



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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October 20, 2015

Justin Trudeau
Prime Minister-designate
80 Wellington Street
Ottawa, ON K1A 0A2

Subject: First Nations Child and Family Caring Society of Canada and Assembly of First Nations v Attorney General of Canada

Dear Mr. Prime Minister-designate,

As a preliminary matter, the First Nations Child and Family Caring Society of Canada ("Caring Society") wishes to congratulate you on your recent election. We are hopeful that your election will bring the winds of change that are necessary to moving Canada forward, in particular with regard to the long and sad history of the federal government's relationship with Indigenous Peoples.

As you are aware, in 2007, the Caring Society and the Assembly of First Nations filed a human rights complaint against the federal government regarding the inequality of treatment between First Nations children living on-reserve and children living off-reserve. In line with numerous expert studies and reports over the last twenty years, our complaint alleges that funding for child and family services on reserve is insufficient and discriminates against First Nations children on the basis of race and national ethnic origin, which is contrary to section 5 of the Canadian Human Rights Act.

The federal government has a longstanding pattern of discrimination against First Nations peoples, and First Nations children in particular. The multiplier effect of discriminatory federal funding regimes for providing services like child welfare, education, health care and basics like water and housing have created deep levels of multi-generational harm for First Nations children. This discrimination is also a black mark on Canada, as repeated federal governments have consciously used racial discrimination against children as a fiscal restraint measure.

After numerous delays and false-starts, many of which were caused by the outgoing government's litigation tactics or their appointees, a hearing began in February 2013 before the Canadian Human Rights Tribunal and was completed on October 24, 2014. A year later, First Nations children are still awaiting the Tribunal's decision. In the meantime, the most vulnerable group of children in Canada continues to suffer from systemic injustices and from the consequences of historic and ongoing discrimination against First Nations children and their families.

You will become the Prime Minister of Canada at a turning point in the history of Canada's relationship with Aboriginal peoples. Seven years after the outgoing government's landmark apology for the tragedy of the Indian Residential School system, little progress has been made, and much remains to be done. The Truth and Reconciliation Commission presented its findings in July 2015 and your electoral platform made a point of ensuring these recommendations would be enacted – your new government cannot

delay in this important work. You have the opportunity to be an ally to the cause of First Nations children and families everywhere

Based on your platform and your commitments to Canadians throughout this past election campaign, we expect that help for First Nations children regarding issues like “housing, infrastructure, health and mental health care, community safety and policing, child welfare, and education” is quickly on the way.

Children only have one childhood and First Nations children have waited long enough. Your new government need not wait for the Tribunal's decision regarding the Caring Society's complaint to take action to end the ongoing and systemic discrimination in Canada's provision of First Nations child and family services on reserve. Equitable reform of child welfare was the Truth and Reconciliation Commission's top call for action: every day that the status quo is allowed to persist is one too many.

To that end, the Caring Society calls on your new government, within its first 100 days, to introduce the legislative, regulatory, and policy changes required to resolve the serious and ongoing discrimination First Nations children living on-reserve have faced for too long. To that end, the Caring Society will offer whatever support your new government requires to achieve this ambitious, yet realizable goal. In addition, we call on you to ensure every Member of Parliament receives mandatory training on Aboriginal peoples and the Truth and Reconciliation Commission's Report within 60 days of the election to better prepare them to fully realize a better future for Aboriginal peoples and all Canadians.

Children are the future of our society. In order to ensure that First Nations children benefit from the “Real Change” your new government promises, we must act as soon as possible to help First Nations' children, to put an end to current inequalities, and to prevent future discrimination.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Blackstock', written in a cursive style.

Cindy Blackstock, PhD
Executive Director