

March 3, 2026

VIA EMAIL: [registry.office@chrt-tcdp.gc.ca](mailto:registry.office@chrt-tcdp.gc.ca)

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

Dear Registry and Tribunal:

**Re: *First Nations Child and Family Caring Society of Canada et al v Attorney General of Canada* (Tribunal File No.: T1340/7008)**

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Pursuant to the Tribunal's direction to the parties, interested parties, and the National Children's Chiefs Commission ("NCCC"), dated February 23, 2026, we enclose for filing (1) the Notice of Motion of the NCCC, dated March 3, 2026; and (2) the Written Submissions of the NCCC, dated March 3, 2026. Kindly confirm receipt.

As the Tribunal directed, these materials do not include affidavit evidence. For ease of reference, where the Written Submissions cite to a document already filed with the Tribunal, we have provided a pinpoint citation and hyperlink to the record; where the Written Submissions cite to a document that is otherwise publicly available, we have provided a hyperlink to that document.

While we file these materials in a good faith effort to engage in the process set by the Tribunal, we have concerns about the procedural fairness of the Tribunal's February 23, 2026 direction, including unfairness flowing from (1) the NCCC's inability to rely on its relevant affidavit evidence that has already been filed; and (2) filing a new notice of motion and submissions after this motion has been fully briefed through the exchange of affidavits (including responding and reply) and written submissions (including responding and reply). We would be pleased to further particularize these concerns should the Tribunal so request.

In any event, we are prepared to engage in the process articulated in the Tribunal's February 23, 2026 direction to help ensure an expeditious adjudication of this time-sensitive matter. Please do not hesitate to contact me should you have any questions or require additional information.

Sincerely,

**AIRD & BERLIS LLP**



Alexander DeParde  
Partner

Encl. (2)

cc: Scott A. Smith, *Co-Counsel for the Proposed Interested Party, NCCC*

Liam Smith & Tuma Young, KC, NWT, IPC, *Co-Counsel for the Proposed Interested Party, NCCC*

Peter Mantas and Clive Ngan, *Counsel for the Co-Complainant, Assembly of First Nations*

David Taylor, Kiana Saint-Macary, Sarah Clarke, and Robin McLeod *Counsel for the Co-Complainant, First Nations Child and Family Caring Society*

Paul Vickery, Dayna Anderson, Sarah-Dawn Norris, Meg Jones, Sarah Bird, Aman Owais, Kevin Staska, Jon Khan, and Alicia Dueck-Read, *Counsel for the Respondent, Attorney General of Canada*

Anshumala Juyal and Khizer Pervez, *Counsel for the Canadian Human Rights Commission*

Maggie Wentz, Jessie Stirling-Voss, Katelyn Johnstone, Ashley Ash, and Jenna Rogers, *Counsel for the Interested Party, Chiefs of Ontario*

Julian Falconer, Asha James, Shelby Percival and Meaghan Daniel, *Counsel for the Interested Party, Nishnawbe Aski Nation*

Justin Safayeni and Stephen Aylward, *Counsel for the Interested Party, Amnesty International Canada*

Carly Fox and Jason Erbeznik, *Counsel for the Interested Party, Assembly of Manitoba Chiefs*

Harold Cochrane and Alyssa Cloutier, *Counsel for the Interested Party, Southern Chief's Organization Inc.*

Dan Goudge and Alexandra Heine, *Counsel for the Interested Party, Our Children, Our Way*