

Independent Assessment Process (IAP) Oversight Committee (OC)
Meeting of October 8, 2019
Toronto, ON
APPROVED MINUTES OF THE OVERSIGHT COMMITTEE MEETING

Members present

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

Also present

Brian Gover	Court Counsel
Daniel Shapiro	Chief Adjudicator
Roger Tetreault	Executive Director, Indian Residential Schools Adjudication Secretariat (IRSAS)
Russell Vallee	Recorder, IRSAS

Absent

Lucy Kuptana	Inuit representative
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1. Welcome

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

2. Approval of Minutes

The Committee approved the minutes for both April 9, 2019, and August 7, 2019, subject to minor edits.

3. Key Performance Indicators

Roger Tetreault presented some of the key statistical indicators as of September 19, 2019:

- 99.9% of claims received have been resolved;
- Since April 1, 2019, 62 claims have been resolved;
- 22 claims were in progress:
 - 2 are Kivalliq Hall claims proceeding to hearing
 - 2 are expected to be resolved without a hearing
 - the remaining 18 claims are post-hearing

- 3 of the 22 claims in progress are deceased/estate claims
- Currently 13 claims are post-decisions:
 - 2 are re-reviews;
 - 11 are awaiting legal fee rulings

Estate/Deceased Claimants

- There are currently 8 deceased/estate claimants:
 - 3 are pre-decision claims
 - 5 are post-decision claims

4. Executive Director's Report

Roger Tetreault provided his observations on the following activities:

Kivalliq Hall IRS

To date, the Secretariat has received a total of 4 claims from former Kivalliq Hall students. Two were not admitted due to not meeting IAP admissibility criteria. The other two were admitted as self-represented claimants but have since retained legal counsel.

Karen Turcotte noted that Service Canada has received over 200 CEP applications related to Kivalliq Hall. Following the meeting, she confirmed that almost all of these have been processed.

The Chief Adjudicator noted that one of the two admitted claims would not be eligible for NSP. It was initially anticipated that most claims would have been resolved through NSP; however, given the young demographic of class members, it is reasonable to anticipate that more claims will have participation of alleged perpetrators than has typically been the case with other listed schools.

Asked if information about the IAP is making it to potential claimants, Roger responded that since it's a younger demographic the Secretariat is utilizing social media in addition to public advertisements such as posters and pamphlets. Information packages which included applications were shared with Canada in hard copy for their outreach meetings in the Kivalliq area. The same packages were shared electronically with Inuit organizations that provide services in the region. Judging by the success of CEP, former Kivalliq Hall students are aware that the institution is being added to the Settlement Agreement. In addition, Roger has learned that some legal counsel are planning to travel to the Kivalliq region in the coming months.

Student-on-Student Admissions Project

As noted at the last Committee meeting, the SOS admissions project is now complete. There are still a few SOS claims remaining in the process, but none are on hold awaiting an admission.

Records Disposition

As of September 15, 2019, a total of 20,477 (48.7%) physical records and 26,400 (62.9%) electronic records, all non-retained, have been disposed of, an increase of nearly 3,200 physical and 2,000 electronic records since last reported at Oversight Committee.

Notice Program

As of September 15, 2019 the Secretariat has received a total of 148 requests:

- 43 from non-claimants (invalid);
- 105 valid requests, of which:
 - 24 were consents to preserve their retained records with the NCTR;
 - 81 were requests to receive their retained records.

To date 13 completed packages have been sent to the NCTR.

Closing Ceremony

The Secretariat is planning a closing ceremony in September of 2020 for current and former staff. Roger asked if the Oversight Committee would also be interested in having an event to mark the end of the IAP. If so, Roger would need to start planning by the next Oversight meeting.

Mayo Moran thanked the Chief Adjudicator for hosting the closing ceremony for the Vancouver Hearing Room held on August 7, 2019. Mayo noted that the ceremony was a touching and meaningful event, well attended by Oversight Committee members, residential school survivors, Elders, and Resolution Health Support Workers, Secretariat staff, as well as media.

Russell Vallee to circulate an email on some key planning items, and invite members to provide their suggestions.

5. Update on Blott DNQ claims

Roger Tetreault provided the following update on Blott DNQ claims:

As of September 15, 2019, the Secretariat received 56 applications:

- 46 claims have been admitted, including 2 non-admit appeals;
- 10 were not admitted;
- 7 claims are in progress in the pre-decision stage; of which:
 - 4 have an expert assessment pending;
 - 3 have other post-hearing activities.
- 39 claims are resolved; of which:
 - 5 were dismissals;
 - 3 were post-admission withdrawals;
 - 2 NSP;
 - 29 have a decision with 25 awarded compensation.

It was suggested that the Blott DNQ breakdowns be included as part of the OC package.

6. Update on Administrative Split Claims

Karen Turcotte reported that Canada has settled 171 cases to date; of which 26 were pre-decision, 134 post-decision, and 11 withdrawn. Canada is looking into 29 cases.

7. SOS Post-decision Settlement Process Administered by Canada

Karen Turcotte reported that currently there are 46 offers made. Another 8 cases require interviews. All other cases have been completed.

8. Setting Future OC Meetings

Russell Vallee to provide the Oversight Committee with suggested dates for three future meetings between April 2020 and March 2021. Should additional meetings be required, Mayo Moran will consider using WebEX as opposed to hosting the meetings via teleconference.