



March 16, 2020

**By e-mail**

(See Distribution List)

Dear Counsel,

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

The Panel wishes to communicate the following to the parties:

The Parties have requested a ruling from the Panel on a number of issues arising out of its decision in 2019 CHRT 39. The Panel has reached a decision on the three questions listed below, and in the interests of expediency and facilitating resolution, its determinations are provided here, with full reasons to follow shortly.

- 1) At what age should beneficiaries gain access to the compensation?  
A: The provincial/territorial age of majority
- 2) Should compensation be available to children who entered care prior to January 1, 2006 but remained in care as of that date?  
A: Yes
- 3) Should compensation be paid to the estates of deceased individuals who otherwise would have been eligible?  
A: Yes

If you have any questions or concerns further to the above, please do not hesitate to contact the Registry by email at [registry.office@chrt-tcdp.gc.ca](mailto:registry.office@chrt-tcdp.gc.ca).

Yours truly,

A handwritten signature in blue ink that reads 'Judy Dubois'.

Judy Dubois  
Registry Officer

**DISTRIBUTION LIST**

**TO:**

David Taylor  
Barrister & Solicitor  
Conway Baxter Wilson LLP  
400 – 411 Roosevelt Avenue  
Ottawa ON K2A 3X9

Robert Frater, Q.C.  
Chief General Counsel  
Justice Canada  
50 O'Connor Street  
Ottawa ON K1A 0H8

Brian Smith and Jessica Walsh  
Legal Counsel  
Canadian Human Rights Commission  
344 Slater Street, 8<sup>th</sup> Floor  
Ottawa ON K1A 1E1

Jonathan Tarlton & Patricia MacPhee  
Senior Counsel  
Justice Canada, Atlantic Regional Office  
1400, Duke Tower  
5251 Duke Street  
Halifax NS B3K 1P3

Stuart Wuttke  
General Counsel  
Assembly of First Nations  
55 Metcalfe Street, Suite 1600  
Ottawa ON K1P 6L5

Maggie Wente  
Barrister & Solicitor  
Olthuis, Kleer & Townshend LLP  
250 University Ave, 8<sup>th</sup> Floor  
Toronto ON M5H 3E5

David Nahwegahbow and Thomas R. Milne  
Barrister & Solicitor  
Nahwegahbow Corbiere  
5884 Rama Road, Suite 109  
Rama ON L0K 1T0

Julian Falconer & Molly Churchill  
Counsel  
Falconers LLP  
10 Alcorn Avenue, Suite 204  
Toronto ON M4V 3A9

Justin Safayeni  
Counsel  
Stockwoods LLP  
Suite 2512 - 150 King Street West  
Toronto ON M5H 1J9