

July 3, 2026

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Canadian Human Rights Tribunal  
240 Sparks Street, 6th Floor West  
Ottawa, Ontario K1A 1J4

Dear Member Marchildon and Chairperson Lustig:

**Re: Questions-and-Submissions in Response to the Panel’s June 12, 2026, Direction**

We are counsel for the First Nations Child and Family Caring Society (the “**Caring Society**”). Pursuant to the Canadian Human Rights Tribunal’s (the “**Tribunal**”) directions on June 12, 2026, and June 24, 2026, the Caring Society encloses its questions to the Tribunal regarding 2025 CHRT 6 as well as its written submissions.

The enclosed questions to the Tribunal are being filed with the consent of the Assembly of First Nations (the “**AFN**”), the Chiefs of Ontario (“**COO**”) and Nishnawbe Aski Nation (“**NAN**”). The questions were shared with the Canadian Human Rights Commission and Amnesty International, but no feedback has been received. The questions were shared with Canada on the afternoon of Monday June 29, 2026, but at the time of filing, no feedback has been received.

COO has also advised that it will provide its own questions and submissions on July 14, 2026. NAN has advised that it may submit additional questions.

Yours Truly,



Sarah Clarke

cc.

David P. Taylor, Robin McLeod and Henna Mohan,  
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Canada

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Julian Falconer, Meaghan Daniel and Erin McMurray,  
Counsel for the Interested Party, the Nishnawbe Aski Nation

Justin Safayeni,  
Counsel for the Interested Party, Amnesty International

## Clarifications Regarding 2025 CHRT 6

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1. For the purpose of implementing paragraphs 554–559 of 2025 CHRT 6, whether the scope urgency includes the following:
  - a. whether risk of suicide includes suicidal ideation and self-harming behaviours?
  - b. whether risk to physical safety includes unaddressed medical needs?
  - c. whether no access to basic necessities includes no access, or inadequate access to food, water, shelter, medical products, infant products, and basic personal hygiene products?
2. For the purpose of implementing paragraphs 556 of 2025 CHRT 6, whether “domestic violence” and “fleeing domestic violence” include circumstances where children and caregivers require timely supports to prevent, mitigate, escape, or survive unsafe conditions, whether they have already left the home or community?
3. For the purpose of implementing paragraph 558 of 2025 CHRT 6, whether the Tribunal will consider making an order for Canada to produce guidelines for the coordination between Jordan’s Principle supports with emergency services, including Government of Canada emergency planning and responses to natural disasters and states of emergency declared by First Nations, provincial, territorial, or federal governments, where necessary to give practical effect to paragraph 558 and to ensure timely access and avoid gaps in protection or support for First Nations children?
4. For the purpose of implementing paragraph 561 of 2025 CHRT 6, whether “qualified professional” for the purpose of urgency assessments includes a broad range of individuals with relevant expertise, including health, social, education, and community professionals as well as community authorized Elders and Knowledge Keepers, and whether this determination must account for the realities of access faced by First Nations, particularly in rural and remote regions, where the availability of formally credentialed professionals is limited?
5. For the purpose of implementing paragraphs 566–568 of 2025 CHRT 6, whether public and consistent reporting would assist in addressing the Jordan’s Principle backlog, including by region, request type, urgency status, group request status, age of request, approval or denial status, payment or reimbursement delay, reason for delay (including processing pauses), and anticipated timeline for determination or payment?
6. For the purposes of implementing paragraph 580 of 2025 CHRT 6, whether the Tribunal would consider the introduction of enforceable timelines for reimbursement and payment to

individuals and families, as well as service providers, First Nations and First Nations organizations?

7. For the purposes of implementing paragraph 585 of 2025 CHRT 6, whether the Tribunal would consider encompassing the following in an order regarding a complaints mechanism:
  - a. Jurisdiction to include addressing complaints during and after adjudication of a request, jurisdiction to grant meaningful remedies, and the jurisdiction to address systemic issues; and
  - b. Scope to include addressing concerns about processing timelines, staff conduct, and delays in paying service providers or reimbursing families who have paid out of pocket.
8. For the purposes of clarity in relation to paragraph 276 of 2025 CHRT 6, for group requests, whether the Tribunal agrees that a single professional recommendation addressing shared needs is sufficient, and that ISC may not require children to undergo individual assessments solely to satisfy administrative, evidentiary, or processing requirements; and when, if ever, individual assessments may be required, they must be demonstrably necessary, consistent with the best interests of the child, and not impede timely and substantively equal access?
9. For the purposes of implementing paragraph 586 of 2025 CHRT 6 (given that the parties have not achieved consent orders), whether the Tribunal would consider the following for next steps:
  - a. Whether the parties should be directed to file written submissions identifying proposed remedies, compliance measures, reporting requirements, and timelines required to secure Canada's full implementation of 2025 CHRT 6 and the Tribunal's related Jordan's Principle orders?
  - b. Where Canada asserts that a matter is "operational" and therefore beyond the Tribunal's remedial reach, should Canada be required to identify the specific order at issue, the precise implementation practice it says is operational, the evidence demonstrating compliance, and any alternative it proposes so that the Tribunal may determine whether such matters fall within the implementation of its existing orders?
  - c. Whether Canada ought to publicly disclose and file on the record all current instruments, criteria, operational bulletins, instructions, templates, triage tools, reimbursement rules, eligibility guidance, training materials, and other materials relied upon in practice to implement the requirements of 2025 CHRT 6?