

Loving Our Children: Finding What Works for First Nations Families

Canada Research Chair in First Nations Child and Family Services
Implementation 2023-2030



Information Sheet #13

The Impact of Changes in Jordan's Principle Funding on Prevention Programs and Child and Family Services

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In 2016, the Canadian Human Rights Tribunal (CHRT) found that First Nations children were being unnecessarily taken into child welfare care due to an inequitable provision of federally-funded education, health, social and prevention services.² Children with disabilities or multiple service needs were especially at risk of child welfare placement due to a lack of culturally appropriate and relevant services, particularly on reserve. The federal Government was ordered to stop discriminating against First Nations children and to reform its First Nations Child and Family Services (FNCFS) system and funding framework, to fully implement Jordan's Principle.

Jordan's Principle

Jordan's Principle (named for Jordan River Anderson) aims to ensure First Nations children can access the products, supports and services for health, education and social needs. Requests are reviewed according to considerations of substantive equality, the child's needs and best interests, culturally appropriate services and distinct community circumstances. The federal approach to Jordan's Principle has evolved in response to a series of CHRT rulings and related policies, such as Back to Basics (B2B). The B2B approach was designed to reduce federal red tape while ensuring accountability with the use of

This information sheet is [one in a series](#)¹ about child welfare, written for First Nations developing child and family prevention services as part of the systemic reform underway across Canada.

professional letters. Overall, B2B was intended to "be non-discriminatory, centre the needs and best interests of the child, consider distinct community circumstances, ensure substantive equality and culturally relevant service provision, be simple to access, be timely and minimize the administrative burden on families."³

Since 2016, the federal rollout, funding and infrastructure for Jordan's Principle and First Nations Child and Family Services (FNCFS) have been found to be uncoordinated, undefined and insufficiently documented. While Jordan's Principle has been life-changing and positive for many First Nations children whose families have accessed funds to ensure substantive equality and address service gaps, Canada's flawed implementation has been criticized by First Nations,⁴ the CHRT⁵ and the Federal Court.⁶ In particular, Canada's unilateral implementation of policies that narrow eligibility and delay access,

the violation of legal timelines for determination and a failure to reimburse for approved services have been highly problematic.

Risks to the Sustainability of Jordan's Principle

Research by the Institute for Fiscal Studies and Democracy (IFSD) recommends improved data collection, a revised structure and legal framework and filling gaps in other underfunded federal services to reduce service demands on Jordan's Principle.⁷

"Data gathered by Indigenous Services Canada (ISC) are insufficient to demonstrate results for children or to identify gaps in related program areas. The current structure, funding and accountability around the implementation of Jordan's Principle are concerning from a public financial management perspective. Its administration and delivery are risks to both its sustainability and the First Nations children it is intended to serve."⁸

Jordan's Principle Funding Mechanisms

Jordan's Principle funds are disbursed in response to requests for health, social or educational services or products that are needed by First Nations children who are recognized by their First Nation, residing on- or off-reserve. Requests can be individual requests to meet the needs of a specific child or group requests to meet the shared needs of multiple children.

- Requests are typically made by a family, a service professional, an Elder or knowledge keeper or a representative of the child's First Nation. They need a letter of support from a relevant professional or Elder/knowledge keeper that shows how the requested product, service or support meets a child's unmet health, social or educational needs.
- Applications are received either:
 - 1 directly by Indigenous Services Canada (ISC) through regional **Focal Points** or the Jordan's Principle call centre. Focal Points either approve the request or send them for further consideration to the First Nations and Inuit

Health Branch (FNIHB), where a committee of experts evaluates them in a closed appeal process.

- 2 through local **Service Coordinators (also known as navigators)** employed by First Nations organizations or through an ISC-designated Jordan's Principle First Nations organization, such as a school, a child and family service, a Tribal Council or some other First Nations organization. In most jurisdictions, the Service Coordinator then sends the application to the ISC Focal Point for adjudication. However, some First Nations organizations can adjudicate applications using pre-designated ISC funds. For instance, in Saskatchewan, communities adjudicate Jordan's Principle applications directly using funds that ISC transfers to them to administer. First Nations have reported long delays in reimbursement, which hampers their ability to meet other community needs.

- Once applications are approved, families are reimbursed or payment is made directly to the service provider. Reimbursements are processed directly through ISC using a 15-day service standard or through First Nations organizations, which can pay some requests through funds flowing from ISC.
- If a request is denied, there is an internal ISC appeals process whose decision-making is reviewable by the Federal Court.

While over 90% of requests documented by ISC for Jordan's Principle funding are for specific individual children, communities can submit **Non-Specific Group Requests**. Examples of group requests include cultural programming with an Elder or occupational therapy services for a group of First Nations children and youth to be delivered on-reserve.⁹ Canada also reports a "backlog" of more than 140,000 cases in that have not been opened or entered into the database.

First Nations can access Jordan's Principle funding to buy or build **capital assets** needed to support the delivery of child and family services or provide

appropriate spaces to support the delivery of Jordan's Principle services.¹⁰ In practice, it has been difficult to access capital to support both CFS and Jordan's Principle services. The Council of Yukon First Nations has filed a motion in Federal Court that may help clarify guidelines for funding capital assets in the future.¹¹

How will Changes to Jordan's Principle Funding Impact Prevention and Child and Family Services?

Child welfare services for First Nations families ordinarily living on reserve are increasingly being delivered by FNCFS, consistent with *An Act respecting First Nations, Inuit and Métis Children, youth and families*. FNCFS are primarily funded by Indigenous Services Canada, with variations in provincial and territorial funding and delegation mechanisms. Indigenous Services Canada also started to provide First Nations communities with prevention funding in 2022, shared between FNCFS and a range of First Nations community prevention programs, to support families with children at risk of placement in out-of-home care.

Between fiscal years 2019/20 and 2023/24, ISC reports that Jordan's Principle annual expenditures increased from less than \$500 million to approximately \$1.8 billion.¹² This increase was driven primarily by individual requests under

\$5,000 and reflects a clearer understanding of children's unmet needs. In March 2025, Indigenous Services Canada unilaterally announced that it was narrowing the range of eligible Jordan's Principle requests particularly for First Nations children living off-reserve.

The impact of the eligibility changes for First Nations Child and Family Service programs and associated prevention programs is not clear. An independent analysis of Jordan's Principle expenditures found that in 2022/23, 5% of requests for children living on-reserve were specifically for social services, including family preservation, placement prevention, addressing unsafe living conditions and cultural awareness. Many other services, such as education support (11%) and economic support (12%), may also relate to the needs of children and families involved with child welfare or at risk of involvement.

Jordan's Principle requests are primarily processed for individuals on a case-by-case basis but ISC's poor documentation of services and expenditures and the lack of child specific data mean that "there is no way of knowing if Jordan's Principle is being administered and funded effectively to meet the needs of First Nations children."¹³ Careful monitoring is required to ensure that increased funding for prevention programs and for Child and Family Services is not offset by cuts to Jordan's Principle funding.

If you would like to share information about a First Nations child and family support initiative in your community, the Loving Our Children project researchers would like to hear from you. LOCwhatworks@gmail.com

Suggested Citation

Trocmé, N. & Blackstock, C. (September, 2025). *The impact of changes in Jordan's Principle funding on prevention programs and child and family services* [Information sheet #13]. Loving Our Children: Finding What Works for First Nations Families. <https://cwrp.ca/publications/impact-changes-jordans-principle-funding-prevention-programs-and-child-and-family>

Endnotes

- 1 <https://cwrp.ca/loving-our-children>
- 2 Canadian Human Rights Tribunal (2016, January 26). 2016 CHRT 2 (File No.: T1340/7008). <https://fncaringsociety.com/publications/2016-chrt-2-2016-tcdp-2>
- 3 First Nations Child and Family Caring Society (May 2023). *Back-to-Basics Approach for Improving Outcomes Under Jordan's Principle*. <https://fncaringsociety.com/publications/back-basics-approach-improving-outcomes-under-jordans-principle-information-sheet>
- 4 Assembly of First Nations (2024, December 5). *News conference following Special Chiefs Assembly to raise concerns about Jordan's Principle funding*. [Video]. YouTube. <https://www.youtube.com/watch?v=Y2-vjZ706u8>
- 5 First Nations Child and Family Caring Society (n.d.) CHRT orders. <https://fncaringsociety.com/i-am-witness/chrt-orders>
- 6 First Nations Child and Family Caring Society (2025, July). Federal Court Decision on Jordan's Principle: *Cully v. Canada* Information Sheet. <https://fncaringsociety.com/publications/2025-fc-1132-cully-v-canada>
- 7 Institute of Fiscal Studies and Democracy (2025). *Considerations for the sustainability of Jordan's Principle: Draft*. https://ifsd.ca/wp-content/uploads/2025/05/2025-05-16_Jordans-Principle-DRAFT-FINAL-REPORT.pdf
- 8 Ibid.
- 9 Indigenous Services Canada (2022, December). *Making a group request through Jordan's Principle: BC region*. <https://jordansprinciplehubbc.ca/wp-content/uploads/2023/01/NEW-Group-Request-Package-B2B-Update-Dec-11-2022.pdf>
- 10 Indigenous Services Canada (2022, February 17). 2021 Canadian Human Rights Tribunal 41: Order. <https://sac-isc.gc.ca/eng/1644607163941/1644607214188>
- 11 First Nations Child and Family Caring Society (2025, April 15). Council of Yukon First Nations notice of motion and submissions to the Tribunal. <https://fncaringsociety.com/publications/council-yukon-first-nations-notice-motion-and-submissions-tribunal>
- 12 Institute of Fiscal Studies and Democracy (2025).
- 13 Ibid.

