



# Fact Sheet: Overview of the First Nations Child and Family Services and Jordan's Principle Settlement Agreement

## Removed Child Class and Removed Child Family Class

### About the Settlement

On October 24, 2023, the Federal Court approved the [Settlement Agreement](#) for the First Nations Child and Family Services and Jordan's Principle Class Action, providing \$23.34 billion in compensation for affected First Nations individuals and some family members.

The Settlement applies to First Nations Children living on Reserve or in the Yukon who were removed from their homes by child welfare agencies operating in First Nations communities and placed in out-of-home care funded by Indigenous Services Canada between April 1, 1991, and March 31, 2022. It also applies to First Nations Children impacted by the federal government's failure to provide non-discriminatory access to essential health and social services, including by its narrow interpretation of Jordan's Principle. These are Children who were confirmed to need an Essential Service but faced a delay, denial or a gap in receiving that Essential Service between April 1, 1991, and November 2, 2017.

The Settlement Agreement is in response to two class actions, following a landmark decision of the Canadian Human Rights Tribunal in January 2016 ordering the federal government to end its discrimination and immediately reform the First Nations Child and Family Services Program.

Settlement negotiations began in fall 2021, leading to an Agreement-in-Principle on December 31, 2021, and a revised Final Settlement Agreement approved by the Canadian Human Rights Tribunal on July 26, 2023, and by the Federal Court on October 24, 2023.

### Useful facts

#### **What the Settlement includes:**

- \$23.34 billion in compensation for impacted First Nations individuals and some of their family members.
- A \$50 million Cy-près Fund to provide access to culture, community and healing-based programs to Class Members.
- A \$90 million fund to benefit high-needs Jordan's Principle Class Members after they reach the Age of Majority to ensure personal dignity and well-being.
- The exact Class size is unknown.



### **Eligibility:**

Nine Classes are eligible for compensation under the Settlement. The Federal Court approved the Claims Process for:

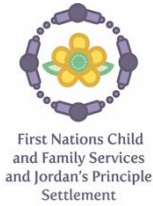
- **Removed Child Class:** First Nations Children who, while under the Age of Majority between April 1, 1991, and March 31, 2022, were removed from their homes by Child Welfare Authorities or voluntarily placed into care. The removal from home happened while the Child or their Caregiving Parent(s) or Caregiving Grandparent(s) were Ordinarily Resident on Reserve in Canada or living in the Yukon. The placement was funded by Indigenous Services Canada (ISC).
- **Removed Child Family Class:** Eligible Caregiving Parents or Caregiving Grandparents of Children in the Removed Child Class.

Caregiving Parents are the biological parents, adoptive parents and First Nations stepparents who were living with, and assumed parental responsibilities over, a Removed Child Class Member at the time of removal. Foster parents are not eligible as Caregiving Parents under the Settlement Agreement.

Eligible Caregiving Grandparents are the biological or adoptive Caregiving Grandmother or Caregiving Grandfather who were living with, and assumed parental responsibilities over, a Removed Child Class Member at the time of removal.

### **Compensation Amount:**

- The amount of compensation an eligible Claimant may receive will depend on each Claimant's circumstances.
- Claimants may be eligible under multiple classes in the Settlement Agreement. Claimants will receive the higher amount of all the Classes for which they are eligible. Compensation will not be combined.
- Base Compensation under the Removed Child Class is \$40,000. Claimants may be entitled to additional payments and interest.
- Up to two eligible Caregiving Parents or Caregiving Grandparents can receive Base Compensation of \$40,000 each with respect to a Removed Child. If more than two Caregiving Parents or Caregiving Grandparents have submitted a Claim for the same Child, priority will be given to the two Claimants from whom the Child was first removed.
- More information on compensation will be made available when the Claims Period opens.



## Claims Process

- The Claims Period for each Class will open in phases, starting with the Removed Child Class and Removed Child Family Class by the end of 2024.
- Each Class has a specific Claims Process that must be approved by the Federal Court before each Claims Period can open.
- The deadline to submit a Claim under a specific Class is only established once the Claims Period for that specific Class opens.
- The Claims Process includes details on how to submit a Claim, required documentation and the steps to receive compensation.
- Class Members may be eligible for compensation under multiple Classes and will need to fill out a Claim Form for each Class that applies to them.
- Class Members do not have to pay lawyers to participate in this lawsuit or to receive payment from the Settlement.

## Resources and Support

Resources and support are available to Class Members at no cost.

- **Settlement website:** Information about the Settlement and the Claims Process is available at [FNChildClaims.ca](https://FNChildClaims.ca). When the Claims Period opens, resources such as an Eligibility Assessment Tool will be made available.
- **Administrator:** The Administrator is Deloitte. Class Members can contact the Administrator at 1-833-852-0755 or [FNChildClaims@deloitte.ca](mailto:FNChildClaims@deloitte.ca) for questions about the Settlement and Claims Process.
- **Legal Support:** Legal advice related to this Settlement is provided to Class Members at no cost and can be accessed through the Administrator at 1-833-852-0755.
- **Mental Health and Wellness Support:** Mental health counselling and crisis support is available 24/7 through the Hope for Wellness Helpline at 1-855-242-3310 or online at [HopeForWellness.ca](https://HopeForWellness.ca). Counselling is available in English, French, Cree, Ojibway, and Inuktitut. Children and youth can also call the Kids Help Phone anytime at 1-800-668-6868 or text 686868.
- When the Claims Period opens, Class Members will also have access to Claims Helpers, at no cost, to provide support on the phone, online or in-person to complete the Claim Form and connect with local services and wellness resources.