



## CHIEFS COUNCIL

### MEDIA RELEASE

Wednesday, July 13, 2022

FOR IMMEDIATE RELEASE

## MATAWA CHIEFS COUNCIL ISSUE STATEMENT ON INDIAN DAY SCHOOL CLASS ACTION SETTLEMENT JULY 13, 2022 DEADLINE

**THUNDER BAY, ON:** Responding to today’s deadline to submit a claim to the Indian Day Schools Class Action Settlement (Settlement Agreement)—the Matawa Chiefs Council offered the following statement:

*“As the Indian Day School Class Action Settlement deadline is marked on this day—we are relaying with deep concern and with 100% certainty that—after 11:59 p.m. Pacific Standard Time tonight—there will be potential claimants/class members from our communities who will not have been able to meet the deadline. Up to this day and despite all efforts put in place to provide mental health and cultural support services—we are continuing to receive reports that there are Elders and other vulnerable people from our communities whom are still not understanding and/or not able to submit a claim. Although, it may seem like (4) four years was an adequate amount of time—some unexpected extenuating circumstances that were not taken into account at the time that the Settlement Agreement was made, include (but are not limited to):*

- *A global COVID-19 pandemic and a continuing 7<sup>th</sup> wave that forced our communities to turn our attention/energies to addressing, rather than assisting our members with claim applications;*
- *A global COVID-19 pandemic that resulted in organizations working remotely and not being able to fulfil requests for information to corroborate claim applications;*
- *Not having anyone specifically assigned in our communities to help and navigate these issues with our people especially our Elderly and vulnerable;*
- *Lack of consideration for the extent to which community day-to-day quality-of-life issues (including states of emergencies due to suicide and decades-old boil-water-advisories in some of our communities) has impacted the trauma response experienced by almost everyone in our communities, which, in turn, affects the ability to complete a triggering claim that adds to these stressors;*
- *Lack of a trauma-informed approach within the Level 1-5 system and lack of consideration for how Level 1 could be a ‘catch-all’ for those unable to face their trauma (we have received reports that although many class members believed they were eligible for higher compensation, many chose Level 1 because they didn’t want to re-live their Indian day school experience the way that the Settlement Agreement dictated, nor were they in a position to obtain required information or additional legal advice)*
- *Lack of clarification for claimants on the continuation of support services after today’s deadline (this includes lack of clarification on if Indian Residential Schools counselling services will be continued)*

*For these reasons and more—we can only conclude that—for some—the Indian Day Schools Settlement Agreement process has resulted in re-victimization as it makes it sunset today.*

Page 1 of 2





## CHIEFS COUNCIL

*Furthermore, we are disappointed that the Chiefs of Ontario June 2022 request for 2-year extension was denied and instead—a last-minute (July 12, 2022) extension process for claimants and estates was put in place wherein an extension can be requested up to January 13, 2023. Within this arbitrary extension process—all requests for extension are reviewed by an unnamed Exception Committee and approvals are not automatically granted. It does not appear that this extension process has the supports in place to accommodate those Elders or persons unable to understand the process originally. Conceivably, they could still potentially lose out as they can not meet minimal criteria for their claim to be accepted or extended. In addition to writing a stress-inducing narrative, claimants are now required to explain reasons for the extension under the categories of: person under disability, undue hardship and/or exceptional circumstances.*

*Our People need to know that we will continue to advocate for them to ensure everyone receives their deserved compensation and that we will not allow the door to be shut today by the Indian Day Schools Class Action Settlement process and moving forward in the extension time. If our People have been having any difficulty submitting their Settlement Agreement claims for any reason so far—we encourage you to reach out as soon as possible if you need assistance.”*

More information on a request for extension can be found at: [www.indiandayschools.com](http://www.indiandayschools.com). According to the website, class members will need to identify a reason as to why they have been unable to file a claim by the July 13, 2022 deadline. A form to make the request is available on their website at: <https://indiandayschools.com/en/wp-content/uploads/IDS-Deadline-Extension-Request-Form-EN.pdf>.

— 30 —

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