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# **Standing Committee on Aboriginal Affairs and Northern Development**

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**Tuesday, March 22, 2005**

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**Chair**

**Ms. Nancy Karetak-Lindell**

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## Standing Committee on Aboriginal Affairs and Northern Development

Tuesday, March 22, 2005

• (1120)

[English]

**The Chair (Ms. Nancy Karetak-Lindell (Nunavut, Lib.)):** Good morning. Since we're a little late this morning, I would like to get this meeting started, meeting number 24, for Tuesday, March 22.

Pursuant to Standing Order 108, we are undertaking a study of the on-reserve matrimonial realproperty.

Mr. Martin.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Chair, I have a point of order.

I have served notice with the clerk that at the commencement of this meeting I intended to move the motion, of which I served notice back on the 22nd...

No, I'm sorry. Notice has been properly moved of a motion dealing with residential schools. Now that you have opened this meeting for business, I—

**The Chair:** The clerk tells me you cannot move it on a point of order. I would very much like to stick with the orders of the day. We have you down at the end of the meeting for this motion; it's on the agenda.

**Mr. Pat Martin:** Madam Chair, the first item of any business is the adoption of the agenda, and the agenda you've introduced should be subject to adoption and therefore debate on adoption of the agenda. I don't know if you've bypassed that step in your opening remarks, but you've circulated an agenda. No one has moved adoption of the agenda, but I believe that's a necessary first step, which gives us the opportunity then to speak to the order in which we deal with the topics of the day.

I would like to speak to the issue of the order of the agenda on the basis of notice served—and in fact, well in advance.

**The Chair:** Mr. Martin, I have been advised that you cannot change it on a point of order. This is our normal way of starting the meeting, and it has been the practice for as long as we have been meeting, since the fall.

**Mr. Pat Martin:** Well, Madam Chair, my point of order was ruled down already by you. I'm intervening now as a member of the committee speaking to the agenda items. This is not a matter of a point of order. I've asked for the floor to be able to speak to the order in which you've outlined the agenda here. It really is a matter for the committee to agree in what order we deal with the orders we've been notified about.

I put it to you that I've served notice in more than adequate time, in a notice of motion, that I wish the subject matter included in my motion to be the subject of debate for today. This should come as no surprise. I notified the clerk, and I ask you as chair to entertain the idea that we at least should be talking about the agenda items. If we aren't properly at a point in the committee meeting where I can move my motion, which is my intention and my goal, then we should at least be at the point of the day when we will talk about what the agenda items shall be for today.

I think if you tested the committee members present, you would find that the will of the committee is in fact that we deal with the motion I have served notice about, dealing with the continuation of, or at least the summary and recommendations stemming from, the study we did on the residential schools prior to this break—

**The Chair:** Mr. Martin.

**Mr. Pat Martin:**—and now that we're on the agenda, it's what I would suggest we are talking about. I would like to be able, now that I have the floor, to be able to make the case as to why it would be preferable, and the wish in fact of the majority of members of the committee—

**The Chair:** I'm advised that you would need the unanimous consent of the committee. You need the consent of the committee to change the orders of the day.

**Mr. Pat Martin:** We need the consent of the committee, but not the unanimous consent of the committee.

**The Chair:** No, it would need the consent of the committee.

**Mr. Pat Martin:** You need the “majority vote of the committee”, or however you want to make definition of that.

**The Chair:** I was hoping to prevail on your consideration of the witnesses, as we give consideration to every witness who comes before the committee. We try to hold the motions for the end of the meeting.

I have Sue Barnes and Mr. Harrison.

**Mr. Pat Martin:** Madam Chair, I wasn't really finished with my intervention. I don't know how you're making up your mind who has the floor.

**The Chair:** I was just talking to Mr. Harrison, who put his hand up.

**Mr. Pat Martin:** I'm having difficulty hearing you, Madam Chair. Are you saying I don't have the floor?

**The Chair:** I was just letting Mr. Harrison know that someone else is asking to speak before him.

**Mr. Pat Martin:** I see.

We have tried our best to follow what the rules of the standing committee are. When we arrived at the rules of the committee, the only thing we really made note of was that the notice of motion would be 24 hours rather than 48 hours. No time limits were in fact set on interventions or speaking to motions or speaking to amendments or clauses at the committee. That was never a consideration made when the opportunity for making those rules was properly at this committee. It would worry me if the rules were going to be changing in a fairly arbitrary way, or be subject only to interpretation by the clerk, when those rules really should be put down in writing at the proper time, when the committee is formed and the chair is elected, etc.

I have come forward in good faith today, following the rules as I know them, serving advance notice in the proper period of time—the 24 hours requisite to be able to move a motion—and now today, when I come to you and ask that we study the agenda, in the absence of any rules to the contrary the first order of business should be that as a collective we choose what the study matter will be for today.

Again, I think if you tested the majority of the committee members, you would find that the will of the committee is in fact to go back to a continuation of the study we undertook on the efficacy and the ethics, frankly, associated with the compensation of the residential school survivors: the methodology, the efficiency of the program, recommendations that may in fact amend the program.

• (1125)

**Hon. Sue Barnes (London West, Lib.):** Point of order.

**The Chair:** Ms. Barnes.

**Hon. Sue Barnes:** Madam Chair, I think this committee, when it met for its studies, took the calendar and divided it out, and there was consensus among all parties concerning the days on which we were doing different orders of business. The order of business, as the order of business is printed, was to start the study on matrimonial real property today, because all of the other parties, having chosen their areas and taken their numerical “times” things, as they had decided with their majority on the opposition benches, chose—and we have gone through since this body got back together after the Christmas recess—to do all of the opposition party studies. The date we unanimously decided on around this table for the commencement of the study of matrimonial real property is now.

I note that it's half an hour into the orders of the day. This seems to me a means to not get to the order of the day.

**The Chair:** That's why I was trying to prevail on the practice we have been doing to date. We have been very considerate of all parties, selecting what studies would be done on what days, and we have stuck to the schedule.

**Mr. Pat Martin:** Madam Chair, I ask you to rule on whether that was a point of order or not. If it is not a point of order, then I have the floor.

**The Chair:** If you are now trying to change the agenda, my clerk tells me it's not debatable and it's only votable.

**Mr. Pat Martin:** Are you seeking a motion to change the agenda to deal with—

**The Chair:** That is what I have been advised. All I can say is that we have been starting our meetings with orders of the day, and by

careful consideration and courtesy concerning everyone else's wishes, I would have hoped we would prevail also upon the committee to stick with the schedule we had agreed on as a committee and that we would give consideration to the witnesses. I had hoped you would do your motion at the end of the meeting, as we are keeping witnesses waiting.

**Mr. Pat Martin:** Madam Chair, given what you have told me, I would like to move a motion that we reverse the agenda. I would like to formally move my motion as listed here, and I'll be happy to read the details of the motion, should the vote pass.

**The Chair:** I'm just going to check.

Thank you for your patience. We're just going to confer on a ruling.

I'm going to ask the clerk to tell the committee members what the procedure is.

• (1130)

[*Translation*]

**The Clerk of the Committee (Mr. Jean-Philippe Brochu):** Sorry if I misled you. When somebody moves to proceed to the second item of the orders of the day, this is non-debatable and non-votable. If the agenda is to be changed by imposing conditions, this is subject to a debate and a vote.

[*English*]

**Mr. Pat Martin:** The motion as moved—and I believe it was during a proper period of the committee, when I could move the motion, so it's in order—was to move to the point on the agenda that deals with my motion. Whether you do that by reversing the order, or whether you do it by simply bypassing the first order and going to the second point as we see them outlined, I don't really care. The fact is, the way they are listed is not necessarily the order in which they should come up for debate in the meeting. That's up to the committee to decide.

My motion today is simply to suggest that the order in which we deal with the subject-matter listed today is with a notice of motion by Pat Martin as the first order of business.

**The Chair:** The ruling is that what you have suggested is not debatable, but votable, so we have to go to the vote with that motion.

**Mr. Jim Prentice (Calgary Centre-North, CPC):** Could you make the motion clear to us, Madam Chair?

**The Chair:** I was just going to ask Pat to read it again, for the clarification of the committee members.

**Mr. Pat Martin:** I'm sorry, Madam Chair, do you want me to read the motion that I—

**The Chair:** The motion that you just made.

**Mr. Pat Martin:** The motion I just made is to deal with the notice of motion of Pat Martin at this time.

**The Chair:** Those in favour of the motion? Those against the motion?

The motion is carried.

**Mr. Pat Martin:** Thank you, Madam Chair.

Then is it in order, Mr. Clerk, for me to move my main motion—notice of motion was served—if we are properly—

**The Chair:** You can move your motion.

**Mr. Pat Martin:** We're properly there on the agenda.

Thank you, Madam Chair.

I will be happy to move the motion as served notice of, and I'd like to begin by reading the motion in its entirety. Then, with the indulgence of the chair, I would like to speak to some of the key salient points of the motion, by way of garnering, I hope, the support of the committee members so they can see fit to vote for the motion when the time comes and we put the matter to a vote.

The order in which I intend to go through the details of the motion, Madam Chair, is to first of all guide you through the details of the motion and the recommendations found therein—35 recommendations—plus an introduction and a summary direction at the end of the motion. In fact, Madam Chair, for ease and convenience you may choose to go right to the end of the motion and read the directive there in the final paragraph.

Second, I would like to guide us to, or seek the indulgence of the committee to revisit, the Assembly of First Nations' report on residential schools. I think it was circulated at the committee meeting. It is the Assembly of First Nations' *Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools*. I think it will be useful for us all, as we look at the merits of the motion, to be guided by the arguments made for some of the recommendations in the resolution plan put forward by the Assembly of First Nations.

The third item I will be asking the committee to take into consideration is the report of the Canadian Bar Association entitled *The Logical Next Step: Reconciliation Payments for All Indian Residential School Survivors*. In this document I think the committee will be able to find great and useful recommendations from the Canadian Bar Association, which not only has studied in great detail the general plan of compensating victims, but has also spent special time and consideration of the dispute resolution mechanism, the expedited mechanism that became the subject of our debate in recent weeks.

Should time permit, Madam Chair, in the context of my remarks, I intend to take us through some of the key highlights of the testimony we heard at the committee in our study of residential schools, when we were enlightened by actual residential school survivors who explained to us in the most compelling of ways their experience in trying to get satisfaction from the current residential schools mechanism. It was in that context we were made aware of the astonishing amount of money being spent trying to convince people these victims are lying.

In fact, if I can summarize my overall goal for today's initiative, it's to stop spending money trying to call abuse victims liars, because that's what we're doing as the Government of Canada. When we have 200 full-time lawyers working for the Department of Justice fighting claims, rather than spending a comparable amount of money compensating abuse victims so they can get on with their lives, then something is fundamentally and horribly wrong with the dispute resolution system.

•(1135)

**Mr. Roger Valley (Kenora, Lib.):** Madam Chair.

**Mr. Pat Martin:** And the fourth thing I am going to ask—

**Mr. Roger Valley:** Madam Chair, could I have a clarification, please?

**Mr. Pat Martin:** And the fourth thing that I am going to ask us to go through, Madam Chair, while I have the floor—

**Mr. Roger Valley:** I will give the floor back right away, Madam Chair, but I'm just concerned with our witnesses here on a very important issue. I wonder if Mr. Martin would agree to release our witnesses. I think we have a lot of discussion in Mr. Martin's motion. I think it's going to take us some time. I think we should have some respect for the issue that's going to come up when these witnesses are going to be here, and I think we should look for consent to release the witnesses so we can deal with Mr. Martin's motion in detail.

**The Chair:** I am advised we are in the orders of the day and we have to give Mr. Martin the floor.

**Mr. Pat Martin:** Thank you, Madam Chair.

While I do have the floor, and I don't plan on ceding the floor in order to do that, I certainly don't see the need for the witnesses who were called specifically to deal with matrimonial real property to stay with us through this debate unless they are interested in the subject matter itself. In the context of my remarks and my arguing the merits of my motion, I don't intend to be asking questions of the witnesses who are at the table here today, so without ceding the floor, I am willing to entertain whatever you choose to do with the witnesses present.

**The Chair:** Does that mean you're giving notice we're not going to be needing them today?

**Mr. Pat Martin:** I'm giving you an outline of the documents I plan on guiding us through in support of the motion I've put forward today, Madam Chair.

**The Chair:** Ms. Barnes.

**Hon. Sue Barnes:** Thank you.

Without taking away the floor from Mr. Martin, I think the witnesses we had today to work on matrimonial real property...we're going to need the full two hours. We're going to be less than an hour, if even; less than half an hour is available to us. I would suggest that, on consent of the full committee, we just push the schedule back and realize there's not going to be sufficient time to hear from these valuable witnesses in sufficient depth to make their utility to this committee have the same weight. I know we need an opportunity not only to hear what they have to say, but for all the parties to be able to question. So I would consent to this group being moved back in time, and to make up this meeting with these witnesses, because I really don't think we're going to get far enough to make their time.... And I would hate to lose their testimony. That's my position.

Thank you, Madam Chair.

•(1140)

**The Chair:** Thank you, Ms. Barnes.

You have the floor, Mr. Martin.

**Mr. Pat Martin:** Thank you, Madam Chair.

I was about to outline the final document I would ask the committee members to take as guidance, which is the guide and manual to the residential schools issue, put forward by the Assembly of First Nations as the technical document that accompanies their plan, their recommendations. It was called the *Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools*. That document was circulated to us as well. It's this volume here. If they have the opportunity, committee members will, I think, find it useful, either in the context of today's debate or in subsequent days that we may find necessary to schedule to go through the residential schools issue.

I table this document...or I bring this document with me today for the consideration of the committee because it's helpful to have the historical context. The efforts made to date that bring us to March 22, 2005—the notice served by the Assembly of First Nations—

**The Chair:** Mr. Martin, the document has not been distributed to the committee members. The clerk tells me the document has not been distributed because it's only in English and it's too large a document for the translators to—

**Mr. Pat Martin:** To go to the translation services. Okay.

**The Chair:** Yes.

**Mr. Pat Martin:** Thank you, Madam Chair. Perhaps I'm serving notice, then, that I'll be using this in the context of my remarks and making reference to it. Whenever I do, I will commit to giving time, perhaps, for those who are interested to view the documents, or at least I'll make accurate reference to what page of the document I'm referring to, so committee members could seek it out on their own, in either official language, should they find it necessary for confirmation.

I also intend, Madam Chair, in the context of my remarks, to cite actual testimony from some of the witnesses we heard, because you can't view any component of the residential school tragedy in isolation. It's my firm belief we have to view what we're seeking to achieve today in the full context—not just the history, not just the historical logic, the misguided colonial logic that resulted in the formation of these schools, although that's a necessary first step—and I do intend to deal with some of what I believe was the true motivation of the residential schools. I hope I have time to properly frame that context—that we don't believe for a minute the residential school system was about education. Nor was it about religion, because these were religious schools. I believe, in my mind, it was an element of an assimilation program. I'll use strong language here—whether it was designed to do so, there can be no argument that it resulted in an attempt of cultural genocide to stamp out Indianism from Indian people.

Those strong words came through loud and clear, I believe, when we heard the actual witnesses, not the least of which was the National Chief of the Assembly of First Nations conveying to us his actual personal experience. It was particularly moving to me—by way of introduction, Madam Chair, to my motion—to have not only the current National Chief of the Assembly of First Nations making a presentation to our committee, but the former National Chief of the Assembly of First Nations sitting in the audience, bearing witness to the testimony we heard, and in private sidebar conversations working with other residential school survivors, reliving his own

memory as a residential school survivor, because Matthew Coon Come did not give testimony to the committee.

We did have opportunities, however, to speak with the former national chief and grand chief of the James Bay Cree. I've heard him speak publicly of his personal experience in the residential schools, which just bears repeating here, I believe.

This is just by way of introduction before I read my motion. Matthew Coon Come, when he was first taken to the residential school, was with his little brother. On the very first day they were ripped from their family's home and taken to the residential school, they were put under the showers, and they had never seen a shower before. They were six and seven years old. They didn't have a shower in their family home. They were sent into the showers, and the little brother looked up to Matthew Coon Come and asked in his own language, in Cree, if he should wash in between his toes. And this figure in a black robe came swooping out of the shadows and started beating him with a stick for asking that innocent, childish question of his big brother in his own language. He was beaten with a stick on his first day at the residential school. I wish the former National Chief of the Assembly of First Nations could have given that testimony. I can't forget it, and I think everyone here probably feels the same way.

It's with that introduction and that preface I wish to introduce, formally, the motion I gave notice of on February 21, 2005, almost exactly one month ago. I should say again, by way of introduction, that you will probably recognize, Madam Chair, some of the language in my motion, because it mirrors exactly, word for word, the recommendations found in the Assembly of First Nations' report.

● (1145)

Let me cut to the chase here, again by way of introduction. What I seek to do is make a report from this committee that mirrors exactly the report of the Assembly of First Nations that the Government of Canada, in a very discourteous way, ignored and dismissed for over three months. I don't want it to be any secret here that it's my intention to get this report on the floor of the House of Commons, so that people will have to stand and be counted.

If this comes to a vote on the floor of the House of Commons, the vote will really be on whether or not we support the current compensation program for residential school victims and survivors. We're going to make every member of Parliament stand up and vote for or against the very efficacy and morality of the current compensation system.

Just in case people nod off during my address here, that's the thumbnail sketch. That's the executive summary of what I intend to do, with the cooperation of my colleagues, at least in the opposition benches. I hope we do that by the time we finish this debate, with the cooperation of all of the members of this committee. Nothing would make me more proud than for this committee to agree, by consensus, that the current compensation program for survivors of Indian residential schools is a catastrophic failure and that we're not going to spend millions and millions of dollars trying to call abuse victims liars any more. Not one more nickel will be spent fighting compensation claims. That money should properly go to the victims so that they can get on building their lives.

Having said that, Madam Chair, I would like to walk us through the motion that I've put forward. Maybe I'll summarize it just before we get into the technical.

There are three components to the motion I'm putting forward here today. You'll find 35 recommendations, but only three general themes.

The first theme is lump-sum, blanket compensation for victims. Eligibility should be based on the fact that you were there. If you can prove you were in attendance at that residential school, you're going to get the base level of lump-sum compensation. That's my first fundamental premise, and that's the opening paragraph of the Assembly of First Nations report. There are a number of recommendations that lead us to it, and even I will be able to speak to dollar figures and amounts.

The second important element of this is a full public apology by the Prime Minister of Canada in the House of Commons. Not a written letter by the Minister of Indian Affairs, not a parliamentary secretary shaking her head and saying it shouldn't have happened; we want—and when I say we, I'm speaking on behalf of residential school survivors who, to their credit, have patiently waited decades for this—the Prime Minister of Canada to stand up on behalf of the Government of Canada and say, “We made a tragic mistake in social engineering. We shouldn't have done it. It was wrong, and we're sorry.” Nothing short of that is acceptable, Madam Chair, in terms of a formal public apology.

You'll find a great deal of the recommendations put forward in both the report and in my motion. The third element will be the construction or fabrication of a truth and reconciliation process in order for victims who want their story told to be able to tell their story of what happened to them. Both sides of this terrible tragedy can then start to heal and benefit from hearing the truth, and hearing it spoken without shame and without rancour and the adversarialism that is happening now as lawyers on the part of the government are trying to prove that the victims are not telling the truth. What could be more stressful? What could be more victimizing to the victims than to work from the presumption that you're lying and having to prove, beyond reasonable doubt, that someone who's dead now abused you sexually fifty years ago?

•(1150)

In the first case, why would anybody do it? How could we be so warped as to think 88-year-old Flora Merrick came before our committee and lied to us about being beaten and locked in a room for two weeks for going to her mother's funeral? Who would invent that? Who would come to this committee and lie about that? But that's the basis upon which the current compensation program is built. This woman ran away from home to go to her mother's funeral when she was nine years old.

It's almost unbelievable that we have put together a program, a system of compensation, that is based on the idea that you're lying until it's proven otherwise. It's not that you're innocent until proven guilty, but that you're lying until you prove to us otherwise. The perpetrators of these offences are long dead and this happened when you were nine years old, without witnesses. What the hell kind of madness is that, Madam Chair? That, in itself, speaks to the argument for tearing up the whole damn compensation program and

starting again with something that's humane and something that's efficient and effective, instead of spending....

Okay, I've spoken enough on that.

I want to walk you through the recommendations of the actual motion, Madam Chair. The motion reads:

That, pursuant to Standing Order 108.(2), the Committee consider the Assembly of First Nations Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools and that the Committee note the thoughtful and constructive recommendations contained in this report, which are as follows—

**Mr. Lloyd St. Amand (Brant, Lib.):** Dispense, Madam Chair.

**Mr. Pat Martin:** I beg your pardon? Dispense?

**The Chair:** Mr. St. Amand.

**Mr. Lloyd St. Amand:** It's simply reading. We can all read.

**Mr. Pat Martin:** Madam Chair, I don't know if the rules of the House of Commons automatically translate to the rules of the committee, but my intention was to read the introduction and then speak to the recommendations as they are presented. I understand that Mr. St. Amand can read. That's not in dispute. But I think there is—

**Mr. Lloyd St. Amand:** And you've proven you can too.

**Mr. Pat Martin:** I can't prove that you can, because I've never actually seen you read. But in actual fact, I think there's merit in reading my motion into the permanent record. No one has ever introduced into the permanent record what I gave notice of on February 21.

**The Chair:** All of it will be in the records, Mr. Martin.

I would also like to take this time to just suggest that we release the witnesses, if the committee agrees.

•(1155)

**Hon. Sue Barnes:** I agree, but the order of the witnesses is important. We'll have to hear these witnesses first, and that's going to affect not just these people, but the schedules of all the other people who have lined up their time for next week and the week after, and everything else.

**The Chair:** Mr. Martin, I think we know your motion is with all the committee members. Perhaps you could just make your point and get on with your motion.

**Mr. Pat Martin:** I don't mind. I have the floor, so I will continue to address my motion in the order I see fit. If you're asking that I don't read my entire motion word for word, I will speak to the recommendations in my motion, because they are what I'm asking my fellow members to support. I'm trying to garner the support of my colleagues on the committee, so that they can see fit to vote in favour of this motion. It's important that I defend and justify the language in the report, and I don't know how I would do that without going on a clause-by-clause basis. To do justice to the subject matter, I don't think it should be a hurried and rushed affair, because it would be impossible to summarize what we're seeking to achieve.

**The Chair:** Mr. Valley.

**Mr. Roger Valley:** Mr. Martin wants support from all members of this table. Maybe I can make a friendly amendment that would get support from probably some of the committee.

Would you entertain a friendly amendment at this point?

**Mr. Pat Martin:** After I'm finished introducing the subject matter of the day, I'm open to amendments.

**Mr. Roger Valley:** We were under the impression that you wanted our support. That's why I've brought it up now. You won't have to continue to prove to us that you can read.

**Mr. Pat Martin:** Madam Chair, I happen to have been reading literally in my remarks to date. I'd certainly entertain amendments at a certain point in time, but when somebody hasn't even heard the motion yet, I think it's premature to move amendments to it.

Seeing as we're on debate on the motion, I would like to conclude my remarks in the order in which I laid them out. What I informed the committee of when I first took the floor was that I would go through my motion on the floor. I would then like to go through some of the arguments in support of clauses of the motion that are found in the report of Assembly of First Nations. Then, perhaps there's a new twist here that I hope my colleagues will be particularly moved by, and that's support for this concept from the Canadian Bar Association. It's important that we have the opportunity, in the context of this presentation.... My presentation would not be complete if I wasn't able to outline at least what the Canadian Bar Association so aptly calls the logical next step.

What we can all agree on is that there is no reason or logic to the current compensation system for residential school survivors, because the overwhelming majority of the money is going to lawyers and the administration of the program, not into the pockets of victims.

It would help all of us to be able to view this in an orderly context if we had it presented to the committee and into the permanent record, in the order that I've outlined. I think it's unfair to interrupt that flow at this point in time. It does a disservice to the larger subject matter if we deal with this in bits and pieces.

This really is the continuation of the work that we began. But the work that we began, we left in an incomplete form, didn't we, Madam Chair? I'm sure you'll agree that normally when the committee studies a subject matter, it culminates in a report by the committee. The report by the committee is not only the summary of what we heard, but the conclusions drawn based on what we heard and put down in some orderly manner, hopefully with a recommendation to government. It's a report to Parliament: Here's what we heard, and here's what we as committee members think, based on what we heard. That's the goal here.

To do justice to the subject matter, and in order to be able to write a fulsome report to Parliament, it's important for our committee to do a thorough review of everything that we've heard. That's why, in the fullness of the presentation that I'm making, I've outlined the report of the Assembly of First Nations, the report of the Canadian Bar Association, and also the report of the National Consortium of Residential School Survivors Counsel.

A consortium has been formed of the legal counsellors who are representing residential schools survivors in the various provinces. Those lawyers have come together. They meet regularly, and have recommendations that you will find parallel the key elements of the motion I've put before you today.

So in the context of allowing me to make my arguments properly, I don't think it would be fair to, one, ask me to stop reading, or two, start putting forward amendments until you've heard what we're putting forward today. I think you'll be very surprised to hear some of the facts and figures when I do get to the details of the National Consortium for Residential School Survivors Counsel, or lawyers.

I think we have some recent information, from as recently as February 2 and February 3, summarizing the actual experience to date. I'm not dealing with anecdotal evidence. I'm not dealing with the emotionally charged testimony. I'm viewing the program itself with an analytical mind—the mind of an auditor, essentially—saying what's been spent to date. The question we then have to ask as elected representatives is whether that's good value for the Canadian public, whether this money is being well spent. My presentation will in fact be incomplete if we don't get an opportunity to review the legal counsel of the various first residential school survivors' organizations from around the country.

• (1200)

I'm not going to read into the record things from the testimony that we have already heard and that exist on the permanent record of this committee. I will simply make reference to them when I see a point in one of the other documents that warrants verification and support from actual survivors or expert witnesses. I think it's useful for us to be able to draw that parallel. It's almost a cross-referencing exercise. Where does the testimony that we heard and the national reports that have been produced on the subject link and match and build an even stronger, more compelling case for the points made? That's what we seek to achieve. I suppose in any debate it's my job to convince you that these elements of my motion have merit and aren't just something that I thought of in the shower, Madam Chair. In fact, this has had months and months and months of careful research and analysis.

I can explain to you again by way of background that this official document of the Assembly of First Nations was presented to the minister three months before. The reason we dealt with it and the reason the Conservative Party chose this as their subject for debate on February 21 was because that was the three-month anniversary; that was the deadline for a response from the government to this report. Believe me, first nations leaders across the country were offended. They were mystified that no response to their report was forthcoming.

As we go through this report you will see the process they undertook nationally to arrive at these recommendations. They took a failing government program, came to the government, and said the victims of residential schools are not being compensated and the program is a catastrophic failure. They undertook a nation-wide consultation program from authorities and experts right across the country and arrived at this report. They presented it with great hope and great optimism to the minister with a three-month deadline, a generous amount of time—more than we give the government when we table a report.

When we table a report, within 45 days we expect a response from the government. They gave them three months. They heard nothing. On two months and 28 days they came forward to committee members, saying, "We've tried our best dealing with the Government of Canada on this issue and we've been slapped in the face by having no response, by having the minister actually trying to defend the indefensible".

So that's why the Conservative Party, to their credit, chose to bring this report and this subject matter to this committee. It's an extension of that activism, Madam Chair.

• (1205)

**Hon. Sue Barnes:** Madam Chair, point of order.

The member opposite just said that there has been no intervention. In fact, the testimony at this particular committee heard both from the minister and representative witnesses from the AFN that this report is under active consideration. I know because I was here for that meeting and asked those questions and received the answers from both. It is in the Hansard of this meeting that the report is under active consideration at this point.

**Mr. Pat Martin:** I would ask you to rule whether that's a legitimate point of order or a matter of debate. If it's a matter of debate, then the parliamentary secretary would have her opportunity. Madam Chair, I'd ask you to rule if that's a point of order or not and, if not, I'd ask you to ask members not to interrupt me if they don't have a legitimate point of order.

**The Chair:** It is not a point of order.

**Mr. Pat Martin:** Thank you.

I would ask that it be struck from the record if it's not a legitimate point of order. It has no place on the permanent record.

Having said that, I'd like to go back to the motion we're debating today, which is in fact the substance of the recommendations that you'll find in the Assembly of First Nations' report.

I'd like to explain—and I think I've tried to put it in context—the frustration experienced by the architects of this report with the three-month deadline come and gone without the courtesy of a reaction from the government, without a formal response, and certainly without acceptance of the report. Because what is accurate and what is a matter of historic record is that when the minister came before the committee today to testify, it was her view, or the view of the people who wrote her presentation, that the current dispute resolution program is in fact working and it just needs more time.

I think this committee should unanimously object to that comment, and I hope that when we do write a final report, we very pointedly say that it's the opinion of this committee that the minister is incorrect in saying that the current dispute resolution mechanism is working. In fact—I'll use strong language, and perhaps you'll want to modify it by the time we write a final report—it's a catastrophic failure; it's a disaster. It's up there with the gun registry in terms of wasting money.

Madam Chair, when I frame the context of the motion we're debating today, the very first opening line is:

To ensure that the full range of harms are redressed, we recommend that a lump sum award be granted to any person who attended an Indian Residential School,

irrespective of whether they suffered separate harms generated by acts of sexual, physical or severe emotional abuse.

That is element number one in the motion that I present today. The arguments for it are profound. The arguments for it are complex. The arguments for it are emotional. The arguments for this article number one would rip your heart out when you think about it, Madam Chair. I for one will never forget some of the testimony that we heard, and I will share with the committee an experience in Manitoba recently.

Another very elderly woman from the Portage la Prairie area was giving testimony to take part in part B of the alternative dispute resolution mechanism. In other words, she was making a claim that would have a maximum payout of \$3,500. She was in the middle of testifying to the tribunal that would ultimately decide whether she'd be eligible for compensation, and she collapsed. She was rushed to the hospital, and I believe she's still in the hospital.

This made the newspapers in Winnipeg. Obviously, there could have been many pre-existing conditions that would cause an elderly person to collapse. But her family members, in the newspaper, said that it was the strain and the stress of reliving the victimization of what happened to her in the residential schools that caused her to collapse. The emotional strain manifested itself in physical failure. And this is what we're doing to 80- and 90-year-old people on a regular basis right across the country.

There are 25 full-time lawyers in Manitoba alone working for the Department of Justice fighting these claims and forcing victims to relive the victimization in the most difficult of circumstances, in adversarial circumstances. I know the minister and some of the testimony here claimed that the whole process was designed in such a way so as not to be adversarial, so as to be nurturing, to be sympathetic, to be agreeable to the victims. But in actual fact—it was presented as testimony—the 40-page document you have to fill out for a class B claim with a ceiling of \$3,500, 40 pages of detailed minutia about what happened to you, where it happened to you, where you were touched, how many times you were touched, by whom you were touched....

• (1210)

Our court system is rough on sexual assault victims. This process is worse. This process causes undue stress to people.

Recommendation one is simply that a lump-sum blanket amount be given to everyone. I would like to be able to say to them—and I would like our committee to be able to say to them—we're not going to make you prove any more that you were abused. If you self-identify as an abuse victim, we accept that you were an abuse victim. The money is earmarked for this. It's sitting there in a pot of money. It should flow into the hands of the people who were abused.

Madam Chair, there's another component to this. That money is being spent. The pot is dwindling, and it's dwindling into the pockets of lawyers and bureaucrats instead of going to the actual victims. I'll make this case clearly: in my mind, even if the victims could never prove physical or sexual abuse, even if in fact they weren't physically or sexually abused by the very strict prescriptive definitions of the actual system, being ripped out of the family home for ten years in a row and not even allowed to go home for Christmas or Easter—two months in the summertime was the only time allowed for being at home—to be ripped out of your family home and denied your culture, language, and the love of your parents for ten years in a row, surely to God that is a compensable issue in itself. The physical and sexual abuse only compounds the victimization. This is the logic behind this lump sum.

I told you I would be able to share dollar figures with you, and I will. The amount that's being contemplated per victim is a \$10,000 blanket lump sum each and then \$3,000 for every year that you were a resident at the residential school. The average victim might get \$15,000, \$20,000, or \$25,000, based on the number of years they spent at that school. Compare that to the amount of money we spend fighting claims.

In the case of Flora Merrick, her claim was opposed the first time. People were flown around the country to fight her lousy \$3,500 claim. They spent \$30,000 fighting her claim. She won and was awarded \$1,500 because they didn't feel beating somebody and locking them in a room for two weeks was serious enough to warrant any more, and the government appealed, for another \$30,000. The government appealed the case. Instead of this 88-year-old woman getting her lousy \$1,500 and going home with at least the satisfaction that her government believed that she was abused, it was going to spend another \$30,000 proving Flora Merrick is a liar. It's un-freaking-believable when you consider it, Madam Chair.

I think most Canadians who heard this story would agree. It's a travesty. It compounds the most tragic event in recent Canadian history, and it's happening every day in communities right across this country, because there are 200 full-time Department of Justice lawyers dispatched around the country to spend the money necessary to prove that abuse victims are lying. Fully one-third of the entire Department of Justice—fully one-third—is occupied at this moment seized of the issue of trying to prove that sexual abuse victims are lying. I can't even think about it sometimes, it makes me so angry.

Item two in this list reads:

To ensure that all survivors are fairly and justly compensated for the harms caused by attendance at residential schools, we recommend that in addition to the compensation for injuries covered by the lump sum claim, affected survivors have the choice to claim compensation for acts of additional physical, sexual and severe emotional abuse and personal injuries flowing from them.

This leaves a window of opportunity for those who have claims they can verify of what were extreme examples of physical, sexual, or emotional abuse so that they may in fact seek additional compensation above and beyond the blanket compensation. This is also recommended by the Canadian Bar Association's report to which I alluded, and it's reinforced again, for greater clarity even, in the background material of the National Consortium of Residential School Survivors' Counsel.

●(1215)

Those two fundamental elements may in fact remedy the issue of monetary compensation. They don't touch the need for a formal public apology, so that the healing can begin between the Government of Canada and survivor victims. We all need to heal here. It's not, frankly, just the survivor victims. A great many of us in the general population feel a need to address this issue once and for all, look it in the eye, call it what it is, and then move on from it. But we should take some guidance from what is happening internationally.

I'll make reference briefly to what they're doing in Ireland, where there was an abuse scandal of nowhere near the scale, but with some similarities. The Irish government in fact—I guess you could call it—locked up children in what they call “technical trade schools”, but I suppose it was the Mount Cashel experience on a large scale, because it turned into a nationwide exposure of widespread systemic physical and sexual abuse of Irish children.

They devised a method of compensation of the victims. First of all, the Government of Ireland admitted that something happened there, and that it was categorically and fundamentally wrong, and that children were physically and sexually abused. But they devised a scale of compensation through which they assigned certain weight to certain aspects in determining the compensation amount.

In their model, I should point out, 95% of the victims accepted the compensation offer within five years. So this was a five-year program, and 95% of the victims accepted the offer, because it was fair. The way they determined that it was fair, the way they structured it so that it was fair, was that there was a rating system created by the Irish government, under which the severity of the acts of abuse constituted up to 25 points of the evaluation, and the severity of the consequences of the abuse was weighed at 75%.

In other words, they took these individuals who were broken by the experience, and they gave them compensation, 25% of which was based on what happened to them—were they beaten, were they molested, whatever it was—but 75% was geared on what the results were—what this person was experiencing today as a result of what happened to them.

That's what is lacking in the formula of compensation that we have implemented with the residential schools victims. Everything is geared on what happened to you, and if you can't prove what happened to you, you get nothing. Even if you're a broken man, even if you've experienced substance abuse issues, unemployment, and emotional crises your entire life, the consequences mean nothing. It's only what happened to you, and if you can't prove it, too bad. Too bad that it was fifty years ago, too bad that the priest who abused you is dead, too bad that there are no witnesses, because you were only nine years old behind a closed door. That's the inherent unfairness of this, and the unfairness exists even though there are existing models that we could have borrowed from internationally to design a better system.

This is what we recommend, Madam Chair, in my motion in item three:

To ensure that acts of abuse and their consequences more accurately compensate the victims and survivors, we recommend that the severity of consequences resulting from the abuse be measured similar to the approach adopted by the Irish government....

There is demonstrated merit in that, Madam Chair. When we can learn from the actual experience, from the empirical evidence elsewhere, why wouldn't we? Why wouldn't we look there? Why would we want to reinvent the wheel, particularly in light of the fact that the wheel that we've invented is square? It's broken; it is fundamentally dysfunctional. So it's incumbent on us to borrow from models that work.

I've put forward a motion, in this particular document directly from the document of the Assembly of First Nations, that we replicate the Irish experience and perhaps enjoy the same solution, the same remedy as the Irish have enjoyed in being able to move on.

• (1220)

To ensure that all of the acts of abuse and their consequences are taken into consideration and given the proper weight, we further recommend that descriptions of the acts of physical, sexual, and emotional abuse, and their consequences, be made more flexible and context-sensitive, including the context of race and gender.

There were cultural components to the residential schools. They were all about culture. They were all about the eradication of culture. They were designed to have young Indian kids harmonize with the dominant culture, and then learn how to tie a tie, or whatever, certainly ignoring the culture in which they were raised. It has often struck me as the very antithesis of Canada's professed commitment to multiculturalism to deliberately take steps to stamp out a culture over the course of a hundred years.

Taking conscious and deliberate steps to eradicate Indian culture was in fact official government policy, and the instrument or weapon of choice, if you will, was the residential schools. What a glaring conflict to everything we profess to be proud of, in terms of a commitment to multiculturalism. You strip their culture and their language, you beat them for speaking their own language, and then you name a shopping mall down the street after them. If it wasn't so pathetically sad it would be funny.

In this context, the physical and sexual abuse is particularly poignant because by and large the traditional culture of most first nations is very shy, in terms of sexuality, and very formal in approach. I'm not trying to generalize and speak for other cultures, but the contrast between the formality associated with sexuality in a traditional culture and the absolute warped perversion of the pedophilia of Catholic priests is so stark that the cruelty of it is even more extreme.

These weren't balanced, ordinary individuals who were supervising these children. Those who sexually molested these children were warped people. They were sick people living in isolation. They were people who didn't belong in common society, and found a perfect place to exercise their sexual perversions by abusing children in Indian residential schools, Mount Carmel Clinic, Mount Cashel, or wherever you found that kind of abuse.

So these kids' first introduction to white society was meeting some of our sickest representatives, and being handed over to them for ten

years in a row. This is the context that's been left out of the compensation formula: we refuse to name what really went on there. We refuse to even articulate what really went on because we're embarrassed about what happened. We put these children in the charge of sick individuals. We kept doing it for generation after generation, even after we knew, even after there was documentation back to 1904 that rampant and widespread abuse was taking place and being repeated.

Whenever ordinary people stumbled upon this and went out to inspect some of these schools, they'd come back with these horrifying reports. It would get documented and filed, and then nothing would change. I think we've accepted as a society how horrible it was, how culpable we are, and that the liability is ours. That's why we've assigned a \$1.7 billion pot of money to compensate those victims, to at least take care of some of the monetary compensation so those people who were abused can rebuild their lives.

But all of us who heard the testimony here got some small sense, from only three or four witnesses, of what a struggle it is to rebuild your life after you've been sexually abused as a child, or emotionally and physically abused to that extent. It's not as simple as taking your \$20,000 and rebuilding your life.

• (1225)

This brings me, Madam Chair, to the element that is perhaps the most important or integral aspect of the proposal that you have in front of you, and that's the truth and reconciliation component. There's healing that comes from having your story told or from being able to tell your story in an atmosphere that is non-judgmental and understanding, and which you believe is in fact established for your benefit—not established to try to convince the world you're lying. There's great benefit in that.

And again, if we can borrow from the experience of other jurisdictions and successful models, how else did South Africa deal with the horrors of the apartheid regime? Nelson Mandela and Desmond Tutu and others had a choice when they took power: they could have exacted revenge on the people who were guilty of horrendous abuses over decades, or they could have tried to heal and move on. They made the right choice and were an inspiration to the world in the choice they made. But key and integral to the choice they made for a peaceful resolution and conclusion to the atrocities of apartheid was the truth and reconciliation model. It was innovative and bold: it was genuine healing. It was also exhausting and emotionally draining, and it was embarrassing to people who were involved. But gradually, as the process went on, it wasn't just a case of victims coming forward explaining what happened to them, and having the world know what happened to them, but also of victimizers coming forward and seeking peace in their own minds. When the madness lifted and apartheid ended, there was healing necessary on both sides.

Well, I put it to you, Madam Chair, that the same dynamics exist here today, in that we have a similar exercise we need to go through before we can become whole again, and before the relationship between the Government of Canada and first nations can in fact move forward as the Two-Row Wampum we talk about, with two canoes paddling in the same direction in parallel and side by side. Before that can happen, we have to take one step back and stare this dragon down. That's why perhaps the most poignant thing is....

I will recognize and pay tribute right now to the leadership of Phil Fontaine, the National Chief of the Assembly of First Nations, and the leadership of the Assembly of First Nations. What they have suggested here is not based on vengeance, it's not based on revenge, it's not even based on "We're going to make the buggers pay for what they did to us", but it is based on both sides healing. I won't speak for anyone here, but I think if you ask the drafters of this particular document what is the most important element in this document, without putting words in their mouth, I would bet you dollars to doughnuts they would say, "The apology from the Prime Minister and the truth and reconciliation process are key and paramount and pivotal". They are the indispensable components to the document that was produced by the Assembly of First Nations and that we find replicated in the motion I put before the committee today.

It's powerful. This is the kind of stuff that builds character, the kind of stuff that takes great courage to move forward with. When I think of the redress, I know the financial compensation will not in fact rebuild lives; not a single person will be made whole by the \$10,000 or \$15,000 or \$20,000 that may in fact come in compensation. What will begin the rebuilding process will be this truth and reconciliation model they're contemplating, modelled as a scaled-down version of the same thing we experienced in South Africa. But if you can imagine, the mainstream churches, the Anglican Church, the Catholic Church, the United Church, wholly endorse this, I should point out, Madam Chair—if I haven't already pointed it out. This scrapping of the existing compensation model, reintroducing one that is without judgment, with lump-sum blanket compensation and without the adversarial court action associated with each individual claim, is being promoted and encouraged and welcomed by the mainstream churches. They would also be beneficiaries of this truth and reconciliation committee.

• (1230)

I know a lot of good people associated with the churches, and they just can't believe this happened under their noses, under their auspices, under their direction and control, and that in many cases evil people worked their way into the organization and victimized young people in a systematic and systemic way. Somebody should have known. Somebody should have stopped it. And as I say, good people, non-aboriginal people, would benefit from the opportunity to come forward and speak to that, again in a setting that is non-judgmental and healing.

The Government of Canada is justifiably embarrassed, and we as Canadians hang our heads in shame at what happened during the tragic legacy of the residential schools. If we want to heal, if we want to get past this, it's a necessary process and a necessary practice. We can seek out and we can find those proposals, those models for truth and reconciliation, but they're articulated quite clearly in the

recommendations of the Assembly of First Nations and in the motion you have in front of you.

Without reading it clause by clause—because I know that offends my colleague—I would direct members to article 24. Perhaps it would be a way to frame what we're seeking to achieve: "We recommend that the Release be re-named to 'An Agreement Towards Reconciliation.'"

I talk about the release necessary for compensation:

In the interests of reconciliation and in recognition of the ongoing harms of residential schools to survivors and their families, we recommend that the Agreement Towards Reconciliation include a commitment by Canada to recognize and deal with the ongoing needs of survivors and their communities arising from the harms caused by residential schools.

In actual fact, Madam Chair, you'll note that this particular article is making reference to the intergenerational effects and impacts of the residential schools, and less to the technical aspects of the truth-sharing mechanism as contemplated by this amendment. You'd have to go further down to articles 30, 31, and 32, which encourage the continuation of the Aboriginal Healing Foundation, with a renewed mandate and tighter direction and control, to accommodate the truth and reconciliation program.

What I would like to deal with in article 24 is the intergenerational effect. I represent the inner city of Winnipeg, Madam Chair, as you are well aware. In that community, 6,000 first nations people are self-identified as aboriginal people. The population is as big as any ten reserves in Manitoba.

I see on a daily basis the intergenerational effect that interrupting the natural communication of parenting skills has had on families. And again, people, I'm not saying this in any way of cultural criticism or even cultural poaching. I know I'm not an aboriginal person, and I say this with all deference to those who are affected by this. It's generally accepted that by ripping children out of their homes for that formative period of their life, many fail to learn how to be parents because they themselves were never parented. That process was interrupted, it was interfered with.

The natural communication of parenting skills was denied these people because in many cases they were being raised by maladjusted people who were not running a family, they were running an institution. The warmth, the understanding, the nurturing, the parenting was denied them. Again, that in itself should be compensable, in my view.

• (1235)

There's a graphic illustration, and I invite any one of you to come with me for a walk any day through some of the lower-income neighbourhoods in my riding of Winnipeg Centre. The face of poverty in Winnipeg Centre is Indian. One of the accepted reasons is that people have had a hard time getting on their feet and establishing themselves as successful families because the parents of those families are broken. They're broken individuals emotionally; they're scared by their experience in the residential schools. We are witnessing the manifestation of all the sickness and illness imposed on them in their early years. It has manifested itself in the failed families of many of the low-income areas, whether it's an on-reserve or an off-reserve population.

That in itself has had a profound effect, and there's a socio-economic effect. If anybody wonders or has ever wondered why we seem to have this permanent underclass in Canada of first nations aboriginal people, you need look no further. It's not rocket science. Any first-year sociology student could tell you it's an inexorable link. You have to acknowledge the link between being denied a normal upbringing, whether you're in a traditional, first nations culture or a Judeo-Christian home like the one I grew up in.... If you get ripped out of that and stuffed into an institution for 10 out of your 16 formative years, you're going to come out of there lacking some of the basic elements you could have benefited from by exposure to your parents.

So when I ask my colleagues today to accept these principles and these motions, it's in the context of trying to make sure of what we heard and put it in a context of framing—

**The Chair:** Mr. Harrison.

**Mr. Jeremy Harrison (Desnethé—Mississippi—Churchill River, CPC):** I have a point of order. We talked about it earlier, having the witnesses dismissed. I know they've listened very intently, but maybe it might be better if we asked them to leave or asked if they'd want to leave if we dismissed them.

**The Chair:** The suggestion was put forward, but other than their being on the orders of the day, in the interests of time.... I don't think we'd be doing any justice to the witnesses, so if all the members agree, I think we can suggest that—

**Mr. Jim Prentice:** If I might, I'll speak to that point of order, Madam Chair.

I don't think we can formally deal with that issue. I don't know if it's appropriate for you to speak informally with the witnesses, but if you feel it is....

I know we can't formally deal with it because Mr. Martin has the floor, of course. I haven't been here long enough to know if it's possible to do that sort of thing or not. If you're in the middle of something where one parliamentarian has the floor, is it possible for the chair to give an informal direction to someone outside of the structure of the committee? I don't know.

**The Chair:** I have been advised that I could make an informal decision to let the witnesses go.

**Hon. Sue Barnes:** Can I ask you when the witnesses will return?

**The Chair:** All we can say is that we would have to carry it over to the next meeting at this point in time.

• (1240)

**Hon. Sue Barnes:** So we're starting our study next meeting?

**Mr. Pat Martin:** Madam Chair, I think we're beyond a point of order here. My speech was interrupted by a point of order, but this has turned into a planning committee meeting.

**Hon. Sue Barnes:** You have your planning committee. It planned to have matrimonial real property today.

**The Chair:** Mr. Martin, as I said before, I would very much like to hope that common sense prevails at our committee meetings. We're all intelligent people around the table. You know everyone will understand your motion in a reasonable amount of time, so I'll

just prevail upon the other members and the witnesses to show common sense and courtesy.

We have 18 minutes of our scheduled time, so I would just prevail upon you to get your point across so we can entertain the other speakers who are asking to speak on the motion. That's all I can do, prevail upon you to show common courtesy to the rest of the members as you debate your motion.

You have the floor.

**Mr. Pat Martin:** Thank you, Madam Chair. I appreciate that.

I also appreciate that in the bylaws that we have adopted in the formation of this committee we set no limits on speaking. There is no closure in this committee.

I am trying to introduce and to outline a comprehensive motion with 32 recommendations. What I have done so far is outline the format in which I will make this presentation because I thought that would be helpful and useful to committee members, and then I have tried to introduce the themes I will be speaking to in the three categories. Each of those three categories has a number of specific recommendations associated with it, all within the body and the context of the one motion, so it's hard for me to race through that and still do justice to an issue of national significance like this, an issue of national importance.

Madam Chair, the world is watching. This is the most shameful element in the history of Canada, and we do a disservice to the issue by dedicating only two or three days to it prior to our recess. We would certainly do a disservice to it if we didn't give a fulsome review of what we have heard leading to a comprehensive report to be tabled in the House of Commons. I want that report to say, first and foremost, and in a way that is impossible to misunderstand, that we don't want one more nickel spent on trying to call victims liars, that we want the compensation money earmarked for that purpose to go into the pockets of the victims so that they can start rebuilding their lives, and that we want blanket, lump-sum compensation to victims. I am asking you to allow me to speak in the context of a lump-sum settlement for each victim.

Eligibility should be based on proof that one was in attendance at the school. That's all we need to know. That's all the verification the minister should need. The minister spent most of her time saying that we must have verification and that we have to be able to verify that this abuse actually happened. Don't look at the abuse. Look at the consequences of the abuse. Don't look at how many times you were beaten and what size the stick was. We don't care how thick the rod was they beat you with; we care about the bruises. We care about the emotional-psychological damage. That's how you weigh the compensation.

I would simply repeat that what I'm presenting to you today is complex. It's painful. It warrants careful analysis. It should not be dealt with in a hasty way, because if all goes well and if all goes according to plan, we're going to take this suggestion to the House of Commons and have a vote on whether we should scrap the existing compensation system for residential school victims and implement one that is fair, humane, just, fast, and is one that we can be proud of instead of ashamed of. That's not the kind of thing you race through in the context of one meeting.

I've finished introducing my motion, but I haven't begun to speak to my motion. I haven't started going through the various elements of the Assembly of First Nations' arguments. I haven't begun to explain to you the complexities of the Canadian Bar Association, the logical next step that the lawyers across the country.... Even lawyers who are making a fortune on this are blowing the whistle on this. They're saying enough is enough. To its credit, the Canadian Bar Association is saying "No more money to lawyers. Enough of lining lawyers' pockets. Get the money into the hands of the victims."

When I try to explain the themes we'll be talking to, it's not to annoy my colleagues across, it's simply to emphasize the importance and to restate that this is something the House of Commons should be seized of. This is a matter that warrants the attention of the House of Commons Standing Committee on Aboriginal Affairs and Northern Development above all other issues, I would argue.

Again, I recognize and pay tribute to my colleagues in the Conservative Party for making it a subject of debate at this committee, because otherwise it would have passed unnoticed for another decade. The screaming outside the door, the drums pounding and the chanting outside the House of Commons, which is aboriginal people screaming for justice on this issue, were being ignored.

• (1245)

I'm not speaking figuratively, I'm speaking literally, because this report was being ignored, with a three-month deadline having been put forward in good faith and without rancour, and a proposal for settlement, a just and timely settlement of claims, was being ignored. The three months expired, and that's when it came before our committee.

So when I ask you for an adequate amount of time, I restate, I have the floor and I intend to keep the floor until I've finished making the points that I set out to achieve. And I hope that I am slowly convincing my colleagues that this could be a unanimous undertaking and we could all move forward with some pride with a report from this committee that had specific recommendations. More importantly, it would be a report—I should remind you, Madam Chair—that ultimately we could move concurrence on in the House of Commons, that would trigger a debate in the House of Commons, that would trigger a vote in the House of Commons on this very issue. It would make people stand in their places and say yes, they support the current system of shoving hundreds of millions of dollars into lawyers and bureaucrats, or they support a system of fair and just compensation, where money actually winds up in the pockets of abuse victims. That would be the choice that members of Parliament could then make. I'd be very interested to see and count the heads of who stood on which side of that debate. Explain that to the general public.

I wasn't exaggerating when I said this is getting to be of epic proportions in terms of a waste of money. We're talking about the next gun registry here in terms of a wholesale flushing of money down the toilet and failing to meet the intended goals of a program.

I sit on two committees, Madam Chair, the government operations committee and the aboriginal affairs committee. My goal or my task at the government operations committee is to assess whether Canadians are getting good value for the money being spent in government programs. I can tell you—

**Mr. Jim Prentice:** On a point of order, Madam Chair, I just need some clarification on how this actually works.

Mr. Martin is introducing his motion at this point and speaking to the motion as he introduces it, and he has the floor for the purposes of that discussion. I gather that as long as he has the floor, that carries on. Is that fair to say?

**The Chair:** Yes, because we have not set time limits for the speaking times, and we still have some people on the list to speak.

**Mr. Jim Prentice:** Do I understand that we then move forward and there is eventually a debate on the motion?

**The Chair:** He has started the debate, and if there were other speakers, they would speak on the motion, and then he would have closing remarks on the motion.

**Mr. Jim Prentice:** I see, but he still has the floor now, introducing the motion, and he hasn't started the debate yet.

**Mr. Jeremy Harrison:** I have a point of order, Madam Chair. Is there a speakers list made up right now?

**The Chair:** I have one, yes.

**Mr. Jeremy Harrison:** What is the order?

**The Chair:** I have Mr. Valley and Mr. Harrison who have put their hands up to speak on the motion.

Mr. Martin.

• (1250)

**Mr. Pat Martin:** Madam Chair, is this exchange finished? Do I have the floor?

**The Chair:** You have the floor.

**Mr. Pat Martin:** In that case, I would like to move that we adjourn.

**The Chair:** The member has moved to adjourn the meeting.

(Motion agreed to)

**The Chair:** This meeting is adjourned.







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