

CHRT Update AFN SCA

Presented by
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July 10, 2023



First Nations Child & Family
Caring Society of Canada

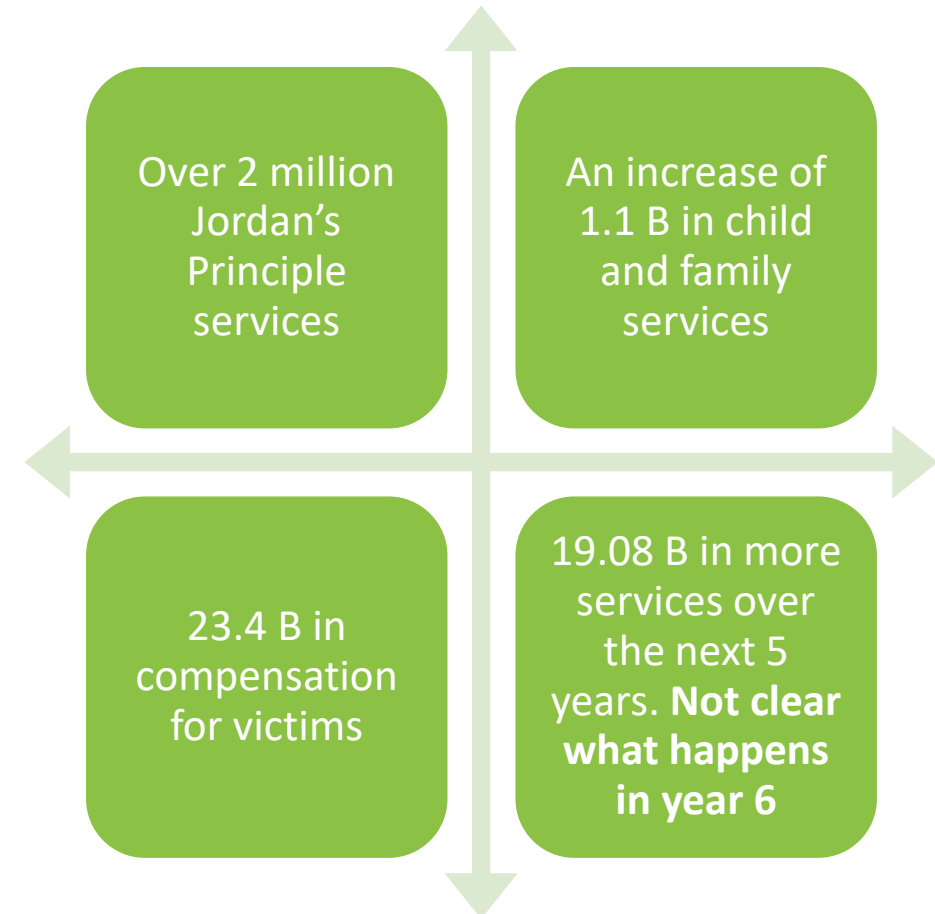
Société de soutien à l'enfance
et à la famille des Premières Nations
du Canada



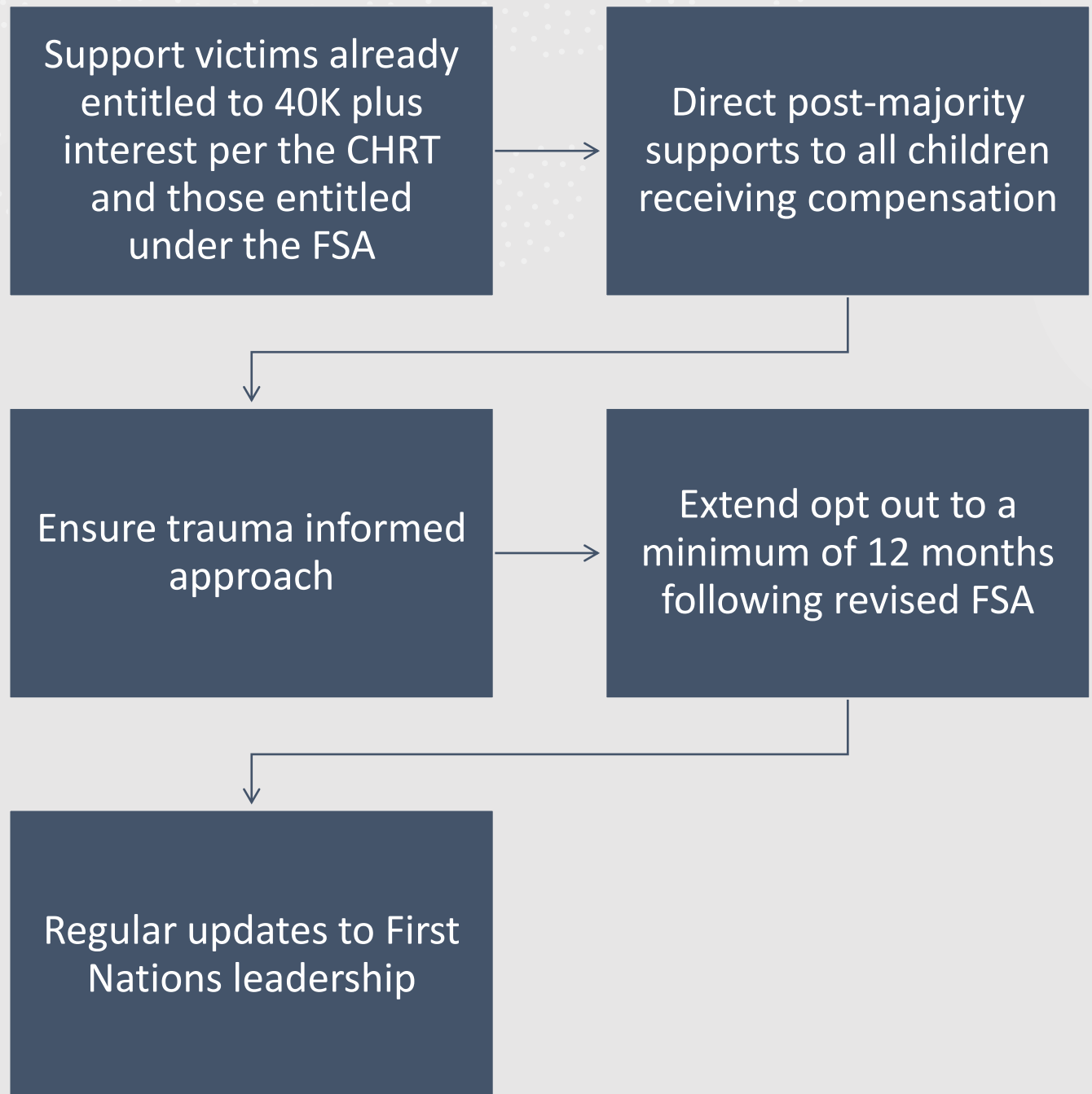


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What did the CHRT change for children?



AFN Resolution 28/2022 Compensation



Compensation: Next Steps

CHRT Determination of motion to CHRT to approve the Revised FSA

Caring Society, AFN and Canada

Federal Court

Determination of motion to approve the Revised FSA
(conditional on CHRT approval)

Class action parties (AFN/Moushoom) and Canada

Implementation and AFN and Canada drop appeals of CHRT compensation orders (conditional on CHRT and Fed. Court approval and ongoing Fed. Court supervision).

Class action parties and Canada

Compensation: How you can help

Providing expert advice on how to best identify children:

Who were moved during a
child welfare intervention

Placed in a kith placement
off reserve

Between 2006-2022



Advice on supports to locate records and support
beneficiaries



Educating and informing beneficiaries of their rights in a
class action.

AFN Resolution 2022/40 Long-term Reform

Requires no reduction in funding

Directs extension of negotiation
timeframes

Requires evidence informed long-term
reform proposals

Review by technical experts

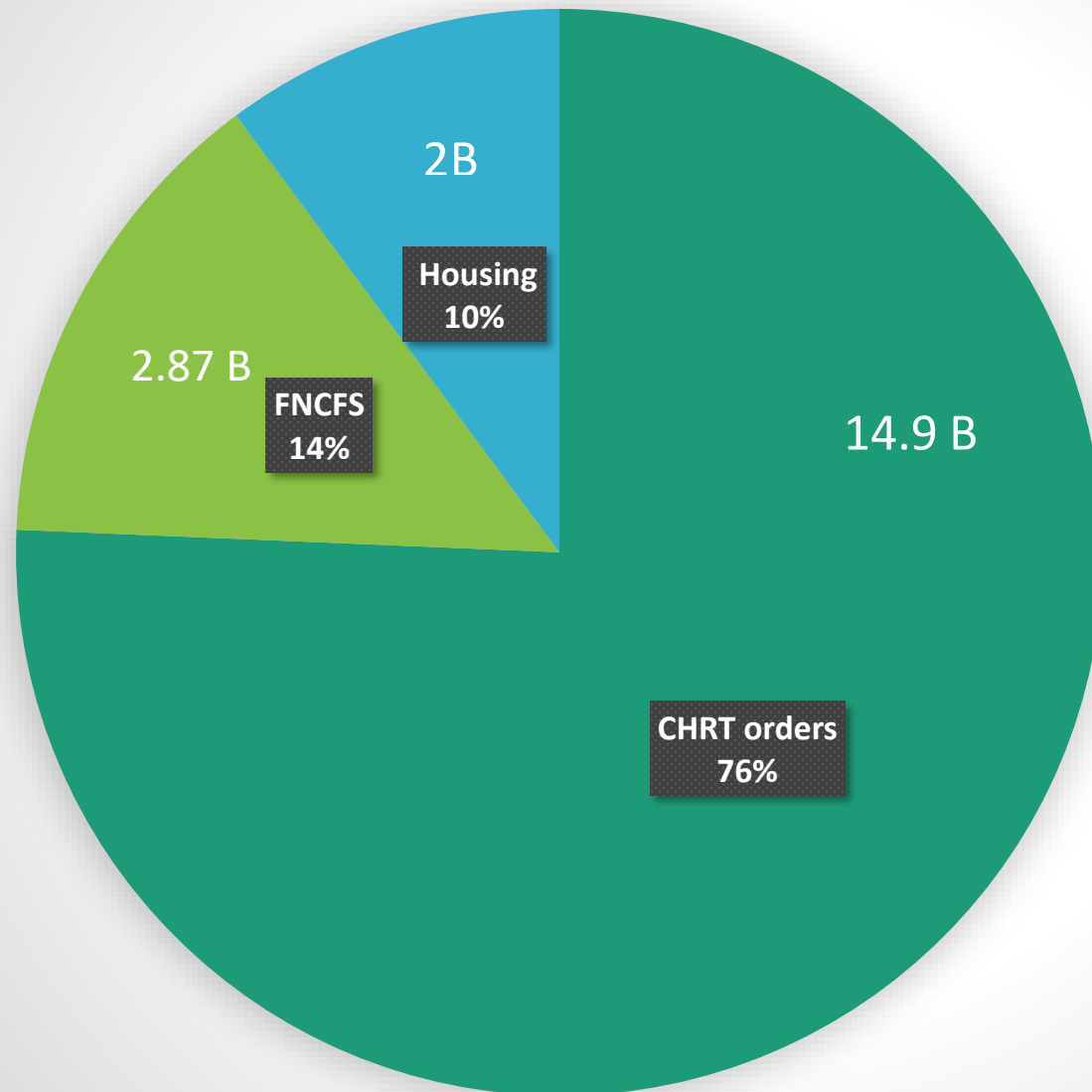
FSA approval by Chiefs in Assembly

Timeline to Final Settlement Agreement on CFS and Jordan's Principle

Date	Community based research	Review by First Nations experts	Decision making by Leadership
March 31, 2023	First Nations Agencies	April-November 2023	December 2023
September 15, 2023	First Nations without Agencies	September-November 2023	December 2023
TBA	Reform the department		
May 2024	Jordan's Principle	May-July 2024	2024

AIP Funds Secured by CHRT orders v. Remaining

Remaining funds in
AIP equals 574 M per
year



■ CHRT orders

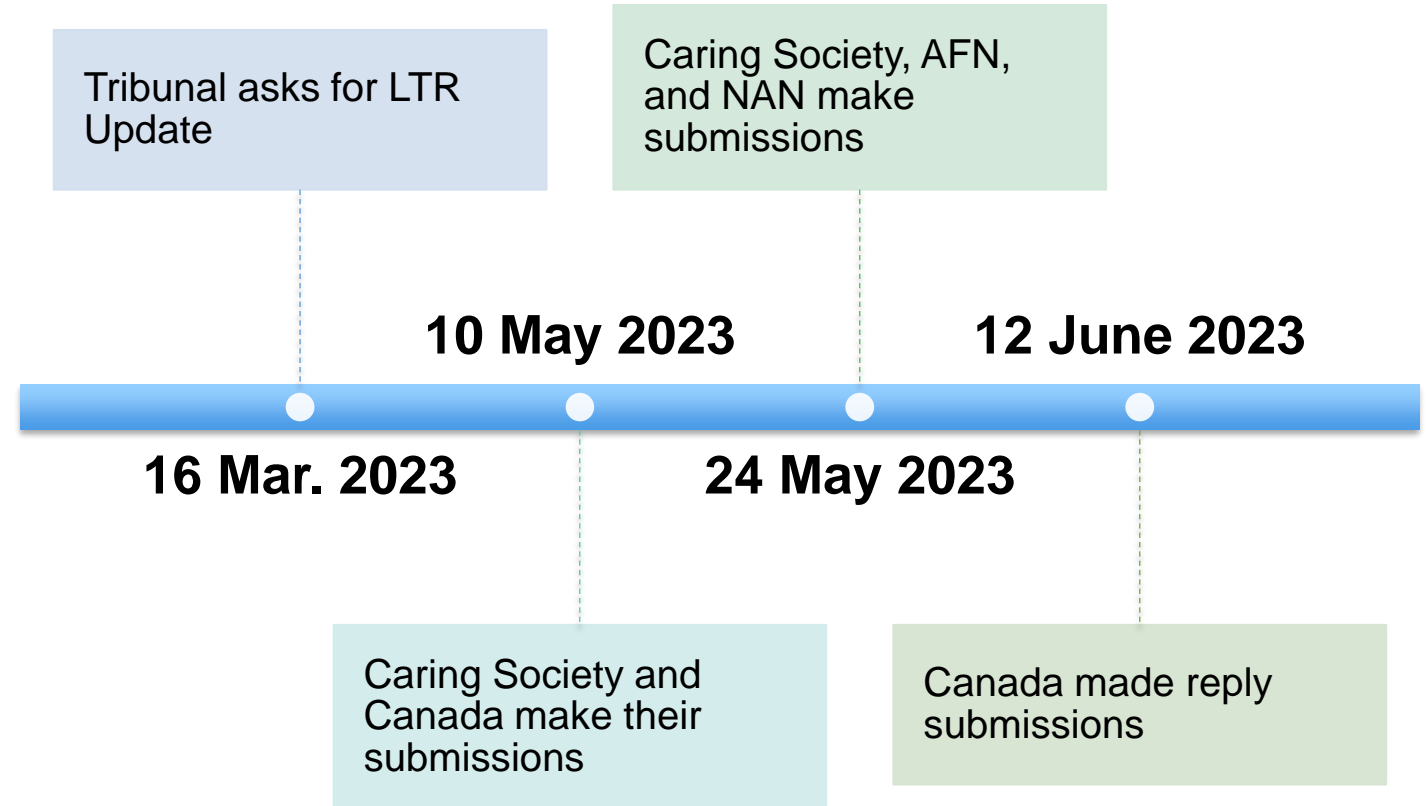
■ FNCFS

■ Housing

Prevention
funding: 2022
CHRT 8 para.
172 (7)(8)

“Canada shall fund the \$2500 per person resident on reserve and in the Yukon in total prevention funding in advance of the complete reform of the FNCFCS Program funding formulas, policies, procedures and agreements. Canada shall fund the \$2500 on an **ongoing basis adjusted annually based on inflation and population until the reformed FNCFS Program is fully implemented.**”

Recent CHRT Submissions on Long-Term Reform



Key issues in Tribunal submissions



CONCERNS REGARDING CANADA'S
2 PERCENT INFLATION
ADJUSTMENT TO PREVENTION;



QUESTIONS REGARDING
CANADA'S APPROACH TO
POPULATION COUNTS



CONCERNS ABOUT CANADA'S
APPROACH TO JORDAN'S
PRINCIPLE

Key Next Steps on CFS

01

Complete -IFSD
Research on First
Nations Child and
Family Services

02

Review proposed
funding approach
with regional
experts

03

First Nations
Leadership
Decision Making
Final Settlement
Agreement on
CFS

What still needs to be done for Jordan's Principle?



Determine

Determine what requests are funding shortfalls in other federal programs



Cost out

Cost out the community navigator program



Ensure

Ensure ISC compliance with existing orders



Work

Work to calculate the growing costs of Jordan's Principle



Propose

Propose Long term funding approach

Next Steps on Jordan's Principle

01

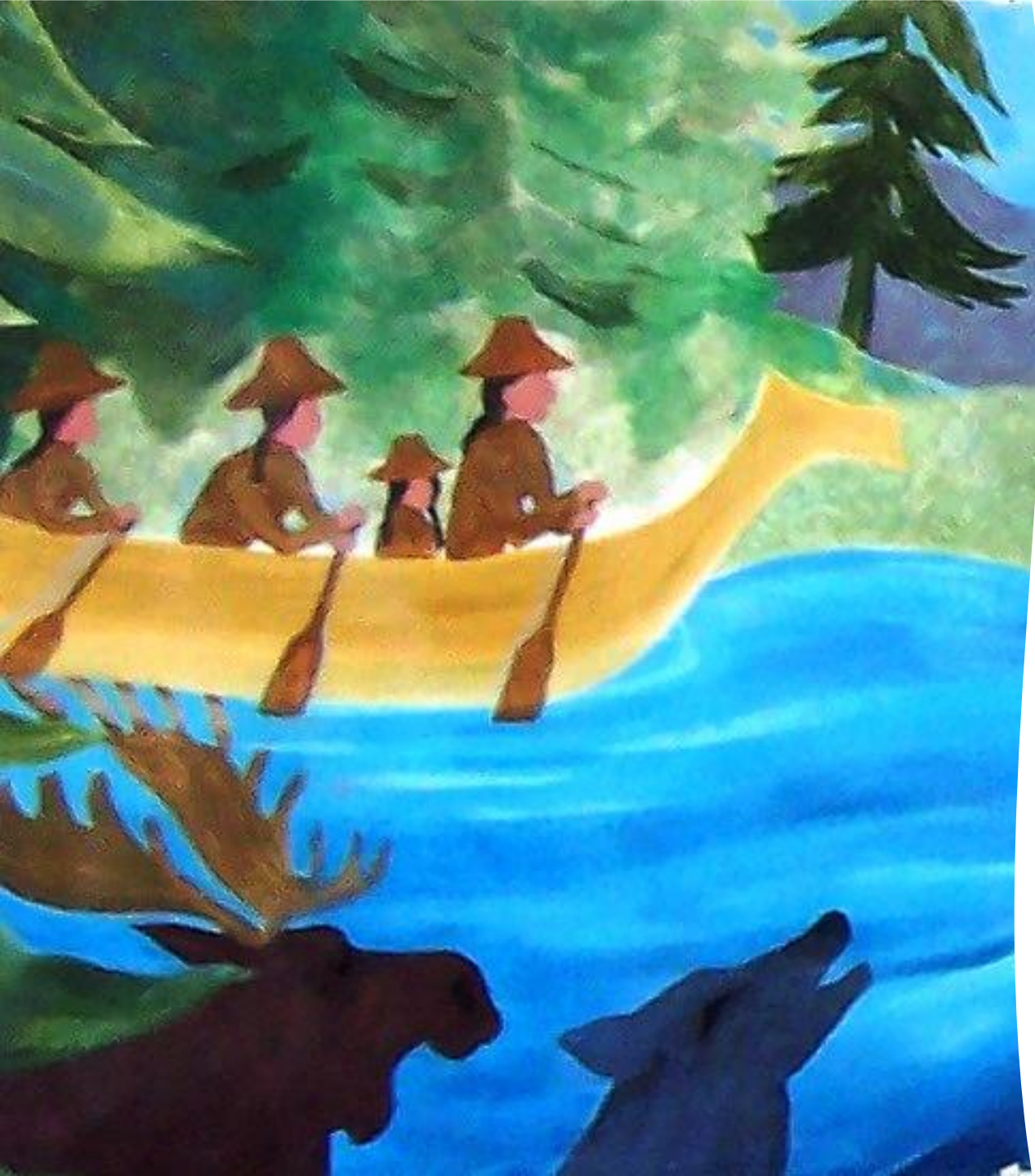
IFSD RESEARCH TO
INFORM LONG TERM
REFORM ON
JORDAN'S PRINCIPLE

02

EXPERTS TO REVIEW
RESEARCH TO
INFORM LONG-TERM
REFORM ON
JORDAN'S PRINCIPLE

03

FIRST NATIONS
LEADERSHIP
DECISION MAKING ON
FINAL SETTLEMENT
AGREEMENT ON
JORDAN'S PRINCIPLE



Key Questions about the Long-Term Reform

What happens in year 6 and beyond?

What is included in the 19.8B?

What funding approaches are First Nations and First Nations agencies transitioning to and what say do they have in when they transition?

What happens if the Tribunal is gone solutions are approved by leadership?

Why is Canada holding back 4.7 B from the AIP v. paying it now?

What happens to Jordan's Principle?

How You can Help

Press	Press Canada to immediately release remaining 574M per annum
Advocate	Advocate for inflation based on Consumer Price Index
Ensure	Ensure Reform goes beyond year 6
Participate	Participate in ongoing Jordan's Principle research
Call	Call for implementation of the Spirit Bear Plan
Support	Ongoing work to ensure compliance with CHRT orders

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