



*In re Residential Schools Class Action  
Litigation*

*Settlement Notice Plan*

*Phase I – Hearing Notice*

*Phase II – Opt-Out/Claims Notice*

*Prepared by Hilsoft Notifications  
Updated February 26, 2007*

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# 1. Introduction

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The “Notice Plan” (or the “Plan”) that follows outlines the dissemination efforts that will be undertaken to provide adequate notice to Class members in the *In re Residential Schools Class Action Litigation*, including notification of the Hearings (Phase I) and notification of the Opt-Out/Claims process (Phase II). The Plan is based on meeting key objectives, uses extensive and appropriate prior class action notice experience, and is supported by industry standard research tools and data.

Hilsoft Notifications has designed this Notice Plan with valuable input from Aboriginal people and groups, lawyers for the parties, the NCC, the Government, and with direction from the Courts. Hilsoft Notifications’ President, Todd B. Hilsee, has been recognized as a class action notice expert by many U.S. and Canadian judges, and has specific experience designing and implementing large-scale consumer class action notice plans. Hilsee, together with key Hilsoft Notifications’ principals, Barbara A. Coyle, Executive Vice President, Gina M. Intrepido, V.P./Media Director, and Shannon R. Wheatman, Ph. D., V.P./Notice Director, have designed the Plan and notices, and with Carla A. Peak, Notice Manager, will personally oversee implementation through completion.

Hilsoft Notifications has disseminated class action notices in more than 220 major cases, in more than 209 countries and 52 languages. Judges, including in published decisions, and including in Canada, have recognized the importance of the reach calculation methodology Hilsoft Notifications brought from the advertising industry. Courts, including Canadian courts, have previously approved this type of plan, the notice techniques it employs, and the delivery it achieves in terms of the high percentage of Class members reached. Hilsoft Notifications’ plans have always withstood collateral review and appellate challenge.

Hilsoft Notifications wrote and designed all of the notice documents (the “Notice” or “Notices”) in conjunction with the NCC and with much input from former students and community leaders. These Notices follow the highest modern principles in the illustrative notices that Hilsoft wrote and designed for the U.S. Federal Judicial Center (“FJC”), now at [www.fjc.gov](http://www.fjc.gov), at the request of the Advisory Committee on Civil Rules of the Judicial Conference of the United States. Canadian courts have recognized the importance of well designed notices to best communicate with Class members. Hilsoft Notifications’ c.v., including judicial comments recognizing notice expertise, is attached as **Schedule 1**.

## 2. *Background/Overview*

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- ***Aboriginal Groups.*** Aboriginal people of Canada is the term used to refer to the First Nations, Inuit, and Métis collectively. First Nations is a term of ethnicity used in Canada that has widely replaced the use of the word “Indian.” It refers to Indigenous peoples of North America located in what is now Canada, and their descendants, who are not Inuit or Métis. Both the Canadian Census and Siggner & Associates research and data refer to the term “Native American Indian” or “NAI”; however, for the purpose of this Notice Plan, the term First Nations will be used in its place.
- ***Residential Schools.*** The federal government began to play a role in the development and administration of the residential school system for Aboriginal children as early as 1874. The Government of Canada operated nearly every school as a “joint venture” with various religious organizations until 1969, when the federal government assumed total responsibility for the schools. In many instances, church organizations remained actively involved.

The schools were located in every province and territory, except Newfoundland, New Brunswick, and Prince Edward Island, although the highest concentration of schools was in British Columbia, the Prairies, and the North. Most of the federally run residential schools closed by the mid-1970’s, with a small number remaining open through the 1980’s. The last federally run residential school in Canada closed in 1996.

Aboriginal children were often separated from their families and communities to attend these schools. While not all children had negative experiences at these schools, incidents of physical and sexual abuse have been cited by many former students. Legal claims also allege breach of treaty, loss of education opportunity, forcible confinement and poor conditions at the schools. In addition, because a key objective of the residential school system was the assimilation of Aboriginal children, legal claims allege that the system contributed to a loss of language and culture among Aboriginal people.

As a result, the proposed settlement has been reached.

Note: Among various groups involved in the settlement there are differing views on use of the term “Indian” in connection with the schools. While this term does not apply to Métis and Inuit, the government refers to the schools as

“Indian” residential schools, and it is also preferred by First Nations. The settlement agreement is styled the Indian residential schools settlement. The case, on the other hand is named “In re Residential Schools Class Action Litigation.” Accordingly, the Notice Plan and Notices employ the word Indian when referring to the settlement itself, with some practical exceptions (short word length and broad understanding necessary in headlines), but elsewhere use the simpler and still recognizable term understood by all, by referring to the schools as simply “residential schools.”

- ***Notice Programme.*** There will be two phases of notice in connection with the Indian Residential Schools Settlement: *Phase I* publicizes the “Hearing Notice” while *Phase II* disseminates the “Opt Out/Claims Notice.”

***Phase I - “Hearing Notice”***

- Provides effective notice coverage to affected people residing both on reserve or within another Aboriginal community or settlement, as well as within the general population.
- Notice message announces the proposed settlement, hearing dates and locations, how to obtain additional information, and how to object, if desired.

***Phase II - “Opt Out/Claims Notice”***

- Consists of more extensive notice coverage than Phase I, to ensure the most effective reach practicable among those affected prior to the final opt-out deadlines and in conjunction with the launch of registration for a claim form.
- Notice message announces the settlement approval and outlines: the settlement and its benefits, the ability to exercise legal rights including opt-out procedures and deadlines for opting out; and how to obtain additional information necessary to make a claim when claim forms become available.

In both Phase I and Phase II, communications will be produced in languages appropriate to each media vehicle. Multiple languages will be used in some vehicles.

### 3. Plan Summary

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- **Objective.** Notify the greatest practicable number of former residential school students and their family members, and provide them with opportunities to see, read, or hear notice, understand their rights, and respond if they choose.
  
- **Situation Analysis.** The following factors helped us determine the dissemination methods needed to achieve an effective notice effort:
  1. There were an estimated 78,994 residential school former students alive as of 2006,<sup>1</sup> all of whom are Aboriginal.
  2. People affected include all three Aboriginal groups: First Nations, Métis and Inuit.
  3. People affected are located throughout Canada, including on reserve and within other Aboriginal communities/settlements, as well as within the general population.
  4. Those residing outside of an Aboriginal community are located in both rural and urban areas.
  5. A small percentage of affected people are in correctional institutions or reside outside of Canada.
  6. A partial list of people known to be affected is available (reaching at least 25% of former students).
  7. Notice materials must be provided in languages appropriate for communicating with those affected (i.e., English, French, and various key Aboriginal languages).
  
- **Target Audience.** The Notice Plan must reach former students of the residential school system, and family members who have rights under the settlement. This includes people from First Nations, Inuit, Inuvialuit, and Métis communities, or any other former student.

Recognizing that many former students are now older (e.g., 45+), using available research data we have calculated the reach among the broader population of potential Class members, i.e., Aboriginal people 25 years of age and older (25+), because their demographic profile and media usage closely represent those of all potential Class members and it ensures the greatest

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<sup>1</sup> Siggner & Associates Inc. 10/24/05 report: “Estimating the Residential School Attendee Population for the Years 2001, 2005 and 2006.”

certainty of a broad reach of all groups included in the settlement, including family members, and those former students who were young when the last schools closed. At the same time, our media programme selection will ensure that the older segments are adequately reached, as well as the overall 25+ Aboriginal population.

- **Strategies.** The notice effort consists of a combination of mailings and paid media placements in Aboriginal media, including television, radio, and publications. To build reach, media placements will appear in mainstream newspapers within the top Aboriginal population Census Metropolitan Areas (“CMAs”) and Census Agglomerations (“CAs”), and, in Phase II only, on mainstream television. Coverage will be further enhanced by organizational mailings/emailings/faxes, and community outreach (in-person distribution of Notice) in Phase II, as well as a neutral informational news release and a website and call centre where Notices may be accessed, questions answered, and where individuals can register to receive claim forms when they are ready.
- **Delivery.** Combined, the notice efforts will reach at least 91.1% of Aboriginal people 25+, and therefore a similar percentage of both former students and family members, an average of 6.3 times throughout the Phase I and Phase II programmes. Phase I activity alone will reach approximately 65.7% of Aboriginal people aged 25+ an average of 1.8 times and Phase II, 90.8% an average of 5.1 times.<sup>2</sup> Aboriginal television, Aboriginal radio, organizational and community outreach, the informational news release, and website efforts will further increase the reach and exposure among those affected. This reach is consistent with other effective notice programmes, is the best notice practicable, and meets all legal requirements.

The programme takes into account the older skew of former students, and, although incalculable because of the lack of precise data, our media selection and programming choices are designed to ensure that the reach among the former student Class members is consistent with, if not greater than, the reach among the broader group of the 25+ population that includes them and all family members.

- **Notice Tactics.** The following notice tactics have been selected to best reach

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<sup>2</sup> Reach calculations do not include unmeasured Aboriginal radio and Aboriginal viewers of Aboriginal TV, and do not include individual notice that may be achieved by organizations delivering to populations, or grass-roots outreach efforts. All of these efforts will be closely monitored and, if possible, calculated and reported to the Courts with a final report affidavit, providing the best and most conservative calculation of the total reach of the notice programmes.



those included in the settlement:

1. **Individual Mailings.** A personal letter to known Class members, along with the appropriate Summary Notice and Detailed Notice, and an Opt Out Form (Phase II), will be mailed to numerous lists from the Assembly of First Nations (AFN), Inuit, lawyer, and government databases of Class members. The Phase II mailing will also include those who have come forward and provided their contact information during Phase 1.

The Summary Notice will also be mailed to all addresses in the three northern territories of Nunavut, Northwest and Yukon.

2. **Organizational Mailings/Emailings/Faxes.** First Nation Offices and other community organizations such as Friendship Centres and Aboriginal agencies and organizations, will be contacted and asked for voluntary assistance to make notices available to Class members, by distributing them or posting them for public viewing, publishing the Notice in any newsletters they have, or including a link on their websites, if any.

The appropriate Summary Notice and Detailed Notice (Phase I or Phase II) will also be mailed to all federal and penal institutions, where some former residential school students are located.

3. **Aboriginal Television:** 30-second units in English and 60-second units (longer length to accommodate translations) in French will appear on the national Aboriginal television network — Aboriginal Peoples Television Network (“APTN”). Various Aboriginal language units will also appear, in 30 or 60-second formats, depending on the language.

- Phase I: Approximately 100 spots will air, over two weeks.
- Phase II: Approximately 180 spots will air, over three weeks.

4. **Aboriginal Radio.** 60-second units will be placed on approximately 90 Aboriginal stations. Aboriginal and French language stations will air the Notice in the language(s) appropriate for their station.

- Phase I: Approximately 40 spots per station will air, over two weeks.
- Phase II: Approximately 60 spots per station will air, over three weeks.

5. **Aboriginal Publications.** A full page Summary Notice will appear in approximately 36 Aboriginal publications for both Phase I and Phase II. In bilingual publications, Notice will appear in both English (or French) and the appropriate Native language(s). The actual number of publications used

for each Phase will depend upon approval dates in relation to publication issuance dates and advertising deadlines.

6. **Mainstream Newspapers.** To extend reach, particularly among affected people living outside of an Aboriginal community, both the Phase I and Phase II Summary Notice will appear two times in 31 daily mainstream newspapers. These papers circulate in the top 19 Aboriginal population CMAs/CAs, plus the Québec CMA. Four local newspapers with distribution in areas with a high concentration of Aboriginal people and former students will also carry both Notices two times. An approximate 1/3 page Summary Notice will be placed in the broadsheet newspapers and an approximate 3/4 page in the tabloid papers. A French version of the Notice will appear in the French language newspapers.
7. **Mainstream Television (Phase II ONLY).** 30-second units in English and 60-second units (longer length to accommodate translations) in French will appear on national and regional television networks.<sup>3</sup> A variety of programmes and dayparts will be used. Programme selection will emphasize the need to reach older former students.
  - Approximately 100 Adult 25+ GRPs (gross rating points)<sup>4</sup> will be sought per week over three weeks on the English networks.
  - Approximately 50 Adult 25+ GRPs will be sought per week over three weeks on the French networks.
8. **Informational News Release.** A party-neutral, Court-approved informational news release will be issued to the press (e.g., newspapers, news magazines), as well as Aboriginal organizations, agencies, and the AFN, for publication in its newsletter.
9. **Internet Activities.** For those who have access to the Internet, a neutral and informational website with an easy to remember domain name [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) will be available where affected people can obtain notice documents, and interact and correspond with administrators. Notice documents will be available in English, French, and Inuktitut.
10. **Community Outreach.** Efforts in Phase II will include community visits in

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<sup>3</sup> Television network and programme selections will be made at the discretion of the media planner.

<sup>4</sup> One rating point equals one percentage of the target population. GRPS are a sum of all rating points and may include the same person reached more than once, so GRPs can and do exceed 100.

which the main objective will be to achieve personal distribution of notice to as many former students and families of former students as reasonably possible to achieve.

***11. Response Handling.*** A response handling administrator will oversee a toll-free call center where callers can get questions answered, or request more information. The administrator will keep databases of responses, as well as track, record, transcribe and channel objections to the parties and the Courts. Callers will have access to English, French, and Aboriginal language speakers as needed. The phone line will also link to the Government's residential schools emotional crisis hotline. The administrator will also dovetail with our website activities by administering interactive response-handling aspects of the website, as well as post various legal documents on an ongoing basis.

- ***Message Content.*** The proposed Notices have all been designed to provide a clear, concise, plain language statement of affected people's legal rights and options. Summary Notices are simple but substantive roadmaps to all the key information. Broadcast Notices will air on television and radio stations, highlighting the appropriate message (Phase I: the hearings and ability to object; Phase II: the "stay in/opt out" message) and inviting response. Detailed Notices make even more facts available in an easy "Q&A" format. The Informational News Release will highlight key information through multiple channels of distribution. Drafts of all the Notices are entirely consistent with state-of-the-art "noticeable" plain language models, and are attached as **Schedule 2.**
- ***Language.*** Mailed notice packages will be created in English, French and Inuktitut. The Summary Notices for mainstream publications will be in English and French. Aboriginal publications and Broadcast Notices for Aboriginal television and radio will be produced in English, French, and the native language(s) appropriate to each media vehicle (if the publication is available at time of placement). These languages include:

**Publications:**

- English
- French
- Inuktitut
- Innuinaqtun
- Siglit

- Oji-Cree

**Radio:**

- English
- French
- Inuktitut
- Cree
- Déné (various dialects, such as Gwich'in and Dogrib)
- Ojibway
- Innu
- Atikamekw

**Television:**

- English, French, and Native languages appropriate to selected Native language programs, including Inuktitut, Innu, and Cree.

All the elements of the mailing packages (Envelope, Cover Letter, Summary Notice, and Detailed Notice) will be produced in English, French, and Inuktitut. The Informational News Release will be issued in English, French, and Inuktitut. Callers to the 800 number will be able to speak with operators in English, French, and various Aboriginal languages. The website will appear in English, French, and Inuktitut.

## *4. Notice Schedule Flow Chart – Phase I*

*Significant communication events within the overall notice programme.*

The flow chart below shows a hypothetical schedule for Phase I of the Indian residential schools settlement notice programme. The actual schedule will allow approximately 60 days from the first notice appearance. The appearances of the individual notices and media placements may vary within the notice period. The notice appearances may extend beyond week 6, leading up to the objection date.

<i>Notice Tactic</i>	<i>Week 1</i>	<i>Week 2</i>	<i>Week of 3</i>	<i>Week of 4</i>	<i>Week of 5</i>	<i>Week of 6</i>
<i>Fax Informational Release to First Nations, Inuit &amp; Métis Community Offices</i>						
<i>Issue Informational Release over Newswire</i>						
<i>Individual Mailings</i>						
<i>Organizational Mailings, Email, Fax</i>						
<i>Aboriginal Publications</i>						
<i>Aboriginal Television</i>						
<i>Aboriginal Radio</i>						
<i>Mainstream Newspapers</i>						
<i>Website</i>						

All publication blocks show when readers receive notice (the “on-sale” date). Monthly, bimonthly and quarterly publications, and some weeklies, have a longer “shelf life” or readership period. All actual publications and insertion/air dates may vary within the notice period subject to availabilities at the time of placement.

## *5. Notice Schedule Flow Chart – Phase II*

*Significant communication events within the overall notice programme.*

The flow chart below shows a schedule for the appearances of Phase II notices. Notice would appear on the established website within one week of approval to proceed. Notices would begin to appear in media vehicles as early as possible after approval of the settlement and notice documents. Week 1 on the chart below begins approximately 35 days after Court approval to proceed with Phase II, or upon notice documents being approved as final.

<i>Notice Tactic</i>	<i>Week 1</i>	<i>Week 2</i>	<i>Week 3</i>	<i>Week 4</i>	<i>Week 5</i>	<i>Week 6</i>
<i>Fax Informational Release to First Nations, Inuit &amp; Métis Community Offices</i>						
<i>Issue Informational Release over Newswire and Track news coverage*</i>	Issued Earlier – See Below					
<i>Individual Mailings</i>						
<i>Organizational Mailings, Email, Fax</i>						
<i>Community Outreach**</i>						
<i>Aboriginal Publications</i>						
<i>Aboriginal Television</i>						
<i>Aboriginal Radio</i>						
<i>Mainstream Newspapers</i>						
<i>Mainstream Television</i>						
<i>Website***</i>						

\*News release issued earlier – within one week of approval to proceed or lift of stay whichever comes later. \*\*Community outreach begins as soon as practicable after approval, and continues through the opt-out date. \*\*\*Notices appear on website much earlier – within one week from approval to proceed or lift of stay whichever comes later.

All publication blocks show when readers receive publications (the “on-sale” date). Monthly, bimonthly and quarterly publications, and some weeklies, have a longer “shelf life” or readership period. All actual publications and insertion/air dates may vary within the notice period subject to availabilities at the time of placement.

## 6. Methodology

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*def: Tools and data trusted by the communications industry and courts.*

In developing the Notice Plan, we used tools and data sources that are commonly employed by experts in the communications field. These include Print Measurement Bureau (“PMB”)<sup>5</sup> and Mediamark Research, Inc. (“MRI”)<sup>6</sup> data, which provide statistically significant readership, demographic and product usage data; Audit Bureau of Circulations (“ABC”)<sup>7</sup> statements, which certify publication circulation numbers; and BBM<sup>8</sup> research, which measures television audiences.

These tools, along with demographic breakdowns indicating how many people use each media vehicle, as well as computer software and our industry-standard calculations that take the underlying data and factor out the duplication among audiences of various media vehicles, allow us to determine the net (unduplicated) reach of a particular media schedule. We combine the results of this analysis with our experience and the well-recognized standards of media planning, in order to help determine notice plan sufficiency and effectiveness.

Virtually all of North America’s largest advertising agency media departments utilize, scrutinize, and rely upon such independent, time-tested data and tools, including net reach, de-duplication analysis methodologies, and average frequency of exposure, to guide the billions of dollars of advertising placements that we see today, providing assurance that these figures are not overstated.<sup>9</sup> These analyses and similar planning tools have become standard analytical tools for evaluations of notice programmes, and have been regularly accepted by courts.

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<sup>5</sup> PMB is Canada’s leading media research study, conducted annually on behalf of advertisers, agencies and media.

<sup>6</sup> MRI is the leading source of publication readership and product usage data for the communications industry in the US. MRI offers comprehensive demographic, lifestyle, product usage and exposure to all forms of advertising media collected from a single sample.

<sup>7</sup> Established in 1914, ABC is a non-profit cooperative formed by media, advertisers, and advertising agencies to audit the paid circulation statements of magazines and newspapers. It is the industry’s leading, neutral source for documentation on the actual distribution of newspapers printed and bought by readers in N. America. Widely accepted throughout the industry, it certifies over 3,000 publications, categorized by metro areas, region, and other geographical divisions. Its publication audits are conducted in accordance with rules established by its Board of Directors. These rules govern not only how audits are conducted, but also how publishers report their circulation figures. ABC’s Board of Directors is comprised of representatives from the publishing and advertising communities.

<sup>8</sup> BBM Canada is a not-for-profit, broadcast research company that was jointly established in 1944 as a tripartite cooperative by the Canadian Association of Broadcasters and the Association of Canadian Advertisers. BBM is the leading supplier of radio and television audience ratings services to the Canadian broadcast advertising industry.

<sup>9</sup> Net Reach is defined as the percentage of a class who was exposed to a notice, net of any duplication among people who may have been exposed more than once. Average Frequency is the average number of times each different person reached will have the opportunity to view a vehicle containing a notice placement.

## 7. Target Audience

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*def: The demographics of the people included in the settlement, including but not limited to, the persons most likely to be affected.*

An effective notice plan must be guided by a careful and thorough study of demographics, as this more than anything guides necessary media selection and usage in notice campaigns. Based on the research outlined below, the following characteristics best describe those included in the settlement:

- Reside throughout Canada, but with a likely concentration in the west.
- Age 25+, with an emphasis on 45+.
- Almost an equal distribution between those living within reserves or Aboriginal communities/settlements as those living outside of them.
- Affected people living outside of a reserve or Aboriginal community/settlement are more likely to live in urban locations (72%) vs. rural areas (28%).
- More than 90% of the entire Aboriginal population speaks English; approximately 5% speak French; and about 7% speak in their Native language only. Certainly, Class members who are older than the Aboriginal population as a whole rely more on Aboriginal languages, at least in spoken form.
- Likely mirror the overall Aboriginal population on other measures, i.e., tend to be less educated, have lower income and higher unemployment levels, and are more mobile than Canada's general population.
- **Population/Size of former student group.** Based on the 2001 Canadian Census, there were 976,305 people in Canada who identify themselves as Aboriginal, including 608,850 people of First Nations, 292,310 Métis, and 45,070 Inuit.<sup>10</sup> Canada's Aboriginal Identity population comprises 3.3% of Canada's total population of 29,639,030.

Research prepared by Siggner & Associates Inc.<sup>11</sup> estimated the 2001 Aboriginal former residential school attendee ("RSA") population aged 15 and over to be 83,695. Due to mortality of the already-born and aging population, the number was estimated to be 78,994 in 2006. The majority of former students are First Nation members.

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<sup>10</sup> There are many ways of defining the Aboriginal population. The 2001 Census provides data that are based on the definitions of ethnic origin (ancestry), Aboriginal Identity, Registered Indian, and Band membership. References in the Notice Plan refer to Aboriginal Identity, which refers to persons who reported identifying with at least one Aboriginal group, i.e. North American Indian, Métis, or Inuit. Also included are individuals who did not report an Aboriginal identity, but did report themselves as a Registered or Treaty Indian, and/or Band or First Nation membership.

<sup>11</sup> The 1991 and 2001 Aboriginal Peoples Surveys, 2001 Census data, and other data sources were used in preparing the research.



<i>RSA Groups</i>	<i>2001</i>		<i>2006</i>	
<i>First Nations</i>	67,915	81.1%	64,111	81.2%
<i>Métis</i>	6,879	8.2%	6,464	8.2%
<i>Inuit</i>	3,619	4.3%	3,448	4.4%
<i>Aboriginal Origins Only</i>	3,346	4.0%	3,144	4.0%
<i>Inmates</i>	877	1.0%	855	1.1%
<i>Outside Canada</i>	1,059	1.3%	973	1.2%
<b><i>Total</i></b>	<b>83,695</b>	<b>100.0%</b>	<b>78,994</b>	<b>100.0%</b>

- ***Former students' residence on reserve and within other Aboriginal communities/settlements.*** Based on Siggner data, the largest percentage of RSA's is comprised of on reserve First Nation members (52.7%). In fact, there are approximately 630 First Nations in Canada. However, more than 40% of the remaining RSA's reside outside of a reserve or Aboriginal community/settlement, including 22,470 off reserve First Nation members (or 28.4% of former students) and nearly all of the Métis and "Aboriginal Origins Only" former students.
- ***Age of former students.*** Most of the federally run residential schools closed by the mid-1970's, with a small number remaining open through the 1980's. The last federally run residential school in Canada closed in 1996. Based on this, the vast majority of former students are 25+, with an emphasis among 35+ years of age. According to the Siggner report, approximately 17% of RSA's are older than 65.
- ***Geographic location of former students.*** Because the residential schools were located in nearly every province and territory of Canada and former students are not necessarily living in the same area where they attended a residential school, former students can be residing throughout Canada.

The following provides demographic trends among the Aboriginal population regarding employment, education, income, language, geography, and mobility, based on 2001 Census data:

- ***Employment.*** Unemployment was higher among the Aboriginal population — the unemployment rate for the Aboriginal population was 19.1%, compared to 7.1% for the non-Aboriginal population. The unemployment rate was highest for First Nations and Inuit, both at 22.2%, while the unemployment rate for Métis was 14%.

- **Education.** While nearly 16% of non-Aboriginal Canadians were university graduates, only 4.4% of Aboriginal people had a university degree. Nearly one half (48%) of the Aboriginal population did not graduate high school, compared to only 30.8% of the non-Aboriginal population. Education levels were much lower among Aboriginal people 65 years of age or older, 78.9% of whom did not graduate high school.
- **Income.** The average income level among Aboriginal people was 36% lower than that of the non-Aboriginal population. Additionally, the incidence of low income in 2000 was substantially higher among the Aboriginal population compared to the non-Aboriginal population: 31.2% of the Aboriginal “family” population and 55.9% of “unattached” Aboriginal people, versus 12.4% and 37.6% of non-Aboriginal people, respectively.
- **Language.** A total of 235,075 individuals, or 24% of the Aboriginal Identity population, reported that they had enough knowledge of an Aboriginal language to carry on a conversation. The strongest enclaves of Aboriginal language speakers are in the North and living on reserve or within an Aboriginal community/settlement. English is spoken by more than 90% of the Aboriginal population, while French is spoken by approximately 5%. Approximately 7% of the Aboriginal population speaks only their Native language.

There are between 53 and 70 Aboriginal languages in Canada, with Cree, Inuktitut, and Ojibway being the three strongest.

<i>Aboriginal Language</i>	<i>Population with Knowledge of Aboriginal Language</i>	<i>Population with Aboriginal Language as Mother Tongue</i>
<i>Cree</i>	<i>92,630</i>	<i>77,285</i>
<i>Inuktitut</i>	<i>31,945</i>	<i>29,695</i>
<i>Ojibway</i>	<i>27,955</i>	<i>21,980</i>
<i>Déné</i>	<i>10,500</i>	<i>9,565</i>
<i>Montagnais-Naskapi</i>	<i>10,285</i>	<i>9,790</i>
<i>Micmac</i>	<i>8,625</i>	<i>7,405</i>
<i>Oji-Cree</i>	<i>5,610</i>	<i>5,185</i>
<i>Attikamekw</i>	<i>4,935</i>	<i>4,710</i>
<i>Dakota/Sioux</i>	<i>4,875</i>	<i>4,280</i>
<i>Blackfoot</i>	<i>4,415</i>	<i>3,020</i>
<i>Salish languages not</i>	<i>2,675</i>	<i>1,730</i>

<i>included elsewhere</i>		
<i>Algonquin</i>	<i>2,340</i>	<i>1,840</i>
<i>Dogrib</i>	<i>2,265</i>	<i>1,920</i>
<i>Carrier</i>	<i>2,000</i>	<i>1,425</i>

- **Geography.** According to the 2001 Census, Canada's most populous province, Ontario, had 188,315 Aboriginal people, the highest absolute number, followed by British Columbia with 170,025. There are currently over 600 First Nations in Canada, of which nearly half are located in the provinces of Ontario or British Columbia.

The highest concentration of Aboriginal population was in the North and on the Prairies. The 22,720 Aboriginal people in Nunavut represent 85.2% of the territory's total population, the highest concentration in the country. Aboriginal people represented more than half (50.5%) of the population in the Northwest Territories, and almost one quarter (22.9%) of the population in the Yukon.

<b>Region</b>	<b>Aboriginal Population</b>	<b>% of Aboriginal Population</b>	<b>% of Province/Territory Total Population</b>
<i>Ontario</i>	<i>188,315</i>	<i>19.3%</i>	<i>1.7%</i>
<i>British Columbia</i>	<i>170,025</i>	<i>17.4%</i>	<i>4.4%</i>
<i>Alberta</i>	<i>156,220</i>	<i>16.0%</i>	<i>5.3%</i>
<i>Manitoba</i>	<i>150,040</i>	<i>15.4%</i>	<i>13.5%</i>
<i>Saskatchewan</i>	<i>130,190</i>	<i>13.3%</i>	<i>13.6%</i>
<i>Québec</i>	<i>79,400</i>	<i>8.1%</i>	<i>1.1%</i>
<i>Nunavut</i>	<i>22,720</i>	<i>2.3%</i>	<i>85.2%</i>
<i>Newfoundland and Labrador</i>	<i>18,780</i>	<i>1.9%</i>	<i>3.7%</i>
<i>Northwest Territories</i>	<i>18,725</i>	<i>1.9%</i>	<i>50.5%</i>
<i>Nova Scotia</i>	<i>17,015</i>	<i>1.7%</i>	<i>1.9%</i>
<i>New Brunswick</i>	<i>16,990</i>	<i>1.7%</i>	<i>2.4%</i>
<i>Yukon Territory</i>	<i>6,540</i>	<i>0.7%</i>	<i>22.9%</i>
<i>Prince Edward Island</i>	<i>1,345</i>	<i>0.1%</i>	<i>1.0%</i>
<b>Canada</b>	<b>976,310</b>	<b>100.0%</b>	<b>3.3%</b>

Census data also shows slow, but steady growth among Aboriginal people residing in the nation's cities. In 2001, almost half of the population who identified themselves as Aboriginal (49.1%) lived in urban areas, up from 47% in 1996. At the same time, the proportion of Aboriginal people who lived on reserve and within an Aboriginal community/settlement declined from 32.7% to 31.4%.

One quarter of the Aboriginal population lived in ten metropolitan areas. In fact, in 2001, a total of 245,000 or 25.1% of Aboriginal people lived in ten of the nation's 27 CMAs. Winnipeg had the greatest number, followed by Edmonton, Vancouver, Calgary, Toronto, Saskatoon, Regina, Ottawa-Hull (now known as Ottawa-Gatineau), Prince Albert, and Montreal. The highest concentration was in the CMA of Prince Albert, whose 11,640 Aboriginal people accounted for 29.2% of its population.

<i>CMA/CA</i>	<i>Aboriginal Population</i>	<i>Percentage of CMA/CA Total Population</i>
<i>Winnipeg</i>	<i>55,755</i>	<i>8.4%</i>
<i>Edmonton</i>	<i>40,930</i>	<i>4.4%</i>
<i>Vancouver</i>	<i>36,860</i>	<i>1.9%</i>
<i>Calgary</i>	<i>21,915</i>	<i>2.3%</i>
<i>Toronto</i>	<i>20,300</i>	<i>0.4%</i>
<i>Saskatoon</i>	<i>20,275</i>	<i>9.1%</i>
<i>Regina</i>	<i>15,685</i>	<i>8.3%</i>
<i>Ottawa-Gatineau</i>	<i>13,485</i>	<i>1.3%</i>
<i>Prince Albert</i>	<i>11,640</i>	<i>29.2%</i>
<i>Montreal</i>	<i>11,085</i>	<i>0.3%</i>
<i>Victoria</i>	<i>8,695</i>	<i>2.8%</i>
<i>Thunder Bay</i>	<i>8,200</i>	<i>6.8%</i>
<i>Prince George</i>	<i>7,980</i>	<i>9.4%</i>
<i>Greater Sudbury</i>	<i>7,385</i>	<i>4.8%</i>
<i>Hamilton</i>	<i>7,270</i>	<i>1.1%</i>
<i>Wood Buffalo</i>	<i>6,220</i>	<i>14.6%</i>
<i>London</i>	<i>5,640</i>	<i>1.3%</i>
<i>Sault Ste. Marie</i>	<i>5,610</i>	<i>7.2%</i>
<i>Kamloops</i>	<i>5,470</i>	<i>6.4%</i>
<b><i>TOTAL</i></b>	<b><i>310,400</i></b>	

The following provides additional information and geographic details for each of the three Aboriginal Identity populations:

**First Nations:**

- Total population was 608,805 or 62% of the Aboriginal Identity population.

- 22% reported residing in Ontario, 19% in British Columbia, and 43% in the three Prairie Provinces of Manitoba (15%), Alberta (14%), and Saskatchewan (14%).
- Of the 53% living off reserve, 78% lived in urban centres and 22% lived in rural locations.
- Winnipeg had the largest population (22,955), followed by Vancouver (22,700), Edmonton (18,260), Toronto (13,785), and Saskatoon (11,290).

### **Métis:**

- Total population was 292,310 or 30% of the Aboriginal Identity population, an increase of 43% from five years earlier, making it the largest population gain of the three Aboriginal groups.
- Largest reported population lived in Alberta (66,055 or 23%), followed by Manitoba (56,795 or 19%), Ontario (48,345 or almost 17%), British Columbia (44,265 or 15%), and Saskatchewan (43,695 or 15%).
- Of the 97% who lived outside of an Aboriginal community/settlement, 70% lived in urban centres and 30% lived in rural areas.
- The five CMAS with the largest population were: Winnipeg (31,395), Edmonton (21,065), Vancouver (12,505), Calgary (10,575), and Saskatoon (8,305), for a combined total of 29% of the Métis population.

### **Inuit:**

- Total population was 45,070 or 5% of the Aboriginal Identity population.
  - Half of the population lived in Nunavut (22,560 or 50%), with Québec at a distant second (9,535 or 21.2%), followed by Newfoundland and Labrador (4,555 or 10.1%), and Northwest Territories (3,905 or 8.7%).
  - Inuit represented 85% of Nunavut's total population.
  - The five communities with the largest population were: Iqaluit (3,010), Arviat (1,785), Rankin Inlet (1,680), Kuujjuaq (1,540), and Baker Lake (1,405).
  - Inuit represented 94.2% of Arviat's total population, 93.0% of Baker Lake's, 80.2% of Kuujjuaq's, 77.6% of Rankin Inlet's, and 57.9% of Iqaluit's.
  - Inuktitut language remains strong — 70.7% reported an ability to carry on a conversation in Inuktitut and 65.0% reported speaking it at least regularly in their home.
- ***Mobility.*** Aboriginal people are more mobile than other Canadians. Overall, in the 12 months before the May 15, 2001 Census, 22% of Aboriginal people moved compared with only 14% of their non-Aboriginal counterparts. About

two thirds of those who moved did so within the same community, while about one third of movers changed communities.

Net migration among Aboriginal people was greatest for the rural, non-reserve parts of the nation as compared with net movements for the reserves/communities/settlements or urban areas. During this period, the rural (non-reserve) areas of Canada incurred a net loss of 1.8% due to migration, while there was a net gain of 1.1% to the reserves/communities/settlements, and 0.4% to the CMAs. This pattern of small net increases in movement to the reserves/communities/settlements and larger urban centres has been an observed trend since 1981.

## 8. *Media Selection*

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*def: The media vehicles that will best reach affected people in this particular notice programme.*

In addition to individual mailings and organizational and community outreach, a combination of paid notice placements in Aboriginal television, radio, publications, mainstream newspapers and, in Phase II, mainstream television, has been selected to deliver the message to Class members. We have reviewed the merits of all forms of media for this case by comparing alternate schedules.

Based on our analysis, our selection of media allows:

- Documented audience data guaranteeing reach among Aboriginal people.
- Multiple opportunities for Aboriginal people to see the messages.
- The airing of attention-getting and impactful television spots that will present information to Aboriginal people through TV, their number one source of information.
- Ability to reach Aboriginal people through notice airings on targeted Aboriginal television.
- Notice placements in Aboriginal publications, whose distribution includes approximately 630 First Nations, Métis settlements, Inuit communities, Friendship Centres, and various Aboriginal organizations.
- Notice placements in mainstream newspapers in areas with high Aboriginal populations, to extend reach particularly among those living outside of reserves and Aboriginal communities/settlements.
- Affected people to have a written record and the ability to refer back to the Notice, pass it on to others without distortion, and easily respond via the website or 800 number, which offers a connection to the government's crisis support line.
- Notice placements on Aboriginal radio, whose reach includes remote Aboriginal communities.

- Broad reach through mainstream television (Phase II only), including both English and French language networks/stations.
- An effective mix of media and frequency of notice providing affected people various opportunities throughout the notice period to see and react to the message.
- A “noticeable” Notice with arresting graphics and a bold headline to attract the attention of affected people.
- The broadest, most inclusive *geographic* coverage, ensuring that affected people are not excluded based on where they choose to live, i.e., whether they live within Aboriginal communities or not, in rural or urban areas.
- The most inclusive *demographic* coverage, ensuring that the broad target of Aboriginal people is effectively reached.



## *9. Plan Delivery Summary*

<i>Activity</i>	<i>Phase I</i>	<i>Phase II</i>	<i>Total</i>
<i>Estimated NET Mailings to Known Class members:</i>	<i>20,000</i>	<i>40,000*</i>	<i>40,000</i>
<i>Number of Aboriginal Publications:</i>	<i>Approx. 36</i>	<i>Approx. 36</i>	<i>Approx. 36</i>
<i>Insertions in Aboriginal Publications:</i>	<i>Approx. 41</i>	<i>Approx. 41</i>	<i>Approx. 82</i>
<i>Number of Mainstream &amp; Local Newspapers:</i>	<i>35</i>	<i>35</i>	<i>35</i>
<i>Insertions in Mainstream &amp; Local Newspapers:</i>	<i>70</i>	<i>70</i>	<i>140</i>
<i>Total Number of Aboriginal Television Spots:</i>	<i>100</i>	<i>180</i>	<i>280</i>
<i>Total Number of Mainstream Television Adult 25+ English GRPs:</i>	<i>na</i>	<i>300</i>	<i>300</i>
<i>Total Number of Mainstream Television Adult 25+ French GRPs:</i>	<i>na</i>	<i>150</i>	<i>150</i>
<i>Total Number of Aboriginal Radio Spots, per Station:</i>	<i>40</i>	<i>60</i>	<i>100</i>
<i>Aboriginal Publication Circulation:</i>	<i>402,697</i>	<i>402,697</i>	<i>402,697</i>
<i>Mainstream Newspaper Circulation:</i>	<i>4,494,727</i>	<i>4,494,727</i>	<i>4,494,727</i>
<i>Total Adult Exposures via Aboriginal Publications: **</i>	<i>200,000</i>	<i>200,000</i>	<i>400,000</i>

<i>Total Adult Exposures via Mainstream Newspapers:</i>	<i>20,000,000</i>	<i>20,000,000</i>	<i>40,000,000</i>
<i>Net % Reach among Aboriginal People 25+:<sup>12</sup></i>	<i>65.7%</i>	<i>90.8%</i>	<i>91.1%</i>
<i>Average Frequency of Exposure among Aboriginal People 25+:</i>	<i>1.8</i>	<i>5.1</i>	<i>6.3</i>

\* The Notice Plan for Phase II will benefit by the additional names and addresses of Class members obtained as a result of Phase I notice efforts.

\*\* Because much of the Aboriginal publication circulation is non-paid and/or not independently audited, we conservatively determined the total impressions for audience calculation purposes to be approximately 50% of the total circulation, and did not include possible pass-along readers.

This Plan achieves an effective reach among affected people as well as an opportunity for multiple exposures to notice. Although not quantifiable for purposes of determining the total net reach of the efforts, impressions achieved from the Aboriginal television and radio schedules, organizational and community outreach, informational news release, and website efforts will further add to the reach and frequency of exposure among those affected. Any possible calculations that accrue to the benefit of either net reach or average frequency of notice exposure will be reported to the Courts at the conclusion of the programmes.

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<sup>12</sup> Reach calculations do not include unmeasured Aboriginal radio and Aboriginal viewers of Aboriginal TV, and do not include individual notice that may be achieved by organizations delivering to populations, or community outreach efforts. All of these efforts will be closely monitored and, if possible, calculated and reported to the Courts with a final report affidavit, providing the best and most conservative calculation of the total reach of the notice programmes.

## **10. Net Reach**

*def: Total different persons who are exposed to a media vehicle containing a notice stated as a percentage of the total.*

We employ industry standard methodologies to factor out the duplicate persons reached by the different and overlapping audiences on a media schedule to yield total net persons reached. The results of the proposed notice programme are as follows:

<b>Media</b>	<b>Phase I % of Aboriginal People 25+ Reached</b>	<b>Phase II % of Aboriginal People 25+ Reached</b>	<b>COMBINED % of Aboriginal People 25+ Reached</b>
<i>Mailings<sup>13</sup></i>	<i>25.3%</i>	<i>50.6%</i>	<i>50.6%*</i>
<i>Aboriginal Publications</i>	<i>38.5%</i>	<i>38.5%</i>	<i>38.5%</i>
<i>Mainstream Newspapers</i>	<i>25.5%</i>	<i>25.5%</i>	<i>27.6%</i>
<i>Mainstream Television</i>	<i>n/a</i>	<i>73.1%</i>	<i>73.1%</i>
<b>COMBINED<sup>14</sup></b>	<b><i>65.7%</i></b>	<b><i>90.8%</i></b>	<b><i>91.1%</i></b>

\*Effect of additional mailings for Phase II not incorporated into total combined reach until conclusion of program, and verification of the total net names available for mailings.

The reach percentage provided by the measured paid media alone indicates that the notice programme will be extensive, and highly appropriate for the circumstances of this case. Reach will be further enhanced by Aboriginal television, Aboriginal radio, organizational and community outreach, the informational news release, and website efforts. Reach estimates for the Aboriginal radio and Aboriginal television (among Aboriginal viewers) are not calculable due to the absence of measured audience data. Reach estimates for older former students (i.e., 45 years and older)

<sup>13</sup> Does not include the additional Individual Notices that will be distributed to affected people by First Nations and other Aboriginal community/settlement offices and organizations, or distributed through community outreach efforts. Phase II mailing reach does not include additional reach that will be achieved by mailing to all those who come forward during Phase I. Reach achieved through mailings will be calculated in the final report.

<sup>14</sup> Net of duplication between all efforts. Reach calculations do not include unmeasured Aboriginal radio and Aboriginal viewers of Aboriginal TV, and do not include individual notice that may be achieved by organizations delivering to populations, or community outreach efforts. All of these efforts will be closely monitored and, if possible, calculated and reported to the Courts with a final report affidavit, providing the best and most conservative calculation of the total reach of the notice programmes.

was also incalculable as a result of low sample sizes for media research data on that more narrow age group, however, an emphasis has been placed on selecting media that targets older people included in the settlement. By the nature of our media selection and programming choices, the reach among the older former student Class members is expected to be consistent with, if not greater than, the reach among the broader group of the 25+ population that includes them and other family members. The number of exposures resulting from the organizational and community outreach, the informational news release, and the website can and will be calculated as much as possible, at the time of our final report.

The audience data used to determine the results in the table above is the same data used by media professionals to guide the billions of dollars of advertising we see today. The statistics and sources we cite are uniformly relied upon in our field. ABC data has been relied on since 1914; 90-100% of media directors use reach and frequency planning<sup>15</sup>; all of the leading advertising and communications textbooks cite the need to use reach and frequency planning<sup>16</sup>; and a leading treatise says it *must* be used<sup>17</sup>: “In order to obtain this essential information, we must use the statistics known as reach and frequency.” Around the world, audience data has been used for years.<sup>18</sup>

Courts have recognized the merits of this quantification methodology, even when challenged, and leading notice professionals have adopted this model since our introduction of it to the class action notice field approximately 17 years ago. Numerous Canadian courts have previously approved the delivery this Plan achieves in terms of the number of affected people reached for a class action lawsuit.

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<sup>15</sup> See generally Peter B. Turk, *Effective Frequency Report: Its Use and Evaluation by Major Agency Media Department Executives*, 28 J. ADVERTISING RES. 56 (1988); Peggy J. Kreshel et al., *How Leading Advertising Agencies Perceive Effective Reach and Frequency*, 14 J. ADVERTISING 32 (1985).

<sup>16</sup> Textbook sources that have identified the need for reach and frequency for years include: JACK S. SISSORS & JIM SURMANEK, *ADVERTISING MEDIA PLANNING*, 57-72 (2d ed. 1982); KENT M. LANCASTER & HELEN E. KATZ, *STRATEGIC MEDIA PLANNING* 120-156 (1989); DONALD W. JUGENHEIMER & PETER B. TURK, *ADVERTISING MEDIA* 123-126 (1980); JACK Z. SISSORS & LINCOLN BUMBA, *ADVERTISING MEDIA PLANNING* 93-122 (4th ed. 1993); JIM SURMANEK, *INTRODUCTION TO ADVERTISING MEDIA: RESEARCH, PLANNING, AND BUYING* 106-187 (1993).

<sup>17</sup> AMERICAN ADVERTISING AGENCY ASSOCIATION, *GUIDE TO MEDIA RESEARCH* 25 (1987), revised 1993.

<sup>18</sup> Like PMB data for publications and demographics and BBM audience figures for television and radio in Canada, there are many other audience data tools specific to many countries including: MRI, Nielsen Media Research, and Arbitron in the U.S.; Roy Morgan; MA; MMP CIM; Estudos Marplan; NADbank; Media Project; Index Danmark/Gallup; Kansallinen Mediatutkimus; IPSOS – Press Quotidienne; AEPM; AWA; MA; Bari/NSR; Media Analysis, Szonda IPSOS; AUDIPRESS; SUMMOSCANNER; AC Nielsen Media Readership Survey; ForBruker & Media; Norsk Medieindeks; Media Study Polonia; MediaUse; AMPS; Orvesto Consumer; MACH; Ukraine Print Survey; NRS; Simmons (SMRB), Scarborough.

## *11. Average Frequency of Exposure*

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*def: The exposures that will produce a positive change in awareness, attitude or action among those reached by a media schedule.*

*def: Average Frequency – average number of times that each different person reached will have the opportunity to view a vehicle containing a notice placement.*

The Notice Plan is intended to provide affected people with the best practicable opportunity to see, read, and understand the Notice and their rights, so that they may respond if they so choose.

While this Notice Plan must rely upon modern-style, and audience-documented media coverage as reported herein, this Notice Plan provides a higher frequency of exposure than would a direct mail notice programme that sends one notice, one time, to a Class member.<sup>19</sup> Each Aboriginal person 25+ reached will have an average of 1.8 exposure opportunities to the Notice during Phase I, 5.1 during Phase II, and 6.3 overall (Phase I and Phase II combined).<sup>20</sup>

The frequency of exposure will be further enhanced by Aboriginal television, Aboriginal radio, organizational and community outreach, the informational news release, and website efforts.

While extra exposures are important for settlement messages, during Phase I there is no claims filing message, and affected people, while they have the right to be heard, are not required to take action to remain in the class. The important message comes from the Court and is designed to provide the Notice in an informative and understandable manner. Accordingly, the benefit of excessive message exposure frequency is reduced during Phase I.

On the other hand, the Phase II effort, providing not only notice of the opt-out right, but notice of the ability to come forward and register to take part in the claims filing process, demands additional frequency of notice exposure. This provides focused reminders to take the action needed to get the benefits being offered under a settlement. Well-established communication principles and methods support this premise. Therefore, the benefit of extra message exposure to the same person that results from the overlapping coverage provided by notice placements is very helpful during Phase II.

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<sup>19</sup> The reach achievable through direct mail notice programmes varies widely depending on the accuracy and comprehensiveness of Class member lists. A complete and accurate list is not available here.

<sup>20</sup> In standard media terminology, “exposures” is defined as opened or read a publication containing a notice placement.

## *12. Geographic Coverage*

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*def: Ensuring that affected people are not excluded simply because of where they live.*

This notification effort takes steps to ensure fair and wide geographic coverage:

- Mailings will go to addresses of known Class members no matter where they may now reside.
- Aboriginal television (APTN) is available in nearly 100% of on reserve Aboriginal households, and 85% of households in the far North.
- Aboriginal radio, including broadcasts via satellite systems, extends reach and builds frequency to Aboriginal people throughout Canada, including those in remote areas.
- Aboriginal publications will provide coverage in all 13 provinces/territories.
- Mainstream newspapers include leading papers in the top 19 Aboriginal CMAs/CAs. Two of the newspapers have national distribution.
- Mainstream television will increase reach throughout Canada.
- The informational news release extends coverage throughout Canada.
- The Internet allows access to the Notice regardless of geography.

Accordingly, the Notice Plan focuses on reaching affected people regardless of where they choose to live.

## ***13. Individual Mailings***

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*def: Reaches affected people directly with notice by mail when current, accurate, and usable addresses are available from defendants or commercially available lists.*

A personal letter identifying the known Class member along with a Summary Notice and Detailed Notice (and Opt Out Form in Phase II) will be mailed to Class members on lists provided by the AFN, the National Consortium, the Merchant Law Group, the Makivik Corporation, the Inuvialuit Regional Corporation, the Nunavut Tunngavik Incorporated (NTI), the Labrador Inuit Association, lawyers on the National Certification Committee and any other lawyers with Class member names and addresses, and to a government list of those participating in government lawsuits seeking IAP benefits. The Government and the Churches, immediately after approval to proceed with Phase I and II, will provide up-to-date lists of all potential Class members and their lawyers who have lawsuits pending against them over residential schools.

In Phase I, mailings are expected to be sent to approximately 15,000 names on the AFN database and approximately 15,000 names on the attorney databases, providing an estimated 20,000 or more net names and addresses from the AFN and lawyer lists alone. In combination with the other lists noted above, the net number of addresses will likely be greater.

Based on additional names expected to be gleaned from Phase I notice efforts and databases being built up further (i.e., from callers and other responders who gave their names and addresses to the administrator), Phase II mailings are expected to be sent to approximately 37,000 names on the AFN database, and approximately 22,000 names on the attorney databases. Conservatively based calculations estimate at least 40,000 net names and addresses will result from the combined AFN and lawyer lists alone. It is quite probable that the Phase II net amount of addresses from all of the combined lists will be greater, increasing the overall reach achieved by individual mailings even further.

For Phase I and II, working through Canada Post, a Summary Notice will also be mailed to all 28,000 addresses in the three northern territories of Nunavut, Northwest and Yukon. Information will be mailed in English and French. Addresses from the Inuit lists will receive notice materials in Inuktitut and English. The Notice Plan contemplates that all Class members known to the administrator, or who come forward during Phase II, will automatically receive a claim form by mail when claim forms become available.

## ***14. Organizational Mailings/Emailings/Faxes***

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*def: Reaching out to affected people through organizations with which they are affiliated.*

The Notice Plan seeks to provide Aboriginal agencies and organizations that are in contact with affected people with information to pass on to Class members as they are able. The organizations will be asked to provide voluntary assistance in the distribution of Notices to potentially affected people they may regularly interface with, in a variety of ways.

A Notice will be faxed to First Nation offices alerting them to the settlement and attaching a Summary Notice for distribution, as they are able, or public posting for those who visit the office or other public spot on reserve. A Notice will also be faxed to publication editors and radio stations.

A basic notice package will be mailed to First Nation offices and other community/settlement offices, Friendship Centres, treatment and healing centers, IRS Survivors' Society/Branches, Métis organizations, and Inuit associations. The notice package will contain a letter from the Administrator, with a Summary and Detailed Notice. The letter will request voluntary assistance by distributing the Notices to Class members, posting the Notice in a public place where Class members may view it, publishing the Notice in any newsletters they may publish, or posting a link to the settlement website on any website the organization may host.

Email messages will be sent to addresses of Aboriginal organizations with active websites, asking for assistance by posting a link to the settlement website at their site.

The appropriate Summary Notice and Detailed Notice will also be mailed during Phase I and Phase II to all federal and penal institutions where former residential school students may be located. A DVD containing all six language variations of the Television Notice will be distributed to the federal penitentiaries for viewing. Additionally, Summary Notices will be provided to Service Canada for distribution to all permanent service centers and temporary outreach offices.



## ***15. Aboriginal Television - APTN***

*def: The targeted television network in which notices will air.*

Television is rated the number one source of information by 36% of Aboriginal people, higher than any other medium. APTN is the only national, Pan-Aboriginal media in Canada. According to APTN, it is available in nearly 100% of Aboriginal households on reserve, and 85% of Aboriginal households in the far North. Over half (56%) of APTN's programming is exclusive and cannot be seen on any other network.

Programming on APTN is available in a variety of languages:

- 60% English
- 15% French
- 25% in a variety of Aboriginal languages

The Notice will be produced as a 30-second unit for English programs, a 60-second unit for French programs (to accommodate the translation), and 30 or 60-second units for various Aboriginal language programs, depending on the length of the message after translation. The Notices will be developed using images along with a voice-over.

The schedule will include several dayparts to increase the Plan's ability to reach persons with different viewing habits. Programme selection will focus on the most popular programmes (News and Movies) and programmes targeting older segments of affected people, as well as Native Programmes which air in three different blocks each day. Sample programmes include:

<b><i>Sample Aboriginal Programmes:</i></b>	<b><i>Day/Time</i></b>	<b><i>Language</i></b>
<i>Movies</i>	<i>M-W-F-Sun, 9-11:00pm</i>	<i>English</i>
<i>Movies</i>	<i>M-W-F-Sun, 12-2:00am</i>	<i>English</i>
<i>APTN National News</i>	<i>M-F 1-1:30pm</i>	<i>English</i>
<i>APTN National News</i>	<i>M-F 7-7:30pm</i>	<i>English</i>
<i>APTN National News: Contact</i>	<i>Fri 7:30-8:30pm</i>	<i>English</i>
<i>APTN Late News</i>	<i>M-F 2:30-3:00am</i>	<i>English</i>
<i>Notre Peuple</i>	<i>TBD</i>	<i>French</i>
<i>Nunavut Elders</i>	<i>TBD</i>	<i>Inuktitut</i>
<i>Labradorimiut</i>	<i>TBD</i>	<i>Inuktitut</i>
<i>Our Déné Elders</i>	<i>TBD</i>	<i>Déné</i>
<i>Maamuitaau</i>	<i>TBD</i>	<i>Cree</i>
<i>Nunavimiut</i>	<i>TBD</i>	<i>Inuktitut</i>

<i>Dab Iyiuu</i> <i>Innu Aitun</i>	<i>TBD</i> <i>TBD</i>	<i>Cree</i> <i>Innu</i>
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- ***Phase I:***
  - Two-week schedule
  - Approximately 50 spots will air per week
  - Approximately 100 total spots
  - Spots will air in multiple languages: approximately 33x in French and Native languages.
  
- ***Phase II:***
  - Three-week schedule
  - Approximately 60 spots will air per week
  - Approximately 180 total spots
  - Spots will air in multiple languages: approximately 58x in French and Native languages.

## ***16. Aboriginal Radio***

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*def: The targeted radio stations/networks in which notices will air.*

Radio is also a medium that is heavily used by Aboriginal people. In fact, according to PMB data, Aboriginal people 25+ are 39% more likely to be heavy radio listeners, as compared to the general Canadian adult 25+ population.

Aboriginal radio will air throughout Canada with the purchase of 60-second units on at least 90 Aboriginal stations, as listed below.

The schedules will include English, French, and Native language Notices, as appropriate to each station or network.

- Phase I: Two-week schedule, with approximately 20 spots per station per week; approximately 40 spots total.
- Phase II: Three-week schedule, with approximately 20 spots per station per week; approximately 60 spots total.

### **Aboriginal Multimedia Society of Alberta (“AMMSA”) - CFWE-FM.**

- Covers entire province of Alberta, except Edmonton & Calgary; heaviest coverage is in rural areas.
- Broadcasts to approximately 150 communities throughout Canada via Anik E2 satellite.
- Format is Aboriginal and Country music.
- All programming is in English.

### **James Bay Cree Communications Society (“JBCCS”) Network.**

- Broadcasts to approximately nine communities in Northern Québec, primarily in Cree.
- Nine stations are included in the network.

### **Missinipi Broadcasting Corporation (“MBC”) Network.**

- Offers the largest adult listening audience of any radio station covering Northern Saskatchewan and an increasing number of communities in Southern Saskatchewan.
- Approximately 59 stations are included in the network.
- Has a potential audience of 47,000+ people in Prince Albert-Meadow Lake-La Ronge areas, and a known regular daily/weekly audience of 32,000+ across the rest of Northern Saskatchewan.

- Broadcasts to more than 70 communities in Saskatchewan, including major urban centres.
- Listeners are multilingual — 64% speak Cree and English, 22% speak Déné and English, and 98% of all listeners speak English.
- Provides a minimum of ten hours of Cree programming and ten hours of Déné programming per week, and strives to integrate the languages into everything from special programmes, remote event coverage, contests, commercial content, and more.
- Programming includes news and community events, often in three languages.

**Native Communications Inc. (“NCI”) Network.**

- Covers 98% of Manitoba Province, reaching more than 70 communities.
- Approximately 57 stations are included in the network.
- Programming includes Hot Country during day and prime hours, and Classic Country, Hip Hop, etc., on weekends.
- Programming is primarily in English; ad materials are accepted in English, Ojibwe (the number one Native language in Manitoba) and Cree.

**Native Communications Society of the Western Northwest Territories (CKLB-FM):**

- Broadcasts to 28 communities in the Northwest Territories.
- Format is Country and Aboriginal music.
- Programming includes regional news, community events, and special features, often in three languages (English and various Déné dialects).

**Northern Native Broadcasting - Terrace (CFNR-FM):**

- Broadcasts to 55 communities, of which approximately 35 are First Nations, in central and northern British Columbia, as well as parts of Yukon.
- Format is Classic Rock and Sports, including Native basketball, Vancouver Canucks, and BC Lions; in English.

**Northern Native Broadcasting - Yukon (CHON-FM):**

- Broadcasts to 25 communities in the Yukon, western Northwest Territories, and a small portion of northern British Columbia.
- Format is primarily Country with programmes that include other types of music, news, weather, and sports, as well as some Native language programmes, including Gwich’in.
- Almost all listeners speak English.

**OKalaKatiget Society (CKOK Radio).**

- Broadcasts to seven communities on the north coast and the Lake Melville area of Labrador.
- Offers various programming, including news, stories from the elders, children's programmes, Inuktitut and English music, PSAs, church services, etc., in both English and Inuktitut.
- Promotes Inuit culture 20 hours per week.

**Société de Communications AtikamekwMontagnais ("SOCAM") Network.**

- Broadcasts to 14 communities, of which 11 are Innu and three are Atikamekw, in central and northern Québec, as well as Labrador.
- Approximately 12 stations are included in the network.
- 85% of programming is in Native languages (primarily Innu and Atikamekw); 2<sup>nd</sup> language in Québec listening area is French, and in Labrador is English.

**Taqramiut Nipingat Ltd. ("TNI").**

- Broadcasts to all 14 Nunavik communities.
- Programming includes news, modern and traditional music, gospel and spiritual music, family issues, etc.
- Must provide Notice in English or French and Inuktitut.

**Wawatay Native Communications Society Radio Network ("WRN").**

- Broadcasts to 40 communities in Ontario.
- Provides various programming promoting Native culture and language.
- Almost all programming is in Oji-Cree and Coastal Cree, with a small amount in English.

## ***17. Aboriginal Publications***

*def: The targeted publications in which notices will appear.*

The Aboriginal publications included in the Notice Plan are particularly geared to those affected. They provide local and regional news, including on Aboriginal issues, people, and events. Aboriginal people 25+ are 8% more likely to have read a community newspaper in the past seven days, as compared to the general Canadian 25+ population.

Coverage is throughout Canada and includes more than 630 First Nations; Métis settlements; Inuit communities; Friendship Centres; Aboriginal businesses, schools and organizations; as well as various government and health agencies.

Both the Phase I and Phase II Plans include a full page unit in approximately 36 publications. In bilingual publications, multiple Notices will appear, once in English or French and again in the primary Native language(s) used by the publication:

<b><i>Publication</i></b>	<b><i>Coverage</i></b>	<b><i>Province/ Territory</i></b>	<b><i>Issuance</i></b>	<b><i>Freq.</i></b>	<b><i>Ad Language</i></b>
<i>Aboriginal Times</i>	<i>National</i>		<i>bimonthly</i>	<i>1</i>	<i>English</i>
<i>First Nation Voices</i>	<i>National</i>		<i>2x/year</i>	<i>1</i>	<i>English</i>
<i>First Perspective</i>	<i>National</i>		<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Windspeaker</i>	<i>National</i>		<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Windspeaker Business Quarterly</i>	<i>National</i>		<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Native Journal</i>	<i>National</i>		<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Alberta Native News</i>	<i>Regional</i>	<i>Alberta</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Alberta Sweetgrass</i>	<i>Regional</i>	<i>Alberta</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Ha-Shilth-Sa</i>	<i>Regional</i>	<i>British Columbia</i>	<i>25x/year</i>	<i>1</i>	<i>English</i>
<i>Kahtou News</i>	<i>Regional</i>	<i>British Columbia</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Secwepemc News</i>	<i>Regional</i>	<i>British Columbia</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Western Native News</i>	<i>Regional</i>	<i>British Columbia, Yukon</i>	<i>monthly</i>	<i>1</i>	<i>English</i>

<i>First Nations Drum</i>	<i>Regional</i>	<i>Eastern Canada</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Natotawin</i>	<i>Regional</i>	<i>Manitoba</i>	<i>weekly</i>	<i>1</i>	<i>English</i>
<i>The Drum</i>	<i>Regional</i>	<i>Manitoba</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Whispering Pines</i>	<i>Regional</i>	<i>Manitoba</i>	<i>Quarterly</i>	<i>1</i>	<i>English</i>
<i>Deh Cho Drum</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>weekly (Thur)</i>	<i>1</i>	<i>English</i>
<i>Inuvik Drum</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>weekly (Thurs)</i>	<i>1</i>	<i>English</i>
<i>L'Aquilon</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>weekly (Fri)</i>	<i>1</i>	<i>French</i>
<i>Nunatsiaq News</i>	<i>Regional</i>	<i>Northwest Territories, Nunavut, Québec</i>	<i>weekly (Fri)</i>	<i>2</i>	<i>English, Inuktitut, Innuinaqtun</i>
<i>NWT News/North</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>weekly (Mon)</i>	<i>1</i>	<i>English</i>
<i>The Hay River Hub</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>weekly (Wed)</i>	<i>1</i>	<i>English</i>
<i>Tusaayaksat</i>	<i>Regional</i>	<i>Northwest Territories</i>	<i>bimonthly</i>	<i>2</i>	<i>English &amp; Siglit</i>
<i>The Slave River Journal</i>	<i>Regional</i>	<i>Northwest Territories, Alberta</i>	<i>weekly (Wed)</i>	<i>1</i>	<i>English</i>
<i>Mi'kmaq-Maliseet Nations News</i>	<i>Regional</i>	<i>Nova Scotia, New Brunswick, PEI, Newfoundland, NE Québec</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Kivalliq News</i>	<i>Regional</i>	<i>Nunavut</i>	<i>weekly (Wed)</i>	<i>2</i>	<i>English &amp; Inuktitut</i>
<i>Nunavut News/North</i>	<i>Regional</i>	<i>Nunavut</i>	<i>weekly (Mon)</i>	<i>2</i>	<i>English, Inuktitut &amp; Innuinaqtun</i>
<i>Turtle Island News</i>	<i>National</i>	<i>Ontario</i>	<i>weekly (Wed)</i>	<i>1</i>	<i>English</i>
<i>Anishinabek News</i>	<i>Regional</i>	<i>Ontario</i>	<i>11x/year</i>	<i>1</i>	<i>English</i>
<i>Tansi News</i>	<i>Regional</i>	<i>Ontario</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Tekawennake</i>	<i>Regional</i>	<i>Ontario</i>	<i>weekly (Wed)</i>	<i>1</i>	<i>English</i>
<i>Wawatay News</i>	<i>Regional</i>	<i>Ontario</i>	<i>biweekly</i>	<i>2</i>	<i>English &amp; Oji-Cree</i>
<i>Eastern Door</i>	<i>Regional</i>	<i>Québec</i>	<i>weekly (Fri)</i>	<i>1</i>	<i>English</i>
<i>The Nation</i>	<i>Regional</i>	<i>Québec/Ontari</i>	<i>bimonthly</i>	<i>1</i>	<i>English</i>

		<i>o</i>			
<i>Saskatchewan Sage</i>	<i>Regional</i>	<i>Saskatchewan</i>	<i>monthly</i>	<i>1</i>	<i>English</i>
<i>Opportunity North</i>	<i>Regional</i>	<i>Saskatchewan</i>	<i>bimonthly</i>	<i>1</i>	<i>English</i>
<b><i>TOTAL</i></b>				<b><i>41</i></b>	

Note: Actual publications are subject to change depending upon availability at the time of placement.



## ***18. Aboriginal Publications Circulation Data***

*def: Total number of copies distributed through all channels (subscription, newsstand, bulk).*

The total circulation of the Aboriginal publications is estimated to be more than 400,000:

<i><b>Publication</b></i>	<i><b>Total Circulation</b></i>
<i>Aboriginal Times</i>	<i>100,000</i>
<i>First Nations Drum</i>	<i>35,000</i>
<i>Windspeaker Business Quarterly</i>	<i>30,000</i>
<i>Windspeaker</i>	<i>25,000</i>
<i>Native Journal</i>	<i>15,000</i>
<i>The Drum</i>	<i>15,000</i>
<i>Turtle Island News</i>	<i>15,000</i>
<i>Alberta Native News</i>	<i>14,000</i>
<i>Kahtou News</i>	<i>12,041</i>
<i>First Perspective</i>	<i>10,000</i>
<i>Opportunity North</i>	<i>10,000</i>
<i>Western Native News</i>	<i>10,000</i>
<i>Anishinabek News</i>	<i>10,000</i>
<i>Tansi News</i>	<i>10,000</i>
<i>NWT News/North</i>	<i>9,672</i>
<i>Wawatay News</i>	<i>9,300</i>
<i>Alberta Sweetgrass</i>	<i>7,000</i>
<i>The Nation</i>	<i>7,000</i>
<i>Saskatchewan Sage</i>	<i>7,000</i>
<i>Secwepemc News</i>	<i>6,500</i>
<i>Nunavut News/North</i>	<i>6,213</i>
<i>Nunatsiaq News</i>	<i>6,000</i>
<i>First Nation Voices</i>	<i>5,000</i>
<i>Mi'kmaq-Maliseet Nations News</i>	<i>5,000</i>
<i>Ha-Shilth-Sa</i>	<i>3,200</i>

<i>The Hay River Hub</i>	2,542
<i>Whispering Pines</i>	2,500
<i>Tekawennake</i>	2,500
<i>Eastern Door</i>	2,500
<i>Tusaayaksat</i>	1,700
<i>Kivalliq News</i>	1,643
<i>Deh Cho Drum</i>	1,532
<i>Inuvik Drum</i>	1,470
<i>The Slave River Journal</i>	1,384
<i>Natotawin</i>	1,000
<i>L'Aquilon</i>	1,000
<b>TOTAL</b>	<b>402,697</b>

More readers than just those who purchase or otherwise receive circulated issues actually open and read a publication. Many secondary readers see the Notice away from home, for example: at a friend's house; at a doctor's office or health organization; at a Friendship Centre or other agency; passed around by co-workers at the place of employment; etc. Exposure in a different environment can increase attentiveness and response potential. It is also beneficial that readership tends to build over a period of time following the publication date. This is evidence that issues can be referred to at any time, thereby, providing readers with a longer, sustained opportunity to learn about the Notice.

Factoring in these additional readers, we estimate the total adult audience exposures to the Notices in these publications could be as much as 800,000 or more. However, because most of the circulation figures cited above are not independently audited and much of it is not "paid" circulation, we did not factor in pass-along readers or the full circulation figures in our reach calculations.

## *19. Mainstream Newspapers*

*def: The mainstream newspapers in which notices will appear.*

The mainstream newspapers included in the Phase I and Phase II Notice Plans will increase reach particularly among affected people who do not reside on reserves or within other Aboriginal communities/settlements.

The Phase I and Phase II Plan includes two insertions in 31 daily mainstream newspapers, as well as two insertions in four community newspapers with distribution in heavily concentrated Aboriginal areas, for a total of 70 insertions. The daily newspapers selected circulate in the top 19 Aboriginal population CMAs/CAs, where approximately 45% of Canada's Aboriginal population residing outside of a reserve or Aboriginal community/settlement is located, plus two Québec CMA papers. An approximate 1/3 page Summary Notice will be placed in the broadsheet newspapers and an approximate 3/4 page in the tabloid newspapers.

<i>Newspaper</i>	<i>City/Area</i>	<i>Province</i>	<i>Freq.</i>
<i>Calgary Herald</i>	<i>Calgary</i>	<i>Alberta</i>	<i>2</i>
<i>Calgary Sun</i>	<i>Calgary</i>	<i>Alberta</i>	<i>2</i>
<i>Edmonton Journal</i>	<i>Edmonton</i>	<i>Alberta</i>	<i>2</i>
<i>Edmonton Sun</i>	<i>Edmonton</i>	<i>Alberta</i>	<i>2</i>
<i>Kamloops Daily News</i>	<i>Kamloops</i>	<i>British Columbia</i>	<i>2</i>
<i>Prince George Citizen</i>	<i>Prince George</i>	<i>British Columbia</i>	<i>2</i>
<i>Vancouver Province</i>	<i>Vancouver</i>	<i>British Columbia</i>	<i>2</i>
<i>Vancouver Sun</i>	<i>Vancouver</i>	<i>British Columbia</i>	<i>2</i>
<i>Victoria Times Colonist</i>	<i>Victoria</i>	<i>British Columbia</i>	<i>2</i>
<i>Winnipeg Free Press</i>	<i>Winnipeg</i>	<i>Manitoba</i>	<i>2</i>
<i>Winnipeg Sun</i>	<i>Winnipeg</i>	<i>Manitoba</i>	<i>2</i>
<i>Ottawa Le Droit</i>	<i>Ottawa</i>	<i>Ontario</i>	<i>2</i>
<i>Sudbury Star</i>	<i>Greater Sudbury</i>	<i>Ontario</i>	<i>2</i>
<i>Hamilton Spectator</i>	<i>Hamilton</i>	<i>Ontario</i>	<i>2</i>
<i>London Free Press</i>	<i>London</i>	<i>Ontario</i>	<i>2</i>
<i>Ottawa Citizen</i>	<i>Ottawa</i>	<i>Ontario</i>	<i>2</i>
<i>Ottawa Sun</i>	<i>Ottawa</i>	<i>Ontario</i>	<i>2</i>
<i>Sault Ste Marie Star</i>	<i>Sault Ste. Marie</i>	<i>Ontario</i>	<i>2</i>
<i>Thunder Bay Chronicle-Journal</i>	<i>Thunder Bay</i>	<i>Ontario</i>	<i>2</i>
<i>The Globe and Mail</i>	<i>Toronto</i>	<i>Ontario</i>	<i>2</i>
<i>The National Post</i>	<i>Toronto</i>	<i>Ontario</i>	<i>2</i>
<i>Toronto Star</i>	<i>Toronto</i>	<i>Ontario</i>	<i>2</i>
<i>Toronto Sun</i>	<i>Toronto</i>	<i>Ontario</i>	<i>2</i>

<i>La Presse</i>	<i>Montreal</i>	<i>Québec</i>	2
<i>Le Journal de Montreal</i>	<i>Montreal</i>	<i>Québec</i>	2
<i>The Montreal Gazette</i>	<i>Montreal</i>	<i>Québec</i>	2
<i>Le Journal de Québec</i>	<i>Québec</i>	<i>Québec</i>	2
<i>Le Soleil</i>	<i>Québec</i>	<i>Québec</i>	2
<i>Prince Albert Daily Herald</i>	<i>Prince Albert</i>	<i>Saskatchewan</i>	2
<i>Regina Leader-Post</i>	<i>Regina</i>	<i>Saskatchewan</i>	2
<i>Saskatoon Star Phoenix</i>	<i>Saskatoon</i>	<i>Saskatchewan</i>	2
<i>Klondike Sun</i>	<i>Dawson City</i>	<i>Yukon</i>	2
<i>L'Aurore Boreale</i>	<i>Whitehorse</i>	<i>Yukon</i>	2
<i>Whitehorse Star</i>	<i>Whitehorse</i>	<i>Yukon</i>	2
<i>Yukon News</i>	<i>Whitehorse</i>	<i>Yukon</i>	2
<b>TOTAL</b>			<b>70</b>

## *20. Mainstream Newspapers Circulation Data*

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*def: Total number of copies sold through all channels (subscription, newsstand, bulk).*

The total circulation of the mainstream newspapers is more than four million. Factoring in the additional readers per copy as measured by PMB and the two insertions in each paper, we have determined the total adult exposures could be as much as 20 million or more.

<i>Newspaper</i>	<i>Circulation</i>
<i>Toronto Star</i>	<i>644,280</i>
<i>The Globe and Mail</i>	<i>395,516</i>
<i>Toronto Sun</i>	<i>341,626</i>
<i>Le Journal de Montreal</i>	<i>319,201</i>
<i>La Presse (Montreal)</i>	<i>268,651</i>
<i>The National Post</i>	<i>268,739</i>
<i>Vancouver Sun</i>	<i>218,880</i>
<i>Vancouver Province</i>	<i>181,304</i>
<i>Winnipeg Free Press</i>	<i>164,106</i>
<i>Ottawa Citizen</i>	<i>156,657</i>
<i>The Montreal Gazette</i>	<i>153,016</i>
<i>Edmonton Journal</i>	<i>143,312</i>
<i>Calgary Herald</i>	<i>140,728</i>
<i>Le Journal de Québec</i>	<i>122,109</i>
<i>Hamilton Spectator</i>	<i>115,302</i>
<i>Le Soleil (Québec)</i>	<i>113,400</i>
<i>London Free Press</i>	<i>104,285</i>
<i>Edmonton Sun</i>	<i>95,826</i>
<i>Calgary Sun</i>	<i>91,219</i>
<i>Victoria Times Colonist</i>	<i>78,451</i>
<i>Saskatoon Star Phoenix</i>	<i>60,499</i>
<i>Regina Leader-Post</i>	<i>55,218</i>
<i>Ottawa Sun</i>	<i>52,544</i>

<i>Winnipeg Sun</i>	52,197
<i>Ottawa Le Droit</i>	39,100
<i>Thunder Bay Chronicle-Journal</i>	31,224
<i>Sault Ste Marie Star</i>	18,957
<i>Sudbury Star</i>	18,710
<i>Prince George Citizen</i>	15,489
<i>Kamloops Daily News</i>	12,651
<i>Yukon News</i>	8,100
<i>Prince Albert Daily Herald</i>	7,377
<i>Whitehorse Star</i>	4,303
<i>L'Aurore Boreale</i>	1,000
<i>Klondike Sun</i>	750
<b>TOTAL</b>	<b>4,494,727</b>

## ***21. Notice Positioning***

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*def: Inserting notices in spots within the media that will help gain affected people's attention.*

All notice placements in publications are not equal. Extra care can and will be taken to place the Notice in certain locations within each publication that give the best opportunity for high readership.

Positioning notice placements in the main news section will help ensure that over the course of the media schedule the greatest practicable number of affected people will see the Notice.

Regardless of positioning, the Notices are designed to be highly visible and noticeable. In Aboriginal publications, the Notices will appear as full page units. In mainstream newspapers, the Notices will generally appear as a 3/4 page unit in tabloids and 1/3 page units in broadsheet newspapers. Such page dominant units will enhance reader attention and comprehension.

## ***22. Mainstream Television – Phase II***

*def: The television networks in which notices will air.*

Mainstream television is a high reach medium providing exposure to affected people regardless of where they reside (i.e, within an Aboriginal community, a rural area, or an urban area). According to PMB data, Aboriginal people 25+ are 66% more likely to be heavy television viewers, as compared to the general Canadian 25+ population.

Networks considered include:

- CBC (English)
- CTV (English)
- Global Television (English)
- Radio-Canada (French CBC)
- TVA (French)
- Cable networks with high reach among Aboriginal people (e.g., Discovery Channel)

30-second units in English and 60-second units (longer length to accommodate translations) in French will appear on a variety of programmes and dayparts, with an emphasis placed on programmes targeting older former students.

Approximately 100 Adult 25+ GRPs (gross rating points) will be sought per week over three weeks on the English networks and 50 Adult 25+ GRPs will be sought per week over three weeks on the French networks.

The following provides an example of a television daypart mix:

<b><i>Daypart</i></b>	<b><i>English A25+ GRPs</i></b>	<b><i>English GRP Allocation</i></b>	<b><i>French A25+ GRPs</i></b>	<b><i>French GRP Allocation</i></b>
<i>Day</i>	<i>60</i>	<i>20%</i>	<i>30</i>	<i>20%</i>
<i>Early News</i>	<i>60</i>	<i>20%</i>	<i>30</i>	<i>20%</i>
<i>Prime</i>	<i>120</i>	<i>40%</i>	<i>60</i>	<i>40%</i>
<i>Late Fringe</i>	<i>30</i>	<i>10%</i>	<i>15</i>	<i>10%</i>
<i>Cable</i>	<i>30</i>	<i>10%</i>	<i>15</i>	<i>10%</i>
<b><i>3-Week Total</i></b>	<b><i>300</i></b>	<b><i>100%</i></b>	<b><i>150</i></b>	<b><i>100%</i></b>



## ***23. Informational News Release***

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*def: Seeking non-paid (and other) exposure of court-approved notice information mainly by way of news articles.*

Earned media activities (i.e., efforts to present a fair and neutral statement of the notice effort via an informational press release, not via paid advertising) will provide an important role and help get the word out through credible news sources about these important matters (the hearings schedule and, later, the opt-out process and time frame). Earned media efforts may also generate electronic media coverage.

During each Phase, a party-neutral, Court-approved informational news release will be issued to over 390 press outlets throughout Canada. A news release serves a potentially valuable role, providing additional notice exposure beyond that which will be provided through paid media. There is no guarantee that any news stories will result, but if they do, affected people will have additional opportunities to learn that their rights are at stake in credible news media, adding to their understanding.

In Phase II, the informational news release will be issued within one week of approval (or one week from the lift of the stay, whichever comes later) to kick-off the program. Currently this day is anticipated to be March 22, 2007. If possible, other press releases about the launch of Phase II that the various parties may seek to issue should be issued on that date or later, to maximize news interest in the launch of Phase II, on a date when produced Court-approved notices are ready at the website or available through the call centre.

A partial listing of the press outlets that will receive the informational news release is attached in **Schedule 3**.

## 24. *Internet Activities*

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*def: Delivery of notice via Internet and on-line services.*

The use of the Internet is increasing among Aboriginal people and access to the Internet is increasing in Aboriginal communities that were previously unable to connect. According to PMB, Aboriginal people 12 years of age and older (“12+”) are 7% more likely to be heavy Internet users, as compared to the general Canadian 12+ population. Additionally, over half (53.8%) of Aboriginal people 12+ accessed the Internet/World Wide Web in the past month.<sup>21</sup> We recognize the fact that the older segment of the Aboriginal population is likely not using the Internet as much as the younger segment. However, heavy Internet usage among the Aboriginal population is likely due to the fact that the Aboriginal population is younger in comparison to the general Canadian population and Internet usage is impacted by age. Regardless, it would be impracticable not to include an informational website in the programme.

On-line media tactics include:

- A neutral and informational website where affected people can obtain additional information about the proposed settlement, key dates, and key documents. The website will appear in English, French, and Inuktitut.
- A contact page allowing questions or comments from affected people to the administrator and allowing organizations to request notice materials for distribution to members of their communities.
- During Phase I, Class members can submit objections to the administrator through the website.
- During Phase II, the ability for affected people to register to receive a claim form in the mail when it is ready; and the ability to download an Opt Out Form.
- A website address prominently displayed in all notice materials.
- An easy to remember domain, such as [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca). The same name with an “s” on schools has been acquired and pointed to this site as added protection, and the .com versions have also been pointed to the site

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<sup>21</sup> PMB Internet usage data for Aboriginal people 25+ was not utilized because data projected was relatively unstable due to a small base.

for further assurance that people will not miss the site if they don't write it down or type it correctly.

- Registering keywords with major search engines, e.g., Yahoo!, WebCrawler, AltaVista, in order to help the site appear at or near the top of search lists for many key words.
- Links will be sought on key websites, including Aboriginal organization sites, appropriate government sites, etc.

## ***25. Community Outreach – Phase II***

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*def: In-person distribution of notice in the communities.*

During Phase II, the Notice Plan will dovetail with grass-roots community outreach efforts that will be undertaken to provide the critical element of in-person distribution of Opt Out Notices to as many former students and families of former students as reasonably possible. These grass-root efforts, to be designed and undertaken chiefly by the AFN and various Inuit organizations, and possibly others, will provide additional notice exposure beyond that which will be provided through mailings and paid measurable media, and will allow for face-to-face explanations of the notices and answers to basic questions regarding the Settlement and Class members' rights and options.

The community outreach plans should include training to educate managers and on-the-ground agents of their responsibilities and role in disseminating the notices, including assuring that they clearly understand the settlement and the content of the notices.

Hilsoft Notifications will coordinate with the Government and organizations/individuals authorized to implement the community outreach programs (the "implementers"), to ensure that the programs will 1) effectively support and synchronize with this Notice Plan, and 2) provide quantitative data on Notice distribution that can be used in conjunction with our final report on the overall adequacy of notice. Specifically:

- The implementers should quantify and report on the number of notices distributed. The evaluation of the success of the community outreach for purposes of helping achieve the courts' notice plan requirements should be the net percentage of former students who receive notice through the community outreach efforts.
- All statistics reported by the implementers should distinguish, to the greatest extent possible, between former students and family members of former students.
- Implementers should track and record attendance and be sure each attendee receives a notice package.

- Implementers should arrange “group” community meetings whenever possible, so that visits to each community are most efficient, and the ability to cover more communities is thereby possible.
- Efforts should be geographically balanced. The outreach should be designed to be fair and not provide special treatment, for example, to those living in larger clusters.
- Hilsoft Notifications should personally attend initial training “kick off” meeting(s) with regional/provincial/territorial leaders (“field managers”) of the outreach efforts, to help present and explain the information in the Notices to them.
- Common questions received in the communities should be logged and reported regularly to the response handling administrator, through the lawyers, so the administrator can be attuned to them and can develop consistent answers. A designee of the administrator should be a contact point for the field managers who receive questions they do not know how to answer, so that the administrator can provide direction on how those questions are being treated at the call center. The administrator should, in turn, maintain and circulate to field managers “answers to common questions” scripts it has cleared with the lawyers, to cover anything that comes up at the call centre that requires information beyond which is handled in the Summary or Detailed Notice.
- The “agents” of the outreach programs should specifically instruct Class members that they are not able to accept Opt Out Forms directly. Opt Out Forms should be sent by Class members only directly to the administrator’s opt-out mailing address.
- Prior to the community outreach launch, the implementers should specify the quantities, by language, of Summary Notices, Detailed Notices, and Opt Out Forms that they will need so that they can be fulfilled by the administrator during the initial printing process and shipped to the requested locations. Language options for these documents include: English, French, and Inuktitut.
- Implementers do not need to track participation rates (i.e., claim form requests) or opt-out statistics. This data will be tracked by the notice administrator from the forms it will receive.

- Advertising and public service messages about the Settlement and Class members' options should not be part of the community outreach programs, as the Court-approved notices will be widely disseminated in virtually all local and national Aboriginal media and a wide array of general media (including mainstream television), thus any chance of conflicting messages will be avoided.

## 26. Notice Design Strategy

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The Notices will be written and designed in such a manner as to motivate affected people to read and understand the message. The Notices carry a clear message outlining affected people's rights, in clear, concise plain language.

The design and content features are consistent with notices that have been approved by numerous courts, including Canadian courts.

The content and design features are consistent with the highest standards for the communication of legal rights to Class members around the world. They are consistent with the standards embodied in the illustrative "model" notices we wrote and designed for the U.S. Federal Judicial Center, at the request of the Advisory Committee on Civil Rules of the Judicial Conference of the United States, and which are posted at [www.fjc.gov](http://www.fjc.gov). Mr. Hilsee has testified to these standards as applicable across national boundaries and including before Canadian Courts. Indeed, Canadian Courts have recognized the importance of simple, clear, and well designed communications via notices.

- ***Bold headlines capture attention.*** The Notice headlines immediately alert even casual readers who may be included in the settlement that they should read the Notice and why it is important. The residential schools will be a recognizable reference to affected people, and the healing message will help readers engage with the Notices, and allows the Courts to communicate with affected people with a sensitive and respectful approach.
- ***Notice Size.*** The Notices will appear as full pages in Aboriginal publications, approximately 1/3 pages in mainstream broadsheet newspapers, and approximately 3/4 pages in tabloid sized mainstream newspapers. These page dominant sizes will allow the importance of the message to be obvious, and will ensure the Notices are noticed by even casual readers.
- ***Visual Approach TV and Print Media.*** The culturally relevant images of the Eagle feather, a symbol for healing, and that of a Qulliq being lit, which symbolizes light and the warmth of family and community, serve as interesting graphics for pure advertising utility, help set the Notices apart from other ads, and, even more importantly, set a respectful and sensitive

tone for readers and viewers to approach Notices dealing with a difficult topic.

- ***Plain Language.*** Each of the Notices concisely and clearly state the information in plain, easily understandable language so that affected people can comprehend the Notices effectively.
- ***Notice design alerts readers as to legal significance, lending credibility.*** The Notice design ensures that readers know that the communication carries legitimate, important information about what action or steps they can take, and that it is not commercial advertising attempting to sell them something.
- ***Comprehensive.*** The comprehensive Summary Notice explains all critical information about affected people's rights. No key information is omitted. Those who choose to read only the Summary Notice will have done so with substantial knowledge about their rights and options. The Detailed Notice, which will be mailed and easily available to those who request it, will provide more information, but remains concise and clear, and thereby easy to interact with and read. The use of the Summary Notice for mailing is based on the readership advantages known to be derived from providing simple, clear and concise notices, consistent with the highest modern standards for notices, together with communications experience identifying that such messages are better read and attended to.
- ***Prominent website and 800 number.*** The Notice invites response by providing simple, convenient mechanisms for affected people to obtain additional information, if desired. The 800 number offers a connection to a government emotional support line.
- ***French/Aboriginal Translation.*** Notice materials will be translated to appropriate languages for placement in media, carrying plain language goals through these other languages as well.



## *27. Draft Forms of Notice*

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**Schedule 2** of this Notice Plan contains draft forms of all Phase II Notices:

- Letters that will be sent to individuals known to be affected, and their lawyers, together with attached Notices, as well as to organizations asking for their assistance in distributing the Notices.
- The Outside Mailing Envelope showing how design and content will carefully ensure that recipients understand its relevance and importance.
- The Summary Notices as they will appear in mainstream newspapers and Aboriginal publications, and mailed to individuals known to be affected. Different versions of the Summary Notice allow people who are known by the administrator to simply await a claim form, or for those who are not known to request one by registering to get one sent when they are ready.
- The Detailed Notices that will appear on the website and be mailed to individuals known to be affected as well as those who request it pursuant to viewing a Summary Notice. Different versions of the Detailed Notice allow people who are known by the administrator to simply await a claim form, or for those who are not known to request one by registering to get one sent when they are ready.
- The 30-second English television script that will be produced and distributed to APTN, as well as the mainstream television networks. (It will be produced as a 60-second unit in French, owing to expansion of length when translating into French; and as a 30 or 60-second unit in various Aboriginal languages, depending on the language and length of translated text.)
- The 30 and 60-second radio scripts that will be produced and distributed to Aboriginal radio stations and networks.
- The neutral Informational News Release that will be issued to news outlets throughout Canada, and to organizations and other third parties.
- The website page where affected people can obtain additional information and documents about the settlement, including the settlement agreement, a

Detailed Notice, an Opt Out Form, and request a claim form when available, and other information, on the internet at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)