

House of Commons

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March 2nd 2016

RE: IRSSA Settlement Process for St. Anne's Residential School Survivors

Minister Wilson-Raybould,

It has been three months since I wrote to you asking you to review the actions of the Justice Department in suppressing evidence and creating false evidence narratives in the hearings for the survivors of St. Anne's Residential School. From the outset, I was concerned that these tactics compromised the ability of the Survivors to receive justice. A recent Request for Directions filed with the Ontario Superior Court details this concern in showing how a survivor had his case potentially thrown out because evidence that would have verified his testimony was suppressed. And, this case could be the tip of the iceberg as we don't know how many other cases have been compromised.

Thanks to a previous ruling of the Ontario Superior Court it has become known that the federal government sat on the names of 180 known perpetrators, along with thousands of pages of validating evidence. The recent RFD lays out how that evidence identified the criminal in this case as a serial abuser priest who had access to children in this institution for nearly four decades. And yet lawyers for the government of Canada falsely argued to throw out the case because there was no evidence to show that this abuser had been at the school when the survivor was abused.

This RFD comes on the heels of learning about the a thousand plus cases impacted by the "administrative split". Once again, the question becomes obvious – who will stand up for the survivors? This past week, your parliamentary secretary told the House of Commons that it was the responsibility of Independent Assessment Process to review the cases thrown out because of the administrative split. The IAP oversight committee, however, have claimed that the responsibility for reviewing these cases belongs with the Defendant – the government of Canada. This kind of buck-passing is simply not acceptable.

The IAP is intended to be a non-adversarial system. The survivors of the brutal abuse at St. Anne's Residential School were told they could simply come and tell their story. Yet, officials within the Justice Department repeatedly breached their legal obligation putting in question the credibility of Canada's historic residential school apology.

It should not have to be said that it is absolutely unacceptable for the Justice Department to commit repeated legal breaches, when it is in charge of upholding the laws of Canada. We still do not know why this has occurred or what the consequences have been. But, what we do know is that obstructing Indigenous rights is nothing new. And in this case the government is re-victimizing and fighting emotionally traumatized survivors of physical and sexual abuse. It only further underlines the fundamental transformation that the Canadian government and departments must undergo.

The Prime Minister has said that this will be the Parliament of Reconciliation. For this historic moment to be fully realized we need leadership and these Survivors need to finally get justice. I am asking you as Minister of Justice to put an end to the actions of those within your department who have undermined, and continue to undermine the rights of residential school survivors. I am asking you to meet with the representatives of the St. Anne's survivors the Peetabeck Keway Keykaywin Association to begin the process of making things right. And I am asking that you will ensure that the thousand plus cases of the administrative split are dealt with through an independent review of the process.

I am asking that we work together to ensure that the historic apology is upheld, to ensure that the Survivors receive the justice they deserve, and that we continue the hard work of keeping Canada on the path of Reconciliation. I look forward to hearing from you on this.

Sincerely,



MP Charlie Angus
Timmins-James Bay

cc: Edmund Metatawabin, Peetabeck Keway Keykaywin Association
Perry Bellegarde, National Chief Assembly of First Nations
Isadore Day, Chief of Ontario
Daniel Shapiro, Chief Adjudicator Independent Assessment Process
Zeynep Onen, Law Society of Upper Canada
Mayo Moran, Chair of IAP Oversight Committee
Justice Murray Sinclair, Truth and Reconciliation Commission
Alvin Fiddler, Grand Chief Nishnawbe Aski Nation
Grand Chief Jonathon Solomon, Mushkegowuk Council
Andrew Solomon, Chief of Fort Albany First Nation
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