



Canada to compensate First Nations families after years of discrimination

Government admits money won't undo the harm that was caused

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For decades, First Nations kids and families who needed financial support received less from the government than other Canadians.

Now, after years of legal battles, the federal government will have to make amends.

On Oct. 24, Canada's Federal Court approved a \$23-billion settlement agreement for First Nations children and families.

The money will go to people living on reserves who, for years, did not get the funding they should have.

The government admitted this was racial discrimination.

The Canadian government said the compensation is a key part of reconciliation, but some say they're worried the discrimination will keep happening.

Where did Canada go wrong?

Every year, many kids and families all across Canada rely on financial support from the government for things like health care, housing and education.

For most Canadians, provinces fund these services.



Zacheus Trout with his wife and children, Sanaye, left, and Jacob, right. Trout is one of many who say the government failed to provide proper health support to his two children, who both died before age 10. (Image submitted by Zacheus Trout)

But for First Nations people, the federal government is responsible for providing this funding.

For decades, this funding was less than what provinces gave non-First Nations people, which Canada now recognizes as racial discrimination.

This discrimination was harmful in many ways.

For example, many First Nations kids were being put into foster care because the federal government was underfunding First Nations across the country.

In some cases, arguments between the federal government and provinces about who should pay for First Nations care also led to delays.

“We’ve sadly had records of children dying because they didn’t get the help they need,” said Cindy Blackstock, executive director of the First Nations Child and Family Caring Society.



Cindy Blackstock, a First Nations youth advocate, says that Canada’s compensation agreement is a good first step, but more needs to be done to reform on-reserve social assistance. (Image credit: Sean Kilpatrick/The Canadian Press)

Blackstock was the one who started the fight for First Nations compensation back in 2007.

“The sad thing is, a lot of people thought First Nations people were getting more than others this whole time, not less,” she said.

Response to settlement

Zacheus Trout of Cross Lake First Nation in Manitoba said the decision left him feeling “overwhelmed” and “speechless.”

He was the lead plaintiff — one of the people affected by this discrimination who led the legal fight.

Trout filed a lawsuit in 2021 against the federal government for failing to provide proper health support to his two children, Sanaye and Jacob.

They suffered from a rare neurological disorder called Batten disease.

Both children died before age 10.

“I’ve been thinking about my kids all these years, ever since the day that they passed,” Trout said.

He said he hopes the court’s decision will mean all Indigenous people will get better services.

At a press conference following the judge’s decision, Patty Hajdu, Canada’s minister of Indigenous services, was clear that Canada had made a lot of mistakes.



Minister of Indigenous Services Patty Hajdu said Canada's compensation agreement is a good first step but can never take away the harm caused by years of discrimination.

(Image credit: Sean Kilpatrick/The Canadian Press)

"Compensation cannot bring back childhoods, it cannot bring back people and it can't undo that harm, but it's a huge piece in Canada acknowledging that harm," she said.

What's next?

It's unclear how many people will be compensated and how much money they will each receive.

Details about that will be decided in the new year.

Blackstock said many of the kids and families who are eligible will be identified through Canada's records.

"The hope is that tens of thousands of First Nations kids will be identified," she said.

On top of the \$23 billion for compensation, the government set aside an additional \$20 billion for long-term reform of the on-reserve child welfare system and family services.

However, Blackstock said that money only covers five years of reform, and she is worried that discrimination will continue to take place after that.

“The government has said we’ll commit to this \$20 billion amount over five years, but no one knows what will happen in year six,” she said.

She said Canada needs to do more and that legal battles are ongoing to make sure the government stays accountable.

The government says that Canada is committed to working with First Nations advocates to make sure that reform happens.

“We will continue working with them on a historic reform of our programs so that this never happens again,” Hajdu said.