

**Independent Assessment Process (IAP) Oversight Committee (OC)  
Meeting of January 8, 2019  
Vancouver, BC  
APPROVED MINUTES OF THE OVERSIGHT COMMITTEE MEETING**

**Members present**

|                |   |
|----------------|---|
| Mayo Moran     | Chair   |
| Juliet Donnici | Government of Canada representative                               |
| Mitch Holash   | Church representative (Catholic entities)                         |
| David Iverson  | Church representative (Protestant Churches)                       |
| Lucy Kuptana   | Inuit representative—via teleconference                           |
| Julie McGregor | Assembly of First Nations (AFN) representative                    |
| David Paterson | Claimant counsel representative (National Consortium)             |
| Shauna Haas    | Government of Canada representative, alternate for Karen Turcotte |
| Diane Soroka   | Claimant counsel representative (Independent Counsel)             |

**Also present**

|                 |   |
|-----------------|---|
| Brian Gover     | Court Counsel   |
| Daniel Shapiro  | Chief Adjudicator   |
| Akivah Starkman | For #2 only—via teleconference  |
| Roger Tetreault | Executive Director, Indian Residential Schools Adjudication Secretariat (IRSAS) |
| Russell Vallee  | Recorder, IRSAS   |

**1. Welcome**

Chair Mayo Moran opened the meeting by welcoming everyone and thanking them for their attendance.

**2. Approval of Minutes**

The Committee approved the minutes for September 11, 2018 and November 6, 2018, before them, subject to minor changes.

**3. Key Performance Indicators**

Roger Tetreault presented some of the key statistical indicators as of December 6, 2018:

- 99.6% of the 38,257 claims received have been resolved;
- A total of 33,854 claims have been admitted to the IAP;
- Of the 158 claims in progress, 23 are unheard and broken down as follows:
  - 10 admitted claims have a hearing date; and,

- 13 admitted claims are expected to proceed to resolution without hearing.
- Of the remaining claims in progress:
  - 29 are deceased/estate claims;
  - 76 are Student-on-Student claims in the SOS project; and,
  - 5 claims are in both the deceased/estate and SOS Project.
- There are 36 claims in various post-decision activities:
  - 11 claims are at the review or re-review stage; and,
  - 25 claims are awaiting a legal fee ruling.
- The average compensation based on Adjudicator decisions is currently \$91,542;
- There are 48 claims in the regular stream, meaning the majority of the remaining claims are complex.

#### **4. Executive Director's Report**

Roger Tetreault provided his observations on the following activities:

##### Notice Program

The Notice program will be launched on January 14, 2019, which will include both TV and radio ads as well as publications sent out to some 1,400 indigenous and service organizations. Roger and Russ Vallee presented the My Records My Choice website.

##### Records Disposition

The disposition process of non-retained records has been proceeding slowly. To date, staff have disposed of 2,580 physical files and 10,400 electronic files. The ADR transfer agreement between the Secretariat and RIA is currently with Karen Turcotte for signature.

Court Counsel shared that the NTI has requested that it be removed from the Notice Program, which will require amending the order. There will also be a financial impact to the amendment of the order.

#### **5. Chief Adjudicator's Report**

The Chief Adjudicator reported on the following:

There has been significant headway with decision reviews in progress, currently 2 being processed (1 review, 1 re-review). There remain 7 files on-hold (6 for SL1.4, 1 which is the subject of an Aboriginal Law Group RFD). The Chief Adjudicator is still receiving requests for extensions at the review and appeal stages. There are currently no legal fee appeals. There were times when there were over 1,000 legal fee rulings and 200 re-review requests being processed.

#### **6. Update on Blott DNQ Claims**

Roger Tetreault provided the following update on the Blott DNQ files:

Of the 46 admitted DNQ claims:

- 38 claims are in the post-hearing stage, 2 of which are NSPs;
- 2 claims are pre-hearing with a hearing set date;
- 4 claims have an Estate Pre-Hearing Teleconference set; and
- 2 claims have withdrawal post-admit.

## **7. Update on Administrative Split**

Shauna Haas reported that 162 cases have accepted offers for a total of \$11.9M. Currently 201 cases identified by Canada, up from 157 cases reported at the last OC meeting. Of the 162 cases, 127 were post-hearing while 35 were either pre-hearing or withdrawn claims.

## **8. Update on Estates Claims**

Shauna Haas reported that 3 estate claims remain to establish jurisdiction, all post-hearing. This is down from the 10 reported at the last OC meeting. All other estate claims are proceeding through the regular process.

## **9. Update on SOS claims**

Shauna Haas provided an update on the various projects involving SOS claims.

### SOS Post-decision Settlement Process Administered by Canada:

19 cases have been settled for a total of \$904K. Currently, offers have been made to another 25 claimants. The total number of cases identified by Canada continues to grow.

### SOS Project:

Since the last meeting, 4 claims are awaiting decision which could affect 9 adjourned claims. 2 of the 4 claims are awaiting decision, 1 claim is awaiting final submissions and 1 is awaiting the adjudicator's attention following submissions.