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March 23, 2026

Sent via Email To:

Canadian Human Rights Tribunal
c/o Judy Dubois, Registry Officer
240 Sparks Street, 6th Floor West
Ottawa, ON K1A 1J4
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judy.dubois@tribunal.gc.ca

Dear Ms. Dubois:

Re: *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada* (CHRT File T1340/7008) – COO Comments on Caring Society March 6, 2026 Letter Regarding 2025 CHRT 6/ Jordan's Principle and Upcoming CMCC

I write on behalf of Chiefs of Ontario (“COO”) concerning the March 6, 2026 letter from the First Nations Child and Family Caring Society (the “Caring Society”) to the Panel, which addresses additional subjects the Caring Society seeks to raise at the next Case Management Conference Call (“CMCC”).

Reform of Jordan’s Principle remains a critical priority for First Nations leadership in Ontario. COO agrees with the Caring Society that the 2025 CHRT 6 mediation has not yielded progress and has, in effect, failed to advance the issues before the Tribunal. From COO’s perspective, there is currently no viable path toward an all-party, consent-based resolution of the interim matters that the Tribunal set out for mediation in 2025. Despite sustained engagement efforts, meaningful reform has stalled, and the lack of progress continues to perpetuate uncertainty and systemic barriers for First Nations children and families.

The Caring Society’s letter raises a number of issues it proposes to address at the upcoming CMCC. While COO acknowledges the importance of these matters, we ask that the scope of the CMCC remain aligned with the purpose identified by the Tribunal. Following receipt of the February 23, 2026 correspondence from COO and Nishnawbe Aski Nation, the Tribunal directed on February 24, 2026 that a CMCC be scheduled to obtain clarification from the parties regarding the extent to which long-term reform of Jordan’s Principle is implicated in the long-term reform of the First Nations Child and Family Services Program outside Ontario, in order to determine a hearing schedule. With respect, COO submits that this issue should be prioritized at the upcoming CMCC, while fully deferring to the Tribunal’s discretion to determine whether any other matters are addressed through separate CMCCs or otherwise, as it sees fit.

Furthermore, COO's ability to comment substantively on the Caring Society's letter is limited at this stage. It is unclear what specific outcomes or relief the Caring Society is seeking with respect to the interim matters identified in 2025 CHRT 6 (items 1-4), or what process is being proposed for addressing the additional issues raised (items 5-9). Without clarity, COO can offer only preliminary, high-level comments and reserves its right to provide further submissions once the scope and process for addressing these matters have been defined by the Tribunal.

Next Steps Related to 2025 CHRT 6 (Items 1-4)

In its letter, the Caring Society proposes to address the process for completing four priority items arising from 2025 CHRT 6: the definition of urgent circumstances, backlog resolution, timely payments, and an interim national complaints process. Counsel for the Caring Society has confirmed that these correspond to items 1-5, 8, 7, and 11 that the Tribunal identified for mediation in 2025 CHRT 6 (see Appendix A).

From COO's perspective, Ontario Chiefs-in-Assembly have identified clearing the backlog of Jordan's Principle requests and ensuring timely reimbursements and payments as key priorities, given the ongoing financial burden borne by First Nations requestors. The Chiefs have also emphasized the importance of ISC adherence to timelines for Jordan's Principle requests and recognition of qualified First Nations service providers as "qualified professionals" for the purposes of issuing support letters and completing professional assessments. In these respects, COO understands there is some alignment with the Caring Society's stated priorities.

It is also unclear what process the Caring Society proposes for addressing both the identified priority items and the remaining mediation items. These remaining items include: (i) the two mediation items the Caring Society suggests be set aside for the time being – guidelines on when the determination clock begins to run and timelines for non-urgent requests (mediation items 6 and 9); and (ii) mediation item 10, which concerns an interim mechanism for a culturally appropriate, streamlined risk management system and is not addressed in the letter.

As previously advised by Ms. Sinéad Dearman at the October 20, 2025 CMCC, COO's position – consistent with direction from Ontario Chiefs-in-Assembly – is to pursue an Ontario-specific, dialogic approach to both interim and long-term reform of Jordan's Principle. This position reflects COO's concern that national-level processes have not resulted in timely or meaningful progress, coupled with the need to move forward without further delay to address pressing regional realities in Ontario. Nevertheless, COO would continue to participate in any national-level mediation, consultation, and/or litigation should such processes proceed.

Additional Issues Arising Since 2025 CHRT 6 (Items 5-9)

With respect to the additional issues raised in the Caring Society's letter, COO shares the concerns identified regarding Indigenous Services Canada ("ISC")'s February 2025 Jordan's Principle Operational Bulletin, as well as ISC's broader pattern of unilateral decision-making in the implementation and operation of Jordan's Principle.

Ontario Chiefs-in-Assembly have passed several recent resolutions directly addressing these matters. These include a resolution expressly rejecting ISC's February 2025 Jordan's Principle Operational Bulletin and calling on ISC to retract or suspend its implementation, and to engage in meaningful consultation with First Nations in Ontario on all Jordan's Principle policies. Additional resolutions criticize ISC's unilateral administration of Jordan's Principle more generally, citing shifting requirements and service delivery changes that undermine the substantive equality rights of First Nations children. Collectively, these resolutions call for ISC's strict compliance with Tribunal orders, direct and ongoing consultation with First Nations in Ontario, needs-based funding, and strengthened accountability mechanisms that include First Nations oversight.

At present, it remains unclear what process the Caring Society proposes for addressing these additional issues, or what procedure the Tribunal intends to follow. COO is not advancing a position at this time on the appropriate process. However, should these matters proceed before the Tribunal in any form, COO respectfully requests a full opportunity to bring forward evidence and make submissions.

Given the significance of both the interim matters identified in 2025 CHRT 6 and the additional issues with Jordan's Principle implementation that have arisen since that decision, COO respectfully requests clear procedural direction from the Tribunal, recognizing that clarity on process is essential to avoiding further delay and ensuring timely action to address the ongoing and adverse impacts on First Nations children and families.

Should any questions arise, or should further clarification be required, please do not hesitate to contact me.

All the best,

Olthuis, Kleer, Townshend LLP



JESSIE STIRLING-VOSS
ASSOCIATE

Appendix A: Summary Table of Items for 2025 CHRT 6 Mediation

Item	Description
1	Objective criteria to be used to identify urgent Jordan's Principle requests
1a	Objective criteria related to the imminent risk of child(ren) entering the child welfare system.
2	Definition of no access to basic necessities.
3	Objective criteria and guidelines for cases involving caregivers and children fleeing from domestic violence.
4	Guidelines for coordination between Jordan's Principle and other emergency services.
5	Objective criteria to determine who is a "qualified professional" with relevant competence and training to identify urgent cases.
6	Guidelines on when the determination clock starts to run, in keeping with 2017 CHRT 14 and 2017 CHRT 35.
7	Interim practical solutions to redress reimbursement and payment delays.
8	Solutions to reduce and eventually eliminate the backlog that are efficient, effective and can work within government context.
9	Timelines for non-urgent Jordan's Principle requests.
10	Co-development of an interim mechanism for a culturally-appropriate, streamlined risk management system.
11	Co-development of a complaints mechanism.