

The UBCIC Specific Claims Transcription Project

UBCIC is seeking funding to create a library of commonly-references archival documents for use in specific claims submissions. UBCIC wants to create a free, publicly accessible, web-hosted collection of pdf scans and linked transcriptions of commonly-referenced archival documents used in BC specific claims.

Project Rationale

This project arose when UBCIC started getting claims returned from SCB for having “not met the minimum standard.”

This new specific claims policy provides detailed guidelines for the submission of specific claims, including “minimum standards” by which Canada will decide whether a claim submission is complete enough to be considered officially “filed”.

Under these new guidelines, Canada has given itself an additional six-months from the day a claim is submitted to decide if a claim submission meets its new “minimum standards.” This extra six months is in addition to the three-year time period for Canada to accept or reject a specific claim legislated by the SCTA.

The "minimum standards" are technical guidelines created and imposed by the Specific Claims Branch, dictating what each First Nation's specific claim submission must include in order to be considered by the SCB for review.

If a specific claim submission meets the “minimum standards,” the claim will be considered officially "filed" by Canada. If it does not, the SCB will return the claim to the First Nation. The First Nation can revise the claim so that it meets the minimum standards and resubmit it to the SCB, at which time Canada can take an additional six months to review the claim again.

In practice the application of the “minimum standards” has been reasonable and in general, reflect best practices in research. However, recently the SCB has been applying the “minimum standards” with increasing and often unreasonable scrutiny, returning specific claims to First Nations that should easily have met the “minimum standards.” For example, claim submissions are now being turned back because transcriptions of historical materials have not been created for commonly-referenced, multi-page documents if even one small portion or edge of the document copy is slightly blurry. The unreasonableness of this demand by the SCB that First Nations create new transcriptions of such documents is hard to overstate. It imposes considerable extra costs on First Nations and creates lengthy delays in filing claims but produces no improvement whatsoever in the substantive quality of specific claim submissions.

This proposed Specific Claims Public Transcription Project would help to defray some of these costs and prevent delay by creating a freely accessible, easily searchable body of transcribed commonly-referenced documents for use in BC specific claims.

A publicly accessible online collection of transcriptions of commonly-referenced documents would be incredibly beneficial to First Nations and other CRUs who are preparing specific claims in BC. The scope of the project is limited to BC for several reasons:

1. It is estimated that as there are still as many as 800 specific claims to be researched and advanced in BC so the potential demand and use for such a collection is significant.
2. Though each specific claim is unique in terms of circumstances and evidence, at their core, most specific claims in BC rely on several collections of commonly-used archival documents that reflect the unique history of BC reserve creation. Further this collection would provide an evidentiary framework for understanding the history or reserve creation in BC and a useful research tool for community researchers.

However, we think aspects of the project could have far reaching use. Specifically, some transcribed documents will have relevance to First nations outside of BC; and, we will develop a “transcription guidelines” manual, hopefully with input from SCB, that other First Nations can use or adapt to meet their own needs.

The work of transcribing documents creates an incredible drain on time and resources. We recognize the invaluable benefit of having a body of commonly-referenced transcribed documents, such as reserve schedules, Orders-in-Council, Instructions to Indian Commissioners and Surveyors, Indian Reserve Commission Minutes of Decision, Papers Connected to the Indian Land Question, etc. These are used in most claims and it would save considerable time and resources to have transcripts readily available. These documents will always form a core component of the evidence and legal arguments surrounding most BC claims.

Project description

The proposed Specific Claims Public Transcription Project will create a collection of transcribed documents that are commonly-cited in legal specific claims submissions in BC and host this collection on our website for use by other CRUs, First Nations, students and the public at large. The collection would not only be transcribed, it would be packaged in a text and key word searchable online library and each transcription would be linked to a scan of its original archival counterpart.

The Specific Claims Public Transcription Project will offer free access to original copies and transcriptions of the most commonly-referenced archival documents used in specific claims legal submissions. Transcription of these documents is now necessary so that specific claims can meet the meeting the standards of claims submission set out by the Indian and Northern Affairs Canada as they are currently being applied. The collection will save First Nations valuable time and resources and aid considerably in reducing the delay that is inherent in Canada’s resolution of specific claims.

Projected Work Plan

- Conduct internal survey and survey of other CRUs and SCB to identify and prioritize relevant and commonly referenced documents or collections of materials that require
 - Hire part time project coordinator
 - Locate, order, and retrieve “best-copy” documents
 - Recruit volunteers and interns to do scanning and transcriptions
 - Scan original copies of obtained documents not yet digitized
 - Develop transcription guidelines
 - Transcribe documents.
 - Design document library, assign metadata and link transcriptions to scans of originals.
 - Make all materials (documents and transcription guidelines) available through the UBCIC website.
 - Announce and advertise collection via existing email and fax networks.
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