



*Tk'emlúps te Secwépemc*



*shíshálh Nation*

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For Immediate Release

The theme of reconciliation flowed through the closing submissions of lawyers for the Tk'emlúps and Sechelt First Nations at the recent Federal Court of Canada hearing to determine whether or not their class action was to be certified.

“They asked for a hand, and got a fist,” submitted Karena Williams to the Court, responding to earlier comments of government lawyers who had argued that Indian Residential Schools came about in response to First Nation’s peoples own requests for education.

The two bands are now awaiting the decision of Justice Sean Harrington of the Federal Court who is expected to rule within the next few months on whether to allow their lawsuit to continue as a class action. The bands are seeking to represent all Aboriginal persons who attended Indian Residential Schools as day students (leaving the school property at night) for compensation for their losses of language and culture.

The bands launched their lawsuit almost 3 years ago, by issuing a statement of claim in which they allege that Canada was responsible for ensuring the preservation of Aboriginal languages and cultures, but through their own policy has failed completely in that duty. The bands now seek compensation for all those who lost their birthright through day to day attendance at the Indian Residential Schools.

If certification is successful, the lawsuit will move to the evidentiary stage, where both Canada and the bands will produce evidence relating to day scholars who attended the Indian Residential Schools and the treatment those students received. If there is no negotiated settlement of the suit, the matter would then move to trial.

The certification seeks to extend the lawsuit to cover all Aboriginal people who attended an Indian Residential School recognized in the Settlement Agreement anywhere in Canada, who attended but did not reside at the school. The lawsuit also proposes to seek compensation for the descendants of those people.

