

**FEDERAL COURT**

B E T W E E N:

ATTORNEY GENERAL OF CANADA

APPLICANT

and

FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF  
CANADA, ASSEMBLY OF FIRST NATIONS, CANADIAN  
HUMAN RIGHTS COMMISSION, CHIEFS OF ONTARIO,  
NISHNAWBE ASKI NATION and AMNESTY INTERNATIONAL  
CANADA

RESPONDENT

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**MOTION RECORD OF THE RESPONDENT, FIRST NATIONS CHILD &  
FAMILY CARING SOCIETY OF CANADA**  
**(Response to the motion for leave to intervene of the proposed intervener,  
Confederacy of Treaty Six First Nations)**

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Court File No. T-3594-25

**FEDERAL COURT**

B E T W E E N:

ATTORNEY GENERAL OF CANADA

APPLICANT

and

FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF  
CANADA, ASSEMBLY OF FIRST NATIONS, CANADIAN  
HUMAN RIGHTS COMMISSION, CHIEFS OF ONTARIO,  
NISHNAWBE ASKI NATION and AMNESTY INTERNATIONAL  
CANADA

RESPONDENT

**AFFIDAVIT OF CINDY BLACKSTOCK**

I, Cindy Blackstock, of the City of Kamloops, in the Province of British Columbia, affirm as follows:

1. I am the Executive Director of the First Nations Child and Family Caring Society of Canada (the “Caring Society”), one of the respondents in this matter.
2. I affirm this affidavit in response to the motion for leave to intervene brought by the Confederacy of Treaty 6 First Nations (“CT6FN”).
3. I have personal knowledge of the facts stated herein, except where stated to be on information and belief, and where so stated I believe them to be true.

***Personal Background***

4. I am Gitxsan. I grew up in the bush and small communities primarily in northern British Columbia and have over 40 years of experience in child and family services with a focus on First Nations children, youth and families. Throughout the years, I have acted in various policy, research, evidence based advocacy and education roles and was employed as a front line social worker for over a decade.

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5. My work has focused on addressing discriminatory practices against First Nations children, youth, and families by Indigenous Services Canada and its predecessors since 1997.

6. I am a professor at McGill University's School of Social Work. I hold a PhD in social work from the University of Toronto (2009), a Master of Jurisprudence in children's law and policy from Loyola University Chicago (2016), a Master of Management from McGill University (2003), and a BA in Psychology from the University of British Columbia (1987). I have also received over 20 honorary doctorates from universities across Canada.

7. I have received numerous international and domestic honours, including the 2023 World Children's Prize, the 2017 Amnesty International Ambassador of Conscience Award, the 2022 Social Sciences and Humanities Research Council Gold Medal, and the 2025 Royal Society of Canada Prize for Indigenous Engagement. I was also appointed as an Officer of the Order of Canada in 2019.

***Caring Society's position on timing of CT6FN's motion for leave to intervene***

8. David Taylor, counsel for the Caring Society, advises me, and I believe, that while Aaron Christoff, counsel for CT6FN, was copied on correspondence among the parties regarding case management and timetabling in November 2025, he was not copied on similar correspondence in July and August 2026.

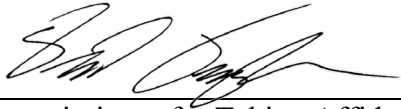
9. I am acquainted with Sam Hull, CT6FN's Child and Family Services Lead and affiant in this matter. I have mainly interacted with Mr. Hull in the context of his participation in virtual meetings of the National Children's Chiefs Commission, though I had previously met him in person a few times at conferences and meetings relating to First Nations child and family services.

10. I am aware that on or about June 28, 2026, Mr. Hull was in a serious motor vehicle accident. I spoke with him in person on or about July 8, 2026, at which time he advised me of the accident and his related injuries. Some of the injuries were clearly

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visible. Based on subsequent interactions, in person and by text, and through my collaboration with the National Children's Chiefs Commission, I am aware that Mr. Hull was unable to perform his regular duties due to the accident until he returned to work on September 1, 2026.

**AFFIRMED** by Cindy Blackstock at the City of Kamloops, in the Province of British Columbia, before me on at the City of Ottawa, in the Province of Ontario, dated 18<sup>th</sup> day of September, 2026 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



\_\_\_\_\_  
Commissioner for Taking Affidavits  
(or as may be)

David P. Taylor  
LSO# 63508Q



\_\_\_\_\_  
**CINDY BLACKSTOCK**

Court File No. T-3594-25

**FEDERAL COURT**

B E T W E E N:

ATTORNEY GENERAL OF CANADA

APPLICANT

and

FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF  
CANADA, ASSEMBLY OF FIRST NATIONS, CANADIAN  
HUMAN RIGHTS COMMISSION, CHIEFS OF ONTARIO,  
NISHNAWBE ASKI NATION and AMNESTY INTERNATIONAL  
CANADA

RESPONDENTS

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**WRITTEN REPRESENTATIONS OF THE RESPONDENT,  
FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF CANADA  
(CT6FN MOTION FOR LEAVE TO INTERVENE)**

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Confederacy of Treaty Six First Nations

1. The respondent First Nations Child and Family Caring Society of Canada (“Caring Society”) consents to the motion for leave to intervene brought by the Confederacy of Treaty 6 First Nations (“CT6FN”).

2. As laid out by CT6FN in its written representations, an intervener must demonstrate that its submissions will be useful, that it has a genuine interest in the proceeding, and that it is consistent with the interests of justice.<sup>1</sup>

3. CT6FN has a particular interest in this proceeding given its position as a prospective interested party to the underlying Tribunal proceeding, whose request was refused in part due to the process set out in the long-term reform decision that is now subject to challenge.<sup>2</sup> Given that participation in the First Nations Child and Family Services long-term reform process laid out by the Tribunal in the decision under review was the only avenue provided by the Tribunal for CT6FN’s participation in this complaint, it has a particular interest in any proceedings before this Court that could alter the underlying long-term reform process.

4. CT6FN’s submissions will also be useful, as it has a perspective that is different from the other respondents. As advised in a September 17, 2026 letter, Amnesty International will not participate. The Canadian Human Rights Commission represents a broader perspective given its statutory role under the *Canadian Human Rights Act*. The Chiefs of Ontario and Nishnawbe Aski Nation are the parties to the Ontario regional agreement that was separated from the underlying long-term reform process in the decision under review.<sup>3</sup> The Caring Society and the Assembly of First Nations are the complainants in the underlying proceeding charged with formulating a long-term reform plan for the Tribunal’s consideration. Canada has filed a separate and competing proposed plan.<sup>4</sup> CT6FN’s perspective and submissions will assist the Court

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<sup>1</sup> CT6FN Written Representations at para 23.

<sup>2</sup> *First Nations Child and Family Caring Society of Canada v Attorney General of Canada*, [2025 CHRT 86](#) at paras [21-23](#).

<sup>3</sup> *First Nations Child and Family Caring Society of Canada v Attorney General of Canada*, [2025 CHRT 80](#) at para [98](#).

<sup>4</sup> [2025 CHRT 80](#) at paras [120](#) and [126](#).

in understanding the broader context of the Tribunal's order, as it is the emblematic of "the experts, the First Nations Chiefs, governments and organizations, [who] should not be forced to wait till the OFA is completed to see what Canada decides to do for National long-term reform."<sup>5</sup>

5. The interests of justice also favour CT6FN's participation. It identified its interest in intervening early in the process, prior to the first case management conference.<sup>6</sup> It was copied on early timetabling correspondence between the parties, but was not copied in a later round of such correspondence, after this Court's direction on the sequencing of the Caring Society's motion to strike the application for judicial review.<sup>7</sup>

6. The timing of submissions on the motion to strike is important to considering the interests of justice in relation to CT6FN's intervention request. The Caring Society identified early that it wished to bring a motion to strike in advance of the hearing; however, the parties were unable to agree on timing and required the Court's assistance to resolve the matter. It would not have been in the interests of justice for CT6FN to have proceeded with its motion for leave to intervene during that intervening period, as the motion might have been unnecessary if the motion to strike had been scheduled in advance of the hearing and was successful.

7. The sequencing of the motion to strike was clarified on July 13, 2026. At this time, CT6FN's child and family services lead technician (and affiant in this matter) was off work due to a motor vehicle accident.<sup>8</sup> Around the same time, CT6FN's counsel was not included in the renewed timetabling discussions among the parties.<sup>9</sup>

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<sup>5</sup> 2025 CHRT 80 at [para 107](#).

<sup>6</sup> Affidavit of Jacqueline Anderson affirmed September 14, 2026 at Exhibit "D": October 30, 2025 Letter from Aaron Christoff to the Federal Court.

<sup>7</sup> Affidavit of Cindy Blackstock, affirmed September 18, 2026 [Blackstock Affidavit] at para 8 Motion Record [MR], Tab 1, p 2.

<sup>8</sup> Blackstock Affidavit at para 10 MR, Tab 1, pp 2-3.

<sup>9</sup> Blackstock Affidavit at para 8 MR, Tab 1, p 2.

CT6FN's motion for leave to intervene was ultimately filed within days of CT6FN's lead technicians return to his duties at the office on September 1, 2026.<sup>10</sup>

8. Furthermore, CT6FN's motion for leave to intervene was filed prior to the Applicant's record, and well in advance of the date for the Respondents' records. While it is important that the hearing of this matter be expedited, that hearing has yet to be scheduled. The Court retains broad discretion to set a deadline for the potential intervener's memorandum of fact and law that will not disrupt the orderly and expedient progress of these proceedings.

9. For the foregoing reasons, the Caring Society consents to the motion for leave to intervene.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED** this 18th day of September, 2026.



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Caring Society of Canada

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<sup>10</sup> Blackstock Affidavit at para 10 MR, Tab 1, pp 2-3.

**LIST OF AUTHORITIES**

| <b>TAB</b>     | <b>DESCRIPTION</b>                                                                                                                                                                      |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Caselaw</b> |                                                                                                                                                                                         |
| 1.             | <i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Services)</i> , <a href="#">2025 CHRT 80</a>            |
| 2.             | <i>First Nations Child &amp; Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous Services)</i> , <a href="#">2025 CHRT 86</a> |