

# Long-Term Reform of First Nations Child & Family Services - Webinar

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Our Children Our Way Society

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# Long-Term Reform of First Nations Child & Family Services and Jordan's Principle

- Welcome
  - Opening
  - Introductions
  - NCCC: Centering Rights Holders in the Long-Term Reform of FNCFS and Jordan's Principle
  - Caring Society: Litigation and Evidence to End Canada's Discrimination
  - Expert Advisory Committee: Reforming Indigenous Services Canada
  - Q&A
  - Closing Comments & Prayer
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# Background

- 2007: Caring Society and AFN file human rights complaint against Canada
- 2016: CHRT substantiates the complaint, orders Canada to cease discriminating, reform the FNCFS program and fully implement Jordan's Principle
- 2016-2024: Multiple interim orders
- 2024
  - July: Canada, AFN, COO, NAN release a draft Final Agreement
  - Oct: Chiefs-in-Assembly reject the draft FA, create the **National Children's Chiefs Commission**

# National Children's Chiefs Commission



# NCCC efforts to re-engage in long-term reform negotiations

- Jan. 22: letter to Justice Canada requesting a meeting
- Jan. 24: letter to PM and Ministers proposing a joint letter of commitment
- Feb. 21: follow-up letter to PM and Ministers
- Mar. 19: letter to PM calling for action prior to the election
- Jun. 4: letter to new Minister inviting a meeting
- Jul. 4: letter to new Minister reiterating invitation to meet
- Jul. 28: joint letter seeking commitment to return to negotiations
- Jul. 29: letter to Minister and DM re. CHRT request
- Aug. 21: letter to Minister seeking pathway to negotiations
- Sep. 21: letter to Minister seeking funding for regional engagements
- Oct. 6: letter to Minister seeking formal meeting

# 2025 CHRT 80

“One thing that Canada cannot do is simply wait and let time go by.”

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- **Children cannot wait for justice**
  - **Order to cease discriminating is permanent**
  - **Ontario Final Agreement will not apply to other regions**
  - **Tribunal values all expert viewpoints of First Nations**
  - **Clear parameters for long-term reform remedies**

# Orders



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- Within four months, the Caring Society and the AFN shall consult with the NCCC, First Nations Chiefs, and other experts to develop an evidence-based, comprehensive National FNCFS **long-term reform plan and requested remedies** outside Ontario.
- Canada can participate or submit its own plan.
- The Tribunal will consider the two plans and then choose between the long-term reform order requests



# Parameters for Final Orders

1. Adequately resourced, sustainable for present and future generations
2. Flexible and improve upon the Tribunal's previous orders
3. Incorporate regional and local First Nations perspectives
4. Evidence-based & respect substantive equality
5. Align with the spirit of the Tribunal's findings and rulings
6. First Nations-centered and respectful of distinct needs and perspectives
7. Culturally appropriate and reflect the culturally-based best interests of the child
8. Comply with domestic and international human rights
9. Strive for excellence rather than perfection, without compromising on the rights of children



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# Engagement Themes

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Purpose, principles & definitions

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Governance

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Enforcement & durability

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Funding commitments & arrangements

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Accountability

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Regional variations

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Reform of Indigenous Services Canada

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Research and outcome data

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Transitions & readiness

# Regional Engagements

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- Yukon: hybrid information and engagement sessions for Chiefs and Technical staff (CYFN)
- BC: 3 in-person sessions for Chiefs; 10 virtual sessions for CFS staff; Youth, Elder sessions (OCOW)
- Alberta: Treaty-specific engagement sessions
- Saskatchewan: Joint TAG-HSDC meeting to share engagement tools & information (FSIN); input document 2023-2024
- Manitoba: Seven virtual engagement sessions (MKO, SCO, FNFAO)
- Quebec: Regional engagement session and validation session (FNQLHSSC)
- New Brunswick: Engagement with all Chiefs and FNCFS agencies (MCFSNB)
- Prince Edward Island: Technical experts (MCPEI)

# What we Heard: Definitions & Principles

- Equity, Substantive Equality, Intergenerational Equality
- Best interest of the child
- Prevention
- Ordinarily resident on reserve
- Family, child, kin/kinship
- Wellness/wellbeing
- Cultural continuity
- Self-determination
- Delegated/non-delegated
- Data sovereignty



# What we Heard: Governance

## Rights Holders



# What we Heard: Governance

## Caring Society



## National Children's Chiefs Commission



## Assembly of First Nations





# NCCC Webinar: CHRT Update and Next Steps

November 28, 2025| Presented by **Cindy Blackstock, PhD**



First Nations Child & Family  
Caring Society of Canada

Société de soutien à l'enfance  
et à la famille des Premières Nations  
du Canada



## 2025 CHRT 80: Safeguarding Future Generations

- CHRT order providing guidance on long-term CFS reform
- Ontario Agreement and National reform continue concurrently and separately
- Order for Caring Society, AFN, in consultation with National Children's Chiefs Commission, to consult and return with a plan to stop Canada's discrimination and prevent recurrence on December 20, 2025
- Canada can work on a separate plan and file on December 22, 2025: Encouraged to meet with NCCC
- The order does not include Jordan's Principle

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EQUAL EDUCATION FOR  
FIRST NATIONS



# Minimum standards for long term reform 2025 CHRT 80

- Tribunal's order to cease discrimination is treated the same as an injunction (para 60)
- Orders meant to safeguard multiple generations (para 61)
- Improve on the CHRT orders and respect the spirit of the orders (para 113 (5))
- Based on best available evidence (para 113 (4))
- Respect the human rights in the Convention on the Rights of the Child and UNDRIP (para 113 (8))
- Incorporate regional and First Nations perspectives (para 113)
- Plan will proceed with or without Canada (para 125, 126)



# Engagement Parameters

01

Focuses on child and family service matters within the Tribunal's jurisdiction

02

Will engage Jordan's Principle to the extent it interfaces with child and family services (process for Jordan's Principle TBD)

03

Based on minimum standards set out in 2025 CHRT 80 (permanently end discrimination, spirit of orders is the floor, evidence based etc.)

# Engagement Themes

Purpose,  
Principles and  
Definitions

Governance of  
implementation

Enforcement and  
Durability

Funding  
Commitments and  
Arrangements

Accountability

Regional  
Variations

Reform of  
Indigenous  
Services Canada

Research and  
Outcome Data

Transitions and  
Readiness

Other?

# Canada's response to 2025 CHRT 80



Canada applied to the Federal Court for judicial review (appeal)



Grounds for judicial review are vague



Case management judge has been appointed



Canada wants to have the matter addressed in writing



Caring Society and AFN object to addressing it in writing noting the importance of oral arguments

# Regional Data Analysis Update

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01

**Analysis method:  
Underway and  
being cross  
checked by First  
Nations experts**

02

**Analysis: Two  
themes near  
completion  
(principles, policy  
and governance)**

03

**Preliminary  
Analysis  
completion date:  
December 18,  
2025**

04

**National/Regional  
split planned to  
facilitate analysis**

# Research to end Canada's discrimination

## IFSD Phase 3 for Agencies largely complete (complete)

- Block funding approach for agencies
- Clarifies the prevention amount of 2500 assumes existing infrastructure
- Posted on ifsd.ca

## IFSD Unaffiliated to a First Nations (Completed)

- Proposes three options for unaffiliated First Nations.
- Posted on ifsd.ca

## Engage First Study on Small Populations(Complete)

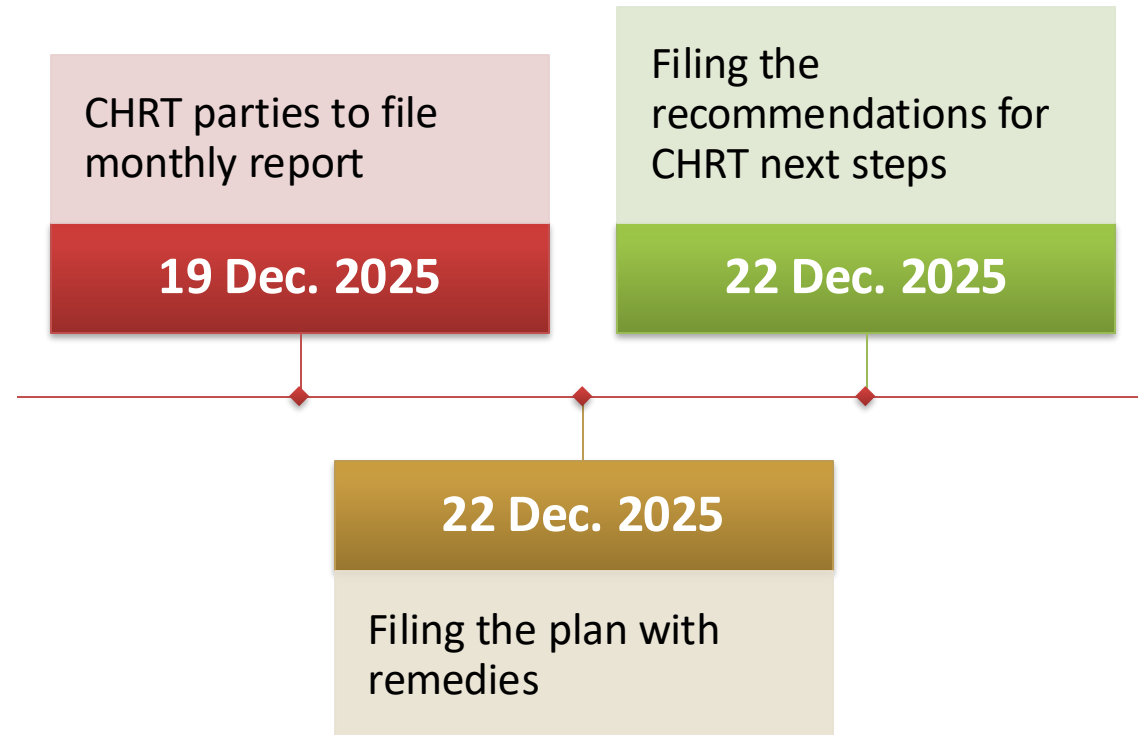
- Nearing completion to safeguard small population First Nations from discrimination
- Report posted on fnwitness.ca

## Jordan's Principle

- **Complete**
- Proposes long term remedies based on better data collection
- Posted on ifsd.ca



# Key CHRT dates



# How to help

1

Press Canada to stop fighting First Nations children in court, comply with the legal orders to stop discriminating against First Nations children and implement evidence informed solutions

2

Support/contribute funding for the NCCC.



# fncaringsociety.com

🦋 CaringSociety

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📷 fncaringsociety



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# EXPERT ADVISORY COMMITTEE (EAC)

## ADVANCING THE REFORM OF INDIGENOUS SERVICES CANADA

### NCCC WEBINAR: LONG-TERM REFORM OF FIRST NATIONS CHILD & FAMILY SERVICES

NOVEMBER 2025





# AGENDA



Who we are.



Summary of Activity (2022 –2024).



Challenges Encountered (2024–2025).



Key recommendations from  
EAC Progress report (2024)



Recent Developments  
(Fall–Winter 2025)



Moving Forward

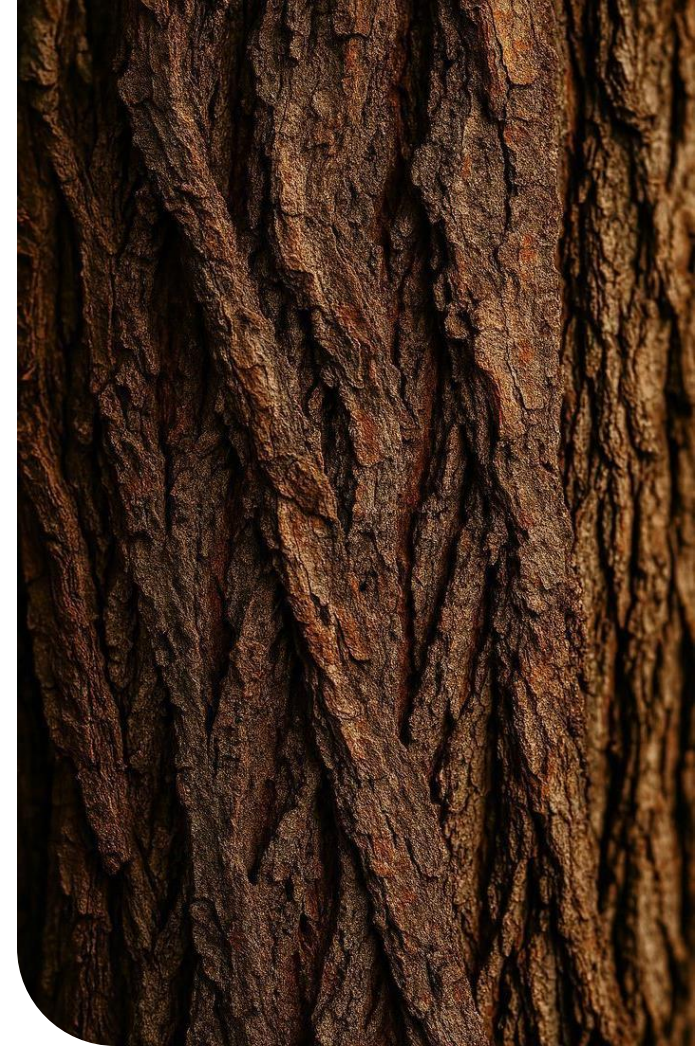
# WHO WE ARE.

**The Expert Advisory Committee (EAC)** was established to provide independent, informed guidance on eliminating discrimination in Indigenous child welfare.

- The EAC brings together experts from a wide range of fields, including law, psychology, history, social work, Indigenous knowledge and culture, advocacy, health, addictions, and evaluation.
- This collective expertise enables the EAC to offer well-grounded, evidence-based recommendations that reflect both historical and contemporary realities.

## **EAC Members:**

Alanis Obomsawin, Amber DVA Johnson, Carol Hopkins, Cedar lahtail, Kevin Page, Larry Bremner, Naomi Metallic, Raven Sinclair, and Rod McCormick.







# SUMMARY OF ACTIVITY 2022 –2024

- Assistance on the creation of an Evaluation monograph to support a third-party evaluation of ISC.
- EAC Terms of Reference development.
- Cultural Competency vs. Cultural Humility Training.
- EAC Caucus meetings.

# CHALLENGES ENCOUNTERED (2024–2025)

No updates on the external evaluation of ISC.

Lack of communication for over a year, with no work completed under our mandate during that period.

No clarity on the EAC's ongoing role.

No mechanism for honouring past commitments or agreed-upon processes..

Limited ability for the EAC to operate as an independent body.

# KEY RECOMMENDATIONS FROM EAC PROGRESS REPORT (2024)

Address structural racism and redesign discriminatory systems.

Recognize and address the impact of historical trauma and cultural dislocation.

Advance community-led, rights-based approaches to child welfare reform.

Develop a service delivery model that includes a critical incident reporting mechanism.

Offer expert advice on short-, medium-, and long-term reforms to end systemic discrimination in Indigenous child and family services.

Ensure strong Indigenous oversight and meaningful inclusion of youth voices.

Shift from cultural competency to cultural humility in training and practice.







## RECENT DEVELOPMENTS (FALL–WINTER 2025)

The EAC has received new correspondence from ISC indicating that a formal EAC meeting is now planned for December 8, 2025.

This marks the first concrete step toward renewed engagement following an extended period of limited communication.



# MOVING FORWARD

The EAC remains committed to re-establishing a consistent working relationship with ISC and intends to use the December 8 meeting as an opportunity to advance this work.



The EAC will continue to prepare recommendations, strengthen internal coordination, and uphold its responsibility to provide expert, independent advice in support of long-term reform.

# MOVING FORWARD



**1**

clarify expectations regarding our ongoing mandate.

**2**

re-affirm the importance of meaningful collaboration and advocate for transparency and clear communication processes.

**3**

ensure alignment with the goals established under the CHRT order.

**4**

reinforce our full support for the efforts and direction of the National Children's Chiefs Commission as a key partner in long-term reform.

**5**

renew our role in advancing the structural reforms required to eliminate discrimination in Indigenous Services Canada.



# Q & A

THANK YOU.