

High Level Comparison of the Two Plans

Principle Area	Loving Justice National Plan	Canada's National Plan	Why This Matters for First Nations Leadership
Nature of Justice	Justice is human-rights based and relational (“loving justice”), focused on dignity, healing, and prevention of future harm.	Justice framed as policy reform and program improvement within existing systems.	Determines whether reform is transformational or administrative.
Understanding of CHRT Orders	CHRT orders are treated as a permanent injunction that must guide all future conduct.	CHRT compliance is treated as something that can be completed and closed.	Determines whether Canada can walk away later.
Who Defines Core Concepts	Best interests, safety, family, well-being are defined by First Nations laws and knowledge systems.	Uses standard child-welfare concepts, not redefined by First Nations.	Controls how decisions about children are made in practice.
View of Discrimination	Canada's discrimination is systemic, structural, and intergenerational, requiring ongoing, multi-layered and binding safeguards.	Canada acknowledges past discrimination versus an ongoing condition requiring constraint	Determines risk of discrimination returning.
Time Horizon	Grounded in intergenerational equity and the rights of children not yet born.	Structured around funding terms, review cycles, and future negotiations.	Determines whether reforms last seven generations or seven years.
Role of Canada	Canada is a duty-bearer whose discretion must be constrained by rights and First Nations-defined principles.	Canada is a partner and funder retaining significant discretion.	Determines who ultimately controls decisions.

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Accountability	Accountability is a starting principle: transparency, public reporting, child-rights impact assessment, protection from retaliation.	Accountability framed mainly through program assessments and dispute resolution.	Determines whether accountability protects rights or manages performance.
Status of First Nations Law	First Nations law and jurisdiction are foundational, with Canadian law as a minimum floor.	Indigenous legal traditions are recognized but subordinate to the federal framework.	Determines whether Nations lead or are accommodated.
Meaning of Reconciliation	Reconciliation means ending discrimination permanently and restoring dignity to children and families.	Reconciliation framed as collaborative reform within existing systems.	Determines whether reconciliation changes structures or improves processes.
Role of Children and Youth	Children and youth are rights-holders and contributors, including those with lived experience in care.	Children are beneficiaries of improved services, not decision-makers.	Determines whether children have voice or are objects of policy.
Threshold for Success	Success requires proof that discrimination has stopped and will not recur, independently verified.	Success is implementation of the framework and conclusion of Tribunal oversight before plan is implemented.	Determines when Canada can declare the discrimination "resolved."