



Canadian
human rights
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Commission
canadienne des
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Division

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March 31, 2016

Via Email

Dragisa Adzic
Registry Officer
Canadian Human Rights Tribunal
160 Elgin Street, 11th Floor
Ottawa, Ontario K1A 1J4

Dear Mr. Adzic:

Re: *First Nations Child and Family Caring Society et al. v. Attorney General of Canada*
Tribunal File No.: T1340/7008
Commission Complaint No.: 20061060

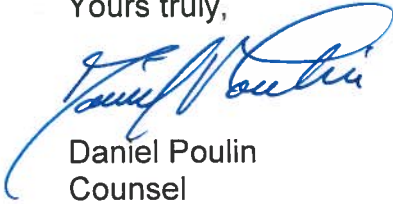
The present are the Commission's submissions in response to the Respondent's submissions in the above mentioned matter.

The Commission is encouraged by the steps suggested in the Respondent's submissions. We are concerned, however, by the lack of specifics in the steps suggested at paragraph 2 of the Respondent's submissions under the title "Immediate Relief." For example, while the Respondent indicates that short-term measures "could" include the items specified under that paragraph, there is no indication of what it "can" do. Further, there are no timelines suggested or indications that the Respondent is prepared to report back to the Tribunal and the parties as to the measures it implemented.

On the issue of the National Advisory Committee (NAC), the Commission welcomes the reinstatement of the NAC but notes there is no indication the process is meant to include First Nations organizations, leadership, communities, agencies and front-line service providers to achieve the necessary reforms. The Commission strongly supports the inclusion of all voices, including the proposed intervener NAN, in the development of any remedies put forward by the Respondent. In addition, there is no indication the Respondent is ready to financially support these organizations to facilitate their participation. The absence of financial support could result in a lack of participation of interested communities.

I trust this is satisfactory and remain,

Yours truly,



Daniel Poulin
Counsel

- c.c. David Taylor and Sébastien Grammond, Counsel for the FNCFCs *(By e-mail)*
- David C. Nahwegahbow, Counsel for the Assembly of First Nations *(By e-mail)*
- Stuart Wuttke, General Counsel for Assembly of First Nations *(By e-mail)*
- Jonathan Tarlton, Melissa Chan, and Patricia MacPhee, Senior Counsel for Indigenous and Northern Affairs Canada *(By e-mail)*
- Terry McCormick & Ainslie Harvey, Counsel, Department of Justice *(By e-mail)*
- Justin Safayeni, Counsel for Amnesty International *(By e-mail)*
- Maggie Wentz, Counsel for the Chiefs of Ontario *(By e-mail)*