

**Indian Residential Schools Resolution Canada  
Media Clips**



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

**Monday, February 12, 2007 ♦ lundi, 12 février 2007**

## Table of Contents/ Table des matières

### IRS RELATED COVERAGE:

**Survivors concerned over possible delay in compensation payments.....p.3**

**Merchant firm earned its money.....p.5**

### OTHER COVERAGE:

**Suffering of native children has deep roots.....p.6**

**Letters to the Editor.....p.7**

## February 12, 2007

### Survivors concerned over possible delay in compensation payments

**The Leader-Post (Regina) (page A6) (February 10)**

**Anne Kyle**

The federal government is committed to taking the steps necessary to ensure the multibillion-dollar residential school settlement agreement is implemented without undue delay, says Erin Gorman, a spokesperson for Indian Residential Schools Resolution Canada.

Former residential school students, many of whom are elderly or ailing, and the Assembly of First Nations have expressed concern that compensation payments could be delayed by a squabble over legal fees between the federal government and Tony Merchant's law firm.

But even with potential roadblocks removed the estimated 80,000 former Indian residential school students aren't likely to see the first of their compensation cheques until late this fall.

"The government filed a motion on (Tuesday) in the Saskatchewan Court of Appeal that seeks to lift a stay of execution of the anticipated final approval order so the next step of implementation could occur," Gorman said.

Under the Saskatchewan Court of Appeal rules, when an appeal is launched it automatically freezes any proceedings pending the outcome of the appeal.

Earlier this year Ottawa filed an appeal challenging a portion of a Saskatchewan Court of Queen's Bench ruling on the settlement deal that ordered the government to pay the Merchant Law Group between \$25 million and \$40 million in legal fees. The ruling stated if the issue can't be resolved the matter is to be referred back to the court for resolution.

The federal attorney general maintains the law firm must verify its numbers by opening its files to government auditors.

Merchant filed a cross-appeal. Merchant argues his firm is owed the money for work done over the past decade on behalf of more than 8,000 former residential school students and his firm has already provided the required documentation. He accused the federal government of trying to get its hands on confidential files that are protected under client-solicitor privilege.

In its application to the appeal court, the federal government is asking that the stay imposed under the court rules be lifted with the exception of those provisions relating to

the payment of legal fees to the Merchant Law Group. The motion is to be heard March 14.

Once the stay is lifted Catherine Coughlan, counsel for the attorney general, said she anticipates the matter will proceed to the next stage in the process.

The class action and compensation settlement, estimated to be between \$4 billion and \$5 billion, has been certified by nine Canadian judges, Coughlan said.

She added it is anticipated the judges, who met in Calgary in January to iron out some administrative concerns, will meet again in March to execute their formal court orders sealing their approval.

"Right now if we are looking at having the courts approve the settlement by mid-March, and this is just speculative as we don't have a date, we would be then looking at roughly a five-month-long 'opt-out' period that will run 35 days following the entry of the orders," Coughlan said.

"Thereafter if 5,000 affected people do not opt out of the agreement, then the agreement moves within 30 days to implementation. So we would be looking at sometime in the fall for complete implementation and the first of the payouts."

While former students had hoped to begin receiving their compensation cheques by early summer, Coughlan noted the court certification decisions didn't come down until late December.

## **Merchant firm earned its money**

**The Leader-Post (Regina) (page B8) (February 10)**

**John Hamon**

I'm one of those Saskatchewan residents who is fed up with watching, listening to and reading negative material surrounding Regina lawyer Tony Merchant and his

involvement with victims of abuse in the government of Canada's native residential school programs.

In one week alone, the CBC aired three programs criticizing the amount of compensation Tony Merchant and company will receive for the many years of work he and his associates devoted to these cases.

Merchant did not decide the outcome of the settlements. He merely represented his clients in front of the courts and the governments that were involved. Is that not what lawyers are supposed to do? Should he not receive compensation for his work?

What Merchant and his associates will receive is less than what the players of a major sports team receive in one season. It's also considerably less than what the CBC-Radio Canada receives in grants for one year, a sum that hovers around 1.14 billion taxpayers' dollars.

Merchant is one of Canada's outstanding lawyers. Would it appease "the friends of socialism" if the Merchant law firm moved to Calgary, where success is so prevalent that it goes unnoticed?

The truth is that Mr. Merchant closed the book on what is one of the darkest stories in Canada's past. He should receive what's coming to him, and we should be grateful that, in the end, justice was served.

John Hamon

Gravelbourg

## **Suffering of native children has deep roots**

**The Ottawa Citizen (page A9)  
Domingo Mespolet**

Re: Children's suffering prompts chief to threaten rights complaint, Feb. 6.

I was deeply saddened to read about the number of aboriginal children who continue to suffer under the current child-welfare system. Indian Affairs Minister Jim Prentice mentioned that there are 27,000 children from First Nations in the system. He also mentioned that the government already contributes \$416 million annually to First Nations. I agree that this is indeed a significant amount of money. So why do so many children continue to suffer?

Unfortunately, I believe most Canadians are truly unaware of the social, historical and political forces faced by First Nations. The effects from federal government policies that have mistreated and abused First Nations for centuries, such as mandatory residential schools and laws against practising First Nations cultures, persist today.

Having lived and worked on a reserve off the central coast of British Columbia as a school counsellor from 2002 to 2006, I have witnessed some of the remnant effects of such government policies.

I have also witnessed the tremendous strength and resilience with which the community so courageously resists such mistreatment. Traditional practices such as potlatches have survived, as has the native language, which is now taught in the school.

Nevertheless, the fact that so many children continue to suffer is an indication that the government is not doing enough to repair the damage it caused. My suggestion to Mr. Prentice would be to spend less time on "examination" and more time on action. I also encourage Chief Phil Fontaine to continue doing what he must to voice First Nations issues, even if it means litigation. An increased awareness among Canadians is a necessary first step, and will encourage the federal government to finally address this most intolerable situation once and for all.

Domingo Mespolet,

Aylmer

## Letters to the Editor

Winnipeg Sun (page 10) (February 10)

### MUSEUM MISUNDERSTOOD

Just when I thought the people of this city could not get any colder-hearted or ignorant, I saw the Feb. 8 Letter of the Day (Give me my green back, Stanley Reitsma).

The writer argued that instead of the government offering a cash rebate for buyers of hybrid vehicles, they should just cut taxes altogether. His grand idea? Cut funding to the human rights museum because it was a "left-wing propaganda temple."

Where does it say that only people of left-wing ideologies can be concerned about human rights? Are you not, sir? Does the Holocaust not bother you? How about the Japanese internment camps in Canada during World War II? The Armenian genocide? Rwanda? Or how about aboriginal residential schools? Frankly, sir, if these don't bother you, I feel sorry for you.

The purpose of this museum is to honour the memory of the victims of these tragedies as well as to serve as an informational tool so the world does not repeat them. How does that make it a "left-wing propaganda temple?"

Is compassion the new socialism?

Chris Gmiterek

Winnipeg

Good guilt trip.