

Canadian Human Rights Tribunal

File No.: T1340/7008

Monthly Activity Report of the Caring Society

Reporting Period: March 6, 2026 – April 10, 2026

1. Overview

Consistent with 2025 CHRT 80, this report is submitted to apprise the Tribunal of material activities and developments since March 4, 2026, relevant to the implementation of existing Tribunal orders and to the progress of the Caring Society's activities towards long-term national reform of First Nations Child and Family Services to end Canada's discriminatory conduct for multiple generations. It also raises emerging concerns regarding actions taken by Canada during this period that may affect the practical enforceability of current and future Tribunal orders.

2. Loving Justice Amendment's Process

Consistent with a shared commitment to ensure the First Nations led plan to permanently end Canada's discrimination in First Nations child and family services is as strong as possible for First Nations children and families and accountable to First Nations, the National Children's Chiefs Commission, the Assembly of First Nations and the Caring Society invited First Nations outside Ontario to submit further amendments or implementation ideas respecting Loving Justice. Materials were available in both official languages.

3. Ministerial Letter to Chiefs Regarding Regional Agreements

On April 3, 2026, the Honourable Mandy Gull-Masty sent the attached letter to Chiefs inviting them to engage with Canada on "regional agreements" under Canada's national plan, which was submitted to the Tribunal on December 22, 2025. The attached letter encourages First Nations to contact federal government officials to initiate engagement on regional agreements within Canada's proposed framework. The letter is silent on the Loving Justice Plan and does not mention that Canada's plan is subject to Tribunal approval.

The Caring Society notes that this outreach was undertaken while the Tribunal has not yet determined whether national reform will proceed on the basis of:

- the First Nations led Loving Justice National Plan supported by the Assembly of First Nations, the Caring Society and National Children's Chiefs Commission,
- Canada's plan, or
- some hybrid, or alternative approach consistent with Tribunal orders.

In addition, the Caring Society became aware that Canada is apparently inviting individual First Nations to engage directly in Canada's plan on a nation-by-nation basis, separate from any Tribunal determination on national reform. These reported invitations occur alongside Canada's continued promotion of regional agreements under its submitted plan.

The NCCC and the Caring Society wrote to Minister Gull-Masty to raise their concerns regarding the approach reflected in the April 3, 2026 letter on April 10, 2026. That letter, and the February 20, 2026 letter it references, are also attached to this report.

4. Bilingual Webinar Series for First Nations Leadership, Communities and Service Providers

On March 13th and 27th, 2026, the Caring Society participated in the bilingual webinar series hosted by the National Children's Chiefs Commission to discuss key aspects of long-term reform.

- March 13th, 2026, **Funding Models Compared: Loving Justice and Canada's Plan**
 - The webinar focused on key considerations and comparisons between the two plans where funding is concerned as well as an overview of the funding approaches in the Loving Justice plan and in Canada's plan
- March 27th, 2026, **Accountability in Service Level Agreements: Loving Justice and Canada's Plan**
 - The webinar focused on explaining the implications of regional agreements between Canada and the provinces/Yukon for First Nations, the relationship between such agreements and Tribunal orders, and the unresolved status of national reform pending the Tribunal's determination of the First Nations led Loving Justice Plan and Canada's Plan.

5. Expert Advisory Committee (EAC)

On April 7, 2026, the Caring Society wrote to Minister Gull-Masty, of Indigenous Services Canada, to remind the Minister of the important opportunity that the EAC presents to Canada in providing multi-disciplinary expert advice to permanently end discrimination toward First Nations children for generations to come.

The Caring Society also reiterated its concerns that Canada's conduct is frustrating the ability of the Expert Advisory Committee (EAC) to discharge its essential work of providing advice to Canada, AFN and the Caring Society on how permanently end Canada's discrimination. For example, Canada has convened only one meeting of the EAC in the past year, has disputed EAC invoices, asserted that it may proceed with reform and evaluation activities with or without EAC participation and has continued to dispute the EAC's mandate and terms of reference despite the AFN, Caring Society and EAC already approving a version thereof. The Caring Society has further raised concerns that Canada, without the knowledge or consent of the Caring Society or the Assembly of

First Nations (AFN), included in contracts with individual EAC members provisions purporting to require the pre-approval of all three co-chairs as a condition of EAC work or payment, notwithstanding that the Caring Society and AFN are not parties to those contracts and have both advised Canada that such pre-approval is not required. The Caring Society has also raised concerns that Canada has undermined the EAC's independence and frustrated its ability to discharge its Tribunal-ordered mandate through continued disputes regarding governance and the imposition of administrative and funding constraints, including conditions affecting caucusing and reimbursement.

These concerns were communicated in writing following Canada's failure to respond to the Caring Society's March 18, 2026, written request seeking clarification on the EAC's legal status, independence, continuity, and effective functioning.

6. Conclusion

The Caring Society submits this report to ensure transparency regarding activities during the reporting period and to assist the Tribunal in understanding the evolving implementation context as it considers outstanding issues related to national reform. The Caring Society remains committed to supporting remedies that are First Nations-led, rights-based, and fully compliant with binding Tribunal orders.