

# **Indian Residential Schools Resolution Canada**

**2004 - 2005**

**Departmental Performance Report**

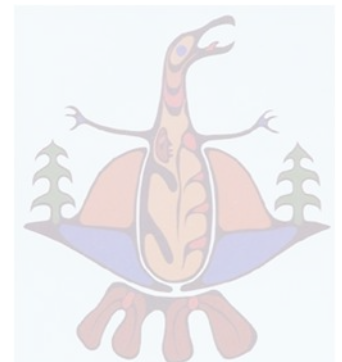
---

The Honourable A. Anne McLellan  
Deputy Prime Minister and Minister of Public Safety and  
Emergency Preparedness



# Table of Contents

<i>SECTION I – OVERVIEW</i> .....	3
<b>Minister’s Message</b> .....	4
<b>Management Representation Statement</b> .....	6
<b>Summary Information</b> .....	7
<b>Overall Departmental Performance</b> .....	13
<i>SECTION II – ANALYSIS OF PERFORMANCE BY STRATEGIC OUTCOME</i> .....	17
<b>Strategic Outcome:</b> .....	18
<b>Program Activities:</b> .....	18
<b>Key Programs of Claim Resolution:</b> .....	19
<i>SECTION III – SUPPLEMENTARY INFORMATION</i> .....	22
<b>Organizational Information</b> .....	22
<b>Table 1: Comparison of Planned to Actual Spending (incl. FTE)</b> .....	24
<b>Table 2: Use of Resources by Business Lines (or Program Activities)</b> .....	25
<b>Table 3: Voted and Statutory Items</b> .....	26
<b>Table 4: Net Cost of Department</b> .....	27
<b>Table 5: Contingent Liabilities</b> .....	28
<b>Table 6: Details on Project Spending</b> .....	29
<b>Table 7: Response to Parliamentary Committees, Audits and Evaluations for     FY2005–2006</b> .....	30
<i>SECTION IV – OTHER ITEMS OF INTEREST</i> .....	32



## **SECTION I – OVERVIEW**



## Minister's Message

At the Aboriginal Roundtable in April 2004, Prime Minister Paul Martin committed to making the principle of collaboration the cornerstone for a strengthened and renewed partnership between the Government of Canada and Aboriginal peoples. In the spirit of this commitment, Indian Residential Schools Resolution Canada has maintained and built partnerships with Aboriginal organizations, the Indian Residential Schools Aboriginal Working Caucus, former students and their communities, plaintiffs' lawyers, and the churches involved in the operation of the residential school system to resolve the legacy of residential schools.



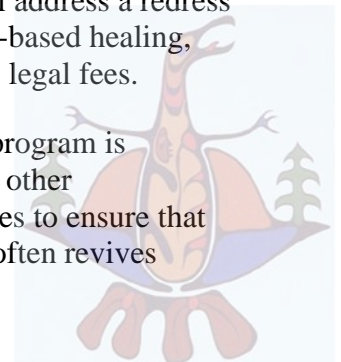
In December 2004, responsibility for the Aboriginal Healing Foundation (AHF) was transferred from the Minister of Indian Affairs and Northern Development to the Minister responsible for Indian Residential Schools Resolution Canada. Since its inception in 1998, the arm's length Foundation has played an important role in community healing addressing the tragic legacy of Residential Schools. It has committed over \$375 million for participation of over 223,000 individuals in 1,300 community-based healing projects across the country. The 2005 Budget provided an additional \$40 million to the AHF to continue its healing projects and to promote public awareness and understanding of healing issues.

Partnerships continue with Aboriginal organizations, such as the Assembly of First Nations (AFN), Pauktuutit-Inuit Women Association of Canada, the Inuit Tapiriit Kanatami (ITK), the Métis Settlements General Council and the Atlantic Policy Congress of First Nations Chiefs and survivor societies such as the Indian Residential Schools Survivors Society (IRSSS), the National Residential School Survivors Society (NRSSS), the Children of Shingwauk Alumni Association (CSAA), and the Legacy of Hope Foundation.

Over the last year, we began an internal review of our programming with a view to addressing any shortcomings that may be present in a new and unique alternative dispute resolution (ADR) process. The Government has come to recognize that there are shortcomings in its current resolution approach. As well, advocates from many sources, most notably from the AFN, and the Canadian Bar Association, have brought into focus the need to make greater inroads towards addressing the legacy left by the Indian Residential School system.

Following the period covered in the Report, on May 30, 2005 the Government of Canada appointed the Honourable Frank Iacobucci as its representative to negotiate with plaintiffs' counsel, and work and consult with the AFN and counsel for the churches. The Honourable Mr. Iacobucci will make recommendations regarding a settlement package that will address a redress payment for all former students, a truth and reconciliation process, community-based healing, commemoration, and an appropriate ADR process for serious abuse, as well as legal fees.

The Department continues to collaborate with other departments to ensure its program is delivered in the most efficient manner possible and in a way that complements other departments' initiatives. Our partnership initiative with Health Canada continues to ensure that claimants have the necessary supports as they progress through a process that often revives



painful memories from the past. We have also kept abreast of program developments at Canadian Heritage as it implements Aboriginal language and culture initiatives that also contribute to healing and building stronger communities.

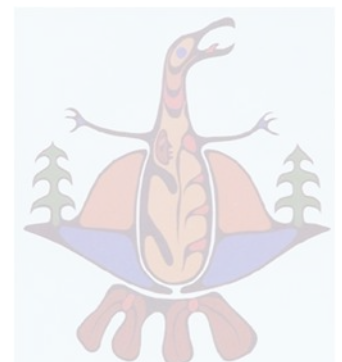
The Department continues to focus on the management of the National Resolution Framework (NRF) to work towards healing and reconciliation with former students. The amended ADR process offers a holistic and timely option to settle claims. Health supports and commemorative events are on-going and the Department continues to promote awareness of the ADR process and to educate the public about the history and legacy of the Indian residential school system through community outreach initiatives.

While the major thrust of the Department's energies has been directed towards management of the ADR process, the Department has also continued to address claims that have remained in litigation. As of March 31, 2005, more than 13,500 former students have filed for compensation and 2,300 have been resolved through the ADR and litigation processes, with more than \$85 million having been disbursed for compensation.

Building on the momentum of the apportionment agreements with the Anglican and Presbyterian Churches, the Department has continued to negotiate with Catholic entities. While yet to reach an agreement with the Government of Canada, the United Church has consistently paid its share of compensation for all validated claims and has continued to consult on the ADR process.

Indian Residential Schools Resolution Canada has continued to strive to improve the resolution of claims within the scope of the National Resolution Framework. Claims are being resolved in a more timely and respectful manner, as we continue our efforts towards equitable settlement.

Much work has been done and much is left to do. I am confident that we will reach our goals and I look forward to continuing to work with our Aboriginal partners towards a positive resolution to the legacy of Indian residential schools.



## Management Representation Statement

I submit for tabling in Parliament, the 2004-2005 Departmental Performance Report (DPR) for Indian Residential Schools Resolution Canada.

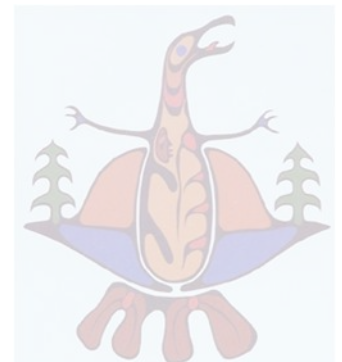
This document has been prepared based on the reporting principles contained in the Treasury Board of Canada Secretariat's *Guide for the preparation of 2004-2005 Departmental Performance Reports*:

- It adheres to the specific reporting requirements;
- It uses an approved Program Activity Architecture;
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results pursued or achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved numbers from the Estimates and the Public Accounts of Canada.

---

Mario Dion

Deputy Minister



## Summary Information

### Department's Raison d'être

IRSRC was created on June 4, 2001 to centralize resources that are focused on resolving Indian residential school claims, addressing the legacy associated with the schools and encouraging healing and reconciliation. The Department is responsible for the coordination of all Indian residential schools activities on behalf of the federal government.

The Department is committed to:

- Resolving claims as effectively as possible. By striving to improve the resolution of claims in a timely and caring manner, IRSRC continues to move forward towards equitable settlement with former students and a positive resolution to the legacy of Indian residential schools.
- Working with church organizations to reach agreements concerning their shared liability for compensation in the resolution of claims.
- Maintaining and building collaborative working relationships with stakeholders such as Aboriginal organizations, the Aboriginal Working Caucus, former students and their communities, plaintiff's lawyers, and the churches involved in the operation of the residential school system to resolve the legacy of residential schools.
- Informing and educating the Canadian public about the Indian residential school system and its legacy through support for community outreach initiatives and commemorative projects. .
- Healing and reconciliation with former students and the Aboriginal community as a whole.

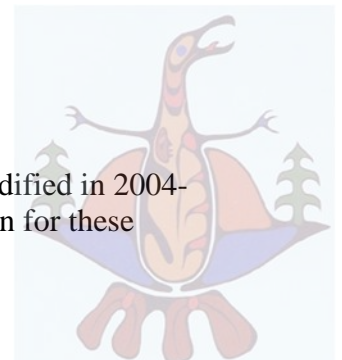
The Department continues to work on improving relationships between Aboriginal people and Government and towards the implementation of the federal government's wider objectives of healing and reconciliation.

### Total Financial Resources

Planned	Authorities	Actual
\$99,800,000	\$99,800,000	\$66,625,800*

---

\*\* The accounting for amounts recovered by the Department of Justice was modified in 2004-2005. As a result, client departments can no longer report a use of appropriation for these services.



**Total Human Resources**

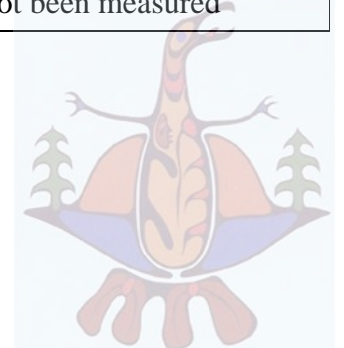
Authorized	Actual	Difference
175	166	9



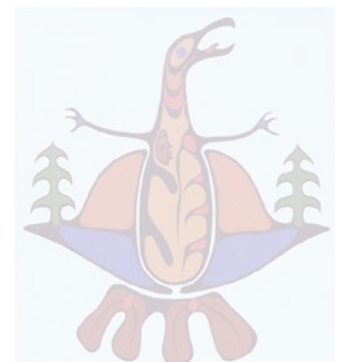


**Summary of Performance in Relationship to Departmental Strategic Outcomes, Priorities and Commitments**

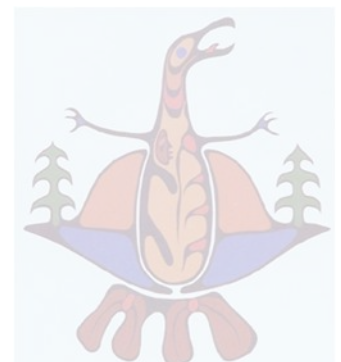
Strategic Outcomes	2004–2005 Priorities/ Commitments	Type	Planned Spending	Actual Spending	Expected Results and Current Status
<p><b>Reconciliation between Indian Residential School survivors and the Government of Canada</b></p>	<p>Resolving all outstanding claims as expeditiously, humanely and compassionately as possible</p>	<p>Previously Committed - Ongoing</p>	<p>\$96.7M</p>	<p>\$60.8M</p>	<ul style="list-style-type: none"> <li>a) More effective and efficient resolution of disputes based on mutual respect – Has not been measured</li> <li>b) A more compassionate process for claimants, from first contact with a potential claimant, right through to a commemoration event – Has not been measured</li> <li>c) Significantly greater number of claimants proceeding through ADR process – Successfully met</li> <li>d) Decreased time to resolve claims – Successfully met</li> <li>e) Reduced administrative and legal costs for the government – Successfully met</li> <li>f) Improved claims administration through better control, monitoring, evaluation and reporting – Has not been measured</li> <li>g) Transparent and relevant expenditure management and accountability – Has not been measured</li> </ul>



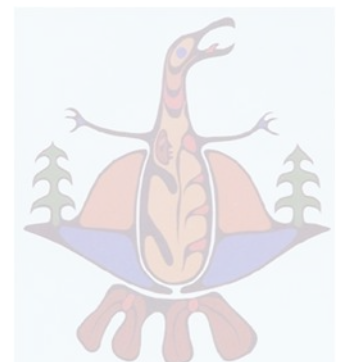
<b>Reconciliation between Indian Residential School survivors and the Government of Canada (Continued from previous page)</b>	Resolving all outstanding claims (Continued from previous page)	As on previous page	As on previous page	As on previous page	<ul style="list-style-type: none"> <li>h) Increased number of out-of-court settlements – Successfully met</li> <li>i) Identification and expeditious resolution of all claims made by the elderly or those in ill health – Successfully met</li> <li>j) Improved relationships and partnerships with Aboriginal communities that will provide the basis for future reconciliation and healing initiatives such as those available under the Framework’s Commemoration program – Has not been measured</li> </ul>
---	---	---------------------	---------------------	---------------------	--



<p><b>Reconciliation between Indian Residential School survivors and the Government of Canada (Continued from previous page)</b></p>	<p>Maintaining and building collaborative working relations with Aboriginal organizations and former students and their communities that address the Indian residential schools legacy and encourage healing and reconciliation</p>	<p>Previously Committed - Ongoing</p>	<p>\$2.7M</p>	<p>\$4.7M</p>	<ul style="list-style-type: none"> <li>a) Public commemorative ceremonies or activities, that are jointly sponsored with Aboriginal organizations – Successfully met</li> <li>b) In the medium term, the creation of a positive environment where hope for the future by Aboriginal people is restored and the legacy of abuse passed from generation to generation is finally broken – Not yet met</li> <li>c) Increased numbers of claimants wishing to settle out of court – Successfully met</li> <li>d) In the longer term, new communities, and the evolution of regional and national partnerships, that will lead to reduced violence and addiction and decreased need for existing health support programs – Not yet met</li> </ul>
--	---	---------------------------------------	---------------	---------------	--



<b>Reconciliation between Indian Residential School survivors and the Government of Canada (Continued from previous page)</b>	Negotiating with remaining church institutions to determine the shared cost of compensation	Previously Committed - Ongoing	\$0.4M	\$1.1M	<ul style="list-style-type: none"> <li>a) Increased number of claimants with valid claims receiving 100% of agreed upon compensation – Successfully met</li> <li>b) Visible and ethical lines of responsibility – Not yet met</li> <li>c) Clear understanding by Canadians that the Government of Canada is committed to the continued financial integrity of the churches – Has not been measured</li> <li>d) Increased participation by Canadian churches who have signed agreements in healing and reconciliation of survivors – Has not been measured</li> <li>e) Elimination of further administrative and legal costs involved in negotiating these agreements – Not yet met</li> <li>f) Optimum utilization of resources available for the resolution process to expedite the resolution of claims and promote reconciliation and healing – Has not been measured</li> </ul>
---	---	--------------------------------	--------	--------	---



## Overall Departmental Performance

IRSRC's strategic outcome of the reconciliation between Indian Residential School survivors and the Government of Canada supports Canada's desired outcome of a strengthened and renewed partnership between the Government of Canada and Aboriginal peoples. Through collaborative efforts involving Aboriginal organizations, the Aboriginal Working Caucus, former students and their communities, plaintiff's lawyers, and the churches involved in the operation of the residential school system, the Department is working toward healing and reconciliation with former students and with the Aboriginal community as a whole.

2004-2005 was a year of growth at IRSRC, with an increase in the number of claims, settlements and learning. The Department experienced success in the achievement of some of its expected results, while also experiencing delays in others. Several aspects of the Department's expected results have not yet been measured as they will be part of an in-depth review of the new ADR process that will be carried out in the 2005-2006 fiscal year.

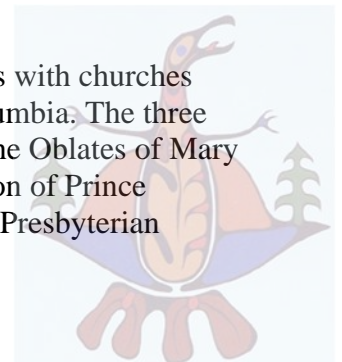
One area of success was that of claim resolution and uptake of the ADR process. Launched in November 2003, the National Resolution Framework (NRF) provides claimants with options to resolve their claim and ensure that claimants are treated as humanely as possible. The Framework includes a litigation strategy, health supports, a commemoration program and an alternative dispute resolution (ADR) process. The ADR process provides additional choices to former students seeking compensation for sexual abuse, physical abuse and wrongful confinement. This is a voluntary process that provides former students with a fair, timely and supportive option to settle claims outside of the courts.

In 2004-2005 the department received over 1,200 applications for the new ADR process, averaging over 20 applications a week and was able to settle through both the ADR and Litigation processes with over 600 former students, up 44% from the year before.

As of March 31, 2005, 13,500 claimants have applied for compensation and more than 2,300 claims have been resolved through the ADR and litigation processes. More than \$85 million has been paid to former students who have resolved their claims. Claimants have been able to expedite the resolution of their claims in a compassionate, respectful, and equitable manner. The option of litigation and out-of-court settlements has been maintained in order to settle claims for those individuals who cannot, or choose not to, participate in the new process.

With the increase in settlements, the Department searched for increased efficiency in the time required to resolve claims by reviewing its procedures under both the ADR and Litigation processes and introducing a number of changes that have resulted in significantly faster processing times, especially in the ADR process.

The Department has experienced some success this past year in its negotiations with churches reaching an apportionment agreement with the Catholic Church in British Columbia. The three signatories to the agreement are: the Sisters of Instruction of the Child Jesus, the Oblates of Mary Immaculate of British Columbia and the Roman Catholic Episcopal Corporation of Prince Rupert. This agreement along with existing agreements with the Anglican and Presbyterian



Churches has ensured that a greater number of claimants have and will be able to receive 100% of their assessed compensation. Without an official agreement, the United Church has consistently paid its share of compensation for all validated claims and continues to consult on the ADR process.

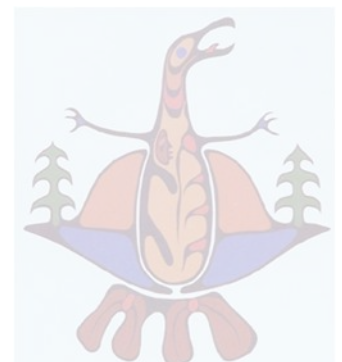
The Mental Health Support Program (MHSP) jointly administered by IRSRC and Health Canada continues to ensure that claimants have the necessary supports as they progress through a process that often revives painful memories from the past. The MHSP offers three main support services including professional counselling, fifteen regionally-based health support workers and a 24-hour crisis line. During 2004-2005, the numbers of individuals accessing support workers and the crisis line have increased as the number of claims and settlements increased.

In 2004-2005 IRSRC has continued to support commemorative ceremonies and activities that are related to the impact and legacy of Indian residential schools, such as the project: *Where are the Children? Healing the Legacy of Residential Schools*, jointly sponsored with the Aboriginal Healing Foundation.

In December 2004, responsibility for the Aboriginal Healing Foundation (AHF) was transferred from the Minister of Indian Affairs and Northern Development to the Minister responsible for Indian Residential Schools Resolution Canada. Since its inception in 1998, the arm's length Foundation has played an important role in community healing addressing the tragic legacy of Residential Schools. It has committed over \$375 million for participation of over 223,000 individuals in 1,300 community-based healing projects across the country. The 2005 Budget provided an additional \$40 million to the AHF to continue its healing projects and to promote public awareness and understanding of healing issues.

Partnerships continue with a number of Aboriginal organizations, such as the Assembly of First Nations (AFN), Pauktuutit-Inuit Women Association of Canada, the Métis Settlements General Council and the Atlantic Policy Congress of First Nations Chiefs and survivor societies such as the Indian Residential Schools Survivors Society (IRSSS), the National Residential School Survivors Society (NRSSS), the Children of Shingwauk Alumni Association (CSAA), and the Legacy of Hope Foundation.

These partnerships address the Indian residential schools legacy; contribute to community healing; and, contribute to the education of Canadians about the history and intergenerational impact of Indian residential schools. These experiences help lead to improved relationships and better understanding between Aboriginal and non-Aboriginal communities.



### Crosswalk Between Strategic Outcome Reporting and New PAA

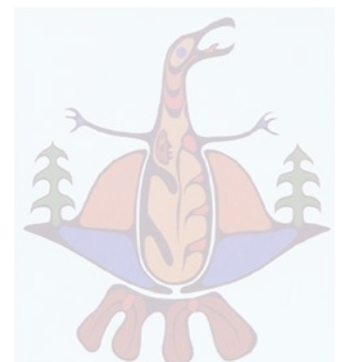
Strategic Outcome and Plans & Priorities used for previous reporting in 2004-05		Equivalent under the PAA	
Strategic Outcome:	Actual 2004-2005	Program Activity:	Actual 2004-2005
Reconciliation between Indian Residential School survivors and the Government of Canada	\$66,625,800	Claim Resolution	\$66,625,800
<b>Plans &amp; Priorities:</b>		<b>Program Sub-Activities</b>	
		<b>Sub-Sub Activities</b>	
Resolving all outstanding claims as expeditiously, humanely and compassionately as possible	\$60,807,333	Finance & Admin	\$5,857,041
		Human Resources	\$576,030
		Communications	\$627,632
		Information Technology	\$1,374,678
		Legal Services *	\$0
		Audit & Evaluation	\$0
		Settlement Process	
		Litigation	\$4,331,569
		Alternative Dispute Resolution - Individual	\$9,623,329
		Alternative Dispute Resolution - Group	\$361,221
		Legal Costs *	\$0
		Research Costs	\$17,394,506
		Group Dispute Resolution Projects	\$2,920,279
		Settlement Allotment	
		Settlements - Litigation Court Awards	\$45,841
		Settlements - Litigation Out of Court	\$13,892,507
Settlements - Group Dispute Resolution Pilots	\$2,159,379		
Settlements - Alternative Dispute Resolution - Individual	\$1,643,321		
Settlements - Alternative Dispute Resolution - Group	\$0		

\* The accounting for amounts recovered by the Department of Justice was modified in 2004-2005. As a result, client departments can no longer report a use of appropriation for these services.

\* ibid as above.



Maintaining and building collaborative working relations with Aboriginal Organizations and their communities that address the Indian residential schools legacy and encourage healing and reconciliation	\$4,676,532	Settlement Process		
			Commemoration	\$549,182
			Policy & Consultation	\$4,127,350
Negotiating with remaining church institutions to determine the shared cost of compensation	\$1,141,935	Settlement Process		
			Church Negotiations	\$1,141,935





**SECTION II – ANALYSIS OF  
PERFORMANCE BY STRATEGIC  
OUTCOME**



## Strategic Outcome:

Reconciliation between Indian Residential School survivors and the Government of Canada.

## Program Activities:

Claims resolution is the sole program activity of the department.

The Claims Resolution process is designed to centralize and focus federal efforts to resolve claims associated with the operation of the former Indian residential school system in an expeditious and caring manner.

Timely and respectful resolution of these claims is essential to healing and reconciliation for former Indian Residential school students and for the Aboriginal community as a whole.

Thus far, 13,500 claimants have applied for compensation and more than 2,300 claims have been resolved through the ADR and litigation processes.

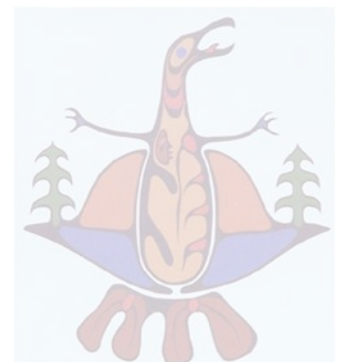
In 2004-2005 the department received over 1,200 applications for the new ADR process and almost no new claims in litigation, and settled with ADR 610 claimants.

## Financial Resources:

Planned Spending	Authorities	Actual Spending
\$99,800,000	\$99,800,000	\$66,625,800

## Human Resources

Planned	Authorities	Actuals
135	175	166



## **Key Programs of Claim Resolution:**

### *1. The National Resolution Framework*

The National Resolution Framework (NRF) was launched in November 2003 with the introduction of the Alternative Dispute Resolution (ADR) process joining the already existing out of court process and trials. A key aspect of the NRF is that claimants can choose how to resolve their claim, either through individual or group dispute resolution, out of court settlement or trial. The first hearings under the ADR process were held in May 2004.

The NRF is the largest user of resources at the Department with \$60.8 million going to administer or support the framework in 2004-2005.

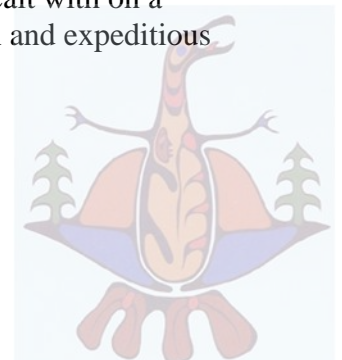
While the Department has seen significant increases in the number of claims being settled each year, it also acknowledges that more needs to be done to ensure timely and compassionate resolution. The Department recently adopted four modifications to the management of litigation (jointly with the Department of Justice), and more than twenty improvements to the internal operational management of ADR claims in an effort to improve internal processing of claims that would lead to more efficient service delivery.

As of March 31, 2005, 13,500 claimants have applied for compensation and more than 2,300 claims have been resolved through the ADR and litigation processes. More than \$85 million has been paid to former students who have resolved their claims. Claimants have been able to expedite the resolution of their claims in a compassionate, respectful, and equitable manner.

Resolving claims outside of the court has resulted in reduced administrative and legal costs for the Government, improved administration of claims through better control, monitoring and reporting and increased speed of resolution of claims. The option of litigation and out-of-court settlements has been maintained in order to settle claims for those individuals who cannot participate in the new process.

Because Indian residential schools operated for more than a century, with most operating in the 1940s to the 1960s, many former students are elderly or in ill health. Elders are highly respected in Aboriginal communities. Identifying and expeditiously resolving the claims of those who are elderly and in ill health ensures that those who suffered abuse as children have their opportunity for resolution.

IRSRC continues to ensure that cases involving elderly and ill claimants are dealt with on a priority basis in order to bring closure to their claims through the identification and expeditious resolution of all claims made by the elderly and those in ill health.



**Financial Resources:**

<b>Planned Spending</b>	<b>Total Authorities</b>	<b>Actual Spending</b>
\$96.7M	\$96.7M	\$60.8M *

*2. Commemoration and Consultation*

IRSRC continues to partner with a number of Aboriginal organizations, such as the Assembly of First Nations (AFN), Pauktutit-Inuit Women Association of Canada, the Inuit Tapiriit Kanatami (ITK), the Métis Settlements General Council and the Atlantic Policy Congress of First Nations Chiefs and survivor societies such as the Indian Residential Schools Survivors Society (IRSSS), the National Residential School Survivors Society (NRSSS), the Children of Shingwauk Alumni Association (CSAA), and the Legacy of Hope Foundation and many community organizations.

These partnerships address the Indian residential schools legacy; contribute to community healing; and, contribute to the education of Canadians about the history and intergenerational impact of Indian residential schools.

In the past year, the Department has provided funding support for healing and commemorative ceremonies, survivor conferences, and many other activities related to the impact and legacy of Indian residential schools. In addition, outreach activities continue in communities across the country involving a number of information sessions related to claims resolution options.

The commemorative project: *Where are the Children? Healing the Legacy of Residential Schools* was jointly sponsored with the Aboriginal Healing Foundation. And in July 2004, the Department provided funding for an AHF National Gathering in Edmonton involving Commemoration and AHF Workshops attended by upwards of 2000 participants.

In December 2004, the Department took over responsibility for the Aboriginal Healing Foundation (AHF). This arm's length Foundation has supported a large number of community-based healing projects across the country. The 2005 Budget provided additional funding to the AHF to continue its healing projects and to promote public awareness and understanding of healing issues.

---

\* The accounting for amounts recovered by the Department of Justice was modified in 2004-2005. As a result, client departments can no longer report a use of appropriation for these services.



**Financial Resources:**

<b>Planned Spending</b>	<b>Total Authorities</b>	<b>Actual Spending</b>
\$2.7M	\$2.7M	\$4.7M

*3. Church Negotiations and Agreements*

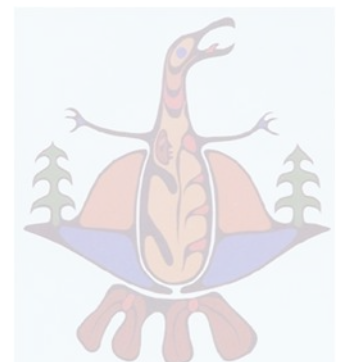
This past year, the Department reached an apportionment agreement with the Catholic Church in British Columbia. The three signatories to the agreement are: the Sisters of Instruction of the Child Jesus, the Oblates of Mary Immaculate of British Columbia and the Roman Catholic Episcopal Corporation of Prince Rupert. This agreement along with existing agreements with the Anglican and Presbyterian Churches has ensured that a greater number of claimants have and will be able to receive 100% of their assessed compensation. Without an official agreement, the United Church has consistently paid its share of compensation for all validated claims and continues to consult on the ADR process.

IRSRC continues to work towards increased collaboration with Canadian churches who have signed agreements; towards the elimination of further administrative and legal costs involved in negotiating these agreements; and towards optimum utilization of resources to expedite the resolution of claims and promote reconciliation and healing.

One of the key challenges facing the Department in this program is the uncertainty regarding compensation apportionment. A ruling on apportionment of liability between the United Church and Canada (Barney) which is not expected much before 2006 will provide some guidance on whether the churches involved in the operation of Indian residential schools should be liable for compensation. This ruling will impact on the Department with regard to liability payments and church agreements.

**Financial Resources:**

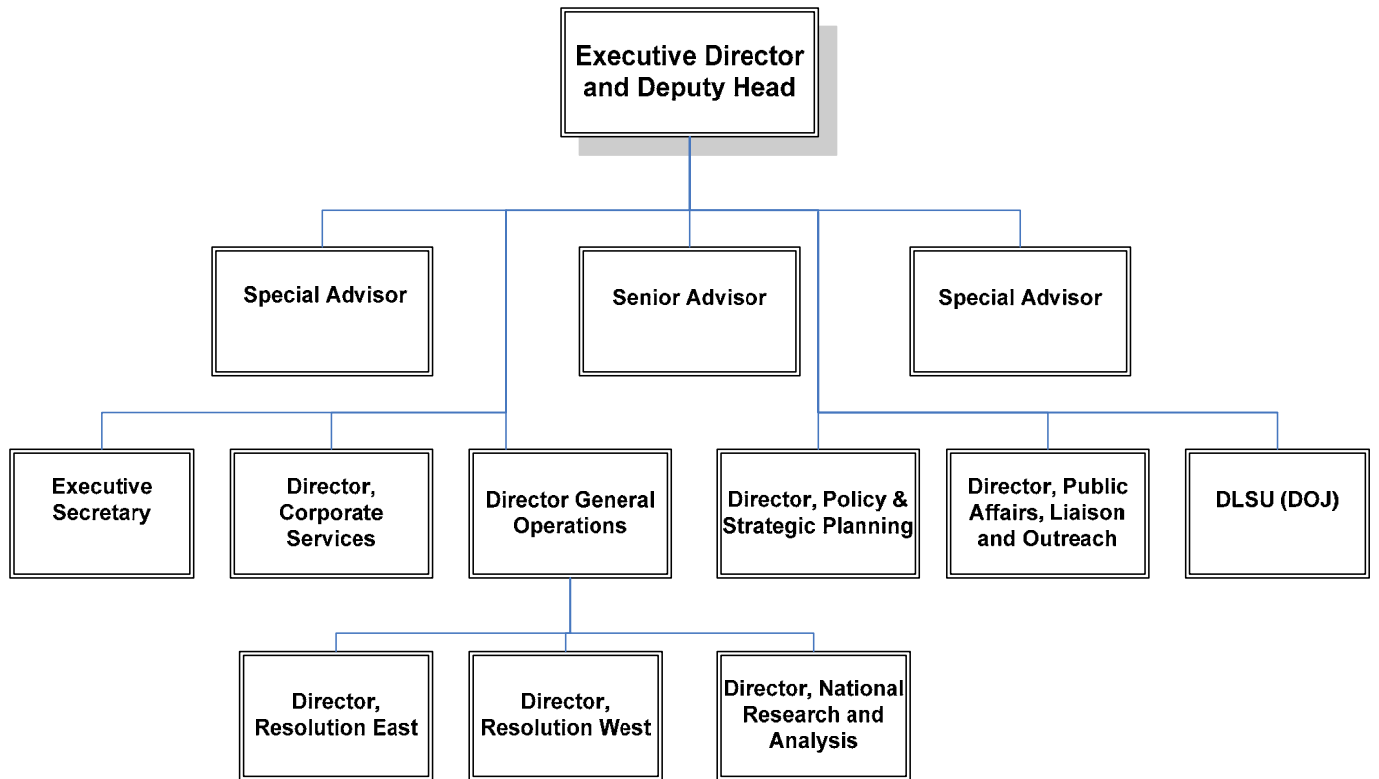
<b>Planned Spending</b>	<b>Total Authorities</b>	<b>Actual Spending</b>
\$0.4M	\$0.4M	\$1.1M



## SECTION III – SUPPLEMENTARY INFORMATION



## Organizational Information



**Table 1: Comparison of Planned to Actual Spending (incl. FTE)**

(\$ thousands)	2002-03 Actual	2003-04 Actual	2004-2005			
			Main Estimates	Planned Spending	Total Authorities	Actual
Claims Resolution	55,784	77,366	99,817	99,800	99,800	66,626
<b>Total</b>	<b>55,784</b>	<b>77,366</b>	<b>99,817</b>	<b>99,800</b>	<b>99,800</b>	<b>66,626</b>

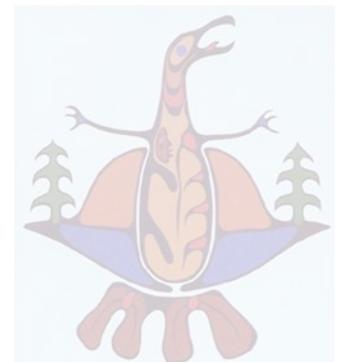
<b>Total</b>	55,784	77,366	99,817	99,800	99,800	66,626
Less: Non-Respendable revenue	-	-	-	-	-	-
Plus: Cost of services received without charge *	1,500	1,500	-	8,400	-	8,400
<b>Net cost of Department</b>	<b>57,284</b>	<b>78,866</b>	<b>99,817</b>	<b>108,200</b>	<b>99,800</b>	<b>75,026</b>

<b>Full Time Equivalent</b>	<b>77</b>	<b>143</b>	<b>166</b>
-----------------------------	-----------	------------	------------

**Explanation of Difference between Planned and Actual Spending**

The accounting for amounts recovered by the Department of Justice was modified in 2004-2005. As a result, client departments can no longer report a use of appropriation for these services.

This reverse in charges accounted for \$25,500,000 of the difference between 2004-2005 actual and planned spending





**Table 2: Use of Resources by Business Lines (or Program Activities)**

2004–2005								
Business Lines – BL (or Program Activity – PA)	Budgetary (\$ thousands)						Plus: Non-Budgetary	Total
	Operating	Capital	Grants and Contributions	Total: Gross Budgetary Expenditures	Less: Respendable Revenue	Total: Net Budgetary Expenditures	Loans, Investments and Advances	
<b>Claims Resolution</b>								
Main Estimates	96,242	638	3,000	99,817	-	99,817	-	99,817
<i>Planned Spending</i>	96,600	200	3,000	99,800	-	99,800	-	99,800
Total Authorities	96,800 <sup>1</sup>		3,000	99,800	-	99,800	-	99,800
<i>Actual Spending</i>	62,208	-	4,418	66,626	-	66,626	-	66,626

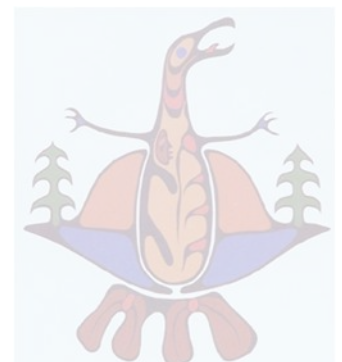
<sup>1</sup>. The Department does not have a separate capital vote, thus total authorities are presented as a single amount.



**Table 3: Voted and Statutory Items**

Vote or Statutory Item	Truncated Vote or Statutory Wording	2004–2005 (\$ thousands)			
		Main Estimates	Planned Spending	Total Authorities	Actual
53b	Operating expenditures	90,575 <sup>1</sup>	90,600 <sup>1</sup>	89,272 <sup>1</sup>	56,865 <sup>1</sup>
53b	Capital expenditures				
53b	Grants and Contributions	3,000	3,000	4,418	4,418
(S)	Court Awards	-	-	-	-
(S)	Contributions to employee benefit plans	6,242	6,200	6,110	5,343
	<b>Total</b>	<b>99,817</b>	<b>99,800</b>	<b>99,800</b>	<b>66,626</b>

<sup>1</sup>. The Department does not have a separate capital vote, thus total authorities are presented as a single amount.



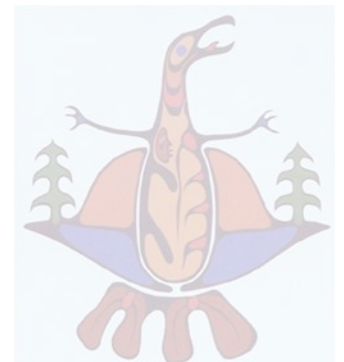
**Table 4: Net Cost of Department**

<b>(\$ thousands)</b>	<b>2004–2005</b>
Total Actual Spending	66,626
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	3,700
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	2,300
Worker's compensation coverage provided by Social Development Canada	-
Salary and associated expenditures of legal services provided by Justice Canada	2,400
<i>Less : Non-responsible Revenue</i>	-
<b>2004–2005 Net cost of Department</b>	<b>75,026</b>



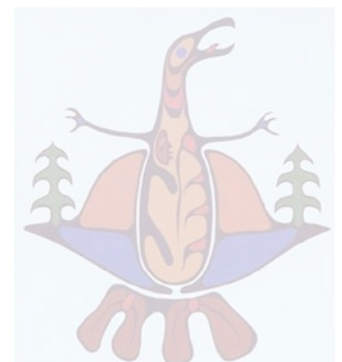
**Table 5: Contingent Liabilities**

Contingent Liabilities	(\$ Thousands)	
	March 31, 2004	March 31, 2005
<i>Claims, Pending and Threatened Litigation</i>	1,002,918	810,088
<b>Total</b>	<b>1,002,918</b>	<b>810,088</b>



**Table 6: Details on Project Spending**

(\$ thousands)	Current Estimated Total Cost	2002-03 Actual	2003-04 Actual	2004-2005			
				Main Estimates	Planned Spending	Total Authorities	Actual
<b>Claims Resolution</b>							
Single Access to Dispute Resolution (SADRE)	\$3,218	\$0	\$533	N/A	N/A	N/A	\$1,308



## Table 7: Response to Parliamentary Committees, Audits and Evaluations for FY2005–2006

### Response to Parliamentary Committees

The Standing Committee on Aboriginal Affairs and Northern Development prepared a report entitled *Study on the Effectiveness of the Government Alternative Dispute Resolution Process for the Resolution of Indian Residential School Claims*. This report studied the effectiveness of the ADR process. The committee heard from lawyers, the Assembly of First Nations (AFN), claimants, representatives of the Department and representatives of other stakeholder groups. This report can be viewed by visiting:

<http://www.parl.gc.ca/committee/CommitteePublication.aspx?SourceId=107649>

### Response to the Auditor General

No Indian Residential Schools Resolution Canada specific recommendations were received

### External Audits

No external audits were carried out in 2004-2005

### Internal Audits or Evaluations

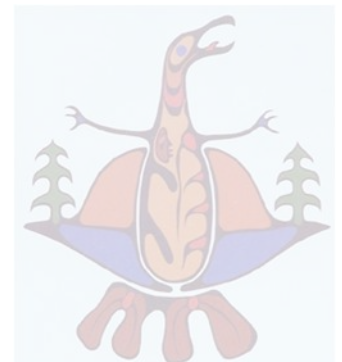
1) Out-of-Court Settlements Compliance Audit 2003 - ADR Pilot Projects.  
This report, along with management responses, can be viewed by visiting:

[http://publiservice.tbs-sct.gc.ca/rma/database/1det\\_e.asp?id=11780](http://publiservice.tbs-sct.gc.ca/rma/database/1det_e.asp?id=11780)

2) Out-of-Court Settlements Compliance Audit 2003 – Litigation

This report, along with management responses, can be viewed by visiting:

[http://publiservice.tbs-sct.gc.ca/rma/database/1det\\_e.asp?id=11805](http://publiservice.tbs-sct.gc.ca/rma/database/1det_e.asp?id=11805)



## **Table 8: Travel Policies**

Indian Residential Schools Resolution Canada follows and uses TBS Travel policies parameters.



## SECTION IV – OTHER ITEMS OF INTEREST





*Horizontal initiative* – Over the next three years, the Department will be involved, as a partner, in the Mental Health Support Program (MHSP) administered by Health Canada.

In November 2003, Health Canada, in partnership with the Department, launched the MHSP which is the health support component of the Department's National Resolution Framework. The goal of the MHSP is to ensure that Indian residential school claimants have access to an appropriate level of mental health counselling and emotional support services that would allow claimants in ADR or litigation to safely address the broad spectrum of mental health issues related to the disclosure of childhood abuse.

The main program components of the MHSP are the national 24-hour a day toll free Indian residential school Crisis Line, Resolution Health Support Worker emotional support services, Mental Health Counselling to eligible IRS claimants and immediate family members, and transportation to access counselling and/or traditional healers.

Although the Department has overall responsibility for the National Resolution Framework, various program components of the MHSP will be delivered separately by Health Canada and the Department. The Department is responsible for coordinating and funding the IRS Crisis Line which is administered and operated by an Aboriginal organization with trained Aboriginal crisis counsellors. Funding for the IRS Crisis Line over the next two years is expected to be approximately \$250,000.

Since the launch of the MHSP, there has been a gradual trend of claimants seeking access to services within the program. As more settlements are achieved in ADR and litigation, and as communication of the program grows within communities, it is expected that many more claimants will seek services available within the MHSP. It is estimated that the program will likely peak in year three and four of the ADR program. The total cost of the program is estimated to be \$35 million.

