

CANADIAN HUMAN RIGHTS TRIBUNAL

BETWEEN:

**FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA and
ASSEMBLY OF FIRST NATIONS**

Complainants

- and -

CANADIAN HUMAN RIGHTS COMMISSION

Commission

- and -

ATTORNEY GENERAL OF CANADA

(representing the Minister of Indigenous and Northern Affairs Canada)

Respondent

- and -

CHIEFS OF ONTARIO and

AMNESTY INTERNATIONAL CANADA and NISHNAWBE ASKI NATION

Interested Parties

AFFIDAVIT OF DEPUTY GRAND CHIEF DENISE STONEFISH

I, Deputy Grand Chief Denise Stonefish, of Delaware Nation Moravian of the Thames, DO HEREBY SOLEMNLY AFFIRM:

1. I am the Deputy Grand Chief of the Association of Iroquois and Allied Indians and I am the Social Services Portfolio holder for the Chiefs of Ontario.
2. I chair the Social Services Coordination Unit of Chiefs of Ontario, which is composed of representatives from the Political-Territorial Organizations from Ontario as well as representatives from Six Nations and the Independent First Nations Alliance. The Social Services Coordination Unit is the department within Chiefs of Ontario responsible for child welfare policy for First Nations children and therefore I have knowledge of and am apprised of the correspondence and the matters I depose to in this affidavit.
3. On May 9, 2016, the Chiefs of Ontario received a letter from Mauricette Howlett, the then-Regional Director General of Ontario Region of Indigenous and Northern Affairs Canada (“INAC” or “Canada”) (the “May 2016 Letter”). A copy of the letter is attached to this affidavit as Exhibit “A”. The letter was also addressed to Deborah Richardson, Deputy Minister of the Ontario Ministry of Aboriginal Affairs, as it was named at the time.
4. In the May 2016 Letter, Ms. Howlett stated that Canada, through INAC, was prepared to make new budget investments for child welfare prevention services for First Nations children in Ontario in 2016-2017. Canada suggested that the 2016 Prevention Funding would be provided under the *1965 Memorandum of Agreement Respecting Welfare Programs for Indians* (The “1965 Agreement”), and asked Ontario to provide \$6,235,000 to be used for prevention services for First Nations parents, caregivers, children and youth, with Canada reimbursing Ontario for approximately 93.5% of the total amount as per The 1965 Agreement. Canada stated that its investment would be \$5,830,000.00 for 2016-2017 (“the 2016 Prevention Funding”).
5. In the May 2016 Letter, Canada stated “[w]e also look forward to future discussions on Jordan’s Principle, the planning and review of the 1965 Agreement, and to consider reforms to address band representation, and other considerations as noted by the Canadian Human Rights Tribunal”.

6. On June 2, 2016, Alexander Bezzina (Deputy Minister, Ontario Ministry of Children and Youth Services) and Deborah Richardson (Deputy Minister, Ontario Ministry of Aboriginal Affairs), wrote a letter to Hélène Laurendeau, Deputy Minister of INAC. A copy of that letter is attached to this affidavit as Exhibit "B" (The "June 2016 Letter"). In the June 2016 Letter, the Deputy Ministers from Ontario expressed their disagreement that the funding should be forwarded through The 1965 Agreement and they also expressed disagreement that Ontario should be required to cost-share the prevention funding under the 1965 Agreement formula. The Deputy Ministers stated that The 1965 Agreement did not align with Ontario's legislative framework regarding social and health services for Indigenous children, youth and families and child welfare prevention, protection and mental health.
7. Over the summer of 2016, I was informed by Linda Ense at Chiefs of Ontario and believe that Ontario and Canada reached agreement that the 2016 Prevention Funding would flow through Ontario under The 1965 Agreement, and that Ontario would not be required to make a corresponding contribution under The 1965 Agreement formula as a condition of releasing the 2016 Prevention Funding.
8. Over the summer of 2016, Ontario and Canada sought input from the staff and the Social Services Coordination Unit of Chiefs of Ontario about Chiefs of Ontario's position on the allocation and distribution of the 2016 Prevention Funding in Ontario.
9. Further to a decision of the Political Confederacy of the Chiefs of Ontario, on September 19, 2016 Linda Ense, Social Services Director from Chiefs of Ontario wrote to Peter Jones, Regional Director Education and Social Programs from INAC and to Assistant Deputy Minister Darryl Sturtevant from Ministry of Children and Youth Services for Ontario (the "September 2016 Letter"), a copy of which is attached as Exhibit "C".
10. In the September 2016 Letter, Chiefs of Ontario proposed the 2016 Prevention Funding be allocated directly to Ontario First Nations using the formula used for distribution of the income to First Nations received by the Ontario First Nations Limited Partnership as a result of the operation of gaming revenues in Ontario. Ms. Ense also advised that the decision to allocate funding in this manner applied to the 2016-2017 fiscal year only and that Chiefs of Ontario may propose a different allocation method in the future, and

advised that in the Political Confederacy's view, this was the most expedient and fair way to distribute the 2016 Prevention Funding.

11. Regional Chief Day wrote to Ontario and Canada in a letter dated October 13, 2016, a copy of which is attached as Exhibit "D". In that letter, Regional Chief Day emphasized the need to have the 2016 Prevention Funding distributed quickly, and also acknowledged that there is a working group set up between Canada, Ontario and Chiefs of Ontario which has the purpose of discussing future funding and 1965 Agreement reform (the "Working Group"). I am a member of this Working Group.
12. In a letter dated October 21, 2016 from Mauricette Howlett and Darryl Sturtevant, Assistant Deputy Minister for Ontario Ministry of Children and Youth Services to Chiefs of Ontario, a copy of which is attached as Exhibit "E", Canada and Ontario informed Chiefs of Ontario that they were agreeable to the funding allocation proposed by Chiefs of Ontario.
13. In Canada's report to the Canadian Human Rights Tribunal on October 31, 2016 ("Canada's October 31 Compliance Report"), a copy of which is attached as Exhibit "F" to this affidavit, Canada stated the following about the Band Representative and comparable mental health funding, at pages 9 and 10:

(f) 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).

[...]

(h) 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.

[Annexes omitted]

14. In Canada's October 31 2016 Compliance Report, Canada reported the following about its position on funding the a study on the adequacy of The 1965 Agreement in achieving comparability of services to First Nations children, including culturally appropriate

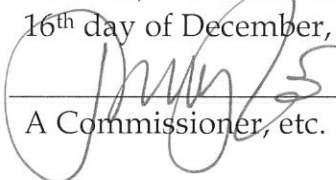
services and considering the best interests of children (the “Ontario Special Study”), at page 30:

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. I

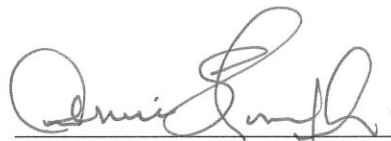
15. In a letter dated December 2, 2016 (the “December 2 2016 Letter”) from Anne Scotton, INAC Regional Director General for Ontario and Darryl Sturtevant to Ontario Regional Chief Day, a copy of which is attached as Exhibit “G”, Canada and Ontario again concurred that the 2016 Prevention Funding would be distributed according to Chiefs of Ontario’s recommendation, and that there was \$150,000.00 “available this year to support the activities of the members of the tripartite Child and Family Services Working Group”.
16. In a letter dated December 5 2016 from Ontario Regional Chief Day to Anne Scotton and Assistant Deputy Minister Darryl Sturtevant, a copy of which is attached as Exhibit “H”, Regional Chief Day sought clarification that \$150,000 of funding for the activities of the Working Group as detailed in the December 2 2016 Letter was to fund Chiefs of Ontario and the Social Services Coordination Unit’s participation in meetings of the Working Group.
17. Chiefs of Ontario has advised Canada repeatedly in the remedial stage in the course of these proceedings through its submissions on immediate relief that Chiefs of Ontario views Band Representative and comparable mental health funding as required funding for “immediate relief” to alleviate discrimination against First Nations children in the short term, pending systemic change and reform of funding under The 1965 Agreement.

18. Chiefs of Ontario has advised Canada repeatedly in the remedial stage of these proceedings through its submissions on immediate relief, and that in Chiefs of Ontario's view it is essential to complete the Ontario Special Study.
19. To my knowledge, Chiefs of Ontario has never received any notice that Canada intends to provide funding for Band Representatives provided for under the *Child and Family Services Act* in the 2016-2017 fiscal year or beyond, and to my knowledge no such funding exists or has been announced by Canada.
20. To my knowledge, Chiefs of Ontario has never received any notice that Canada intends to provide funding for comparable mental health services for children and families under the *Child and Family Services Act* in the 2016-2017 fiscal year or beyond, and to my knowledge no such funding exists or has been announced by Canada.
21. To my knowledge, Chiefs of Ontario has not received any notice that Canada has committed to or intends to fund an Ontario Special Study, through the Working Group, or otherwise.
22. I make this affidavit for the purposes of a motion to the Canadian Human Rights Tribunal regarding Canada's compliance with the Tribunal's orders, and for no other purpose.

AFFIRMED before me at the City of
Toronto, in the Province of Ontario this
16th day of December, 2016.


A Commissioner, etc.

LSJC # 58708V



Deputy Grand Chief Denise Stonefish

THIS IS EXHIBIT A TO THE
AFFIDAVIT OF Denise Stangish
SWORN Dec. 16, 2016


A COMMISSIONER ETC.



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

Your file - Votre référence

MAY 09 2015

Our file - Notre référence

ON6744;
931176

Isadore Day
Regional Chief
Chiefs of Ontario
804 – 111 Peter Street
TORONTO ON M5V 2H1

Deborah Richardson
Deputy Minister
Ministry of Aboriginal Affairs
160 Bloor Street East, Suite 400
TORONTO ON M7A 2E6

Dear Regional Chief Day and Deputy Minister Richardson:

On behalf of Indigenous and Northern Affairs Canada (INAC), I am pleased to share with you our proposed first steps to respond in Ontario to the recent decision of the Canadian Human Rights Tribunal on First Nations Child and Family Services. We very much look forward to working collaboratively to advance reform of Canada's support for First Nations Child and Family Services in Ontario.

Budget 2016 announced an investment of \$634.8 million over five years to support both the immediate needs of First Nations children and to begin a process of reform to strengthen the First Nations Child and Family Services program. This investment will support front-line services for First Nations children and families as the government moves to engage with partners on how to address child welfare issues in First Nation communities.

With funds available under Budget 2016, INAC Ontario Region is prepared to make new investments in First Nation prevention services in 2016-2017. In Ontario, this investment can be made immediately through the 1965 *Memorandum of Agreement Respecting Welfare Programs for Indians* ("1965 Agreement"), pending our work together to review and discuss reforms to this Agreement.

To commit funding to Ontario under the 1965 Agreement, INAC requests that the provincial Ministry of Children and Youth Services, with the support of First Nations, consider investing up to \$6,235,000 on prevention services for First Nation parents, caregivers, children and youth in 2016-2017. This may include various approaches, such as a general funding increase across all current service providers or specific funding increases to address existing service gaps in the areas of greatest need.

.../2

Canada

In accordance with the existing 1965 Agreement cost-sharing formula, INAC is prepared to reimburse approximately 93.5 per cent of these provincial expenditures on enhanced prevention services, up to the amount of \$5,830,000 in 2016-2017. INAC will communicate amounts in respect of subsequent years as we move forward and subject to Parliamentary and Treasury Board approvals.

To consider next steps regarding these new investments in prevention services, I would like to arrange a meeting at the earliest opportunity. My Senior Executive Assistant, Ms. Chantale Pharand, will be contacting your office to discuss scheduling and participation in this meeting. She can be reached at (416) 973-6201 or Chantale.Pharand@aandc.gc.ca.

We also look forward to future discussions on Jordan's Principle, the planning of a review of the 1965 Agreement, and to consider reforms to address band representation, and other considerations as noted by the Canadian Human Rights Tribunal. To support a coordinated process for engagement of Aboriginal Representative Organizations, First Nations and their members, as well as service providers and other organizations, INAC Regional Social Program staff will be in contact with your officials to discuss future opportunities.

I am pleased to be working together with you and all our partners copied on this correspondence, as we take these important first steps to advance the reform of Canada's support for First Nations Child and Family Services in Ontario.

Yours sincerely,



Mauricette Howlett
Regional Director General
Ontario Region

25 St. Clair Avenue E., 8th Floor
TORONTO ON, M4T 1M2

c.c.: Grand Chief Alvin Fiddler, Nishnawbe Aski Nation
Mr. Travis Boissoneau, Chief Administrative Officer, Nishnawbe Aski Nation
Grand Council Chief Patrick Wedaseh Madahbee, Anishinabek Nation
Mr. Allan Dokis, Chief Operating Officer, Anishinabek Nation
Ogichidaa Warren White, Grand Council Treaty No. 3
Mr. Mervyn Gryschuk, Executive Director, Grand Council Treaty No. 3
Grand Chief Gordon Peters, Association of Iroquois and Allied Indians
Deputy Grand Chief Denise Stonefish, Association of Iroquois and Allied Indians and
Chair, Chiefs Committee on Social Services, Chiefs of Ontario
Mr. Geoff Stonefish, Office Manager, Association of Iroquois and Allied Indians
Mr. Alexander Bezzina, Deputy Minister, Ministry of Children and Youth Services
Ms. Janet Menard, Deputy Minister, Ministry of Community and Social Services
Mr. George Zegarac, Deputy Minister, Ministry of Education
Dr. Bob Bell, Deputy Minister, Ministry of Health and Long-Term Care
Mr. Steven Vanloffeld, Executive Director, Association of Native Child and Family
Service Agencies of Ontario
Ms. Karen Hill, Director of Aboriginal Services, Ontario Association of
Children's Aid Societies
National Chief Perry Bellegarde, Assembly of First Nations
Dr. Cindy Blackstock, First Nations Child and Family Caring Society of Canada
Ms. Marie-Claude Landry, Chief Commissioner, Canadian Human Rights Commission
Ms. Lori Doran, A/ Regional Executive, Health Canada
Ms. Paula Isaak, Assistant Deputy Minister, Education and Social Development
Programs and Partnerships, INAC
Ms. Leea Litzgus, Associate Regional Director General, Ontario Region, INAC

THIS IS EXHIBIT B TO THE
AFFIDAVIT OF Denise Strefish.
SWORN Dec. 16, 2016
[Signature]
A COMMISSIONER ETC.

Ministry of Children
and Youth Services

Deputy Minister
14th Floor
56 Wellesley St. W
Toronto ON M5S 2S3
Tel: (416) 212-7432
Fax: (416) 325-5332

Ministry of Aboriginal Affairs

Deputy Minister
Suite 400
160 Bloor St. E
Toronto ON M7A 2E6
Tel: 416-326-4740
Fax: 416-326-4779



June 2, 2016

Hélène Laurendeau
Deputy Minister
Indigenous and Northern Affairs Canada
10 Wellington Street
Gatineau, QC
K1A 0H4

Dear Deputy Minister Laurendeau:

In follow-up to our telephone conversation on June 1, 2016, I am writing with my colleague Deputy from the Ministry of Children and Youth Services regarding the letter dated May 9, 2016 on Indigenous and Northern Affairs Canada's (INAC) proposal for new investments in 2016-17 for First Nations prevention services in Ontario.

Ontario considers the issue of funding for First Nations children and youth to be of utmost importance. We would like to arrange an in-person meeting with you and your senior INAC officials to discuss how best to move forward given the importance of this issue to Indigenous children in Ontario and the timelines set out by the Canadian Human Rights Tribunal.

Ontario acknowledges INAC's commitment to reform its First Nations child and family services program and expand its narrow definition of Jordan's Principle following the January 2016 decision of the Canadian Human Rights Tribunal. We also acknowledge INAC's commitment to invest \$5,830,000 in Ontario for First Nations prevention services in 2016-17. We want to work with you to advance our shared objective of improving the lives of Indigenous children.

Since 2013, Ontario and First Nations have worked collaboratively to co-develop the Ontario Indigenous Children and Youth Strategy – a framework that will advance the work of First Nations to take the lead in the care of their children and youth. We collectively believe that the vision, principles and pillars of this Strategy reflect a strong and collaborative basis for discussions with the federal government on child and youth services funding, and that the new prevention funding from Canada, now and in subsequent years, can support its implementation.

Ontario has and continues to partner with First Nations and make significant investments in services for Indigenous children, youth and families across the province. These investments are outside of the modest prevention services

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currently cost-shared with INAC under the IWA. Ontario has announced several new prevention-focused initiatives and investments in Ontario where new federal funds could be directed alongside new provincial investments, including:

- \$80M over three years (including \$20M in 2016-17) to launch an Indigenous Family Well-Being program focused on family preservation and addressing the root causes of inter-generational trauma for First Nations, Métis, Inuit and urban Indigenous children, youth, and families;
- A historic investment of \$222M over three years for the Ontario First Nations Health Action Plan, including \$60M over three years for life promotion and crisis support initiatives in First Nations communities to stabilize communities in crisis and prevent communities from reaching the crisis point (e.g., mental health workers in on-reserve schools, trauma teams, recreational and land-based programming);
- As announced through the recent Commitment to Reconciliation with Indigenous Peoples, investments of \$150M over the next three years for programs and actions to close gaps and remove barriers for Indigenous communities and peoples, including for new mental health and addiction supports, new and expanded Indigenous mental health and addictions treatment and healing centres, life promotion and suicide prevention strategies for children and youth, and child care and family programs. These initiatives will also be supported by further prevention-focused actions, such as investments in cultural camps and a new Indigenous Cultural Revitalization Fund.

Ontario views Canada's commitment for new prevention funding as a positive but first step in ensuring that federal funding for First Nations child and family services responds to the Canadian Human Rights Tribunal's decision. It is also the opportunity to start to reform the way that Canada, Ontario and First Nations collaboratively work together to fund the full range of services that are necessary for children, youth, families and communities to achieve equitable outcomes in health and wellbeing.

Ontario has concerns with INAC's proposal to flow the new federal funds for prevention services through the 1965 Indian Welfare Agreement (IWA). The IWA does not adequately align with Ontario's legislative framework and associated policy directions regarding social and health services for Indigenous children, youth and families, including child welfare prevention, protection, and mental health.

The IWA is also a bilateral agreement that does not include First Nations, and thus does not reflect the partnership between Ontario and First Nations in program, policy, and system reforms. The funding restrictions and complex formulae behind the IWA could potentially impact expenditure and recovery of the prevention funds in this fiscal year.

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Flowing funds through the IWA will shift the burden for funding administration, allocation and cost recovery to Ontario and to First Nations, which Ontario does not expect was the intention of the Tribunal.

Further, in our view, it could not be the expectation of the Tribunal that the outcome of a ruling, directed at the federal government, is that Ontario be required to provide additional provincial funding to enable the federal government to begin to meet its obligations to Indigenous children.

Ontario agrees that new federal funding should flow expeditiously in order to benefit First Nations children, youth, and families across this province. This is an important issue for Canada, Ontario and for First Nations, for which the health and wellbeing of their children, youth and families is paramount.

We would like to work together and with First Nations to find an approach to roll out these new funds that is forward looking, unencumbered by the challenges of the IWA, and consistent with the findings of the Tribunal decision. We believe that there is an opportunity for us to find an interim arrangement that will set the stage for discussions over the next year for a new, comprehensive, and outcomes-focused tripartite funding arrangement.

While respecting and agreeing that engagement with First Nations partners regarding this new federal funding must begin as soon as possible, Ontario will need to first meet bilaterally with First Nations partners, consistent with Ontario's joint approach to the Ontario Indigenous Children and Youth Strategy and our relationship set out in the First Nations-Ontario Political Accord.

Finally, we wish to confirm that the Ministry of Children and Youth Services is the lead provincial ministry for discussions related to child and family services funding in Ontario. Darryl Sturtevant, Assistant Deputy Minister, Strategic Policy and Planning Division, will be the primary point of contact for communications and discussions moving forward. Darryl can be reached at darryl.sturtevant@ontario.ca or at 416-327-9481.

We would be pleased to work with your offices to schedule this important face-to-face meeting in the coming weeks.

Sincerely,



Alexander Bezzina
Deputy Minister
Ontario Ministry of Children and Youth
Services



Deborah Richardson
Deputy Minister
Ontario Ministry of Aboriginal Affairs

.../cont'd

Encl:

- May 9 2016 Letter from INAC to DM Richardson and Ontario Regional Chief Day
- Ontario Indigenous Children and Youth Strategy framework

c: ✓ Ontario Regional Chief Isadore Day
Mauricette Howlett, Ontario Regional Director General, Indigenous and Northern Affairs Canada
Janet Menard, Deputy Minister, Ministry of Community and Social Services
George Zegerac, Deputy Minister, Ministry of Education
Dr. Bob Bell, Deputy Minister, Ministry of Health and Long-Term Care
Darryl Sturtevant, Assistant Deputy Minister, Ministry of Children and Youth Services
Alison Pilla, Assistant Deputy Minister, Ministry of Aboriginal Affairs
Erin Hannah, Assistant Deputy Minister, Ministry of Community and Social Services
Nancy Matthews, Assistant Deputy Minister, Ministry of Education
Patrick Dicerni, Assistant Deputy Minister, Ministry of Health and Long-Term Care
Ms. Marie-Claude Landry, Chief Commissioner, Canadian Human Rights Commission

THIS IS EXHIBIT C TO THE
AFFIDAVIT OF Denise Stonefish
SWORN Dec. 16, 2016
[Signature]
A COMMISSIONER ETC.

Secretariat Office
111 Peter Street, Suite 804
Toronto, ON M5V 2H1
1-877-517-6527
chiefs-of-ontario.org



Political Office
236 Frontenac Street
Batchewana First Nation, Ontario
P6A 6Z1
705-254-1477

September 19, 2016

Peter R. Jones, Regional Director - Education
and Social Programs.
Indigenous and Northern Affairs Canada
Ontario Regional Office
25 St. Clair Avenue E., 8th Floor
Toronto, ON
M4T 1M2

Assistant Deputy Minister Darryl Sturtevant
Ministry of Children and Youth Services
Strategic Policy and Planning Division
14th Floor, 56 Wellesley Street W
Toronto, ON
M5S 2S3

Dear Sirs:

Re: Distribution of Immediate Relief Investments - Chiefs of Ontario Position

I write to advise of Chiefs of Ontario's position on the distribution and allocation of "immediate relief" funding announced 2016-2017 budget by the Government of Canada for prevention services to on-reserve First Nations children in Ontario.

The Political Confederacy of Chiefs of Ontario has met and decided that the recommendation of Chiefs of Ontario for distribution of the immediate relief funding for the 2016-2017 fiscal year is based on the "Casino Rama" formula directly to Ontario First Nations for them to provide prevention services in their communities. This formula takes into account population and remoteness to an extent. This formula is one that has already been agreed to by the Chiefs in Ontario for distribution of other money, and in Chiefs of Ontario's view it represents the least complicated way of determining allocation of funding so that funds may flow without further delay. We are mindful of the Canadian Human Rights Tribunal's remarks in its September 15, 2016 decision that immediate relief funding is not intended to be perfect but that it should commence distribution in a timely fashion. We are supportive of prevention work being done directly by First Nations governments within their own communities. That said, if First Nations would like to use their funding to collaborate with other First Nations or to make contributions to their local child and family services agencies, we would also be supportive of such approaches as each First Nation can determine what suits their own families and children best.

We are in the process of producing an updated spreadsheet with updated population numbers in order to fine tune the amounts that we recommend and will forward it as soon as it is complete.

We stress that the recommendation is for distribution for this fiscal year's funding only. We look forward to ongoing further discussion in which we can fine tune the approach to distribution and allocation, being mindful of the Tribunal's directions and orders. Lastly, we wish to reiterate that this recommendation is being made without

prejudice to our position that the "immediate relief investments" are insufficient for eliminating discrimination in the short form.

We trust that Canada and Ontario will be able to work together quickly to ensure that funding is provided in a timely fashion, and we will provide the assistance we can to facilitate this process.

Should you wish to discuss any of the above, please do not hesitate to contact the undersigned.

Yours truly,



Linda Ense
Director of Social Services

Cc: Political Confederacy
SSCU

THIS IS EXHIBIT D TO THE
AFFIDAVIT OF Denise Stonefish
SWORN Dec. 6, 2014
[Signature]
A COMMISSIONER ETC.

Secretariat Office
111 Peter Street, Suite 804
Toronto, ON M5V 2H1
416-597-1266
www.chiefs-of-ontario.org



Political Office
236 Frontenac Street
Batchewana First Nation, ON
P6A 6Z1
705-254-1477

October 13, 2016

To

Mauricette Howlett
Regional Director General, Ontario
Indigenous and Northern Affairs Canada

Email: Mauricette.Howlett@aandc-aadnc.gc.ca

And

Assistant Deputy Minister Darryl Sturtevant
Ministry of Children and Youth Services, Ontario

Email: darryl.sturtevant@ontario.ca

Re: Immediate Relief Funding for Child Welfare Prevention

Dear Ms. Howlett and Mr. Sturtevant:

I am writing to follow up on our meeting of September 22, 2016. I will begin by reiterating a point discussed in the meeting: *"COO emphasizes the importance of flowing the funding immediately."*

COO welcomes a working group to plan prevention funding within Ontario over the medium and long term, as well as any other medium-to-long term measures to reform or replace the 1965 Agreement and program reform. But, as to the immediate relief in this fiscal year, there is no more time to waste. The time for working groups or other consultations has long passed. Those efforts should have been completed many months ago.

It is now 9 months since the Tribunal's decision on the merits, and nearly 7 months since the federal budget and start of the new fiscal year. Funds for immediate relief are long overdue.

By now, the 2016-17 fiscal year is quickly elapsing. If funds for immediate relief are not flowed out, there will soon be no more time to left in which to spend them. Our children are waiting.

You had asked us earlier too for our views on how to flow those funds and we had already provided them in a letter dated September 19, 2016. There are two key portions to that letter:

- As we have indicated, if the 1965 Agreement is the fastest distribution mechanism at this time, we accept its use for that purpose this year. If the funds cannot be distributed directly by Canada, they should be provided to Ontario for Ontario to distribute them.
- As to the distribution formula, we provided our position in our said letter of September 19 to Peter Jones of your office, copied to Ontario, attached. On the recommendation of the Chiefs of Ontario Social Services Coordination Unit (SSCU), the Chiefs of Ontario Political Confederacy adopted a resolution, as described to you in that letter, calling for this year's funds to be distributed to First Nations based on the distribution formula used for gaming revenues (the "Casino Rama" formula or the "Ontario First Nations Limited Partnership Formula"). As indicated in that letter, this formula was chosen as *"it represents the least complicated way of determining*

the allocation of funding so that funds can be distributed without further delay". Please find attached a draft spreadsheet that identifies the distribution of \$5.8 M pursuant to that formula. (Note: the spreadsheet contains confidential First Nation-specific information and is not appropriate for public disclosure. We require updated population numbers for some First Nations after which we can finalize the formula and proposed distribution.).

The PTOs appoint representatives to the Chiefs of Ontario Social Services Coordination Unit. The SSCU made the recommendation that was adopted by the Political Confederacy, which we have communicated to you. Therefore, the PTOs have already made their views known through the SSCU and Political Confederacy. Agencies and the First Nations that they serve and are their members are in contact with their PTOs and with COO. As indicated in our letter, the role of agencies has already been addressed in our recommended funding model. Where First Nations have established agencies they may choose to provide their funds to their agencies if they wish. Not all First Nations have agencies, and some may choose, as may be appropriate, to have prevention programs be provided by the community.

As to what kinds of prevention services can and or should be provided, we assume that INAC has in its possession the descriptions of the scope of prevention activities, which can be provided to First Nations when Ontario releases the funding. The working group can talk about expanding or refining that scope for future years in the future. However, if INAC would like Ontario to manage the distribution of the funding through the 1965 Agreement or otherwise, then it is properly Ontario's role to ensure the funding is spent on prevention.

For now the endless talking, meeting and so-called "consultation" is only serving to deprive our children and families of the support they need. This is precisely the warning of the Canadian Human Rights Tribunal in its most recent decision when it said "deferring immediate action in favour of consultation and reform at a later date will perpetuate the discrimination the FNCFCs Program as fostered for the past 15 years". Immediate relief is no longer immediate. If it is to have any use for this fiscal year, it needs to be distributed without further delay.

We are pleased to have a working group on medium-to-long term prevention, funding, and program reform. The COO SSCU representatives will serve on the working group and are willing to meet, subject to INAC's provision of support for that process.

Yours truly,
CHIEFS OF ONTARIO



Isadore Day, *Wiindawtegowinini*
Ontario Regional Chief
CC: Political Confederacy

THIS IS EXHIBIT E TO THE
AFFIDAVIT OF Denise Stonefish
SWORN Dec 10, 2014
[Signature]
A COMMISSIONER ETC.



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada



Ministry of Children and
Youth Services

Ministère des Services
à l'enfance et à la jeunesse

October 21, 2016

Isadore Day
Ontario Regional Chief
Chiefs of Ontario
111 Peter Street, Suite 804
TORONTO ON M5H 2H1

Dear Chief Day:

Re: Immediate Relief Funding for Child Welfare Prevention in First Nations

Thank you for your letter dated October 13, 2016, regarding the disbursement of Canada's immediate relief funding for prevention activities to First Nation communities in Ontario.

Indigenous and Northern Affairs Canada (INAC) and the Ministry of Children and Youth Services are in agreement with the Chiefs of Ontario about the importance of flowing the \$5.83 million immediately, and agree that the Casino Rama funding model should be used to distribute funding for prevention activities.

The Ministry of Children and Youth Services has agreed to receive the funding from INAC through the 1965 Indian Welfare Agreement, and will use the partnerships of the Ontario Indigenous Children and Youth Strategy to flow the funds. Please find attached an updated spreadsheet with the funding breakdown (see Appendix A). The immediate relief funds are to be used for prevention services and activities as defined by the communities that will support the implementation of Ontario's Indigenous Children and Youth Strategy, including start-up costs for the Family Well-Being Program.

In terms of next steps, INAC will set up a meeting with the identified working group members from the Chiefs of Ontario's Social Services Coordination Unit and the Ministry of Children and Youth Services in the coming weeks as part of the Technical Tripartite Working Group to provide additional details regarding the release of funding, and begin work on funding and program reform options for 2017-2018, including transformation of funding currently provided through the 1965 Indian Welfare Agreement.

Sincerely,

A/ Mauricette Howlett
Regional Director General
Indigenous and Northern Affairs Canada

Darryl Sturtevant
Assistant Deputy Minister
Ontario Ministry of Children and Youth Services

Attachment: Application of OFNLP Formula for Distribution of Immediate Relief to
Ontario First Nations, 2016-17

c.c.: Political Confederacy

Deputy Grand Chief Denise Stonefish, Chair, Chiefs Committee on Social
Services, Chiefs of Ontario

Linda Ense, Director of Social Services, Chiefs of Ontario
Social Services Coordination Unit, Chiefs of Ontario

Nancy Matthews, Deputy Minister, Ministry of Children and Youth Services

Sarah Caldwell, Director, Strategic Policy and Aboriginal Relationships Branch,
Ministry of Children and Youth Services

Margaret Buist, Director General, Children and Families Branch, INAC

APPENDIX A:

Grant Recipient	Total Funding (2016/17)
Association of Iroquois and Allied Indians	\$445,376.77
Grand Council Treaty #3	\$715,787.08
Independent First Nations	\$430,609.61
Nishnawbe Aski Nation	\$1,841,281.82
Union of Ontario Indians	\$1,565,495.00
Mississaugas of the New Credit First Nation	\$53,470.22
Six Nations of the Grand River	\$414,458.35
Stanjikoming	\$20,007.84
Moose Cree	\$85,963.33
Waabigoniw Saaga'iganiw Anishinaabeg	\$28,313.79
Bkejwanong Territory	\$89,229.04
Mississauga	\$36,992.53
Atikameksheng Anishnawbek	\$36,023.26
Ojibway Nation of Saugeen #258	\$21,170.97
Chippewas of Mnjikaning	\$45,820.40
TOTAL:	\$5,830,000.01

THIS IS EXHIBIT F TO THE
AFFIDAVIT OF Denise Stonefish
SWORN Dec 16, 2016

.....
A COMMISSIONER ETC.

**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.