

CANADIAN HUMAN RIGHTS TRIBUNAL

B E T W E E N:

**FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA and
ASSEMBLY OF FIRST NATIONS**

Complainants

- and -

CANADIAN HUMAN RIGHTS COMMISSION

Commission

- and -

**ATTORNEY GENERAL OF CANADA
(Representing the Minister of Indigenous Services Canada)**

Respondent

- and -

**CHIEFS OF ONTARIO,
AMNESTY INTERNATIONAL and
NISHNAWBE ASKI NATION**

Interested Parties

AFFIDAVIT OF CINDY BLACKSTOCK

I, Cindy Blackstock, of the City of Ottawa, in the Province of Ontario, SOLEMNLY AFFIRM THAT:

1. I begin by honouring all of the First Nations children and youth, past and present, and the Nations, families and friends who love them including honouring the children of all diversities who stood with First Nations children to call for justice during these proceedings. This is a human rights case that mattered – it has changed countless First Nations children’s lives for the better and bended the long arc of discrimination towards the loving justice in this plan.

2. I am Gitxsan, a professor at McGill University’s School of Social Work, and the Executive Director of the complainant, the First Nations Child and Family Caring Society of Canada (“**the Caring Society**”). As such, I have personal knowledge of the matters hereinafter deposed to, save and except for those matters stated to be on information and belief and where so stated, I believe them to be true.

3. The Caring Society is a national non-profit organization that works to ensure the safety and well-being of First Nations children, youth and families through reconciliation-based education initiatives, public policy campaigns and providing quality resources to support communities. Through this work, the Caring Society champions culturally based equity for First Nations children and their families so that they can grow up safely at home, be healthy, achieve their dreams, celebrate their language and culture and be proud of who they are. More information about the Caring Society is found on the “About Us” page of our website, at fncaringsociety.ca/about.

Recognition of This Moment

4. First Nations, First Nations youth in and from care, Residential School Survivors, 60’s Scoop Survivors and the families of Murdered and Missing Indigenous Women, Girls and LGBTQAI+ persons are united in the purpose of ensuring that this generation of First Nations children and those yet unborn will live free of Canada’s discrimination and be given a fair opportunity to build on the multi-generational strength of their ancestors and communities to address the multi-generational harms wrought from Canada’s woeful conduct.

5. The late Elder, Elmer Courchene, who appeared before the Tribunal, taught us that when it comes to children, justice is not enough. Every child deserves loving justice – infusing law and policy with love, spirit and humanity. That is why this submission was blessed at a Winter Solstice Ceremony and is wrapped in the phrase “we love you” translated into First Nations languages. National Children’s Chiefs Commission Knowledge Holder Judy Wilson worked with Deborah Foxcroft and Elders to craft a Winter Solstice Prayer for Children to honour the children on the occasion of this submission. I personally attended a Winter Solstice Ceremony in Tk’emlúps te Secwepemc Territory to honour the children and the Loving Justice Plan.

My Background

4. I am Gitksan. 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, including work as a front-line social worker and, since 2002, have been the Caring Society’s Executive Director. My work has focused on addressing discriminatory practices against First Nations children, youth, and families by Indigenous Services Canada and its predecessors since 1997.

5. The Caring Society’s mission statement is to provide active reconciliation-based education, policy guidance, research, advocacy and support to promote the safety and wellbeing of First Nations children, young people, families, communities and Nations.

6. I have 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, and a BA in Psychology from UBC. I have also received over 20 honorary doctorates.

7. In 2023, I received the World Children’s Prize for advancing equity and rights for First Nations and Indigenous children globally—a recognition made especially meaningful by millions of children voting worldwide. My collaborative efforts have earned over 90 awards, including the Royal Society of Canada’s Indigenous Engagement Prize (2025), the SSHRC Gold Medal (2022), Amnesty International’s Ambassador of Conscience Award, the Law Society of Upper Canada’s Human Rights Award and admission to the Order of Canada. Most rewarding, however, is seeing children thrive after receiving the support they deserve. I affirm this affidavit in support of the Caring Society’s and the Assembly of First Nations’ (“AFN”) national plan to end discrimination within the FNCFS Program and prevent its recurrence (for First Nations not subject to the Ontario Final Agreement “OFA”).

The Loving Justice Plan for Long-Term Reform of First Nations Child and Family Services

8. Since the Tribunal directed the Caring Society and the AFN to develop a national FNCFS long-term reform plan in 2025 CHRT 80, I have been directly involved in the conceptualization, development and refinement of the plan. I am proud to attach the resulting plan, titled the Loving

Justice Plan for Long-Term Reform of First Nations Child and Family Services (“Loving Justice Plan” or “Plan”) as **Exhibit 1** to my affidavit.

9. Regrettably, despite repeated invitations to collaboration on a unified plan, Canada refused to do so (other than a brief meeting on December 10, 2025, noted at the end of my affidavit), and indeed repeatedly rejected the value of any discussions with the Complainants and sought to minimize contact with the National Children’s Chiefs Commission (“NCCC”) to two brief meetings.

10. The Loving Justice Plan centers First Nations perspectives and First Nations rights and their children’s rights. It was created in close collaboration with the NCCC, the AFN and numerous First Nations, First Nations child and family service experts, Elders and young people across Canada (excluding Ontario). The incredible efforts of First Nations, Elders, youth, and First Nations’ regional experts to conduct engagement sessions over a short period of time to inform the Loving Justice Plan was inspiring and representative of the deep love that First Nations have for their children. Over 100 submissions were received, including 64 submissions by groups numbering up to 91 persons.

11. Canada did not participate in this plan, nor did it provide any funding. The regional engagements relied completely on financial and in kind contributions by the Caring Society, Our Children; Our Way (a non-profit organization representing the 24 First Nations, Inuit and Métis Delegated Aboriginal Agencies in British Columbia, which has been providing secretariat support to the NCCC) and in-kind donations by First Nations, First Nations child and family service experts and allies.

12. The Loving Justice Plan aims to permanently end Canada’s systemic discriminatory conduct in First Nations child and family services on-reserve and in the Yukon, while respecting First Nations’ right to self-determination, in a manner consistent with Canada’s domestic and international human rights commitments. Consistent with the direction by the Tribunal and First Nations, the Plan provides a national foundation of minimum standards and effective mechanisms to ensure Canada’s accountability whilst providing for regional variations to meet local needs and realities. Relying on the national engagement submissions arising from 2025 CHRT 80 and the best evidence available, the Plan seeks to demonstrate how its implementation will clearly and

effectively permanently cease the systemic racial discrimination identified by the Tribunal. The Plan sets out the mechanisms, and supporting evidence, underlying the measures that will permanently end Canada's discrimination. These are described narratively throughout the Loving Justice Plan.

13. The Loving Justice Plan intends to be responsive to the individual circumstances of First Nations, including by incorporating distinct regional variations to address distinct community circumstances, culture and language, while addressing Canada's systemic discriminatory conduct recognized by the Tribunal and First Nations. The Loving Justice Plan provides narrative descriptions of First Nations perspectives on FNCFS reforms and refers to evidence from First Nations-led research where applicable.

14. In keeping with the Tribunal's direction in 2025 CHRT 80 to strive for excellence rather than perfection and the First Nations value of humility, the proposed plan is intended to be responsive to the changing needs of children and families and better information, data, and experience. Therefore, the Plan includes First Nations led governance mechanisms that are transparent and accountable to First Nations along with regional and national policy and practice secretariates. Measuring outcomes for children, youth and families is essential to understanding their evolving needs, the efficacy of various interventions, and to detect any recurrence of Canada's discrimination at the earliest possible stage.

15. The Loving Justice Plan is organized into nine themes, presented as chapters, each of which groups a series of proposed measures that are essential elements to remedy Canada's discriminatory conduct. These measures, which include explanations and the rationales that inform the proposed measures, are all intended to reflect the nine non-exhaustive parameters set out in paragraph 113 of 2025 CHRT 80. The measures, and accompanying rationales, rely and build upon the Tribunal's current orders and prior rulings in this matter, where applicable. They also rely on a variety of sources including: direction by First Nations in Assembly via resolutions, the Truth and Reconciliation Commission, Final Report on Murdered and Missing Indigenous Women and Girls, applicable legislation and jurisprudence, domestic and international human rights laws, norms and principles such as the United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Convention on the Rights of the Child, research and evidence and the views

of Indigenous youth. In keeping with the proportionality principle discussed by the Tribunal in recent rulings, the evidence highlighted in the Loving Justice Plan is kept to the essential points underlying the measures.

16. The Loving Justice Plan also contains detailed deadlines at the outset of many of the measures. The Plan also adopts clear, measurable targets, being the Measuring to Thrive Indicators, included as Appendix J of the Institute of Fiscal Studies and Democracy, First Nations child and family services: Phase 2 Report.

17. Critically, the plan is designed to align with public finance evidence accrued over decades of study and experience.

Process Leading up to the Loving Justice Plan

18. In 2025 CHRT 80, the Panel directed the Caring Society and the AFN to consult with the NCCC to develop an evidence-based, comprehensive National FNCFS long-term reform plan.

19. The NCCC is a non-incorporated association vested with the authority and the mandate to carry out the long-term reform work to end Canada's discrimination on behalf of rights-holding First Nations.

20. The Chiefs-in-Assembly established the NCCC in October 2024 at a Special Chiefs Assembly convened for the purpose of considering the draft Final Agreement on long-term FNCFS reform negotiated by Canada, the AFN, Chiefs of Ontario and Nishnawbe Aski Nation. On October 17, 2025, Chiefs-in-Assembly rejected the draft Final Agreement by overwhelmingly defeating Draft Resolution 01/2024: Our Children, Our Future. Instead, First Nations in Assembly overwhelmingly adopted a new transparent and inclusive approach to ending Canada's discriminatory conduct in AFN Resolution 60/2024: Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle.

21. The vote on Draft Resolution 01/2024, which took place on October 17, 2024, was 147 in favour, 267 opposed and one abstention (I consulted CPAC's archived video "AFN Special Chiefs Assembly: Day 2 – October 17, 2024" from time code 8:57:00 to 8:58:20 to verify the results of the vote). I was present for this vote.

22. The vote on AFN Resolution 60/2024, which took place on October 18, 2024, was 186 in favour, seven opposed and ten abstentions (I consulted CPAC's archived video "AFN Special Chiefs Assembly: Day 3 – October 18, 2024" from time code 2:12:10 to 2:12:25 to verify the results of the vote). I was present when this resolution was adopted.

23. The Chiefs-in-Assembly mandated the NCCC to openly and transparently oversee and provide strategic direction, in accordance with their resolutions, to permanently end Canada's systemic discrimination in First Nations Child and Family Services and Jordan's Principle, including all related negotiations and litigation. At the December 2024 Special Chiefs' Assembly, the Chiefs-in-Assembly passed AFN Resolutions 88/2024, 89/2024, 90/2024. These resolutions affirmed the NCCC's authority and mandate and approved in principle the NCCC's governance structure established in AFN Resolution 60/2024.

24. Chiefs-in-Assembly provided further direction regarding FNCFS long-term reform at the AFN's Annual General Assembly in September 2025. Notably, Draft Resolution 50/2025: Regional First Nations Child and Family Services Reform Agreements, was defeated by a vote of 54 in favour, 153 opposed and 11 abstentions (I consulted CPAC's archived video "AFN 2025 Annual General Assembly: Day 2" from time code 7:03:00 to 7:03:41 to verify the results of the vote). While I was present at the September 2025 Annual General Assembly, I was not present for this vote.

25. The NCCC's Terms of Reference were approved at the Annual General Assembly held from September 3-5 2025, in AFN Resolution 03/2025.

26. First Nations located in all the Provinces and Territories in Canada, outside Ontario, have appointed Commissioners, Alternates, and experts to the NCCC.

27. Currently the NCCC is composed of 23 First Nations' Commissioners and Alternate Commissioners, appointed through self-determined regional First Nations processes. The vast majority of Commissioners also serve as Chiefs of their respective First Nations. Each Commissioner appoints regional child and family service experts who work collectively to uphold the NCCC mandate.

28. In line with the Tribunal's orders in 2025 CHRT 80, the Caring Society, NCCC and AFN have engaged First Nations, First Nations child and family service experts, youth, the prospective interested parties, other stakeholders and drawn on existing expertise to develop the Loving Justice Plan. I adopt the content of the Caring Society's monthly reports regarding activities conducted pursuant to 2025 CHRT 80 and their descriptions of those engagement efforts.

29. In September 2025, the Caring Society also contacted all the proposed interested parties who sought leave to participate in this proceeding, and established plans to engage with the Assembly of Seven Generations to ensure the voices of young people were included.

30. Late in the evening on September 19, 2025, I saw a social media post by the Honourable Mandy Gull-Masty, P.C., M.P., Minister of Indigenous Services, announcing Canada's judicial review of 2025 CHRT 80. Shortly thereafter, I learned that the Caring Society and the AFN were served with the application for judicial review. While Canada's pursuit of further litigation may have diverted time, attention and effort away from the Loving Justice Plan, the Caring Society has remained committed to fulfilling the Tribunal's direction to develop a plan to permanently end Canada's discrimination in First Nations Child and Family Services without delay.

31. Throughout September 2025, I collaborated with the NCCC and AFN to create an engagement guide to support First Nations Leadership, experts and youth to participate in the national engagement to inform the Loving Justice Plan. The engagement guide is composed of nine themes identified from AFN resolutions, the CHRT orders, existing research, a partial review of long-term reform measures by the National Advisory Committee in 2023/24, and the Accountability in our Lifetime report by the Assembly of Seven Generations. The guide also invited participants to name additional themes that they identified as important to permanently ending the discrimination.

32. The NCCC and Caring Society ensured that engagement materials and resources were available in both French and English. Webinars featured simultaneous translation and bilingual NCCC and Caring Society members were available to facilitate participation.

33. Consistent with the direction of First Nations in Assembly in Resolution 60/2024, the NCCC includes First Nations that are not members of the Assembly of First Nations. For example,

First Nations in Alberta, many of whom are not members of AFN, are represented on the National Children's Chiefs Commission and their experts are active participants in the NCCC technical team.

34. In early October 2025, the Caring Society finalized and circulated engagement materials amongst First Nations leadership, regional experts and interested parties, in both English and French, and in several formats (i.e. online, fillable PDF and fillable Word) to accommodate diverse internet access among First Nations. The Caring Society and NCCC distributed these engagement materials via QR codes, handouts, presentations, and briefing notes.

35. Due to the lack of funding, I understand that First Nations and First Nations child and family service experts in the regions supported engagement sessions through existing meetings and online platforms using existing resources. The Caring Society participated in regional sessions hosted in Yukon, British Columbia, Alberta, Manitoba, New Brunswick, and Saskatchewan as well as plenary sessions at the AFN's Annual General Assembly in September 2025 and a plenary at the AFN's Special Chiefs Assembly in December of 2025.

36. On October 24, 2025, the Caring Society hosted a session with legal counsel and client representatives from the First Nations organizations that sought interested party status in this proceeding to provide an update on the regional consultations.

37. That same day, the Caring Society joined a webinar with simultaneous translation hosted by the NCCC, with over 200 attendees, to answer questions about the engagement materials and process.

38. In keeping with Indigenous data sovereignty, the NCCC is the trustee of the submissions received via the regional engagement process.

39. In partnership with the NCCC, the Caring Society worked alongside a research scholar with expertise in research methods, who is affiliated with a major university, to design and implement a data analysis methodology for the national engagement results that accords with best practices and achieves the aims set out in 2025 CHRT 80.

40. Over the course of the consultation and engagement process directed pursuant to 2025 CHRT 80, the Caring Society did not receive any funding support or capacity funding from Canada. Indeed, in its November 4, 2025, update, Canada said it would not fund the Caring Society or AFN's activities in bringing forward the Loving Justice Plan. The lack of funding meant that the Caring Society and others had to contribute their own resources and that First Nations and First Nations child and family service experts had to draw on their resources to participate in the engagement sessions.

41. The NCCC has contributed significant expertise and effort to the national engagement process but, until very recently, had no funding. Their incredible dedication to children spurred delegates at the Loving Justice Conference to launch a crowd funding event that raised approximately \$55,000.

42. The lack of funding or in-kind support from Canada meant that there was no funding for dedicated regional engagement sessions. First Nations Leadership and experts in the regions had to rely on their own resources to host engagement sessions and submit their engagement reports. While my technical colleagues at the NCCC and I are proud of the overall participation in the national engagement, there is little doubt that dedicated funding would have yielded higher participation rates, particularly among First Nations with limited financial resources.

Supportive Evidence related to the Loving Justice Plan

43. The Caring Society is committed to evidence based public policy for First Nations children, youth and families. Good quality research, evidence, and outcome data are key to ensuring that remedies to Canada's discrimination benefit First Nations children, youth and families and that outcome data can detect the recurrence of discrimination at its earliest stage. This commitment dates to my personal participation in the Joint National Policy Review on First Nations Child and Family Services (2000) and the Wen:de series of reports in 2005 and the positions adopted by the Caring Society throughout these proceedings. This evidence-based approach is consistent with the direction by First Nations-in-Assembly and the Tribunal's decisions.

44. A commitment to evidence-based public policy is also consistent with the First Nations value of humility. While no solution is ever perfect, evidence, and accountability mechanisms for

Canada, help optimize success for children and to identify and minimize the imperfections and course correct as required.

45. In addition to the regional engagement feedback, the Loving Justice Plan integrates a panorama of sources including the First Nations data from the Canadian Incidence Study on Reported Child Abuse and Neglect (CIS-2019), the Institute for Fiscal Studies and Democracy studies on First Nations child and family services, the Engage First Study on small population First Nations in child and family services, recommendations from the Expert Advisory Committee (EAC) on reforming ISC, recommendations from the Assembly of Seven Generations (an Indigenous youth group), the Truth and Reconciliation Commission and the Final Report of the National Inquiry into Murdered and Missing Indigenous Women and Girls (and LGBTQAI persons).

46. The minimum standards established by the Tribunal's orders and the direction by First Nations-in-Assembly were essential pillars of the plan as well as observance of Canada's domestic and international obligations to First Nations and First Nations children through human rights instruments, norms and legislation including *An Act Respecting First Nations, Metis and Inuit children, Youth and Families*, S.C. 2019, c. 24, the *Indigenous Languages Act*, S.C. 2019, c. 24, the United Nations Declaration on the Rights of Indigenous Peoples (as implemented in Canada via the *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14), and the United Nations Convention on the Rights of the Child. For ease of reference, the documents referenced in the Loving Justice Plan (aside from statutes and caselaw) are appended to this affidavit. Attached hereto and marked as exhibits are:

- a. Alexander Holburn, Beaudin & Lang LLP, Legal opinion to IFSD dated August 31, 2018 (**Exhibit 2**)
- b. Assembly of Seven Generations, "Accountability in our Lifetime: A Call to Honour the Rights of Indigenous Children and Youth" (2021) (**Exhibit 3**)
- c. Assembly of Seven Generations, "Recommendations for the Long-Term Reform of First Nations Child and Family Services: Literature Scan" (17 December 2025) (**Exhibit 4**)
- d. Auditor General of Canada, "Emergency Management in First Nations Communities, Report 8" (2022) (**Exhibit 5**)

- e. Barbara Fallon, Rachael Lefebvre et al, “First Nations Canadian Incidence Study on Reported Child Abuse and Neglect”, (2019) **(Exhibit 6)**
- f. Canadian Bar Association, “Rights of the Child on Children’s Access to Justice and Effective Remedies” (26 August 2024) **(Exhibit 7)**
- g. Canada Foundation for Innovation, “Research in Canada, for Canada: A Value Proposition” (September 2023) **(Exhibit 8)**
- h. Chandler, M.J., & Lalonde, C. (1998). Cultural continuity as a hedge against suicide in Canada's First Nations. *Transcultural psychiatry*, 35(2), 191–219 **(Exhibit 9)**
- i. Chart of NCCC Proposals for Resolving Outstanding Issues with the 2024 Draft Final Agreement on FNCFS Long-Term Reform (received as an attachment to correspondence from the NCCC dated 21 February 2025) **(Exhibit 10)**
- j. Court Challenges Program, Funding Guidelines (1 October 2024) **(Exhibit 11)**
- k. Department of Justice Canada, “Article 12 of the Convention on the Rights of the Child and Children’s Participatory Rights in Canada” **(Exhibit 12)**
- l. Directive 20-1 **(Exhibit 13)**
- m. EngageFirst Management Consultants, “Study of Budget Needs and Funding in the Amended Draft Agreement for Long Term Reform of FNCFS Program: Final Report” (May 2025) **(Exhibit 14)**
- n. Expert Advisory Committee for the Reform of Indigenous Services Canada: Summary Report of Activities, Observations and Advice (Spring 2022 to Spring 2024) **(Exhibit 15)**
- o. Expert Advisory Committee FSA Recommendations (15 December 2025) **(Exhibit 16)**
- p. First Peoples’ Cultural Council, “Costing Models for Language Maintenance, Revitalization and Reclamation in Canada”, dated May 2018 **(Exhibit 17)**
- q. First Nations-in-Assembly Resolutions
 - i. 42/2018: *Data Sovereignty and the Ownership, Control, Access and Possession (OCAP)* **(Exhibit 18)**
 - ii. 40/2022: *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan’s Principle* **(Exhibit 19)**
 - iii. 60/2024: *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan’s Principle* **(Exhibit 20)**

- iv. 61/2024: *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services* (**Exhibit 21**)
- v. 87/2024: *Ensuring Fair and Equitable Inclusion of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreement* (**Exhibit 22**)
- vi. 88/2024: *Implementing the Chiefs' Direction to End Canada's Discrimination in First Nations Child and Family Services* (**Exhibit 23**)
- vii. 89/2024: *Renewing Negotiations Toward Long-Term Reform of First Nations Child and Family Services and Jordan's Principle* (**Exhibit 24**)
- viii. 90/2024: *Safeguarding First Nations Children and Holding Canada Accountable for its Canadian Human Rights Tribunal Legal Obligations* (**Exhibit 25**)
- ix. National Children's Chiefs Commission Terms of Reference (approved in 03/2025: *Approving Terms of Reference for FNCFS and Jordan's Principle Tables*) (**Exhibit 26**)
- r. Global Affairs Canada, "Advancing Human Rights" (24 January 2024) (**Exhibit 27**)
- s. Government of Canada, Child Rights Impact Assessment (**Exhibit 28**)
- t. Government of Canada definitions of Intra- and Intergenerational Equity:
 - i. In the environmental context (**Exhibit 29**)
 - ii. In the context of Labour Markets, Social Institutions, and the Future of Canada's Children (**Exhibit 30**)
 - iii. In the context of the Department of Justice's priorities regarding the Implementation of UNDRIP (**Exhibit 31**)
- u. Indian and Northern Affairs Canada, *First Nations Child and Family Services National Program Manual* (May 2005) (**Exhibit 32**)
- v. Indigenous Services Canada, Jordan's Principle guidance on the best interest of a child (23 December 2024) (**Exhibit 33**)
- w. Institute of Fiscal Studies and Democracy, First Nations child and family services: Phase 1 Report (**Exhibit 34**)
- x. Institute of Fiscal Studies and Democracy, First Nations child and family services: Phase 2 Report (**Exhibit 35**)
- y. Institute of Fiscal Studies and Democracy, "Funding First Nations child and family services (FNCFS): A blueprint for program reform" (2025) (**Exhibit 36**)

- z. Institute of Fiscal Studies and Democracy, First Nations not affiliated to a First Nations child and family (FNCFS) services agency: Defining a baseline (4 April 2024) (**Exhibit 37**)
- aa. Inter-Agency Standing Committee, “With Us and For Us: Working With and For Young People in Humanitarian and Protracted Crises”, UNICEF and the Norwegian Refugee Council for the Compact for Young People in Humanitarian Action, (2020) (**Exhibit 38**)
- bb. Maastricht Principles on the Human Rights of Future Generations (3 February 2023) (**Exhibit 39**)
- cc. Measuring to Thrive Framework (**Exhibit 40**)
- dd. NAC First Nations Caucus: Draft Phase 3 Recommendation Discussion Guide (March 2024) (**Exhibit 41**)
- ee. Naomi Metallic et. Al, *Doing Better for Indigenous Children and Families: Jordan’s Principle Accountability Mechanisms Report* (31 March 2022) (**Exhibit 42**)
- ff. National Inquiry into Missing and Murdered Indigenous Women and Girls Calls for Justice (**Exhibit 43**)
- gg. N. Sikka et al “Indigenous Centered Conflict Resolution Processes in Canada”, March 2021, posted as a resource document on the National Aboriginal Land Managers’ Association website (**Exhibit 44**)
- hh. Ontario Association of Children’s Aid Societies, 2025 Pre-Budget Submission dated January 24, 2025 (**Exhibit 45**)
- ii. Ontario Human Rights Commission, “Chapter 9 – Accountability and monitoring mechanisms: gaps in data management, performance review, and public transparency” (**Exhibit 46**)
- jj. Ontario Human Rights Commission, “Anti-Racism and Organizational Change: A Guide for Employers” (23 October 2023) (**Exhibit 47**)
- kk. Pan-American Health Organization, *Just Societies: Health Equity and Dignified Lives. Executive Summary of the Report of the Commission of the Pan American Health Organization on Equity and Health Inequalities in the Americas. Revised Edition* (Washington: Institute of Health Equity, 2019) (**Exhibit 48**)
- ll. Prime Minister Stephen Harper’s Apology to Survivors of Indian Residential Schools (11 June 2008) (**Exhibit 49**)
- mm. Rome Declaration on Safeguarding Seven Generations in times of Food, Social, and Ecological Crises (2023), made at the UN Global Indigenous Youth Forum, hosted

by the Food and Agriculture Organization of the United Nations in October 2023 (**Exhibit 50**)

nn. Truth and Reconciliation Commission of Canada, “Calls to Action” (2015) (**Exhibit 51**)

oo. UNICEF, “In Focus: Access to justice for children” (October 2024) (**Exhibit 52**)

pp. UNICEF, Canada criteria for child rights impact assessments, “What is a Child Rights Impact Assessment?” (**Exhibit 53**)

qq. United Nations Committee on Economic, Social and Cultural Rights concluding observations on the sixth periodic report of Canada, March 23, 2016, E/C 12/CAN/CO/6 (**Exhibit 54**)

rr. United Nations Committee on the Rights of the Child, *General Comment 11* (**Exhibit 55**)

ss. United Nations Committee on the Rights of the Child, *General Comment No. 26 (2023) on children’s rights and the environment, with a special focus on climate change*, 93rd Sess., U.N. Doc. CRC/C/GC/26 (2023) (**Exhibit 56**)

tt. United Nations, *Convention on the Rights of the Child* (**Exhibit 57**)

uu. Wen:de Reports

i. J. Loxley, F. Wien and C. Blackstock, “Bridging Econometrics and First Nations Child and Family Service Agency Funding: Phase One Report: Report to the National Policy Review National Advisory Committee” (December 2004) (**Exhibit 58**)

ii. First Nations Child and Family Caring Society of Canada, “Wen:de - We Are Coming to the Light of Day” (2005) (**Exhibit 59**)

iii. J. Loxley, L. DeRiviere, et al., “Wen:de - The Journey Continues: The National Policy Review on First Nations Child and Family Services Research Project: Phase Three” (1st ed) (2005) (**Exhibit 60**)

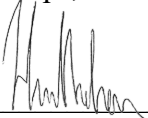
Approval of the Loving Justice Plan by the NCCC

47. On December 22, 2025, I received a letter from Chief Pauline Frost, Chair of the NCCC, confirming the NCCC’s support for the Loving Justice Plan. A true copy of Chief Frost’s letter is attached to my affidavit as **Exhibit 61**.

Communications with the Minister of Indigenous Services in December 2025

48. In the days leading up to the filing of the Loving Justice Plan, Minister Gull-Masty reached out to discuss the upcoming deadline for filing long-term reform plans. That meeting took place, virtually, on December 10, 2025, including Regional Chief Verreault-Paul, two representatives of the NCCC, and me. Regional Chief Verreault-Paul, Chief Frost and I wrote to Minister Gull-Masty to follow-up on this meeting on December 15, 2025. A true copy of our joint letter to the Minister is attached to my affidavit as **Exhibit 62**.

49. Hours before the deadline for filing the plans ordered in 2025 CHRT 80, Minister Gull-Masty responded. While the letter is dated December 21, 2025, it was received on December 22, 2025. A true copy of the Minister’s letter, addressed to Regional Chief Verreault-Paul, Chief Frost and me, is attached to my affidavit as **Exhibit 63**.

AFFIRMED BEFORE ME over video)
teleconference on this 22nd day of)
December 2025, in accordance with)
O. Reg. 431/20, *Administering Oath or*)
Declaration Remotely. The Commissioner)
was in Ottawa, Ontario and the affiant was)
in Kamloops, British Columbia)
)
)
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Commissioner for taking affidavits)



CINDY BLACKSTOCK

Henna Mohan
LSO#: 90494W