

Settlement Agreement Reached, But Still Needs Courts' Approval

by Georgianna Barlow
APC

Indian Affairs Minister Jim Prentice announced on April 25, 2006, during Question Period that the Conservative Government will immediately consider the Final Settlement Agreement, interim payments as well as the timing of the payments for former Indian Residential School students. Negotiating parties for the Settlement Agreement include the federal government, legal counsel for three of the churches that ran the Residential schools, legal counsel for survivors in class action suits and organizations representing the Inuit and Metis. The Final Settlement Agreement involves resolution on matters of compensation, healing, changes to the Alternative Dispute Resolution process, commemoration, truth telling and reconciliation and early payments to former Residential school students age 65 years of age and older.

Although a Final Settlement Agreement has been made, the Courts in six provinces and one territory still need to give their approval of the Final Settlement Agreement and it's not known at this time when that will take place. If the courts do approve the Final Settlement Agreement, then there will be an opt-out period during which survivors can choose to accept or reject the Final Settlement Agreement. If 5000 students in Canada reject the Final Settlement Agreement, it will not take place.

As stated in the Agreement in Principle which was signed with the Liberal Government on November 20th, 2005, if the courts and students approve the Final Settlement Agreement, the Common Experience Payment – which addresses loss of language, culture and family life – could begin in January of 2007 with early payments of \$8000 to survivors age 65 years and older. This means that living Residential school students, and families of former students who passed away after May 30th, 2005, could receive \$10,000 for the first year they have attended the school and \$3,000 for each additional year attended thereafter.

We will continue to update survivors on the latest news regarding Indian Residential Schools in Canada. For any questions, concerns or information on the Indian Residential Schools, contact Georgianna Barlow with the Atlantic Policy Congress toll free at (877) 667-4007 or by email at georgianna.barlow@apcnc.ca. You can also visit our website at www.apcnc.ca.

For any questions on the Final Settlement Agreement, you can contact lawyer, Mike Taylor of Joel E. Pink, Q.C. & Associates at (902) 492-0550, email at mstaylor@criminaldefence.com and their fax number is (902) 492-0570.