



Backgrounder

INDIAN RESIDENTIAL SCHOOLS

Indian residential schools predate Confederation, and the Government of Canada operated nearly every school as a joint venture with various religious organizations. The schools were located in every province and territory except Newfoundland, New Brunswick and Prince Edward Island. Approximately 130 schools existed over time, and while most Indian residential schools ceased to operate by the mid-1970s, the last federally-run school in Canada closed in 1996. It is estimated that there are 80,000 people alive today who attended Indian residential schools.

The Royal Commission on Aboriginal Peoples (RCAP) brought the trauma experienced by some students in Indian residential schools to national attention. In the Commission's 178 days of public hearings in 96 communities, many individuals had the courage to tell their stories of physical and sexual abuse, bringing attention to this tragic legacy. Indian residential schools issues became a significant part of the RCAP Report, which was released in 1996.

In 1998, the Government made a *Statement of Reconciliation* – including an apology to those people who were sexually or physically abused while attending residential schools – and established the Aboriginal Healing Foundation. The Foundation was provided \$350 million to fund community-based healing projects focussing on addressing the legacy of Indian residential schools. In Budget 2005, the Government committed an additional \$40 Million to continue to support the important work of the Aboriginal Healing Foundation.

In June 2001, the Department of Indian Residential Schools Resolution Canada (IRSRC) was created to focus federal efforts to manage and resolve abuse claims and address the legacy left by the schools. In November 2003, the Government launched the National Resolution Framework, which included a litigation strategy, health supports, a Commemoration Program and an Alternative Dispute Resolution (ADR) process.

The ADR process is a culturally-based and holistic way of providing additional choices to former students seeking compensation for sexual abuse, physical abuse and wrongful confinement. It is a voluntary process that provides former students with a fair, timely and supportive option to settle claims outside of the courts.

In total, 14,903 former students have filed claims for compensation against the Government. To date, more than 2,805 claims have been resolved through litigation processes and the Government's Alternate Dispute Resolution process. More than \$110 Million has been paid to former students who have resolved their claims.

Over the last year, the Government has reconsidered elements of its current resolution approach. Advocacy from many sources, most notably from the Assembly of First Nations, has brought into focus the need to recognize more broadly the adverse impacts of the Indian residential school experience in addition to individual claims of physical or sexual abuse.

On May 30, 2005, the Government appointed the Honourable Frank Iacobucci to work with legal counsel for former students, legal counsel for Church entities, and other representatives of former students, including the Assembly of First Nations and other Aboriginal organizations, to develop an agreement for a fair and lasting resolution of the legacy of Indian residential schools.

The parties to these discussions have reached an Agreement in Principle, which is now subject to court approval. The Agreement in Principle goes well beyond monetary recognition of the common experience of attending an Indian residential school, to include improvements to the current ADR process for claims of serious abuse, support for healing, commemorative activities, and further investigation and education concerning past policies and their continuing impact on Aboriginal Canadians.

The Government also announced that eligible former Indian residential school students 65 years of age and older will soon be able to apply for an advance payment of \$8000.

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