



Jordan's Principle A brief history

August 2014

Jordan's story

Jordan River Anderson was a First Nations child from Norway Cree House Nation in Manitoba. Born in 1999 with complex medical needs that could not be treated on-reserve, he spent more than two years in a hospital in Winnipeg before doctors agreed that he could leave the hospital to be cared for in a family home. However, because of jurisdictional disputes within and between the federal and provincial governments over who would pay costs for in-home care, Jordan spent over two more years in hospital unnecessarily before he tragically died in 2005. He was 5 years old and had never spent a day in a family home.

Jordan's Principle

In response to this tragedy, Jordan's Principle was created. It is a child first principle calling on the government of first contact to ensure First Nations children can access public services on the same terms as other children. In December 2007, Motion-296 in support of Jordan's Principle passed unanimously in the House of Commons.¹ If the federal and provincial governments followed Jordan's Principle, there would be no jurisdictional disputes, and First Nations children would not get caught in the middle of government red tape, like Jordan did.

Improper implementation

Sadly, implementation of Jordan's Principle by governments has been extremely limited in scope, as noted in independent reviews by the Canadian Paediatric Society and UNICEF in 2012.

Inadequate implementation was also brought forward in the *Pictou Landing Band Council and Maurina Beadle v. Canada* case: an application for judicial review to address the government's failure to reimburse the Pictou Landing band for costs relating to Maurina Beadle's son Jeremy Meawasige, who requires extensive in-home care.² The Federal Court found that Jordan's Principle is binding on the Government of Canada and ordered it to reimburse costs for Jeremy's care without delay. Canada filed and then withdrew an appeal to this ruling.

Canadian Human Rights Tribunal

In August 2014, the Caring Society and Amnesty International filed factums with the Canadian Human Rights Tribunal stating that the federal government's current interpretation of Jordan's Principle is narrow, restrictive, ambiguous, unlawful and discriminatory, causing denial and delay of services to children in need. Jordan's Principle must be interpreted as Parliament intended "to ensure that First Nations children who primarily live on reserve have access to public services on the same terms as all other Canadian children."³ The Tribunal has the authority to decide if the federal government's implementation of Jordan's Principle is discriminatory pursuant to the *Canadian Human Rights Act*. Learn more at www.fnwitness.ca

¹ Private Member's Motion M-296, 2007

² PLBC v. Canada, 2013

³ Read the factums here: <http://www.fnwitness.ca>

