

First Nations student deaths inquest: 5 things learned from Indigenous Affairs testimony

First Nation children on reserve have no statutory guarantee their education will be funded

By Jody Porter, [CBC News](#) Posted: Mar 11, 2016 7:00 AM ET Last Updated: Mar 11, 2016 7:00 AM ET



The coroner's inquest into the deaths of seven First Nations students in Thunder Bay, Ont., began in October 2015 and is expected to wrap up in April 2016. (Nick Sherman/CBC)

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Some lawyers at a coroner's inquest into the deaths of seven First Nations students demonstrated frustration on Thursday with testimony from a senior Indigenous Affairs official.

Jonathan Allen, the deputy director of the education branch of Indigenous Affairs and Northern Development Canada (INAC) is the most senior federal government official scheduled to testify at the inquest.

The students died between 2000 and 2011 after leaving their remote communities, where educational opportunities are limited, to attend high school in Thunder Bay.

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"I was, quite frankly, perplexed and surprised by some of what you said," Kent Elson, lawyer for the Chiefs of Ontario, told Allen.

"I was under the impression that INAC was committed to working with First Nations to fix the First Nations education system," Elson added, before beginning his questioning of Allen. "It seemed to me that some of your statements suggested you don't think the system is broken or needs fixing in the first place."

"I don't recall saying those exact phrases," Allen responded.

Here are five things learned from the testimony of Jonathan Allen:

1. First Nations children living on reserve are the only children in Canada without a statutory guarantee of funding for their education.

Provincial governments have laws outlining the requirements for education funding for children under their jurisdiction. The federal government is responsible for the education of First Nations children living on reserve.

Allen told the inquest that First Nations education funding has "no legislative basis" and that funding is allocated on a "policy basis."

2. Indigenous Affairs says federal education funding cannot be compared to provincial levels of funding

The head of the Northern Nishnawbe Education Council testified earlier that the First Nations high schools she runs in Thunder Bay and Sioux Lookout receive [thousands of dollars less per student than provincial high schools in the region](#).

Allen said he could not agree there is a "funding gap" for First Nations education.

The funding formulas of the provinces and the federal government "don't align," he said. "They can't be compared the same way and that may lead to a perception of a gap."

3. Indigenous Affairs will not fund a residence for First Nations students in Thunder Bay

Allen told the inquest **Indigenous Affairs policy prevents the department from spending money on buildings that are located off-reserve.**

A juror asked Allen if he could suggest other ways a residence could be funded.

"Other private schools operate as a business," he said. "Usually a private school has a revenue stream from a broader student body."

4. Funding is available if families are willing to 'split up' to support their child away at school

Indigenous Affairs only provides funding for students who are "ordinarily resident" on reserve.

If an entire family moves to Thunder Bay to support a teen while they're attending school, there is no funding available for the First Nations school in the city or for the living expenses of the family while they're away from home.

Allen said if one parent in a two-parent family temporarily moved to Thunder Bay with the student, while keeping a permanent residence on reserve, they could still be eligible for funding as a boarding parent.

The lawyer for the Matawa Learning Centre asked Allen how that policy supports the well-being of a child.

"You'd agree with me that living with a child is probably the best way to build a parental bond and maintain that parental bond?" Mary Catherine Chambers asked Allen.

"I would agree that many parents would say that," Allen said.

5. The level of funding for First Nations education could increase

The Prime Minister's letter setting out the mandate for Indigenous Affairs Minister Carolyn Bennett was entered into evidence at the inquest.

It directs Bennett to "make significant new investments in First Nations education to ensure that First Nations children on reserve receive a quality education while respecting the principle of First Nations control of First Nations education."

Allen said he anticipates the federal budget will reflect that direction when it's released at the end of the month.