

**OCTOBER 31, 2016 RESPONSE OF
INDIGENOUS AND NORTHERN AFFAIRS CANADA TO THE CANADIAN HUMAN
RIGHTS TRIBUNAL ORDER OF SEPTEMBER 14, 2016**

The Government of Canada is renewing its relationship with Indigenous peoples and is working in close partnership with First Nations to support the health and well-being of Indigenous children, families and communities across the country.

The government is working hard to reform the services the Tribunal found are discriminatory. Budget 2016 funding was a first step. Canada has started working with its partners to reform the First Nations Child and Family Services Program on reserve and to implement further improvements to Jordan's Principle.

The following is Canada's response to the September 14, 2016 ruling of the Canadian Human Rights Tribunal (the Tribunal) concerning INAC's First Nations Child and Family Services Program and Jordan's Principle.

In that ruling, the Tribunal ordered INAC to serve and file information about how it developed its five year plan for investing in the First Nations Child and Family Services program and copies of correspondence with the province of Ontario. INAC complied with this order on September 30, 2016.

The Tribunal further ordered INAC to take seven additional immediate measures, and to provide a compliance report on a series of other matters by October 31, 2016. A response to these orders is outlined below.

Part A: Response to the Panels order at Para 157: *For clarity, the Panel orders INAC to update its policies, procedures and agreements to comply with the Panel's findings in the Decision.*

INAC has begun a comprehensive reform of the First Nations Child and Family Services (FNCFS) program in order to ensure the program meets the needs of First Nations children, families and communities. As part of this process, INAC is reviewing and updating its guiding policies, procedures and agreements to comply with the Tribunal's findings in the January 2016 Merits Decision.

The Tribunal's general order to reform the First Nations Child and Family Services Program and the 1965 Agreement in compliance with the Merits Decision will be achieved in the longer term, with certain interim measures being put in place until that time (September 14, 2016, paragraph 137).

As an interim approach, INAC made updates to the funding agreements and associated reporting requirements in all jurisdictions to reflect the distribution of immediate relief investments to support front-line service providers and prevention-based funding. INAC is also in the process of updating its National Manual for Social Programs. Changes are being made to the First Nations Child and Family Services section, along with a note indicating that this section will be fully revised following the reform and engagement process.

Part B: Response to the Panel's Order on Reporting

a. How INAC has complied with the immediate measures ordered above in section A of the Tribunals September 14, 2016 ruling

1. INAC will not decrease or further restrict funding for First Nations child and family services or children's services covered by Jordan's Principle

INAC is not decreasing or further restricting funding for First Nations child and family services or children's services covered by Jordan's Principle.

In its five-year plan for investing in child and family services on reserve, the amount of funding for INAC's First Nations Child and Family Services Program increases each year until year five. As part of the engagement and reform process, INAC has started and will continue national and regional discussions develop a longer-term funding plan.

2. INAC will determine budgets for each individual FNCFS Agency based on an evaluation of its distinct needs and circumstances, including an appropriate evaluation of how remoteness may affect the FNCFS Agency's ability to provide services

INAC's current calculations, as part of the five-year plan, have been done at the regional level, as outlined in section to A (2) and Annex C of the September 30, 2016 response to the Tribunal.

To comply with this order, INAC has directly asked each agency to cost out and provide information about their distinct needs and circumstances.

On October 28, 2016, INAC sent a letter to delegated First Nations Child and Family Services agencies requesting this information (**Annex A**). INAC is also working with the provinces/Yukon to gather feedback from communities served directly by the province/territory or other service providers.

This request invites agencies to provide INAC with information about what they need. This input could include: the range of service needs needed by First Nations children and families in their communities (including the percentage of families at risk or in need of prevention); the context in which agencies provide these services (e.g., what other community services available); their ability to provide prevention services and programs and culturally responsive programs; operational support for staff; options for meeting the particular needs of operating a small agency; the scope and range of legal fees agencies pay in support of First Nations children in care; capital/building repair needs; and specific effects of remoteness in an agency's ability to provide services (e.g., travel and response times).

INAC has offered to provide each agency with \$25,000 to support their work in defining their needs.

Understanding that not all agencies may respond to this request for information (due to capacity issues or because they are providing the information to INAC through other means, including tripartite discussions), INAC will continue to gather information on agency needs and circumstances, including specific issues related to remoteness, throughout the engagement process. This will include technical

discussions about funding at tripartite tables with INAC, provinces/Yukon territory and First Nations. All of this information will be used by INAC to better understand the needs and circumstances of agencies and to inform the reform of the FNCFS program, including how agency funding is calculated.

The letter to agencies also provides them with an opportunity to seek financial support from INAC to develop and implement a culturally-based vision for their programming and services. Culturally-based visions for child welfare services are rooted in community-based understandings of healthy children, families and communities, and recognize the unique cultures and context of Indigenous communities. In addition to the \$25,000 to determine individual agency needs and circumstances, up to \$75,000 is available to each agency to support the development of this work.

3. In determining funding for FNCFS Agencies, INAC is to establish the assumptions of 6% of children in care and 20% of families in need of services as minimum standards only. INAC will not reduce funding to FNCFS Agencies because the number of children in care they serve is below 6% or where the number of families in need of services is below 20%

The Tribunal has ordered INAC not to reduce funding to FNCFS agencies serving a population with less than 6% of First Nations children in care (7% in Manitoba) and not to reduce funding to agencies with less than 20% of families in need. INAC has complied and will continue to comply with that order. Note that 7% is used in Manitoba because at the time of signing the federal-provincial cost sharing agreement in 2010, a higher proportion of First Nation children were being admitted into care.

As can be seen in INAC's methodology notes (provided as Annex B of Canada's May 24, 2016 submission to the Tribunal) and agency-by-agency formulas (provided as Annex C of Canada's September 30, 2016 submission to the Tribunal), 6% and 20% have been established as minimum standards for funding calculations. INAC is taking steps so that its funding methodology is focused on service levels and the actual needs of First Nations children and families, which vary over time.

In Ontario, funding for child and family services agencies is determined by the Government of Ontario. Under the Ontario 1965 Agreement INAC reimburses the province for approximately 93% of the cost of child and family services provided to First Nation people ordinarily resident on reserve (see Annex B of the May 24, 2016 submission to the Tribunal for Ontario description). Minimum standards of 6% and 20% do not factor into the funding model of the province.

4. In determining funding for FNCFS Agencies that have more than 6% of children in care and/or that serve more than 20% of families, INAC is ordered to determine funding for those agencies based on an assessment of the actual levels of children in care and families in need of services

INAC is seeking input from First Nations Child and Family Services agencies as to their actual needs in order to determine funding, as set out in question two above. This includes asking each agency to provide information on their actual needs and distinct circumstances, including the percentage of families in need of services. INAC

understands that it may be difficult for agencies to provide information on the percentage of families in need of services, given that definitions and understandings of families at risk and in need of prevention services vary broadly. INAC is open to hearing that using any percentage as a basis on which to fund families at risk may not be the appropriate approach.

With regard to the percentage of First Nations children in care, INAC's funding calculations in its five-year plan were based on the actual numbers of First Nations children in care where the percentage exceeded the 6% threshold. The 2014/15 "Children-in-Care" counts from the FNCFS Information Management System were used to determine the actual percentages. At the time of the calculations, 26 FNCFS agencies were identified as having more than 6% of First Nations children in care. Should these percentages change in the coming year and before reform is complete, funding calculations will be adjusted to reflect the most recent data. They will not be adjusted below 6%.

With regard to the percentage of families in need of services, INAC has used 20% to estimate the percentage of families at-risk or in need of prevention services. Given data is not available on the actual percentage of families in need and there is no established way to define the percentage of families in need or at-risk, no changes have been made to INAC's funding calculations for the percentage of families at-risk in its five-year plan.

However, as an interim measure, as of January, 2017, INAC will prioritize additional prevention funding to support families for those service providers with more than 6% of First Nations children in care, as it is likely that they are under pressure to support additional families in need. When data indicates that a service provider has more than 6% of First Nations children in care, INAC will adjust the 20% assumption of families in need of prevention services and the associated funding upwards on a proportional basis.

In addition, as part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions, to gather information in order to be able to fund prevention according to community needs.

5. In determining funding for FNCFS Agencies, INAC is to cease the practice of formulaically reducing funding for agencies that serve fewer than 251 eligible children. Rather, funding must be determined on an assessment of the actual service level needs of each FNCFS Agency, regardless of population level.

While reform is underway, and understanding current pressures on small agencies, as an interim measure, as of January 2017, INAC will set a child population of 300 as the lowest threshold for scaling. Three hundred (300) was selected as the new threshold, as it is the next level up from the 251 ordered by the Tribunal in INAC's current scale, which is outlined below:

Child Pop. (0-18) Core Adjustment

100	12.50%
200	25.00%

300	37.50%
400	50.00%
500	62.50%
600	75.00%
700	87.50%
800	100%

Under the new approach, all agencies serving a 0-18 child population of fewer than 300 would have their core funding stream scaled at 37.5%, whereas previously agencies serving 200 children or less were scaled at 25% and agencies serving 100 children or less were scaled at 12.5%. This is a temporary measure until the actual service needs are determined with each FNCFS agency as part of the engagement and reform process. This change currently affects approximately 10 agencies nationally.

As part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions, in order to be able to fund small agencies based on need and to consider alternatives to using population thresholds to determine agency funding.

6. INAC is to cease the practice of requiring FNCFS Agencies to recover cost overruns related to maintenance from their prevention and/or operations funding streams

INAC understands and agrees with the importance of agencies having dedicated funding to support prevention work with families and communities. INAC has complied with the Tribunal's order to cease the practice of requiring FNCFS agencies to recover costs related to maintenance from their prevention and/operations funding streams.

To ensure all service providers know about this commitment and are no longer recovering costs, INAC formally re-communicated this decision through an email to regional offices on October 24, 2016 and asked that it be shared with all FNCFS agencies (**Annex B**).

Should INAC be made aware that there are cost overruns or pressures related to maintenance funding for an agency, INAC will provide additional funds to cover these costs.

INAC will continue work with its partners to monitor trends, including cost overruns and pressures, as part of its ongoing work to ensure the appropriate level of funding is provided to FNCFS agencies.

7. INAC is to immediately apply Jordan's Principle to all First Nations children (not only to those resident on reserve)

Canada has applied Jordan's Principle as ordered, and identified almost 900 children to receive services and supports to date.

Jordan's Principle applies to all First Nations children. It is intended to resolve jurisdictional disputes involving the care of First Nations children, and includes disputes between departments within the federal government as well as those

between the federal government and provinces/territories. Implementing Jordan's Principle is not just about resolving disputes between provinces/territories and the federal government, but also about working collaboratively with provinces and the Yukon to help ensure First Nations children get the care and support they need. Should a dispute occur between levels of government, the federal government will work with the province/territory to help ensure all First Nations children have access to needed services consistent with what is available to other children in that province/territory.

Provinces and territories have the responsibility to deliver health and social services to all residents living within their respective jurisdictions. Historically, there have been gaps in programming for First Nations children on reserve, particularly for First Nations children living with a disability or critical short-term health or social service need. Recognizing that First Nations families on reserve may face greater difficulties in accessing Federal/Provincial/Territorial (FPT) services and supports, Canada's implementation of Jordan's Principle includes proactive measures that include a focus on the most vulnerable First Nations children.

Specifically, these proactive measures would target First Nations children with a disability or a critical short-term health or social service need living on reserve, or who ordinarily reside on reserve, to help ensure these First Nations children get the care and support they need, comparable to what other Canadian children in the same jurisdiction would receive. To that end, Canada has committed up to \$382.5 million over three years to better meet the needs of these First Nations children. This funding includes a Service Access Resolution fund, to ensure resources are available to support these children, as well as the funding to implement an Enhanced Service Coordination function.

Enhanced Service Coordination is a proactive model of care that will help facilitate access for all First Nations children to FPT services on and off reserve by helping First Nations children and their families navigate systems, which are often complicated, and by coordinating service delivery. The federal government will work through various agencies to deliver Enhanced Service Coordination. Regional offices are working with partners to identify external service delivery organizations in all jurisdictions by the end of December 2016, and to have the Enhanced Service Coordination function in place by April 1, 2017. These agencies will, among other things, assess client needs; facilitate early interventions; develop integrated care plans; connect First Nations children, and their families, to necessary services; and help remove the stress of navigating service systems. In the meantime, regional Focal Points are performing this coordination function. Additionally, Canada is working with First Nations and provincial and territorial partners to collaboratively develop policy and program options for further improvements to our collective approach to Jordan's Principle. To initiate this work, Canada has begun tripartite meetings in regions to discuss ways to continue to improve the implementation of Jordan's Principle.

Canada is also working to find solutions to address any identified, unmet needs for First Nations children living off reserve. Health Canada has sent a directive to existing Regional Focal Points, in both INAC and Health Canada, to reinforce their role in facilitating access for off-reserve First Nations children and their families to needed federal, provincial and territorial health and social services.

INAC has also updated its website, which provides information about what families can do if they believe they have encountered a potential Jordan's Principle case, including contact information for Health Canada and INAC regional offices as well as for the INAC public enquiries 1-800 number, which families can call to report a potential Jordan's Principle case.

b. How it is immediately addressing funding for legal fees

INAC understands agencies need funding for legal fees in order to support the rights and needs of First Nations children in care. As part of the five-year plan, INAC's FNCFS program provides an initial allocation of funds for legal fees and costs as an eligible expense as part of operations funding. Total amounts range by province/Yukon and according to provincial standards, agency size and level of delegation in the case of British Columbia (see Annex C of Canada's September 30 Submission to the Tribunal for agency-by-agency breakdowns).

As an interim measure, if an agency experiences funding pressures related to specific legal fees for a child in a given fiscal year, INAC reviews requests to provide additional funds to cover these requirements on a case-by-case basis. To ensure all partners understand and are implementing this commitment, INAC formally re-communicated this decision through an email to regional offices on October 24, 2016 and asked that it be shared with all FNCFS agencies (**Annex B**).

As part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions to better understand agency needs for legal fees.

This will include gathering information about the types and range of legal costs that agencies incur, as well as how the provinces/Yukon support agency legal fees to ensure federal funding meets current needs and gaps.

c. How it is immediately addressing the costs of building repairs where a FNCFS Agency has received a notice to the effect that repairs must be done to comply with applicable fire, safety and building codes and regulations, or where there is other evidence of non-compliance with applicable fire, safety and building codes and regulations

Current FNCFS program authorities are able to cover expenses related to rent, mortgage payments and minor capital expenditures. Minor capital expenditures include maintenance and repairs/upgrades/ renovations to facilities, including those that may be needed to comply with applicable building codes and regulations. Should an agency require funds for minor expenditures outside of its existing budget, the Department would work with the agency, on a case-by-case basis, to collaboratively address it.

Generally, responsibility for costs related to building repairs, including compliance with building codes and regulations are the responsibility of the landlord/owner of the building. INAC does not own FNCFS agency buildings, and INAC's FNCFS funding cannot be used for the purchase of buildings.

As part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue

national and regional discussions to develop a longer-term response to infrastructure needs.

d. How it determined funding for each FNCFS Agency for the child service purchase amount and the receipt, assessment and investigation of child protection reports

Regarding determining funding for the child service purchase amount, INAC heard, from tripartite discussions with provinces/Yukon and First Nations partners as well as concerns raised by witnesses who testified before the Tribunal, that the FNCFS program's funding of \$100 for the child service purchase amount was not sufficient to meet needs. Based on discussions with regional offices about the range of child service purchase amounts used across the country, as an interim measure, INAC increased the child service purchase amount to \$175.

INAC recognizes that applying a nationally consistent amount may not meet the needs of individual agencies. Therefore, as part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions, to define a child service purchase amount based on need.

Regarding intake and investigation ("receipt, assessment and investigation"), INAC proactively amended its calculations to respond to possible agency needs in this area, understanding that intake and investigation are not required services under provincial standards in all regions.

In Alberta, funding calculations reflect a change in provincial service delivery and include a specific budget allocation for intake and for assessment and investigation. For both, a ratio of 1 worker to 800 children (0-18 population) was applied as a result of INAC discussions with the INAC regional office and their discussions with provincial officials. The salary amounts were estimated based on salary amounts for similar positions.

In other regions, where intake and investigation is not generally a requirement under provincial standards, a single budget item was added to support intake and investigation. This was done to allow agency service providers to use operations funding to support intake and investigation services. INAC estimated the ratio of intake and investigation workers to children by using the ratios applied to other positions in the region (e.g., the ratio of other support workers). Exceptions apply in the following regions:

- Prince Edward Island – the Mi'kmaq Confederacy of PEI (MCPEI) provides prevention services and purchases protection services (including intake and investigation) from the province
- Manitoba – INAC provided increased funds for direct service workers to support intake and investigation
- British Columbia – C3 and C4 delegated Aboriginal agencies do not provide protection services, therefore, a line item for intake and investigation was not added. A line item for intake and investigation was applied to C6 Aboriginal Agencies, which provide both prevention and protection services.

As part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions to determine funding for intake and investigation services based on need.

e. How much it is allocating for each “growth and future cost driver” and to detail how it arrived at its corresponding allocations for each FNCFS Agency, including for Ontario

INAC’s budget does not allocate costs according to the individual factors that form part of growth and future cost drivers (e.g., rates for keeping children out of the parental home, growth in salaries). For the 2016-2017 fiscal year, growth and cost driver funds (see Table 2 of Canada’s May 24, 2016 submission to the Tribunal) will be managed centrally for addressing cost pressures and agency needs as they arise, including for Ontario. As part of reform, INAC will work with partners to determine individual agency-by-agency needs and how to best address future cost pressures and rising costs.

Further information about how INAC arrived at its regionally-based calculations for “growth and future cost drivers” can be found in Section A (3) of Canada’s September 30, 2016 submission to the Tribunal.

f. How new funding is immediately addressing the adverse effects identified with respect to the 1965 Agreement, especially in terms of mental health services and Band Representatives

INAC is working with the province of Ontario and First Nations leadership and other partners to review INAC support for child and family services through the 1965 Agreement. Related issues with respect to First Nations children’s mental health and funding for Band Representatives are being examined as part of this review process and also as part of the longer-term engagement and reform process involving national and regional discussions. A working group has been initiated in Ontario to begin engagement toward mid- and long-term reform.

INAC’s immediate relief investments, including those allocated to Ontario, were a first step in Canada’s reform of the FNCFS program.

INAC, the province of Ontario and the Chiefs of Ontario, as a representative of First Nations, have negotiated the distribution of this year’s immediate relief for prevention funding, as outlined below in response to (h).

g. How it determined funding for remote FNCFS Agencies that allows them to meet the actual needs of the communities they serve, taking into account such things as travel to provide or access services, the higher cost of living and service delivery in remote communities and the ability of remote FNCFS Agencies to recruit and retain staff

INAC determined the specific funding calculations for remote agencies in Manitoba (2010), Saskatchewan (2008) and Quebec (2009) through tripartite table discussions when the Enhanced Prevention Focused Approach was first implemented in each of these provinces. INAC does not currently provide funding for remoteness in other regions, as the Department did not have sufficient data and information on which to base calculations for funding.

As part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions to address the needs of remote agencies. This plan will consider the various needs of remote communities, including: the unique needs of northern communities; the compounded needs of small, remote agencies; challenges related to travel and access to other services; the higher cost of living and service delivery; and difficulties recruiting and retaining staff.

h. How immediate relief funding is being distributed in Ontario

In its September 30, 2016 response to the Tribunal, INAC provided copies of previously referred to correspondence with the province of Ontario, as well as an update on a September 22, 2016 meeting of INAC, the province of Ontario and the Chiefs of Ontario. All three parties discussed ways to flow the immediate relief investments as quickly as possible for prevention, and all parties have agreed that the 1965 Agreement is the most efficient mechanism to distribute funding at this time. The \$5.8 million in funding will be distributed, according to a formula agreed to by INAC, the province of Ontario and the Chiefs of Ontario, by November 2016. Following a letter from the Chiefs of Ontario, INAC and the province of Ontario sent letters confirming the agreement on process for flowing immediate relief funding attached as **Annex C and Annex D**.

With respect to the Mohawk Council of Akwesasne specifically, there is a direct funding agreement between the First Nation and INAC's Ontario Regional office. The First Nation has received their funding for 2016 immediate relief.

With respect to the immediate relief funding related to "growth and future cost drivers" for Ontario, see section B (3) above.

i. How it has complied with the order to immediately implement the full meaning and scope of Jordan's Principle, including:

i. confirmation that it is applying the principle to all First Nations children (not just to those resident on reserve)

See response in Part B, section 7.

Jordan's Principle applies to all First Nations children. Canada's response includes the introduction of Enhanced Service Coordination, a proactive model of care that will help facilitate access for all First Nations children to Federal/Provincial/Territorial services on and off reserve by helping First Nations children and their families navigate the systems, and by coordinating service delivery. External service delivery organizations will be identified, through engagement with First Nations, by December 2016 and service coordinators in place for April 2017. In the meantime, regional Focal Points are performing this coordination function. Canada is also working with First Nations and provincial and territorial partners to collaboratively develop policy and program options for a long-term approach to Jordan's Principle. To initiate this work, Canada has begun tripartite meetings in regions to discuss the implementation of Jordan's Principle.

Regional Focal Points will continue to work with provinces and territories and other partners to help ensure that solutions are found to address any identified unmet needs for First Nations children living off reserve as well. Health Canada sent a

directive to Focal Points to reinforce their role in facilitating access for off-reserve First Nations children and their families to needed federal, provincial and territorial health and social services.

INAC has also updated its website, which provides information about what families can do if they believe they have encountered a potential Jordan's Principle case, including contact information for Health Canada and INAC regional offices as well as for the INAC public enquiries 1-800 number, which families can call to report a potential Jordan's Principle case.

ii. an explanation as to why it formulated the application of the principle to children with “disabilities and those who present with a discrete, short-term issue for which there is a critical need for health and social supports”

Canada has focused its response to Jordan's Principle on First Nations children with a disability (e.g., cerebral palsy) or critical short-term health or social need (e.g., broken leg requiring wheelchair) living on reserve, or ordinarily resident on reserve, as these First Nations children are the most vulnerable to potential jurisdictional disputes or service gaps, and typically require the greatest amount of care, often from more than one service provider. These services have historically been more difficult to acquire on reserve because of factors like remoteness or the absence of appropriately trained medical professionals. Further, Canada's response focuses on health and social supports, as these supports are most likely to be subject to a jurisdictional or programming gap, particularly in relation to comparable provincial or Yukon Territory normative standards.

Through the work of both the Regional Focal Points and the Enhanced Service Coordination Function, Canada's response proactively identifies gaps in services for vulnerable First Nations children rather than waiting for a jurisdictional dispute to arise. This approach is intended to help ensure access to needed services, thereby reducing the likelihood of jurisdictional disputes arising, and helping these First Nations children get the care they require. In addition to First Nations children with a disability, Canada's approach includes First Nations children who present with a short-term condition for which there is a critical need for health and/or social services, allowing Canada the flexibility to help ensure that no First Nations children are denied, or experience a delay in, service that they would be eligible for within their provincial or territorial system. Canada will continue to exercise due diligence and flexibility on a case-by-case basis when assessing the eligibility of First Nations children vis-à-vis residency.

Since the July 5, 2016 announcement, regional Focal Points have proactively reached out to First Nations communities, with an initial emphasis on areas with known gaps such as respite care, to identify and support First Nations children with unmet needs. Canada has also provided support to First Nations children for such things as medical transportation, and facilitated and coordinated access to treatment programs, day programs, and allied health or social services.

Canada is also undertaking a strategy for further improvement in the implementation of Jordan's Principle. This will include engagement with stakeholders to examine the

components of Jordan's Principle, including the possible need to reform existing federal programs.

iii. details as to what action it has taken to comply with the “government of first contact” provision in the order

In cases that have come forward where the need could not be met through existing programs in an efficient and effective manner, or where there was a gap or jurisdictional dispute, Canada has provided funding to ensure that First Nations children receive services without delay, in accordance with the normative standard of care in their province of residence.

The purpose of Jordan's Principle is to address disputes to help ensure that First Nations children get the services they need. Provinces and territories generally provide services to all residents of the province without discrimination. However, if there is an issue between Canada and a province/territory over which level of government should provide or pay for a service for First Nations children, Jordan's Principle provides a mechanism to ensure that jurisdictional issues do not get in the way of First Nations children accessing services that are usually available to children in accordance with the normative standard of care in their province or territory of residence.

Canada has also taken a more proactive approach in its response to the Tribunal's January decision. The Service Access Resolution fund provides resources to pay for services in cases where a child living on reserve cannot access those services through existing provincial or federal programs. An essential component of Canada's response is the Enhanced Service Coordination function, which will work with regional Focal Points to help ensure that First Nations children are referred to the appropriate point of first contact.

The people in these roles will facilitate quick assessment to ensure the necessary services are identified and provided. This approach will guide First Nations children, and their families, through provincial/territorial and federal systems to ensure the first point of contact is the government agency best able to meet their needs. This approach should help to avoid jurisdictional disputes and help ensure that First Nations children get equitable services in a timely manner.

In the cases that have come forward thus far, Canada has provided funding for First Nations children resident, or ordinarily resident, on reserve to get the health or social supports they require, and has worked with provinces to ensure First Nations children off reserve are getting the services or supports they need.

iv. clarification as to what process will be followed to manage Jordan's Principle cases, how urgent cases will be addressed, and what accountability and transparency measures have been built into that process to ensure compliance with the order

Any potential Jordan's Principle case can be brought to the attention of the regional Focal Points, either through contact with regional INAC or Health Canada offices (listed on the INAC website at <https://www.aadnc-aandc.gc.ca/eng/1100100033694/1100100033695>) or the Health Canada website <http://www.hc->

sc.gc.ca/contact/fniah-spnia/fnih-spni/rd-dr-eng.php) or through the number (1-800-567-9604) listed on the Jordan's Principle website.

Once any potential case is identified, INAC and Health Canada Focal Points work closely with the province/territory to meet the identified health and social needs of any First Nations child. In cases where a gap in available services or supports is identified, Focal Points will work with the national INAC and Health Canada team to ensure that the necessary service or support is provided through existing programs that the family/service coordinator may have been unaware of, the Jordan's Principle Service Access Resolution fund, or engagement with the province/territory.

Urgent requests for services or supports that cannot be met through existing programming are reviewed by regional Focal Points and then brought to the national office of INAC or HC for immediate decision. The review process is done quickly to prevent any delays in accessing needed services or supports. For non-urgent requests, a Review Committee at Health Canada, consisting of six health and social program experts and professionals, discusses each case. The Committee meets once every week to discuss the nature of case and how best to expeditiously resolve it. The outcomes of decisions are communicated to the regional Focal Point, who then informs the requester.

Complex cases, such as those that may be considered "exceptional" (e.g., fall beyond normative provincial standards), as well as requests for funding for groups of First Nations children to access services such as respite care or allied services, which cannot be provided under current program resources, are considered by the Health Canada/INAC Director General's Operations Committee and brought forward for approval by the ADM chairs of the INAC/Health Canada ADM Oversight Committee.

Once the proactive Enhanced Service Coordination function is fully implemented, it will help First Nations children access the appropriate existing services and supports. It may also help set up or undertake individual assessments, arrange appointments and develop case management plans (in the interim this is being managed through Focal Points, and service agencies supporting First Nations children and their families).

As of October 4, 2016, almost 900 First Nations children, representing various provinces, have been identified to receive services and supports through Canada's efforts to identify the most vulnerable First Nations children in need. The bulk of these children will receive support for respite care, but funding has also been provided for supports such as specialized medical equipment and supplies; medical transportation; specialized day programs; and addiction treatment programs. Together, these amount to a total of approximately \$10.2 million.

Canada is committed to reporting annually on the implementation of Jordan's Principle, and to collecting data on the types of services and supports required by First Nations children, to help support future program reforms. Canada has implemented an appeals mechanism for children and their families, should they disagree with a funding decision.

Communications regarding Jordan's Principle are a high priority for INAC and HC. Canada has updated INAC's website to reflect the new approach to Jordan's Principle (<https://www.aadnc-aandc.gc.ca/eng/1334329827982/1334329861879>), and has issued a directive to all Regional Focal Points regarding how this approach should be implemented. Moving forward, both departments are collaborating on the development of information products to be made available in plain language for families and communities on how to access the services and supports. Enhanced Service Coordinators, once identified and in place, will also be responsible for developing information products for families and communities regarding their role and functions.

v. clarification as to how it will ensure that First Nations, CCI Parties and FNCFS Agencies are part of the consultation process with the provinces/territories, and in other elements of the implementation of Jordan's Principle

Canada is working with First Nations organizations, provinces and territories on a longer-term approach to Jordan's Principle, and is collaborating with those same stakeholders to implement and refine the current approach.

INAC and HC have taken steps to establish an engagement working group that will oversee the engagement process for the longer-term approach to Jordan's Principle. This engagement working group will be co-chaired by Health Canada and the Assembly of First Nations and will be responsible for developing a more detailed engagement strategy that ensures the appropriate parties are included in discussions on Jordan's Principle.

INAC and Health Canada regions have already begun work to engage their First Nations partner organizations, and provincial/Yukon Territory governments on establishing the Service Coordination Function and other aspects of Canada's proactive approach to Jordan's Principle to meet the needs of First Nations children. Health Canada has also developed an initial engagement strategy, to support the work being undertaken by the co-led Health Canada-Assembly of First Nations engagement working group.

vi. providing all First Nations and FNCFS Agencies with the names and contact information of the Jordan's Principle focal points in all regions and informing them of any changes of such

Canada provided a list of Focal Points to all First Nations and FNCFS agencies, on October 28, 2016, and will provide updates to the list as appropriate (**Annex E**).

j. If it is providing funding for the Aboriginal component of the Canadian Incidence Study, including whether that component of the study will include data collection specific to remote and northern First Nations communities

INAC is working with the Public Health Agency of Canada to support the First Nations component of the Canadian Incidence Study (CIS) of Reported Child Abuse and Neglect.

INAC will contribute funding to the First Nations component of the CIS over three years, starting in 2016-2017, through an Interdepartmental Letter of Agreement. The

Public Health Agency of Canada will also fund the study, and provide planning, implementation and methodological support to the CIS to increase the utility of the study.

The plan for data collection, agency recruitment, framing and interpreting findings and all other aspects of the First Nations component of the CIS will be led by a First Nations Advisory Committee. This Committee is composed of First Nations child welfare experts and people with Aboriginal child welfare practice and policy experience. Efforts to collect data on remote and northern First Nations communities will be made, however, there are some specific challenges in collecting CIS data, including that participation in the study is voluntary (i.e., not all agencies who are contacted may choose to participate) and there are costs and capacity constraints in reaching northern and remote agencies (i.e., some do not have pre-existing data collection capacity and many agencies tend to be small, meaning it will be difficult to sample sufficient numbers to get meaningful results).

Part C: Response to the Panels request for additional information:

- a. A list of the First Nations, FNCFS agencies, provincial and territorial authorities, partners, experts or any other persons it has consulted with so far in response to the findings in the Decision and Jordan's Principle, along with its consultation plan moving forward. The list of any past consultations from January to September 2016 should include the agenda and summary of the discussions***

INAC's draft engagement plan on FNCFS is attached as **Annex F**. The engagement plan includes the appointment of a Minister's Special Representative, Dr. Cynthia Wesley-Esquimaux. She will visit each region in the country and meet with a broad range of stakeholders. Discussions with partners are ongoing to further define the engagement plan.

A summary of regional discussions, with departmental officials, on the FNCFS program that have taken place since January 2016 is outlined below; a formal agenda and a summary is available for some but not all of the meetings (it is noted below where no further information is provided in the attachment). It should be noted that these meetings do not constitute formal consultations nor were they specifically focused on INAC's response to the Tribunal. Meetings have been on child and family services generally, including funding for immediate relief and program reform.

(It should also be noted that INAC made its best efforts to collect information on the meetings that have taken place with departmental officials, but there may have been additional discussions or correspondence on this matter during this time period that are not itemized below).

Relevant attachments for regional meetings, in addition to the descriptions below, are included as **Annex G**.

In Ontario:

- May 5, 2016. INAC Regional Director General of Ontario met with provincial Assistant Deputy Ministers of Ministry of Indigenous Relations and Reconciliation

- May 25, 2016. INAC Director of Education and Social Programs Directorate, Ontario Region, met with Province of Ontario's Deputy Minister of Ministry of Indigenous Relations and Reconciliation, the A/Deputy Minister Ministry of Children and Youth Services, the Deputy Minister of the Ministry of Community and Social Services, and the Deputy Minister of the Ministry of
- May 31, 2016. INAC Regional Director General of Ontario met with Chiefs of Ontario
- July 15, 2016. INAC regional and headquarter officials met with MBQ First Nation
- September 22, 2016. INAC Regional Director General of Ontario and the Director General of Child and Family Services met with Ontario (Ministry of Indigenous Relations and Reconciliation and Ministry of Children and Youth Services) and Regional Chief Day, Chiefs of Ontario

In Manitoba:

- February 12, 2016. Meeting with FNCFS Regional Advisory Committee (RAC). RAC is the regional tripartite table
- March 16-17, 2016. Regional Advisory Committee's FNCFS all agency meeting
- March 31, 2016. Northern FNCFS Authority's Agency Relations meeting. Provided CHRT update (no attachment)
- April 6, 2016. Northern FNCFS Authority's Collaborative Working Group meeting; provided CHRT update (no attachment)
- May 2, 2016. Meeting with Southern First Nations Network of Care, included update on CHRT (no attachment)
- May 17, 2016. Meeting with Awasis Agency of Manitoba, included discussion of Budget 2016 adjustments and way forward (no attachment)
- June 23, 2016. Meeting with FNCFS agency finance directors, included discussion of Budget 2016 and immediate relief details (no attachment)
- June 27, 2016. Regional Advisory Committee meeting
- July 22, 2016. Federal/Provincial update meeting, included discussion of CHRT, regional approach and Budget 2016 (no attachment)
- July 25, 2016. Regional Advisory Committee meeting, including Regional Engagement Strategy.

- August 11, 2016. Regional Advisory Committee meeting on regional engagement strategy (minutes not yet finalized, no attachment)

In Quebec:

- April 25, 2016. Meeting with First Nations of Quebec and Labrador Health and Social Services Commission (“the Commission”) and INAC on CHRT, Jordan’s Principle and additional funding (no attachment)
- May 3, 2016. Regional Roundtable meeting. INAC presented to FNCFS agencies, the Commission, and Quebec’s *ministère de la Santé et Services Sociaux* (MSSS) on CHRT, Jordan’s Principle and additional funding
- July, 2016. Health Canada meeting with regional partners including INAC, Commission, and MSSS on Jordan’s Principle - Child First Initiative (no attachment)
- August 29, 2016. Meeting with the Commission and INAC regarding child and family services engagement (no attachment)
- Week of September 21, 2016. Health Canada meeting with First Nations Health Directors on Jordan’s Principle - Child First Initiative (no attachment)
- September 22, 2016. Meeting with Health Canada and INAC (Quebec Region), discussions on syncing programs, Jordan’s Principle - Child First Initiative (no attachment)
- September 28, 2016. Meeting with Health Canada, INAC, MSSS. Presentation to MSSS on Jordan’s Principle - Child First Initiative
- September 30, 2016. Meeting with Health Canada, INAC (Quebec Region), and Tshakapesh, an institute that serves the Innus of the Basse Côte Nord with learning programs and services (no attachment)
- October 4, 2016. Meeting with MSSS and INAC to discuss child and family services engagement and Jordan’s Principle - Child First Initiative (no attachment)
- October 6, 2016. Meeting with Health Canada, INAC (Quebec Region), and *Commission de l’éducation des Premières Nations* (CEPN) (no attachment)

In British Columbia:

- May 12, 2016. Meeting with the Transition Funding Working Group, which is made up of the executive of the Directors Forum and INAC. Discussion focused on the distribution of immediate funding remedies and Jordan’s Principle. Most FNCFS agencies were present.
- June 15 -16, 2016. Meeting with Ministry of Children and Family Development (MCFD), INAC BC Region and INAC Headquarters on quarterly bi-lateral accountability framework Committee meeting in Vancouver, BC (no attachment)

- July 14, 2016. Meeting with Ministry of Children and Family Development (MCFD), Northwest Inter-Nation Child and Family Services (Delegated Aboriginal Agency) and INAC for their Joint Advisory Committee meeting in Terrace, BC (no attachment)
- August 23, 2016. Meeting with Ministry of Children and Family Development (MCFD), Słatsin Stsmamlt Services, and INAC for a Child and Family Services Operational meeting in Enderby, BC (no attachment)
- September 8, 2016. Meeting with the Transition Funding Working Group, similar discussion to above (no attachment)
- September 29, 2016. Meeting with Ministry of Children and Family Development (MCFD), Knucwentwecw Child and Family Services, INAC Treaties and Aboriginal Government- Negotiations West (TAG-NW), and INAC BC Region for a Treaty table working group meeting in Vancouver, BC (no attachment)
- September 29, 2016. Meeting with Tripartite Working Group (INAC, First Nations Leadership Council, and Ministry of Child and Family Development (MCFD) to begin tripartite relationship on objectives relating to improvement of the Child and Family Services Program in British Columbia. (no attachment)
- October 4, 2016. Meeting with Ministry of Children and Family Development (MCFD), Southern Stl'atlimx Health Council and INAC BC Region for an information meeting in Vancouver, BC (no attachment)
- INAC has attended, and will continue to attend the remainder of the 2016-2017 Regional Caucus Sessions being held by the First Nations Health Council in British Columbia. This year's sessions include discussions related to the social determinants of health, including First Nation child and family services and child well-being more generally. INAC will continue to work with the First Nations Health Council in support of engagement in British Columbia (no attachment)

In Newfoundland and Labrador:

- June 14, 2016. Meeting with Innu Round Table Secretariat (Director and Representative), INAC, and NL province in Goose Bay, NL. Discussions included prevention services and development of Innu proposal
- June 15, 2016. Meeting with INAC and Miawpukek First Nation in Goose Bay, NL to discuss immediate relief funding and prevention proposal
- June 16, 2016. Meeting with Province of Newfoundland and Labrador in St-John's NL to discuss child and family services (no attachment)
- October 5-6, 2016. Meeting with Innu Round Table Secretariat (Director and Representative), INAC, and NL province in St-John's, NL. For October 6,

2016, meeting also included Health Canada, Public Safety, and representatives and Chiefs from both Natuashish and Sheshatshiu communities

In New Brunswick:

- February 10, 2016. Aggregation Working Group meeting with INAC, NB Province, consultant for First Nations, and the Directors from the three-agency model (Mi'kmaq Agency, Maliseet Agency, Elsipogtog Agency) representing the 10 First Nation organizations. Meeting was held in Fredericton, NB. Discussion was on transition to the aggregated model and status update of each agency to meet community-based needs for service delivery (no attachment)
- May 25, 2016. Aggregation Working Group meeting with INAC, NB Province, consultant for First Nations, and the Directors from the three-agency model (Mi'kmaq Agency, Maliseet Agency, Elsipogtog Agency) representing the 10 First Nation organizations. Meeting was held in Fredericton, NB. Discussion was on transition to the aggregated model and status update of each agency to meet community-based needs for service delivery.
- July 20, 2016. Aggregation Working Group meeting with INAC, NB Province, consultant for First Nations, and the Directors from the three-agency model (Mi'kmaq Agency, Maliseet Agency, Elsipogtog Agency) representing the 10 First Nation organizations. Meeting was held in Fredericton, NB. Discussion was on transition to the aggregated model and status update of each agency to meet community-based needs for service delivery
- October 3, 2016. Aggregation Working Group meeting with INAC, NB Province, consultant for First Nations, and the Directors from the three-agency model (Mi'kmaq Agency, Maliseet Agency, Elsipogtog Agency) representing the 10 First Nation organizations. Meeting was held in Fredericton, NB. Discussion was on transition to the aggregated model and status update of each agency to meet community-based needs for service delivery

In Alberta:

- April 29, 2016. Letter to all Alberta First Nations Chief and Council regarding Canadian Human Rights Tribunal Decision and Budget 2016
- May 2, 2016. Meeting with Alberta FNCFS agencies. Cover letter provided to all Alberta FNCFS agencies regarding Budget 2016 and CHRT ruling; presentation provided on Budget 2016 and immediate relief
- August 23, 2016. Meeting with INAC Alberta Region Regional Director General and Alberta Grand Chiefs on child and family services and CFS engagement (no attachment)

In Nova Scotia:

- May 26, 2016. Tripartite meeting with INAC regional office and HQ, Nova Scotia province, and Mi'kmaw Family and Children Services Agency in Dartmouth, NS. Meetings focused on the provincial legislative changes and the impacts on the agency's operations and the revised budget the agency had to submit to INAC for additional funding support (which was approved). Immediate relief was also addressed. Note: Mi'kmaw Family and Children Services Agency holds the tripartite meeting minutes (no attachment)
- August 9, 2016. Tripartite meeting with INAC regional office and HQ, Nova Scotia province, and Mi'kmaw Family and Children Services Agency in Eskasoni, NS. Meetings focused on the provincial legislative changes and the impacts on the agency's operations and the revised budget the agency had to submit to INAC for additional funding support (which was approved). Immediate relief was also addressed. Note: Mi'kmaw Family and Children Services Agency holds the tripartite meeting minutes (no attachment)

In Yukon:

- April 13, 2016. Manager from INAC's Yukon Regional Office met with the of Director Family and Children's Services Branch, Government of Yukon to discuss the additional funding for new or enhanced CFS prevention programs (no attachment)
- Week of August 8, 2016. Follow up meeting with a Manager from INAC's Yukon Regional Office, the Government of Yukon's Director of Family and Children's Services Branch, Assistant Deputy Minister, Corporate Services and Manager, Cost Recovery (no attachment)
- October 14, 2016. Meetings with various representatives and regional INAC staff on opportunities for prevention pilot projects; CFS Agency-level data sharing; funding support/cost sharing for Case Management Systems, and options for regional engagement (no attachment)

In Saskatchewan:

- Discussions are forthcoming.

In Prince Edward Island:

- Discussions are forthcoming.

Other:

Discussions with the First Nations Family Caring Society and the Assembly of First Nations on the Tribunal Decision are outlined below. Much of the focus of the discussions has been on establishing the National Advisory Committee (and its Terms of Reference) as a forum to provide advice on the engagement process and the reform of the program.

- February 11, 2016. Face-to-face meeting
- April 29, 2016. Face-to-face meeting
- May 12, 2016. Teleconference call
- May 25, 2016. Teleconference call
- June 7, 2016. Face-to-face meeting
- July 28, 2016. Face-to-face meeting
- August 5, 2016. Teleconference call

The First Nations Family Caring Society has also communicated with the Minister's Office on a range of issues related to the Tribunal decision, both through correspondence and in-person meetings. These communications are not captured here.

A two-day in-person meeting with the Minister's Special Representative, appointed by the Minister of Indigenous and Northern Affairs to lead the engagement process, took place on September 14 and 15 (**Annex H**).

Jordan's Principle

(Relevant attachments for regional meetings, in addition to the descriptions below, are included as **Annex I**)

Headquarters

- May 9, 2016. Assistant Deputy Ministers for HC and INAC sent a joint letter to Provinces and Territories with respect to Canada's acceptance of the January 26, 2016 decision and the need to engage in the reform of the First Nations Child and Family Services Program and in implementing Jordan's Principle.
- June 9, 2016. Assistant Deputy Ministers for HC and INAC met with Interlocutor for First Nations and Métis Relations, Government of Saskatchewan, to discuss the engagement process and how it aligns with other federal priorities for Indigenous People. This meeting was an opportunity to discuss how INAC and Health Canada are working in partnership with other government departments and various stakeholders on Jordan's Principle and Child and Family Services.
- July 6, 2016. Assistant Deputy Ministers for HC and INAC sent a letter to Provinces and Territories to inform them of the news release that provided further details on the revised application of Jordan's Principle. The letter also emphasized the need to engage to discuss next steps.

In the Atlantic:

- July 5, 2016. Primary Care Update – Presentation to Health Directors.
- July 5-6, 2016. Meeting of APC Regional Health Directors.
- July 7, 2016. Presented to Atlantic Health Directors Meeting, and All Chiefs Forum.

- August 4, 2016. Health Canada's Atlantic Regional Executive followed up with info package.
- August 24, 2016. Met with Chief, First Nation Co-Chair, Assembly of First Nations Health Partners, to agree on next steps.
- August 29, 2016. (Nova Scotia) Presented Jordan's Principle-Child First Initiative to the Health Committee of the Canada-NS-Mi'kmaq Tripartite Forum. Included provincial representatives from Aboriginal Affairs and Health.
- September 1, 2016. Presented to Atlantic First Nations Health Partnership's (AFNHP) Public Health and Primary Care Committee (no attachment) and (September 15) NIHB Committee.
- September 9, 2016. Convened special Atlantic First Nations Health Partnership teleconference to present Jordan's Principle-Child First Initiative and Service Coordination function.
- September 15, 2016. Presentation to the Non-Insured Health Benefits Committee on Jordan's Principle.
- September 20, 2016. Held regular Atlantic First Nations Health Partnership f-2-f meeting including an agenda item on Jordan's Principle-Child First Initiative focusing on making a decision on Service Coordination implementation in region.
- September 28, 2016. Presented Jordan's Principle-Child First Initiative to Atlantic All Chiefs and Councils meeting.
- October 6, 2016. Health Canada (Newfoundland) presented JP-CFI to Innu Round Table including provincial officials from Aboriginal Affairs, Child and Family Service, and Health.
- October 12, 2016 – Health Canada (PEI) presented JP-CFI at Canada-PEI-Mi'kmaq Health Policy and Planning Forum and the Child and Family Services Policy and Planning Forum. Provincial Child and Family Services, Health, and Aboriginal Affairs officials in attendance.

In Quebec:

- April 25, 2016. Bilateral meeting on Jordan's Principle – Child First Initiative between INAC and First Nations of Quebec and Labrador Health and Social Services Commission. (no attachment)
- May 2, 2016. Regional Roundtable meeting with First Nations Child and Family Service agencies, the Commission, and Quebec's ministère de la Santé et Services Sociaux (MSSS) on Canadian Human Rights Tribunal, Jordan's Principle and formula funding. (no attachment)

- July 11, 2016. FNIHB-QC Regional Executive connected with INAC-QC Regional Director on engagement strategy. (no attachment)
- July 19, 2016. FNIHB-QC Regional Executive held discussions with the First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC) Director General and INAC-HQ Regional Director. (no attachment)
- July 27, 2016. FNIHB-QC Regional Executive had call with INAC-QC Regional Director and the Ministère de la Santé et des Services Sociaux (MSSS) Associate Deputy Minister to present the new approach and engagement strategy. INAC-QC connected with the Secrétariat aux affaires autochtones Associate Deputy Minister during the same week. (no attachment)
- August, 2016:
 - o Connected with regional partners (INAC, First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC or "la Commission"), Ministère de la Santé et des Services sociaux, Province). (no attachment)
 - o Bilateral discussions on Jordan's Principle engagement. (no attachment)
- September 19, 2016. Bilateral discussion between FNIHB-QC Regional Executive and the FNQLHSSC Director General about engagement, service coordination and the role the FNQLHSSC want to play. (no attachment)
- September 21, 2016. FNIHB-QC Regional Executive presented the initiative and associated funding to First Nations Health Directors Network of Quebec. (no attachment)
- September 22, 2016. Meeting between FNIHB-QC and INAC-QC staff to discuss programs involved with Jordan's Principle. (no attachment)
- September 22, 2016. INAC/Health Canada/Province presentation on Jordan's Principle – Child First Initiative. (JP overview presentation)
- September 28, 2016. Meeting with Ministère de la Santé et des Services sociaux, Health Canada, and INAC (Quebec Region) on Jordan's Principle and regional needs. (JP overview presentation)
- September 30, 2016. Meeting with Ministère de la Santé et des Services sociaux and INAC to discuss child and family services engagement and Jordan's Principle. (JP overview presentation)
- September 30, 2016. Meeting with FNIHB-QC, INAC-QC and Tshakapesh, an institute that serves the Innus of the Basse Côte Nord with learning programs and services. (no attachment)

- October 4, 2016. Meeting with Ministère de la Santé et des Services sociaux and INAC to discuss child and family services engagement and Jordan's Principle – Child First Initiative. (no attachment)
- October 6, 2016. Meeting with Health Canada, INAC (Quebec Region), and *Commission en Éducation des Premières Nations* (CEPN) (no attachment)
- October 11, 2016. Discussion between Regional Executive (Health Canada) and First Nations of Quebec and Labrador Health and Social Services Commission on the role it wants to play, the use of regional funding and next steps (no attachment)
- October 12, 2016. Discussion between FNIHB-QC Regional Executive and the FNQLHSSC Board of Directors about the use of funding and deployment of the strategy in the region.
- October 26, 2016. First tripartite meeting between the partners to create a Coordination Committee. (no attachment)

In Ontario:

- July 7, 2016. First Nations and Inuit Health Branch presented to Chiefs of Ontario (COO), Social, Health, Education & Justice (SHE&J) Committee on Jordan's Principle. (JP overview presentation)
 - July 22, 2016. First Nations and Inuit Health Branch presented to Chiefs of Ontario Health Coordination Unit (HCU) on Jordan's Principle. (no attachment)
 - August 16, 2016. Discussion on Jordan's Principle at INAC-HC Joint Workplan meeting; identified areas for ongoing collaboration. (no attachment)
 - September 7, 2016. First Nations and Inuit Health Branch presented to Trilateral First Nations Health Senior Officials Committee (TFNHSOC) Mental Health & Addictions Working Group (MHAWAG) on Jordan's Principle-Child First Initiative and identified gap in medical transportation to treatment facilities not on provincial Drug and Alcohol Registry of Treatment list. (no attachment)
- October 6, 2016. First Nations and Inuit Health Branch presented to Independent First Nations (IFN) on Jordan's Principle – Child First Initiative and requested input/feedback on methods to obtaining/evaluating what type and level unmet needs.
- October 6, 2016. Discussion with province, Ministry of Health and Long Term Care, on future collaboration between their Jordan's Principle projects and federal Jordan's Principle. Further discussion scheduled for late October. (no attachment)

- October 18, 2016. First Nations and Inuit Health Branch to present to Chiefs of Ontario Health Coordination Unit to discuss Service Coordinator and options for implementation.
*SHE(J) is a committee made up of Social, Health, Education Directors of the PTO's/Independent First Nations. The justice director from COO also participates. The group networks and shares information on common issues, including but not limited to children/youth issues, gaps in services, and research such as the Regional Health Survey and First Nations Regional Early Childhood, Education and Employment Survey. The province and First Nations and Inuit Health Branch are invited to participate at these meetings and share information on their initiatives. The committee has proven to be a successful venue to make recommendations that are supported by technicians for all units to the Chiefs and to formulate and relay common messages to all government departments.

Chiefs of Ontario Health Coordination Unit is comprised of a representative (Health Director) from each of the five First Nation Provincial/Territorial Organizations in Ontario and staff from Chiefs of Ontario. They are the leading First Nations engagement partner for First Nations and Inuit Health Branch Ontario.

Trilateral First Nations Health Senior Officials Committee (TFNHSOC) and the Mental Health and Addictions Working Group (MHAWAG) are comprised of Health Canada, INAC, the provincial ministries of Health and Long Term Care and the ministry of Child and Youth Services as well as members of the Chiefs of Ontario Health Coordination Unit.

IFN is an organization made up of the 12 independent First Nations in Ontario

In Manitoba:

- June 27, 2016. Meeting of First Nations Child and Family Services Regional Advisory Committee. Jordan's Principle – Child First Initiative was discussed. (no attachment)
- July, 2016:
 - o Meeting of Regional Advisory discussed Jordan's Principle – Child First Initiative - Assembly of Manitoba Chiefs, Southern Chiefs, province (no attachment)
- July & August 2016. Health Canada conducted an Environmental Scan through the Home Care Program which was sent to all 63 communities to identify children with needs. 80% of communities responded. (no attachment)
- August 1, 2016. Health Canada met with Dakota Plains by teleconference to discuss Jordan's Principle. (no attachment)
- September 16, 2016. INAC invited to participate in Health Canada meeting with Specialized Services for Children and Youth. Provincially funded organization.

- September 26, 2016. Meeting with multi-sectoral working group on Jordan's Principle (Terms of Reference Officials Working Group) includes First Nation, provincial and federal partners. Initial engagement discussion and how to coordinate service delivery between all partners. (no attachment)
- September 2016. The First Nations Child and Family Services program engagement discussions and planning at the regional advisory committee have included Jordan's Principle – Child First Initiative. INAC has received a proposal from the Assembly of Manitoba Chiefs to lead the First Nations Child and Family Services regional engagement activities, Jordan's Principle – Child First Initiative engagement activities are recognized in this proposal. The proposal highlights the need to have ongoing communications between the two engagement processes to ensure linkage are identified and addressed. (no attachment)
- September/October 2016. Health Canada engagement meetings at First Nations community level: (no attachments)
 - o Manto Sipi – September 13, 2016
 - o Wuskwi Siphk – September 21, 2016
 - o Pinaymootang – September 12, 2016
 - o Waywayseecapo – October 4, 2016
 - o Poplar River – October 6, 2016
 - o Four Arrows Regional Health - October 12, 2016
 - o West Region Tribal Health – October 25, 2016
 - o Tootinawaziibeeng – October 27, 2016
 - o Lake St. Martin – October 28, 2016
- September 23, 2016. Health Canada engagement with First Nations and Inuit Health Branch Children and Youth Advisory Committee. (no attachment)
- September 26, 2016. Meeting with multi-sectoral working group on Jordan's Principle (Terms of Reference Officials Working Group) includes First Nation, provincial and federal partners. Initial engagement discussion and how to coordinate service delivery between all partners. (no attachment)
- October 18-20, 2016 - Regional meeting with Health Directors, Public Health, Home & Community Care Nurses (one day to focus on JP-CFI initiatives).

In Saskatchewan

** All session in Saskatchewan used the Jordan's Principle presentation, and the Fact Sheet attached in Annex I.*

- August 10, 2016. Regional Executive (Health Canada) met Federation of Sovereign Indigenous Nations (FSIN) Vice Chief, Health and Social Development Secretariat regarding new approach, and Region's proposal to fund Early Childhood Intervention Program agencies to coordinate Jordan's Principle – Child First Initiative in Saskatchewan (response was generally positive). Federation of Sovereign Indigenous Nations proposed reinstating former tripartite Joint Working Group to address implementation of new approach.

- August 12, 2016. First Nations and Inuit Health Branch and INAC met with provincial reps from Interlocutor of First Nations and Metis Relations, and Ministries of Health, Social Services, and Education re: new approach. Two provincial leads were identified for Jordan's Principle – Child First Initiative and provincial reps agreed to seek mandate to participate in former tripartite Joint Working Group. Provincial reps expressed support for using established agencies to deliver Enhanced Service Coordination.
- August 30, 2016. First Nations and Inuit Health Branch presented to Senior Technical Advisory Group (STAG, health directors) who created committee of Health Directors/ Federation of Sovereign Indigenous Nations staff to engage in bilateral discussions with First Nations and Inuit Health Branch (with intention of engaging Province and INAC to reinstitute tripartite Joint Working Group). Health Directors need more detailed discussion re: Enhanced Service Coordination before endorsing Early Childhood Intervention Program agencies to fulfill those roles.
- August 2016. First Nations and Inuit Health Branch presented to First Nations Indian Child and Family Service (ICFS) directors who proposed to have Indian Child and Family Service reps on new First Nations Jordan's Principle – Child First Initiative committee and bilateral implementation discussions with First Nations and Inuit Health Branch -Saskatchewan.
- September 12, 2016. Kinistin. Attended the Parent and Child Fall Celebration with information.
- September 13 and 14, 2016. Saskatchewan Indian Institute of Technologies Home Visiting class. Spend an hour discussing services.
- September 21, 2016. Yorkton Tribal Council with Parkland, Southeast Cornerstone and Regina Early Childhood Intervention Program.
- September 22, 2016. Peter Ballantyne Cree Nation Pelican Narrows.
- September 29, 2016. Ministries of Education and Social Services, the Office of the Provincial Interlocutor and Government Relations, and Executive Council.

In Alberta:

- July 7, 2016. All Chiefs sent communication re: Jordan's Principle – Child First Initiative funding announcement.
- July 20, 2016. Discussion with provincial Assistant Deputy Minister's: Justice, Health, Education, Aboriginal Relations, Human Services. (no attachment)
- August 8, 2016. Director of Nursing sent out communication to all Health staff (Health Directors, Nurse Managers).

- August 11, 2016. Regional Executive (Health Canada) met with the Treaty 7 organization and Health Directors.
- August 23, 2016. Health Canada and INAC met with the three Grand Chiefs (Treaty 6, 7, and 8). (no attachment)
- August 24, 2016. Regional Executive (Health Canada) met with the Treaty 6 organization.
- September 6, 2016. Regional Executive (Health Canada) met with the Treaty 8 organization.
- September 12, 2016. Regional Collaborative Service Delivery Meeting.
- September 27, 2016. Discussion at Mental Health/Addictions Health Co-Management Subcommittee meeting.
- September 28, 2016. Further meetings with Treaty 8 Chief Executive Officer and Health Director and Treaty 8 Health Commission meeting.
- September 2016. Discussion at Non-Insured Health Benefits Health Co-Management Subcommittee meeting.
- October 5, 2016. Meeting with Alberta Assistant Deputy Minister of Human Services and other provincial partners to discuss and understand provincial "normative standard":
- October 5, 2016. Presentation and dialogue at Health Co-Management Co-Chairs Subcommittee meeting.
- October 6, 2016. Presentation and dialogue at regional Child and Family Services Engagement Process: Senior Officials Steering Committee.
- October 11, 2016. First Nations and Inuit Health Branch and INAC presentation and dialogue at Regional Middle Managers Committee.
- October 11, 2016. Discussion at Health Co-Management Children & Youth Subcommittee meeting.
- October 13, 2016. In Camera Dialogue at Health Co-Management Meeting regarding Enhanced Service Coordination function.
- October 26, 2016. (Deferred from October 14, 2016) Presentation and dialogue at a Special Health Co-Management meeting.

In British Columbia:

- June 15-16, 2016. Quarterly Bilateral Accountability Framework meeting between Ministry of Child and Family Development, and INAC discussed Jordan's Principle – Child First Initiative. (no attachment)
- September 29, 2016. Ministry of Child and Family Development, *Knucwentwecw* Society, and INAC discuss Jordan's Principle– Child First Initiative. (no attachment)
- September 28, 2016. First Nations Health Authority (FNHA): conference call to discuss initial steps that begin to link FNHA with INAC and subsequently Health Canada regarding role that FNHA has in administration of Jordan's Principle – Child First Initiative. (no attachment)
- October 4, 2016. Ministry of Child and Family Development, *Stlat'imx* Health Council, and INAC – overview of Jordan's Principle– Child First Initiative. (no attachment)
- Dates To Be Determined: Tripartite Working Group (INAC, Ministry of Children and Family Development and First Nations Leadership Council) has identified in its DRAFT Action Framework a commitment to work together to ensure full implementation of Jordan's Principle in BC. (no attachment)

In Yukon:

- September 16, 2016: Jordan's Principle – Child First Initiative information shared by Health Canada with all territories at an Assistant Deputy Minister level meeting. (no attachment)
- September 26, 2016: Health Canada's Northern Regional Executive and INAC's Regional Director General met with Government of Yukon and Council for Yukon First Nations to discuss next steps with respect to the implementation of Jordan's Principle – Child First Initiative. Discussions will be ongoing. (no attachment)

b. A response indicating its views on the request that it reimburse costs for travel to access physician-prescribed special needs services and assessments, special needs rehabilitative and support services and respite care, and support for families in crisis as part of immediate relief investments in Ontario

INAC is working with the province of Ontario and First Nations leadership and other partners to review INAC's support for child and family services through the 1965 Agreement. Discussions to-date have focused on the flow of immediate relief investments, where an agreement was reached with INAC, the province of Ontario and the Chiefs of Ontario that investments should focus on prevention.

Future discussions will include examining the available supports provided by the province under its *Child and Family Services Act* and the needs of First Nations children on reserve.

c. A response indicating its views on dealing with the infrastructure needs of FNCFS Agencies as part of immediate relief investments in Ontario

INAC is working with the province of Ontario and First Nations leadership and other partners to review INAC's support for child and family services through the 1965 Agreement. Discussions to-date with the province of Ontario and First Nations leadership have focused on immediate relief investments. Future work will include a review of the impact of the 1975 expiry of federal cost-sharing for infrastructure within the 1965 Agreement with Ontario. As noted above, in Section 2 C, as part of the engagement and reform process, INAC will review the information provided by FNCFS agencies in response to its October 28 letter, and continue national and regional discussions, to develop a longer-term response to infrastructure needs.

d. A response indicating its views on the request to expand the eligibility requirements of the 1965 Agreement as part of immediate relief investments in Ontario

On the issue of children 'entitled to be registered,' INAC would clarify that the Department's Ontario Region, as part of determining payment under the 1965 Agreement, includes children who may not be registered but who may be entitled to be registered. This is intended to address the requirements of clause 1 (1) (b) of the 1965 Agreement. While this issue does not appear to have any impact on services provided to First Nation children by provincially-funded agencies, INAC will further explore these issues as part of the engagement and reform process.

INAC is working with the province of Ontario and First Nations leadership and other partners to fully review INAC's support for child and family services through the 1965 Agreement.

e. A response indicating its views on the request that it conduct a special study on the application of the 1965 Agreement in Ontario

INAC's view is that part of the reform process needs to determine "the adequacy of the *1965 Agreement* in achieving comparability of services; culturally appropriate services that account for historical disadvantage; and, ensuring the best interest of the child are paramount" (September 14, 2016 ruling, paragraph 103), as outlined in the findings of the Tribunal. INAC is working with the province of Ontario and First Nations leadership and other partners to look specifically at INAC's support for child and family services through the application of the 1965 Agreement, with discussions to-date focusing on immediate relief investments for 2016-17.

f. A response indicating if it is agreeable to providing funds for the CCI Parties' participation in the upcoming in-person case management meeting and any subsequent meetings

INAC will reimburse travel costs, according to Treasury Board standards, for client participants who work with an organization outside of Ottawa to travel to Ottawa to attend in-person case management meetings.