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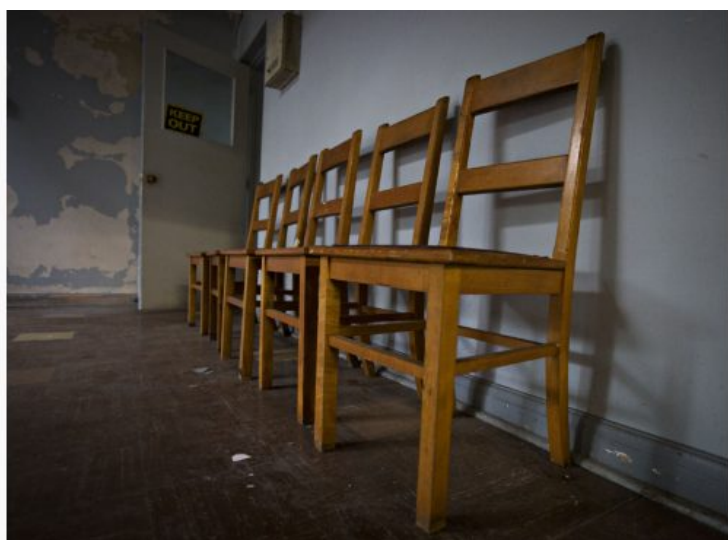
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News / GTA

## Should papers from school abuse be destroyed or preserved?

Ontario's top court has begun hearings into one of the dilemmas of the tragic story of Indian residential school abuse. Some feel victims' privacy should be protected; others fear destroying the evidence will foster denial in the future.

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AARON LYNETT / TORONTO STAR [Order this photo](#)

A row of chairs at the former Mohawk Institute Indian Residential School in Brantford.

By: The Canadian Press Published on Tue Oct 27 2015

TORONTO—Ontario's top court today begins hearing a dispute over what to do with sensitive records from Indian residential schools.

The records are of the stories told by thousands of survivors who sought compensation for sexual and other abuse.

On one side of the hearing are those who argue the material should be destroyed to preserve confidentiality.

On the other are those who say the historical record is too important to lose.

In August last year, a judge said the material should be kept 15 years and then destroyed.

Three appeals and four cross-appeals stemming from that ruling are expected to last two days.

Justice Murray Sinclair, who headed the Truth and Reconciliation Commission, said his concern is that the stories of what went on in the schools will be lost forever if the "rich trove" of documents is destroyed as Justice Paul Perell ordered.

"In a few generations, that will allow people to be able to deny the validity of the stories we have heard," Sinclair told The Canadian Press from Vancouver Monday. "Right now there are deniers of those facts."

The head of the claims-adjudication process, Dan Shapiro, with backing from a privacy

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expert, argued the only way to ensure confidentiality and avoid revictimizing survivors was to destroy the documents once their claims had been finalized.

“All parties agree that the records . . . contain the most highly sensitive personal information of claimants, alleged perpetrators, witnesses and others,” Shapiro’s lawyers say in their appeal factum.

For its part, Ottawa argues it should keep any material deemed to be of historical significance under regular archiving laws, which include proper privacy safeguards.

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