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**SIR JOSEPH BERNIER FEDERAL DAY SCHOOL**

**TURQUETIL HALL**

**INVESTIGATION REPORT**

*Submitted to the Government Leader  
Government of the Northwest Territories  
November, 1994*

*By Katherine Peterson*

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# CHESTERFIELD INLET INVESTIGATION REPORT

## I. BACKGROUND INFORMATION

On October 1, 1959 a Memorandum of Agreement was executed between Her Majesty the Queen in Right of Canada and the Roman Catholic Episcopal Corporation of Hudson's Bay respecting the operation and management of the Sir Joseph Bernier Federal Day School, Turquetil Hall in Chesterfield Inlet, Northwest Territories. Previous to this, a day school had operated in the community, with participation and involvement of the Church. It appears that initially the Northwest Territories Council, in 1949, took the initiative regarding the construction of a residential hostel for students. However, in 1950 this initiative was brought forward by the Roman Catholic Church.

Students from most of the then communities in the Keewatin as well as some Baffin communities attended the residential school. Some students commenced school as early as at age 6 and some at later ages. Students' length of attendance at the school varies widely, from as short as less than one year, to as long as the full elementary years of education. Attendance at the school required federal ministerial authorization, as apparently did withdrawal from the school. It appears that during the years of operation of the school, some 463 students attended.

It is difficult to ascertain the method and means of enrolment of the students. It was the overwhelming impression of former students that attendance at the school was not a matter of choice for them or their families. However, some exercise of choice appears to have occurred in that not all students attended for the full period of elementary education.

Instruction at the school was offered by a combination of members of the Church organization, including priests, nuns of the Order of Grey Nuns as well as Oblate brothers and individuals who appear to have been recruited by the Church to provide instruction at the school.

In July, 1993 approximately 150 former students attended a reunion in Chesterfield Inlet.

The reunion was the result of long and arduous efforts of a group of former students. Also in attendance at the reunion were representatives of the Department of Social Services, Bishop Reynauld Rouleau, Head of the Roman Catholic Diocese of Churchill, an Oblate Priest, and several Grey Nuns. During the course of the reunion students brought forward a wide range of experiences and recollections of their attendance at the Chesterfield Inlet School. Included in these experiences were allegations of sexual, physical and emotional abuse. A petition dated July 23, 1993 addressed to the Government Leader, Government of the Northwest Territories, calls for a comprehensive public inquiry into the treatment of students attending the school.

## II. INTERVIEWS

In connection with this investigation, I travelled to the communities of Igloolik, Rankin Inlet and Churchill. In addition, I was contacted by a number of former students by telephone and met with some former students in Yellowknife. I have spoken with only a small representation of former students, namely approximately 55. In addition, I have reviewed statements obtained by the RCMP in the conduct of their criminal investigation. I have met on two occasions with Bishop Rouleau and he and I have spoken by telephone on other occasions. I have as well met with Jack Anawak, Member of Parliament and a former student of the Chesterfield Inlet school. Finally, I have met on an ongoing basis with Sergeant Guenther Laube of the RCMP to discuss the nature of the findings in the criminal investigation, impressions, and possible solutions. His ongoing assistance has been invaluable in the conduct of this investigation.

The meetings in the communities were conducted as open meetings for former students of the school. I attempted to advertise meetings in advance of my attendance in communities and as well I made use of community radio stations to publicize my attendance in the community. During the course of the meeting, I attempted to explain the nature of my investigation and invited input from those present as to both their own experiences and their opinions as to possible alternative responses. As can be expected with such discussions, willingness to share by the participants varied widely. Some found it impossible to discuss in

any detail their recollections and experiences, some were emotional, some angry, some were in obvious pain. Without exception, students with whom I have spoken were profoundly affected by their childhood experiences at the Chesterfield Inlet school.

After the meeting, I would remain in the community for a day or two in order to allow any person who wished to discuss their experiences with me further to do so. In all discussions with former students, I undertook to maintain anonymity of the person or persons speaking with me, except in cases where I was expressly authorized to divulge their identity.

### **III. NATURE OF THE RESIDENTIAL SCHOOL EXPERIENCE**

#### **1. EDUCATION**

If one were to define a "good education" as receiving training in the use of the English language in its oral and written form, familiarity with Western culture and Western history and learning the tenants of Roman Catholicism, one could venture the opinion that the students who attended the Chesterfield Inlet school received a "good education". The facility with the English language of the former students who attended at the Chesterfield Inlet school is indeed remarkable. Many former students occupy positions of authority and have advanced themselves meaningfully within both government and private sector structures. However, if one were to define education in broader terms, the opinion expressed above is not so certain. I have received contradictory information as to whether use of the Inuktitut language in its oral and written forms was actively discouraged or punished. Most students advised me that they were not permitted to speak their aboriginal language and received punishment for doing so. However, one student indicated to me in very strong terms that his facility with the Inuktitut language and his ability to write in syllabics was taught at the Chesterfield Inlet school. I have also reviewed some material which indicates that not all aspects of Inuit culture were forbidden within the school curriculum and there appears to have been efforts on behalf of those teaching at the school to make use of community elders from time to time to teach the skills of hunting

or living on the land. However, I believe it would be a fair comment to state that enhancement and celebration of the Inuit culture did not occur at the Chesterfield Inlet school although the culture may have received some forms of recognition. (see Appendix C).

Having said this, the school was a product of its time and some of the materials that I have reviewed and experiences I have heard indicate that culture formed some aspect, albeit not major, of the school experience. In this respect Chesterfield was likely not the worst example of cultural denial.

Those students who attended the Chesterfield Inlet school and who chose to further their education by attendance at Akaitcho Hall in Yellowknife and elsewhere appeared to be in a position to do so and to complete their education without difficulty.

From the descriptions provided by former students, there was a heavy emphasis on religious training and frequent daily attendance at religious services was required.

As the focus of this investigation was not the nature or quality of education provided at the Chesterfield Inlet school, I have not pursued this line of inquiry in detail.

## **2. PHYSICAL ASSAULT**

In discussing the issue of physical assault allegations at the Chesterfield Inlet school, it must be borne in mind the period of time during which the school was in operation. Discipline which would now be considered conduct amounting to assault was more acceptable during the 1950's and 1960's. These forms of discipline occurred at the Chesterfield Inlet school, as well as most other educational institutions in Canada. However, in discussing the issues of physical assault arising out of the Chesterfield Inlet school, it is clear that some forms of discipline which were imposed on the students clearly exceeded those forms of discipline which would have been acceptable even taking into account the historical context of the school.

From the detailed investigations conducted by the RCMP, there have arisen 115 allegations of physical abuse. Some of the allegations of assault take the form of over zealous discipline such as strapping or striking of students with rulers, yard sticks or spanking. These forms of discipline at times exceeded reasonable measures. In addition to this, there were allegations of physical assault which resulted in injuries to the students. One teacher in particular, who was not a member of the Roman Catholic Institution, was well known for his harsh and over zealous discipline. Experiences related to me included students being thrown against classroom walls, a student being picked up physically from her seat by her ears. Shortly thereafter she suffered bleeding and discharge from her ears although it is difficult now to establish whether this was as a result of this action. Students reported being struck repeatedly about the face, back, shoulders, back of the head and buttocks. One child recalled being removed from her seat by her hair. In addition, my review of statements provided to the RCMP indicate one allegation of physical assault involving a child being placed in an automated bread mixer and left in that machinery for an extended period of time. Bruising and lacerations resulted from this. A further statement has been obtained by the RCMP respecting a student being thrown through a classroom window.

Milder forms of discipline included slapping, straps which were administered to the palms of the hands, and hands being struck with yard sticks or rulers.

I am satisfied on the basis of the information provided to me by the persons I spoke with, and as a result of my review of the information obtained by the RCMP, that serious incidents of physical abuse occurred at the Chesterfield Inlet school. These incidents of abuse exceeded reasonable measures of discipline, even should one take into account the time during which the school was in operation and the differing views accorded to discipline appropriate to that time.

However, a number of facts militate against the prosecution of criminal charges regarding incidents of physical assault. In some instances, students are not able to identify with certainty the perpetrator of the assault. In other instances, although the perpetrator can be identified, that person is no longer alive or available for prosecution. As a result of these difficulties, I am

advised that the RCMP anticipate that two prosecutions of physical assault are potential or may be recommended to the Federal Department of Justice. In coming to this conclusion, the RCMP have taken into account and ruled out trivial acts of assault, those cases involving identity difficulties or unavailability of potential accused persons.

To a larger extent with physical assault allegations, as opposed to sexual assault allegations, former students appear more willing to accept this conduct in its historical context. One student indicated that he was strapped and struck on numerous occasions but felt at the time and still appears to feel at this point that the discipline was appropriate.

### 3. SEXUAL ASSAULT

Understandably, former students had greater difficulty discussing allegations of sexual assault than was the case with allegations of physical assault. In many instances, a former student would indicate to me that they had suffered sexual abuse but were uncomfortable in discussing the details of the alleged abuse. In such situations, I did not attempt to extend the comfort level of those persons discussing these issues with me and in addition, I gained some comfort from the fact that the RCMP were conducting their own detailed investigation into these allegations.

However, the allegations which I have reviewed which are contained in statements taken by the RCMP and in those instances disclosed to me, reveal allegations of abuse involving both male and female perpetrators. The allegations of abuse include fondling of the breast areas of female students, the genital areas of female students, the genital areas of male students and inappropriate sexual exhibition. An aura of fear, confusion and silence appear to surround the students' experiences at the time. It was indicated on numerous occasions that students did not freely discuss among themselves this behaviour of the teachers or persons in authority at the school. While many students indicated that they disliked the behaviour, felt it was wrong, and were afraid of it, it is apparent that they felt on many occasions powerless to prevent repeat

occurrences.

My review of the information obtained by the RCMP indicates that approximately 78 allegations of sexual abuse have been made. As a result of the investigation, it is anticipated that approximately 3 counts of indecent assault on a male, and 2 counts of indecent assault on a female may result in prosecution by the Federal Department of Justice.

As with allegations of physical assault, the recollection of the complainants is not always sufficiently clear to allow the prosecution of criminal charges. This combined with the unavailability of potential accused persons, the absence of detail of the incidents, details of time, place and identity all pose barriers to the criminal prosecutions.

The RCMP indicate that in their opinion, of all allegations of physical and sexual abuse, approximately 40 allegations are reasonably substantiated by other corroborating evidence.

Based on my interviews with former students and my review of police information, I am satisfied that serious incidents of sexual assault did in fact occur at the Chesterfield Inlet school during its years of operation.

#### **4. EMOTIONAL ABUSE**

The term "emotional abuse" can be used to describe a wide range of behaviours. For the purposes of this report, I define emotional abuse as that behaviour which results in denegation and devaluation of the recipient.

In considering the experiences of former students of the Chesterfield Inlet school, one has to remember that these children were removed from their home communities with little advance warning and with marginal prior contact with a white culture. They were placed in a situation which was unknown to them and which created a great deal of fear. These

circumstances, coupled with the clear authority exercised by representatives of the Church in these children's lives, left them vulnerable to a very large degree. One could make a strong case for the generalized statement that the existence of the residential school in and of itself constituted an abusive experience for the students in that they were removed from familiar settings and placed in an environment which was frightening and detached from their family and culture.

Using a narrower perspective, incidents of emotional abuse appear to have occurred as follows:

- (a) ridiculing students for inappropriate use of the english language, an inability to perform academic tasks assigned;
- (b) inappropriate use of over zealous discipline, creating fear and anxiety amongst not only the recipient of the discipline but those who witnessed it within the classroom or school setting;
- (c) arbitrary and isolating rules which resulted in students being unable to communicate with siblings of the opposite sex attending the school, being unable to mingle with day school students who resided in Chesterfield Inlet and being unable to experience the warmth or hospitality that might have otherwise been extended by the community of Chesterfield Inlet to the resident school students;
- (d) under emphasis of the value of the culture which made up the students' lives prior to their attendance at Chesterfield Inlet school;
- (e) overemphasis of the value of the western culture and its superiority to that of aboriginal culture;
- (f) separation of young children from the traditional areas of support and family connections.

Any one of these experiences taken on its own would almost inevitably lead to the individual suffering loss of self-esteem, confidence and self-worth.



## 5. CULTURAL ASSIMILATION

While I have eluded to this area in my discussion involving emotional abuse, I believe it is sufficiently important to merit a discussion in its own right. Again, the historical context of the operation of this school must be borne in mind when one is considering issues of cultural assimilation. In hindsight, while one concedes that the residential school offered certain benefits of education to the children, there is little doubt that such institutionalized assimilation would not be tolerated in our society today.

It is clear from my discussions with former students that use of the Inuktitut language was discouraged at the school and at times gave rise to measures of discipline. Education about, enhancement of and value accorded to the Inuit culture did not form any significant part of the former students' experiences at the Chesterfield Inlet school. Rather, the emphasis appeared to be one of promoting the English language, western culture and tenants of the Roman Catholic faith. As a result of this, Inuit children were not only robbed, for a period of time at least, of a sense of value of their culture, they also lost years of ability to experience that culture in their own community settings. In a culture in which the role of family and connection with the land is so prominent it is easy to see why these students experienced such a sense of detachment and loss.

One of the experiences most commonly referred to by former students was that of detachment; detachment from home, family and culture. The environment in which these people as children found themselves represented a marked departure from what they knew in their life experiences to date. For some students this was positive, the conditions of the school being less harsh and demanding in terms of amenities than what was available to them at home. To many, school meant abject loneliness and isolation. One person described his recollection of the plane coming to his community to take the children to the school. It would have been his second year at school had he boarded the plane. Instead he ran and hid. He did not want to face another year of missing his home and family. In this way, he managed to avoid an entire year of

school, but returned the following year.

Many former students are of the view that their facility in their own language and the skills that they would have learned in their own communities were damaged and in some cases entirely lost by virtue of their attendance at the residential school. Coupled with this was the attitude of disrespect which some students returned with, a sense of superiority to elders and parents who were stuck in the "old ways". There is no doubt that in some cases this led to schisms and divisions within families which were never fully repaired.

While these experiences do not fall within the narrow categories of physical or sexual assault, they were so frequently mentioned and have given rise to such profound results that I would be remiss if I did not convey this. For many students this is the single most important ramification of their attendance at the school.

One must also consider that for those students who spent a number of years at the residential school, their opportunity to be "parented" and in turn learn parenting skills was affected. While those teaching and working at the school may have tried to provide a supportive and loving environment for the children, the overall regime appears to have been rigid and paramilitary in nature. Students slept in barracks-like quarters, attendance at religious services was a daily routine. Many former students feel that their own ability to parent their children has been diminished by their lack of experience in being parented themselves. Thus a ripple and long standing effect is created. This is true when children were exposed to inappropriate discipline and sexual conduct, as well as the lack of exposure to normal family dynamics within their culture.

It is therefore important to recognize that it was not just the students who may have been the victims of physical or sexual assault who carry with them adverse consequences arising from attendance at the residential school.

With respect to situations of abuse, the effect on the victim can be both severe and very

long term. Many who work in the field of domestic violence and survivors of abuse are stating that we must cease marginalizing these experiences and that the acts of abuse should be more accurately described as torture and acts of atrocity. Recent literature indicates that there emerges both for society as a whole and for individual victims a dialectic of psychological trauma, being the conflict between the will to deny past horrors and the will to proclaim. The effects of abuse and subjugation include a spectrum of responses in the survivor including shame, guilt, self-blame, isolation, persistent distrust, explosive anger, self injury, preoccupation with suicide, dissociation, disruption of intimate relationships, loss of sustaining faith, hopelessness and despair. (see Appendix D). For these reasons, we cannot ignore or minimize the experiences of students who suffered abuse.

## **6. POSITIVE EXPERIENCES**

I do not wish to leave the impression that all experiences relayed to me by former students were without exception negative. Due to the nature of this investigation, an emphasis on the negative is perhaps understandable and to be expected. However, students also have positive recollections. One person described to me his recollection of learning to ice skate at the school and that his most vivid memory was that of skating outside, the black robes of "the father" flapping in the wind as he lifted this child high in the air time and again. Another former student was firmly of the view that had he not attended the school he would not have learned to read and write syllabics. Many students felt that without the benefit of the education that they received at Chesterfield, they would not have the employment or positions of authority that they now have. To some it appeared quite ironic that their education at an institution which disfavoured their culture allowed them as adults to speak and act more powerfully in support of that culture.

#### **IV OPTIONS FOR RESPONSE**

##### **1. Criminal Prosecutions**

As indicated, the R.C.M. Police have instituted a special task force to investigate complaints of assault made by the former students of the Chesterfield School. Two experienced officers have dedicated their full time efforts for more than one year to this matter, interviewing former students, reviewing records of the school and the Roman Catholic Church, speaking to former employees of the school and potential accused persons. My overwhelming impression of this police work is that it has been undertaken very thoroughly and with a large measure of skill and sensitivity to the issues.

At the present time, this Task Force has not completed its work and completion is anticipated in February/March 1995. To date, it is estimated that approximately five criminal charges may proceed to prosecution. These are two potential charges of physical assault, and three potential charges respecting sexual abuse. This arises from a total of 78 allegations of sexual assault and 115 allegations of physical assault. The final determination of what, if any charges ought to be prosecuted will lay with the Director of the Federal Department of Justice, based on the investigation, the advice of the investigating officers and a review of the available evidence. The number of charges that proceed will also be affected by information obtained over the next number of months. It is therefore possible that the number of criminal charges will change from the date of this report.

As indicated, a number of factors work against criminal prosecution of the charges. These factors include:

- (a) the difficulties of identifying potential accused persons due to the lapse of time and the fact that these incidents were experienced by children;
- (b) the trivial nature of some of the complaints;

- (c) the inability to recollect the level of detail that is usually required in a criminal prosecution, including the identity of the accused, the possible times of occurrence, the details of the occurrences themselves and possible witnesses to the events;
- (d) the fact that prosecutions must be made in accordance with the law as it was at the time of the alleged offenses occurring. Thus a prosecution of sexual assault involving a female perpetrator cannot be made due to the law as it existed at the time the allegation arose;
- (e) unavailability of the potential accused. Some potential accused are deceased.

The Government of the Northwest Territories presently has no role to play in decisions respecting the prosecution or otherwise of allegations of criminal conduct arising from the operation of the Chesterfield school. Jurisdiction for this remains in the hands of the federal Department of Justice. However, the federal Department of Justice should be encouraged to keep the Government of the Northwest Territories advised of the criminal investigation, the factors taken into account in decision made respecting prosecution and the progress of any prosecutions.

## **2. Civil Class Actions**

Class actions or representative actions involve the commencement of a single law suit on behalf of a number of individuals who have a common interest in the subject matter of the law suit. The rationale of class actions is mainly judicial expediency; a class action avoids multiple actions and it therefore allows for the orderly, convenient and cost effective disposition of the action.

These actions are made possible by the Rules of Court of the Northwest Territories, in particular Rule 52, which states as follows:

Rule 52. Where numerous persons have a common interest in the subject of an intended action, one or more of those persons may sue or be sued or may be authorized by the court to defend on behalf of or for the benefit of all.

A search of cases in the Northwest Territories reveals no cases to date that have been commenced or defended as a class action. The procedure for commencing a class action is issuance of a Statement of Claim which must describe the class of people who are to be the Plaintiffs and name at least one member of the class as the representative of the Plaintiffs. A Defendant, or party being sued, can bring an application for a declaration as to whether or not the action is properly brought as a class action.

There have been a number of cases in other jurisdictions which consider those situations that are appropriate for class actions. Not all of the decided cases are consistent in this area. The centre of the discussion is usually whether all of the Plaintiffs share a "common interest". However, there have been varying comments as to what constitutes a "common interest".

In the case of Ranjoy Sales & Leasing v. Deloitte Haskins & Sells, [1984] 4 W.W.R. 706 (Man. Q.B.) the court used a three part test:

1. Is the proposed class capable of clear definition;
2. Are the principles of fact and law the same for all members of the class;
3. Assuming liability, is a single measure of damages appropriate. The quantum of damages need not be the same for all Plaintiffs, but it must be calculable according to a fixed formula.

An example of an attempted class action is the case of Naskin v. General Motors of Canada (1983) 114 D.L.R. (3d) 385 (S.C.C.). The proposed class of Plaintiffs were all owners of a certain year/model of GM car who had seen a newspaper ad promoting the car. The cause of action was breach of warranty since the cars were not "tough and durable" as advertised. The Court held that it was not an appropriate class action for several reasons:

1. Membership in the class would be difficult to determine and it would require individual hearings or discoveries to find out who had seen the advertisement in question;
2. Determining damages for each plaintiff would also be difficult since the amount for each individual would vary depending on the specific facts, such as the content of the contract for sale, whether the owner planned to trade the vehicle, and so on;
3. It would be very difficult for the defendant to conduct adequate discoveries, since it would have to discover each plaintiff individually to be able to uncover the relevant facts.

In Morgan v. Winnipeg Remand Centre, [1983] 3 W.W.R. 542 (Man Q.B.) affirmed at appeal, the proposed class of plaintiffs was a group of persons detained at the Winnipeg Remand Centre. They were alleging cruel and unusual punishment because of poor conditions and overcrowding. The court ruled that this was not an appropriate class action. Although the plaintiffs all had the same general complaint, the factual basis for each complaint was different since they were in remand for different lengths of time and were all treated differently. These factual differences meant that in order to decide questions of liability and damages, the court would have to hear evidence of specific facts for each plaintiff. Furthermore, in order to conduct a full defence, the defendant would have to conduct discoveries, or pre-trial examinations of each plaintiff. Because of these difficulties the court decided that this was not an appropriate case for a class action.

Other cases involving proposed or actual class actions include Sandberg v. Prysuzniuk, (1985) 66 B.C.L.R. 392 (S.C.) where the proposed class was a group of people who had involuntarily been moved out of a long term care facility. The action was for false imprisonment and negligence. In reasoning similar to the Morgan case, *supra*, the court decided that this was not an appropriate case for a class action. A class action was allowed to proceed in Bendell v. McGhan Medical, (1993), 16 C.P.C. (3d) 156 being an action by all women who received silicon breast implants from this manufacturer. This action however was brought under

Ontario legislation, the Class Proceedings Act. However, also under this legislation a proposed class action against the Red Cross by persons who received HIV-tainted blood was not allowed to proceed.

Based on the above cases, and the paucity of class actions in Canada generally, which would tend to reflect the narrow restrictions of this type of proceeding, it would seem that this type of remedy is not the best possible course of action for the individuals who may have complaints of assault that they wish to pursue through a civil action. Leaving aside for the moment the other questions that surround such legal actions, such as limitation periods, burden of proof and range of damages, defining members of the group would likely require individual hearings or examinations. In addition, there would be relevant factual differences among various members of the class and any potential range of damages would require individual assessment and separate hearings. It is therefore very unlikely, that even if other difficulties were not present, that a class or representative action would be available to former students of Chesterfield Inlet.

### **3. Individual Civil Actions for Damages**

In considering whether individual law suits may be available to former students respecting allegations of physical or sexual assault, there are a number of questions that must be addressed:

- (a) Are there any applicable limitation periods which would adversely affect an action in battery on behalf of any or all of these persons;
- (b) What must be proven in order to establish civil liability and what defences may be raised;
- (c) Who would be the possible named defendants and what difficulties exist respecting any of the parties potentially to be named as responsible;
- (d) Assuming that none of the above issues constitute significant hurdles to civil actions, what is the range of damages which could be available in these types of cases.



**(a) Limitation Periods**

Section 2 (1) (d) of the *Limitation of Actions Act*, R.S.N.W.T. 1988, c. L - 8, states that actions for battery must be commenced within two years after the cause of action arose. Normally a cause of action arises when the act complained of has been done. Because the allegations of assault are dated, it would seem that there may be a significant problem with the issue of limitation periods.

However, the harshness of this approach has been alleviated to some extent in a case from the Supreme Court of Canada. In the case of M.(K). v. M.(H). (1992), 96 D.L.R. (4th) 289, a woman sought damages for sexual abuse by her father. The abuse began when the woman was eight years of age and continued until she was seventeen years of age in 1974. In 1984 she began attending a self-help group for incest victims and in 1985 she began therapy. Until she was involved in therapy she knew that the incest was wrong but was unable to realize that it was her father who was responsible for the abuse. She also did not have the recognition that her psychological problems stemmed from the experience of abuse. She brought an action for assault and battery and for breach of fiduciary duty. The action for assault and battery was allowed by the Supreme Court of Canada and it also stated that this tort was subject to the normal limitation periods in such tort actions. However, because the victim of incest is typically psychologically incapable of recognizing that a cause of action exists until long after the abuse has ceased, the limitation period did not begin to run until the victim is reasonably capable of discovering the wrongful nature of the act and the nature of her injuries. In addition the Court found that incest cases are amenable to the application of fraudulent concealment as an answer to a limitation defence because the perpetrator may conceal the acts and often masks their wrongfulness.

This ruling may assist some of the former students of Chesterfield. However, based on some of the information that has been communicated to me, it appears that at least some of the students recognize the wrongful nature of the acts of assault and appreciate at least some of the personal consequences or injuries to them that have resulted. It seems that there is at least a

possibility of inconsistent results in that for some students, the limitation period may be held to have expired while for others that may not be the case. This would be a difficult distinction to rationalize. Each case would be dependent on its particular facts. Given the nature of these issues, one could expect that a limitation defence would be put forward in virtually every case and vigorously represented. Even if not successful in all cases, it could serve to significantly lengthen the proceedings. Former students would be placed in the position of having to address the questions of their own recognition of wrongful acts with the unacceptable result of those who had progressed further in terms of overall healing and recognition of the nature of the act may be statute barred from launching a civil action.

**(b) What must be proven in order to establish civil liability and what defences may be raised**

One avenue of civil liability is founded in the common law tort of battery. This tort protects one's right to be free from offensive physical contact. The fundamental principle is that every person's body is inviolate. Intentional battery consists of the following:

- (i) intention: the defendant must have intended an offensive, physical contact with the plaintiff;
- (ii) directness: to sue in battery the physical contact must have resulted directly from the defendant's act;
- (iii) offensiveness: there must be an offensive physical contact. This contact must go beyond generally accepted standards of conduct.
- (iv) physical conduct: the contact must be physical in nature.

With respect to his type of action, the other fundamental facts which must be established are the identity of the defendant, the time and place of the contact, the nature of the contact and the resulting injuries and damages. As with the criminal prosecutions, some of these necessary elements in civil suits are weak. Again, issues of identifying the defendant may pose significant problems for some of the prospective plaintiffs. While the burden of proof is less in civil

matters, being a balance of probabilities rather than beyond a reasonable doubt, it is still necessary to establish each of the underlying facts. As well, there may be an issue of whether some of the physical conduct was "offensive" when put in an historical perspective. The law governing whether the contact was offensive would be the law in effect at the time the incident occurred. While this would not be a successful defence for the clearly over zealous acts of discipline, it would be so for those actions that may be deemed acceptable by 1950's standards.

**(c) Who would be the potential defendants and what difficulties exist respecting any of the parties named as potential defendants.**

Clearly the most straightforward defendant is the perpetrator of the act, assuming he or she is still available. In some cases the perpetrator is not living, or if living is not living in Canada. The further potential defendants would be the Roman Catholic Episcopal Corporation of Hudson's Bay. In naming this defendant it would have to be established that the perpetrator was the agent of the Corporation and that the actions were carried out with the express or implied knowledge of the corporate defendant. Some obvious difficulties of proof exist regarding this agency relationship and one could expect a vigorous argument that any such agent was acting outside his or her scope of authority and without the knowledge, express or implied of the corporation. This would constitute a major hurdle to liability.

It would seem that the Federal government could also be named as a defendant. However, apart from the question of Crown immunity, which is in itself significant, there is in the contract of management a complete indemnity regarding any cause of action arising out of the operation and management of the school. If the question of crown immunity was not successful, the indemnity would likely be successful.

**(d) Range of damages**

Even should the obstacles of fundamental elements of fact, corporate or personal liability

be overcome, there is a wide variation in the level of damages that could be achieved. If one takes sexual assault as the most serious form of assault, the range of damages would depend on the severity of the assault, its duration, the relationship between the plaintiff and the defendant and the degree of harm suffered by the plaintiff. Certainly the nature of the relationship in this case could be described as a relationship of trust. Breach of that trust would operate to increase damage awards. However, solid psychological evidence as to the degree of injury suffered would be required and the dated nature of these acts poses real difficulties in this area. It may be difficult for opinion evidence to be given which traces the harm suffered directly to the alleged assault, as opposed to intervening life circumstances. In such cases, damage awards tend to be based on "the battle of the experts" and this is a strong possibility in these cases as well.

Examples of the range of damages are \$65,000.00 for cases of serious repetitive abusive behaviour to less than \$10,000.00 for cases of fondling in an isolated circumstance.

One could also consider an action in negligence framed against the Church, the federal government and individuals in position of administrative authority respecting the ongoing operation of the school. This type of action involves a number of basis elements:

- (a) Establishing a duty of care as between the Defendants and the Plaintiff;
- (b) Establishing a breach of that duty of care by the negligent act of the defendants;
- (c) Establishing injury or damages flowing from that breach of duty;
- (d) Establishing a causal connection between the injury and the breach of duty;
- (e) Quantifying the injury in terms of monetary compensation.

Again, these factual situations do not fit well into the rigid and well defined framework of this type of court action. These law suits while potentially available to some former students, are nonetheless fraught with difficulties of both an evidentiary and legal nature. Further more, at the end of the day, the most that can be expected from what would no doubt be a process of years of litigation is a monetary award. It may be that individuals should be supported in

pursuing legal opinions that pertain to individual circumstances. In this way, the strengths and weaknesses of individual cases could be explored. However, results of such suits are likely to be widely divergent and because of the nature of such actions, unlikely to meet any needs of the plaintiff other than strictly financial ones at best.

The other major drawback of individual civil cases is the absence of any clear remedy for those who may have suffered emotional abuse that was not physical or sexual contact. These individuals, apart from the possible remedy in negligence, would be without a solid common law framework in which they could proceed.

Overall, litigation tends to be unsatisfactory in both process and result. It is time consuming, costly and the end result is limited in what it can offer in even the most successful of situations. For these reasons it is difficult to recommend this option with any vigour.

#### 4. Public Inquiry

Pursuant to the provisions of the *Public Inquiries Act*, R.S.N.W.T. 1988 c. P-14, the Commissioner has broad authority to convene a public inquiry. Section 2 of the legislation states:

2. The Commissioner may, where the Commissioner considers it necessary or in the public interest, cause an inquiry to be made into
  - (a) any matter relating to the conduct of the public business of the Territories;  
or
  - (b) any matter of public concern.

In establishing the public inquiry the Commissioner may appoint a board of one or more individuals who report to the Commissioner upon conclusion of the inquiry. Once established, the inquiry has the power of a civil court of record in conducting its mandate. This means that it can summons witnesses and hear evidence as could a court. Sanctions arising from failure to

attend or give evidence would be those of a court. Investigations in this way can be conducted with respect to both oral evidence and documentary evidence.

In this matter, there is no doubt that public interest could justify the establishment of a public inquiry. The much more difficult question is whether such an inquiry achieves the kind of result that is appropriate or productive in this case.

In speaking with former students there was very divided opinion on this point. The negative and positive perspectives can be outlined as follows:

Those in favour of a public inquiry:

- an inquiry allows a public or at least publicised airing of facts and grievances thus lending credibility to the complaints that have been raised in a less public fashion;
- an inquiry increases the political power to compel potentially reluctant participants to take responsibility and be accountable;
- an inquiry forms part of a more general healing process in validating the experiences of those who choose to participate in it;
- an inquiry benefits the public generally by raising awareness of the issues and of the particular experiences of individuals. It thus plays a larger educative role;
- an inquiry may result in recommendations that may lead to the devotion of resources, financial and human, to the difficulties suffered by former students;
- an inquiry allows the full review of facts and circumstances such that more appropriate decisions can be made with respect to solutions.

Those against a public inquiry:

- an inquiry utilizes financial resources that could otherwise be put to use in more productive ways, such as providing healing resources to former students;
- an inquiry has attendant with it a certain degree of formality and publicity that may discourage certain former students from partaking;
- an inquiry tends to be a fact finding type of proceeding and does not necessarily provide the support for those participating regarding trauma arising from that participation. It does not help to pick up the pieces;
- inquiries benefit inquiry members, lawyers and consultants but provides no real and tangible benefit to former students who may choose to participate;
- inquiries result in a report or recommendations that get shelved, never to see the light of day again;
- inquiries take too long and are too expensive and have no discernable result;
- we know what happened and an inquiry is not necessary to find that out.

Each position has aspects that commend themselves and for this reason this question is particularly difficult. Certainly terms of reference for a public inquiry could be developed which would alleviate some of the concerns respecting reluctance to participate, timely conduct of the inquiry and tangible recommendations. However, inquiries can "get out of control" and the legislation provides no remedies for the Commissioner to intervene if the process is viewed as too lengthy, too costly or too unfocused. It is difficult to import into the inquiry process a basic underpinning of accountability.

I find it difficult to recommend strongly the conduct of an inquiry when the need for healing and support was so strongly evidenced to me by those with whom I spoke. That is not to say that this option should be set aside entirely. It may be that if other efforts to provide solutions and resolution are unsuccessful, this would encourage that process when other avenues have failed. There is no doubt that it carries with it some amount of political strength.

The one area of real reservation about the public inquiry process is the extent to which it may interfere with the prosecution of any criminal charges. If an inquiry preceded in time the conclusion to any criminal prosecutions there may be an issue of infringement of the right to a fair trial. To the extent that potential trials are affected by publicity or evidence of witnesses becomes tainted, there may be a serious issue of whether criminal prosecutions could proceed.

I have also considered whether a public inquiry would result in reducing what has been to date a very cooperative stance taken by the Bishop of the Hudson's Bay Diocese. We have discussed the possibility of an inquiry and the Bishop has advised that if this is indeed the will of the former students, the Church would participate to the extent deemed reasonable. However, he expressed the strong opinion that the Church has a much stronger interest in more direct forms of support and assistance to former students. There is a definite approach of resolution in practical terms and it would be my opinion that this approach should not be discouraged at the outset.

## **5. Working Consultative Group**

There may be some considerable benefit in undertaking a working or consultative group that is less than a full public inquiry. I have viewed the present terms of reference to be limited in terms of full fact finding and with respect to appropriate healing or therapy models. On the one hand I have been reluctant to expend significant government resources at this very preliminary stage and on the other hand I do not possess the expertise to recommend with



authority appropriate healing or therapy models. This situation could benefit from further exploration in both of these areas.

Therefore a further option in responding to these concerns is to convene a consultative group with a mandate to recommend available dedicated financial and human resources and models of healing or therapy that are best suited to these circumstances, including the not insignificant geographic barriers to the provision of support to former students. I am not convinced that clinical models of support are the best suited to these difficulties. The experience that is being developed both in this jurisdiction and in others (particularly the Province of Manitoba) for involvement of the community and the wisdom and guidance of elders, may well be a more appropriate means of providing ongoing support and healing. The former students themselves may have significant opinions to offer on this. They should be consulted in what they feel may work best for them. It is clear that for healing to be really effective it cannot be completely detached from the community of the client. In this situation, a person may develop tools to heal in artificial situations that may bear no real relation to their permanent environment. A reasonable consultative group would include a small representation of former students and should include those who had positive experiences as well as those with negative experiences, a representative of expertise in the field of adult survivors of abuse, a representative of the Church and of the two levels of government. In this way, needs, resources and expertise could be canvassed within one working unit. It would assist in more closely identifying actual dollars, personnel and methods of treatment and putting those resources to use.

Terms of reference for such a group would include:

1. Identifying the financial commitment of the Church, federal and territorial governments to the provision of support and healing services for former students of Chesterfield Inlet;
2. Identifying practical and effective delivery models for the provision of healing and therapy;
3. Identifying appropriate personnel to participate in the provision of healing and therapy to former students, including experts in the field of therapy as well as community resources.

It would seem that such a group would be in a better position to coordinate with existing resources. For example, in the community of Igloolik there has been a healing group that has attempted to assist those in the community with problems arising from abusive relationships. Efforts must be made to identify and recognize steps that have already been taken at community levels and to strengthen these initiatives.

In addition, this approach has the added benefit of allowing entrenchment of accountability to government and ultimately, to the students themselves.

## **6. Healing and Therapy**

It was frequently expressed to me by former students that they do not really want to talk about these issues any further in terms of theoretical responses. They want some immediate and tangible assistance in overcoming their painful childhood experiences. They want the opportunity to benefit from counselling. For many, they see that those few former students who have had the opportunity of residing in larger urban environments have had the benefit of choosing this assistance, while those who have remained in their home communities have not. Some expressed feelings of anger and frustration - they want to heal but they cannot do so without assistance. My overwhelming impression was that of an eager willingness to be involved in support and counselling if it were made available.

It therefore should be considered whether further discussion is really merited and whether a more direct approach should be put into place at this time. This would involve a number of potential initiatives as follows:

- (a) Negotiating with the Church and the federal government for committed financial resources to address the healing needs of former students, their families and others who have been touched by adverse consequences of residential school experiences;

- (b) the establishment of regional healing centres and financial support for attendance of clients and members of their families at such facilities, the hiring of appropriate personnel to staff facilities and provide care and treatment;
- (c) making available on an immediate and short term basis experienced personnel to provide therapy and counselling. In doing so, counsellors must be willing to spend extended periods of time in communities as the "fly in fly out" approach is unlikely to be effective;
- (d) making financial resources available to former students and members of their families who wish to attend counselling or treatment that may be available in larger urban centres;
- (e) Liaising with the Royal Commission on Aboriginal Peoples as to its possible responses to the residential school experience of aboriginal persons. This Commission has heard extensive submissions in this and related areas and may be in a position to coordinate responses with other levels of government.
- (f) using those personnel within the Territories who have received training pursuant to present government family violence initiatives to dedicate their efforts on a full time basis to the provision of support and counselling to former students through mechanisms of extended community based workshops and healing sessions.

While there may be a concern as to whether appropriate and effective healing can be provided without further consultation in these areas, and I do not underestimate this concern, a tangible, positive and immediate response on behalf of this government would go a very long way in alleviating the concerns, anger and frustrations of former students. At present there is a feeling of helplessness and in some cases despair. It is my view that some of these issues could be eased by prompt and decisive action.

## 7. Other Issues

One issue that you should give serious consideration to is whether any government response should be limited to the former students of Chesterfield Inlet. In many ways the experiences of these students are unique by virtue of the history of the school and the culture in which it operated. If one were to place the ramifications of residential school experiences on a spectrum, those of the Chesterfield School would no doubt be at the high end of significant effects. However, it may well be that these types of experiences are not limited to this particular school. Students of other schools operated in the Northwest Territories by other institutions may well be the focus of future concern. Indeed, I believe that some of these issues have received considerable discussion to date in areas of the western arctic. You may wish to consider therefore that the scope of any response be broader in nature and applied to all regions of the Territories.

There may be certain measures of cost effectiveness associated with a broader response, in that it is likely that students of other institutions feel that their experiences also merit devotion of resources. This would certainly be the case if the option chosen is that of a public inquiry. In such a case it would not be sensible to limit the scope of such an undertaking to former students of one institution. If these type of resources are to be dedicated to fact finding and exploration of solutions, it should be done on a broader basis.

Finally, one logical option which is of necessity on the list of possible responses is that of no response at all. I mention this to give it lip service only as it is my opinion that it is neither a politically viable nor an appropriate response to the significant issues revealed in this investigation.

## V RECOMMENDATIONS

I have in the sections above canvassed what I feel are some of the available options for response to the concerns raised by the former students of Chesterfield Inlet. This list is not exhaustive and it may well be that further options emerge from discussion, and input from various sources. Finding solutions to assisting people, in some instances, to put their lives back together, is not an easy task. The range of options in summary form that have emerged from my discussions with individuals are therefore as follows:

- 1. That individuals be supported with financial assistance in exploring the extent to which, in particular cases, civil legal relief is available in the form of an action in tort or negligence.**

As stated above, there are a number of difficulties associated with these legal actions and the possible success or failure of actions will vary widely. Individuals may wish to determine in their own circumstances whether this is an appropriate step. Civil action is necessarily limited in the scope of relief that it can provide and in the time it takes for litigation to run its course. It did not appear to me that such strictly financial results were the main focus for those students with whom I spoke. Relief in the form of recognition of experiences and assistance in healing emerged. Some individuals felt that apologies delivered by the persons involved and representatives of the Church would be the most meaningful form of resolution.

- 2. Due to the fact that class actions involve rigid guidelines of what constitutes a "common interest", this avenue should not be seriously explored.**

3. **The RCMP and federal Department of Justice should be requested to keep the Government of the Northwest Territories informed respecting decisions made regarding criminal prosecutions, and the progress of any such prosecutions.**

As this matter involves a large degree of public interest, the Government of the Northwest Territories should be informed and be in a position to provide information as required regarding the conduct of these matters.

4. **Negotiations be immediately undertaken with the Roman Catholic Church and the federal government to identify financial and human resources to be committed to healing, therapy and counselling services for former students and their families.**

5. **That counselling and support services be provided to the former students in the form of:**

- **the establishment of regional healing facilities;**
- **provision of counselling at a community level by persons trained in the field of adult survivors of abuse, with the advice and assistance of community resources;**
- **that individuals be financially supported in obtaining counselling and therapy from other available centres and resources.**

6. **That the Government of the Northwest Territories liaise with the Royal Commission on Aboriginal Peoples to obtain the benefit of its experience and resources in this field and with a view to coordinating responses as between different levels of government and aboriginal organizations.**

7. That in the event that negotiations with the Church and federal government do not proceed satisfactorily, a Public Inquiry be convened to examine the experience of students of residential school facilities across the Northwest Territories. The terms of reference of any such public inquiry should include a mandate to investigate circumstances of alleged physical, sexual and emotional abuse at residential schools, the quality of education received by students of these facilities, the availability of treatment and healing models for survivors of abuse.
  
8. That a working group be convened, made up of representatives of former students of residential schools in the Northwest Territories, managing organizations such as the Roman Catholic Church and the two levels of government and experts in the field of treatment of adult survivors to consult with former students and communities with a view to recommending treatment models and methods of delivery of support services to former students or to survivors of abuse generally.
  
9. That the Government of the Northwest Territories undertake a campaign of public awareness and education directed to survivors of abuse, including the production of handbook materials which include the experiences of survivors, common symptoms of abuse trauma and approaches to healing., with such material to be made widely available across the Northwest Territories.
  
10. That the Government of the Northwest Territories keep former students apprised of any and all initiatives undertaken in addressing these issues.

It is trite to say that there is no right or easy answer to responding to the concerns raised by former students. In my view, the concerns that have been raised are serious and substantiated and require an earnest and expeditious response. The greatest area of emphasis in this response ought to be the removal of secrecy, stigma and isolation that forms such a large part of the lives of these individuals.





## APPENDICES

- APPENDIX A      Copy of Terms of Reference
- APPENDIX B      Copy of Memorandum of Agreement dated October 1, 1959
- APPENDIX C      Copy of school material produced by Grade 3 and 4 students in 1959
- APPENDIX D      Reference to material on recovery



**STATEMENT OF WORK  
CONSULTING AND PROFESSIONAL SERVICES**

**SUBJECT:**

Joseph Bernier/Turquetil Hall Residence - Chesterfield Inlet, N.W.T.

**BACKGROUND:**

Some 150 former residents of the Joseph Bernier school in Chesterfield Inlet met in that community for a special reunion July 19 to 23, 1993. Described by some as a week long healing reunion, allegations of sexual, emotional and physical abuse were levelled at one or more former staff persons at the school. By arrangements apparently made by the federal government Department of Indian Affairs the school and residence were run by the Roman Catholic Church, in whole or in part.

The Head of the Roman Catholic Diocese of Churchill, Bishop Reynald Rouleau, attended the workshop or reunion. Newspaper accounts report that the Bishop was joined at the reunion by an Oblate priest and several Grey Nuns who had helped run the school. At one point in the proceedings Bishop Rouleau is reported to have said it was "undeniable" that child sexual abuse had occurred.

A Petition dated July 23, 1993 and addressed to the Government Leader asks for a "comprehensive public inquiry" into the treatment of students attending the Joseph Bernier School and Turquetil Hall Residence in the 1950's and 1960's, "with an emphasis on determining the extent of sexual, physical and emotional abuse suffered." The Petition is signed with 49 names. It is estimated that former students from some 13 NWT and other Canadian communities attended the reunion.

**OBJECTIVE:**

1. To review the documentary and oral evidence, if any, and to advise the Government of the Northwest Territories on the number and scope and specifics of allegations of physical, sexual and emotional abuse at the Bernier School and Turquetil Hall residence.
2. To advise the Government on the range of viable options to respond to the call for a comprehensive public inquiry. The options to consider should include, but need not be limited to: the holding of a public inquiry under the Public Inquiries Act, (NWT); the laying of criminal charges, where reasonable grounds exist and the RCMP and federal Crown Attorney are prepared to pursue them; and civil suits for damages by persons who have suffered harm, to be brought against those individuals or entities who or which might be liable.

#### **SCOPE OF WORK:**

The Contractor will travel to the Keewatin region and conduct interviews with persons prepared to speak and who may have information relevant to the objective. It is not expected that all persons or former students be interviewed if, in the opinion of the contractor, reasonable advice may be given without doing so. Interviews should, where possible, include representatives of the Catholic Church, including any persons who worked at the school or residence during the period of the 1950's and 1960's.

The Contractor will examine any archival or documentary material which is provided to the Contractor or to which the Contractor deems it necessary to acquire directly, in order to carry out the work. It is expected that GNWT will provide some research assistance in a manner to be mutually agreed.

The Contractor may conduct the work through interviews, correspondence, telephone calls or teleconferences as the Contractor deems most effective to carry out the work.

The Contractor will provide a designated Government contact with an outline and schedule, with adjustments from time to time as necessary, of the manner in which the work will be carried out, and will provide informal oral or written progress reports to a designated Government contact following any significant steps in the investigative process.

#### **GOVERNMENT SUPPORT**

In addition to research assistance described above, the Government will make best efforts to obtain access for the Contractor to any files or materials which may be in the possession of the Government of Canada or the Roman Catholic Church, where it is necessary to the work and there is any real or anticipated difficulty for the Contractor to obtain such access directly.

#### **TIME**

The Contractor will conduct the work during the months of October, November and December, 1993, and will submit a written report to the Government Leader by December 31, 1993, or such later date as may be mutually agreed.

## **Speaking Notes for Nellie Cournoyea, Minister of Health and Social Services**

### **Release of Peterson Report**

As you know, we contracted Katherine Peterson to investigate allegations of abuse at Turquetil Hall in Chesterfield Inlet in July of 1993.

We wanted to release her report last January. However, the Crown Prosecutor advised us that the report's release could prejudice the RCMP investigation and that we should wait until the RCMP had completed their investigation.

You heard the conclusions of the RCMP investigation earlier today. I am not here to comment on the results of this investigation but rather to release the Peterson Report and discuss how the government plans to respond to this.

There are ten recommendations in Ms Peterson's report. Some of these will require the action of this government. Other recommendations have already been acted upon.

The Peterson Report makes one point very clear.

People affected by the events at Turquetil Hall want information about what occurred. As a result, we are releasing the report and are making it available in the communities where we know former students are now living.

Another point which the Peterson Report raises is that many former students want healing and reconciliation to get on with their lives.

Because of this, the government is initiating discussions with both the Roman Catholic Church and the Department of Indian Affairs and Northern Development to see how they plan to participate in supporting former students in the healing process.

In the meantime, our government will continue to work within its existing resources to help those former students with counselling and healing if they request it.

## **Peterson Report Recommendations and Government Responses**

### **Recommendation #1**

That individuals be supported with financial assistance in exploring the extent to which, in particular cases, civil legal relief is available in the form of an action in tort or negligence.

#### **Response:**

This is an avenue for the individuals themselves to pursue. The government has in place, through the Legal Aid Program, provisions for assisting eligible individuals pursue civil actions. The individual must apply to Legal Aid and an assessment will be undertaken to determine whether or not to proceed.

### **Recommendation #2**

Due to the fact that class actions involve rigid guidelines of what constitutes a "Common Interest", this avenue should not be seriously explored.

#### **Response:**

The government agrees with this recommendation.

### **Recommendation #3**

The RCMP and federal Department of Justice should be requested to keep the Government of the Northwest Territories informed respecting decisions made regarding criminal prosecutions, and the progress of any such prosecutions.

#### **Response:**

The RCMP have completed their criminal investigation. There was adequate consultation during that process.

### **Recommendation #4**

Negotiations be immediately undertaken with the Roman Catholic Church and the federal government to identify financial and human resources to be committed to healing, therapy and counselling services for former students and their families.

#### **Response:**

The government is in the process of setting up meetings with the federal government and the Roman Catholic Church officials.

The government has been meeting with the ad hoc group of former students. We have to identify the extent of the demand for services and the nature of those services.

Until there is some agreement with the Church and Ottawa to provide support to the students and their families, the GNWT will work to provide as much assistance as possible within its own limited resources.

**Recommendation #5**

That counselling and support services be provided to the former students in the form of:

- a. - establishment of regional healing facilities;
- b. - provision of counselling at a community level by persons trained in the field of adult survivors of abuse, with the advice and assistance of community resources.
- c. - that individuals be financially supported in obtaining counselling and therapy from other available centres and resources.

**Response:**

**Re: 5a**

The government, based on its consultations on the Community Wellness Strategy, has been moving away from regional centres for services to community-based and community-directed models.

**Re: 5b**

Since the government does not know the identity of the students who were interviewed in the RCMP investigation, the RCMP has agreed to include information prepared by the Department Of Health and Social Services in their letter which is being sent to the students. This information would detail what services are available and who to contact.

Basic support services are available in the Keewatin, Baffin and Kitkmeot . Rankin Inlet and Iqaluit have victim's services programs. Baker Lake has a healing centre, partially funded by the Oblates as a result of a similar situation in that community.

**Re: 5c**

The government provides support, within available resources, for travel outside a person's community on a case by case basis now. This is one area where the government would be open to negotiation with the Church and federal government for additional support.

**Recommendation #6**

The Government of the Northwest Territories liaise with the Royal Commission on Aboriginal Peoples to obtain the benefit of its experience and resources in this field and with a view to coordinating responses as between different levels of government and aboriginal organizations.

**Response:**

This will be done.

**Recommendation #7**

In the event that negotiations with the Church and federal government do not proceed satisfactorily, a Public Inquiry be convened to examine the experience of students of residential school facilities across the Northwest Territories. The terms of reference of any such public inquiry should include a mandate to investigate circumstances of alleged physical, sexual and emotional abuse at residential schools, the quality of education received by these students of these facilities, the availability of treatment and healing models for survivors of abuse.

**Response:**

The government agrees with the recommendation that a public inquiry not be considered until other avenues have been explored. The government will be discussing options with the church and federal government.

The government's first priority is to help the former students and their families get on with their lives.

**Recommendation #8**

That a working group be convened, made up of representatives of former students of residential schools in the Northwest Territories, managing organizations such as the Roman Catholic Church and the two levels of government and experts in the field of treatment of adult survivors to consult with former students and communities with a view to recommending treatment models and methods of delivery of support services to former students or to survivors of abuse generally.

**Response:**

The ad hoc students committee has been instrumental in working on this issue and we see that cooperation continuing. This committee will be participating in the planning for meetings with representatives of the Church and the Department of Indian Affairs and Northern Development.

**Recommendation #9**

That the Government of the Northwest Territories undertake a campaign of public awareness and education directed to survivors of abuse, including the production of handbook materials which include the experiences of survivors, common symptoms of abuse trauma and approaches to healing, with such material to be made widely available across the Northwest Territories.

**Response:**

The government is developing a communications plan as part of its Community Wellness Strategy. Territorial-wide healing and treatment issues will be addressed.

**Recommendation #10**

That the Government of the Northwest Territories keep former students apprised of any and all initiatives undertaken in addressing these issues.

**Response:**

The department has put together an information package which has been mailed out to all students involved in the RCMP investigation. Since the identities of the complainants are being kept confidential, the RCMP have agreed to enclose this information in the letters which they will be mailing out to the former students.

The package includes phone numbers of where people can phone for information about what resources are available to them for healing and counselling.