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# Assembly of First Nations

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# Assemblée des Premières Nations

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## SPECIAL CHIEFS ASSEMBLY

December 5,6,7, 2023, Ottawa, ON

Resolution no.84/2023

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<b>TITLE:</b>	<b>Continuation of Funding at Actuals for Post-Majority Support Services and Support for High Needs Jordan's Principle Recipients</b>
<b>SUBJECT:</b>	Child and Family Services, Jordan's Principle
<b>MOVED BY:</b>	Chief Brian Perrault, Couchiching First Nation, ON
<b>SECONDED BY:</b>	Chief Mark McCoy, Ojibways of Batchewana First Nation, ON
<b>DECISION</b>	Carried by Consensus

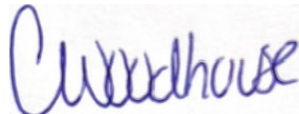
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## WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
  - ii. Article 7 (2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
  - iii. Article 22 (1): Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
  - iv. Article 22 (2): States shall take measures, in conjunction with Indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination).
- B. Pursuant to the *Agreement-in-Principle on Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle*, executed December 31, 2021, Canada agreed to:

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Certified copy of a resolution adopted on the 7th day of December 2023 in Ottawa, Ontario



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CINDY WOODHOUSE, NATIONAL CHIEF

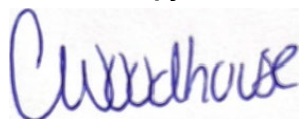
- i. fund post-majority support services for First Nations youth “aging out” of care to the age of 25 at the actual cost of delivering services/supports, as determined by the First Nation or First Nations Agency.
  - ii. assess the resources required to assist families with navigating access to additional supports past the age of majority for high needs youth accessing Jordan’s Principle.
- C. Both of these funding commitments were further ordered on consent by the Canadian Human Rights Tribunal in 2022 CHRT 8.
- D. Transition to adulthood for First Nations youth aging out of care has historically been significantly underfunded causing serious harms to youth such as heightened risks of homelessness, substance use challenges, and incarceration.
- E. There is convincing evidence, including before the Tribunal, that brain development continues up to age 26 during a period known as “emerging adulthood” meaning that young adults between the age of majority and their 26<sup>th</sup> birthday benefit from additional supports tailored to their needs, cultures, and contexts.
- F. Indigenous Services Canada has imposed a deadline of March 31, 2024, for the end of funding at actuals for post-majority support services for youth aging out of care.
- G. The majority of First Nations have not had the opportunity to access funding at actuals for post-majority support services for their youth due to short timelines, lack of awareness, and capacity challenges, despite the significant demonstrated need for support for all First Nations youth transitioning to adulthood.
- H. The needs of high needs Jordan’s Principle recipients do not end when they are reaching the age of majority in the province or territory where they reside, and there are limited, and in many cases non-existent, supports and services for these youth to turn to as adults.
- I. Canada’s commitments to assessing the resources required for Jordan’s Principle post-majority navigation supports do not go far enough to address the actual needs of First Nations youth with high needs reaching the age of majority.

**THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:**

1. Call upon Indigenous Services Canada (ISC) to extend the deadline for access to funding at actuals for post-majority support services for youth aging out of care for First Nations and First Nations Agencies pursuant to 2022 CHRT 8 until such time as a funding model can be developed that meets distinct community needs (including remoteness), is consistent with substantive equality, and is endorsed by First Nations-in-Assembly.
2. Call upon ISC to immediately implement its commitment to fund navigation support for high needs children accessing Jordan’s Principle after the age of majority and to provide said supports to any young adults retroactively who would have otherwise benefited from the Order but are now 26 years of age or older.
3. Call upon ISC to immediately extend the age of majority for Jordan’s Principle and fund post-majority supports for youth up to age 26, or older.
4. Call upon ISC to work with the Parties to the Tribunal proceedings to develop pathways for youth aging out of care to access post-majority support services independent of an agency or a First Nation.

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**Certified copy of a resolution adopted on the 7th day of December 2023 in Ottawa, Ontario**



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**CINDY WOODHOUSE, NATIONAL CHIEF**