



SOCIAL DEVELOPMENT SECTOR

What has the Social Development Sector worked on over the last quarter?

The Assembly of First Nations (AFN) Social Development Sector contributed significantly to the development of the *Protocol regarding an Act respecting First Nations, Inuit and Métis children, youth and Families in relation to the Assembly of First Nations* (the Protocol), which was signed by National Chief Perry Bellegarde and Minister of Indigenous Services Marc Miller on July 7, 2020. The Protocol ensures a First Nations distinctions-based approach to implementing the new Indigenous child and family services legislation: *An Act respecting first Nations, Inuit and Métis children, youth and families* (the Act). Additionally, the Social Development Sector has worked with the Institute of Fiscal Studies and Democracy (IFSD) to research a new performance-based funding approach for First Nations Child and Family Services (FNCFS) Agencies.

In September 2019, the Canadian Human Rights Tribunal (CHRT) ordered Canada to pay the maximum allowable compensation for victims of discrimination under the FNCFS Program and Jordan's Principle. In October 2019, Canada filed for judicial review of this ruling. More recently, the Social Development Sector has worked with the Parties to the CHRT to outline a framework for compensation under the ruling. The AFN also filed a \$10 billion class action lawsuit in January 2020 to build on the work at the CHRT, including covering those victims who were excluded from the CHRT's ruling on compensation.

In addition to work related to the CHRT, the Social Development Sector has continued advocacy on the operationalization of Jordan's Principle through various committees, including the Jordan's Principle Action Table and the Jordan's Principle Operations Committee, to ensure that First Nations children are receiving the products and services they need. The Social Development Sector has recently started work on an evaluation of the governance of Jordan's Principle seeking to identify any gaps in the existing governance structure and to ensure regional representation in Jordan's Principle operations matters.

Poverty reduction is at the forefront of the work related to the Social Programs, including Income Assistance, Assisted Living, Family Violence and the Poverty Reduction Strategy. The Social Development Sector has collaborated with the AFN Housing and Infrastructure Sector and the Policy Sector to jointly move this work forward, which includes starting work to identify First Nations-specific definitions and measures of poverty and exploring First Nations Guaranteed Basic Income.

The Social Development Sector has worked closely with the National Expert Working Group (NEWG) on First Nations Early Learning and Child Care (ELCC) to support implementation of the Indigenous ELCC and First Nations ELCC Frameworks. The Social Development Sector has continued to work towards a First Nations-determined model for funding First Nations ELCC.

Are there recent current events or government action affecting your Sector or its priorities?

Recent federal investments and commitments to support individuals and families through the COVID-19 pandemic have responded to the AFN's advocacy for additional support for First Nations.

Under the leadership of National Chief Perry Bellegarde and the AFN portfolio holder, Manitoba Regional Chief Kevin Hart, the Social Development Sector's advocacy to support First Nations children, families and



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FNCFS Agencies during the pandemic has resulted in a moratorium on First Nations youth aging out of care until at least September 2020, to ensure that no youth are without supports during this time. Indigenous Services Canada (ISC) continues to cover the eligible maintenance costs to FNCFS Agencies providing services to youth who would have aged out of care during this time. The AFN has also successfully advocated for all COVID-19-related expenses to be reimbursed to FNCFS Agencies. Jordan's Principle continues to be available to First Nations children during this crisis, however a further influx in requests is anticipated as specialists and providers begin to re-open, and when schools resume in-person classes. The AFN will continue its advocacy to ensure that Jordan's Principle is meeting the needs of First Nations children, throughout and after the pandemic.

The COVID-19 pandemic has significantly impacted ELCC for children, families and care providers. With the mandatory shutdown of many ELCC programs during the pandemic, COVID-19 has increased the instability of the First Nations ELCC sector. The pandemic has also highlighted the adaptability of those working within ELCC to still meet the needs of First Nations children and families, for example providing online content and food hampers. The NEWG has met several times to discuss the COVID-19 crisis and share promising practices from the regions as the ELCC sector begins to reopen and recover, and the AFN has advocated for additional investments to support the First Nations ELCC sector to stabilize. Additionally, the AFN has been active in advocating for investments to support individuals and families throughout the COVID-19 pandemic, including those related to Income Assistance and the Family Violence Prevention Program. The AFN's advocacy will continue to shift to align with First Nations priorities related to the Social Programs.

The AFN is mandated to research options and viability for a First Nations Child and Youth Advocate in each region. With the introduction of Bill S-217, *An Act to establish the Office of the Commissioner for Children and Youth in Canada*, the Social Development Sector is revisiting this research to include the proposed legislation and what impacts it may have for First Nations.

What is your Sector planning for the future?

The AFN will continue to advocate for a moratorium on First Nations youth aging out of care until the pandemic is over, and will continue advocating for sustainable statutory funding for the FNCFS Program and Agencies, including reform and creating new laws in First Nations, leveraging the work of the IFSD to pursue a new funding model. The Sector will continue work related to compensation under the CHRT and the Federal Class Action related to FNCFS and Jordan's Principle. The AFN will work to ensure that the governance and operationalization of Jordan's Principle is adequately meeting the needs of First Nations children through the ongoing work of the Jordan's Principle Action Table and the Jordan's Principle Operations Committee.

The Sector will continue advocating for supports to stabilize the ELCC sector during COVID-19 recovery, including an ELCC sector wage enhancement, and support regions through national-level discussions and information sharing. The work towards a First Nations-determined funding model for ELCC will continue, with the NEWG bringing options to the First Nations-in-Assembly by December 2020. The Sector will seek funding to support a First Nations Guaranteed Basic Income study and work towards defining poverty according to First Nations and will continue advocacy for poverty reduction for all First Nations through bolstering the Social Programs.