

March 13, 2026

VIA EMAIL Registry.Office@chrt-tcdp.gc.ca

Judy Dubois
Registry Operations
Canadian Human Rights Tribunal
240 Sparks Street, 6th Floor West
Ottawa, ON K1A 1J4

Dear Ms. Dubois:

RE: *FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA ET AL V ATTORNEY GENERAL OF CANADA – T#1340/7008*
OUR MATTER ID: 5204-002

I write in response to the National Children’s Chiefs’ Commission’s (“NCCC”) March 3, 2026 motion record seeking interested party status in this matter and pursuant to the Tribunal’s March 3, 2026 direction fixing March 13, 2026 as the deadline for parties’ submissions in response to the NCCC’s motion.

The Caring Society welcomes, and consents to, the NCCC motion.

The Caring Society agrees that the NCCC’s interests are directly impacted by this proceeding in light of the resolutions passed by the First Nations in Assembly and the important role that the NCCC has played in carrying out the work regarding long-term reform of First Nations Child and Family Services set out in 2025 CHRT 80.

The Caring Society’s view is that this proceeding will progress in a more orderly manner if the NCCC is afforded interested party status. The NCCC is represented by its own counsel in order to pursue its distinct mandate. NCCC participation via the AFN as an intermediary is not viable, as evidenced by Canada’s counsel repeatedly questioning the status and participation of NCCC counsel at various case management conferences. Regularizing the NCCC’s status through an interested party order will remove this potential procedural irritant going forward and enable the NCCC to speak to its distinct work on its own terms.

The Caring Society, the NCCC and AFN successfully collaborated to deliver the Loving Justice Plan on December 22, 2025, pursuant to 2025 CHRT 80, such that the Tribunal can have

confidence that these parties will be able to collaborate to ensure that there is no duplication with respect to proceedings going forward in this complaint.

Finally, the Caring Society notes the Tribunal's repeated direction that this proceeding must remain focused and cannot expand to encompass all First Nations in Canada. Consistent with that direction, the Caring Society agrees with Canada's observation, at paragraph 42 of its February 4, 2026 written submissions on the NCCC's initial motion, that the addition of proposed interested parties who would merely advance positions already before the Tribunal would be unnecessarily duplicative and risk undermining the efficiency and manageability of the proceeding.

The NCCC, however, is distinguishable. Established pursuant to resolutions of the First Nations in Assembly, the NCCC has a specific mandate to advance the collective perspectives of First Nations leadership on matters affecting children, and has engaged independently with Canada, First Nations, and First Nations service providers on long-term reform. Its proposed participation—through nationally mandated Commissioners from all regions outside of Ontario, supported by regionally representative technical expertise—would not replicate the submissions of existing parties, but would assist the Tribunal by situating proposed remedies within the lived governance, service delivery, and implementation realities faced by First Nations across regions. This expertise is particularly vital given the Tribunal's inclusion of distinct community circumstances as a substantive equality factor and the fact that both plans before the Tribunal give weight to regional perspectives (as Canada's plan advances a regional agreement approach and the Loving Justice Plan advances a regional variation approach).

As the Tribunal recognized in 2022 CHRT 41, resolutions of First Nations leadership are an important mechanism for expressing the views of rights-holders and the distinct needs of communities (at para 436). Direct participation by an entity composed of representatives specifically selected by First Nations leadership would therefore support, rather than detract from, the Tribunal's mandate to end discrimination and prevent its recurrence, while remaining consistent with the Tribunal's caution against an unbounded expansion of the number of parties participating in this proceeding.

The Caring Society remains available should the Tribunal require further submissions with respect to any point set out above.

Yours truly and respectfully submitted,



David P. Taylor

DPT/jk

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