Technical Tables may assist in developing a capacity building work-plan, while FNCFS Agencies in a region may contribute to the regional pools where sufficient funding is available at the Agency level, and may also become eligible for capacity funding as well depending on regional priorities.

Rationale:

- Legislation
 - [United Nations Declaration on the Rights of Indigenous Peoples Act](#), S.C 2021, c. 14, [Annex](#)
 - “Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child”.
- Jurisprudence
 - *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, [2024 SCC 5](#) at paras [4–5](#)
 - *Gitxaala v British Columbia (Chief Gold Commissioner)*, [2025 BCCA 430](#) at paras [78, 126–129](#)
- Research and Evidence

- Chart of NCCC Proposals for Resolving Outstanding Issues with the 2024 Draft Final Agreement on FNCFS Long-Term Reform (21 February 2025), Proposal #5

C. Measure: Review of Existing Provincial / Territorial Agreements

Canada must disclose and publish current Provincial/Territorial Agreements on its website within 30 days of implementation of the Reformed FNCFS Approach and publish any amendments or new Provincial/Territorial Agreements within 14 days of being entered into.

Canada shall further ensure that, within 30 days of the Order, affected First Nations are contacted and provided the necessary resources to fully participate in the revisioning of existing Federal-Provincial and Federal-Territorial Agreements, in alignment with the Orders. Where the province will not meet with affected First Nations and Canada to revise existing agreements, Canada shall enter into an agreement with the First Nation to fund services to a standard provided for in the Order.

Canada shall ensure that all Provincial/Territorial Agreements include a provision requiring the provinces/territories to collect and share data with First Nations service providers and the Secretariats on First Nations children, youth, and families calibrated to the Measuring to Thrive framework to ensure that funding is needs-based. Such data shall be collected in an accountable and ethical manner, in keeping with the principles of Ownership Control, Access, and Possession (OCAP).

Such revised agreements must be filed with the Tribunal for its approval and posted publicly.

Rationale:

- First Nations-in-Assembly Resolutions
 - 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, clauses 1(n)
- Research and Evidence
 - Institute of Fiscal Studies and Democracy, “[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)” (2025): Rationale for measuring to thrive indicators found at pp 350–353
 - Case Studies of use of Measuring to Thrive framework from a pilot project (Figures 47, 49, 50) (pp 139, 142, 144)

9. Reform Indigenous Services Canada

What We Heard:

The feedback from regional engagements indicates that the so-called “old mindset” that created and sustained systemic discrimination remains intact with Indigenous Services Canada.

Participants describe the persistence of top-down, paternalistic approaches that disregard First Nations’ expertise and needs. A lack of respect for First Nations cultures, knowledge and ways of being remains prevalent, and ISC makes unilateral decisions, notably around funding and policies, without consideration or accountability of the impact to First Nations.

“There is a lack of cultural understanding within ISC that contributes to ineffective interventions, as policies are often applied without considering the unique cultural and community contexts of First Nations”

“The rigidity of ISC’s policies often prevents communities from developing community-driven solutions. Indigenous peoples have long advocated for child welfare systems that are rooted in cultural practices and community-led care, but ISC frequently bypasses or undermines this approach”

Participants noted the lack of accountability measures as a key area of concern. Despite ISC having high expectations for agencies and communities, including extensive administrative and reporting requirements, ISC do not maintain the same level of accountability for itself. Agencies and Nations experience lengthy wait times on applications and responses to correspondence; challenges with ISC staffing and regional structures; miscommunication; and jurisdictional barriers.

“Our community has faced persistent challenges working with ISC, rooted in long-standing patterns of inconsistent decision-making, bureaucratic barriers, and a failure to uphold its own stated principles. ISC routinely imposes strict accountability and documentation requirements on First Nations while not holding itself to the same standards”

“ISC also engages in jurisdictional buck-passing, refusing services by claiming another program should fund them, even when no such program is accessible to families in remote communities”

Instead of reforming the department, some participants argued that ISC should be fully dismantled. Other recommendations focused on the need for oversight. Permanent, independent and legally binding mechanisms were identified as needed to sustain reforms, measure outcomes, and uphold the rights of First Nations children and families.

“Real change requires structural reform and enforceable accountability.”

“A permanent, independent oversight mechanism is essential to sustain accountability, measure outcomes, and uphold the principles of substantive equality and self-determination in child and family services.”

Participants shared potential indicators of meaningful departmental reform, including: consistent behavioural shifts grounded in respect, transparency, accountability, rights-based and relational approaches. This would require a significant departure from current ways in which ISC engages with First Nations. Participants also indicated that ISC would need to acknowledge their past and ongoing discriminatory practices, including public recognition of the harm caused by systemic racism embedded within policies and operations.

“Shift its relationship from compliance oversight to trust-based partnership and shared accountability”

“A shift from resistance to receptivity by encouraging openness to change, active listening, and genuine engagement with First Nations perspectives and solutions”

Systems-level indications around accountability were also of high importance to participants. Transparent and inclusive decision-making; and meaningful action by ISC to implement recommendations, orders and commitments with public reporting was emphasized as needed. In tandem with this, was the reiteration that funding commitments and structures must be predictable, timely, and based on need; along with the removal of systemic barriers, including challenges with coordination across governments, and the decolonization of policies and procedures.

“A reformed ISC would no longer impose top-down decisions from bureaucrats in Ottawa but would instead operate from a model where decisions, priorities, and resource allocations come directly from First Nations communities.”

“ISC will only be seen as having corrected its old mindset when its actions—not its statements—demonstrate a fundamental shift away from colonial, paternalistic

decision-making toward true partnership, accountability, and respect for First Nations sovereignty.”

Well-being outcomes for children, youth, family and communities were also largely underscored as the foundation to knowing when reform has been successful and discrimination has ended.

“Success will be defined not by compliance or bureaucratic efficiency, but by the well-being of Indigenous children and the strength of their families and Nations.”

“Safety being seen through the speaking of languages, the dancing, the singing. The ability for youth to feel passionate and inspired... to live out their dreams and their goals...they need to feel inspired to move forward and get the good work done.”

There was also strong support for establishing a child well-being commissioner or ombudsperson role guided by First Nations cultures, laws and teaching and focused on child rights. Participants emphasized the importance of the ombudsperson as an independent body, separate from ISC.

A. Measure: Comprehensive Reform of ISC

Implementation Timeline: Within three months of plan approval

Reform of ISC is required to address systemic discrimination and the “old mindset” identified by the Tribunal in order to prevent the recurrence of discrimination in the provision of FNCFS, as found by the Tribunal.

Pursuant to 2022 CHRT 8, an Expert Advisory Committee (the EAC) has been formed to oversee the implementation of an evidence-informed work plan to prevent the recurrence of discrimination, and that Canada shall undertake reasonable measures to begin implementing the workplan.

Canada shall provide sufficient and sustainable funding for the EAC to discharge its mandate as approved by First Nations.

The EAC shall operate in an independent, public and transparent manner to respond to the reasons and guidance of the Tribunal in 2022 CHRT 8 and previous rulings including 2016 CHRT 2. The EAC shall develop its own Terms of Reference, which shall be public.

The EAC shall be independent and provide reports directly to Chiefs in Assembly and to the Tribunal on its work and views of Canada’s risk of recidivism and the sufficiency of

safeguards to detect and address discrimination.

The work of the EAC in reforming ISC and developing accountability measures within ISC must itself be transparent and independent.

Canada shall implement the EAC's recommendations made in its Summary Report for Spring 2022 to Spring 2024 relevant to FNCFS, being to:

- (1) draw on the EAC's expertise on the design and implementation of an independent third-party evaluation, immediate and long-term reform measures for ISC, and "cultural competency" policies, education and training;
- (2) shift language from "cultural competency" to "cultural humility" for ISC's employee training;
- (3) develop a critical incident reporting and monitoring system for Jordan's Principle;
- (4) support the creation of an external Ombudsperson to provide accountability and oversight;
- (5) support and endow Indigenous Youth Organizations;
- (6) Include Assembly of Seven Generations in the Third-Party Evaluation; and
- (7) Implement the EAC's recommendations on the "Honouring our Journey" survey and on ISC's development and implementation of its own Human Resources division.

Canada shall also implement the EAC's recommendations made in its December 2025 Report entitled "FSA Recommendations", being to:

- (1) replace annual parliamentary appropriation requirements with guaranteed multi-year statutory funding;
- (2) Establish a binding Indigenous-led joint governance body with decision-making authority;
- (3) Implement mandatory transparency requirements for all ISC funding decisions;
- (4) Remove proposal-based and competitive funding mechanisms;
- (5) Resolve structural deficiencies created by layering the 1965 Canada-Ontario Agreement;
- (6) Reform prevention funding to align with First Nations-Defined needs and conditions;
- (7) Strengthen the Program Assessment Process to close discretionary loopholes;
- (8) Embed Indigenous data sovereignty and Indigenous-defined accountability

throughout the FSA;

- (9) Remove all clauses allowing ISC to unilaterally revise governance, performance, or accountability appendices;
- (10) Recognize and formally include the National Oversight Council in FSA governance; and
- (11) Strengthen dispute resolution mechanisms to align with accountability standards.

Rationale:

- CHRT Decisions
 - [2022 CHRT 8](#) at para [172](#) (Order #6)
- Research and Evidence
 - OHRC, “[Chapter 9 – Accountability and monitoring mechanisms: gaps in data management, performance review, and public transparency](#)”
 - The lack of an independent monitoring/evaluation system for assessing discriminatory behavior indicated “a lack of accountability” (here, in the context of anti-black racism amongst police officers).
 - Global Affairs Canada, “[Advancing Human Rights](#)” (24 January 2024)
 - Importance placed on transparency and accountability in advancing human rights, as evidenced by GAC’s tool for evaluating funding applications for Canadian funding on international development initiatives.
 - Expert Advisory Committee for the Reform of Indigenous Services Canada, “Summary Report of Activities, Observations and Advice” (Spring 2022 to Spring 2024)
 - Expert Advisory Committee FSA Recommendations (15 December 2025)
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3, 10

10. Research and Outcome Data

What We Heard:

Participants provided widespread support for data collection and program evaluation to guide system improvement and to ensure that the needs of children, youth, families and communities are met. There is also clear support that this work should be focused on outcomes—particularly on outcomes that matter to First Nations.

While research was identified to be of significant value, participants shared that there is a lack of capacity, tools and funding to collect meaningful outcome data, to effectively evaluate the impact of child and family services, and ultimately to inform policy and funding decisions. Participants described the high cost of data systems, overstretched service-delivery staff and access to information (including at the provincial level) as additional key challenges.

“Our region currently has very limited capacity to collect or report non-identifying child outcome data. We do not have a culturally appropriate evaluation framework, dedicated staff time, or the technical systems needed to gather consistent information—especially in remote communities with unreliable internet access.”

“We currently have very limited capacity to analyze data at the community or service-provider level. Staff are focused on frontline work, and there is no dedicated analyst, regional data hub, or culturally grounded framework to guide interpretation of information. Because our datasets are inconsistent and often incomplete, we are not able to transform raw information into meaningful insights that could inform policy, practice, or long-term planning.”

To build research and data collection capacity, participants called for dedicated data and evaluation staff, training and mentorship in data literacy, shared regional data systems and First Nations-led structures that align with community priorities and cultural frameworks. The importance of dedicated, sustainable funding for this work—without drawing on funding for service delivery—was also emphasized.

“Enhanced collaboration and capacity-building in this area would ensure that evaluation is not seen as a compliance exercise but as a shared learning process that guides service improvement and promotes community-driven accountability.”

“Communities would benefit from practical, user-friendly tools and technical support to help measure needs and outcomes in ways that reflect local realities and First Nations worldviews”.

Participants expressed support for First Nations-led, independent secretariats, to support data collection and analysis— particularly at the regional level. This would include support for accessing resources, training and tools; and assistance with coordination— an area that many shared challenges with.

Participants also shared that it is critical for data collection and analysis processes to be transparent, accountable and First Nations-led, highlighting the need for culturally grounded indicators and frameworks. The importance of respecting data sovereignty and the principles of ownership, control, access, and possession (OCAP) was also raised as a key need which regional and national secretariats could support.

“A regional secretariat, led by First Nations, would help gather consistent non-identifying data, identify best practices, and keep governments accountable”

“A regional technical body could assist with developing common indicators, aligning data standards, and strengthening community capacity, while respecting OCAP® principles and community control.”

Limited capacity for (non-identifying) data collection and analysis were also identified as challenges—participants noted the need for specific funding for resources and dedicated positions to support this work; and raised issues around barriers to data collection and the need for inter-jurisdictional coordination. The importance of OCAP-aligned, community owned data system(s) and upholding data sovereignty was also underscored.

A. Measure: Periodic Reviews to Adjust Funding Based on Needs

Implementation Timeline: Within three years of Reformed FNCFS Approach

The Reformed Funding Approach will include a review mechanism that allows FNCFS service providers to adjust their funding, once transitioned, calibrated to need, as defined by First Nations. The review mechanism will allow for adjustments needed in emergency and urgent situations as well as longer term adjustments based on community health and well-being. It will also address any recurrence of discrimination.

Public Funding Reviews are to be completed every five years by an independent, non-political expert who is qualified in public finance and has experience working on matters relating to First Nations and First Nations child and family services, recommended by the

National FNCFS Technical Table and selected by the National Oversight Council. The Public Funding Review will ensure the Reformed Funding Approach, and ISC's related conduct, are meeting the needs of First Nations children and is adequate for First Nations service providers to meet statutory child and family services requirements. ISC will be required to provide aggregate data to the qualified expert for the purposes of conducting this review within 10 days of any data request and will fully cooperate with the review. First Nations and First Nations service providers, including FNCFS and non-affiliated FNs, will be consulted in the funding review. Data collected through Measuring to Thrive and other evidence will be considered in the Public Funding Review.

The draft report resulting from the Public Funding Review will be provided to First Nations and FNCFS experts, including the National FNCFS Technical Table and Regional Technical Tables, for expert review and comment before being presented to the First Nations in Assembly and First Nations not represented by the AFN in both official languages for approval. Canada will table the report resulting from the Public Funding Review in Parliament and will publicly and specifically respond to any recommendations within 60 days of the final funding report being approved by First Nations in Assembly. Canada will undertake positive measures to implement the recommendations and is obligated to implement recommendations to remediate the recurrence of discrimination.

Rationale:

- Research and Evidence
 - Institute of Fiscal Studies and Democracy, "[Funding First Nations child and family services \(FNCFS\): A blueprint for program reform](#)" (2025)
 - Suggests the Measuring to Thrive Framework to conduct a similar review
 - Best practices suggest the following steps: It starts with a conceptual model of child development and the factors the influence healthy development: the child, the child's family, the child's community, and the investments made to support healthy development. The *Measuring to Thrive* framework provides the groundwork for the measurement model and the accountability framework (p 126)
 - Case Studies of use of Measuring to Thrive framework from a pilot project (Figures 47, 49, 50) (pp 139, 142, 144)
 - NAC First Nations Caucus, "Draft Phase 3 Recommendation Discussion Guide" (March 2024), at p 12
 - Non-identifying aggregate data available on a national level endorsed.

- A baseline on data collection is required – needs to be available at all levels (e.g. community upwards)
- Community-specific well-being indicators.
- Decouple data consistency with the census and bring more in line with other First Nations data projects (indices, language, identifiers).
- Start 5-year review process at year 3 – data is key to supporting true need's based funding.

B. Measure: Oversight of the Public Funding Review Process

Implementation Timeline: Within four months of Public Funding Review

Recommendations

The National FNCFS Technical Table shall oversee and recommend an organization to the National Oversight Council to conduct the Public Funding Review. The National Oversight Council shall consider and review the National Technical Advisory Committee's recommendation and seek input from affected First Nations and their experts regarding the selection process for the organization to conduct the Public Funding Review.

The National Technical Advisory Committee shall oversee the organization conducting the Public Funding Review and, on the advice of the National Oversight Council, may provide guidance on matters including, but not restricted to:

- a. the design and methods of the Public Funding Review;
- b. relevant information, research, reports, and experts; and
- c. the participation of First Nations service providers, knowledge holders, and experts in the Public Funding Review process.
- d. Indigenous research ethics and data Ownership, Control, Access and Possession (OCAP)

The Public Funding Review will be transparent, inclusive, and accountable including publicly posting the study methods, sample sizes and criteria, findings and recommendations. The organization conducting the Public Funding Review shall seek information from Provincial and Territorial governments providing child and family services for Non-Agency First Nation and First Nations with partially delegated protection service providers and will solicit and consider input from the following groups:

- a. First Nations
- b. FNCFS Service Agencies and other FNCFS Service Providers;

- c. The National FNCFS Technical Table; and
- d. Other individuals or groups identified by the National Oversight Council.

Rationale:

- Research and Evidence
 - NAC First Nations Caucus, “Draft Phase 3 Recommendation Discussion Guide” (March 2024), at p 12
 - Non-identifying aggregate data available on a national level endorsed.
 - A baseline on data collection is required – needs to be available at all levels (e.g. community upwards)
 - Community-specific well-being indicators.
 - Decouple data consistency with the census and bring more in line with other First Nations data projects (indices, language, identifiers).
 - Global Affairs Canada, “[Advancing Human Rights](#)” (24 January 2024)
 - Demonstrates the Government of Canada’s importance placed on transparency and accountability in advancing human rights, as evidenced by GAC’s tool for evaluating funding applications for Canadian funding on international development initiatives.
 - Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3, 10

E. C. Measure: Dispute Resolution in the Funding Review Process

If there is a dispute regarding whether or how any recommendations resulting from the Public Funding Review are to be implemented, that dispute will return to the Tribunal pursuant to its retained jurisdiction unless a DR Mechanism is established as contemplated in Chapter 5, Measure D.

Rationale:

- CHRT Orders
 - [2018 CHRT 4](#) at para [53](#)
 - [2020 CHRT 20](#) at para [119](#)
 - [2023 CHRT 44](#) at paras [6](#), [215](#), [225](#)
 - [2025 CHRT 6](#) at paras [237](#), [602](#)
 - [2025 CHRT 80](#) at paras [14](#), [61](#), [75–76](#), [113–114](#)
- Research and Evidence
 - Naomi Metallic et. al, [Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report](#) (31 March 2022), at pp

77–78: Recommendation for a National Indigenous Child and Family Tribunal as a dispute resolution mechanism.

- Assembly of Seven Generations, “Recommendations for the Long-Term Reform of FNCFS: Literature Scan”, Recommendation 3, 10

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Caring Society

fncaringsociety.com

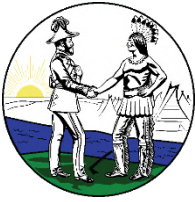
This is Exhibit "7" referred to in the Affidavit of
Sam Hull Affirmed before me at Vancouver, this
17th day of August, 2026



A Commissioner for taking Affidavits within British Columbia

LSA # 17295

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CONFEDERACY OF TREATY SIX FIRST NATIONS OFFICIAL MOTION M1:2025-04-09

Motion Number:	M1:2025-04-09
Title:	Application for Interested Party Status with the Canadian Human Rights Tribunal First Nations Child & Family Services Long Term Reform
Subject:	Child and Family Services
Date:	April 9, 2025
Mover:	Chief Kelsey Jacko, Cold Lake First Nations
Seconder:	Chief Desmond Bull, Louis Bull Tribe
Decision:	Carried

A quorum of Chiefs, and their proxies, did meet at a duly convened Assembly of Treaty Six Chiefs meeting at the Westin Calgary Airport Hotel, Calgary, AB and, via zoom on April 9, 2025.

Whereas the Draft Final Settlement Agreement (“FSA”) on Long Term Reform for the First Nations Child and Family Services Reform agreement as presented by the AFN in October 2024, excluded the participation from First Nations, the presentation of the Final Settlement Agreement did not reflect amendments or feedback from our respective First Nations and was presented as a final draft with a “take it or leave it”, message;

Whereas the Nations in Assembly felt obligated to vote to reject the Draft FSA to uphold the autonomy of Rights Holders and their ability to govern and develop their own CFS programs, and;

Whereas the Nations in Assembly, at that time, granted guided delegated authority to the National Children’s Chiefs Commission. To develop a process of inclusion for Nations representation in negotiations. This would remove the AFN Executive as the negotiating body representing First Nations, and;

Whereas the AFN Executive submitted to the CHRT on March 24, 2025, that

“With respect to Canada’s recent comments to the Panel on the long-term reform remedial phase, the AFN recognizes the importance of facilitating the consideration of the Ontario Final Agreement. This Panel’s determination on the Ontario Final Agreement could set a

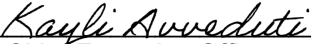
benchmark to guide further discussions on a national process and may very well inform²²⁸ proposed relief to end Canada's discrimination" (since rescinded), and;

Whereas the National Children's Chiefs Commission has reason to believe the Ontario Agreement on CFS LTR may be used as a template for the rest of the Nations in what is now Canada, and;

Whereas such an action would directly disregard and conflict with the wishes of the Rights Holders, as the agreement signed by Ontario compromises the Sovereign position of the Chiefs and is what caused them to reject the FSA at the AFN Special Chiefs' Assembly in October of 2024,

Therefore, be it resolved that the Chiefs and proxies in Assembly direct the Confederacy of Treaty Six First Nations file a motion requesting Interested Party Status at the Canadian Human Rights Tribunal in respect of First Nations Child and Family Caring Society et al. v Attorney General of Canada (Tribunal File: T:1340/7008).

Certified Correct:



Chief Executive Officer