

**CANADIAN HUMAN RIGHTS TRIBUNAL**

**B E T W E E N:**

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION**

**Complainant**

**-and-**

**CANADIAN HUMAN RIGHTS COMMISSION**

**Commission**

**-and-**

**ATTORNEY GENERAL OF CANADA  
(representing the Minister of Indigenous and Northern Affairs Canada)**

**Respondent**

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**MOTION RECORD  
Of the Proposed Interested Party First Nations Child Family Caring Society of Canada  
("Caring Society")**

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of Canada (“Caring Society”)**

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AND TO: **Kent Elson**  
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AND TO: **Michael Beggs and Daniel Luxat**  
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**Counsel for the Respondent, the Attorney General of Canada**

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## INDEX

| <b>TAB</b>   | <b>DOCUMENT</b>  |
|--------------|--|
| <b>Tab 1</b> | <b>Notice of Motion</b>  |
| <b>Tab 2</b> | <b>Affidavit of Dr. Cindy Blackstock</b>   |
| Exhibit “A”  | Caring Society’s Submissions to the Standing Committee on Aboriginal Affairs and Northern Development dated December 8, 2010   |
| Exhibit “B”  | Canadian Paediatric Society status report on Canadian public policy and child and youth health, 2012 edition   |
| Exhibit “C”  | Resolution No. 8 of the Manitoba Legislature (Jordan’s Principle) dated June 4, 2015   |
| Exhibit “D”  | Letter from Anne Sutherland Boal, Chief Executive Officer of the Canadian Nurses Association to Prime Minister Trudeau dated April 4, 2016   |
| Exhibit “E”  | Assembly of First Nations Resolution No. 62/2016   |
| Exhibit “F”  | United Nations Convention on the Rights of the Child dated September 2, 1990   |
| Exhibit “G”  | Jordan & Shannen: First Nations children demand that the Canadian Government stop racially discriminating against them – Shadow Report: Canada 3 <sup>rd</sup> and 4 <sup>th</sup> Periodic Report to the UNCRC dated January 28, 2011 |
| Exhibit “H”  | Complaint to the Canadian Human Rights Commission dated February 23, 2007  |
| <b>Tab 3</b> | <b>Factum of the Proposed Intervener, First Nations Child and Family Caring Society of Canada (“Caring Society”)</b>   |

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NOTICE OF MOTION  
(Motion for Interested Party Status)

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**TAKE NOTICE** that the First Nations Child and Family Caring Society of Canada (“Caring Society”) seeks leave to intervene in the *Mississaugas of The New Credit First Nation v. Canada* proceedings, pursuant to Rules 3, 8(1) and 8(2) of the *Canadian Human Rights Tribunal Rules of Procedure*, for:

1. An Order granting the Caring Society leave to intervene as an interested party in these proceedings, on a without costs basis;
2. An Order granting the Caring Society leave to make written and oral submissions on the interpretation and application of Jordan's Principle;
3. An Order granting the Caring Society leave to cross-examine the Respondent's witnesses regarding the application of Jordan's Principle;
4. Such further and other relief as this Tribunal may deem appropriate.

**AND FURTHER TAKE NOTICE** that the following documents will be referred to in support of such motion:

1. The Factum of the proposed interested party;
2. The Affidavit of Dr. Cindy Blackstock, Executive Director of the Caring Society, affirmed September 6th, 2016;
3. Such further and other material as counsel may advise and the Tribunal permits.

**AND FURTHER TAKE NOTICE** that the said motion shall be made on the following grounds:

1. The Caring Society's expertise will be of assistance to the Tribunal;
2. The Caring Society's involvement will add to the legal position of the parties;
3. The proceedings will have an impact on the Caring Society's interests;
4. Rules 3, 8(1), and 8(2) of the *Canadian Human Rights Tribunal Rules of Procedure*; and,
5. Such further and other grounds as counsel may advise and the Tribunal permits.

Dated at the City of Ottawa, Ontario, this 7th day of September 2016.



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Sarah Clarke  
David P. Taylor  
Marion Sandilands

**Counsel for the Proposed Interested  
Party, First Nations Child Family Caring  
Society of Canada ("Caring Society")**

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