

Open Letter to the Honourable Arif Virani and Honourable Gary Anandasangaree

Kimberly Murray's Final Report Presentation can be downloaded from:

<https://osi-bis.ca/osi-resources/reports/>

Honourable Ministers,

Yesterday, Oct. 29, 2024, Kimberly Murray, Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools, presented her final report. With well over 1,000 pages of documents, it will take some time to review the reports in detail, but one thing is clear:

“Not having the names of the children who are suspected to have died in the residential schools, we can’t focus our search to identify these particular files quickly.”

- Dr. John K. Younes, Chief Medical Examiner, Province of Manitoba

The above quote comes from the Senate report “Missing Records, Missing Children.” This is the crux of the whole matter.

No List of Names of the Alleged Missing

There is no list of names of children alleged to be missing. There are no missing persons reports filed over the course of 113 years related to Indian Residential Schools where the outcome is unknown. The fate is known for all children who ran away or met with fatal accidents in the wilderness near their schools, who would have been known as ‘missing’ in that time frame.

Yet, Ms. Murray has built a case for creating a new legal framework to investigate a crime of genocide with no named victims. She advocates for criminalizing the historical assessments of people like me because I am asking these uncomfortable questions. There is nothing hateful in my desire to excavate the truth. The criminal allegations against Canadians are serious, and yet they are being tried in the court of public opinion and media, not in a court of law. This is a serious breach of our fundamental rights.

Escalation of Criminal Accusations without Evidence or Names

Ms. Murray has escalated claims from those of the Truth and Reconciliation

Commission [in its 2015 final report] which claimed that ‘cultural genocide’ had occurred at Indian Residential Schools, to claiming there has been a physical genocide of children who suffered ‘enforced disappearance.’ She bases this on the International Convention for the Protection of All Persons from Enforced Disappearance which was entered into force in 2010. The last Indian Residential School closed in 1998. Several schools, at that time, had been under First Nations band administration for decades. She is thus was claiming that Indigenous people committed genocide against their own people.

A Blood Libel Against Canada, the Associated Church Operations, Clergy and Staff, Indigenous Administrators and Staff at Schools

In her public presentation and the short video clip associated with the presentation, accusations of heinous crimes like infanticide, murder and genocide were freely tossed about, constituting libel against Canada, the nation, and the many people who worked in Indian Residential Schools, which would have included hundreds of Indigenous staff and dozens of Indigenous clergy.

Violation of UN Charter of Human Rights, Articles 10 and 11

Clearly, Ms. Murray’s presentation and accusations are contrary to fundamental principles of Canadian law and the UN Charter of Human Rights.

Expansion of Mandate without Formal Authorization

Ms. Murray expanded her own mandate to be far outside of that of Indian Residential Schools to all manner of public institutions and facilities for people suffering from anything from Tuberculosis to general hospital ailments, to mental or developmental conditions in asylums and other care facilities. This was never part of her mandate and is a significant overreach.

Errant Judgement due to “Presentism” which Overrides Historical Context

Ms. Murray's presentation of her report suffers from a serious case of 'presentism' as well. She seems to lack historical context for understanding that well into the 1970's in Canadian society and much of the Western World, social services at the community level did not exist. Therefore, if families had a loved one who was developmentally handicapped, mentally ill, or physically handicapped so as to be unable to care for themselves, they were often made a 'ward of the state' and placed in an appropriate care facility of the time. The family, whether Indigenous or not, gave up legal custody of their loved one and the facility provided care and treatment as they saw fit, with little to no consultation with the family.

While this sounds harsh and uncaring in the context of today, one must remember that communications tools such as personal cellphones, computers and internet connections simply did not exist. Communication was largely done by mail and trying to gain consent by mail would have been unreasonable if a prompt medical intervention was necessary. Likewise, many such facilities were centralized and thus may have been far from the family.

Based on her lack of historical context, she then applies the framework of the 2010 legislation on 'enforced disappearance' to use the above-described circumstances of a ward of the state to make criminal accusations against Canada and Canadians. It is hateful and hurtful to have such accusations thrown at Canadians when there is not even a list of persons alleged to be missing.

Tainted Testimonies

If you review the attached image that was at the entryway of Truth and Reconciliation Commission, clearly this is not an objective statement.

We are told repeatedly that we must accept 'survivor' testimonies as truth, when it is well-known that **eye-witness testimony is convincing, but not reliable.**

As I have written in previous articles:

"As American psychologist, David Raskin, testified in the Martensville, Saskatchewan Satanic Panic trials of the 1990s, with some prompting

*and leading questions from a person with confirmation bias about an event, **people are able to remember all kinds of things that never happened.***

This is the biased and judgmental message, containing much false or exaggerated information, displayed on a kiosk greeting all who came to the Truth and Reconciliation Hearings.

It is documented that the person charged with recording recollections for the Truth and Reconciliation Commission from former residential school staff and workers or their families (who would have provided adult insights) was told that her budget would be cut from \$100,000 to \$10,000 and that her records would not be transcribed.

This means the stories we have heard are recollections of people who were children at the time and likely did not understand the reasons why they ended up at Indian Residential Schools. Since parents had to apply to have their child enrolled, it may be that the children only understood that they ended up at an Indian Residential School and believed that this was done against the will of their parents, when in most cases it was done with the parents' full consent.

*Sample of an application for admission for Michel Redcrow, Blue Quills.
Note, the family's religion is identified as Roman Catholic.*

Sample of medical exam for Michel Redcrow, Blue Quills.

Letter rejecting Michel Redcrow's application for admission due to an unsatisfactory medical condition (enlarged glands).

Orphans and Epidemics

Likewise, many children who ended up at Indian Residential Schools were

orphans – recently orphaned. Consequently, it makes sense that many children would have been imprinted with images and fears of deaths, graves, missing people – this is known as **ambiguous loss** – a form of complicated grief that lingers and is difficult to resolve.

Excerpt of admission form. Note that the minimum age for admission was seven, unless children were orphaned, destitute or neglected.

And, indeed, there are examples of how and why people would believe that children ‘disappeared’ at Indian Residential Schools. In one example from Fort Albany, as noted in Eric Bays’ book, a trapper came to the Hudson Bay Company (HBC) trading post in distress. He said his wife was sick and there was no food in their tent; he then died. The HBC sent out two men with grub, only to find that the wife had died and there was a 2-month-old baby, three small children and a 16-year-old. The 2-month-old was given over to a relative, the 16-year-old went off on a hunt with relatives, and the three small children went to an Indian Residential School as orphans. Some time later, one of the small children died of influenza at the school.

So, in the space of a few days, an entire family ‘disappeared’ from that community; the three small children ‘disappeared’ forever from that community. They would not have been sent home for the summer because there was no family to receive them and care for them.

It is a curious coincidence that this event took place in the same community/region as that of Tanya Talaga’s great-great-grandmother’s story. Indeed, that community would have had a ‘knowing’ that children disappeared to Indian Residential School and did not come back, but not for nefarious reasons, for benevolent ones.

Tuberculosis took many family members. All of the family of Stephen Kakfwi’s mother died of TB and she was flown away for hospital/sanatorium care off and on for six of the first twelve years of his life. Sometimes tuberculosis care – which tended to be months or years in length – meant that the child who was healed, had entered school as a 7-year-old, was then sent on to a sanatorium if diagnosed with TB, but returned home from the sanatorium at

age 13 – a total stranger to his or her family. Thus, the original child had ‘disappeared’ – but not in the way Kimberly Murray is framing ‘enforced disappearance.’

Oct. 30, 2024, Gathering - Tanya Talaga Asks, “What Can we Do to Convince Canadians that we are Guilty of Genocide?”

“Genocide” is not a crime decided in the press – it is decided in the courts and based upon evidence, not the childhood recollections of now elderly people. It is not a crime about which people must be ‘convinced’ but rather that there must be actual evidence.

Indeed, at yesterday’s presentation, beside the empty chair, there was a drum with the number “215” drawn on it. In fact, the Kamloops First Nation walked back from the number 215 shortly after their first claim of the findings, recognizing that 15 of the anomalies were prior excavations by archeologists from Simon Fraser University. Furthermore, this year Kamloops First Nation issued a statement reflecting on the discovery of ‘anomalies’ – not ‘mass graves’ nor ‘human remains.’ Therefore, why are official bodies like that of Kimberly Murray’s office exploiting the original false claim of “215” when it is well-known that this is not confirmed. Not the number. Not confirmed as graves. No human remains. Even if bodies are exhumed one day, this does not mean the person died in nefarious circumstances.

Death is Part of Life

As Indigenous Catholic priest, **Father Cristino Bouvette explains death** is part of life. Schools and communities had graveyards because people lived and died. Having sacred, consecrated grounds where people could be buried with full Catholic or other Christian rites, according to their family’s chosen denomination, was both a matter of sacred duty, human dignity, public sanitation and community wellbeing. However, in most cases, if children passed away at an Indian Residential School, their bodies were sent home for burial on reserve. If this was not possible, due to distance, contagious disease, delayed contact if family was out on a trapline, the child would be buried there, in sanctified ground, with appropriate final rites. Children were sent to schools that were of the denomination of their families, who had chosen Catholicism or other forms of

Christianity decades before.

As Robert Carney, father of Mark Carney who is the UN Climate Envoy and former Bank of Canada Governor, explained in his papers and commentaries on the Royal Commission on Aboriginal Peoples (RCAP), the Indian Residential Schools were the local social and medical services hubs, back in the earlier days. Consequently, there are likely various local residents or transients or workers who may be buried in graves who have no connection whatsoever to Indian Residential Schools.

Oct. 30, 2024, Gathering – Sean Carleton claims the Denialism is Dehumanizing and that Canadians must Abandon the Myths of Benevolence

It is dehumanizing that an academic paid by public taxes engages in an unsubstantiated smear campaign against Canadian taxpayers, millions of whom are Roman Catholics or Christians of other denominations. The clergy and staff at Indian Residential Schools, for the most part, dedicated their entire lives for a pittance, to offer education, sustenance, care and social activities including sports, dance, music, and practical skills to the children in their care. What is not acknowledged is that residential schools were often the only safe harbor for victims of dysfunctional families and the only home available to Indigenous orphans. [Indian Residential Schools — The Untold Story of A Lifeboat for the Least of Society](#). This is benevolence. Not a myth.

In CBC's 1991 Fifth Estate program, a rare statement from Lena Paul, a former residential school student at St. Joseph's says the school was a lifesaver.

CBC voice over: "Lena Paul is one former student with fond memories of Saint Joseph's school. To her, residential school meant salvation."

Lena Paul: "I had a really good experience when I was at the residential school because with... with the chaos and the violence that was going on in my home when I came to the to the residential school it was some place it was clean, it was some place that was sober and I always knew what was going to be happening next because it was very structured and orderly there and for me it was a place that I felt safe."

Lena Paul's statement will be very rare now as "Tainted Testimonies" have taken over the public narrative.

Dr. Carleton has written a report with fellow academic Reid Gerbrandt regarding media coverage of the original '215' claim. I dispute his findings in my report "Confronting Indian Residential School Confabulation and Media Irresponsibility."

UNDRIP was Passed Based on the False Claims of Mass Graves and Human Remains at Kamloops Indian Residential School

While people are very busy with the claims of missing children at Indian Residential Schools, I am more concerned that UNDRIP [United Nations Declaration of the Rights of Indigenous Peoples] was rushed through the House of Commons within less than a month of the Kamloops First Nation's claims. Six provinces and several First Nations had been opposed to UNDRIP as written; they were requesting clarification on a number of points. That process ended abruptly when the announcement of the "215" was made. In light of the admission this year by the Kamloops First Nation that only 'anomalies' were found, it is clear that UNDRIP was passed under duress and false pretext, and it should be repealed.

Nothing Hateful about Searching History for Evidence and the Truth

Dr. Hugh Dempsey, *Potai'na*, was my mentor when I was working on historical documentaries. He was the former curator of the Glenbow Museum in Calgary and married to Pauline Gladstone, daughter of the first Indigenous Senator James Gladstone. He always encouraged me to search for every nugget of history.

I close by repeating one of my opening statements.

Ms. Murray has built a case for creating a new legal framework to investigate a crime of genocide with no named victims. She advocates for criminalizing the historical assessments of people like me because I am asking these uncomfortable questions. There is nothing hateful in my desire to excavate the truth. The criminal allegations against Canadians are serious

and yet they are being tried in the court of public opinion, and media, not in a court of law. This is a serious breach of our fundamental rights.

External Threats and Foreign Interference

Furthermore, China and several dictatorial states accused Canada of genocide at the UN the day after UNDRIP passed, and they cited the Kamloops claim of 'mass graves' of 215 children as evidence. Obviously, the Kimberly Murray reports will be used against Canada on the world stage, and she advocates for a body like the International Criminal Court to adjudicate, when we, at home, have never been given a list of names of children alleged to be missing or murdered.

Consequently, the Murray reports should be withdrawn from circulation.

Thank you,

Michelle Stirling