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Via Email: Dragisa.Adzic@tribunal.gc.ca

May 10, 2016

Dragisa Adzic
Registry Officer
Canadian Human Rights Tribunal
160 Elgin Street - 11th Floor
Ottawa, ON K1A 1J4

Dear Mr. Adzic:

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

Canada is committed to the health and safety of First Nations children, and will continue to take concrete action on this urgent and key priority. Further to the Panel's April 26, 2016 ruling, the Respondent wishes to report the following.

A. Panel's order regarding Jordan's Principle

The Panel earlier found the federal government's application of Jordan's Principle to be narrow and inadequate. It also inherently caused delays. In its decision of January 26, 2016, the Panel ordered AANDC "to cease applying its narrow definition of Jordan's Principle and to take measures to immediately implement the full meaning and scope of Jordan's principle".¹

Furthermore, in its ruling of April 26, 2016, the Panel ordered INAC "to immediately consider Jordan's Principle as including all jurisdictional disputes (this includes disputes between federal government departments) and involving all First Nations children (not only those with multiple disabilities). Pursuant to the purpose and intent of Jordan's Principle, the government organization that is first contacted should pay for the service without the need for policy review or case conferencing before funding is provided". The Panel has also ordered INAC to report by today to confirm this has been implemented.²

¹ 2016 CHRT 2, para. 481.

² 2016 CHRT 10, paras. 33-34.

B. The components of the expanded application of Jordan's Principle to be implemented

Based upon the scope of the complaint and the Panel's findings, the federal government will expand two aspects of Jordan's Principle:

1. Jordan's Principle must now include jurisdictional disputes between federal government departments and not just apply to disputes between federal and provincial governments; and
2. Jordan's Principle must no longer be limited to only those First Nations children on reserve who have multiple disabilities requiring multiple service providers.


C. The steps taken by the Respondent to implement Jordan's Principle

Since the January 26, 2016 decision, the Respondent has taken the following steps to implement the Panel's ruling regarding Jordan's Principle:

1. Canada has expanded Jordan's Principle by eliminating the requirement that the First Nations child on reserve must have multiple disabilities that require multiple service providers.
2. Canada has expanded Jordan's Principle to apply to all jurisdictional disputes and now includes those between federal government departments.
3. Appropriate services for any Jordan's Principle case will not be delayed due to case conferencing or policy review. Further management of any such case will be done in a manner that will ensure the appropriate service or suite of services is being implemented in a timely manner.
4. Canada has committed to providing the necessary resources to implement Jordan's Principle.
5. Health Canada and INAC have written jointly to provinces and territories to initiate jurisdictional discussions related to Jordan's Principle.

Yours truly,



 Jonathan D.N. Tarlton
Senior Counsel
Civil Litigation and Advisory Services

JT/ab

cc: David Taylor/David Nahwegahbow/Daniel Poulin/Stuart Wuttke/Justin Safayeni/Maggie Wente/Melissa Chan/Patricia MacPhee/Terry McCormick/Ainslie Harvey/Julian N. Falconer/Akosua Matthews
