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## 'Top-level' panel to pick new truth commission head: lawyer

By Sue Bailey, THE CANADIAN PRESS

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OTTAWA — Former Supreme Court justice Frank Iacobucci is set to move on a streamlined process to choose the new head of the \$60-million truth commission into abuse at native residential schools.

Sources close to closed-door negotiations say the embarrassing derailment of the key truth-telling forum should be ended and operations back on track by January.

The new head commissioner is expected to work with the two existing co-commissioners — not an expanded five-person panel as was promoted by some interests.

"The (selection) process has been agreed upon," said lawyer Pierre Baribeau, representing Catholic groups that once ran several of the now-defunct schools across Canada.

He is among lawyers working with facilitator Iacobucci to unravel a legal snarl created when Justice Harry LaForme quit as head commissioner Oct. 20.

A panel of "very high-level people" will preside over "a simplified process" to name LaForme's replacement, Baribeau said.

"Mr. Iacobucci has worked very hard, and I would say that almost everything is set up to bring this to a closure so that we're able to move on."

At stake is the much vaunted five-year Truth and Reconciliation Commission (TRC) to hear the good, bad and often harrowing stories of federal schools meant to "Christianize" native children.

Almost two months have passed since the forum was up-ended when LaForme, a judge on the Ontario Court of Appeal, suddenly resigned.

He accused his two co-commissioners of undermining his authority — something both Claudette Dumont-Smith, a native health care worker, and lawyer Jane Brewin Morley have denied.

Some native leaders have called for the two women to step aside to allow for a fresh start.

"We have no reason to believe that they committed any wrongdoing," Baribeau said. "They were trying to do their best in what they perceived to be the TRC mission."

LaForme was the unanimous choice for head commissioner in the initial selection process — meaning there's no short list of other candidates from which to choose,

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Baribeau said.

Those who will pick LaForme's replacement "are top-level people. And it will be helpful so that the parties and Mr. Iacobucci will be satisfied and the court will be satisfied," he said of the court-supervised settlement deal.

Any appointment is ultimately to be made by the government in consultation with the Assembly of First Nations.

Indian Affairs Minister Chuck Strahl has signalled the commission will be revamped "soon" after a rocky start since June 1.

"The government is fully committed to the successful implementation of the commission," he told a national meeting of chiefs last week.

Ottawa admitted 10 years ago that isolated kids — often forced from their homes — faced beatings and widespread sexual abuse in schools run by the Catholic, Anglican, United and Presbyterian churches.

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The truth commission was the cornerstone of a sweeping compensation package expected to top \$4 billion. Prime Minister Stephen Harper apologized on behalf of all Canadians last June.

Seven national events are planned to hear from a broad range of about 80,000 surviving students who can also tell their stories in writing. The commission is to produce a comprehensive record on what the federal government has called a sad chapter in Canada's history.

Time is of the essence because hundreds of people waiting to share first-hand accounts are sick or elderly.

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Finding someone to take on the job of leading a process that has been tarnished by chaos and criticized as ill-defined may not be easy. The successful candidate is widely expected to be aboriginal.

Names mentioned in legal circles include Murray Sinclair of the Manitoba Court of Queen's Bench, Leonard Mandamin of the Federal Court, and Mi'kmaq lawyer and negotiator Bernd Christmas of the Membertou band in Nova Scotia.

Sharon Thira, executive director of the Indian Residential Schools Survivors Society, says former students are anxiously waiting.

"A lot of people are frustrated. They'd like to see things get going."

LaForme's resignation and the ensuing delay have cast a pall over a process already widely distrusted by former students, she said. "And the longer it goes on, the less faith people will have."

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Thira cited a recent letter written by elders who work with her group.

"One of the things they asked was that the commission needs to acknowledge what's happened. They need to acknowledge the start that they've had and take responsibility for it. Because only in that way can they pave the road for people to start rebuilding some confidence in the commission."

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