

**Indian Residential Schools Resolution Canada  
Media Clips**



**Résolution des questions des pensionnats indiens Canada  
Actualité**

**Friday, November 25, 2005 ♦ vendredi, 25 novembre 2005**

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<http://www.anglican.ca/Residential-Schools/qa-2005-11-23.htm>

## **Residential Schools Agreement - Q&A**

### **What does “Agreement in Principle” mean?**

The Agreement signed by the government, plaintiffs’ legal counsel, the churches and the AFN on November 20 has been approved by the Cabinet, but the details have not yet been worked out. The parties have until January 31, 2006 to do this work. It will then be submitted to the courts for their approval. It is not expected that the provisions of this Agreement will come into effect until the fall of 2006.

### **What does this agreement mean for former students of the schools?**

#### ***This is good news for all former students of the residential schools!***

It means that all those who attended the schools and are still alive, will receive an individual payment, called a “common experience” payment, based on the number of years they spent at the school. The common experience payments will be made by the federal government. The churches have not been asked to contribute to these payments.

Survivors who have claims of sexual abuse or serious physical abuse will be able to apply through a revised ADR system for additional compensation. An adjudicator will hear their claim and make a decision. Once the new Agreement is approved and operational, any compensation for abuse awarded under this program will be paid fully by the government. This ensures that all victims of abuse will be compensated fully.

Former students have the choice of opting out of this arrangement, in which case they would not receive the common experience payment, could not proceed through the ADR process, and would have to rely on the courts to settle their claims. It is expected that very few, if any, will choose this route

### **Are there provisions for former students who are elderly?**

We understand that the government has agreed to give advance payments of \$8,000 to those former students who are elderly. These payments will begin early in the new year, before the full agreement has been approved by the courts. They will be available to claimants 65 years and over.

### **What does it mean for our Dioceses?**

#### ***This is good news for all Anglican dioceses and for the General Synod!***

The federal government has signed an agreement with the Roman Catholic entities that is more favourable than the agreements signed with the Anglican and Presbyterian churches. However the Anglican and Presbyterian agreements contain “most favoured nation clauses”, which mean that the benefits within the RC agreement will be applied to the Anglican and Presbyterian agreements. The federal government has confirmed its commitment to re-negotiate our

agreement, and the discussions to effect these changes will begin shortly. One result of this is that the total liability of the Anglican Church of Canada may well be reduced.

### **What is the truth and reconciliation process that's part of this deal?**

There are four parts to this process, developed by a working group appointed by Mr. Iacobucci on which there were two Anglican church representatives. It built on work done over the past two years by a broadly based coalition that included the churches, the AFN, the BC Survivors Society, the Aboriginal Healing Foundation and the government.

1. A national truth-telling project to set the historic record straight. It will consist of seven events across the country over a two-year period, extensive research, and provision for archiving the records of the schools.
2. A local, community based truth-telling program spread over the next five years to enable survivors to tell their stories, and for those stories to be recorded as appropriate.
3. \$10M has been set aside by the government for commemoration activities, including both local and national projects yet to be determined.
4. The Aboriginal Healing Foundation will be re-mandated and funded at \$25M a year for the next five years, to continue its support for local healing programs.

### **What obligations do the dioceses have?**

Until the new Agreement in Principle is approved by the courts, likely in the spring of 2006, all dioceses and the General Synod continue to be legally bound by our current Settlement Agreement. This means that our quarterly payments to the Settlement Fund are still required during this period of re-negotiation and transition. It is our strong expectation that re-negotiation will result in a lowering of our cap, but until that happens, the terms of our original Agreement are still in place. Should it be decided that we have over-paid our share, under the terms of the new Agreement, than some dioceses may receive refunds, proportionate to their share of the original total of \$25 million.

The 11 dioceses that faced litigation are bound by our current Settlement Agreement to cooperate with the government in provision of documents and information as may be required in the revised ADR process. There is no change here.

Although not a formal obligation, we hope that dioceses will continue to cooperate with the national office in sending Anglican Church representatives to ADRs and to other healing events. This is a very important ministry of 'presence', and often provides an opportunity for the person to speak in support, not of the particular claim, but of the person, and to offer apology as appropriate. This task will expand as the local truth-telling process gets underway.

### **Would changes to the existing Settlement Agreement have to be ratified by the 30 dioceses in the ACC?**

This matter is under review.

### **What happens to the Cloud class action?**

If the Agreement in Principle is implemented in a final agreement and approved by the courts, this class action, involving the Mohawk Institute and the Diocese of Huron, which has been certified by the court, would come under the overall settlement. All students who attended the Mohawk Institute, like those who attended other schools, will receive the common experience payment, and will have access to the improved ADR process for claims of sexual abuse and serious physical abuse.

### **What happens now?**

We will enter into negotiations with the government for the actual proposals for amendment of the Settlement Agreement. These will be shared with the diocese as we progress, and will be submitted to the dioceses for approval in due course.

There is much work to be done in implementing this full package, including negotiation of a final agreement and approval through the courts of the class action lawsuits. It is not expected that the package will be fully implemented until at least the fall of 2006.

**Source: Miner and News**

**Date: 2005.11.24**

**Byline: Mike Aiken**

**Mixed emotions for residential school survivors**

**“There’s both happiness and sorrow,” said residential school survivor Louis Cameron.**

“There’s both happiness and sorrow,” said residential school survivor Louis Cameron. After learning about the news of a compensation award from the federal government, the Wabaseemoong (Whitedog) First Nation band member said he was happy the wait was over, but sad for the memory of all his family members, who didn’t live long enough to hear it for themselves.

Elder Julia Keewatin of Grassy Narrows agreed. Speaking through an interpreter, she said, “Since the announcement of reparations, many people have died. Do it now, before any more of our people die.”

On Wednesday morning, the federal government announced it would spend \$2 billion to compensate those who attended residential schools. An initial award of \$10,000 would be distributed to those who simply attended, with another \$3,000 for each year of attendance.

The decision does not preclude further action for those who claim for physical or sexual abuse, said Kenora lawyer Doug Keshen, who was at the negotiating table Sunday, when the deal was reached.

“We’re pleased that, finally, Canada and the churches have recognized the entitlement of people for the impact it had on their lives,” Keshen said Wednesday morning.

For close to a century, young aboriginal children were taken from their families and placed in boarding schools run by churches, with little opportunity to spend time with their relatives learning their language and traditions. The wide-spread allegations of abuse have been acknowledged by both the federal government and churches, and apologies have since been issued.

Keshen emphasized that 100 per cent of the awards will go to the survivors, with legal fees paid out separately.

“We felt it was very important that none of this money was diverted,” he said.

The exact distribution system for the awards has yet to be worked out, but the law firm is promising more information will be forthcoming soon, and the application process will be passed along to survivors as efficiently as possible.

Those 65 years or over are encouraged to apply for a fast-track process, where they will receive a base of \$8,000 in short order. This acknowledges that thousands of survivors have already passed on.

Last spring, the Assembly of First Nations estimated about 87,500 people would be eligible across the country for an award, but this is well short of the 100,000 or more who attended these schools, due to the advancing age of many survivors.

In Kenora area, there were six main residential schools: Cecilia Jeffrey, St. Mary's, Fort Francis, Pelican Falls, McIntosh and Poplar Hill.

Survivors are encouraged to contact either a law firm or the federal government's Indian Residential School Resolution Canada offices for more information.

<http://www.timesonline.co.uk/article/0,,11069-1890035,00.html>

## Canadian natives win £1bn for 70 years' abuse

FROM DAVID CHARTER IN WASHINGTON

CANADA announced yesterday that it will pay Can\$2 billion (£1 billion) to former pupils of government boarding schools that were set up to “Christianise” the children of native Indians but which are blamed for decades of physical and emotional abuse.

About 80,000 Canadian aborigines will qualify for a share of the biggest pay-out in the country's history, which marks a fresh attempt by the Government to atone for systematically trying to strip native children of their language and culture over a period of 70 years.

Native leaders said that the money should be just the first step towards redressing a national tragedy that had left generations spiritually bereft and fuelled deep and continuing social problems.

Canada's 700,000-strong indigenous communities, known as the First Nations, suffer epidemic rates of alcoholism, drug addiction and sexual abuse.

Phil Fontaine, the national chief of the Assembly of First Nations, said: “Today marks the first step towards closure on a terrible, tragic legacy for the thousands of First Nations individuals who suffered physical, sexual, or psychological abuse.” Mr Fontaine, who attended a residential school in Manitoba, has worked for years to secure compensation.

Most of the 130 schools closed in the 1970s and many survivors are now of pensionable age, while others died without seeing any compensation for alleged beatings and rape.

Mr Fontaine added: “This settlement package will contribute to the journey on the path to healing — not only for all residential school survivors, but for their children and grandchildren. For they too, have suffered the effects of this abuse.”

Under the system set up at the start of the last century, native children were often sent hundreds of miles away to the remote residential schools. In an attempt to assimilate Canada's First Nations into mainstream society, they were forcibly separated from their families and forbidden from speaking their language.

About 15,000 former pupils had brought legal claims against the Government and the Roman Catholic, Anglican, Presbyterian and United churches that ran the schools. These claims must be dropped as part of the deal.

It includes Can\$60 million for a truth and reconciliation commission to promote awareness of what happened. The churches will contribute. Archbishop Andrew Hutchison, Primate of the Anglican Church of Canada, said he hoped the package would bring a “just and lasting solution”.

Irwin Cotler, the Justice Minister, said the abuse was “the single most disgraceful, racist and harmful act” in Canadian history.



[ABC Online](#)

**The World Today - Indigenous Australians take heart from Canada's compensation decision**

[This is the print version of story <http://www.abc.net.au/worldtoday/content/2005/s1515949.htm>]

**The World Today - Thursday, 24 November, 2005 12:38:00**

**Reporter: David Mark**

ELEANOR HALL: A multi-billion dollar compensation payment to Canada's Indigenous people has received a mixed reaction from some of Australia's Indigenous leaders.

The Canadian Government has announced a \$2.2 billion package for 90,000 native Indians who were forced to attend church run residential schools from the 1930s to the 1970s.

The Australian Government has refused to pay compensation to the thousands of Indigenous Australians who were taken away from their homes, despite a recommendation in the Human Rights and Equal Opportunity Commission's stolen children report.

One member of the National Indigenous Advisory Council says the Canadian model is a precedent. But a prominent Aboriginal leader says he doubts the Federal Government will ever pay compensation.

This report from David Mark.

DAVID MARK: Under the residential schools system, Canada's native Indians, or First Nations people, as young as five, were sent from their parents to church-run schools. For around 50 years, tens of thousands of people say they suffered sexual and psychological abuse.

Angus Toulouse is the Assembly of First Nation's Regional Chief for Ontario.

ANGUS TOULOUSE: Anybody caught speaking their language, talking about their culture - they were strapped, they were routinely pricked with a needle on the tongue, and those were routine things that I heard many survivors talk about, that they had experienced and witnessed.

DAVID MARK: Today's multi-billion-dollar compensation package is being hailed by the Assembly of First Nations as the first step towards closure on a terrible, tragic legacy.

ANGUS TOULOUSE: There is a real hurt, there's a lot of pain being felt by First Nations people throughout this country that really needs to be addressed and they need the opportunity to go through the healing processes that are required to maintain and get their healthy life back again.

DAVID MARK: 1997's Bringing Them Home: The Stolen Children report, told the stories of the thousands of Australian Aborigines who were forcibly taken from their homes to be educated in church-run schools and missions.

One of the recommendations of the report was for survivors to receive an apology and compensation.

While the State Governments have apologised, the Federal Government has not and has also refused to offer any compensation.

The CEO of New South Wales Native Title Services, Warren Mundine, is also a member of the National Indigenous Advisory Council, and argues the Canadian compensation package is a precedent for the Federal Government to follow.

WARREN MUNDINE: You know, this is a landmark decision. It gives hope to people who have been in the situation of being taken away, in Australian situations of stolen generation.

And these people have through the home systems that they were sent through, the institutions and that, have had tremendous problems and have come back into our communities and have problems within our communities as well. So I think it's... to me, it's a good step. I think it's a great step and it heartens me.

DAVID MARK: When does the National Indigenous Advisory Council next meet and when will you be next talking with the Federal Government?

WARREN MUNDINE: We're sitting down next week for three days together as the National Indigenous Council and also we'll be talking with the ministerial taskforce next week, so there's a great opportunity to do this.

Now, I've raised this issue in the past in regard to sorry, and it's a continuous thing. The Government keeps on continuously saying no to it, we'll continuously say that you need to do it.

DAVID MARK: Will you raise the Canadian example?

WARREN MUNDINE: I'll raise that Canadian example in the discussions that we're going to be having, yes.

DAVID MARK: The Director of the ANU's National Centre for Indigenous Studies, Professor Mick Dodson, was the Aboriginal and Torres Strait Islander Social Justice Commissioner in the mid 90s and worked extensively on the Bringing them Home report with author, Sir Ronald Wilson.

He welcomes the Canadian decision, but says it doesn't set a precedent.

MICK DODSON: Well, it's good news but I don't know if it's going to have any impact on the Australian Government.

DAVID MARK: Why not?

MICK DODSON: Well, because this government's never had the generosity of spirit to do the decent thing by the stolen generation. That's in a nutshell.

DAVID MARK: So would you argue that the decision by the Canadian Government is a model for the Australian Government?

MICK DODSON: The Government already has a model in the form of the recommendations of the Bringing Them Home report, the report on the stolen generations.

It's been there, it's been there for, you know, a long time now, nearly the life of the Government. The formula is there, the process is suggested that could be put in place. But as I said, they refuse to do the decent thing by the stolen generations.

DAVID MARK: Professor Dodson, do you still hold out some hope that the recommendations in the Bringing Them Home report will be at some point be implemented?

MICK DODSON: Not by this Government. Not by a Government under its present leadership. I hold hope that in the future, governments will fully embrace the report and there will be a national apology with a future leader.

ELEANOR HALL: And that's the Director of the ANU's National Centre for Indigenous Studies, Professor Mick Dodson, speaking to David Mark.

*The World Today* did seek comment on this story from the Minister for Aboriginal Affairs, Senator Amanda Vandstone, but she wasn't available.

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## **Nov 24, 2005 - CJC welcomes government recognition of residential school abuse victims**

**OTTAWA** - Canadian Jewish Congress welcomed the Canadian government's announcement of plans to compensate Aboriginal Canadians who were abused while attending government-run residential schools, which includes funds for a truth-and-reconciliation commission.

"We are pleased that Canada has finally understood its responsibility for a shameful part of our country's history, and is seeking to rectify its actions," said Canadian Jewish Congress National President Ed Morgan.

"Canada has made a crucial and substantive step toward recognizing our national culpability for this grievous historic wrong," added CJC Pacific Region Chair Mark Weintraub.

"As this process moves forward, survivors' and Aboriginal voices must be heard in the development and implementation of the programs being created on their behalf. The Jewish community will certainly lend its unqualified support to authentic reconciliation," he noted.