

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**LARRY PHILIP FONTAINE in his personal capacity and in his capacity as the
Executor of the estate of Agnes Mary Fontaine, deceased, MICHELLINE AMMAQ,
PERCY ARCHIE, CHARLES BAXTER SR., ELIJAH BAXTER, EVELYN BAXTER,
DONALD BELCOURT, NORA BERNARD, JOHN BOSUM, JANET BREWSTER,
RHONDA BUFFALO, ERNESTINE CAIBAIOSAI-GIDMARK, MICHAEL
CARPAN, BRENDA CYR, DEANNA CYR, MALCOLM DAWSON, ANN DENE,
BENNY DOCTOR, LUCY DOCTOR, JAMES FONTAINE in his personal capacity
and in his capacity as the Executor of the Estate of Agnes Mary Fontaine, deceased,
VINCENT BRADLEY FONTAINE, DANA EVA MARIE FRANCEY, PEGGY
GOOD, FRED KELLY, ROSEMARIE KUPTANA, ELIZABETH KUSIAK,
THERESA LAROCQUE, JANE McCULLUM, CORNELIUS McCOMBER,
VERONICA MARTEN, STANLEY THOMAS NEPETAYPO, FLORA
NORTHWEST, NORMAN PAUCHEY, CAMBLE QUATELL, ALVIN BARNEY
SAULTEAUX, CHRISTINE SEMPLE, DENNIS SMOKEYDAY, KENNETH
SPARVIER, EDWARD TAPIATIC, HELEN WINDERMAN and ADRIAN
YELLOWKNEE**

Plaintiffs

-and-

**THE ATTORNEY GENERAL OF CANADA, THE PRESBYTERIAN CHURCH IN
CANADA, THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF CANADA,
THE UNITED CHURCH OF CANADA, THE BOARD OF HOME MISSIONS OF
THE UNITED CHURCH OF CANADA, THE WOMEN'S MISSIONARY SOCIETY
OF THE PRESBYTERIAN CHURCH, THE BAPTIST CHURCH IN CANADA,
BOARD OF HOME MISSIONS AND SOCIAL SERVICES OF THE
PRESBYTERIAN CHURCH IN BAY, THE CANADA IMPACT NORTH
MINISTRIES OF THE COMPANY FOR THE PROPAGATION OF THE GOSPEL IN
NEW ENGLAND (also known as THE NEW ENGLAND COMPANY), THE DIOCESE
OF SASKATCHEWAN, THE DIOCESE OF THE SYNOD OF CARIBOO, THE
FOREIGN MISSION OF THE PRESBYTERIAN CHURCH IN CANADA, THE
INCORPORATED SYNOD OF THE DIOCESE OF HURON, THE METHODIST**

CHURCH OF CANADA, THE MISSIONARY SOCIETY OF THE ANGLICAN CHURCH OF CANADA, THE MISSIONARY SOCIETY OF THE METHODIST CHURCH OF CANADA (ALSO KNOWN AS THE METHODIST MISSIONARY SOCIETY OF CANADA), THE INCORPORATED SYNOD OF THE DIOCESE OF ALGOMA, THE SYNOD OF THE ANGLICAN CHURCH OF THE DIOCESE OF QUEBEC, THE SYNOD OF THE DIOCESE OF ATHBASCA, THE SYNOD OF THE DIOCESE OF BRANDON, THE ANGLICAN SYNOD OF THE DIOCESE OF BRITISH COLUMBIA, THE SYNOD OF THE DIOCESE OF CALGARY, THE SYNOD OF THE DIOCESE OF KEEWATIN, THE SYNOD OF THE DIOCESE OF QU'APPELLE, THE SYNOD OF THE DIOCESE OF NEW WESTMINSTER, THE 2 SYNOD OF THE DIOCESE OF YUKON, THE TRUSTEE BOARD OF THE PRESBYTERIAN CHURCH IN CANADA, THE BOARD OF HOME MISSIONS AND SOCIAL SERVICE OF THE PRESBYTERIAN CHURCH OF CANADA, THE WOMEN'S MISSIONARY SOCIETY OF THE UNITED CHURCH OF CANADA, SISTERS OF CHARITY, A BODY CORPORATE ALSO KNOWN AS SISTERS OF CHARITY OF ST. VINCENT DE PAUL, HALIFAX, ALSO KNOWN AS SISTERS OF CHARITY HALIFAX, ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX, LES SOEURS DE NOTRE DAME-AUXILIATRICE, LES SOEURS DE ST. FRANCOIS D'ASSISE, INSITUT DES SOEURS DU BON CONSEIL, LES SOEURS DE SAINT-JOSEPH DE SAINT-HYANCITHE, LES SOEURS DE JESUSMARIE, LES SOEURS DE L'ASSOMPTION DE LA SAINTE VIERGE, LES SOEURS DE L'ASSOMPTION DE LA SAINT VIERGE DE L'ALBERTA, LES SOEURS DE LA CHARITE DE ST.-HYACINTHE, LES OEUVRES OBLATES DE L'ONTARIO, LES RESIDENCES OBLATES DU QUEBEC, LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE LA BAIE JAMES (THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF JAMES BAY), THE CATHOLIC DIOCESE OF MOOSONEE, SOEURS GRISES DE MONTRÉAL/GREY NUNS OF MONTREAL, SISTERS OF CHARITY (GREY NUNS) OF ALBERTA, LES SOEURS DE LA CHARITÉ DES T.N.O., HOTEL-DIEU DE NICOLET, THE GREY NUNS OF MANITOBA INC.-LES SOEURS GRISES DU MANITOBA INC., LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE LA BAIE D'HUDSON – THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF HUDSON'S BAY, MISSIONARY OBLATES – GRANDIN PROVINCE, LES OBLATS DE MARIE IMMACULEE DU MANITOBA, THE ARCHIEPISCOPAL CORPORATION OF REGINA, THE SISTERS OF THE PRESENTATION, THE SISTERS OF ST. JOSEPH OF SAULT ST. MARIE, SISTERS OF CHARITY OF OTTAWA, OBLATES OF MARY IMMACULATE –ST. PETER'S PROVINCE, THE SISTERS OF SAINT ANN, SISTERS OF INSTRUCTION OF THE CHILD JESUS, THE BENEDICTINE SISTERS OF MT. ANGEL OREGON, LES PERES MONTFORTAINS, THE ROMAN CATHOLIC BISHOP OF KAMLOOPS

CORPORATION SOLE, THE BISHOP OF VICTORIA, CORPORATION SOLE, THE ROMAN CATHOLIC BISHOP OF NELSON, CORPORATION SOLE, ORDER OF THE OBLATES OF MARY IMMACULATE IN THE PROVINCE OF BRITISH COLUMBIA, THE SISTERS OF CHARITY OF PROVIDENCE OF WESTERN CANADA, LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE GROUARD, ROMAN CATHOLIC EPISCOPAL CORPORATION OF KEEWATIN, LA CORPORATION ARCHIEPISCOPALE CATHOLIQUE ROMAINE DE ST. BONIFACE, LES MISSIONNAIRES OBLATES SISTERS DE ST. BONIFACE-THE MISSIONARY OBLATES SISTERS OF ST. BONIFACE, ROMAN CATHOLIC ARCHIEPISCOPAL CORPORATION OF WINNIPEG, LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE PRINCE ALBERT, THE ROMAN CATHOLIC BISHOP OF THUNDER BAY, IMMACULATE HEART COMMUNITY OF LOS ANGELES CA, ARCHDIOCESE OF VANCOUVER – THE ROMAN CATHOLIC ARCHBISHOP OF VANCOUVER, ROMAN CATHOLIC DIOCESE OF WHITEHORSE, THE CATHOLIC EPISCOPALE CORPORATION OF MACKENZIEFORT SMITH, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF PRINCE RUPERT, EPISCOPAL CORPORATION OF SASKATOON, OMI LACOMBE CANADA INC. and MT. ANGEL ABBEY INC.

Defendants

Proceedings under the *Class Proceedings Act*, 1992, S.O. 1992. C.6

AFFIDAVIT OF EDMUND METATAWABIN SWORN AUGUST 26 , 2013

I, Edmund Metatawabin, of the First Nation of Ft. Albany, in the province of Ontario,
MAKE OATH AND SAY:

1. I was Chief of Ft. Albany First Nation from 1988 to 1996 and I was traditional Chief 1997 and 1998. I was born October 20, 1947. My father was a trapper and my mother raised 11 children in the bush. I still reside in Ft. Albany presently.
2. I have almost completed a Masters Degree in Environmental Studies at York University in Toronto. Completion of the Masters was interrupted to become Chief at Ft. Albany when the residential school legacy was stirring and creating abusive behaviour in the

community. I was asked to get involved as I had studied the mental wellbeing of people as part of environmental studies program.

3. I attended St. Anne's IRS from 1956 to 1963. I shared the physical abuse that came out at the criminal trial against Anna Wesley. She was my supervisor. I remember that the first day that I attended at the school, she slapped me hard on the head. Anna Wesley's slap could knock a small boy off his feet, and that happened to me as I ended up 5 feet away, slammed into the wall when she hit me.
 4. There were too many hittings from her over the years to remember all the details. She would hurt many parts of the body. For instance, when she cut my hair, she would take the scissors and gouge the hair out of my head. It was done in anger. She would leave my head bleeding after she cut my hair, and the same for the other boys. If a boy smiled, he could get hit by her. If we whispered to each other, she would hit us. The physical abuse that we witnessed daily over many years from Anna Wesley is hard for anyone to comprehend. No one stopped her.
 5. Anna Wesley forced me to eat my own vomit twice. One time, I was sick with the flu and I vomitted into my porridge. She told me to go up to the dorm. I was in the dorm, sick for three days with the flu. On the fourth day, I went back with the other boys to the dining room. Then, Sister Anna brought out the 4 day old porridge and vomit and she stood over me and made me eat it. She was beyond disgusting in the way that she treated children. She was full of anger and meanness.
 6. I was also made to sit in the electric chair twice at St. Anne's. I was a little boy and I had to climb up into the chair because I was still small. My legs did not touch the ground. When the current went through me, my legs shot out straight in front of me and were shaking. The current went all through my body and I cannot describe how intense the pain was. I could not scream. At St. Anne's, if you were being beaten, you could not scream or cry or the punishment would keep up. It was terribly wrong that supervisors were electrocuting children with that home made electric chair.
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7. I had read in university various writings about survivors of the Holocaust. I took psychology courses. I read about brain washing, character transformation, oppression. I found I could relate to the difficulties I was experiencing and those around me in Ft. Albany. We always felt second class. There were academic studies and concepts surrounding what had happened to us in residential school and the state of unrest in our communities. We knew there was something wrong.
 8. Edward Koostachin from Ft. Severn (now deceased) was working with me through this period to ponder the state of our community. By that stage, I had heard of many people who had terrible internal pain about residential school.
 9. We organized a very large conference, given our small community. In 1992, we asked survivors of St. Anne's to return to the place of our hardship, namely the St. Anne's Residential School Building. The school building still stood in 1992. Approximately 400 people attended the conference in person while other communities kept pace with the discussions through Wawatay Cree Radio Network. We began with three days of cultural events, with a pow wow, sweat lodge and traditional healing orientation process. We wanted to prepare people mentally for the conference.
 10. The next three days was the Keykaywin conference itself with academic and professional speakers. Now shown to me and attached hereto as **Exhibit A** is the Report of the Testimonial/Panel Component dated August 20, 1992. Now shown to me and attached hereto as **Exhibit B** is the Summary Report prepared by Mary Anne Nakogee-Davis of the 1992 Reunion and Keykaywin Conference. At pages 13 to 15 is the agenda for the conference.
 11. As organizers, we invited the former supervisors of St. Anne's to attend the Keykaywin Conference, namely the Oblates of Mary Immaculate and the Grey Nuns of Montreal. None of the former supervisors attended. Since they were part of the residential school, and it was an open conference, they had a right to be there and be witness to the testimonies at the conference.
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12. The newly appointed Bishop of the Catholic Diocese of Moosonee, Vincent Cadieux, attended the Keykaywin Conference. The Mother Superior from Sudbury also attended.
 13. The funding agencies for the Keykaywin Conference included Health Canada.
 14. As outlined in the two reports, many people came forward and provided testimonials to a panel of six people. A justice of the peace from Cochrane was on the panel. 19 men and 11 women provided their stories in the first two days and the panel presented on the third day. The entire report was read to the assembly and broadcast live on Wawatay Radio. The Bishop heard the outcome. The Bishop received copies of these reports. He also made statements in the conference that he was very hurt by what he was hearing.
 15. We had a Council meeting thereafter. My Council instructed me that due to the criminal nature of the contents of the panel report, I was to take that forward to the police to conduct an investigation. The Ontario Provincial Police, based in South Porcupine, were the police authority for our region. They were policing our community.
 16. I presented the report to the OPP at the Band office. I reported on the conference and the outcome of the panel report. I gave the names of people to the police who had indicated to me that they had been abused and were willing to share their story with the police. The people who testified to the panel were the first group of names given. Due to the public nature of the Conference through the Wawatay Radio, I was also receiving many communications from others in the region about having suffered abuse at St. Anne's as children. Many people asked me to pass on their information to the police.
 17. In my capacity as Chief, the people respected my ability to pass information to the police about their experiences. People did not have the confidence or belief in their own presence to call the police to tell their stories. I became their sponsor, asking the police to contact them and hear their story. The police were clearly authority figures which many former students of St. Anne's would still fear. It was finally possible to tell the reasons for their pain, because one Chief was willing to talk about the past abuse, and bring it to the attention of the police. Past attempts to tell their stories, often in the context of being criminally charged, had rebounded against many people. The police
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might tell the Church and the church authorities were barriers to the stories coming out. The reason for the Conference and the OPP investigation was to provide a protective manner for the abuse to be disclosed.

18. That was the beginning of the OPP investigation. I eventually met Constable Greg Delguidice, who was the lead investigator of the special investigation that took about 5 years to complete. I also communicated with Diana Fuller, the Crown Attorney from Sudbury who was lead counsel representing the survivors who would be testifying.
 19. Health Canada eventually started a program for residential school survivors. The Conference had recommended a Commission of Inquiry into St. Anne's Residential School Syndrome, the electric chair and other elements, but nothing was ever established.
 20. In early 1997, Mushkegowuk Council gave authority to Peetabeck Keway Keykaywin (St. Anne's Residential School Survivors) Association (PKKA). I was President of PKKA. Now shown to me and attached hereto as **Exhibit C** is a letter dated February 27, 1997, which outlines the motion providing authority in that regard. The regional Chiefs gave PKKA the authority to represent St. Anne's residential school survivors. That continues until today.
 21. PKKA personnel were providing counseling to individuals who had to testify in the preliminary hearings and trials that happened until about 2000. The communities were kept informed through Wawatay Radio.
 22. Next, the Federal Government, the Catholic Church and Ontario Government invited survivors to participate in a pilot ADR project for reconciliation and resolution of the complicated matrix of the impact of this abuse on individuals and communities. PKKA agreed to participate in the Pilot ADR project based upon the guidance and advice of the Elders that we should meet with the two levels of government and the church to resolve this conflict and support the individuals who had been abused. It was part of the healing process we had identified at Keykaywin Conference.
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23. I was one of the negotiators and we were ably assisted by legal counsel, Roger Tucker. I sat across from representatives of the Federal Government and Catholic Church and their respective lawyers. We had 100 survivors that we represented. The objective was to financially compensate those people. After a number of years, the Federal Government and Catholic Church said that only 30 people qualified for financial payments under the terms they were prepared to admit liability. We took that to the Board and the Board rejected that offer in approximately 2003. Throughout those negotiations, the Federal Government and Catholic Church were fully aware of the OPP investigation and the charges/preliminary inquiries and trials that had happened. The pilot project failed because there was no good faith offer. Even people who had suffered extreme abuse and harm were offered nothing.
 24. Thereafter, I was asked to participate in a Federal Government working caucus on residential schools across Canada. The working caucus formulated and organized and established guidelines for the adjudication process. I was sure that everyone involved knew about the OPP investigation and criminal trials.
 25. When the national class action law suit was settled and remaining claims moved into the IAP process, I thought that the evidence proven to that point about the abuse at St. Anne's would be known to the adjudicators and available to individuals in their private hearings. I have been assisting various individuals with their IAP claim applications and providing interpretation services to lawyers who do not speak Cree.
 26. In that context, I met Fay Brunning and Suzanne Desrosiers who were attending in the First Nations along the James Bay Coast in 2012 to meet people who wanted help with their IAP claims. We were trying to get knowledgeable lawyers to attend and help people in our communities as it is too expensive for most people to fly out, and these are not stories to be shared over the telephone.
 27. In or about May, 2013, Fay Brunning advised me that in IAP claims, there was no mention of the OPP investigation or criminal proceedings in the Federal Government disclosure about St. Anne's. She provided me with a copy of the will-say statement of
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Detective Constable Delguidice in Cochrane, which is now shown to me and attached hereto as **Exhibit D**. I read that will-say statement and it certainly accurate to me.

28. I found it unbelievable that the Federal Government had hidden all proven abuse and documentation. Each person was being isolated in their hearings, in front of authority figures, being asked to tell their story yet again and again, from the beginning. There is no context in which the story is being heard by an adjudicator if none of the proven abuse is known to the adjudicator. The two authority figures, the Federal Government and Catholic Church, appear to be working together again to suppress the same people who were abused as children at St. Anne's.
 29. The Catholic Church still calls our stories "allegations". These are not allegations for us, they are the truth. The use of that term is against the spirit and principle of reconciliation.
 30. Now shown to me and attached hereto as **Exhibit E** is the 1923 translation of the Catholic Church catechism book for use by the "Sauvages des Postes d'Albany, Servern, Martin's Falls, etc." In that book, there is written evidence that the children were taught they would be paying homage to the devil if anyone participated "in shaking tent ceremonies, evil chanting, evil pipe ceremonies and sweetgrass". My grandparents, parents and myself were all taught that within St. Anne's.
 31. This non-disclosure is very serious to the St. Anne's survivors and all the people who have done so much since 1992 to address the widespread abuse of children at that residential school. The non-disclosure is an affront to:
 - (a) All the work that was done at the 1992 Keykaywin Conference,
 - (b) the OPP investigation and Crown Attorney work in the criminal charges and trials,
 - (c) the work by PKKA, Mushkegowuk Council, and all the political organizations who have been involved over the past 21 years
 - (d) the deliberations of the Elders over at least the past 21 years
 - (e) the individual legal rights of the persons who were individually abused
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32. The non-disclosure gives an unfair advantage to the Federal Government and church in the IAP process and fails to have them admit liability if the survivor's story is consistent with all that is known and proven about this school. The almost 1000 statements given by survivors to the police were done with no promise of money. The objective was to seek justice for criminal acts done to children by those mandated to protect Canadians.
 33. The non-disclosure goes against the spirit of reconciliation. The Truth and Reconciliation Commission and the historians should have access to all this evidence.
 34. The Board of the PKKA has requested that the Court be asked to review why this evidence was withheld from the IAP process, and to identify who gave these instructions. We want to know who made the decision to withhold a 20 year effort to prove the abuse to the Federal Government and the Catholic Church, and to seek support for the former students of St. Anne's IRS. For 20 years, we have engaged in a course of respectful, remedial conduct, within our legal rights as Canadians. The individual suffering of the former students has collectively whole communities to suffer dysfunction. We have been trying to help individuals and communities heal and move forward. This is a set back, in the view of PKKA.
 35. If we are to make a break with the past, those responsible for such wrongful conduct must be brought before the law to answer for their actions.
 36. The costs of having to bring forward this non-disclosure should be borne entirely by the Defendants in the class action law suit. This continues to place more burden on our region, to have to fund legal proceedings with scarce resources. The IAP process is placing a heavy burden on our institutions and organizations and people, because there are so many claims arising from St. Anne's but the Federal Government is not paying additional funds for the extra work that has to be done. The Hospitals, mental health clinics, healing resources, are all stretched because the IAP deadline created an artificial deadline for people to confront their past abuse, and tell their stories. There are not enough trained healers or counsellors to address the needs arising in the communities.
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37. This serious non-disclosure has given rise to fresh feelings of rejection. People feel rejected and isolated again by the Canadian legal system as well as the Federal Government.
38. I am not being paid for my work and the additional efforts needed to address this additional wrongdoing and to ensure that all IAP claimants from St. Anne's are not left alone to prove to each adjudicator what has already been proven over and over during the past 20 years. There has been a miscarriage of justice if any one survivor has had his/her claim denied as a result of this non-disclosure about St. Anne's to adjudicators in the IAP process.
39. PKKA requests that the Court will ask for an independent, qualified person to review the St. Anne's cases to date for possible miscarriage in this regard.
40. I swear this affidavit to provide evidence to the Ontario Superior Court of Justice, for the IAP process, relating to the Ontario Provincial Police special investigation into sexual and physical abuse of children who attended at St. Anne's Indian Residential School and the resulting criminal charges/trials and convictions of former supervisors.

SWORNBEFORE ME at Ft. Albany, in
the province of Ontario, on August 26
, 2013.


Commissioner for Taking Affidavits


Edmund Metatawabin

TAB A

This is Exhibit.....A.....
affidavit of ...EDMUND METATAWABIN
sworn before me, this ...26th
day of ...AUGUST... 2013-


A COMMISSIONER FOR TAKING AFFIDAVITS

**ST. ANNE'S RESIDENTIAL SCHOOL
REUNION AND CONFERENCE**

**REPORT OF THE TESTIMONIAL/PANEL
COMPONENT**

FORT ALBANY FIRST NATION

AUGUST 20, 1992

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I INTRODUCTION

1. Terms of Reference

- a) Hearing and Recording the testimonials of Selected applicants.
- b) Being aware of the term "Residential School Syndrome".
- c) Provide a Summary Report of the Testimonials to the Chief and Council of the Fort Albany First Nation.
- d) Provide recommendations to the Fort Albany Chief and Council.
- e) Keep all information confidential.
- f) Ability to discuss the contents of the hearings and provide a future-oriented view to facilitate the healing of "past inmates" to provide positive environment for the newer generations.

II MEMBERSHIP

The names of the panel members are as follows:

1. Mr. Andrew Wesley, Chairperson; Executive Director, Kuuwanimano Child and Family Services, Timmins, Ontario
2. Ms. Barbara Montgomery, Co-Chairperson; Director, Alemotaeta, James Bay Community Mental Health Program, Moosenee
3. Mr. James Carpenter, Elder, Kashechewan First Nation.
4. Ms. Theresa Hall, Justice of the Peace, Cochrane Court.
5. Mr. Alex Spence, Moose Factory First Nation.
6. Mr. James Morris, Deputy Grand Chief, Nishnawbe-Aski Nation, Thunder Bay Ontario.

III SUMMARY

It should be noted, from the general information presented at the conference, that the purpose of the co-operative approach exercised by the Federal government and the churches in operating the Residential Schools was to assimilate the First Nations children into mainstream Canadian society and to Christianize them.

The church that operated St. Anne's Residential School maintains that, given the socio-economic condition of the First Nations at the time, the Residential Schools served a useful purpose; however, they acknowledge that, like any other system, the Residential School had its negative aspects.

The Panel members agree that good was served by the Residential School and that many people were helped. There were many good Priests, Brothers and Nuns who genuinely cared for their charges; however, the main concern of the Panel lies with those many children for whom the system went horribly wrong and who, as adults, are still suffering the negative effects of the Residential School syndrome.

For those children for whom the system went wrong, the picture was frighteningly similar:

- 1) They entered the Residential School as innocent children. As one person stated "We were like little flowers, but because of the Residential School, the flowers never fully blossomed."
- 2) The children were abused. They were abused physically, sexually, emotionally, mentally and spiritually.
- 3) In the aftermath, the effects of the abuse caused them to lose their spirit; they were unable to love or could not function sexually in the proper way, their marriages broke down, they physically abused their own children, they had low self-esteem, they hated themselves, they thought they were dirty, they sought refuge in alcohol and drugs, they attempted suicide, while some of their former classmates committed suicide.
- 4) After many years of suffering alone, some of the people interviewed have begun the journey to healing, but it is still a long and difficult road. For the people who disclosed abuse to the Panel at this conference, this was a very important step, taken after much anguish and doubt, and it is the first step to healing; however, some of the people who were interviewed

speaking of many others who are not ready to come in.

The Panel heard testimony from 30 individuals: 19 men and 11 women. They ranged in age from the mid-thirties to Elders.

Of the 19 men who gave testimony, 10 were sexually abused. Almost all of them were physically abused in other ways; spiritually abused, humiliated, strapped, hit with rulers, hair pulled and dragged by the hair, stabbed with a pencil, made to eat their vomit, etc, etc.

Of the 11 women who gave testimony, 2 were sexually abused. Almost all of them were physically abused in a variety of ways, including strapping, being made to sit in the electric chair, being made to eat their vomit, being made to kneel on concrete floors, locked away in dark basements, being wrongly punished for things they did not do, etc, etc.

What follows now are a few of the incidents which were related by the people who gave testimony to illustrate the type of physical and sexual abuse they suffered.

Several people talked about three boys who ran away from St. Anne's Residential School and never came back. To this day, it is not certain what happened to the boys. It was related that bones were unearthed by the old barn and sent to Ottawa for analysis, but no report ever came back.

Boys were lined up outside and sent into a room one at a time where their pants were pulled down, and their genitals were fondled, looking for disorders.

Boys were made to masturbate while they were watched.

One of the boys was sexually abused where the penis penetrated his anus. He was abused by another person. The abuse did not stop for a long time. He almost became an abuser himself.

Several men related how they were made to wear plastic skirts while they took showers and were sometimes fondled while they were in that state. The person watching them played the part of a voyeur.

A woman relates how she arrived at the school with three brothers and two sisters. Because she was the oldest and their parents had separated, she felt

responsible for the children. She could not understand why they were separated. She kept asking for one of his brothers for whom she was particularly concerned. Six months after their arrival, she was awakened by a person dressed in white with her head covered who told her that her brothered had died. She went with the person who took her to a room where she was raped by two men, who gagged her and tied her down. At dawn, she was discovered not being in her room and was strapped 20 times as punishment. She was told if she said anything about it again, she would be strapped 40 times. After four months, she discovered something funny about her stomach and was told she was going to have a baby. Three months after that, they took the baby away. She was taken to a room under the hospital. She does not know what they did with the baby. At that time, she hated the baby, but on this trip, the woman went to the room under the old hospital and said a prayer for the lost baby.

Several people talked about the electric chair that was used in the girls playroom. It seems odd how an electric chair can find its way into a Residential School; however, it seems to have been brought to the school for fun. Nevertheless, all the people who remembered the electric chair do not remember it in fun, but with pain and horror.

Several people described the incidents of throwing up into their porridge and then being made to eat their own vomit.

The straps are described as being red in colour and about an inch thick, and another strap that had metal rivets or nuts and bolts on it.

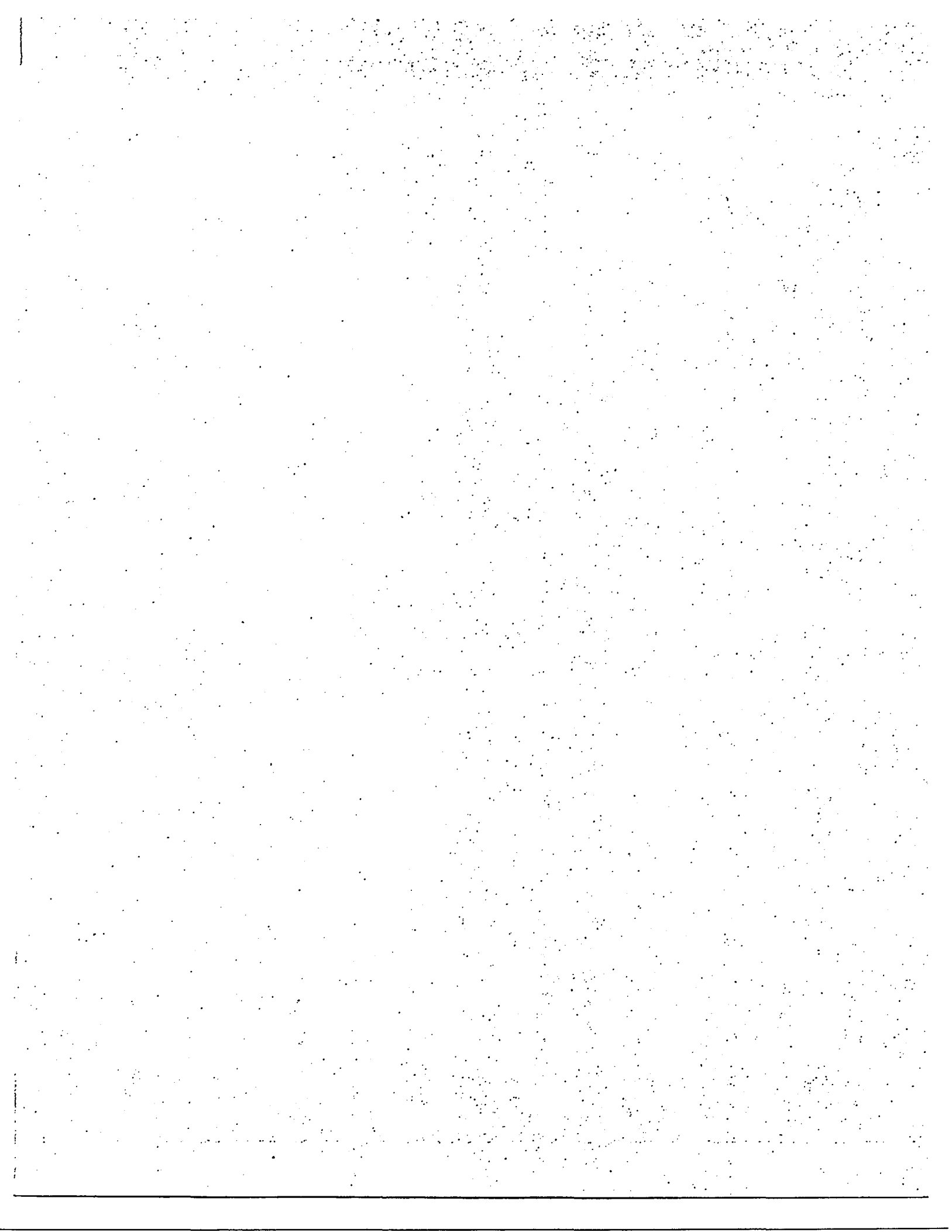
IV RECOMMENDATIONS

SHORT TERM

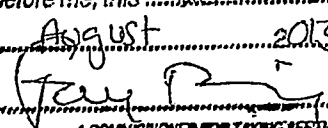
1. The case of the three missing boys needs to be investigated and dealt with immediately in the following manner:
 - a) The three run-away boys and the bones that were found near the old barn needs to be investiaged to determine if there is a connection between the two. Is it fact or is it a rumour?
 - b) The psycological impact on the families of the three run-away boys, who were never found and never given proper burials needs to be redressed.
 - c) A memorial gathering should be given for the three families of the lost boys, and all their relatives, to finally deal with their loss.Compensation should be provided to the families by providing financial assistance for the memorial or any costs associated with putting the bones to their final resting place.
2. All the individuals who gave testimony and disclosed physical, psychological, sexual or spiritual abuse need immediate attention. It was a profound and painful event for the victims to come forward and required much courage on their part. They must not be let down now. They must receive on-going counselling and healing to be determined before they leave the community.
3. The case of the electric chair needs to be clarified. While it appeared to have started as a toy, it was eventually used to terrorize the children, to the extent of fainting and memory loss.

LONG TERM

4. An independent Commission of Inquiry should be set up to look into the St. Anne's Residential School syndrome.
 - a) The people who gave testimony spoke of friends and other people who are not ready to disclose, they spoke of many other boys and girls who were physically and sexually abused and girls who were raped.
 - b) The Commission of Inquiry must have a process for the disclosure by other individuals who were physically and sexually abused.
 - c) The Commission of Inquiry must have a counselling and healing component to provide immediate attention to any victims who disclose at the hearings.
 - d) The leadership for the Commission should be a mix of Elders, former Residential School students who want to heal and any high profile figures who may wish to participate.
 - e) Compensation for the victims.
5. The role of the Federal Government and the Roman Catholic Church in the fates of the victims of abuse needs to be addressed, without rest. As a start, they could be asked to finance the Commission of Inquiry; however, the Commission should begin with or without the support of the Federal government or the church.
6. In the aftermath of the Residential School experience, many of the survivors went on to experience difficulty in providing proper parenting for their children, often passing the syndrome onto the next generation. To counter the effects of this syndrome, counselling services to provide training in parenting skills should be set up in every community where former students reside.
7. The Panel noted that the people who have made the most progress in their own healing processes are those who adopted their own beliefs, including those who went back to their traditional beliefs and practices.



TAB B

This is Exhibit B
affidavit of EDMUND Metatauban
sworn before me, this 26th
day of August 2013

A COMMISSIONER FOR TAKING AFFIDAVITS

St. Ann's Residential School
1992 Reunion and Keykaywin Conference

Summary Report

April 21, 1994

prepared by
Mary Anne Nakogee-Davis, Coordinator

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Introduction

In August 1992, after many months of planning, a conference was held in Fort Albany to discuss St. Ann's Residential School and its impact on its ex-residents and their communities. The theme of the conference was Keykaywin or the Path to Healing.

Almost 400 people attended including many ex-residents as well as members of their families. In addition, representatives from political and religious organizations took part in the conference.

This report is designed to provide its readers with an overview of the conference itself as well as basic information about the reasons it was necessary to hold the conference. In addition, it provides a summary of the recommendations and hopes that arose from the conference.

Fort Albany is an remote Cree village on the western shore of James Bay in Northern Ontario. It has a population of approximately 1200 people, a high proportion of whom are children and youth. The community has little economic activity and many residents rely on social assistance. Most people live on reserve and are part of the Fort Albany First Nation whose Chief and Council are the local government. The First Nation is part of the Mushkegowuk Council which includes representatives from the other area communities: Peawanuck, Attawapiskat, Kashechewan, Moose Factory and New Post.

From 1905, Fort Albany was the site of a residential school that was operated for the federal government by the Oblates of Mary Immaculate, a Catholic order of priests and brothers. Most of the teachers at the school were Oblates or members of the Sisters of Charity (Grey Nuns). The school provided accommodation and schooling for several generations of Native children, mainly from the James Bay area. It closed in 1975.

Over the years, many persons have expressed concerns about things that happened at St. Ann's. Former students stated that they and others had been the victims of physical, mental, spiritual and sexual abuse. They began to realize that this abuse had shaped their adult lives and had prevented them from becoming whole persons. They feared that what they began to call the "St. Ann's Residential School Syndrome" had affected their relationships with their own children to the extent that the syndrome was "passed on" to their offspring. They needed a great deal of healing. For some, this came from accepting their own traditional ways and beliefs.

The Fort Albany First Nation decided to explore what could be done to help the ex-residents of St. Ann's. The Chief and Council held a "mini-conference" in February 1992 which included a great deal of participation by community elders. Elders hold a special place in Native society. Everyone respects them for the teachings, counselling and advice they can provide.

At the mini-conference, Fort Albany's Chief Edmund Metatawabin stated that the elders were being asked to give their permission for the holding of a conference. After hearing from a number of victims of abuse, the elders replied that it would help the victims if the conference was held. They also felt that it was important that the children of the community attend the conference. They emphasized the need for the ex-residents and their children to not only learn what had happened to them, but also for them to recover their own traditions.

One elder said that the conference was not to put blame on the church and school but to learn about the abuse that had taken place and to take care of the needs of the victims. Another stated that he realized that social diseases in the community could be traced back to what had happened at St. Ann's. Several elders recalled their own experiences at the school. They acknowledged their gratitude to the church for the education they had received. At the same time, they noted its negative impact on their culture and their family life. Several noted how younger people had lost their language and their traditions through attendance at residential school. Elders also commented on how younger people lacked knowledge of how to work in intimate relationships.

Planning began for a major conference that would bring together many ex-students, their families, former staff as well as Native traditional healers and other resource people. A coordinator was hired and various government, business and church organizations were asked to contribute towards the cost of the conference.

In addition to financial contributions, many people volunteered their time and the use of their homes and equipment. Security, kitchen and shower facilities as well as local transportation were largely donated by members of the Fort Albany community.

The conference would not have been possible without the work of many people. To them a great deal of gratitude is owed for taking part in a very stressful event. Whether they worked as translators, technicians, workshop leaders, sacred fire tenders, office staff, drivers, healing circle leaders, speakers, security officers, panel members or counsellors they all made a major contribution.

The contributions of the entire community to the conference cannot be exaggerated. To present a program for 400 people in a small and remote village is simply not possible without the wholehearted cooperation of the entire community and its leaders.

The Keykaywin conference was an intense experience for its participants. It included many activities and this report provides only an outline of what happened there. The organizers hope that coming to Keykaywin helped many of the ex-students of St. Ann's to move further along their personal roads to recovery. For some, attending made them realize, for the first time, the extent of the problems they faced as a result of the years they or their parents had spent in the residential school.

Objectives

The residential school conference was held to meet many objectives, including:

- 1 To bring all ex-residents together at the original site of the St. Ann's Residential School System;
- 2 To better understand the background of St. Ann's and why its students were placed in an institutionalized and demoralizing system and to determine how we can ensure that something like this will never happen again;
- 3 To facilitate the healing process by providing an opportunity for the ex-residents to visit the site, vocalize their feelings and meet with other ex-residents and staff;
- 4 To encourage through the conference, the putting into words of the feelings, dreams and trauma that each participant had at some time during her or his life and to help provide insight in present emotional problems;
- 5 Through the testimonial component, to enable the participants to come to grips with the past by remembering it as it really happened with the help of others. This will help to end the isolation suffered by the victims and will be a key factor in recovery;
- 6 To provide forums for testimonials that will inform the public and generate understanding on the effects of the residential school system on the socialization of the ex-residents;
- 7 To provide an opportunity, through discussions and presentations, to complete the circle for many people and to help them start thinking forward;
- 8 To build understanding of different types of abuse (women, elders, children, sexual) and their effects on the social adjustments of individuals;
- 9 To develop proposals for a better mental, health and education system resulting from past experiences.

General Evaluation of the Conference

There are various sources of evaluation for the conference. These include the comments made at its conclusion by several speakers including Justice of the Peace Theresa Hall. She said that no healing would have started without the opportunity the conference gave for people to speak about what had happened to them. She recognized that the road to healing is a long and difficult one and asked people to pray. Theresa asked them to pray not only for the victims and their families but also for the government and the church so that they might be given guidance "to walk with us in the healing process, only then can we become one family under the guidance of the Great Spirit".

Grand Chief Bentley Cheechoo of the Nishnawbe-Aski Nation, himself a residential school survivor, told the conference that he knew their pain, that no one could be forgiven until they acknowledged the harm they had done and that he accepted the recommendations given by the panel. The Grand Chief said that he would like to work with the victims, the Native community, the church and the government to put the recommendations into place.

During several of the healing circles, participants discussed the conference. They said that it had helped them and they saw it as the place where they had started their healing but that they needed support in the future for their healing to continue.

The Keykaywin conference was definitely successful in that it provided an opportunity for a large number of ex-residents and their families to meet together in an atmosphere of trust where they could discuss what had happened to them and begin to heal. It will take years before a final evaluation can be done because the process of healing is not a short one.

One source of regret for many at the conference was the fact that none of the former staff of the residential school attended. The organizers had invited several of them in the hope that they could participate in the conference and begin their own healing.

Panel Hearings

A six person panel was created to hear the testimonials of ex-residents. The panel consisted of:

Andrew Wesley, *Panel Chairperson, Executive Director, Kunuwanimano Child and Family Services, Timmins;*

Barbara Montgomery, *Panel Co-Chairperson, Director, Alemotaeta: James Bay Community Mental Health Program, Moosonee;*

James Carpenter, *Elder, Kashechewan First Nation;*

Theresa Hall, *Justice of the Peace, Cochrane;*

Alex Spence, *Moose Factory First Nation;*

James Morris, *Deputy Grand Chief, Nishnawbe-Aski Nation.*

The panel members served under the following terms of reference:

- 1 Hear and record the testimonials of selected ex-residents;
- 2 To become aware of the Residential School Syndrome;
- 3 To provide a summary report of the testimonials to the Chief and Council of the Fort Albany First Nation;
- 4 Provide recommendations to the Fort Albany Chief and Council;
- 5 Keep all information confidential;
- 6 Maintain an ability to discuss the contents of the hearings and provide a forward looking view to facilitate the healing of the ex-residents in order to build a positive environment for future generations.

The panel prepared a summary report based on the thirty testimonials that were heard. These were from 19 men and 11 women. Ten of the men had been sexually abused as had two of the women. The abuse included being forced to masturbate while being watched, being the victim of anal intercourse, being fondled in genital areas and being raped. One woman told the panel of becoming pregnant after being raped in the school and, ultimately, having her baby taken away.

Almost everyone had been physically abused, humiliated and spiritually abused. Some of the physical abuses described included being stabbed with a pencil, made to eat vomit, forced to kneel for hours on concrete floors, being locked in dark basements, being punished for things not done, being dragged by the hair and being subjected to electrical shocks in an "electric chair".

Several of the ex-residents spoke movingly of three boys who ran away from the school and who never came back.

Four counsellors were available to help people after they gave their testimonies. This facility was extremely important. People who testify about their abuse often feel that they are extremely vulnerable and fragile afterwards and must have support available.

The panel concluded that:

"...the purpose of the co-operative approach exercised by the Federal government and the churches in operating the residential schools was to assimilate the First Nations children into mainstream Canadian society and to Christianise them."

"The church that operated St. Ann's Residential School maintains that, given the socio-economic condition of the First Nations at the time, the residential schools served a useful purpose; however, they acknowledge that, like any other system, the residential school had its negative aspects."

"The panel members agree that good was served by the residential school and that many people were helped. There were many good priests, brothers and nuns who genuinely cared for their charges; however, the main concern of the panel lies with those many children for whom the system went horribly wrong and who, as adults, are still suffering the negative effects of the residential school."

The panel made the following recommendations:

Short term

- 1 The case of the three missing boys needs to be investigated and dealt with immediately;
- 2 All of the individuals who testified and disclosed abuse need immediate attention.
- 3 The case of the electric chair needs to be clarified. While it appeared to have started as a toy, it was eventually used to terrorize the children, to the extent of causing fainting and memory loss.

Long term

- 1 An independent commission of inquiry should be set up to look into the St. Ann's Residential School Syndrome. Many of the testifiers spoke of others who had been abused but were not yet ready to disclose. The commission must have a counselling and healing component and should be lead by a mix of elders, former students and political leaders;
- 2 There needs to be compensation for the victims;
- 3 The role of the government and the church needs to be addressed, without rest. As a start, they could be asked to finance the commission of inquiry. However, the commission should begin with or without their support;
- 4 Counselling services to provide training in parenting skills should be set up in every community where former students now reside. Many of the survivors recounted their difficulties in caring for their children and believed that they had passed the syndrome on to the next generation;
- 5 Finally, the panel noted that the people who had made the greatest process in their own healing were those who had adopted their own beliefs, including those who returned to traditional beliefs and practices.

Healing Circles

Many of the ex-residents attended a healing circle each evening at the conference and during the pow wow that preceded it. These were held to assist them with their healing. To make sure that everyone had a comfortable place to go, different circles were held for men, women, youth and elders as well as mixed circles. The circles lasted for periods of five to eight hours. They were held in rooms in the school as well as in homes.

Healing circles provide a form of group therapy. In the group, each member benefits from the experiences of each of the others. People in a group who have already begun their own healing can give a lot of help to everyone there. This is particularly true with elders.

Each circle has a leader who is responsible for opening the circle with a prayer, explaining what will take place and ensuring that everyone has a chance to speak. An eagle feather is passed around the circle from one speaker to the next. While a person holds the feather, no one else may speak.

One feature of a healing circle is its freedom from destructive criticism. People are free to make their disclosure without fear of negative comments. In addition, the circle leader does not attempt to force participants into speaking about matters until they are ready to speak about them.

Ex-residents spoke of their experiences at St. Ann's. For most, this was very painful. The circles provided a safe place for the disclosure of abuse and its aftermaths. Many participants spoke of the problems they had experienced since attending the school. These commonly included a lack of self-esteem, alcoholism, domestic violence, marriage break down and a lack of parenting skills. Often, ex-residents felt their children were victims of the residential school due to the ex-students' problems as parents and spouses.

Speakers

The conference was privileged to have addresses by a variety of political and professional individuals as well as ex-residents. For many of the speakers, appearing before the conference was tantamount to making public disclosure of their own abuse in the school. The courage that they displayed in doing this will never be forgotten by anyone who was present.

One of the keynote speakers was Dr. Brian Titley of the University of Lethbridge who spoke about "The Church and Indian Residential Schooling". His talk covered the whole residential school system that was set up by the federal government and the churches and traced its development from the earliest days until the system was shut down. He included quotations from various church officials which showed their attitudes towards Native people and their way of life. Fundamentally, they admitted "unapologetically that the Oblate mandate included trying 'to change attitudes and practices which impede the acquisition of Christian virtues.'"¹ He concluded by stating, "It was clear that neither Church nor State was prepared to deal honestly and openly with this problem. There was to be no question of responsibility, or of compensation -- however that might have been devised. Both bodies were primarily interested on continuing to pose as defenders of native rights and to counteract what Father Blanchette described as 'excessive media attention.'"²

Nishnawbe-Aski Deputy Grand Chief Jim Morris spoke about the possible connections between suicide and the residential schools. He also recalled a friend from his own days in a residential school, a boy who died from exposure after he ran away. Today, his family believes that the boy had been a victim of abuse. The Deputy Grand Chief emphasized the need for both disclosure and for a support system for those who disclose.

The then newly appointed Bishop of the Catholic Diocese of Moosonee, Vincent Cadieux, told the conference, "It is troubling and painful to hear these stories. At times I would have preferred not to have heard these. But I know that it is better for those who bear scars to reopen them and let the poison out so that the wound may be healed, even though this experience may hurt or be painful." He noted that the people of the First Nations had rich traditional values and that the church needed "to learn to respect these values which are sacred to your peoples...I feel that native spirituality will be an important element in the whole process of rebuilding the presence of the Church among the Native peoples."

¹Titley, Brian, The Church and Indian Residential Schooling, speech to conference August 1992 at p. 16 including quotation from Levaque, Yvon OMI, The Oblates and Indian Residential Schools in Huel, Raymond, editor Western Oblate Studies 1, Edmonton, Western Canadian Publishers, 1990, pp 181-91.

²supra, p. 17.

Ogoki Chief Elijah Moonias started his speech by noting that "There is no doubt our community is seriously dysfunctional." He listed many of the social problems that existed there and said, "It would seem that the destructive behaviour of our people in our communities is a symptom that is passed on from the residential school generation. Alcoholism or drug addiction is a condition that appears to be prevalent among these who attended these schools; the outcome being dysfunctional families and hence dysfunctional communities, involving sexual abuse, family violence, suicide, sexually transmitted diseases, etc."

Chief Edmund Metatawabin of Fort Albany spoke on "The Abused Child". He explained the meaning of Keykaywin: The Road to Recovery and examined the impact of abuse on children. Chief Metatawabin closed the conference with another speech. He commented on the parallels between the weather and the spirits of the people who attended. "At the beginning of the conference, the first day, it was cold, dark and gloomy -- this was our spirit. We were confused, heavy with pain ... The days started getting brighter, the beautiful days reflected that we were getting lighter after talking about our experiences."

Sam Achineepineskum recalled how he felt when his parents brought him to the school at age eleven. He believed that his parents sent him because they saw him as a nuisance - someone they wanted out of the way. Once at school, he quickly had problems due to his lack of knowledge of English. This caused many problems for him. He found the atmosphere alien. He was not used to rules other than the rule to respect his parents. Before he went to the school, his parents found him to be someone who could express himself - he was someone with an opinion. When he came back he appeared withdrawn to his parents and did not seem able to express his feelings. Sam said that people needed to find ways to start healing and was glad that the conference had been held to provide a start for this.

Other speakers discussed their experiences in the school and one described how it felt to send her own children to the residential school. Common to all of these speeches was emphasis on the importance of preserving and regaining traditional culture. The fact that the schools had discouraged the use of Cree and Native traditions was seen as a form of cultural abuse. Some of the speakers recalled particularly painful experiences which still affected today, decades after they left St. Ann's. These included not only obvious examples of abuse but also feelings of loneliness, isolation from family (even from siblings who were attending the school at the same time), hunger, fear, confusion due to lack of comprehension of what was expected, shame, hatred, perceived abandonment by parents and a lack of personal privacy and dignity. It was very hard for some to deliver their speeches as their words brought back painful memories.

Workshops

The Keykaywin conference included a large number of workshops. Their primary purpose was to provide general information on topics of relevance to conference participants. Each workshop included a one hour lecture followed a healing circle that focussed on the lecture topic.

For example, one of the workshops was on the topic of "Child Sexual Abuse". The speakers discussed what a child experiences after he or she has been a victim of sexual abuse. One of them did this from the perspective of someone who had been a victim of this type of abuse. Basic information on the types of people likely to commit abuse, the sorts of prevention and intervention programs that worked best and the resources available in the Mushkegowuk communities was also presented.

Workshops were presented on the following topics:

- 1 Expressing or Repressing Anger
- 2 Residential School Syndrome
- 3 Cultural Fragmentation/Urban Living
- 4 Child Sexual Abuse
- 5 Healing Abuse
- 6 Exploring Other Types of Abuse: Physical, Emotional, Mental, Spiritual
- 7 Developing Self-Esteem in Children and Adults
- 8 Elders Workshop
- 9 Where Are We Now?
- 10 Identifying Existing Resources

Summary of Activities

Monday, August 17, 1992

Organizational meetings and registration

Opening ceremonies

Panel hearings

Speakers

Alex Spence, *History and Development of St. Anne's*
 Deputy Grand Chief Jim Morris, *Impact of the Residential School/Suicides in Northern Ontario*
 Dr. Brian Titley, *Policy of Residential Schools/Beliefs of the Church*
 Tommy Mattinas, *An Elder's Response: Dealing with the Past*
 Chief Elijah Moonias, *Dealing with the Abuse*

Social events

Healing circles

Tuesday, August 18, 1992

Speakers

Elizabeth Achineepineskum, Angela Shisheesh, *My Experiences at St. Anne's*
 Pauline Hunter, *The Story of a Mother Sending Her Children away to a Residential School*

Workshops

Mary Anne Nakogee-Davis, Angela Shisheesh, *Expressing or Repressing Anger*
 Luke Gull, Elizabeth Metatawabin, *Residential School Syndrome*
 Nicola Wheesk, Helen Wheesk, Margaret Wheesk-Cooper, Sandra Carr, *Cultural Fragmentation/Urban Living*
 Elders Workshop

Keykaywin Conference 1992 Report

Panel Hearings

Display

Photographs from St. Anne's

Healing Circles

Wednesday, August 19, 1992

Speakers

Chief Edmund Metatawabin, *The Abused Child*
 Andrew Wesley, *Understanding Abuse*

Workshops

Michael Sutherland, Stella Hookimaw, *Child Sexual Abuse*
 Russell Achineepineskum, Frank Achineepineskum, *Healing Abuse*
 Rita Scott, Ernest Kwandibens, *Exploring Other Types of Abuse: Physical, Emotional, Mental, Spiritual*
 Madeline Robinson, Micheline Edwards, *Developing Self-Esteem in Children and Adults*
 Elders Workshop

Speakers

Sammy Achineepineskum, *Story of a Child Leaving Home to Attend St. Ann's School*
 Emma Echum, *Experiences in Other Residential Schools*

Panel Hearings

Kashkun in Concert

Thursday, August 20, 1992

Speakers

Bobby Sutherland, *Toward a Healing Process*
 Bishop Vincent Cadieux, *The Church's Response*

Keykaywin Conference 1992 Report

Workshops

Louis Bird, Mary Anne Nakogee-Davis, Elizabeth Metatawabin, *Where Are We Now?*
Fred Wesley, *Identifying Existing Resources*

Panel Hearings

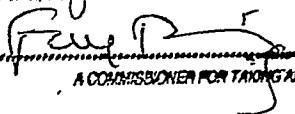
Report from Panel

Closing Speeches

Grand Chief Bentley Cheechoo
Chief Edmund Metatawabin

TAB C

This is Exhibit.....C.....
affidavit ofEDMUND METATEWHA
sworn before me, this26th.....
day ofAugust.....2013.


A COMMISSIONER FOR TAKING AFFIDAVITS



MUSHKEGOWUK COUNCIL

P.O. BOX 370
MOOSE FACTORY, ONTARIO POL 1W0

PHONE (705) 658-4222

FAX (705) 658-4250

February 27, 1997

Mr. Ed Metatawabin
President
Peetabeck Keway Keykaywin
(Survivors of St. Anne's Residential
School) Association
Fort Albany, Ontario
POL 1H0

FAXED
2/27/97

Dear Ed:

On behalf of the Board of Chiefs, I wish to thank you for your presentation on February 19/97.

Although I was not in attendance due to flight delays, I understand that the Chiefs are in support of your association continuing the work to enable the necessary healing of the past members of St. Anne's residential school. Following is the motion which was passed at this meeting:

Moved by Chief Ernest Beck and seconded by Chief Oliver Wesley that Mushkegowuk Council gives Peetabeck Keway Keykaywin Association the recognition and political support to continue negotiations on the healing process with the federal and provincial governments and the Catholic Church. Further that Mushkegowuk Council will provide the role of a sponsoring agent as required. All in favour. Motion carried.

Please feel free to call if you have any questions.

Sincerely

Ernie T. Sutherland
Interim Chairperson

MUSHKEGOWUK COUNCIL
ASSEMBLY RESOLUTION

RESOLUTION NO. 1993-04

MOVED BY:


Leo Loone
Fort Albany First Nation

SECONDED BY:

Jonathon Solomon
Kashechewan First Nation

Adopted by Consensus

Certified copy of
Resolution adopted on
September 16, 1993



Stan Routtit
Chairman
MUSHKEGOWUK COUNCIL

September 16, 1993
Thomas Cheechoo Jr.
Memorial Complex
Moose Factory, Ontario

Subject: Support for Petabek-
Keywaywin: Association of Former
St. Anne's Residential School
Students

WHEREAS Mushkegowuk Council is
concerned about the problems of
the victims of St. Anne's
Residential School;

AND WHEREAS Mushkegowuk Council
believes it is important to
support the association of the
victims of the school, known as
Petabek-Keywaywin;

AND WHEREAS the members of
Petabek-Keywaywin have expressed
the need for counselling support
to deal with the aftereffects of
their schooling;

THEREFORE BE IT RESOLVED that a
full time traditional counsellor
and a full time professional
psychologist are needed to
support the needs of the members
of Petabek-Keywaywin;

AND BE IT FURTHER RESOLVED that
Medical Services Branch (under
the co-ordination of Richard
Jock) is hereby requested to make
funds available to hire needed
counsellors.

**MUSHKEGOWUK COUNCIL**P.O. BOX 370
MOOSE FACTORY, ONTARIO P0L 1W0

PHONE (705) 658-4222

FAX (705) 658-4250

MUSHKEGOWUK COUNCIL
SIXTH ANNUAL ASSEMBLY
RESOLUTION

RESOLUTION NO. 1991-10

MOVED BY:

William Sutherland
Kashechewan First NationSubject: Fort Albany Reunion

WHEREAS the effects of Residential Schools to the personal socialization process of individuals can still be felt;


SECONDED BY:

Chief Norm Wesley
Moose Factory First NationWHEREAS some of these effects of the Residential School Syndrome can be listed as:
a) poor social adjustment; b) weak parental skills;
c) cultural discontinuity, meaning the social, mental and psychological development developed in a vacuum due to the absence of parents and other proper adult guides;

Adopted by consensus

Certified copy of a
Resolution adopted on:
August 22, 1991

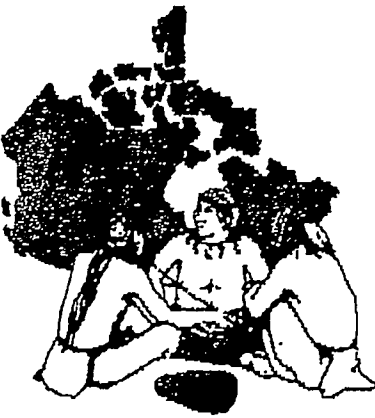
WHEREAS the traditional extended family structure came under severe stress and the future oriented direction from Elders has been diminished;


Alex Spence
Chairman

WHEREAS the healing begins with visiting the original site and facilitating the process of "testimonials" in front of a recognized panel of experts;

August 22, 1991
New Post Reserve

THEREFORE BE IT RESOLVED that Fort Albany First Nation proceed with their plans to host a Reunion of all students who were at one time "inmates" of the St. Anne's Residential School system, in August of 1992.



National Indian Brotherhood

ASSEMBLY OF FIRST NATIONS

HEAD OFFICE:

TERRITORY OF AKWESASNE, HAMILTON'S ISLAND
SUMMERSTOWN, ONTARIO K0C 2E0
TEL.: (613) 931-1012 FAX: (613) 931-2438

XIIIth ANNUAL CHIEF'S ASSEMBLY RESOLUTION

No. 23/92

MOVED BY:

Chief Del Riley
Chippewas of the Thames
First Nation, Ontario

SUBJECT: RESOLUTION NO. 25/90 - REDRESS FOR
THE HARMS INFLICTED BY THE
RESIDENTIAL SCHOOL POLICY

SECONDED BY:

Chief Harry Nyce
Gitwinksihlkw First
Nation, B.C.

WHEREAS the Assembly of First Nations has
passed Resolution No. 25/90 "Redress for the
Harms Inflicted by the Residential School
Policy" in Assembly on December 11, 1990; and

WHEREAS many First Nations peoples attended
residential schools and suffered physical,
psychological and sexual abuse; and

ADOPTED BY CONSENSUS

WHEREAS the residential school system was one
of many attempts to destroy First Nations
languages, culture and traditions; and

WHEREAS the effects of residential schools are
inter-generational and extensive; and

Certified copy of a
Resolution adopted on
June 24, 1992
Fredericton, N.B.

WHEREAS the Assembly of First Nations has been
empowered to seek action to deal with the
areas falling under the resolution,

THEREFORE BE IT RESOLVED THAT the Assembly of
First Nations pursue a three-part strategy
consisting of:

Ovide Mercredi
National Chief

1. the development of a national framework
to enhance the provision of appropriate
healing processes for residential schools
survivors of abuse; and

BRANCH OFFICE:

55 MURRAY ST., 5TH FLOOR, OTTAWA, ONTARIO K1N 5M3 TEL.: (613) 238-0873 FAX: (613) 238-5780

XIIIth ANNUAL CHIEFS
ASSEMBLY RESOLUTION

- 2 -

No. 23/1



June 24, 1992
Fredericton, N.B.

2. implementing a process by which historical record can document the ab experiences by former residential school students; and
3. to establish a compensation mechanism that would include the need to rebuild and repair personal, cultural and linguistic capacities arising from the wrongs caused by the residential school system.



MUSHKEGOWUK COUNCIL

Box 370

Moose Factory, On. P0L 1W0

Tel: 705-658-4222

Fax: 705-658-4250

June 15, 2000

Attawapiskat
First Nation

Alternative Dispute Resolution Group
St. Anne's Residential School Survivors Association
General Delivery
Fort Albany, Ontario
P0L 1H0

Kashechewan
First Nation

Dear Sir/Madam:

Fort Albany
First Nation

The processes of Mediation or Alternative Dispute Resolution are better understood by the membership of the Mushkegowuk people of western James Bay. It is equivalent to what they may have used in the past to settle grievances among themselves.

Moose Cree
First Nation

In 1994 the Elders advised Pectabeck Keway Keykaywin Association (the St. Anne's Residential School Survivors association) to seek alternate ways of resolving the legacy left behind by the abuses suffered in residential school. They further sought the help of the government and the church by saying that for true reconciliation to happen, the parties that inflicted the pain must acknowledge the harm done and work with the victims towards restoration.

New Post
First Nation

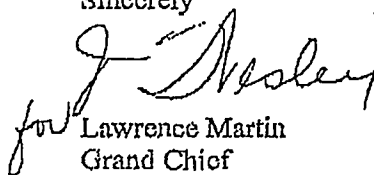
Chapleau Cree
First Nation

The St. Anne's Residential School Alternate Dispute Resolution Pilot Project has the potential to find 'restoration and reconciliation', for the survivors, in partnership with the government and the Catholic Church. The representation of the Association have decided to try the ADR process over the more destructive litigation route.

Missinabic Cree
First Nation

We, the Mushkegowuk Council, encourage the Alternate Dispute Resolution Group to continue working on the process and show the people and especially the survivors, that solutions are possible through communication. We hope to see positive results very soon.

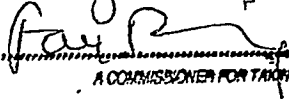
Sincerely


Lawrence Martin
Grand Chief

c.c. Government of Canada
Catholic Church

Justice Canada
PKKA

TAB D

This is Exhibit.....D.....
affidavit ofEDMUND MECHTOWSEN
sworn before me, this26th.....
day ofAugust.....2013.....

A COMMISSIONER FOR TAKING AFFIDAVITS

OPP SPECIAL INVESTIGATION OF ST. ANNE'S RESIDENTIAL SCHOOL

ANTICIPATED EVIDENCE OF D/C GREG DELGUIDICE

Telephone call: April 26, 2013

The following are the recollections only of D/C Delguidice. In attendance on the conference call was Norm Feaver, legal counsel with the Ministry of Community Safety and Correctional Services. D/C Delguidice has very limited OPP documentation at this stage, and he does not have access to or possession of the court documents. These are his recollections, if any, and are subject to what is contained in the OPP documentation.

1. You are currently a Provincial Constable assigned to the Cochrane detachment?
 - Detective Constable assigned to Cochrane detachment
2. November 22, 1992, you were seconded to the #15 District Criminal Investigations Unit for the purposes of investigating allegations of physical and sexual abuse at St. Anne's residential school (reference to his statement in the crown disclosure brief in the Daniel Wheesk material).
 - yes
3. St. Anne's was not operating as a residential school in 1992?
 - correct
4. How did the OPP investigation arise?
 - Then Chief Ed Metatawabin (FAFN) entered police office: he advised police of the allegations of abuse made by people during the St. Anne's school reunion. D/C Delguidice not personally in attendance at that time.
 - During the summer of 1992; St. Anne's school reunion in Ft. Albany. Stories came out about operation of the school that could constitute criminal activity.
 - Process: There were a few of us from around District #15, that when allegations of abuse at a school came out, OPP command staff put together a team, figuring it could be another institutional historical abuse case. This was the 3rd such institution raising allegations of historical abuse (Mt. Cashel in Nfld. and Alfred Boys School in Ontario.) Not sure how many original complainants were disclosed to staff through Chief Metatawabin. South Porcupine. District 15. Team brought together from other detachments. Four investigators and one detective sergeant.

- People coming forward with their stories. When we investigated, we would talk to someone whose name was provided. Line of follow up. Witnesses' names would be given. Names of others whom they witnessed aggression against. Interviews grew that way.
 - Sometimes in small community like Ft. Albany, people would knock on the door and say that "I hear you are here for the St. Anne's investigation and I would like to talk to you." Normal word of mouth means of communication in the North.
5. School building still was standing in 1992 in Ft. Albany?
- Yes.
6. Certain citizens came forward with information to the OPP about sexual and/or physical abuse; what would be done to record the information?
- Would create documentation
 - Like any case management system (just developing a newer computer program). We documented things into the computer program designed to provide case management.
 - Daniel Wheesk documentation is an example of the documentation created by the OPP to record the information given to the OPP.
 - Intake information on officer notes. Input the information into computer.
 - Policeman would handwrite the statement. The witness would have chance to go over it and sign it. Gave the person the option to have the statement read back to them. Some wanted to read it themselves. Then, the person would sign the statement with any corrections.
7. The people interviewed were formerly students at St. Anne's, while they were children?
- Yes. For most part.
 - Approximately 992 statements from about 700-750 people were taken by OPP.
8. Generally, the people interviewed as witnesses/victims, were children when the abuse happened to them at St. Anne's?
- Yes. No statutory limitation for any sexual abuse. Crown must proceed by indictment. More serious type of charge, than if proceeds summarily.

Limitation period of 6 months to proceed summarily, so given nature of historical allegations can only proceed by indictment.

9. How did people know they could provide their information to the police?
 - Chief Metatawabin
 - Attendance at police station and word of mouth
 - Not aware of any official announcements in the communities.
10. Who was the crown prosecutor?
 - Original Crown was Martin Lambert. After investigation had been underway for a while, it was assigned to special prosecutor—Diana Fuller. She was in Sudbury at the time.
11. Over what period of time were former students interviewed?
 - 1992 to 1997 and perhaps after the charges were laid.
 - Cannot recall if more people came forward after the charges were laid.
 - Other people have called the OPP since the criminal trials ended, but after all the years of interviews and 2 years in court, there has been no more investigation by OPP.
 - About 1.5 years ago, someone called OPP and asked to provide information about abuse. OPP investigation all closed. Told the person to talk to NAPS in Ft. Albany, who could determine where to lay any charges. [Jurisdiction was transferred to NAPS after 1997.]
12. People interviewed were residing mostly in the James Bay coastal region?
 - Majority still resided there. Had to travel elsewhere in the province to interview people.
13. Were the interviews recorded in any fashion (written, oral, video?)
 - Written and signed statements as per the example of Daniel Wheesk's file; information input into computer system.
14. Search warrants were issued by the court and several thousand documents were taken into possession of OPP for review
 - St. Anne's residential school no longer operated when the special investigation was underway. There was still the old building in Ft. Albany. No documents were located there.

15. Documents obtained by OPP related to the operations of the school while it was operating as an Indian residential school?
 - yes
16. Any documents found on the school site itself about operation of the school?
 - No.
17. Documents were kept by OPP? Where are they now?
 - Orillia, Ontario. All the crown briefs for any charges proceeded with may still be in existence there
 - Items were received under search warrants or through FOI requests; about 7000 documents were itemized and catalogued. Took a year to catalogue the documentation seized or gathered. After cataloguing all obtained records and documents, only those records and documents germane to the investigation were kept. The rest were returned to their owners. The items found to be germane to the investigation were used in moving forward. At the end of the criminal proceedings, if records or documents were not entered by the Crown as an exhibit, we returned those records or documents to their owners. Upon expiration of court processes and appeal periods, those records and documents entered as exhibits were returned to D/C Delguidice by the courts, and he made arrangements to have them returned to the original owners.
 - Those 7000 original documents, vast majority not in Orillia, as originals were returned. There were copies of some obtained records made by OPP for inclusion in Crown Briefs. There are only copies left in Orillia, not originals.
 - Documentation was itemized and catalogued.
18. Attendances in Montreal and other cities to gather documents in the possession of the Catholic Church about St. Anne's or the former supervisors who were under investigation?
 - Yes. For records/documents pertaining to operation of the school and the former supervisors.
 - Documents were seized in Montreal and other cities from the Catholic Church.

- *Norm Feaver: He cannot get to sources of information for the warrants. Cannot say if information from those sources factored into the criminal charges.*
 - Search warrants were issued in Ottawa, Montreal, Moosonee, and Ft. Albany for seizure of evidence by OPP.
 - As soon as the trials were finished, they became a matter of public record. Anyone can go to whichever court house where a charge was filed for a transcript of a trial. If there were exhibits, a record of their introduction into evidence would be available for inspection although all exhibits were subsequently returned.
19. So the Catholic Church authorities became aware that the OPP were doing a criminal investigation of the operation of St. Anne's while it was a residential school?
- Yes. Cannot identify the person.
20. Any documents from the Federal Government? If so, from Ottawa? What department?
- Yes. Federal archives.
 - Generally, did not alert people to what the nature of the investigation was, which is normal police procedure.
 - FOI requests to the Federal Government, not search warrants.
 - D/C Delguidice cannot say if any federal government official was notified about the criminal investigation of St. Anne's.
21. So the OPP gathered oral and documentary evidence over about 5 years, and then started to lay charges against all these former supervisors, who were adults when the victims had been children at the residential school? See Globe and Mail article Sept 19, 1997.
-

- a. Anna Wesley of Moosonee
 - yes
 - b. John Moses Rodrique of Timmins
 - yes
 - c. Claude Lambert of St. Andre-Avellin, Quebec
 - yes
 - d. Claude Chenier of Aylmer, Quebec
 - yes
 - e. John Cushing of Kitchener, Ontario
 - yes
 - f. Marcel Blais of Ottawa
 - yes
 - g. Jane Kakeychewan of ??
 - Yes; D/C Delguidice does not recall where she was residing at the time.
22. Was the Federal Government ever made aware of the charges, to your knowledge?
- I don't know.
 - Did not see any federal government official attend at any of the trials.
23. To your knowledge, since the class action settlement or even before, has the Federal Government sought to review or obtain the OPP documents, housed in Orillia in Criminal Investigation Division?
- Not that I am aware of.
24. Some former students who had been interviewed, were told that their evidence would not be sufficient to proceed with criminal charges?
- Crown privilege as to who was charged or not. Cannot say what witnesses/complainants were told.

25. The Attorney General of Ontario made the decision who would be charged and with what?

- When criminal allegations arise: the OPP conduct an investigation. In special cases, they consult with the Crown's office. A decision whether to proceed with prosecution or not will lie with Crown Attorney's office. A decision whether to lay a charge/swear to an information rests with the police.
- In the normal course, police conduct an investigation and decide whether there are reasonable and probable grounds to believe an offence has been committed. If so, a charge may be laid/information sworn to by the investigating officer. The Crown Attorney has the ultimate decision whether to proceed with prosecution of criminal charges. If the Crown, after having reviewed the matter, decides there is no reasonable prospect for a conviction, the Crown Attorney can withdraw or stay the charges. In special cases such as this investigation, consultation between the Crown Attorney and investigators took place in order that the Crown is aware of each allegation made, and whether there was a reasonable prospect of a conviction for each allegation. The Crown decided which allegations had a reasonable prospect of conviction, and the investigative team opted not to lay charges in the matters of allegations which the Crown felt had no reasonable prospect of a conviction.
- Norm Feaver: Burdens are different for police: reasonable and probable grounds to lay a charge as opposed to reasonable prospect of conviction for the Crown
- If there are issues of evidence or historical abuse, as here, then OPP work collaboratively with the Crown to determine if and when charges are going to be laid.
- There was prior consultation with the Crown before these charges were laid.

26. There was no class action law suit in 1997 that you were aware of for Indian Residential schools? Was there any civil law suit you were aware of in 1997 against St. Anne's?

- These citizens came forward and provided information to the OPP when there was no known litigation or prospect at that time of making money that I'm aware of.

27. By 1997, were any allegations against former supervisors at St. Anne's that might have led to criminal charges but they were already dead?

- Yes.
28. So there were some former supervisors still alive, against whom there were allegations, but charges were not laid against all the former supervisors still alive in 1997?
- *Norm Feaver: not able to answer that – Crown privilege*
29. In the almost 1000 interviews that were conducted, were there any documents seized that recorded physical abuse of former students of St. Anne's while it was operating as a residential school?
- No letters or memos from the time that recorded the abuse.
30. In the almost 1000 interviews that were conducted, were there any documents created by OPP that recorded sexual abuse of former students of St. Anne's while it was operating as a residential school?
- Yes.
31. In the almost 1000 interviews that were conducted, were there any documents created by OPP that recorded physical abuse of former students of St. Anne's while it was operating as a residential school?
- yes
32. Physical abuse:
- a. Physical beatings using a whip that had about 4 strands coming out of a handle and at each end of the strand was some piece of metal or a knot containing a piece of metal? Was it ever found?
 - In Daniel Wheesk's statement—aware of that allegation.
 - Never found it.
 - Can't say for sure if others recalled seeing a similar whip.
 - b. Any whipping/beating devices ever physically located?
 - No.
 - Nature of physical abuse at the school: common assault, assault causing bodily harm. In a school structure. Supposed to be structured.
 - Some commonality.

- Device to beat the children: More than one witness alleged being whipped. Variations as to what they were whipped with. Not recall off the top of my head.
 - c. Physical assaults causing bodily injuries (Edmund Mudd had his head kicked into a radiator in dining room after throwing a snow ball.)
 - Not recall off top of my head.
 - d. Use of the electric chair to administer electric shocks to children who were tied into the chair?
 - Aware allegations about an electric chair being used were made by more than one witness.
 - OPP did not find the chair itself.
 - OPP investigation found evidence of the chair.
 - e. There were consistent reports of an electric chair. Some reports suggested it was used for entertainment, with one of the staff being able to withstand the shocks the longest to the amusement of many. Other students alleged to have been disciplined in the electric chair. Beating children to force them to eat their own vomit?
 - Numerous people alleged that. Sure, it affected them.
 - f. Homosexual rape?
 - yes
 - g. Heterosexual rape?
 - yes
 - h. Sexual fondling?
 - yes
 - i. Forced masturbation?
 - yes
33. So the documents generated and/or gathered by OPP dealt with physical and sexual abuse of children at St. Anne's while it was operating as a residential school?

- Yes.
34. Supervisor-child?
- yes
35. Student on student abuse investigated?
- Some allegations.
36. Did you investigate any deaths of children while they were at the school?
- There were allegations of three boys who ran away in early years. OPP investigation showed a former RCMP inquest.
 - Other than that, no investigations of deaths that I recall—
37. Criminal Jury trial of **Anna Wesley**: "Yellow legs"
- a. What were the charges? Jury trial
 - Also went by name Sister Marie Immaculata. Aboriginal woman. Appointment by the Catholic Church as a nun.
 - Assault and administer a noxious substance.
 - Documents (transcripts and record of exhibits, etc.) should be at the courthouse in Cochrane.
 - b. Did she have a lawyer to represent her?
 - Yes. Gilles Charlebois. He often acted for accused persons in this investigation
 - c. Her lawyer was given crown disclosure brief in advance of trial?
 - Crown would have provided defense with disclosure.
 - d. Did the Catholic Church have a separate lawyer at the trial?
 - No.
 - e. What disclosure was the Catholic Church given in advance of the trial?
 - Crown would have provided disclosure to accused counsel;
 - f. Was the Federal Government made aware of the trial?
 - No knowledge

- g. Did the testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - Yes.
- h. How many witnesses testified?
 - Several; unknown exact number.
 - Nature of allegations against her: 5 counts each of common assault and administer noxious substance and 2 counts of assault causing bodily harm.
 - She was in the role of supervisor at the time the events happened.
 - Pretty sure Anna Wesley did not testify.
 - Do not believe she called any witnesses in defence.
- i. Public trial?
 - Don't recall any publication bans.
- j. Transcripts were generated? Where now?
 - Trial was recorded. Not sure if there was a transcript ordered. Transcript is supposed to be available to people. Must be generated if there was an appeal or specific request.
- k. Exhibits filed? Where now?
 - Returned originals to owners.
- l. Any students other than Daniel Wheesk and Edmund Mudd testify?
 - yes
- m. She was found guilty of physical assault and administering a noxious substance with the intention to annoy/harass?
 - D/C Delguidice drafted memos to the CIB inspector with her charges and sentencing. D/C Delguidice cannot currently locate the memos, but has one document with all the charges. The charges are listed at the courthouse in Cochrane.
 - The referred to memo was located and indicates the following:

On the 17th of September 1997, as a result of the St. Anne Residential School Investigation, an information was laid against Anna WESLEY, also known as Sister Marie Immaculata, formerly of the Sisters of Charity of Ottawa. There were thirteen

counts alleged in the information, those being 5 counts of administering a noxious thing, 5 counts of common assault, and 3 counts of assault causing bodily harm.

In May of 1998, preliminary hearings were held on the above matters in Moosonee Ontario. As a result, twelve of the thirteen counts were committed to trial. One of the common assault counts was amended at the preliminary hearing to read assault causing bodily harm. Furthermore, in the interim between the preliminary hearings and trial, Crown Attorney Diana FULLER opted not to proceed with one of the common assault and one of the administering a noxious thing counts.

This in effect left ten counts remaining to be tried at trial. They are three counts of common assault, three counts of administering a noxious substance, and four counts of assault causing bodily harm.

The trial in question took place at Ontario Court, General Division courtroom at Cochrane Ontario. It went from the 26th of April 1999 until the 20th of May 1999, and was by way of judge and jury. The judge was Mr. Justice Robert BOISSONNEAULT of Cochrane, defence counsel was Mr. Gilles CHARLEBOIS of Ottawa, and as previously stated, the Crown Attorney was Ms. Diana FULLER of Sudbury.

On the 20th of May 1999 in the afternoon, after having been out since the previous morning, the jury returned with guilty verdicts on eight of the ten counts. The particulars of the ten counts and their results are listed as follows:

1. C O U N T #	2. CHARGE	3. VERDICT
1	Common Assault	Guilty
2	Administer Noxious Thing	Guilty
3	Assault Bodily Harm	Not Guilty
4	Assault Bodily Harm	Directed Verdict – Not Guilty
5	Common Assault	Guilty
6	Administer Noxious Thing	Guilty
7	Assault Bodily Harm	Not Guilty A.B.H. – Guilty Common

		Assault
8	Common Assault	Guilty
9	Administer Noxious Thing	Guilty
10	Assault Bodily Harm	Guilty

Sentencing on the above matters has been set for Thursday the 24th of May 1999 at Ontario Court General Division Courtroom at Timmins.

- She received 11.5 months conditional sentence.
- Some people spoken to throughout the investigation told us they believed there should not be an investigation, because they were so old, but not aware of any pressure from the Catholic Church on witnesses to not take part in the criminal investigations.

38. Criminal Jury trial of **Jane Kakeychewan**:

- a. What was her role? Any other names?
- Her trial was before Anna Wesley's trial.
 - Nun at the school. Also went by Sister Catherine Tekakwitha. Aboriginal woman.
 - Had an appointment from the Catholic Church.
 - With respect to complainants, oftentimes, they use more than one name when referring to others, or the names they use or refer to are written differently. Cannot necessarily go with the name they provide you. They often provide you with the phonetical pronouncement of the name as they perceive it to be. There are lots of different spellings and pronunciations, even within the same family.
 - Some Cree family names have several different variations. Example: Kamalatist, Kamalatishesit. Another example: Hookimaw; Okimaw; Hookimawill; Hookimawillilene; Okimawillilene; all within the same family, but spelled and pronounced differently. Many variations.
 - Jane Kakeychewan found guilty of three charges of assault causing bodily harm. Nov 1998 convicted. Sentenced on Jan 12, 1999. Conditional sentence #1: 3 months. Conditional sentence #2: 2 months; Conditional sentence #3: 1 month. All three were consecutive. 6 months total. She did not go to jail. She would have had probation for that.

- b. What were the charges? Where?
 - Trial was at Cochrane, Ontario. ????
- c. Three counts of assault causing bodily harm. Did she have a lawyer to represent her?
 - Yes. Gilles Charlebois.
 - Further to the above, I have since located an update memo as follows detailing the charges and findings after trial:
- Jane KKEYCHEWAN-BELANGER was charged in October of 1997 with three counts of Assault Causing Bodily Harm. The charges stemmed from the St. Anne Residential School Investigation. Mrs. BELANGER, as she is now known, appeared in Ontario Court General Division courtroom at Cochrane for her trial, which lasted from Monday the 9th of November 1998 until Wednesday the 18th of November 1998. The trial Judge was his Honour Judge Robert BOISSONEAULT. Defence council was Mr. Gilles CHARLEBOIS, and acting as agent for the Crown was Ms. Diana FULLER. At the conclusion of the trial, a finding of guilt was made on all three counts in the indictment. As such, and at the request of the Crown, sentencing has been put over until Tuesday the 12th of January 1999.
 - d. Her lawyer was given crown disclosure brief in advance of trial?
 - Crown would have provided disclosure.
 - e. Did the Catholic Church have a separate lawyer at the trial?
 - Same as Anna Wesley. No.
 - f. What disclosure was the Catholic Church given in advance of the trial?
 - g. Crown would have provided disclosure to accused counsel. Was the Federal Government made aware of the trial?
 - No knowledge
 - h. Did the testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - Yes.
 - i. How many witnesses testified?
 - Cannot recall. There were three complainants/victims, one for each count.
 - j. Public jury trial?

- Public trial yes. No publication bans. Was not a jury trial. Judge alone.
- k. Transcripts were generated? Where now?
- Not sure if transcripts were generated, but it was recorded. It would be at the Cochrane court house.
- l. Exhibits filed? Where now?
- Records of any exhibits filed would be at the Cochrane court house. Originals were returned to their owners.
- m. Any students other than Lucie Scott and Harriott (Sutherland) Paul Martin testify?
- Physical abuse nature. Cannot recall exactly how many witnesses testified. Three complainants testified.
- OPP Never charged anyone with respect to allegations about the electric chair.
- n. She was found guilty of physical assault and administering a noxious substance with the intention to annoy/harass?
- No.

39. Criminal Jury trial of **John Cushing**:

- a. What was his role at school? Any other names?

-

His employment at the FORT ALBANY St. Anne's Residential School began in early September 1967. At that time he was a lay person working at the school at an unknown position. This employment continued until April 1, 1970, at which time he was appointed to the Department of Indian Affairs and Northern Development as the Director of Support Services and Aid to the School Administrator. Mr. CUSHING remained at this position until taking a year's sabbatical starting September 1974, at which time he left the community of FORT ALBANY. On January 10, 1975, he resigned from the position at the school.

- No other names are known.

- Not a religious person. Not affiliated with Catholic Church.
- Information laid would say time frame in question. He started at the school in 1967. He ended his employment at school January 10 1975. Part of the Crown brief. *(Detective Constable Delguidice has some of the information in his office about this accused.)*
- John Cushing had been retired for some time at time of charges.
 - b. What were the charges?
 - One count of Indecent Assault on a Male. Trial was in Guelph. That is where offence is alleged to have taken place.
 - Related to St. Anne's. Field trip to Guelph.
 - c. Did he have a lawyer to represent him?
 - Yes. Paul Noble.
 - d. His lawyer was given crown disclosure brief in advance of trial?
 - Crown would have provided disclosure.
 - e. Was the Federal Government made aware of the trial?
 - No knowledge
 - f. Did the testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - Yes.
 - g. How many witnesses testified?
 - One person testified, who was a residential school student at the time of the allegation. No corroborating witness, as far as D/C Delguidice can recall.
 - h. Public trial?

On 30 November 1998, John CUSHING attended at Ontario Court Provincial Division Courtroom at Guelph Ontario. The purpose of the appearance was a Preliminary Hearing on the charge of Indecent Assault on a Male. Counsel for the accused was Mr. Ronald NOBLE, and the Crown Attorney was Ms. Diana FULLER. The presiding judge was his honor Norman DOUGLAS.

The Preliminary Hearing was conducted, and the matter was committed to trial. It was then put over to Assignment Court in Guelph on the 12th of January 1999.

- Trial by judge alone. Acquitted.
- i. Transcripts were generated? Where now?
- Same information as above Ontario Court of justice – Guelph, ON
- j. Exhibits filed? Where now?
- Same information as above
- k. He was found not guilty?
- Acquitted.

40. Criminal Jury trial of **John Moses Roderique**:

- a. What was his role at school? Any other names?
- Employee of school. Not religious person.
- Affiliated with the school. Started as cafeteria helper in September 1969. He was in that position until December 1971. Then employed by Dept. of Indian Affairs and Northern Development. Assistant shift engineer. *(D/C Delguidice has some information in his office on this matter.)*
- Unknown whether he went by any other name.
- There was no trial. Guilty plea, taken in Timmins. Accused lived there at the time.
- b. What were the charges?
- Indecent assault on a male x 4; gross indecency x 2.
- c. Did he have a lawyer to represent him?
- Brad Sloan. Likely 1998 or 1999.
- d. His lawyer was given crown disclosure brief in advance of trial?
- Crown would have provided disclosure.
- e. Did the Catholic Church have a lawyer at the trial?
- No.
- f. Was the Federal Government made aware of the trial?

- No knowledge
 - g. Did the anticipated testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - yes
 - h. How many witnesses testified?
 - No one testified. May have read in victim impact statements.
 - Crown would have read in the facts to the judge. For judge to enter the conviction, would need to hear the evidence. That would be recorded.
 - Crown then adduces evidence as to sentencing.
 - May have been exhibits of victim impact statements for sentencing.
 - i. Public trial?
 - No publication ban.
 - j. Transcripts were generated? Where now?
 - Court process recorded. Not sure if transcripts ordered.
 - k. Exhibits filed? Where now?
 - Same as above.
 - l. Which former students testified?
 - None testified, but the facts read in would include the names of the victims.
 - m. He was found guilty or did he plead guilty?
 - He pleaded guilty.
41. Criminal Jury trial of **Claude Lambert**:
- a. What was his role at the school? Any other names?
 - Charged one count of indecent assault on a male.
 - Child care worker 1966 to June 1968 at St. Anne's. Civilian employee (non-religious)
 - b. Where was the trial?
 - I don't know.

- Only way to transfer to another jurisdiction, is on a guilty plea.
- c. What were the charges?
- Charged one count of indecent assault on a male.
- d. Did he have a lawyer to represent him?
- Cannot see any name in the documents still available to D/C Delguidice.
- e. His lawyer was given crown disclosure brief in advance of trial?
- Crown responsibility.
- f. Did the Catholic Church have a lawyer at the trial?
- Unknown
- g. Was the Federal Government made aware of the trial?
- No knowledge
- h. Did the testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
- Unknown whether witness(es) testified at any proceedings. Allegations made to police were within the timeframe when the school was operated.
- i. How many witnesses testified?
- Unknown
- j. Public trial?
- Unknown
- k. Transcripts were generated? Where now?
- Same as above, but not sure where the plea of guilty and conviction was entered.
- l. Exhibits filed? Where now?
- Same as above
- m. Which former students testified?
- Not known
- n. He was found guilty?
- Convicted

42. Criminal Jury trial of **Claude Chenier**:

- a. What was his role at the school? Any other names?
 - Non-religious. Began employment Oct 1, 1970. Child care worker looking after the boys section of the school. He resigned and Oct 25, 1971 to return to university.
- b. What were the charges? Where was the trial?
 - One count of indecent assault on a male.
 - I recall the preliminary hearing in Moosonee, because the complainant would not get on the plane in Ft. Albany. Charges were withdrawn.
 - Recorded in Moosonee courthouse.
- c. Did he have a lawyer to represent him?
 - Lawyer but do not recall who. Gilles Charlebois spent a lot of time in Moosonee for the preliminary hearings for most of the charges.
 - Preliminary hearings were in the Ontario Court of Justice in Moosonee.
- d. Did the intended testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - yes
- e. Transcripts were generated? Where now?
 - Recorded proceedings in Moosonee.
- f. He was found guilty?
 - Charges withdrawn.

43. Criminal trial of **Marcel Blais**:

- a. What was his role at the school? Any other names?

Non-religious person. From witness statements taken throughout the investigation, it is only known that he worked at St. Anne's Residential School as a kitchen aid during the school year 1969-70. No personnel file has been found on this subject at any search warrant location. The only evidence of his attendance at FORT ALBANY, aside from witness

statements, is a guest register belonging to a teacher in which Marcel

BLAIS signed his name as having visited the teachers' residence.

- Only thing known was that about 1969-1970, he was a kitchen aid at the school.
- b. Where was the trial?
 - Preliminary hearing at Moosonee likely.
 - All first appearances were in Sudbury.
- c. What were the charges?
 - Indecent assault on a male
- d. Did he have a lawyer to represent him?
 - Not recall.
- e. His lawyer was given crown disclosure brief in advance of trial?
 - Same as above
- f. Did the Catholic Church have a lawyer at the trial?
 - Unknown.
- g. Was the Federal Government made aware of the trial?
 - No knowledge
- h. Did the testimony of the witnesses deal with the time frame when the school was operated as an Indian Residential School?
 - yes
- i. How many witnesses testified?
 - Not sure
- j. Public trial?
 - Court process would have been recorded
- k. Transcripts were generated? Where now?
 - Same as above
- l. Exhibits filed? Where now?

- Same as above
 - m. He was found guilty?
 - Plead Guilty.
44. Did you hear of Ernest Beaudoin: Dead by then? "Meechamabe"
- Heard of Brother Ernest Beaudoin.
 - No charges were laid against him.
 - He was not dead at the time of the investigation.
45. Father Lavois: Dead by then?
- His name was brought up during the investigation.
 - Dead by then.
46. Bishop Laguerrier?
- At onset of investigation, he was Bishop at Moosonee Diocese.
 - He died in the middle of investigation, before charges were laid. He was not alive for any of the trials.
47. Father Langois?
- Dead by then.
48. Sister Henri Gerard?
- Heard of her
 - Don't recall if dead already
 - Never charged
49. Sister Mary Eli?
- Heard the name
 - No charges laid
 - Not known if alive or dead at the time of investigation.
50. Brother Jutras? Dead by then? "Cookskin" in Cree
- Heard of him
 - Not sure if alive or dead at the time of the investigation
51. Sister "Grasshopper"
- Heard it before. Do not know who that nickname is in reference to.

52. Brother Goulet (built the electric chair)
 - Heard the name
 - No charges were laid.
 - Do not recall if alive or dead at the time of the investigation.
53. Emile Sutherland
 - Do not recall that name.
54. "Walrus Teeth" Sister
 - Do not recall
55. Laura Wheesk (aboriginal supervisors of small girls)
 - Do not recall anything specific to her.
56. Student Mary Jane Metatawabin
 - Common name.
 - No charges.
 - No charges ever laid for allegations of student on student abuse.
57. Sister St. Lea
 - Heard the name
 - No charges.
 - Not sure if alive or dead.

Nothing else to be communicated.

Norm Feaver: When did allegations leave OPP to go to NAPS?

D/C Delguidice: After the First Nation Policing agreements were signed. NAPS may have own records of possible criminal charges. I have not been contacted by NAPS after OPP turned over jurisdiction asking for old investigation materials.

If NAPS had any records about allegations would go to Nishnawbe Investigation Unit. Regional headquarters are in Cochrane.

Norm Feaver: Would prefer to create a record after D/C Delguidice testifies once. Ottawa or Toronto is fine for place to give testimony.

Upon further review, I have been able to locate the following documents which may shed light to above questions. The first is an investigation history attached hereto:

HISTORY OF INVESTIGATION{PRIVATE }

During the month of August 1992, a healing conference was organized at FORT ALBANY by the First Nations Band Council for former students of St. Anne's Residential School. The conference, which lasted from August 15 - 23, saw nineteen males and eleven females testify before a First Nations formal panel. Of the nineteen males, ten complained of sexual abuse and most complained of physical and mental abuse. Of the eleven females, two complained of sexual abuse and most of the females complained of physical and mental abuse.

Other incidents reported to the panel are as follows:

- The case of three runaway boys from the school in late April 1941, whom were never seen nor heard from again. Some bones were unearthed some years ago which may or may not have been those of one or more of the boys.
- A girl who had been raped, impregnated, and had her baby taken away at birth, never to be seen or heard from again.
- Various incidents in which boys and girls at the school were allegedly forced to eat their vomit.

On November 6, 1992, Edmund Metatawabin, Chief of the Fort Albany First Nation Territory, attended the No. 15 District Headquarters of the Ontario Provincial Police in SOUTH PORCUPINE, Ontario. At this time, he formally requested that an investigation be conducted concerning two suspicious deaths, and various incidents of sexual and physical abuse that allegedly took place at St. Anne's Residential School, FORT ALBANY.

Prior to reporting this occurrence to the police, Chief Metatawabin appeared before a Royal Commission on Aboriginal Peoples hearing in TIMMINS, Ontario on November 4 & 5, 1992. The details of these occurrences were reported by Chief Metatawabin to the Royal Commission.

As a result of the information received from Chief Metatawabin, a criminal investigation was commenced by the No. 15 District Criminal Investigation Unit of the Ontario Provincial Police. The investigation, which has lasted some four-and-a-half years, has encompassed approximately nine hundred interviews of potential witnesses and victims, and several searches of various religious orders and government facilities. The search locations included OTTAWA, SUDBURY, MOOSONEE, and MONTREAL.

The case of the three runaway boys in April 1941 has been investigated. The cause of death was clearly established as accidental, with no fault attributed to the staff at the St.

Anne Residential School. The bones found some years ago are not associated to the death of the three runaway boys.

All allegations of potential criminal misconduct which were reported at the August 1992 healing conference, as well as numerous other alleged occurrences were investigated and the results of the said criminal investigations reported on.

TAB E

This is Exhibit E
affidavit of EDMUND METATAWABIN
sworn before me, this 26th
day of August 2013.
Fay R. [Signature]
A COMMISSIONER FOR TAKING AFFIDAVITS

PAGE 01

IMPRIMATUR:

† ELIE A. EVÊQUE DE CATENNA

Vicaire apostolique
du Témiscamingue.

L. J. C. & M. I.

PRIÈRES, CATÉCHISME
CHEMIN DE LA CROIX
ET CANTIQUES

A l'usage des Sauvages de Fort Hope
de Martin's Fall's et de New Post

DR.V.A. DASGUPTA: b4 b7C
 Per P. Leon Eilers, O.M.2



MONTRÉAL.
LIBRAIRIE BEAUCHEMIN LIMITEE
79, rue St-Jacques

1910

APPROBATIONS

Sur la demande du R^{EV}. PÈRE F.-X. FAFARD, O. M. I., missionnaire des tribus sauvages de la Baie d'Hudson, et supérieur de la résidence d'Albany, Nous approuvons le livre ayant pour titre: Catéchisme de Persévérance, en langue crise, caractères syllabiques, pour l'usage des sauvages des Postes d'Albany, Sarny, Martin's Falls, etc., etc. (Baie d'Hudson et Baie James), et Nous permettons qu'il soit livré à l'impression.

† N.-Z. LORRAIN.
Evêque de Pembroke.

Pembroke, 25 mars 1899.

A la demande des Pères Oblats de la Baie James et sur leur rapport très favorable, Nous approuvons cette nouvelle édition du Catéchisme de Persévérance, en langue crise, publié par le Révérend Père F.-X. Fafard, O. M. I., en l'année 1899.

Des gravures nombreuses et très expressives ont été ajoutées au texte ancien. Nous les approuvons aussi.

Nous demandons au Sacré-Coeur de Jésus par la Très Sainte Vierge Marie, que, dans sa miséricordieuse bonté, Il daigne accorder à cette deuxième édition la plus grande diffusion possible, afin que ce Catéchisme soit un aide puissant pour amener au bercail toutes les brebis errantes de la Baie James et de la Baie d'Hudson.

Donné à Hearst, Ontario, le 1er février 1924.

† JOSEPH HALLÉ,
Evêque de Pétrée,
Vicaire Apostolique de l'Ontario Nord.

CATÉCHISME

DE

PERSÉVÉRANCE

EN LANGUE CRISE

CARACTÈRES SYLLABIQUES

Pour l'usage des Sauvages des Postes d'Albany, Sarny,
Martin's Falls, etc., etc.

Baie d'Hudson et Baie James.



1924

IMPRIMERIE L'ACTION SOCIALE, LIMITÉE,
103, rue Sainte-Anne,
QUÉBEC

CATÉC

D:

PERSÉV

Page 44 (11) 0718-CABU VENSIDN

D. What is God telling us not to do by his law in the beginning?
 R. He told us not to: If we are not christian, all acts are sinful,
 evil practices such as, shaking tent, drumming, sweat lodge and
 sacrifices.

Translating
 VENSIDN

16. — God's laws

- 83 -

16. — P2 LCT D, ΔΔPQ9.ΔΔ.
 R. P, ΔΔPQ9.ΔΔ: ΔB. ΔΔPQ9.ΔΔ.
 BPD Δ LΔ ΔS.C.ΔS.ΔΔ, LΔ
 LCTB7.ΔΔ: ΔNB, PΔCJ.ΔΔ,
 LΔ U.ΔΔB, LCTU.ΔΔ, LΔ
 LΔPΔ.ΔΔ B4.

08T18-CABU
 VENSIDN

Submananap
 P2 LCT D, ΔΔPQ9.ΔΔ.

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L. J. C. & M. I.

PRIÈRES, CATÉCHISME
 CHEMIN DE LA CROIX
 ET CANTIQUES

A l'usage des Sauvages de Fort Hope
 de Martin's Falls et de New Post

ΔΔPQ9.ΔΔ: B4 ΔΔPQ9
 P2 LCT D, ΔΔPQ9.ΔΔ.



MONTREAL,
 LIBRAIRIE BEAUCHENIN LIMITEE
 79, rue St-Jacques

1910

COUVER CP. Book Trade
 SECTON

16. ___ God's laws

- D. Are we worthy to be baptized and go to heaven?
- R. No, we are not worthy. Person baptized is required to be a strong believer and trust God to keep his word of law.
- D. How many are there of God's laws?
- R. There are ten.
- D. Could you read God's law?
- R. Here it is: " Only one God, you are to behold him as a loving God....." page X.
- D. What are we commanded to do with God's law in the beginning?
- R. To believe in God, to have trust in him, to love him with all our heart. We are required to believe only to God himself.

- D. What is God telling us not to do by his law in the beginning?
- R. He told us not to: If we are not christian, all acts are sinful, evil practices such as, shaking tent, drumming , sweat lodge and sacrifices.

Purgings

1924 - TRANSLATED VERSION FROM CATE

What is that when reference is being made to God as godly? It is when we praise him for having created us and for having supreme power over us.

Is God the only one that should be mentioned as being all powerful?

Yes because he has created and has power over everything. That is why it is blasphemy when one partakes in the shaking tent, drums or otherwise worshipping and placing all hopes on satan.

Is Jesus Christ godly? Of course since Jesus is God.

Is he thought of as god because he became man? Yes because there is only one Jesus. His body, his heart and his hands are of God.

Who was the first to break that law?

He who makes his god in the image of the devil by paying homage to the sun, to the stars, to the idols, he who drums, participates in shaking tent ceremonies, evil chanting, evil feasting, evil pipe ceremonies and sweetgrass all these things are of the devil. There is evil in being selfish, being greedy, in fornication as you are more in love with your sinful ways than being in love with God.

Demonizing

If you are sick, if you are starving, if you are depressed or if you are in need call upon God as He reigns over everything. The devil can only do evil things.

Is the wearing of religious artifacts worshipping graven images?

No! These are worn so that you may remember Jesus and his suffering and dying on the cross and his love for you.

Is one doing good when one rejects and lies about religious artifacts?

It is very bad! Because he who rejects these religious artifacts also rejects Jesus who died on the cross. He who rejects Jesus will also find himself rejected when he dies.