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Caring Society Urges Immediate Ontario Funding Without Compromising Children's Rights

The First Nations Child and Family Caring Society (the Caring Society) has submitted a response to the Canadian Human Rights Tribunal (the Tribunal) regarding Canada's request to approve the Ontario Final Settlement Agreement on First Nations Child and Family Services without condition and end the Tribunal's supervisory jurisdiction.

The Tribunal found Canada responsible for discrimination against First Nations children, describing it as causing "harms of the worst kind." Canada must prove—through evidence—that such discrimination has ended and will not happen again. The Tribunal is now being asked to vacate its binding orders and replace them with a time-limited, contingent agreement that does not eliminate the discrimination or provide enforceable guarantees of substantive equality for First Nations children. The Tribunal's orders arise from findings of Canada's profound discrimination that cannot be undone; they are permanent, injunctive in nature, and binding.

Respecting the leadership of the Chiefs of Ontario and Nishnawbe Aski Nation, and the inherent right of First Nations to self-determination, the Caring Society stresses that self-determination and children's rights are interconnected. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), recognized in Canadian law, sets minimum standards for Indigenous dignity and well-being, including eliminating discrimination against Indigenous children.

Funding Should Not Require Surrendering Accountability

The Caring Society calls for the immediate release of funds for children and families, without requiring Tribunal approval of the agreement "without changes," or releasing Canada from accountability under existing orders. Children's rights must not be placed at risk by removing enforceable protections before Canada demonstrates lasting non-discrimination and substantive equality.

National Implications

National reform is ongoing under 2025 CHRT 80, including the First Nations-led [2025 CHRT 80 Loving Justice National Plan](#) for services outside Ontario, aiming to establish minimum standards and accountability. Canada's application for judicial review of 2025 CHRT 80 means Ontario-specific decisions must not weaken protections for children while broader reforms are underway.

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