

CANADIAN HUMAN RIGHTS TRIBUNAL

BETWEEN:

**FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA and
ASSEMBLY OF FIRST NATIONS**

Complainants

- and -

CANADIAN HUMAN RIGHTS COMMISSION

Commission

-and-

ATTORNEY GENERAL OF CANADA

(representing the Minister of Indigenous Services Canada)

Respondent

- and -

CHIEFS OF ONTARIO and

AMNESTY INTERNATIONAL CANADA and NISHNAWBE ASKI NATION

Interested Parties

**WILL SAY STATEMENT OF JOYCE SPENCE (NISHNAWBE ASKI NATION)
Jordan's Principle Compliance and Implementation of 2025 CHRT 6**

WILL-SAY STATEMENT OF JOYCE SPENCE

1. Witness Identification

Name: Joyce Spence

Position: Jordan's Principle Manager, Nishnawbe Aski Nation ("NAN")

Anticipated Role in this Proceeding: Fact witness

2. Qualifications

Joyce Spence is a member of Attawapiskat First Nation and a beneficiary of the Quebec Cree Nation of Nemaska. She currently serves as the Jordan's Principle Manager at NAN within the Social Services Support and Implementation department, a role she has held since May 2023. In this capacity, Ms. Spence manages and oversees Jordan's Principle matters affecting First Nations children and families across NAN territory, with a specific focus on those residing in northern and remote communities. Her core duties include advocating on behalf of NAN members, submitting Jordan's Principle applications, and securing essential services for children. She also provides critical advocacy for community-driven Jordan's Principle Group and working directly with Indigenous Services Canada (ISC) to resolve funding disputes, partial approvals, or denials, and bridging communication gaps between ISC requirements and community needs.

Ms. Spence brings decades of dedicated child welfare, social work, and community advocacy experience to her current role. Prior to her appointment as Jordan's Principle Manager, she joined NAN in 2023 as a Project Officer to support with Youth Inquests, later advancing to Manager. Her extensive background in frontline child advocacy includes 13 years working as a Social Worker with Payukotayno Family Services from the 1990s to the early 2000s, delivering vital services across the James Bay coast. Additionally, her diverse professional background includes employment within the mining sector and academic experience as a Social Work course instructor at Northern College in 2000.

Ms. Spence's professional practice is grounded in formal training across Social Work, Community Care Counselling, and Community Development. Her educational background includes four years of undergraduate study toward an Honours degree (incomplete) at Carleton University.

3. Overview of Anticipated Testimony

Ms. Spence is expected to testify about matters within her personal knowledge arising from her work as Jordan's Principle Manager at NAN, with particular emphasis on the circumstances of children and families living in northern and remote First Nations.

Ms. Spence is expected to testify about the practical realities of accessing health, education, social and other services in northern and remote NAN First Nations, including fly-in communities and communities without year-round road access. Her evidence will address the limited availability of physicians, specialists, therapists and other regulated professionals; reliance on nursing stations and visiting or rotational professionals; the need for children and families to travel significant distances to access assessments and services; and the effects of weather, transportation, accommodation, infrastructure and connectivity on access to services.

Ms. Spence is also expected to testify about how these circumstances affect the implementation of Jordan's Principle. In particular, she will address the difficulties that arise when approval of a Jordan's Principle request depends on assessments or documentation from professionals who are not available in the child's community, and the consequences of delay where there are few or no alternative services available locally.

Finally, Ms. Spence is expected to testify about the effect of the February 10, 2025 *Jordan's Principle Operational Bulletin: Updates to the Implementation of Jordan's Principle* (the "Operational Bulletin") in this northern and remote context, including how increased documentation and administrative requirements interact with existing geographic, transportation, infrastructure and professional-service barriers.

4.Anticipated Evidence as Fact Witness

It is anticipated that Ms. Spence will provide evidence on:

- **The circumstances of children and families in northern and remote NAN First Nations, including:**
 - The geography and remoteness of NAN territory, including fly-in First Nations and First Nations without year-round road access.
 - The limited availability of health, education, social and other services within many remote communities.
 - The limited availability of physicians, specialists, therapists, psychologists and other regulated professionals.
 - Reliance on nursing stations, visiting and rotational professionals, and services delivered outside the community.
 - Challenges associated with recruitment and retention of professionals and continuity of services in remote First Nations.
 - The effects of distance, weather, seasonal access and transportation availability on access to services.

- Limitations in internet connectivity and the extent to which virtual services can, and cannot, address gaps in locally available services.
- **Travel outside the community to obtain services, including:**
 - Circumstances in which children must leave their home communities to obtain assessments, treatment or other services.
 - The practical arrangements associated with medical and other travel, including flights and other transportation, escorts, accommodation and coordination with service providers.
 - The additional time and cost associated with obtaining services outside a child's home community.
 - The effect on children and families of having to travel away from their communities to obtain services.
 - The consequences of weather, cancelled or unavailable transportation, and other disruptions for scheduled assessments, appointments and treatment.
 - The consequences where a child cannot readily travel or where the required service is not available within a reasonable period of time.
- **The role of Jordan's Principle in addressing northern and remote service gaps, including:**
 - The importance of Jordan's Principle where a service required by a child is not available in the child's home community.
 - The use of Jordan's Principle to facilitate access to services, professionals, travel and other supports that children may require because those services are unavailable locally.
 - The additional coordination required to arrange services for children living in geographically isolated communities.
 - The consequences of delay where there is no equivalent or alternative service available within the child's community.
- **Professional assessments and supporting documentation, including:**
 - Difficulties obtaining timely assessments, diagnoses, letters and recommendations from physicians and other regulated professionals who are not resident in the community.

- The dependence of some communities on professionals who visit periodically or provide services on a rotational basis.
- The time that may be required for a child to see the appropriate professional and obtain the documentation required to support a Jordan's Principle request.
- Circumstances in which obtaining the documentation required for a Jordan's Principle request itself requires travel outside the community.
- Difficulties obtaining follow-up or additional documentation where ISC determines that an initial letter, assessment or recommendation is insufficient.
- The particular difficulty created when access to a service depends upon documentation from a professional whom the child cannot readily access because that type of professional is unavailable in the community.
- **The effect of the Operational Bulletin in northern and remote NAN First Nations, including:**
 - The interaction between increased documentation requirements and the limited availability of regulated professionals in remote First Nations.
 - The additional steps, travel and waiting periods that may be required to obtain documentation requested in support of a Jordan's Principle application.
 - The effect of requests for further information where a professional is available only periodically or outside the community.
 - The effect of delays in decision-making where there is no local alternative to the service requested.
 - The practical consequences of partial approvals, one-time approvals and denials in communities with limited locally available services.
 - The administrative burden on Jordan's Principle workers assisting families across geographically dispersed and remote communities.
- **Recurring issues observed across NAN territory, including:**
 - Patterns and recurring implementation issues Ms. Spence has observed through her work with NAN First Nations.

- Differences in the practical operation of Jordan's Principle between remote First Nations and communities with greater access to physicians, regulated professionals and other services.
- The challenges associated with applying documentation and administrative requirements across communities with substantially different levels of service availability, infrastructure and geographic accessibility.
- The effect of professional shortages, workforce turnover, transportation limitations and infrastructure constraints on the ability of children to satisfy Jordan's Principle requirements and obtain approved services.
- The practical consequences for children when the administration of Jordan's Principle does not account for the circumstances of northern and remote First Nations.