

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
(MINISTER OF INDIGENOUS AND NORTHERN AFFAIRS CANADA)

Respondent,

- and -

CHIEFS OF ONTARIO

- and -

NISHNAWBE ASKI NATION

- and -

AMNESTY INTERNATIONAL

Interested Parties.

**NOTICE OF MOTION FOR INTERESTED PARTY STATUS –SOUTHERN CHIEFS’
ORGANIZATION INC.**

COCHRANE SINCLAIR LLP

Swan Lake First Nation
115-300 Alpine Way
Headingley, MB R4H 0E1

HAROLD COCHRANE, K.C. / ALYSSA CLOUTIER

Ph. No.: (204) 594-6688

Email: hcochrane@cochranesinclair.ca / acloutier@cochranesinclair.ca

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
(MINISTER OF INDIGENOUS AND NORTHERN AFFAIRS CANADA)

Respondent,

- and -

CHIEFS OF ONTARIO

- and -

NISHNAWBE ASKI NATION

- and -

AMNESTY INTERNATIONAL

Interested Parties.

NOTICE OF MOTION

TAKE NOTICE THAT the Southern Chiefs' Organization Inc. ("**SCO**") apply to the Tribunal pursuant to sections 48.9(2)(b) and 50(1) of the *Canadian Human Rights Act* ("**CHRA**")

and rule 8 of the *Canadian Human Rights Tribunal Rules of Procedure*, (03-04-04), for an order granting SCO interested party status in this proceeding on the following terms:

- (a) SCO shall be permitted to participate in all hearings, appearances, motions, case conferences, mediations, negotiations or other dispute resolution or administrative processes in respect of this proceeding, including by not limited to the Joint Approval Motion (defined in the supporting written submissions);
- (b) SCO's participation in the proceeding shall be limited to issues bearing on the delivery of child and family services to its member First Nations;
- (c) SCO shall be permitted to make oral and written arguments, as may apply throughout the course of the proceedings, of a length that may be fixed by the Tribunal and according to the timeline set by the Tribunal;
- (d) SCO shall be permitted to submit documentary and testamentary evidence, and conduct cross-examinations, seeking orders in the proceedings as may be required;
- (e) SCO's participation will be on a without costs basis; and
- (f) any such other terms as the Tribunal deems just.

AND FURTHER TAKE NOTICE that the motion shall be made on the following grounds:

1. SCO was established in 1999 as an independent political organization intended to protect, preserve, promote and enhance the inherent and Treaty rights of its member First Nations, and to advocate on behalf of its members to defend these rights and hold the Crown accountable to First Nations for the fulfillment of its fiduciary duties, responsibilities and obligations to First Nations peoples.

2. SCO represents 32 Anishinaabe and Dakota Nations in present-day southern Manitoba, and more than 87,000 citizens. SCO is the designated political advocacy body for its 32 member First Nations and their citizens.

3. SCO provides oversight of the Southern First Nations Network of Care ("**SFNNC**"), which is the child and family services authority mandated by southern First Nations and *The Child and Family Services Authorities Act*, C.C.S.M. c. C90 in Manitoba. SFNNC oversees 11 child and family services agencies in southern Manitoba, the majority of whom receive federal funding through the First Nation Child and Family Services ("**FNCFS**") program that is the subject of these proceedings. The child and family services agencies operating under SFNNC are currently responsible for the care of approximately 5,300 children and youth, which is more than half of the total number of children in care in the Province of Manitoba.

4. SCO has specific expertise relating to the delivery of child and family services to First Nations in southern Manitoba, which will be of assistance to the Tribunal when making determinations regarding long-term reform of the FNCFS program. Specifically, SCO is uniquely situated to provide the Tribunal with assistance in determining what is needed to remedy systemic discrimination relating to the provision of child and family services to First Nations in southern Manitoba.

5. Any order made by the Tribunal relating to the long-term reform of the FNCFS program stands to adversely impact the member Nations that SCO advocates on behalf of, along with their children and families. Accordingly, it is imperative that the perspectives of these Nations and their citizens are before the Tribunal when considering the issues in this proceeding.

6. SCO will abide by the timelines imposed by the Tribunal and will not cause any undue delay to the proceedings.
7. Sections 48.9(2)(b) and 50(1) of the *Canada Human Rights Act*, RSC, 1985, c H-6.
8. Rules 3 and 8 of the *Canadian Human Rights Tribunal Rules of Procedure* (03-05-04), or in the alternative, rules 5, 6(1), and 27 of the *Canadian Human Rights Tribunal Rules of Procedures*, 2021, SOR/2021-137.
9. Such further and other grounds as counsel may advise and the Tribunal may permit.

July 24, 2025

HAROLD COCHRANE, K.C. / ALYSSA CLOUTIER
COCHRANE SINCLAIR LLP
On behalf of the Moving Party, Southern Chiefs'
Organization Inc.

ORIGINAL TO: CANADIAN HUMAN RIGHTS TRIBUNAL
c/o Judy Dubois, Registry Officer
240 Sparks Street, 6th Floor West
Ottawa, ON K1A 1J4

**AND TO: FIRST NATIONS CHILD AND FAMILY CARING SOCIETY
OF CANADA**
c/o CONWAY BAXTER WILSON LLP
David P. Taylor
Suite 400 – 411 Roosevelt Avenue
Ottawa, ON K2A 3X9
dtaylor@conwaylitigation.ca

c/o CLARKE CHILD & FAMILY LAW
Sarah Clarke and Robin McLeod
Suite 950 – 36 Toronto Street
Toronto, ON M5C 2C5
sarah@childandfamilylaw.ca

Counsel for the Complainant, First Nations Child and Family Caring Society of Canada

AND TO: ASSEMBLY OF FIRST NATIONS

Peter Mantas

55 Metcalfe Street, Suite 1600

Ottawa, ON K1P 6L5

pmantas@fasken.com

Counsel for the Co-Complainant, Assembly of First Nations

AND TO: CANADIAN HUMAN RIGHTS COMMISSION

Anshumala Juyal

344 Slater Street, 8th Floor

Ottawa, ON K1A 1E1

Anshumala.Juyal@chrc-ccdp.gc.ca

Counsel for the Canadian Human Rights Commission

AND TO: ATTORNEY GENERAL OF CANADA

Paul Vickery, Dayna Anderson, and Sarah-Dawn Norris

Department of Justice Canada

50 O'Connor Street

Ottawa, ON K1A 0H8

paul.vickery@justice.gc.ca

dayna.anderson@justice.gc.ca

sarah-dawn.norris@justice.gc.ca

Counsel for the Respondent, Attorney General of Canada

AND TO: CHIEFS OF ONTARIO

c/o OLTHUIS KLEER TOWNSHEND LLP

Maggie E. Wentte, Jessie Stirling and Ashley Ash

250 University Avenue, 8th Floor

Toronto, ON M5H 3E5

mwentte@oktlaw.com

dbaskatawang@oktlaw.com

Counsel for the Interested Party, Chiefs of Ontario

AND TO: NISHNAWBE ASKI NATION

c/o FALCONERS LLP

Julian N. Falconer, Meaghan Daniels and Shelby Percival

10 Alcorn Avenue, Suite 204

Toronto, ON M4V 3A9

julianf@falconers.ca

meghand@falconers.ca
shelbyp@falconers.ca

Counsel for the Interested Party, Nishnawbe Aski Nation

AND TO:

AMNESTY INTERNATIONAL
c/o STOCKWOODS LLP
Justin Safayeni and Stephen Aylward
TD North Tower
77 King Street West, Suite 4130
Toronto, ON M5K 1H1
justins@stockwoods.ca
stephenA@stockwoods.ca

Counsel for the Interested Party, Amnesty International