

Canadian Human  
Rights Tribunal



Tribunal canadien  
des droits de la personne

Ottawa, Canada K1A 1J4

October 4, 2023

**By e-mail**

(See Distribution List)

Dear Parties,

**Re: First Nations Child and Family Caring Society et al. v. Attorney General of Canada  
Tribunal File: T1340/7008**

The Panel is in receipt of the AGC's letter dated September 21, 2023 and wishes to convey the following:

The AGC asked the following question:

“At this time, Canada would like to ask for clarification on the intent of this process of information exchange, begun in March 2023 and now to include a case management call. Any insight the Panel can provide on the direction in which this process is moving would be very much appreciated”.

The Panel in requesting information from the parties on long-term reform is trying to achieve a number of goals.

1. Understand where the parties are at in terms of progress in the implementation of previous orders to cease the discrimination and prevent it from reoccurring and subsequent orders. This retention of jurisdiction rooted in the Tribunal's role to ensure discrimination is eliminated was clearly expressed in numerous rulings.

At this time, the Panel is unclear as to what is the progress from the parties' different points of views given the parties' submissions in the spring of 2023. If the parties are actively negotiating and trying to resolve those different views, the Tribunal is happy to continue to allow for the dialogic approach recognized by the Federal Court to continue. If this is the case, a clear request on consent with an update would be greatly appreciated.

2. The call on November 1st, 2023 was meant to understand the above and determine next steps.

3. As mentioned numerous times, the Tribunal applies quasi-constitutional legislation that requires it to balance expeditiousness with fairness. Following-up with the parties advances this goal.

Therefore, the Panel directs the parties to provide a response to the above on consent or otherwise by **October, 10, 2023**.

Should you have any questions, please do not hesitate to contact the Registry Office by e-mail at [registry.office@chrt-tcdp.gc.ca](mailto:registry.office@chrt-tcdp.gc.ca) by telephone at 613-878-8802 or by fax at 613-995-3484.

Yours truly,

Judy Dubois  
Registry Officer

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