



News Release

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REPRESENTATIVE WELCOMES TODAY'S RULING BY CANADIAN HUMAN RIGHTS TRIBUNAL

Today's landmark ruling by the Canadian Human Rights Tribunal, formally recognizing that federal provision of First Nations child and family services on-reserve across Canada is discriminatory, is a welcome and important step toward equality for Aboriginal children with their non-Aboriginal peers, said Representative Mary Ellen Turpel-Lafond.

The ruling came in Ottawa, the result of a nine-year process initiated by the First Nations Child and Family Caring Society and the Assembly of First Nations when they filed a complaint under the *Canadian Human Rights Act* in February 2007.

"This decision confirms what generations of Aboriginal peoples have known and experienced – in this country, Aboriginal children have been treated as lesser, second-class, and undeserving of the opportunities, services, and care afforded to others," Turpel-Lafond said. "This is an important ruling and one that promises to help lead to positive change on the ground."

Since its inception, the Representative for Children and Youth's Office has opened more than 15,000 advocacy cases across British Columbia, many involving Aboriginal children. The RCY has worked closely with Aboriginal families and organizations and dealt with the negative impact and harm of this discrimination on Aboriginal children.

"Even as an advocate, it is so difficult to obtain quality services for Aboriginal children," Turpel-Lafond said. "It simply must become a lot easier for these kids and their families to get the support they need and deserve. I believe that today's decision is a step toward that."

Aboriginal children are significantly over-represented among children who are in the care of provincial and territorial governments across Canada. In B.C., more than 60 per cent of the children and youth in care are Aboriginal and that number is growing. The fact, as confirmed by the Tribunal today, that services provided to Aboriginal children and families are not equitable with those provided to non-Aboriginals has contributed greatly to that over-representation, Turpel-Lafond said.

The Tribunal decision orders Aboriginal and Northern Development Canada (AANDC) to “*remove the most discriminatory aspects of the funding schemes it uses to fund [First Nations Child and Family Services] Agencies under the FNCFS Program.*” It also calls for AANDC to “*ensure equitable levels of service, including funding thereof, for First Nations child and family services on-reserve.*”

How the ruling translates into practical help for Aboriginal children and families is a key going forward, said Turpel-Lafond. It is most important that Aboriginal children and families receive equitable access to high-quality services in such areas as mental health treatment, parenting support, addictions services, adoption, kinship care and foster care supports, special needs supports and trauma-informed child welfare services.

While investment by government is important, Turpel-Lafond pointed to the Tribunal ruling’s call for a reform of the FNCFS program to address the real needs of First Nations children and families living on-reserve. “*It is like adding support pillars to a house that has a weak foundation in an attempt to straighten and support the house,*” the ruling said. “*At some point, the foundation needs to be fixed or, ultimately, the house will fall down.*”

Turpel-Lafond praised the persistence and sacrifice of Cindy Blackstock of the First Nations Child and Family Caring Society and many others who have worked toward this ruling for the past nine years.

“As my Office has called for in the past, the federal government must now also take on a truly active partnership role with provincial and territorial governments and First Nations communities to ensure the well-being of Aboriginal children and youth,” the Representative said.

“The new federal government has said that its relationship with Aboriginal peoples is the most important relationship it must work on. That begins with our children.”

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