



## Information Sheet

# Jordan's Principle

## *Questions and Answers*

July 29, 2016

### **What is Jordan's Principle?**

Jordan's Principle (JP) is a child first principle named in memory of Jordan River Anderson. Jordan was a First Nations child from Norway House Cree Nation in Manitoba. Born with complex medical needs, Jordan spent more than two years unnecessarily in hospital while the Province of Manitoba and the federal government argued over who should pay for his at home care. Jordan died in the hospital at the age of five years old, never having spent a day in his family home.

Jordan's Principle ensures that First Nations children can access public services on the same terms as other children without experiencing any service denials, delays or disruptions related to their First Nations status. The government of first contact pays for the service and resolves jurisdictional/payment disputes later.

### **Why is JP important?**

Payment disputes within and between federal and provincial governments over services for First Nations children are not uncommon. First Nations children are frequently left waiting for services they desperately need, or are denied services that are available to other children. This includes services in education, health, childcare, recreation, and culture and language. Jordan's Principle calls on the government of first contact to pay for the services and seek reimbursement later so the child does not get tragically caught in the middle of government red tape.

### **What did the Tribunal say about JP?**

In the decision on the case on First Nations child welfare, the Canadian Human Rights Tribunal ("Tribunal") concluded that the approach the federal government [Indigenous and Northern Affairs Canada ("INAC")] has taken regarding Jordan's Principle since Jordan's Principle was unanimously endorsed by the House of Commons in 2007, was discriminatory, contrary to section 5 of the Canadian Human Rights Act. In the January 26, 2016 ruling, the Tribunal ordered the federal government to immediately stop applying the discriminatory definition of Jordan's Principle and to immediately take measures to implement the full definition of Jordan's Principle.

On April 26, 2016, the Tribunal found that the federal government was not respecting the Tribunal's January 26, 2016 order to "immediately implement the full meaning and scope of Jordan's Principle." The Panel expressed its surprise that the federal government's discussions with partners and stakeholders were taking so long. The Tribunal ordered the federal government to immediately apply Jordan's Principle to all jurisdictional disputes (including between federal departments) involving all First Nations children. The Tribunal has said that going forward, the government organization that is contacted first needs to pay for the service for the child without policy review or case conferencing.

The Tribunal gave INAC until May 10, 2016 to report to the Panel to confirm that the definition and scope of Jordan's Principle outlined in the Tribunal's April 26, 2016 order had been



implemented.

While provincial governments and Health Canada are not parties to the Complaint before the Tribunal, the Tribunal's order is enforceable against INAC, meaning the federal government must do what the Tribunal says.

### **What steps did the federal government take to implement JP?**

To ensure implementation of the remedies including Jordan's Principle, the Tribunal requires INAC to submit "compliance reports" which outline its action to date.

INAC's May 10, 2016 report said that disputes within the federal government were included, but did not specifically say the federal government is applying Jordan's Principle to all jurisdictional disputes. Their report also said that restricting JP to only children with multiple disabilities getting services from multiple service providers would stop, but did not specifically confirm that Jordan's Principle will apply it to all children. Lastly, the report stated that INAC had initiated discussions with the provinces/territories on Jordan's Principle but they did not say how, or if, First Nations and First Nations child and family service agencies would be engaged in those discussions or what the nature of those discussions would have been.

On June 8, 2016, the Caring Society responded to the May 10 report asking for clarification about the issues above and reiterated the importance of children being put first. The Tribunal is expected to rule again on Jordan's Principle to resolve the differences between what Canada was ordered to do and the compliance concerns raised by the Caring Society.

### **Who can I contact if I have a JP situation?**

The Indigenous and Northern Affairs of Canada

website suggests contacting your regional INAC or Health Canada (First Nations and Inuit Health Branch) Regional office if you think you have a Jordan's Principle situation. This is a list of contacts or 'focal points' for Jordan's Principle. If you have any difficulties reporting a Jordan's Principle case, please contact the Caring Society [info@fncaringsociety.com](mailto:info@fncaringsociety.com) or (613) 230-5885.

**\*Please check back regularly for updated lists\***

#### **General inquiries:**

INAC: 1-800-567-9604

Jonathan Riou, (613) 404-6628  
[jonathan.riou@aadnc-aandc.gc.ca](mailto:jonathan.riou@aadnc-aandc.gc.ca)

Valerie Hisko, (819) 639-7406  
[valerie.hisko@aadnc-aandc.gc.ca](mailto:valerie.hisko@aadnc-aandc.gc.ca)

#### **Alberta Region:**

INAC: Carol Schimanke, (780) 495-2589

Rachel Bouchard, (780) 218-2709

Health Canada: Coreen Everington, (780) 495-8660

#### **Atlantic Region:**

INAC: Joe Behar, (902) 669-0359

Health Canada: Wade Weir, (902) 478-1286

#### **British Columbia Region:**

INAC: William McArthur, (604) 317-3548

Joseph Demasso, (604) 364-3653

#### **Manitoba Region:**

INAC: Betty-Ann Scott, (204) 983-0740

Health Canada: Michelle Mutton, (204) 983-2909

#### **Ontario Region:**

INAC: Elana Pal: (647) 405-8661

Bernadette Crook (807) 624-1539

Health Canada: Tracey Clarke, (613) 962-0142

**For more information on the case go to  
[www.fnwitness.ca](http://www.fnwitness.ca) or contact [info@fncaringsociety.com](mailto:info@fncaringsociety.com)**



**Quebec Region:**

INAC: Véronique Giguere, (418) 563-2972;

Isabelle Rouffignat, (418) 563-6577

Health Canada: Julia Thibeault, (514) 283-1903

**Saskatchewan Region:**

INAC: Kelly Quewezance (306) 501-2539;

Mark Ziolkowski (306) 501-4676

**Yukon Region:**

INAC: Tammy Bazylinski, (867) 667-3356

**For more information on the case go to  
[www.fnwitness.ca](http://www.fnwitness.ca) or contact [info@fncaringsociety.com](mailto:info@fncaringsociety.com)**