

For the Children Taken ...

The Challenge to Truth Commissions in Building digital collections for research and long-term preservation

Terry Reilly¹

University of Calgary, Manager, Document Acquisition and Collections, Truth and Reconciliation Commission of Canada

Abstract

This paper presents a case study of efforts to fulfill the Mandate of the Indian Residential Schools Truth and Reconciliation Commission (TRC) which includes among its primary goals the responsibility to e) Identify sources and create as complete an historical record as possible of the IRS system and legacy. The record shall be preserved and made accessible to the public for future study and use. This paper explores the challenges in building collaborative teams across corporate and government cultures, and the results of negotiating the concept of “relevance” across differing private and public archival cultures, and ensuring authenticity and discoverability when we present dynamic video within archival descriptive systems. The paper will include an interactive demonstration of the results achieved in our on-line OLTRC databases. In order to fulfill a requirement to create a permanent repository the Commissioners have initiated a process to establish a National Research Centre and ensure the preservation of its archives. The paper presents some of the challenges of moving the collections into an as yet unspecified archival environment.

Author

Terry Reilly has been Manager of Document Acquisition and Collections for the Truth and Reconciliation Commission of Canada since December 2010. She serves the Commission on Interchange from her academic position as an archivist at the University of Calgary, Alberta, Canada. She has served as Director of Archives and Special Collections at the University of Calgary and as General Synod Archivist of the Anglican Church of Canada. She is a past president of the Association of Canadian Archivists and currently serves as the chair of the Archivists of Religious Collection Section of the Society of American Archivists. She holds an M.A. in history from York University in Toronto and has been a Bentley Fellow.

*“The road we travel is equal in importance to the destination we seek.
There are no shortcuts. When it comes to truth and reconciliation,
we are all forced to go the distance.”*

*-Justice Murray Sinclair,
Chair of the Truth and Reconciliation Commission of Canada, to the Canadian Senate Standing
Committee on Aboriginal Peoples, September 28, 2010*

¹ Any opinions and all errors herein are my own and not those of the TRC.

1. Introduction

While most Truth Commissions are established by governments in a transition from authoritarian to more democratic rule² the Canadian Truth and Reconciliation Commission has been established as part of the Settlement agreement of the largest class action law suit in Canadian history. Although there has been no regime change in Canada, the Commission is similar to others in that its mandate is time limited and the three Commissioners are required to produce a final report.³

2. Background⁴

Up until the 1990s, the Canadian government, in partnership with a number of Christian churches, operated a residential school system for Aboriginal children. These government-funded, usually church-run schools and residences were set up to assimilate Aboriginal people forcibly into the Canadian mainstream by eliminating parental and community involvement in the intellectual, cultural, and spiritual development of Aboriginal children. More than 150,000 First Nations, Inuit, and Métis children were placed in what were known as Indian residential schools. As a matter of policy, the children commonly were forbidden to speak their own language or engage in their own cultural and spiritual practices. Generations of children were traumatized by the experience.

The lack of parental and family involvement in the upbringing of their own children also denied those same children the ability to develop parenting skills. There are an estimated 80,000 former students still living today. Because residential schools operated for well more than a century, their impact has been transmitted from grandparents to parents to children. This legacy from one generation to the next has contributed to social problems, poor health, and low educational success rates in Aboriginal communities today. The 1996 Canadian Royal Commission on Aboriginal Peoples⁵ and various other reports and inquiries have documented the emotional, physical, and sexual abuse that many children experienced during their school years. Beginning in the mid-1990s, thousands of former students took legal action against the churches that ran the schools and the federal government that funded them. These civil lawsuits sought compensation for the injuries that individuals had sustained, and for loss of language and culture. They were the basis of several large class-action suits that were resolved in 2007 with the implementation of the Indian Residential Schools Settlement Agreement, the largest class-action settlement in Canadian history. The Agreement, which is being implemented under court supervision, is intended to begin repairing the harm caused by the residential school system.⁶

In addition to providing compensation to former students, the Agreement established the Truth and Reconciliation Commission of Canada with a budget of \$60-million and a five-year term. The Commission's overarching purposes are to: reveal to Canadians the complex truth about the history and the ongoing legacy of the church-run residential schools, in a manner that fully documents the individual and collective harms perpetrated against Aboriginal peoples, and honours the resiliency and courage of

² See Trudy Huscamp Peterson, *Final Acts: A Guide to Preserving Records of Truth Commissions*, Woodrow Wilson Centre and Johns Hopkins University Press, Washington, D.C. and Baltimore, 2005

³ The Mandate of the Truth and Reconciliation Commission is found in *Schedule N of the Indian Residential Schools Settlement Agreement* see www.trc.ca *Our Mandate*.

⁴ Truth and Reconciliation Commission Interim Report, Truth and Reconciliation Commission of Canada, Winnipeg and Ottawa, 2012. This publication and its related history book *They Came for the Children: Canada Aboriginal Peoples and Residential Schools*, are freely available at www.trc.ca.

⁵ See *Report of the Royal Commission on Aboriginal Peoples* at <http://www.aadnc-aandc.gc.ca/eng/1307458586498>.

⁶ See <http://www.residentialschoolsettlement.ca/english.html>

former students, their families, and communities; and guide and inspire a process of truth and healing, leading toward reconciliation within Aboriginal families, and between Aboriginal peoples and non-Aboriginal communities, churches, governments, and Canadians generally. It is hoped that the process will work to renew relationships on a basis of inclusion, mutual understanding, and respect.

While the residential school system operated across Canada, the majority of schools were located in the West and the North. For this reason, the Commission established its head office in Winnipeg, Manitoba. It retained a small Ottawa office, and opened satellite offices in Hobbema, Alberta, to support Commissioner Wilton Littlechild and Yellowknife, Northwest Territories to support Commissioner Marie Wilson and the Inuit Sub-Commission. Chairman and Commissioner Mr. Justice Murray Sinclair's office is in Winnipeg. To extend the Commission's reach into smaller centres and communities and as required by the Settlement Agreement, regional coordinators work to support local Statement Gatherers and related Hearings and also relate to independently organized Community Events.

In recognition of the unique cultures of the Inuit, and the experiences and impacts of residential schools on them, the Truth and Reconciliation Commission also established an Inuit Sub-Commission. It is charged with ensuring that the Commission addresses the challenges to statement gathering and record collection in remote, isolated Inuit communities, and among Inuit throughout Canada. The Inuit Sub-Commission provides the environment and supports necessary to earn the trust of Inuit survivors.

The Commission staff is drawn from the public service, private sector, and non-governmental organizations. As of August 2012, the Commission employed 55 people and 60% are aboriginal employees who work at all levels of the organization. There are three archivists and one part-time video editor in the Document Collections section of the Statement Gathering area.

The Mandate of the Indian Residential Schools Truth and Reconciliation Commission (TRC) has among its primary goals the responsibility to *Identify sources and create as complete an historical record as possible of the IRS system and legacy. The record shall be preserved and made accessible to the public for future study and use.* The work of the Archivists in the Commission's Document Collection team is directed towards fulfilling this Mandate.

3. "Telling Your Truth" - the Commission's work of Statement Gathering

Until now, the voices of those who were directly involved in the day-to-day life of the schools, particularly the former students, have been largely missing from the historical record. The Commission is committed to providing every former residential student—and every person whose life is affected by the residential school system—with the opportunity to create a record of that experience.

The work of other truth and reconciliation commissions has confirmed the particular importance of the statement-giving process as a means to restore dignity and identity to those who have suffered grievous harms. Statement gathering is a central element in the Commission mandate, and statement giving is voluntary with complicated logistics. The statements gathered are being used by the Commission in the preparation of its reports, and eventually will be housed in the National Research Centre. Statement gathering has occurred at National Events, Hearings and Community Events.

The Commission has provided for three distinct statement gathering opportunities/venues. Private Statements are given by one individual to another. Sharing Circles are done in groups with a moderator. They can be as large as 10 or 12 people. Circles are public statements while any anyone can witness or listen although they are sometimes conducted without an audience. Sharing Panels are statements given in

public places at public events to the TRC Commissioners. All Sharing Panel statements are public and anyone can listen/watch. Members of the Media may also be present at the panels.⁷

4. The Statement Gathering Processes – Archival at the Beginning

Statement providers are encouraged to talk about any and all aspects of their lives they feel are important, including times before, during, and after attending a residential school. The family members of survivors, former staff, and others affected by the residential schools also are encouraged to share their experiences.

The Commission recognizes that providing a statement to the Commission is often very emotional and extremely difficult. For this reason, statement providers are given the option of having a health support worker, a cultural support worker, or a professional therapist attend their session. These health supports ensure statement providers are able to talk to someone who can assist them if necessary before and after providing a statement. Individuals are given the option of having an audio or video recording made of their experiences. If they wish, they are given a copy of their statement immediately at the end of the interview. They may choose to provide their statement in writing or over the phone if proper health supports are in place. All individual statement providers must choose whether or not their statement will be retained as confidential or made available for research.

At Sharing Circles and Commission hearings, statements are made in a public setting. People who make their statement in a private setting can choose from two levels of privacy protection. The first option ensures full privacy according to the standards of the federal *Privacy Act*. The second option allows the statement provider to waive certain rights to privacy in the interests of having their experiences known to, and shared with, the greater public.

People who waive those rights are giving consent to the Commission and to the National Research Centre to use their statement for public education purposes or to disclose their statement to third parties for public education purposes in a respectful and dignified manner (such as for third-party documentary films). The Commission and National Research Centre have the authority to decide whether to provide such access. These options are explained carefully to the statement provider before a private statement-gathering session. To date, over half the statement providers have chosen to have their statements recorded for public education purposes. The Commission also ensures that all digital information is transmitted and protected carefully during trips in and out of the field.⁸

The Commission has made it a high priority to gather statements from the elderly or ill, as well as from particularly vulnerable and marginalized former students who are at risk. It has undertaken a number of innovative measures, including a day-long event facilitated by Métis Calgary Family Services at the downtown branch of the Calgary Public Library that focused on collecting statements from homeless individuals. Projects designed to reach those survivors in jails also are underway.⁹

By the end of August 2012, the Commission had collected 2102 private statements.¹⁰ An additional 1374 statements had been given in Sharing Circles and at public hearings. One hundred and fifteen material and artistic submissions had been received. The Commission now has both the

⁷ Definitions supplied by Raegan Swanson, TRC archivist 23 August, 2012

⁸ The Statement Gathering process is governed by The TRC's Statement Gathering Manual and related Supporting Document forms that are developed and controlled by the Archivists. All this documentation is available on the TRC's shared server. Archivists hold regular in person and on-line training sessions and are available for consultations.

⁹ http://www.wawataynews.ca/archive/all/2012/8/16/residential-school-impacts-still-seen-kenora-jail_23298

¹⁰ Statistics are gathered on a monthly basis for planning purposes.

mechanisms and process in place to ensure it is able to meet its statement-gathering goals. Regional liaisons play a role in coordinating and organizing a series of specific and targeted visits to communities across the country.

5. The Settlement Agreement and the Churches who managed the schools

The group of Christian entities known collectively as the historic mission Churches (Anglican, Presbyterian, United and Roman Catholic - including religious orders and dioceses) as signatories to the Settlement Agreement are required to provide the Commission with “all relevant documents relating to the history and or legacy of Indian Residential Schools in Canada.” The first project related to this work was the establishment of an Archivists Working Group. The Group was concerned about identify the issues of concern regarding the portion of documents where there were perceived competing legal obligations; identifying how many documents there were in this category; and, determining solutions to deal with the issues of the implied undertaking in the copies Church records located in the federal NRA collection; questions related to solicitor-client privilege in both federal and Church documents; the application of provincial privacy and Charter law to individuals named in the process; and privacy law more generally.

In 2009-2010 in order to support these discussions and to determine the scope of the project a survey of Church Archives was conducted. Also, the Parties to the Settlement Agreement discussed but did not come to total agreement about the definition of relevance.¹¹ In December 2010 as Manager of Collections I decided that I would proceed with a working definition provided by the archivist of the Presbyterian Church in Canada. The Commission seeks to acquire a comprehensive collection of all relevant documents in any format related to the history and or legacy of Indian Residential Schools in Canada. While this definition does not solve the problem it has allowed the work to proceed.

6. The RFP for the Digital Project

In the fall of 2010 the Commission posted a Request for Proposals on the Government of Canada’s procurement site. The successful applicant was to provide all required, project design and management, human resources, computer hardware, software digitization and meta data expertise to create a digital repository of data bases (initially referred to as a data base) of historical records related to the Indian Residential Schools system. The repository was to be designed include both Government of Canada and Church records. The project team was required to have the capacity to locate records across the country. This was based on information provided by the Church Entities and in particular volume estimates stated in the preliminary surveys that had been submitted to the Archives Working Group. These surveys also showed there were a variety of locations both large and professionally staffed to very small archives, to assist both professional and volunteer whether full-time or more often part-time archivists with their task of identifying records, to describe these records for the Commission, to create digital images and their associated meta data which would enable research by the TRC’s research team and any other researchers contracted by the Commission. The results of the project had to be designed so that they could be made accessible (to the extent that privacy and other related law allows) for public research at the mandated

¹¹ The All Parties did determine that “Relevant information is information that is necessary to fulfill any of the mandated goals and activities of the TRC and provided a list of records it felt would satisfy that definition. See Tom McMahon, Records of Discussion with the All Parties Group. January –February, 2010

National Research Centre. Bronson Consulting Group of Ottawa and its partners, The History Group, Brechin Imaging and Minisis Inc. were the successful bidders. There are several parts to the project, which has evolved from a single data base platform to a digital repository as the project has unfolded over the past 18 months.

The Church Archives Project is designed to collect records in either digital or photocopy form and works with six major functions: Contact with the Archives; File Identification; File Review; Digitization; Postprocessing and Metadata tagging. Each of these steps poses its own challenges related to time and budget.¹²

While in general Church archivists have been supportive many are part-time volunteers and some signatories to the Agreement have no personnel with archival training. Many archives are only open for a few hours per week, though in most cases archivists have accommodated the TRC contractors' hours. To ensure the best success in year one the TRC deliberately worked with the largest archives and in particular with those that had "national responsibilities." In addition regional or local archives in British Columbia both Anglican and United Church and the Jesuits of Upper Canada served as pilot sites for smaller archives. File identification is based on finding aid review. Challenges have included incomplete or non-existent finding aids; differing versions between paper and electronic finding aids and in particular paper often hand written finding aids which were known to be out of date. The biggest challenge both for the archivists and the TRC contractors identifying relevant documents are large collections of unaccessioned or unorganized records. Also we did find that in general the Commission's choices were broader than the archivists though in most cases the archivist did agree to digitization some records have been held back. In the case of records held back under solicitor-client privilege the signatory will provide a list to the Commission's legal counsel. In order to ensure the highest standards were consistently maintained at every site a detailed set of protocols was developed for on-site work, document handling and finding aid recording. In addition digitization equipment was chosen to ensure that the specific needs of each archives were respected. Explicit folder and documents identification naming conventions were applied to all documents removed from files for digitization. While the option for sheet feeding was available the Church archivists were very reluctant to allow the Commission's contractors use it even for records that were produced from digital files with the exception of photocopies that had previously been used in litigation. After digitization post processing ensured that the archival relationships between documents were consistently maintained but this did add significant costs and slowed the process of uploading collections into the database. Although significant effort had been made to develop a extensive set of key words based on the Commission's research requirements it turned out that financial constraints forced the decision to metadata tag only a test subset of the documents from one site and one large set of photographs that had no finding aid. In order to overcome this handicap the Director of Statement Gathering has overseen the development of an on-line search system that is available for the Research Directorate. At the end of the pilot phase there are 202,787 pages of Church records from nine sites, and 980,000 Government of Canada documents received from the NRA system including 129 School Narratives.

The second year of the project has been much more modest. Financial constraints have meant that a new program was developed that limits the Commission's work to finding aid identification and ingest and returns the work of file review and document production to the Church Archives. The Commission is able to receive either digital or photocopied collections. At this time only digital collections will be added

¹² Martin McGarry, Program Manager Bronson Consulting Group, TRC Database Project Overview, TRC Senior Executive Briefing, 4 January 2012.

to the repository. Photocopied collections are being accessioned and will be held in the Commissions secure storage.

7. The TRC's digital repository – MINISIS

For now access to the TRC's digital repository is limited to the Commissioners authorized researchers and documents collection staff. At present the repository consists of separate but linked databases for the Church Records, the National Research and Analysis hereafter NRA data transmitted from Aboriginal and Northern Affairs Canada, the Schools data base which contains base line bibliographic and historical data, and the data base for Statements known as VIMS.

The TRC data base partner for this project is Minisis Inc. There are two major sets of functionality in the system: Project management functionality and Data Collection functionality (specifically file identification, meta data tagging and searching). Project management functions include, the tracking and authorization of jobs, workflow which links Activity assignments to the Data Collection functions, estimating and costs and operations controls. Data Collection functions ensure that data entry occurs in an organized fashion and that records can be accessed hierarchically via any of the data sets.

8. Uploading private statement access copies to the digital repository VIMS

Most private and public statements that the TRC has collected were recorded in HD video or in Broadcast Wave format for audio, resulting in very large master media files (for example, 12 minutes of HD video is roughly 2GB in size). These master files are too large to be streamed online from VIMS or easily downloaded. It is therefore necessary to create smaller access copies in compressed audio and video formats (MP3 format at 128kbps for audio files, and MP4 format with H.264 video codec and MP3 audio for video files). These access copies (also called derivatives) are usually about 5% the size of the original master files.

Once created, these access copies are sent to Minisis for upload to VIMS. Like the transcripts, all access copies are given standardized filenames based on the private statement filename (for example, the video access copies associated with private statement 2011-0123 would be titled 2011-0123.1.mp4, 2011-0123.2.mp4, etc.). This allows Minisis to run a script that automatically uploads the access copy media files and link them directly to the VIMS entry of the private statement they are associated with.

9. Creating transcripts of Private Statements and uploading them into the VIMS repository

In the summer of 2012 to assist TRC authorized researchers who require transcripts of Private Statements, we designed an in-house project and contracted with a team of four to create transcripts. In order to ensure consistent practice the archivists wrote a transcription manual for the contractors to use.

Only non-protected i.e. Private Statements that are fully available for direct research and quotation in the Commissions publications are being selected for transcription. The archives staff do not have the resources to redact or anonymize statements that have been restricted by the Statement giver. While the selection of private statements for transcription is to be determined by the current needs of the TRC's Researchers the Archivists also select statements for transcription that an approximately even number of statements from each geographical region will be transcribed. Transcribers use a pair of headphones, a

Philips Foot Control LFH 2330/00 foot pedal, and a computer work station with Express Scribe Pro software and Microsoft Word installed. Transcribers follow procedures and rules set out in the manual and are laid out in the transcription template. Once completed and reviewed by one of the archivists transcripts are saved on the Archives server in the same computer folder as the associated private statement's media files and supporting documents. An access copy of all private statement transcripts is also be saved on the TRC's shared drive. The TRC's Researchers are notified when new transcripts are posted to the shared drive.

For purposes of ingest into the VIMS repository 2 copies are made, one a PDF and the other a Word document. These copies are sent to Minisis for upload to VIMS. The text of the copy in Word format is directly copied to a data field in the VIMS entry for the associated private statement; this allows for keyword searching of the entire transcript via the VIMS search interface. Copying the transcript text to a VIMS data field removes all rich text formatting, so it is also necessary to upload and attach the PDF version of the transcript to the VIMS entry. This PDF can be viewed or downloaded by the research team with all the original text formatting intact. We chose PDF as the access copy format due to its widespread use and the security the format offers against unauthorized editing.

Uploading the Word and PDF versions of the transcripts to VIMS is an entirely automated process handled by Minisis, as their programmers have created scripts to extract the text from the Word document and paste it into the appropriate data field in VIMS, and also to upload and link the PDF version of the private statement to its description in VIMS. All that is necessary for this automated process is for me to provide all transcripts with a standardized filename based on the unique statement number. For example, as long as the two versions of the transcript for private statement 2011-0123 are titled 2011-0123.doc and 2011-0123.pdf, they will be automatically processed and uploaded to VIMS by Minisis' scripts. The Settlement Agreement and the Government of Canada – the National Research and Analysis (AANDC) processes

As of July 2012 the major addition to the TRC's digital repository is the NRA (National Research and Analysis directorate of Aboriginal and Northern Affairs Canada, formerly the department of Indian Affairs) database. This database contains historical and contextual records that Canada collected that were relevant to the numerous residential schools litigations. The research and document collection processes differed substantially among litigation offices in eastern Canada, Alberta and western Canada, which has resulted in an uneven collection. The Canadian Judicial Council Standard for electronic document transmission in litigation was developed over a number of years and is now the accepted metadata standard for projects of this kind. Provenance or collection level meta data is often not longer visible in the meta data though it may be visible on the individual digital documents. Just over a thousand items have been identified as having meta data but no associated image.

This database contains approximately 1.2 million records, and is made up of both Canada's (including AANDC records held at LAC) and church records. While the records in this database do not contain a complete record of the residential school system, the database is of enormous value to the TRC for both operational and historical purposes.

Also Library and Archives Canada have provided copies of their Red, Black and Schools series for the Repository. These records are currently being analysed and a process for ingesting them into the Minisis system is being developed.

10. Still to Come

Under the general direction of staff of Aboriginal Affairs and Northern Development Canada (the Department of Indian Affairs) surveys are being completed of semi-active and inactive records that relate to residential schools and its legacy but that either are not scheduled or have not been transferred to Library and Archives Canada. The Commission is expecting to receive 33 collections from this program. Discussions with the federal government are also continuing with regard to the records of 2 other Residential Schools programs, the Common Experience Payments (CEP) and the Independent Assessment Process (IAP). Finally, the Commission is conducting research into the extent to which records held by Library and Archives Canada are not currently represented in the Collection.

11. Challenges for the National Research Centre (NRC)

To assist the archivists in the future NRC the TRC archivists are compiling a detailed policy and procedures manual in addition to the Statement Gathering Manual and the Protocols and technical reports that the Bronson Consulting Group have developed and submitted. In addition all of the current research into trusted digital repositories will be essential to ensuring that embedded technical specifications can be used to support data migration. A robust privacy regime with specialist assistance will be essential to ensuring that the rights and responsibilities of the donors including statement providers and the contributing archives and government departments are maintained. It will be essential to ensure appropriate culture respect during research special rooms for ceremony and reflection. The archives of the Museum of the American Indian provides a model.¹³ Finally, the logistical challenges that the TRC has faced will continue as the Centre works with local and regional communities to provide educational resources and access to this unique memorial collection.

¹³ See <http://nmai.si.edu/explore/collections/archive/>