



Indian Residential
Schools Resolution Canada

Résolution des questions des
pensionnats indiens Canada

Canada



Notice of Changes to Documents in ADR Process April 1, 2004

Please note that there have been some minor changes to the Application Form and the Guide to the ADR Process since the launch of the ADR Process in November 2003.

These changes are a result of input from some of the former Indian residential school students who have applied to the ADR Process. Important feedback has also been received through the Indian Residential Schools Help Desk and others who are helping claimants complete the Application Form. The changes are meant to make information clearer and help to make for an easier flow as claimants work through the Application Form, including grammar corrections and layout changes.

These revisions **do not** effect the ADR Process. Both the original Application Form and this revised version can be used to submit a claim for the ADR Process. If you started filling in the original Application Form, please continue to use it.

For more information, please see the attached list of the minor revisions that we have made to the documents in the ADR Process.

Where Revisions have been made	What has been revised
<p><i>Amplification Form</i> Alternate Dispute Resolution Process, Page (i) and Introduction, (paragraph 3) Page (v)</p> <p><i>Guide</i> Alternate Dispute Resolution Process, Page (i)</p>	<p>Sentence revised: In the Alternative Dispute Resolution Process, you can make a claim for compensation for sexual abuse, physical abuse or wrongful confinement you suffered at a residential school.</p>
<p><i>Amplification Form</i> Section A, Page vi and Section 3, page 9 Table, Column 2, definition of Model B</p>	<p>Sentence revised: ...and that went beyond what would be considered acceptable discipline at the time you attended residential school. Acceptable discipline and improper purposes are dealt with in Appendix C on page 52 of the Guide.</p>
<p><i>Application Form</i> Section D, Page xi</p>	<p>New text added to: Use Black Ink Please type or use a black ink pen.</p>
<p><i>Application Form</i> Sections 2 & 3</p>	<p>Original order of sections changed: Section 2 becomes 3 and Section 3 becomes 2</p>
<p><i>Application Form</i> Section 2, Question 3, Page 7</p>	<p>Second sentence revised If your application is accepted into the ADR Process, we will advise your lawyer that your court claim must be put on hold.</p>
<p><i>Amplification Form</i> Section 3, Pages 4-6</p>	<p>Text: revised: List A - Ontario: Add (St. Margaret's) to Fort Frances as an aka. Saskatchewan: St. Barnabes changed to St. Barnabas, NWT: Add (Fort Providence) to Sacred Heart as an aka List B - Yukon: St. Paul's Hostel (Dawson City Hostel) and St. Agnes Hostel removed from List A and added</p>
<p><i>Amplification Form</i> Section 3, Question 3, Page 6</p>	<p>New text added: Please provide any information you have about your attendance dates. If you do not remember the exact dates of your attendance, Indian Residential Schools Resolution Canada will use the dates you provide to research government files to locate your attendance records.</p>
<p><i>Amplification Form</i> Sections 4 & 5</p>	<p>Original order of sections changed: Section 4 becomes 5 and Section 5 becomes 4</p>

Where Revisions have been made	What has been revised
<p><i>Amplification Form</i> Section 4, Page 12</p>	<p>New text added to the instructions: The information you provide in this Section will be used:</p> <ul style="list-style-type: none"> • to decide if your claim fits within this Alternative Dispute Resolution Process • to help the decision-maker understand the events/abuse you experienced while at a residential school and its effect on your life • as a very important part of what the decision-maker will consider when deciding whether or not to award you compensation, and if so, how much to award you. <p>You may attach any transcript of testimony you may have previously provided that describes the abuse. Please review the information in the transcript and ensure that it addresses all of the points below.</p>
<p><i>Amplification Form</i> Section 4, Page 12</p>	<p>New item added to list: If you are claiming sexual abuse that was committed by another student, you must show that a staff person was aware of the abuse and that there was a pattern of abuse.</p>
<p><i>Application Form</i> Section 6, Page 16</p>	<p>Original instructions replaced with: All applicants have to complete this section. On this page we ask you for information about the person you identify as being responsible for abusing you. If there is more than one person, please fill out a separate section for each person. You can use the extra copies in the Appendix of this form. You might not remember the name of the person(s) who abused you, but we will need enough information about the person so that we can carry out research to identify this person. If not enough information is provided to reasonably identify the person, we may not be able to resolve your claim. If the person(s) you claim abused you participate(s) in your claim, you will not have to come face to face with them if you do not wish to.</p>
<p><i>Application Form</i> Section 6, Page 16</p>	<p>Two new questions inserted: 1. For each of the incidents of abuse you are claiming this person committed, please describe when and where the incidents took place. Please provide as much information as you can remember (for example, the time of day, was it a weekday or weekend, what grade were you in, was it during the holidays, what room or place did the abuse take place). 2. If you attended more than one residential school, at what school did this person abuse you?</p>
<p><i>Application Form</i> Section 8, Question 2, Page 18 and Section 12, Question 5, Page 32</p>	<p>Questions replaced with: After each incident of abuse, how long did it take for your body to heal (for example, how long did it take for bruises to disappear, bumps to go down, scratches to heal, etc.)?</p>

Where Revisions have been made	What has been revised
<i>Application Form</i> Section 10, Page 25	New question added: Are you asking for compensation for loss of opportunity? Y/N If no, skip to Section 11, page 29.
<i>Application Form</i> Section 11, Page 29	New question added: Are you asking for compensation for the cost of your future care? Y/N If no, skip to Section 13, page 33.
Guide Section D. Stage 7. Page 30 and Appendix A, Page 46	Inserted new text: The Government will pay 15% on top of the compensation amount as a contribution towards your legal fees (if you retained a lawyer for the ADR Process) and will pay reasonable out-of-pocket expenses that you or your lawyer will have paid out in order to participate in this process. Unless directed otherwise, all monies will be paid out to you as the claimant.
<i>Guide</i> Appendix A, Page 45	Inserted New Text: The first step in applying the compensation rules is to determine which acts of abuse have been proven on the civil burden of proof. The decision-maker will use the only most severe incident of abuse proven as the basis for calculating compensation, even if there are other incidents.