
Assembly of First Nations

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April 12, 2024

By Email

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

Dear Madame Registrar:

Re: First Nations Child and Family Caring Society of Canada et al v. Attorney General of Canada (File No. T#1340/7008)

I write in response to Mr. Taylor's letter today requesting an amendment to the schedule. The Assembly of First Nations (AFN) opposes the requested amendment. The setting of a schedule should not be an extended debate among the Parties. The AFN is content with the schedule that was directed by the Panel earlier today.

The AFN submits that all Parties were given ample opportunity to provide their perspectives on the setting of the schedule. Mr. Taylor, on behalf of the Caring Society, provided their client's position further to the direction of the Panel. The AFN takes issue with the Caring Society's belief that it can continue to provide positions on a matter already directed and settled by the Panel. It effectively seeks procedural flexibility and deference beyond the clear directions of the Tribunal on one hand, while limiting the procedural fairness rights of other parties on the other.

The AFN highlights the recent Caring Society submission on the proposed "blue sky" exercise, suggesting that only Canada and the Caring Society be afforded the opportunity to provide submissions.

The AFN requests that the schedule set by the panel earlier today remain unchanged. Thank you.

Respectfully,

Stuart Wuttke, LSM
General Counsel

c.c Dayne Anderson, Kevin Staska, Samantha Gergely, Christopher Rupar, Paul Vickery, ,
Sarah-Dawn Norris, and Meg Jones
Co-counsel for the respondent, Attorney General of Canada

David Taylor, Sarah Clarke, and Kevin Droz
Co-counsel for the complainant First Nations Child and Family Caring Society *of Canada*

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Co-counsel for the interested party Amnesty International

Julian Falconer, Christopher Rapson, and Michael Hyer
Co-counsel for the interested party Nishnawbe Aski Nation