



Ontario Association of  
Children's Aid Societies

LETTER TO THE MINISTER OF CHILDREN, COMMUNITY AND SOCIAL SERVICES

# **Regulatory Proposal on** *Prevention-focused Indigenous* *Service Providers*

JANUARY 17, 2025

January 17, 2025

Hon. Michael Parsa  
 Minister of Children, Community and Social Services  
 7th Floor, 438 University Avenue  
 Toronto, ON M5G 2K8

**RE: Regulation Registry Proposal 24-MCCSS018, Proposed amendments to operationalize the provisions relating to prevention-focused Indigenous service providers**

Dear Minister Michael Parsa,

On behalf of the Ontario Association of Children's Aid Societies (OACAS) and our members, I am writing with respect to the [regulation registry proposal 24-MCCSS018](#) that the Ministry of Children, Community and Social Services (MCCSS or the Ministry) posted on November 19, 2024.

OACAS is a provincial membership organization representing 47 of Ontario's 50 mandated children's aid societies and Indigenous Child and Family Well-Being Agencies (child welfare agencies), as well as 2 pre-mandated Indigenous Child and Family Well-Being Agencies. We support members by providing practice tools, educational and training opportunities, as well as communication and advocacy supports to help bring positive change to the Ontario child welfare system and deliver improved, equitable outcomes for children, youth, and families.

The Ministry is proposing amendments to [Ontario Regulation 156/18](#) under the *Child, Youth and Family Services Act, 2017* (CYFSA) to operationalize provisions concerning prevention-focused Indigenous service providers (PFISPs). It is our understanding that the Ministry is proposing these regulatory amendments to increase First Nations, Inuit and Métis children, young persons and families' access to culturally relevant, responsive, and identity-affirming early intervention and prevention services.

While OACAS and our members acknowledge the intent of the proposed regulatory amendments, we anticipate implementation may come with unintended consequences. Please see below for key considerations related to the inherent rights of First Nations, Inuit and Métis children, youth, families, and communities and access to early intervention and prevention-focused care.

**1: Inherent rights of First Nations, Inuit and Métis Children, Youth, Families and Communities**

In 2019, *An Act Respecting First Nations, Inuit and Métis children, youth and families* (the Act) came into effect. Co-developed with Indigenous, provincial, and territorial partners, the Act clearly outlines the inherent rights of Indigenous communities concerning child and family services. It aligns with the *United Nations Declaration on the Rights of Indigenous Peoples* and *United Nations Convention on the Rights of the Child*, as well as the Truth and Reconciliation Commission of Canada's *Calls to Action*.

Members have expressed deep concern that provisions relating to PFISPs create an opportunity for the Government of Ontario to regulate Indigenous ways of knowing, being, and practices with respect to cultural protocols and caring for Indigenous children, youth, and families. Though OACAS and our members recognize that the Ministry has stated they do not intend to determine what constitutes

culturally relevant, responsive, or identity-affirming supports and services or prevent organizations from offering this type of care, this does not address the intense feelings of unease about how the legislative and regulatory framework could be utilized.

The concerns and mistrust are a direct result of Canada's settler colonial history and present. It is incumbent upon the Ministry to remain mindful of Canada's settler colonial past and present and the harmful impacts of child welfare and its governing bodies on First Nations, Inuit, and Métis children, youth, families, and communities. We urge MCCSS to keep the voices of Indigenous children, youth, families, and communities at the centre of their efforts to improve access to early intervention and prevention-focused care. To actualize this, we implore the Ministry to remain mindful of their lived experiences and continue to pursue opportunities to uphold and safeguard the inherent rights of Indigenous peoples and communities wherever possible. To identify opportunities, MCCSS should directly engage with First Nations, Inuit and Métis children, youth, families, communities, organizations and service providers delivering early intervention and prevention-focused care; including Indigenous Child and Family Well-Being Agencies.

Additionally, we recommend that the Ministry ensure that their efforts to improve access to early intervention and prevention-focused supports and services align with federal legislation and efforts concerning inherent rights and Indigenous child and family services. For example, negotiations are currently underway for a Final Settlement Agreement related to a complaint filed at the Canadian Human Rights Commission in 2007 by the Assembly of First Nations and First Nations Child and Family Caring Society. Outcomes of the negotiations will impact Indigenous child and family services, including early intervention and prevention-focused care. The Ministry must consistently engage Indigenous leadership and communities to identify opportunities to coordinate and align efforts to advance truth and reconciliation.

## **2: Access to Early Intervention and Prevention-focused Care**

Some service providers delivering early intervention and prevention-focused supports and services to First Nations, Inuit, and Métis children, youth, families, and communities may not become a designated PFISP. As a result, the Ministry may be left with an incomplete list of PFISPs; this could frustrate and undermine timely access to early intervention and prevention-focused care.

Many service providers delivering supports and services to Indigenous children, youth, and families are facing frail resources (i.e., funding, staff) and they might forgo applying to avoid organizational strain. They may also decide not to apply due to concerns that the Ministry will introduce oversight and compliance measures in the future that could compromise resources. Potential oversight and compliance measures, as well as their impacts, are well known based on the experiences of child welfare agencies (i.e., Office of the Ombudsman of Ontario, Child and Family Services Review Board, service delivery standards, etc.). Moreover, some service providers might feel statutory recognition is not welcome or appropriate.

The potential for an incomplete list of PFISPs is disconcerting given the Ministry intends to use the list to establish and maintain a public-facing webpage. It is our understanding that the public-facing webpage is meant to function as a resource for Indigenous children, youth, and families, and communities, as well as organizations in the child and youth services sector who are looking to

facilitate culturally relevant, responsive, and identity-affirming early intervention and prevention-focused care.

If the webpage exclusively features designated service providers, there is a risk that a two-tier service system will emerge. It could lead to the perception that designated service providers are more trustworthy and/or deliver a superior quality of care. Unfortunately, this perception could promote overreliance on designated service providers. Designated service providers could be overwhelmed with referrals and end up with long waitlists, thereby straining already frail resources and fostering conditions for burnout among direct service staff. A two-tier system could also promote siloes among designated and non-designated organizations and service providers, which could frustrate access to care.

We remind the Ministry that the 2022 Indigenous-specific amendments to the *Child, Youth and Family Services Act, 2017* prohibit Indigenous Child and Family Well-Being Agencies, who deliver early intervention and prevention-focused care, from becoming a designated PFISP. The amendments also prevent children's aid societies from becoming designated, many of whom established culturally relevant, responsive, and identity-affirming service delivery models to implement the Ontario Child Welfare Redesign Strategy. Meaningful relationships with Indigenous children, youth, families, and communities is central to service delivery; a two-tier system that sends mixed signals about service providers would profoundly impact these relationships.

To ensure the Ministry builds a truly comprehensive resource, as well as prevent the emergence of a two-tier system, we recommend that the Ministry design a public-facing webpage that functions as a centralized list of *all* organizations and service providers delivering early intervention and prevention-focused care to Indigenous children, youth, families, and communities, regardless of their designation. We also suggest that MCCSS add a detailed description of eligibility criteria as a field of information. This way, First Nations, Inuit, and Métis children, youth, families, and communities, as well as organizations in the child and youth services sector, can make truly informed care decisions.

Indigenous children, youth, and families require timely access to holistic, wraparound services that are culturally relevant, responsive, and identity-affirming. Culturally relevant, responsive, and identity-affirming care ensures Indigenous children, youth, and families maintain a sense of belonging and strong connections to kin, culture, and community; this is central to delivering improved, equitable outcomes for Indigenous children and youth, who are overrepresented in Ontario's child welfare system.

We remind the Ministry that legislative and regulatory reform are not the only ways to improve access to culturally relevant, responsive, and identity-affirming early intervention and prevention-focused care for Indigenous children, youth, families, and communities and drive transformative, lasting change. We urge the Ministry to ensure organizations and service providers, as well as Indigenous communities, have adequate resources (i.e., funding, staff) available to deliver wraparound, holistic supports and services to Indigenous children, youth, and families.

Community-based organizations and service providers, as well as Indigenous communities, play a vital role in supporting Indigenous children, youth, and families facing challenges and promoting improved, equitable outcomes. Ongoing colonialism, systemic anti-Indigenous racism, and inter-generational trauma are at the root of challenges being faced by First Nations, Inuit, and Métis

communities and families; it is incumbent upon the Government of Ontario to ensure organizations and service providers and Indigenous communities delivering culturally relevant, responsive, and identity-affirming care have sufficient resources

OACAS and our members remain committed to working alongside First Nations, Inuit and Métis communities, partners, and the Ministry to ensure Indigenous children, youth and families have timely access to care that truly meets their unique needs. If you have any questions or would like to further discuss the contents of this letter, please do not hesitate to contact me. I can be reached at [sowoo@oacas.org](mailto:sowoo@oacas.org).

Sincerely,



Solomon Owoo  
CEO  
OACAS

