



Government of
Northwest Territories

August 01, 2023

RICHARD EDJERICON
MLA, TU NEDHÉ-WIILIDEH

Oral Question 1464-19(2) Federal Day School

This letter is in follow-up to the Oral Question you raised on March 9, 2023, regarding compensation for students who attended federal day schools in the Northwest Territories (NWT). During our exchange, I committed to bringing this issue to the Premier of Nunavut and reiterated my commitment to working with my Northern Territories' counterparts.

During the recent meeting of Canada's Premiers in Winnipeg I brought this matter to the attention of Premier Akeeagok. He pointed out that there were no day schools in Nunavut at the time of its creation but would have the Government of Nunavut Department of Justice follow up on this matter.

As general background, the Federal Indian Day Schools Class Action lawsuit was launched against the Government of Canada in 2018. On August 19, 2019, a settlement was negotiated and accepted by Federal Court following discussions between Canada and the lawyers for the class members. The Government of the Northwest Territories (GNWT) was not a party to this litigation, talks, or agreement. The Class Action Settlement may impact individuals who attended federal schools or were placed in boarding homes.

The Department of Education, Culture and Employment (ECE) provided historical student records to former NWT students, as requested, to support applicants' claims to the Federal Indian Day School Class Action Settlement (Settlement). During the three-year Settlement claim period (January 13, 2020 – January 12, 2023), ECE processed a total of 3,649 requests for historical student records.

To further support residents, ECE provided a letter of support for former students in their historical student records response package. The letter of support indicated the reason for the delay in providing historical records to the applicant, such as missing and/or incorrect information, or confirmation of executorship. The letter of support could be attached to the Extension Request Form submitted by the applicant, along with the Claim Form.

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Leading up to the end of the Settlement Claim period, ECE proactively communicated the Settlement deadlines of July 13, 2022, and January 13, 2023, through a combination of radio, print, digital and social media advertisements, which included Indigenous languages. ECE staff were available in-person and by phone to support residents through the student records request process and to answer questions.

On June 28, 2019, a Boarding Homes Class Action lawsuit in Federal Court was approved regarding individuals who had been placed in private homes by the Government of Canada. On December 7, 2022, an Agreement in Principle (AIP) was reached to provide compensation for people who were placed in boarding homes between September 1, 1951, and June 30, 1992, and extra compensation in cases of physical and sexual abuse. This AIP is still awaiting finalization, court approval and appeal.

I understand that students who attended school in the NWT or Nunavut or were relocated to the south during the specified time periods, may be impacted by these settlements. The GNWT continues to support students as they come forward, and ECE personnel are available to guide residents through the process of requesting historical school records and to answer any questions they may have.

I also understand your concern to be that outside of the previous and existing class actions relating to schooling in the NWT, harm may have occurred within schools operated by the Government of the Northwest Territories. I think we might agree that there were instances in the past where the expected standard of care for children was not met. Such instances should be examined and addressed, ideally as they occur. I do, however, think it is important to recognize that since education has been administered by the GNWT much work has been done to build local involvement and accountability into the administration of our schools. I also believe that there has been a much greater emphasis applied to student safety. I also believe that the NWT has become a national leader in building Indigenous cultural supports and awareness in our school system.

Given that our system no longer has as its object the cultural assimilation of Indigenous children, which was the source of much of the harms addressed in previous litigation, further information is required before I can take a position on whether additional compensation is appropriate. I would be pleased to sit down with you to learn more of your concerns and the concerns of your constituents.



Caroline Cochrane
Minister of Executive and Indigenous Affairs

- c. Clerk of the Legislative Assembly
Legislative Coordinator, Executive and Indigenous Affairs