



Nishnawbe Aski Nation

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NEWS RELEASE

Thursday September 15, 2016

FOR IMMEDIATE RELEASE

NAN WELCOMES RULING IN LANDMARK HUMAN RIGHTS CASE

THUNDER BAY, ON: Nishnawbe Aski Nation (NAN) Grand Chief Alvin Fiddler welcomes a decision today by the Canadian Human Rights Tribunal in the First Nations Child and Family Caring Society proceedings. The Tribunal's decision recognizes the importance of factoring in remoteness in the delivery of child and family services in First Nation communities within NAN territory and across Canada.

"This decision recognizes that remote and northern communities face vastly different realities in the delivery of child and family services and we are pleased that the Tribunal agrees that these remoteness realities must be addressed Canada-wide in overhauling these services to First Nations," said NAN Grand Chief Alvin Fiddler. "Raising remoteness issues is our primary role as an intervenor in these proceedings. We are pleased the Tribunal accepted our submissions on the differential impact on remote communities and has made repeated references to the importance of factoring in remoteness in the delivery of First Nations child and family services throughout the country."

The Tribunal accepted NAN's vision of a "remoteness quotient" and the application of a northern remoteness factor in the immediate term - not only in Ontario, but throughout Canada. In particular, the Tribunal stated that it:

"agrees with the NAN that a remoteness quotient needs to be developed as part of medium to long term relief and that data needs to be appropriately collected."

The Tribunal also stated that it:

"agrees with the NAN that while a robust, empirically-based remoteness quotient is being developed, adjustments reflecting northern remoteness realities can be undertaken in the immediate term."

Additionally, the Tribunal recognized the Assembly of First Nations' (AFN) submission that remoteness is a national issue, stating that the Tribunal:

"also agrees with the AFN that this should not only apply to Ontario but, rather, the application of remoteness factors ought to be considered across Canada."

The precedent-setting First Nations child welfare case *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada* was launched by the Assembly of First Nations and the First Nations Child and Family Caring Society of Canada in 2007. The case was brought on behalf of 163,000 children after the federal government failed to implement child welfare reforms recommended by several reports documenting inequalities in funding and access to services.

The Tribunal delivered a landmark decision in January 2016 that the Government of Canada's failure to provide equitable child welfare funding for vulnerable First Nations children is discriminatory. The Tribunal confirmed that the federal government is accountable for failing to provide First Nations the same level of child welfare services as the rest of Canada, which is discriminatory and contrary to the Canadian Human Rights Act.

NAN was granted intervenor status in the Tribunal proceedings in May 2016, allowing NAN to make submissions and important contributions to remedies that will have a direct impact on the delivery of child welfare in NAN First Nations.

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