



Backgrounder

INDIAN RESIDENTIAL SCHOOLS

Indian Residential Schools predate Confederation, and the Government of Canada typically operated the schools 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 resided at Indian Residential Schools.

In its 1996 Report, the Royal Commission on Aboriginal Peoples (RCAP) brought the trauma experienced by some students in Indian Residential Schools to national attention. In 1998, the Government made a *Statement of Reconciliation* – including an apology to those people who were sexually or physically abused while attending Indian Residential Schools – and established the Aboriginal Healing Foundation. The Foundation has been provided \$390 Million to date to fund community-based healing projects focussing on addressing the legacy of Indian Residential Schools.

In June 2001, a new department, Indian Residential Schools Resolution Canada, 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 was established to provide 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, more than 16,000 former students have filed claims for compensation against the Government. To date, over 3,700 claims have been resolved through litigation processes and the ADR process. More than \$150 Million has been paid to former students who have resolved their claims.

Over the last year, advocacy from many sources, including a Report by the House of Commons Standing Committee on Aboriginal Affairs and Northern Development, 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 those discussions have reached a final Settlement Agreement, which will be submitted for court approval over the coming months. The Settlement Agreement proposes a Common Experience Payment to be paid to all eligible former students who resided at Indian Residential Schools, an Independent Assessment Process for claims of sexual or serious physical abuse, as well as measures to support healing, commemorative activities, and the establishment of a Truth and Reconciliation Commission.

The Government also launched an Advance Payment program for eligible former Indian Residential School students 65 years of age and older when the negotiations were initiated on May 30, 2005. Eligible former students may apply for the Advance Payment of \$8,000 by completing the application form available on the Indian Residential Schools Resolution Canada website at www.irsr-rqpi.gc.ca.

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