

New Brunswick Aboriginal Peoples Council

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The Honourable Blaine Higgs
Premier of New Brunswick
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URGING RESPECT FOR THE CALLS FOR JUSTICE IN THE FINAL REPORT OF THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN

June 6, 2020

Dear Premier Higgs:

As you will be aware, the New Brunswick Aboriginal Peoples Council is profoundly troubled by the June 4th killing of Chantel Moore from Tla-o-qui-aht First Nation by an Edmundston police officer. While we mourn with the family and her community on the loss of another young Indigenous woman, we are deeply concerned with how the investigation into her tragic death at the hands of a police officer will unfold. There is a deep mistrust in the treatment of Indigenous peoples within the justice system – in Canada and as recent cases here in New Brunswick demonstrate –the way in which Indigenous peoples who have sought justice and found the systemic bias and racism have left many of us continuing to reel in shock and anger.

We are deeply concerned about the use of excessive force by a police officer responding to a wellness check, in particular why the officer used a gun to shoot Chantel as opposed to using a less lethal procedure such as a Taser, if such force was warranted. We are also deeply concerned by the statement followed by laughter of a police spokesperson recounting to media the number of bullets that were used to shoot Chantel Moore. We cannot stand by while another family mourns and feels that that their loved one may be a victim of bias and racism within police procedures. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls concluded that Canada must acknowledge the systemic bias and racism within its systems including justice, and policing, in particular.

Premier Higgs, the fact that the decision to participate in the National Inquiry was made by a previous government in no way diminishes the clear and present obligations of the Government of New Brunswick to uphold its responsibility to the Indigenous people who reside here, whether territorial or non-territorial. The Final Report points out that “beginning in September 2016, the federal government and the 13 provincial and territorial governments mandated the National Inquiry into Missing and Murdered Indigenous Women and Girls to report on:

- i. Systemic causes of all forms of violence – including sexual violence – against Indigenous women and girls in Canada, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls in Canada, and
- ii. Institutional policies and practices implemented in response to violence experienced by Indigenous women and girls in Canada, including the identification and examination of practices that have been effective in reducing violence and increasing safety.

In fact, on June 3rd 2020, the one-year anniversary of the release of the Final Report of the National Inquiry, your government vowed to “continue to work diligently to address the issue of violence against Indigenous women and girls ... so that Indigenous women and girls can be safe and live free of violence.”

It is no longer acceptable that institutions and governments maintain the status quo and refuse through lack of will to make real change. Apathy and neglect also lead to violence for families and communities. I am referring here to the way in which government and institutions conceal their responsibilities under a cloak of blame. As in the current case, according to the media reports the officer responsible for the killing blamed the violence on the personal failings of Chantel Moore. Blaming victims of violence stands in the way of taking responsibility for reflection on how institutions contribute to violence.

The evidence gained from the National Inquiry makes clear that “changing the structures and the systems that sustain violence in daily encounters is not only necessary to combat violence, but is an essential legal obligation of all governments in Canada.” The Final Report called upon all governments to “immediately take all necessary measures to investigate actions of violence against Indigenous women, girls, and 2SLGBTQQIA people and ensure “that proper prioritization and resourcing of solutions by Canadian governments must come with real partnerships with Indigenous Peoples that support self-determination, in a decolonizing way.”

Your government pledged to continue to work with Indigenous communities and organizations recognizing that current practices are inadequate to address the impacts of long-standing issues of bias and mistrust in the justice system. We need you to drop the pretensions of fairness. This is not enough. We call for action on the recommendation of the National Inquiry that all “federal and provincial governments establish robust and well-funded Indigenous civilian police oversight bodies (or branches within established reputable civilian oversight bodies within a jurisdiction) in all jurisdictions, which must include representation of Indigenous women, girls, and 2SLGBTQQIA people, inclusive of diverse Indigenous cultural backgrounds, with the power to:

- i Observe and oversee investigations in relation to police negligence or misconduct, including but not limited to rape and other sexual offences.
- ii Observe and oversee investigations of cases involving Indigenous Peoples.
- iii Publicly report on police progress in addressing findings and recommendations at least annually.”

We are further deeply concerned that there has been no statement from you about the death of Chantal Moore. Yours is not the first government to disappoint Indigenous peoples. The true disappointment lies in the gap between your silence and the support for the National Inquiry. The just thing to do would be

to acknowledge the failure of police and to direct an investigation into police conduct following the Calls for Justice. We demand full disclosure of the investigation.

Premier Higgs now is the opportunity for your good government to stand up and say to Indigenous peoples that you are listening. It is an opportunity to show leadership. As of March 19, 2020, you called a State of Emergency in New Brunswick due to the COVID-19 pandemic. The pandemic has placed additional stress on our most vulnerable – those with mental health issues and our youth. Now, in the light of the recent tragedy, they have no one to call and will be increasingly vulnerable.

We know there is a better path forward, and we ask that you direct your ministers to meet directly with us and other Indigenous leaders without delay.

Respectfully,



Barry LaBillois
President & Chief
New Brunswick Aboriginal Peoples Council

cc The Right Honourable Justin Trudeau
cc National Chief Robert Bertrand, Congress of Aboriginal Peoples
cc Hon. Jake Stewart, Minister of Aboriginal Affairs
cc Hon. Dominic Cardy, Minister of Education & Early Childhood Development
cc Hon. Hugh Fleming, Minister of Health
cc Hon. Hon. Andrea Anderson-Mason, Minister of Justice
cc Hon. Trevor A. Holder, Minister of Post-Secondary Education, Training and Labour
cc Hon. Carl Urquhart, Minister of Public Safety & Solicitor General
cc Hon. Dorothy Shephard, Minister of Social Development
cc Hon. Sherry Wilson, Minister responsible for Women's Equality
cc Della Brown, Vice Chief NBAPC
cc Pat Hamilton, Zone 1 Director, NBAPC
cc Rejeanne Chiasson, Zone 2 Director, NBAPC
cc James Martin, Zone 3 Director, NBAPC
cc Guy Losier, Zone 4 Director, NBAPC
cc Richard Mellor, Zone 5 Director, NBAPC
cc Frank Palmater, Zone 6 Director, NBAPC
cc Bruce Harquail, Zone 7 Director, NBAPC