

# Winnipeg Free Press Live

- Monday, November 19, 2007
- Garbage Day 2
- School Day 6
- [Search our 7-day Archive](#) | [Search Help](#)

1. Search today's site for:

2.



- News
  - [Front Page](#)
  - [Local](#)
  - [Canada](#)
  - [World](#)
  - [Sports](#)
  - [Business](#)
  - [Stock Quotes](#)
  - [Personal Finance](#)
  - [Neighbours](#)
  - [Weather](#)
  - [CrimeStat](#)
- Entertainment

[What's on Winnipeg](#)

[Today's Entertainment](#)

[Movie Reviews & Listings](#)

[TV Listings](#)

[Games & Puzzles](#)

[Comics](#)

[Books](#)

[Restaurant Reviews & Listings](#)

- Opinions
  - [Editorials](#)
  - [Commentary](#)
  - [Blogs](#)
  - [Columns](#)
  - [Letters to the Editor](#)
  - [Send a letter](#)

- [Site Comments](#)
  - Living
- [Lifestyles](#)
- [Food & Drink](#)
- [Fashion](#)
- [Faith](#)
- [Homes](#)
- [Your Health](#)
- Feature Sections

[Automotive Showcase](#)

[Careers](#)

[Getour](#)

[fpExtra](#)

[The Green Page](#)

[Philanthropy](#)

[Travel](#)

- Archives
- [Automotive Showcase](#)
- [Travel](#)
- [Sunday Homes](#)
- [Movie Reviews](#)
- [Restaurant Reviews](#)
- [Commentary](#)
- [Polls](#)
- [Multimedia](#)
- [Reader Pix](#)
- Classifieds & More

[Post Stuff.ca - Classifieds](#)

[Photo Picture Listings](#)

[Real Estate & Jobs](#)

[Deaths - Obituaries](#)

[Celebrations - Announcements](#)

[City Guide](#)

[Destination Manitoba](#)

[Guide of Homes](#)

[The Enquirer Magazine](#)

[Posters & Flyers](#)

[Place a Classified Ad](#)

[Display Advertising Information](#)

- Services
- [Subscribe to the Free Press](#)
- [Register for WFP Live](#)
- [Privacy Policy](#)
- [FP Newspapers Income Fund](#)
- [History of the Free Press](#)
- [Press Card](#)

- [Newspapers in Education](#)
- [Kids Club](#)
- [Advanced Search](#)
- [Contact Us](#)
  - [Contests](#)
  
  - [Subscribe](#)
  - [Web Site Comments](#)
  - [Customer Service](#)
  - [Front Page](#)
  - [Publisher: Bob Cox](#)
  - [Online Editor: John Sullivan](#)

- [Passages Obituaries](#)



FREE PRESS POLL

Do you want the province to get tougher on gangs when it overhauls its anti-gang legislation during this session of the legislature?

- Yes
- No

[Blog Central](#)



[Tom Canada](#)

 [We got it done... Almost](#)

[Milt Stegall](#)

[Max Johnson](#)

[Nick Martin](#)

[Demetra Hajidiacos](#)

[More Blogs](#)



[ReaderPix!](#)

[Win prizes!](#)

[Send us your pet pix!](#)

A promotional graphic for the 'Editor's Bulletin'. It features a portrait of Margo Goodhand on the right. Text on the left reads 'Editor's Bulletin with Margo Goodhand'. At the bottom, there is a blue button with the text 'Subscribe now'.

A promotional banner for a 'Wish & Win' event. On the left is a red 2008 Chevrolet Cobalt LT. The text in the center reads: 'YOU COULD WIN UP TO \$10,000 OR A NEW 2008 COBALT LT! ONLY 5% GST! EVENT'. At the bottom, it says 'LOCATED IN THE POINTE WEST AUTO PARK: 3965 PORTAGE AVE. AT THE PERIMETER - WWW.ORIONCHEV.COM 1-866-'. There are snowflake graphics in the background.

## Columnists



### Helping my uncle get what he's owed

Mon Nov 19 2007

MY uncle Kenny asked me to help him fill out his Common Experience payment application. He went to Muskowequan Residential School in Saskatchewan from 1964 to 1970 -- beginning when he was five years old.

My uncle has a few good memories, but also a lot of bad ones. He was one of many children who suffered extensive abuse at Muskowequan. Some of the old scars of his experience are visible on his body. Other are ones only he can see.

Like he said, "What went on there -- some of those horrible things -- they stay with you forever."

At age 11 -- when school closed for the summer -- my uncle decided he wouldn't get taken back again. He preferred living on the streets. Hunger led to stealing food, then a string of foster homes until he turned 16. Then he was on his own.

My uncle has a Grade 6 education, so sometimes he has doubts when filling out forms. Especially when dealing with residential schools.

He's part of a class-action residential school abuse lawsuit that's been going on for about six years. Well-known Saskatchewan lawyer Tony Merchant is representing him.

Would applying for this Common Experience payment affect this case? I had no idea.

I told him to call his lawyer's office and to get hold of Service Canada -- the federal department in charge of processing and distributing the Common Experience payments. He also went to the Aboriginal Centre to talk to some people helping applicants fill out their paperwork.

As it turns out, he got a bunch of different responses. Some said he would put his lawsuit in jeopardy, and others said he wouldn't.

A couple of weeks ago he tried getting in touch with his lawyers. The response wasn't clear. They told him he has to fill out an IAP form. He has no idea what that is, but figures it means he's going to have to explain his abuse in detail to another roomful of strangers and be told he's lying again by some prosecutor.

That's what happened a few years ago during his ADR process -- ADR is the Alternative Dispute Resolution system that was supposed to settle his claim.

IAP is the Independent Assessment Process -- the newest form of ADR now being used to settle severe abuse claims.

Confusing stuff. So, what to do? My uncle decided not to apply in case he was risking his lawsuit. I decided to try to help him out. Someone had to have a straight answer.

The Service Canada number was really busy. It took me a lot of waiting to get through, and then their answers were as vague as the lawyer's legalese. Government-speak. The nice woman at Service Canada went through the criteria with me over the phone.

It seemed my uncle was qualified. The Common Experience payment compensates residential school residents for loss of culture and language. It doesn't compensate for physical or sexual abuse.

But would it affect his abuse claim? She couldn't tell me no, but told me anyone who chose to "participate will not be able to take legal action." Did that mean it would end his lawsuit? She wasn't sure. She couldn't tell me yes or no. But she did say there was no rush. My uncle had until 2011 to apply.

She referred me to another number -- the Indian Residential School Resolution hotline. She said they're available 24 hours a day to answer any questions.

They weren't as busy as Service Canada -- but couldn't completely answer my question either. They were pretty sure my uncle could apply, provided he hadn't signed a paper to opt out of the Common Experience package within the last year.

I checked with my uncle, and he hadn't signed an opt-out form.

To be sure, I was going to call Mr. Merchant's firm when my uncle forwarded me an old e-mail reply he'd gotten from them last spring when he asked the same question: Will applying for Common Experience cancel out the abuse claim?

Their response was typical lawyer-speak -- no wonder my uncle was confused. I had to read it a few times over. Why can't lawyers just say yes or no? His legal team never really answered the question either, yet probably billed him at lawyer's rates.

Just a few more phone calls. A personal chat with one of his lawyers finally clears up the matter. No, it won't affect his lawsuit. That's all I wanted to know.






colleen.simard@gmail.com

-  [printer friendly version](#)
-  [email this story](#)
-

[Return to Top](#)

[Return to Index](#)

[Live Weather](#)

- A dark blue banner with the word "contests" in white lowercase letters at the top. Below the banner is a black rectangular area.
- The logo for the Winnipeg Free Press, featuring the text "Winnipeg Free Press" in a serif font.
- The logo for the NHL Classic, featuring the NHL shield logo and the word "Classic" in a stylized font, with "NHL COLLECTION" below it.
- A graphic of a "PressCard" with a red and white design. It includes the text "Card # 123456 Exp 12/30/04" and "The Free Press" at the bottom.
- A dark red banner with the text "ORDER THE HERMETIC CODE" at the top, a central image of a book cover titled "THE HERMETIC CODE", and the word "HERE" at the bottom.
- A white banner with the letters "fp" in a large, bold, black font. Below it, the text "NEWSPAPERS INCOME FUND" and the website "www.fpnewspapers.com" are displayed.

[© 2007 Winnipeg Free Press. All Rights Reserved.](#)

The Winnipeg Free Press is a member of the [Manitoba Press Council](#).