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The Federal Court approves settlement agreement for Residential Schools Day Scholar Survivors and Descendants

VANCOUVER and TORONTO, October 1, 2021

Justice McDonald of the Federal Court has approved a settlement agreement for Residential Schools Day Scholar Survivors and their children in the *Gottfriedson v. Her Majesty the Queen in Right of Canada* class action.

Following a settlement approval hearing in early September, the court determined that the settlement agreement is fair, reasonable and in the best interests of Survivor and Descendant Class Members. In making her decision, Justice McDonald considered submissions from lawyers for the Survivors and Descendants Class and Canada, as well as written and oral statements made by Class Members.

Under the terms of the settlement, each eligible Day Scholar will be able to apply for individual \$10,000 compensation for harms (other than sexual abuse or serious physical abuse) including psychological harms and loss of language and culture linked to attending Residential Schools. The settlement also provides a \$50 million Day Scholars Revitalization Fund to support healing, and linguistic and cultural reclamation for Day Scholars and their children.

shishalh hiwus Garry Feschuk, who initiated the action with his T'kemplups colleague former chief Shane Gottfriedson more than 10 years ago, provided the following statement: "This settlement will ensure compensation for Survivors and their Descendants will happen in their lifetimes. Once we are ready to proceed with compensation, there will be a simple claims process. This was designed to minimize the burden on Day Scholars and their Descendants," he said.

Selina August and Jeanette Jules representing the shishalh and T'kemplups Nations who commenced this proceeding to seek redress for their Day Scholars and all Day Scholars said:

"We were told by our members who were Day Scholars that they too suffered from the punishments for speaking our language and exercising our culture while in the schools during the day. It was horrific and our Day Scholars were once again left out just as their suffering had been ignored in the Residential School settlement. We now have ensured that all the Day Scholars who were alive as of May 30 2005 will be compensated for their 'Common Experience Payment' and so nobody is left behind."

Claimants will only need to fill out a simple form and will not need to provide any information about their experiences at Residential Schools.

Survivors cannot apply for compensation at this time. A settlement notice will be sent out shortly advising of the process and the start date for making claims. The claims process to apply for Day Scholar Compensation will be open by early December subject to further direction of the Court.

Survivors and Descendants are encouraged to check the Justice for Day Scholars website and follow the Facebook information page for regular updates on the settlement and claims process. Details about the settlement agreement, as well as supports that will be available once the claims process opens, will be available on the website.

Please visit www.justicefordayscholars.com and www.facebook.com/JusticeforDayScholars.

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