



SENT VIA E-MAIL (Registry.Office@chrt-tcdp.gc.ca)

May 16, 2025

ATTN: Judy Dubois, Registry Officer
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; Tribunal File No.: T1340/7008**

I am writing in response to the Panel's correspondence dated May 15, 2025, to provide the views of Nishnawbe Aski Nation ("**NAN**") regarding the Tribunal's direction to respond to the May 14, 2025, email from the First Nations Child and Family Caring Society of Canada (the "**Caring Society**") by the end of day on May 16, 2025. Please forward this correspondence to the Panel.

NAN submits that the timetable should not be adjusted in line with the Caring Society's request.

The Caring Society outlines two (2) developments that are placing all responding parties on uncertain ground: (1) whether and to what extent there will be interested parties participating; and (2) what specific relief will be sought in the Joint Ontario Final Agreement Approval Motion ("**OFA Approval Motion**") given the issue raised in the Amended Joint Notice of Motion.

The Relief Sought is Known

The issue raised in the Amended Joint Notice of Motion regards the Moving Parties' rights to seek the relief as outlined; it is intended to clarify a question of process. This is not a substantive amendment to the OFA Approval Motion, and the evidence, merits, and relief concerning the same, remain as it was initially filed on March 7, 2025. As such, nothing in the Amended Joint Notice of Motion places a responding party on new or uncertain ground, nor prejudices their ability to finalize their position.



Participation of Interested Parties

Interested parties are to provide assistance to the Tribunal in determining the issues before it. While they may have a different perspective from that of the other parties (which is not admitted here), nothing in granting leave to an interested party places a responding party on new or uncertain ground, nor prejudices their ability to finalize their position. The Caring Society, like all parties, should be given an opportunity to respond to the interested parties. However, the opportunity to respond to interested parties (if any) is not to be conflated with the ability to form a position on the OFA Approval Motion.

NAN submits that the only prejudice to be concerned with is that which arises from delay.

Yours very truly,



Julian N. Falconer

CC. Maggie Wente, Jessie Stirling-Voss, Ashley Ash, Katelyn Johnstone –
Counsel for Chiefs of Ontario
 Dayna Anderson, Kevin Staska, Sarah-Dawn Norris, Meg Jones, Sarah Bird, Jon Khan, Alicia Dueck-Read, Paul Vickery – **Counsel for Canada**
 Anshumala Juyal, Khizer Pervez – **Counsel for Canadian Human Rights Commission**
 David Taylor, Kiana Saint-Macary, Sarah Clarke – **Counsel for First Nations Child and Family Caring Society of Canada**
 Justin Safayeni, Stephen Aylward – **Counsel for Amnesty International**

