

**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, AMNESTY INTERNATIONAL CANADA and  
NISHNAWBE ASKI NATION**

Interested Parties

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**SUBMISSIONS OF THE ATTORNEY GENERAL OF CANADA RE:  
MOTIONS FOR INTERESTED PARTY STATUS  
IN ONTARIO FINAL AGREEMENT MOTION**

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## OVERVIEW

1. The Chiefs of Ontario (COO) and Nishnawbe Aski Nation (NAN), jointly and with Canada's support, have asked this Panel to approve the Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario (Ontario Final Agreement). Thirteen new proposed interested parties seek to intervene in COO and NAN's joint motion, generally on the premise that they would not want the terms of the Ontario Final Agreement imposed in their own regions outside of Ontario. COO and NAN's motion, however, will not alter Canada's First Nations Child and Family Services (FNCFS) Program outside of Ontario, nor is this Tribunal being asked to consider whether the Ontario Final Agreement, which is operative only in Ontario, or any of its provisions should be applied nationally.
  
2. Canada opposes all eleven motions for interested party status in the Ontario Final Agreement motion that were filed by Agencies, representative groups and First Nations located outside of Ontario (collectively the External Interested Parties).<sup>1</sup> The motion to approve the Ontario Final Agreement does not directly impact these External Interested Parties or their interests. Moreover, while each group may offer a regional perspective, their proposed contributions will not assist this Panel in determining the issues before it in Ontario Final Agreement motion, nor do they offer a unique perspective relevant to it that is not already represented by the Assembly of First Nations or the Caring Society.

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<sup>1</sup> Specifically, Canada opposes the motions by:

1. First Nations and Labrador Health and Social Services Commission (FNLHSSC) and the Assembly of First Nations Quebec-Labrador (AFNQL), located in Quebec and Labrador;
2. Assembly of Manitoba Chiefs (AMC), located in Manitoba;
3. Indigenous Child & Family Services Directors Our Children Our Way Society (Our Children Our Way), located in British Columbia;
4. Federation of Sovereign Indigenous Nations (FSIN), located in Saskatchewan;
5. Council of Yukon First Nations (CYFN), located in Yukon;
6. Confederacy of Treaty Six First Nations (CT6FN), located in Alberta;
7. Treaty 8 First Nations of Alberta, located in Alberta;
8. Ugpi'ganijig (Eel River Bar) First Nation, located in New Brunswick;
9. Neqotkuk (Tobique) First Nation of the Wolastoqey Nation, located in New Brunswick;
10. Mi'gmaq Child and Family Services of New Brunswick Inc., located in New Brunswick; and
11. Treaty 7 First Nations Chiefs Association and its member nations the Bearspaw Nation, Chiniki Nation, Goodstoney Nation and the Tsuut'ina Nations (T7FNCA), located in Alberta.

3. At this late stage of these proceedings, nine years following the Merit Decision,<sup>2</sup> it is all the more important that the parties and the Panel remain focused on the remedial issues before them. Adding the External Interested Parties, who bring overlapping, speculative and conflicting perspectives at the eleventh hour as to issues which the Panel is not called upon to decide, is unnecessary and undermines the Panel's ability to efficiently and effectively resolve a portion of the complaint.
4. For clarity, Canada does not oppose the motions for interested party status in the Ontario Final Agreement brought by the Taykwa Tagamou Nation and the Chippewas of Georgina Island First Nation, First Nations within Ontario (the New Ontario Interested Parties). However, these First Nations should have reasonable limits placed on their participatory rights and should not be permitted to add to the evidentiary record.

### **PART I – STATEMENT OF FACTS**

5. On March 7, 2025, COO and NAN filed a joint motion for an order that the Ontario Final Agreement be approved by the Canadian Human Rights Tribunal (Tribunal) without condition (the Joint Motion).<sup>3</sup> The Joint Motion also seeks an order that the Ontario Final Agreement and the Trilateral Agreement Respecting the Reform of the 1965 Agreement (the Trilateral Agreement) satisfy, supersede and replace the Tribunal's previous orders related to elements of the complaint in Ontario, and seeks an end to the Tribunal's remedial jurisdiction in Ontario, save for the portions of the complaint related to the interpretation and implementation of Jordan's Principle.
6. As noted in the Joint Motion, the Ontario Final Agreement comes over nine years after the Merit Decision (2016 CHRT 2), and after dozens of interim relief orders and an Agreement-in-Principle executed in 2021.<sup>4</sup> The Joint Motion seeks approval of an Ontario-specific agreement that was negotiated and executed after the First Nations-in-Assembly of the AFN voted against ratifying the draft national agreement on long-term reform of the FNCFS Program, an agreement to which COO, NAN, Canada and, at the table level, the AFN had

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<sup>2</sup> *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2 [2016 CHRT 2].

<sup>3</sup> Joint Notice of Motion (filed March 7, 2025) [**Joint Notice of Motion**].

<sup>4</sup> The AIP was executed by the First Nations Child and Family Caring Society of Canada (Caring Society), Assembly of First Nations (AFN), Canada, COO and NAN. See: Joint Notice of Motion at paras 7, 9; and Affidavit of Duncan Farthing-Nichol (affirmed March 13, 2025) at para 32 [**Farthing-Nichol Affidavit**].

agreed. The Caring Society, which is a complainant but not a rights holder, and which previously withdrew from negotiations, opposed its ratification.<sup>5</sup> The Chiefs-in-Assembly of COO and NAN had ratified the draft national agreement. Subsequently, COO and NAN sought to negotiate an Ontario-specific agreement with Canada based on the rejected national agreement.<sup>6</sup>

7. At this time, the parties ask that the Panel consider approving the Ontario Final Agreement, which is specific to Ontario and only applies within it.<sup>7</sup> The Panel is not asked to apply any of the terms of that agreement outside Ontario or on a national basis.
8. The External Interested Parties, all from outside of Ontario, will not be affected in any way by the provisions of the Ontario Final Agreement, if approved. The chart at **Annex A** sets out in summary form Canada's opposition to each of the External Interested Parties.

## **PART II – POINTS IN ISSUE**

9. The only point in issue is whether the Tribunal should grant interested party status to all or any of the External Interested Parties and New Ontario Interested Parties, and, if such an order is granted, the limitations that should be placed on their participation.

## **PART III – SUBMISSIONS**

10. These consolidated written submissions constitute Canada's response to all motions for interested party status in COO and NAN's motion for approval of the Ontario Final Agreement.

### **A. Factors this Panel Should Consider in these Motions**

11. As it has in previous motions for interested party status, the Tribunal may look to factors for granting a request established in prior cases, and apply those factors in a holistic and flexible manner.<sup>8</sup> When considering on a case-by-case basis whether a party should be

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<sup>5</sup> Farthing-Nichol Affidavit at paras 55-57.

<sup>6</sup> Joint Notice of Motion at paras 11-14.

<sup>7</sup> Final Agreement on Long-term Reform of the First Nations Child and Family Services Program in Ontario (made February 26, 2025), in Affidavit of Grand Chief Joel Abram (affirmed March 6, 2025), Exhibit A.

<sup>8</sup> [\*First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada \(representing the Minister of Indigenous and Northern Affairs Canada\)\*](#), 2024 CHRT 95 at para 32 [2024 CHRT 95]. See also [\*First Nations Child & Family Caring Society of Canada et al. v.\*](#)

granted interested party status, and taking into account the Tribunal's responsibility to conduct proceedings expeditiously, the Panel may consider:

- a. whether the prospective interested party's expertise will be of assistance to the Tribunal;
  - b. whether the prospective interested party's involvement will significantly add to the legal positions of the parties, particularly those representing a similar viewpoint; and
  - c. whether the proceeding will have an impact on the moving party's interests.<sup>9</sup>
12. As noted by this Panel in 2016 CHRT 11, a person or organization may be granted interested party status if they are impacted by the proceedings and "can provide assistance to the Tribunal in determining the issues before it."<sup>10</sup> This assistance should also provide a different perspective to that of the other parties.<sup>11</sup>
13. The extent of an interested party's participation is impacted by the requirement for the Tribunal's proceedings to be conducted as informally and expeditiously as the requirements

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*Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)*, 2020 CHRT 31 at para 27 [**2020 CHRT 31**].

<sup>9</sup> *2024 CHRT 95* at para 33. See also *2020 CHRT 31* at para 26, referencing the test set out in *Walden et al. v. Attorney General of Canada (representing the Treasury Board of Canada and Human Resources and Skills Development Canada)*, 2011 CHRT 19 [*Walden*]. The Tribunal very recently released a decision where in the circumstances before it, it found it appropriate to re-frame the *Walden* test using jurisprudence from the Federal Court of Appeal, in order to provide a flexible approach in line with the interests of justice [*K.L. v Canada Post Corporation*, *2025 CHRT 28* at para 39]. No matter how the test is framed, the External Interested Parties' motions should not be granted.

<sup>10</sup> *2024 CHRT 95*, paras 31–34; *Walden* at para 23 (cited in *2020 CHRT 31* at para 26; and *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 11 at para 3 [**2016 CHRT 11**]). Note also that although the previous rules of procedure (03-05-04) apply to this proceeding, for the purposes of this type of motion, this Panel has confirmed that there is no difference between the previous rules and the current rules, and the previous jurisprudence on this issues continues to apply: *2024 CHRT 95* at para 26.

<sup>11</sup> *2024 CHRT 95*, paras 31–34; *Walden* at para 23 (cited in *2020 CHRT 31* at para 26; and *2016 CHRT 11*, at para 3.

of natural justice and the rules of procedure allow.<sup>12</sup> The onus is on the applicant to demonstrate how its expertise will be of assistance to the Tribunal.<sup>13</sup>

**B. External Interested Parties are not directly impacted by the Joint Motion**

14. The External Interested Parties are all outside of Ontario; none of them are directly impacted by Joint Motion to approve the Ontario Final Agreement. The Ontario Final Agreement pertains to the reform of the FNCFS Program *within Ontario only*, not to the FNCFS Program outside of Ontario. It is, in part, a path to self-determination for rights-holding First Nations within Ontario. It must be stressed that issues as to reform outside of Ontario are not before the Tribunal at this time, and so these groups cannot be directly impacted by the proposed reforms at issue. This fact alone renders any argument as to the impact of the motion to approve the Ontario Final Agreement on the External Interested Parties' interests entirely speculative and premature.
15. The External Interested Parties suggest that their interests are impacted primarily because the Ontario Final Agreement has the potential to affect future negotiations, whether towards agreements that are national or regional in nature. Many of them also say that they will make arguments with respect to the way in which the Ontario Final Agreement does not take into account their regional differences and should not be applied to their circumstances.<sup>14</sup>
16. Canada disagrees with the manner in which the External Interested Parties and the Caring Society have characterized and misquoted statements in Canada's March 17, 2025, letter to the Tribunal. For example, in the Caring Society's May 8, 2025 submissions, they misquote Canada as stating that "the outcome of the joint motion [the Ontario Motion] is likely the path forward in these proceedings",<sup>15</sup> when in fact what Canada wrote was "the outcome of the joint motion is likely to inform the path forward in these proceedings" (emphasis

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<sup>12</sup> [2020 CHRT 31](#) para [27](#), citing to [First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada \(representing the Minister of Indigenous and Northern Affairs Canada\)](#), 2019 CHRT 11 at para [3](#). This requirement stems from [Canadian Human Rights Act](#), R.S.C., 1985 c H-6, s. [48.9\(1\)](#).

<sup>13</sup> [2024 CHRT 95](#), at para [31](#) citing to [Canadian Association of Elizabeth Fry Societies and Acoby v. Correctional Service of Canada](#), 2019 CHRT 30 at para [34](#).

<sup>14</sup> See, for example, Written Submissions of the Council of Yukon First Nations (April 15, 2025) at para 5; Written Submissions of Confederation of Treaty Six First Nations (April 15, 2025) at para 18; Written Submissions of Treaty 8 First Nations of Alberta (April 15, 2025) at para 16;

<sup>15</sup> Caring Society Letter Submissions on Interested Parties Motions (May 8, 2025), at p. 5.

added).<sup>16</sup> Canada's March 17, 2025 letter simply reflects Canada's perspective that the Tribunal's analysis may inform the next steps on long-term FNCFS Program reform, and that national reforms will benefit from the Tribunal's review. Canada remains committed to long-term reform outside Ontario, and is still considering how best to move forward. The Joint Motion will provide the Tribunal with the opportunity to consider elements relevant to addressing how the discrimination referred to in the Merit Decision is remedied. It is also possible, for example, that in determining whether to approve the Ontario Final Agreement in Ontario, the Tribunal may provide advice which will assist in the future, such as whether the unanimous consent of every First Nation is required before the parties can move forward with long-term reform. But this is speculative in nature.

17. Indeed, the Joint Motion does not seek to apply the provisions of the Ontario Final Agreement nationally, or to any other type of national, regional or trilateral agreement. The question before the Tribunal in the specific Joint Motion at issue is whether to approve the Ontario Final Agreement and relinquish the Tribunal's remedial jurisdiction over reform of the FNCFS Program and 1965 Agreement in Ontario only.
18. The External Moving Parties' assumptions as to how the Tribunal's views on the Ontario Final Agreement may in the future inform reform on a national level, including any other negotiations or agreements, are entirely speculative. Many of the Tribunal's previous orders in these proceedings had such an effect, and did apply nationally. To the extent that New External Interested Parties had concerns with respect to the impact of those orders on them regionally, they should have applied earlier for interested party status, and certainly before this late remedial stage.

**C. Expertise will not Assist the Tribunal on the Motion or Add to the Position of Other Parties**

19. In light of the External Interested Parties' lack of any direct interest in the Joint Motion, the expertise they seek to bring to the motion is of limited, if any, assistance to the Tribunal on the specific issues before it. This is especially true where the expertise is said to offer a specific "regional" perspective on the agreement and purport to provide guidance on whether the terms of the Ontario Final Agreement are suited to their communities. As noted above, the Ontario Final Agreement, if approved, simply does not apply outside of Ontario.

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<sup>16</sup> Canada's Letter to the Tribunal re: Long Term Reform (March 17, 2025) at p 2.



20. Further, this Panel has previously addressed why it is simply not practical to add as interested parties all parties who may have a regional perspective, in particular given the role of the AFN within the proceedings:

[47] The Panel agrees that the Compensation Agreement will have a significant impact on First Nations families, children and communities in Saskatchewan. This is also true for the other First Nations in the other provinces, the Yukon territory and most if not all First Nations in Canada. **Therefore, FSIN's argument on bringing a regional perspective is not the most compelling argument given the risk the Tribunal may face if every First Nations' desire to participate in this case to bring their expertise and specific view on the Compensation Agreement. This would not only be impossible to manage for this Tribunal but it would also have the detrimental effect of halting the proceedings for months or possibly years. This would not be in the best interest of First Nations children and families.**

[48] Furthermore, the Tribunal already has the COO and the NAN bringing regional perspectives including the important question of remoteness. **While the Tribunal understands that First Nations in Saskatchewan and in Ontario may have different perspectives, the Tribunal has relied on the AFN for a broader First Nations perspective across Canada given its mandate and structure representing the views of over 600 First Nations in Canada. For example, the Panel relied on the AFN's resolutions in 2020 CHRT 20.**<sup>17</sup> (emphasis added)

21. The External Interested Parties undoubtedly have an interest in child and family services as it relates to their communities and expertise with respect to their unique experiences. However, in the context of this specific Joint Motion regarding reform pertaining to Ontario, this expertise will not be of assistance to the Tribunal, nor does it provide a unique perspective. The interests of the external agencies, representative groups and First Nations that have applied for new interested party status are generally represented by the AFN and the Caring Society.
22. Moreover, several of the External Interested Parties raise issues that are outside the scope of the Joint Motion. Jordan's Principle is not at issue in the Joint Motion or the Ontario Final Agreement, and indeed is explicitly excluded from the orders sought in the Joint Motion. Other issues are not only outside the scope of the Joint Motion, but they are also outside the scope of the underlying human rights complaint and the proceedings themselves. For example, they raise issues concerning the implementation of *An Act respecting First*

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<sup>17</sup> [\*First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada \(representing the Minister of Indigenous and Northern Affairs Canada\)\*, 2022 CHRT 26 at paras 47–48 \[2022 CHRT 26\]](#).

*Nations, Inuit and Métis children, youth and families*.<sup>18</sup> However, that act post-dates the Panel's Merit Decision, and is outside the purview of the remedial issues before the Panel in this case.

23. Further, and noting that the remedy must flow from the claim, this Panel has explicitly refused to consider issues which arise outside of the claim before it, such as issues in relation to First Nations children residing off-reserve who have lost connection to their First Nations communities for reasons other than the discrimination in the complaint.<sup>19</sup> Therefore, the External Interested Parties' concerns pertaining to off-reserve child and family services are outside the scope of the complaint and not relevant to the Joint Motion.
24. Raising new issues now impacts not only the parties to this dispute, but also others waiting for the complaints to be heard.<sup>20</sup> It is not in the public interest to continually expand the scope of the complaint beyond its bounds, especially at the remedial phase. As noted recently by the Tribunal to do so "purportedly in the name of refinement, clarification or context" undermines the legislative framework, sidesteps the Commission process, and is at odds with proceeding "expeditiously and fairly".<sup>21</sup>

#### **D. Expeditious Management of these Proceedings Requires a Measured Approach**

25. In order to ensure that these proceedings can proceed in an expedient, fair and appropriately bounded manner, it is important to limit participation to groups who do, holistically considered, meet the factors in favour of interested party status set out above. As noted by this Panel, the "remedial clarification and implementation process is not to be confused with a commission of inquiry or a forum for consultation with any and all interested parties." Allowing all First Nations to intervene "would significantly hinder the Panel's ability to finalize its order."<sup>22</sup>

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<sup>18</sup> [\*An Act respecting First Nations, Inuit and Métis children, youth and families\*](#), S.C. 2019, c. 24. This is also known informally as "C-92".

<sup>19</sup> [\*First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada \(representing the Minister of Indigenous and Northern Affairs Canada\)\*](#), 2020 CHRT 20 at para 280 [2020 CHRT 20].

<sup>20</sup> 2020 CHRT 20.

<sup>21</sup> [\*Richards v. Correctional Service Canada\*](#), 2025 CHRT 5 at para 16. It is of note that this matter was at the statement of particulars stage only, yet the Tribunal still stressed the importance of respecting the bounds of the complaint.

<sup>22</sup> 2016 CHRT 11, para 14.

26. Allowing groups outside of Ontario to participate in the Joint Motion for approval of the Ontario Final Agreement would not meet the conditions for participation, nor would it be in the interests of fairness or justice. Overlapping representation of various issues, many of which are not at issue here, would cause confusion and detract from a timely and efficient consideration of the Joint Motion. It would controvert the CHRA's requirement to conduct proceedings as expeditiously as possible.<sup>23</sup> It is simply not feasible nor desirable to transform these Ontario-specific proceedings into a forum for widespread consultation on national reform of the FNCFS Program, off-reserve child and family services, Jordan's Principle or *An Act respecting First Nations, Inuit and Métis children, youth and families*.

#### **E. Reasonable Limits on Participation**

27. In the event the Tribunal grants new interested party status to any of the moving parties, including the New Ontario Interested Parties, Canada's position is that their participation should be subject to reasonable limits in keeping with this Panel's recent orders:<sup>24</sup>
- a. new interested parties' participation should be limited solely to making representations in the Joint Motion, without repeating the positions of any other party, and written submissions in response to the Joint Motion should be limited to 15 pages;
  - b. new interested parties should not be permitted to adduce any further evidence, cross-examine affiants, raise new issues outside the scope of the Joint Motion,<sup>25</sup> or otherwise supplement the record of the parties;
  - c. new interested parties should not be permitted to participate in other issues or related proceedings that are before the Tribunal in this case;
  - d. new interested parties should not be permitted to request postponements to the motion schedule or delay the Joint Motion and, when permitted to provide written submissions, must do so when directed. Any delay should be deemed a renunciation to participate in the proceedings; and

<sup>23</sup> [Canadian Human Rights Act](#), R.S.C., 1985 c H-6, s. [48.9\(1\)](#).

<sup>24</sup> [2024 CHRT 95](#); [2022 CHRT 26](#).

<sup>25</sup> Including off-reserve issues, and matters relating to Jordan's Principle or [An Act respecting First Nations, Inuit and Métis children, youth and families](#), S.C. 2019, c. 24.

- e. new interested parties should not be permitted to participate in case management unless specifically directed by the Tribunal and consistent with their limited participation as set out by the Tribunal.
28. In addition, Canada's position is that all parties must be provided a meaningful opportunity to respond to the new interested parties' submissions on the Joint Motion.

#### **PART IV – ORDERS SOUGHT**

29. With respect to the External Interested Parties, Canada requests an order dismissing the External Interested Parties' motions for interested party status. In the alternative, Canada seeks an order setting out the participatory parameters outlined above.
30. With respect to the New Ontario Interested Parties, Canada does not oppose the motion, but if it is granted seeks an order setting out the participatory parameters set out above.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

**DATED** at the City of Winnipeg, in the Province of Manitoba, this 15<sup>th</sup> day of May, 2025.

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**PART V – LIST OF AUTHORITIES**

	<b>Statutes and Regulations</b>
1.	<a href="#"><i>An Act respecting First Nations, Inuit and Métis children, youth and families</i></a> , S.C. 2019, c. 24
2.	<a href="#"><i>Canadian Human Rights Act</i></a> , R.S.C., 1985 c H-6
	<b>Case Law</b>
3.	<a href="#"><i>Canadian Association of Elizabeth Fry Societies and Acoby v. Correctional Service of Canada</i></a> , 2019 CHRT 30
4.	<a href="#"><i>First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)</i></a> , 2016 CHRT 2
5.	<a href="#"><i>First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)</i></a> , 2016 CHRT 11
6.	<a href="#"><i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)</i></a> , 2019 CHRT 11
7.	<a href="#"><i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)</i></a> , 2020 CHRT 20
8.	<a href="#"><i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)</i></a> , 2020 CHRT 31
9.	<a href="#"><i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)</i></a> , 2022 CHRT 26
10.	<a href="#"><i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)</i></a> , 2024 CHRT 95
11.	<a href="#"><i>K.L. v. Canada Post Corporation</i></a> , 2025 CHRT 28
12.	<a href="#"><i>Richards v. Correctional Service Canada</i></a> , 2025 CHRT 5
13.	<a href="#"><i>Walden et al. v. Attorney General of Canada (representing the Treasury Board of Canada and Human Resources and Skills Development Canada)</i></a> , 2011 CHRT 19

ANNEX A		
Proposed Interested Party	Stated Interest	Canada's Response
<b>Federation of Sovereign Indigenous Nations (FSIN)</b>  (Political organization representing 75 First Nations in what is now Saskatchewan. <sup>i)</sup> )	Concern that the Ontario Final Agreement will entrench an approach in Saskatchewan that is discriminatory, and that it will impact or inform the approaches to long term reform outside of Ontario.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.
<b>Treaty 8 First Nations of Alberta (T8FNA)</b>  (Organization representing 24 Treaty 8 First Nations located in Alberta. <sup>ii)</sup> )	Concern that the Ontario Final Agreement will be used as a framework for future negotiations in Alberta, and its impact will extend to First Nations taking back jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i>	No impact as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.  This group also raises issues around asserting jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i> , which is outside the scope of the Complaint.
<b>Mi'gmaq Child and Family Services of New Brunswick Inc. (MCFS)</b>  (A non-profit child and family well-being organization that serves six Mi'gmaq communities in New Brunswick, and which provides a wide range of child protection and prevention based services. <sup>iii)</sup> )	Concern that the Ontario Final Agreement funding approach will have unique and harmful impacts if applied to MCFS, and the communities it serves in New Brunswick, particularly as a relatively new agency that serves communities with a relatively high s. 6(2) population.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.

ANNEX A		
Proposed Interested Party	Stated Interest	Canada's Response
<p><b>Indigenous Child &amp; Family Services Directors Our Children Our Way Society (OCOW)</b></p> <p>(A British Columbia incorporated society and advocacy group that has in its membership 24 Indigenous Child and Family Services Agencies, 19 of which receive federal funding under the FNCFS Program and other related provincial/territorial agreements.<sup>iv)</sup>)</p>	<p>Concern that the Ontario Final Agreement is not a suitable template for remedying discrimination against First Nations children and communities in B.C. and that the Ontario Final Agreement will inform subsequent reform of the FNCFS program in B.C.. OCOW states that First Nations child and family services providers are not otherwise represented before the Tribunal.</p>	<p>No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.</p>
<p><b>Neqotkuk (Tobique) First Nation of the Wolastoqey Nation (NFN)</b></p> <p>(NFN governs the Wolastoqey (Maliseet) Neqotkuk persons, constituted the Tobique Child and Family Services Agency and is situated in northwestern New Brunswick.<sup>v)</sup>)</p>	<p>Concern that the Tribunal's determination in this case will impact negotiations with Canada on agreements in New Brunswick, and its ability to implement its child and family well-being law. NFN states that they will speak to regional challenges in asserting jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i>.</p>	<p>No impact as the Tribunal is not being asked to approve the funding formula in the Ontario Final Agreement outside Ontario.</p> <p>This group also raises other issues outside of scope of the Joint Motion or the Complaint (Jordan's Principle and asserting inherent jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i>).</p>

ANNEX A		
Proposed Interested Party	Stated Interest	Canada's Response
<b>Ugpi'ganjig (Eel River Bar) First Nation</b>  (Mi'kmaw First Nation located in New Brunswick. <sup>vi</sup> )	Concerns with the practical impacts of Canada's funding and concerns with the Ontario Final Agreement, including gaps regarding provisions for unincorporated agencies in New Brunswick. Eel River Bar notes that it has been directly affected by discriminatory funding practices at issue in the Complaint and at issue in the Ontario Final Agreement.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.
<b>Confederacy of Treaty Six First Nations</b>  (Treaty rights advocacy organization that was created to serve as the united political voice of affiliated Treaty No. 6 nations in Alberta, representing a total of 16 First Nations. <sup>vii</sup> )	Concern that the Ontario Final Agreement will be used as the framework for future negotiations in Alberta, which would fail to take into account the unique circumstances of First Nations. Further, there is concern the Ontario Final Agreement will impact ongoing negotiations with respect to taking back jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i> within Alberta.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.  This group also raises asserting inherent jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i> , which is outside of scope of the Complaint.
<b>Council of Yukon First Nations</b>  (Representative body and advocacy organization for 10 of the 14 First Nations in the Yukon. <sup>viii</sup> )	Concern that the Ontario Final Agreement will impact or guide reform in other regions including in Yukon, that there are differences between the Yukon and Ontario and if the Ontario Final Agreement is implemented in the Yukon it will not end discrimination there.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.

ANNEX A		
Proposed Interested Party	Stated Interest	Canada's Response
<b>Assembly of Manitoba Chiefs</b>  (Political and technical coordinating organization for all 63 First Nations in Manitoba. <sup>ix)</sup>	Concern that First Nations and their children and families in Manitoba will be directly impacted by the Tribunal's orders on the Joint Motion, and it is important for the Tribunal to consider distinct perspectives of First Nations governments in Manitoba.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.  This group also raises Jordan's Principle, which is outside of scope of the Joint Motion.
<b>Treaty 7 First Nations Chiefs Association (T7FNCA)</b>  (Treaty rights and advocacy organization that represents 4 of the First Nations, the Dene and Stoney Nakdo located in Southern Alberta. <sup>x</sup>	Concern that if the Tribunal approves the Ontario Final Agreement, it will be used as a template for any future negotiations on long term reform in Alberta, that a blanket framework does not consider unique circumstances, and the impact will extend to First Nations taking back jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i> in Alberta.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.  This group also raises asserting inherent jurisdiction under <i>An Act respecting First Nations, Inuit and Métis children, youth and families</i> , which is outside of scope of the Complaint.
<b>AFNQL &amp; FNQLHSSC</b>  (AFNQL is a collective of First Nations Government in Quebec; FNQLHSSC is a non-profit association created and mandated through the resolutions of AFNQL. <sup>xi)</sup>	No identified concerns with the Joint Motion on the Ontario Final Agreement.	No impact to this group as the Tribunal is not being asked to approve the provisions of the Ontario Final Agreement outside Ontario.

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- <sup>i</sup> FSIN Written Representations at para 2  
<sup>ii</sup> T8FNA Written Representations at para 2  
<sup>iii</sup> MCFS Written Representations at paras 9, 12  
<sup>iv</sup> OCOW Written Representations at paras 6 – 7  
<sup>v</sup> NFN written Representations at paras 5, 7  
<sup>vi</sup> Ugpi’ganjig Written Representations at para 4  
<sup>vii</sup> Confederacy of Treat Six First Nations Written Representations at para 2  
<sup>viii</sup> Council of Yukon First Nations, Written Representations at para 18  
<sup>ix</sup> Assembly of Manitoba Chiefs, Written Representations at para 4  
<sup>x</sup> Letter from Anne Many Heads, dated April 15, 2025  
<sup>xi</sup> Amended Notice of Motion, dated March 6, 2025, paras 1, 4