

## **Reconciliation and We, the People of the Period**

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**2017 Dr. E. H. Johnson Memorial Fund Award Recipient  
for the Cutting Edge of Mission  
June 5, 2017**

The day before Prime Minister Harper apologized for the wrongs done to First Nations, Metis and Inuit peoples by the residential schools, I was in Beechwood cemetery. I was there to give thanks to one of my heroes - Dr. Peter Henderson Bryce. Bryce was a whistleblower who raised the alarm about the preventable deaths of children in residential schools in 1907. His survey of the health conditions of children in the schools found a startling death rate of 25% per year and close to 50% when he tracked the children over 3 years. Bryce, an expert in public health, proclaimed "medical science knows just what to do." He called on the federal government to provide equitable funding for tuberculosis treatment for First Nations and implement practical measures like improving ventilation in the schools. The cost of Bryce's reforms was \$10,000 to \$15,000 - a paltry sum even in those days when federal budgets exceeded 100 million per year. The government refused to pay. Bryce acted and his report appeared on the front page of the "Evening Citizen" in 1907 as he attempted to appeal to the people of the period who he hoped would react with outrage and demand the government act. A few of them, like Samuel Hume Blake were. Blake said that Canada's failure to act brought it into "uncomfortable nearness with manslaughter." Most people, though, remained silent while thousands of children died needlessly.

Bryce kept speaking up and the government of Canada responded quickly by retaliating against him. They cut his research funding, blocked his presentations at conferences and denied him promotion within the public service. They also tried to discredit him but Bryce, a recognized public health expert, was not easily diminished. The government finally pushed Dr. Bryce out of the public service in 1921 prompting Bryce to launch another effort to save the children. He walked into James Hope and Sons with his manuscript "A National Crime" chronicling his research and numerous efforts to get the government to act. He circulated it to politicians, clergy and business leaders. It was covered in magazines and newspapers but again the public failed to rise in sufficient numbers to force government action. The Truth and Reconciliation Commission estimates that at least 4,000-6,000 children died despite Bryce's best efforts.

Bryce was not alone. Historian John Milloy who authored "A National Crime" that details residential schools from the perspective of Canada's own documents, notes people of all walks of life knew what was happening was wrong and spoke out. Most were ignored or, if the press coverage was negative for the government, Ottawa would launch its retaliation strategy. The

last school closed in 1996 but what did the government of Canada learn? What did we, the people of this period learn?

100 years after Bryce filed his report, I was in the parliamentary news room with Assembly of First Nations National Chief Phil Fontaine. We announced the filing of a human rights complaint against the federal government for its chronic under-funding of First Nations child welfare services and failure to ensure First Nations children could access other public services on the same terms as other children through a measure called Jordan's Principle.

Within 30 days of filing the case, the Caring Society's core funding was cut and by 2009 the organization received no government funding at all. We cut our staff in half and did our own janitorial to make ends meet. Things were very different for the federal government who increased its staffing by 13% and relied on the deep pockets of Canadian taxpayers to launch endless procedural tactics to try to get the case dismissed before it could be heard.

The Canadian Government did not limit its resistance to legal measures. It was found to have breached the law on three occasions including by "willfully and recklessly" retaliating against me. I was awarded \$20,000 which I donated to children's causes and charities.

The case finally went to trial in 2013. The Tribunal heard from 25 witnesses over 72 days and then took the decision under reserve for 15 months. During that time, the Truth and Reconciliation Commission listed the need for culturally based and equitable child welfare as its top Call to Action.

There were also signals from the new federal government that they were ready to translate reconciliation from words into action. The ground was set for hope- or at least I thought so.

On January 24, 2016- two days before the public release of the order I stood again before the snow-covered gravesite of Peter Henderson Bryce. The sky was blue- just like when I first visited him 8 years earlier. Alone in the cemetery I read Dr. Bryce the decision. He deserved, I thought, to be among the first to learn that justice had finally come. The public learned that the Canadian government was found to be racially discriminating against 165,000 children and ordered to stop. The government welcomed the decision and failed to implement it. Three non-compliance orders have followed including one linking Canada's unlawful conduct to the needless deaths of two 12 -year old girls.

The harms do not end there. Many First Nations children continue to be placed in foster care because their families are denied support that every other Canadian takes for granted. Life in foster care is hard. Many children in care go through multiple placements and experience the cultural dislocation that is all too familiar to their parents and grandparents who grew up in residential schools.

Recently, a mom in Manitoba argued with Health Canada so she could get enough catheter tubes for her critically ill daughter. She was re-washing them and her daughter was getting

repeated urinary tract infections and kidney scarring as a result.

This brings me back to all of us. What are we the people of the period going to do differently from the people of the period in Bryce's day? Do we have the strength to face the reality that Canada is racially discriminating against children even as it celebrates its 150<sup>th</sup> birthday? If we do, what are we going to do about it? What happens if we do what we have almost always done - nothing?

This much is clear to me. Government does not create change it responds to change - and that means that Bryce was right. The people of the period - all of us must speak out and demand the government comply with the legal orders to cease discrimination against First Nations children and their families. Let's show the children that we love them enough to stand up for them and we will not sit down until Canada truly is a country where First Nations children don't have to recover from their childhoods and non-Indigenous children don't have to grow up to say sorry. That is what I want for Canada's 150<sup>th</sup>.