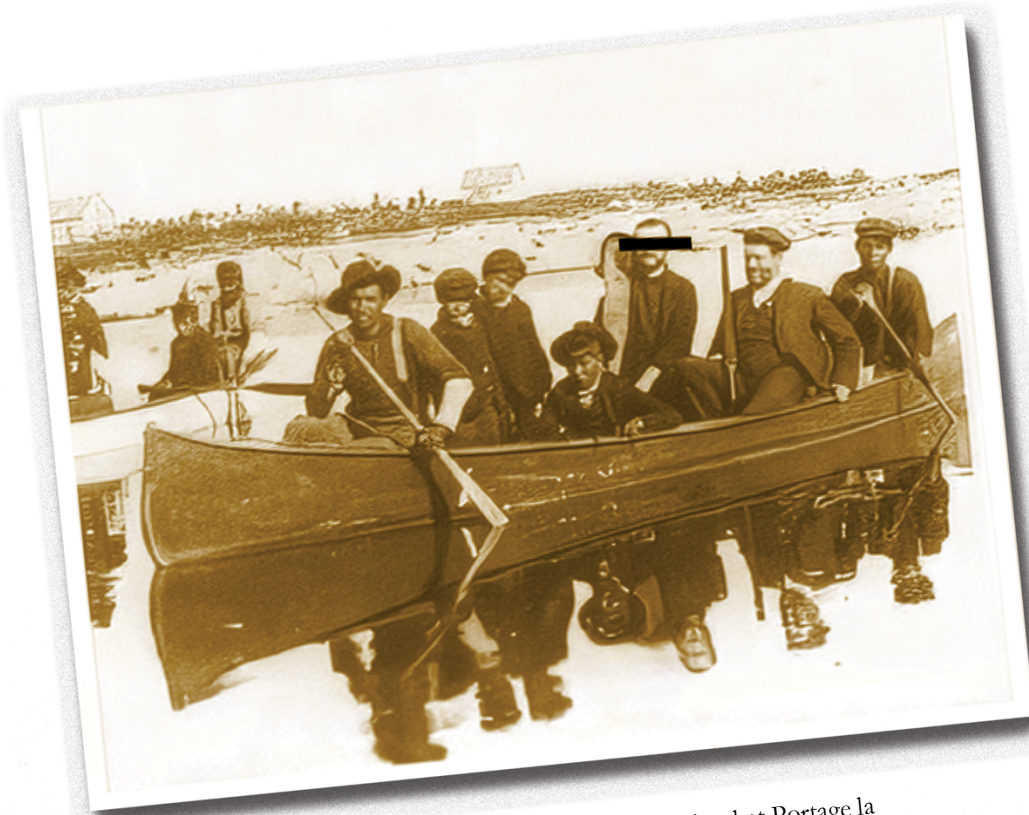


CANADAMNESIA



Reverend Ferrier taking boys to the school at Portage la Prairie, Manitoba, 1904. Manitoba Museum Collections

Reconciling Truth with the Absence of Facts and Reason in Champion, Flanagan and Green's *Grave Error*

Dougald Lamont, B.A., M.A.

Working Draft, August 17, 2026

Canadamnesia: Reconciling Truth with the Absence of Facts and Reason in Champion, Flanagan and Green's *Grave Error*

A Two-Part Report

Part One: Testing Grave Error's Sources and Reasoning on Residential Schools for Accuracy.

Part Two: Presenting a documented history of Residential Schools and the Child Welfare Systems that ultimately replaced them.

Dougald Lamont, B.A., M.A.

Working Draft, August 17, 2026

Copyright Dougald Lamont 2026

Table of Contents

INTRODUCTION	10
PART 1 : TESTING GRAVE ERROR'S SOURCES AND REASONING ON RESIDENTIAL SCHOOLS FOR ACCURACY.	14
PART 1 : CHAPTER 1: THE CONSPIRACY THEORIST BEHIND CANADA'S RESIDENTIAL SCHOOL "DEBATE" — AND THE OIL MONEY THAT BROADCAST HER CLAIMS AROUND THE WORLD	15
FACT CHECKING COMMONLY-REPEATED CLAIMS BY GREEN <i>ET AL</i>	17
<i>"Only 423 children actually died at residential schools, an average of only 3 deaths a year" (Green, IRSRG 2025)</i>	<i>17</i>
<i>Fallacies and Unintended Bias</i>	<i>19</i>
<i>Claim 2 — "There is no evidence of even one missing child; parents always knew what happened" (Bishop Henry, B.C. Catholic 2023; Giesbrecht/Green/Flanagan, True North 2022; Rubenstein, Dorchester 2023)</i>	<i>19</i>
<i>Claim 3 — "Most children who died were buried on their home reserves" (C2C 2023, citing Green's death-record compilations)</i>	<i>21</i>
<i>Claim 4 — "Attendance was completely voluntary until 1920"; parents' application forms disprove "enforced disappearance" (Green, History Reclaimed 2024)</i>	<i>21</i>
<i>Claim 4 — "Positive records... suppressed"</i>	<i>22</i>
<i>Claim 5 — Kamloops, Ground Penetrating Radar (GPR), and unmarked graves (True North 2022; Green's emails)</i>	<i>22</i>
FALLACIES AND UNINTENDED BIAS	23
TWO ERRORS SHARED ACROSS THE SET	23
PART 1 CHAPTER 2 : GRAVE ERROR'S RESEARCH ERRORS, CHAPTER BY CHAPTER	24
METHOD	24
<i>Two Sourcing Problems That Run Through the Book</i>	<i>24</i>
MISTAKES IN DATA GATHERING	26
MISTAKES IN REASONING	27
ASSERTIONS WITH NO EVIDENCE AT ALL	27
WHAT THE CHAPTER GETS RIGHT	28
<i>2. Introduction</i>	<i>28</i>
MISTAKES IN DATA GATHERING	28
MILLOY'S <i>A NATIONAL CRIME: WHAT THE GOVERNMENT'S OWN ARCHIVES SHOW</i>	29
MISTAKES IN REASONING	31
ASSERTIONS WITH NO EVIDENCE AT ALL	32
WHAT THE CHAPTER GETS CORRECT	33
<i>3. "In Kamloops, Not One Body Has Been Found"</i>	<i>34</i>
MISTAKES IN DATA GATHERING	34
MISTAKES IN REASONING	36
ASSERTIONS WITH NO EVIDENCE AT ALL	37

4. <i>"Graves in the Apple Orchard: Contextualizing and Questioning the Claims about Burials at the Kamloops Indian Residential School"</i>	38
MISTAKES IN DATA GATHERING	38
MISTAKES IN REASONING	39
WHERE THE CHAPTER IS ACCURATE.....	39
5. <i>"Digging for the Truth about Canada's Residential School Graves"</i>	40
MISTAKES IN DATA GATHERING	40
MISTAKES IN REASONING	42
ASSERTIONS WITH NO EVIDENCE AT ALL	43
WHERE THE CHAPTER IS ACCURATE.....	44
6. <i>"Mass Graves and other Fake Atrocities on the Blue Quills Indian Reserve"</i>	44
MISTAKES IN DATA GATHERING	45
MISTAKES IN REASONING	46
ASSERTIONS WITH NO EVIDENCE AT ALL	48
WHAT THE CHAPTER IS ACCURATE	49
7. <i>"A Media-Fuelled Social Panic Over Unmarked Graves"</i>	49
MISTAKES IN DATA GATHERING	50
MISTAKES IN REASONING	50
ASSERTIONS WITH NO EVIDENCE AT ALL	51
WHAT THE CHAPTER GETS RIGHT	51
8. <i>"Canada's Descent into Collective Guilt: How the Media Used Soil Disturbances to Make an Entire Country Hate Themselves"</i>	53
MISTAKES IN DATA GATHERING	53
MISTAKES IN REASONING	53
ASSERTIONS WITH NO EVIDENCE AT ALL	54
WHERE THE CHAPTER IS ACCURATE.....	54
9. <i>"The Banality of Genocide, Made in Canada"</i>	55
MISTAKES IN DATA GATHERING	55
MISTAKES IN REASONING	57
ASSERTIONS WITH NO EVIDENCE AT ALL	58
10. <i>"We Had a "Knowing": The False Narrative of IRS Burials"</i>	59
MISTAKES IN DATA GATHERING	60
MISTAKES IN REASONING	61
ASSERTIONS WITH NO EVIDENCE AT ALL	63
11. <i>"Neither Truth Nor Reconciliation"</i>	63
MISTAKES IN DATA GATHERING	64
MISTAKES IN REASONING	66
ASSERTIONS WITH NO EVIDENCE AT ALL	68
12. <i>"Asking for Evidence Now Counts as "Denialism" "</i>	69
MISTAKES IN DATA GATHERING	69
MISTAKES IN REASONING	70
ASSERTIONS WITH NO EVIDENCE AT ALL	71
12a. <i>"Integration, Forced Assimilation, or Genocide?"</i>	72
MISTAKES IN DATA GATHERING	72

MISTAKES IN REASONING	73
ASSERTIONS WITH NO EVIDENCE AT ALL	74
13. <i>"Everybody's Favourite Dead White Male"</i>	75
MISTAKES IN DATA GATHERING	76
MISTAKES IN REASONING	77
ASSERTIONS WITH NO EVIDENCE AT ALL	79
14. <i>"Were the Residential Schools Agents of Genocide?"</i>	79
MISTAKES IN DATA GATHERING	80
MISTAKES IN REASONING	82
ASSERTIONS WITH NO EVIDENCE AT ALL	84
15. <i>"Were IRS Students Used in Medical Experiments? ("The Tainted Milk Murder Mystery")"</i>	85
MISTAKES IN DATA GATHERING	86
MISTAKES IN REASONING	87
ASSERTIONS WITH NO EVIDENCE AT ALL	88
16. <i>"Did Indian Residential Schools Cause Intergenerational Trauma?"</i>	88
MISTAKES IN DATA GATHERING	89
MISTAKES IN REASONING	90
ASSERTIONS WITH NO EVIDENCE AT ALL	92
17. <i>My Life in Two Indian Residential Schools</i>	93
MISTAKES IN REASONING	93
ASSERTIONS WITH NO EVIDENCE AT ALL	94
18. <i>"Postscript: Reconciliation and Truth"</i>	94
MISTAKES IN DATA GATHERING	95
MISTAKES IN REASONING	95
ASSERTIONS WITH NO EVIDENCE AT ALL	97
<i>Summary Across "Grave Error"</i>	98
PART 1 CHAPTER 3 - A REVIEW OF GRAVE ERROR'S SOURCES: WHAT'S EMPIRICALLY GROUNDED, AND WHAT ISN'T.....	102
<i>Tier one: the independently verifiable sources, and how they actually held up</i>	102
<i>Tier two: the advocacy network, and its track record</i>	103
<i>What this means</i>	104
PART 1 CHAPTER 4 - GRAVE ERROR'S NETWORK OF AUTHORS, AMPLIFIERS AND FUNDERS	105
PART 1 CHAPTER 5 - THE AMPLIFIERS: WHY ARE FREE-MARKET THINK TANKS SUDDENLY SO BULLISH ON CANADIAN HISTORY?	111
2. <i>The Book</i>	112
3. <i>The mainstreaming</i>	112
4. <i>The export – International Coverage</i>	112
<i>Donors and Donor Networks: Funding the Spread</i>	115
<i>Many Fingers, Just One Hand</i>	118
PART 2: NO RECONCILIATION WITHOUT TRUTH:	120
INTRODUCTION	120
PART 2, CHAPTER 1. WE STILL DON'T COUNT CHILDREN IN CARE	122

<i>How child welfare agencies in Canada tracked their wards, from 2001-2025</i>	122
<i>How the System Was Built: Saskatchewan and the 1946 Transfer of Child Welfare to the Provinces...</i>	124
<i>The Numbers: What We Know and Don't Know, 2001–2026.....</i>	127
CHILDREN IN CARE	127
INDIGENOUS CHILDREN IN CARE	129
DEATHS.....	130
DATA AVAILABILITY AT A GLANCE, 2001–PRESENT	131
<i>"No One Is Responsible": In Their Own Words.....</i>	133
PART 2 CHAPTER 3 - THE LEGAL STATUS OF AN APPREHENDED CHILD IN CANADA	136
EXECUTIVE SUMMARY	136
1.1 <i>Two distinct legal concepts: parens patriae and statutory wardship.....</i>	137
1.2 <i>Apprehension: a threshold lower than an arrest, with no judicial pre-check</i>	138
1.3 <i>The standard of proof: balance of probabilities, not beyond a reasonable doubt.....</i>	139
1.4 <i>Relaxed evidentiary rules: hearsay is expressly permitted</i>	140
1.5 <i>A note on scope</i>	140
2. <i>Part 2: Province-by-Province Detail</i>	141
2.1 <i>Newfoundland and Labrador.....</i>	142
2.2 <i>Prince Edward Island</i>	142
2.3 <i>Nova Scotia</i>	144
2.4 <i>New Brunswick</i>	146
2.5 <i>Quebec</i>	147
2.6 <i>Ontario</i>	148
2.7 <i>Manitoba</i>	150
2.8 <i>Saskatchewan</i>	151
2.9 <i>Alberta.....</i>	152
2.10 <i>British Columbia</i>	154
2.11 <i>Yukon.....</i>	156
2.12 <i>Northwest Territories</i>	157
2.13 <i>Nunavut.....</i>	159
3. <i>Part 3: Cross-Canada Comparison.....</i>	161
4. <i>Part 4: Cross-Canada Patterns.....</i>	162
PART 2 CHAPTER 4 CHILD AND FAMILY SERVICES ACROSS CANADA: WHAT THE PROVINCES' OWN NUMBERS SHOW, AND WHAT THEY DON'T	165
1. <i>The national picture: 1981-82 to 2021</i>	165
2. <i>Manitoba</i>	167
THE HISTORICAL STARTING POINT: KIMELMAN, 1985 ON MANITOBA'S "CULTURAL GENOCIDE"	167
DEATHS IN CARE, YEAR BY YEAR (FISCAL YEAR, MACY/OCA).....	168
<i>Two Tragedies and Two Inquiries: Phoenix Sinclair (2005/2013) and Tina Fontaine (2014/2019)</i>	170
3. <i>Saskatchewan</i>	173
4. <i>Ontario</i>	173
5. <i>Quebec</i>	174
6. <i>Newfoundland and Labrador</i>	175
7. <i>What this table cannot show.....</i>	176

PART 2 CHAPTER 5 - A HISTORY OF CHILD AND FAMILY SERVICES IN MANITOBA, TOLD THROUGH ITS OWN INQUIRIES.....	177
<i>Executive Summary</i>	<i>177</i>
BEFORE 1985: HOW MANITOBA BUILT THE SYSTEM THAT REPLACED RESIDENTIAL SCHOOLS	178
THE KIMELMAN INQUIRY, 1985: “CULTURAL GENOCIDE... IN A SYSTEMATIC, ROUTINE MANNER”	180
<i>The mechanism: a statute built on words a judge found impossible to apply without bias.....</i>	<i>180</i>
<i>The finding: “cultural genocide,” found routine rather than exceptional.....</i>	<i>181</i>
THE 40-YEAR FINDING	182
KIMELMAN’S RECOMMENDATIONS, AND THE ONE RECOMMENDATION THAT WAS NEVER FULFILLED	182
THE ABORIGINAL JUSTICE INQUIRY, 1991: A SECOND INQUIRY REACHES THE SAME VERDICT	183
INDEPENDENT CORROBORATION OF KIMELMAN, IN THE AJI'S OWN WORDS	183
<i>What the AJI credited as progress</i>	<i>184</i>
<i>Over-representation and its downstream consequences: Chapters 4 and 13</i>	<i>184</i>
THE ABORIGINAL JUSTICE IMPLEMENTATION COMMISSION, 2001: THE TEN-YEAR CHECK-IN	185
WHAT THE AJIC'S FOLLOW-UP WORK DID PRODUCE	186
DEVOLUTION AND ITS LIMITS, 2003–2010.....	186
PHOENIX SINCLAIR, 2005–2013: A THIRD DEATH, A THIRD INQUIRY.....	187
<i>What the inquiry found about the system in which Phoenix died</i>	<i>188</i>
<i>What the Inquiry recommended</i>	<i>189</i>
AFTER HUGHES: WHAT MACY'S OWN AUDITS FOUND, 2018–2023	189
<i>Still Waiting (2021): nineteen more children, maltreated and dead.....</i>	<i>189</i>
RIGHTS DELAYED ARE RIGHTS DENIED (2023): THE PATTERN HOLDS ACROSS EVERY RECOMMENDATION MACY HAS ISSUED	191
<i>Tina Fontaine and the Missing-Children Gap, 2014–2019.....</i>	<i>192</i>
<i>The scale of the missing-children problem behind Tina's case.....</i>	<i>192</i>
<i>The connection to missing and murdered Indigenous women and girls</i>	<i>193</i>
MANITOBA TODAY: 2023–2026	193
<i>The children-in-care picture</i>	<i>193</i>
<i>What the health and education data still shows.....</i>	<i>195</i>
<i>The downstream pipeline, quantified</i>	<i>196</i>
WHAT HAS CHANGED.....	196
1. <i>The CFS system is now substantially Indigenous-run, not merely Indigenous-serving.....</i>	<i>197</i>
2. <i>The Office of a Child Protector has not been created, but an Independent, Legislated Children's Advocate now exists</i>	<i>197</i>
3. <i>While policy lags, official language has shifted from denial to acknowledgment.....</i>	<i>197</i>
4. <i>Some recent, concrete legislative responses</i>	<i>198</i>
WHAT HAS NOT CHANGED	198
1. <i>The Office of the Child Protector recommended by Kimelman and the AJI still does not exist.....</i>	<i>198</i>
2. <i>The core mechanism of harm is unchanged: a low legal threshold for removing a child</i>	<i>198</i>
3. <i>Overrepresentation of Indigenous Children in the System Has Further Increased, Not Decreased .</i>	<i>198</i>
4. <i>The funding structure still incentivizes removal over prevention</i>	<i>199</i>
5. <i>Forty Years Where An Inquiry Per Decade Finds the Last Report’s Recommendations Largely Unfulfilled</i>	<i>200</i>
6. <i>Children are Still Dying in the System in the Numbers and Manner Previous Inquiries Warned Of ...</i>	<i>200</i>
<i>The Common Threads Across Every Inquiry.....</i>	<i>200</i>

Conclusion.....	202
PART 2 CHAPTER 6 - THE CHILD WELFARE CARE PIPELINE TO JAIL, GOING MISSING AND WORSE	203
WHAT MANITOBA'S OWN DATA SHOWS ABOUT DOWNSTREAM OUTCOMES	203
IN 2015, THE MANITOBA CENTRE FOR HEALTH POLICY'S RELEASED ITS REPORT, <i>THE EDUCATIONAL OUTCOMES OF CHILDREN IN CARE IN MANITOBA</i> (BROWNELL, CHARTIER, AU, MACWILLIAM, SCHULTZ, GUENETTE & VALDIVIA). TRACKING A 2006 BIRTH COHORT FORWARD, THE REPORT FOUND THAT AGAINST 6.4 PERCENT OF MÉTIS CHILDREN, 15.4 PERCENT OF INUIT CHILDREN, AND 1.7 PERCENT OF NON-INDIGENOUS CHILDREN, 22.4 PERCENT OF FIRST NATIONS CHILDREN IN MANITOBA HAD BEEN IN CFS CARE AT SOME POINT BY AGE 15. IT IS NOT A POINT-IN-TIME CENSUS. IT IS A LIFETIME-PREVALENCE-TO-AGE-15 FIGURE. THE TRUE ADULT LIFETIME PREVALENCE, INCLUDING CFS CONTACT AFTER AGE 15, IS ALMOST CERTAINLY HIGHER.	203
THE FAILURE OF GOVERNMENT AS PARENT: WHAT HAPPENS TO CHILDREN AFTER THEY GO INTO CARE:.....	205
<i>Incarceration</i>.....	205
<i>Manitoba's incarceration rate is nearly three times the national average.....</i>	<i>205</i>
<i>Homelessness</i>.....	206
<i>Missing persons</i>.....	207
<i>Murdered and missing Indigenous women and girls</i>.....	207
<i>Not completing high school</i>	208
CHILD WELFARE HAS BEEN ITS OWN DRIVER OF HARM FOR DECADES	208
PART 2, CHAPTER 7 - AN EXPANDED HISTORY OF RESIDENTIAL SCHOOLS AND HOW CHILD WELFARE SYSTEMS CAME TO REPLACE THEM.....	210
THE WOODSWORTHS, THE FERRIERS AND THE ROLE OF THE METHODIST CHURCH IN RUNNING THE RESIDENTIAL SCHOOL SYSTEM	210
<i>A Brief History of Methodism</i>	211
THE WOODSWORTHS & THE FERRIERS	213
<i>James Woodworth Sr. and the founding of the Brandon Residential School</i>	213
<i>Thompson Ferrier at Brandon: character, conditions, and a piece of fatal arithmetic</i>	213
FERRIER REQUESTS A LARGER GRAVEYARD	220
A SECOND GENERATION OF WOODSWORTHS AND FERRIERS	221
<i>J.F. WOODSWORTH AT RED DEER: POLICEMEN, WARRANTS, AND PAUPER GRAVES</i>	221
RUSSELL T. FERRIER: THE DEPARTMENT'S FIXER, AND THE COVER-UP AT CHAPLEAU	222
BRANDON AFTER FERRIER: A PREMIER'S INTERVENTION, AND HIS OWN GOVERNMENT'S RECORD.....	224
EUGENICS, STERILIZATION AND THE CANADIAN KKK: A CROSS-PARTISAN CONSENSUS	225
FROM PULPIT TO STATUTE.....	226
A MAINSTREAM MOVEMENT, NOT A FRINGE ONE	227
EVERY PARTY'S HANDS.....	227
THE IDEA DID NOT END WHEN THE LAW DID	228
WHY THIS BELONGS HERE.....	ERROR! BOOKMARK NOT DEFINED.
PART 2, CHAPTER 9 - SOCIAL CREDIT IN POWER.....	229
ORIGINS	230
ALBERTA IN POWER.....	230
BRITISH COLUMBIA IN POWER	230

SASKATCHEWAN: THE MAN WHO CHAIRED IT NATIONALLY	230
CONCLUSION	232
APPENDIX	236
A STATISTICAL ANALYSIS COMPARING NINA GREEN THE OXFORDIAN TO NINA GREEN THE RESIDENTIAL SCHOOLS RESEARCHER	236
SOURCES.....	247
A THE CONSPIRACY THEORIST BEHIND CANADA’S RESIDENTIAL SCHOOL “DEBATE” — GRAVE ERROR, CHAPTER BY CHAPTER	247
B GRAVE ERROR’S NETWORK OF AUTHORS, AMPLIFIERS AND FUNDERS	247
C NO RECONCILIATION WITHOUT TRUTH: THE OTHER SIDE OF THE STORY	248
D THE LEGAL STATUS OF AN APPREHENDED CHILD IN CANADA.....	249
E CHILD AND FAMILY SERVICES ACROSS CANADA.....	251
F A HISTORY OF CHILD AND FAMILY SERVICES IN MANITOBA, TOLD THROUGH ITS OWN INQUIRIES	252
G THE WOODSWORTHS, THE FERRIERS AND THE ROLE OF THE METHODIST CHURCH IN RUNNING THE RESIDENTIAL SCHOOL SYSTEM	253
H EUGENICS, STERILIZATION AND THE CANADIAN KKK	253

Introduction

I set out to write this analysis of “Grave Error” a collection of essays edited by C. P. Champion and Tom Flanagan, a co-publication of the Dorchester Review and True North, with multiple contributions supported by an independent researcher, Nina Green. The arguments therein have been shared nationally and internationally by a think-tanks, and foundations, as well as by journalists and major news outlets.

I knew from having read some of the claims and accounts of individuals who have been called “denialists” that some of the statements they presented about residential schools were simply inaccurate – they got the facts wrong, and they made mistakes in reasoning. The essays themselves make frequent complaints about poor scholarship.

The standard for the essays appears to be, not what is accurate, but what is convincing. In the *Art of Being Right*, Schopenhauer details a series of painfully accurate descriptions of the techniques of successful deception. Convincing arguments such as these may shape history, but they should not be mistaken for it.

As with standards of evidence for science, there are standards of evidence and reasoning for interpreting the documented evidence for historical events. They aren’t the standards we borrow from the law, where the standards may be beyond a reasonable doubt, or the balance of probabilities, both of which are a question of doubt. In legal cases, evidence may be ruled out of order or withheld, and people will aim to discredit witnesses.

The rules of evidence and reason for accurate history is higher, not lower. The goal is to present well-supported evidence, which is further interpreted within an accurate context. That means that our own interpretations and conclusions about historic documents and data, we should be conscious of fallacies – thinking that leads to the wrong conclusion from the available evidence.

I want to make it clear that I do not intend to speak on behalf of anyone but myself, and not for any Indigenous person. Reading the document should soon make that clear. This is an effort to accurately describe the actions of Canadian governments over the decades.

It is about the way Indigenous children have been treated in Canada, with everything supported by documented evidence. Much of that evidence is, to be blunt, difficult and upsetting to read because of what it describes.

As for my own experience or expertise in approaching this document, my undergraduate and graduate degrees included the study of the critical tradition and study in historical methodology. I first heard of Residential Schools from Tomson Highway at a student conference in May, 1990. I worked at the Manitoba Museum on a consultation committee for a Residential Schools exhibit in the 2000s, where community members advised on how the

exhibit should be set out and explained to the public. I assisted Minister Rebecca Chartrand in the editing of her Master's thesis in Education, which was on the subject of Residential Schools. As a member of the Manitoba Legislature, I was the critic for the Ministry of Families, and was on the committee that received annual reports from the Manitoba Advocate for Children and Youth. As a person who worked in politics in Winnipeg, it should not be surprising that I have met many people who have been directly affected by some of the worst tragedies about which public inquiries were called, including close acquaintances.

The goal is first to show the mistakes in Grave Error and some further associated articles, and then to present a much broader historical account of both Residential Schools and the system that began to replace them over 70 years ago, Child Welfare Systems. That broader context is extremist ideas in Canada's history, and the Social, Political and Religious ideas that informed Residential Schools and what followed.

Some of the history here on eugenics, residential schools, child and family services and the history of political extremism was originally written on my Substack and in an unpublished manuscript. Material from those articles was verified, corrected, expanded upon, and links to sources absent from the originals have been included.

On the method: The initial analysis of the accuracy of the grave error articles was achieved by loading a number of primary sources into Claude AI. They are listed in full at the end of the document, but they included primary documents, or documents that themselves drew entirely on primary sources: Dr Peter Bryce's reports from 1907 and 1922; Milloy's A National Crime; the entire text of the TRC; peer-reviewed papers, academic theses. The text of Grave Error was loaded in, and Claude was prompted to verify the factual and evidentiary claims, which once recovered, were reviewed one by one.

This account describes failures of every party that has governed in Canada over the past century, but even as jurisdiction for First Nations is federal, First Nations and other Indigenous people have to navigate systems run by provinces – which comprise the majority of everything governments in Canada do, and provincial governments and their parties shape national policy. The CCF/NDP and Social Credit never held federal power, but they governed provinces for decades, and it is provincial governments that are responsible for most of what touches Indigenous children's lives directly.

The child-welfare data compiled in this report covers every province, under every governing party, over the 25 years since 2001, and power changed hands in every province during that period.

Political parties are named directly where a party's specific identity or ideology is itself part of the evidence: the Ku Klux Klan's documented influence inside the Conservative and Progressive parties in the 1920s, or the eugenic advocacy of the CCF's own founder, are

claims that do not work unless the party is named. Where a failure is institutional or bureaucratic — chronic underfunding, neglect, indifference to the people a system was supposed to protect — I have generally written "the government" rather than naming a party, because there is no reason to believe a different government of the day would have acted differently. The aim is not to shield any party from scrutiny, or to single one out. It is to be precise about what the evidence actually supports blaming a specific party for, and what it does not.

This distinction matters most for the twenty-five years of child-welfare data compiled in this report, covering every province from 2001 to 2026 under governments of every major party. Those governments were, with rare exceptions, administering and underfunding systems that were already in place when they took office — not systems built from their own party's ideology, the way Social Credit's antisemitism or the CCF's eugenics and assimilation policy were. For that reason, this report generally does not name the governing party responsible for provincial child-welfare outcomes in this period. The exceptions above — the Klan era, the CCF's own founding decisions, Social Credit's own record in office — are precisely the cases where a party was not simply administering an inherited system, but was the source of the idea being examined, and put it into practice directly. That is the test applied throughout: was this party running a system it inherited, or was it the origin of the idea and the one who acted on it?

On religion and ideology: Historic figures' support for eugenics and sterilization is usually handled in one of three generic ways: as an idiosyncratic personal belief, as something absorbed from a prominent outside figure (George Bernard Shaw is a common reference point), or as a vague product of "everyone thought that" at the time. This account tries to do something more specific — to show that eugenic thinking, as expressed by prominent Canadians in this period, did not arrive as a stray personal opinion or an imported fashion, but flowed from a specific set of beliefs tied to their religious denomination. Treating the politics of this era as though it can be sorted along a modern, secular left-right axis requires taking the gospel out of the Social Gospel. The result is a sanitized history: one that does not reckon with the often bitter religious, denominational, and political divisions that actually defined identity and conflict in this period, and one that pries historic figures out of the specific ideology that produced their beliefs, leaving only vague generalities in its place.

This should, by no means, be considered the whole story, but the history that is related here is accurate and verifiable, with sources provided.

Of what is presented, every effort was made to gather and verify the data and review references to ensure they are as accurate as possible. There are more than 20 pages of sources and an Appendix at the end of this document.

I continually find historical arguments I know to be inaccurate are being used to inflame resentments politically, when the discussion is occurring in a factual vacuum.

If we are going to have discussions and debates on Canadian history, there is a greater factual basis that cannot be denied that has been omitted from the debate to date.

Part 1 : Testing Grave Error's Sources and Reasoning on Residential Schools for Accuracy.

How a self-published website's claims travelled to the Wall Street Journal in under two years — through a network of "free-market" think tanks funded by foundations with an explicit interest in what Canadians believe about Indigenous rights.

In 2024, the Wall Street Journal published an op-ed headlined “Canada's Unproven Mass-Grave Scandal,” by its Americas Editor, Mary Anastasia O’Grady. It was notable for a number of reasons: a U.S. Newspaper of record was not just opining on Canadian politics but weighing in on the history of Canadian Indian Residential Schools. What’s most notable is what it gets wrong. O’Grady repeats a string of claims that are completely inaccurate, something that even a cursory fact-check against primary sources would have revealed.

However, the claims the Wall Street Journal were drawing on included a best-selling book, *Grave Error*, edited by Tom Flanagan, a former professor of history who worked with Prime Minister Stephen Harper, and published by the *Dorchester Review* in partnership with *True North*, with an introduction by Conrad Black. That book was a collection of essays, many of which draw in turn on the work of just one self-described independent researcher from British Columbia, Nina Green, whom O’Grady cites by name. In all of this, it appears none of the distinguished journalists, historians, professors and publications simply took Green’s claims at face value, or thought to ask about Green’s turn to researching residential schools, after spending decades as an independent researcher seeking to prove the works of Shakespeare were written by someone else.

Part 1 : Chapter 1: The Conspiracy Theorist Behind Canada's Residential School "Debate" — and the Oil Money That Broadcast Her Claims Around The World

Nina Green, whom the National Post's reporter Terry Glavin referred to as "the best of the independent researchers," is in fact a conspiracy theorist, one who brought a conspiracy theorist's methodology to the subject of Residential Schools. Not testing a hypothesis, but proving a theory, through a method that ignoring evidence, cherry-picking data, and leaps of logic. It is one thing to misattribute a claim or saying to the Truth and Reconciliation Commission, when it appears nowhere in its many volumes. However, to claim, as Green and other authors have done, that the TRC makes no mention of something, when it is clearly spelled out in the text, means that we have moved from the realm of critical analysis and thinking to reading comprehension.

O'Grady and the Wall Street Journal were not alone. The story was also picked up and repeated across a number of media outlets and think tanks: The New York Post, the Daily Wire, the Peter Laffin at the Washington Examiner, John Daniel Davidson at The Federalist, and Joanna Baron at The Hub Canada, Bari Weiss and the Free Press, the Editors of the National Review, and the editors at CatholicVote in the U.S. In Canada, opinion pieces in the National Post and the Hub, well as the work being amplified by a number of Canadian think-tanks, like the Fraser Institute, the Frontier Centre for Public Policy. In the UK, The Spectator

All of these varied institutions have three curious things in common:

- These are all institutions who primary interest is economic freedom, regulation, and tax policy, not into investigations into the historical deaths of Indigenous children.
- Their interest in the subject of Residential Schools can legitimately be said to fall outside the wheelhouse.
- The all repeat the same, very specific, errors, from the same research.

The Independent Researcher

Before Nina Green turned her attention to residential schools, she spent decades on another project: proving that William Shakespeare did not write Shakespeare.

Green did not invent this particular theory: it has been around for a long time. People took to the notion that, despite all evidence to the contrary the authentic author of Shakespeare's plays was Edward de Vere, 17th Earl of Oxford, who supposedly wrote them secretly.

It takes real commitment to be an "Oxfordian," because it requires ignoring the stark fact that, while Shakespeare didn't stop writing plays until 1613, De Vere died in 1604. During the time

that such classics as Othello, King Lear, Macbeth, Antony and Cleopatra and The Tempest were written, the Earl of Oxford was dead.

A "Nina Green," an independent researcher in British Columbia runs the "Oxford Authorship Site" at oxford-shakespeare.com. She published in the movement's house journals, The Oxfordian (2000) and Brief Chronicles (2009).

It is worth setting out what it is about "conspiracy theories" in general, because the mistakes in handling evidence and reasoning are common and pretty well defined.

With conspiracy theories, the research process begins, not with a hypothesis to be tested, but a conclusion to be confirmed. Conspiracy theorists comb vast archives for fragments that can be made to fit, ignore the mountain of well-established evidence that doesn't, and explain the gap as a cover-up.

There is a difference between skepticism and paranoia, and we should make distinguishing between the two an essential part of reason and decision-making.

Skepticism is not just cynicism, or being wary: it means suspending judgment on drawing a conclusion until the facts are in. The goal is an accurate description of incidents and decisions, and skepticism is a form of self-reminder against mistakes in two separate realms of knowledge with different methods: gathering and weighing evidence on the one hand, and fallacies of reason on the other.

Part of the challenge, and goal, is to develop a working model that accurately describes, not just the events and statements in isolation, but how they are connected. For strict logic to be applied, it requires a system that operates on strict logic.

It is possible for two different descriptions to be accurate, without one cancelling out the other, because each are describing partial information about the whole. The connections between the two descriptions are not part of a structure that operates by strictly logical operations, therefore they do not cancel out.

Richard Feynmann, who received a Nobel Prize for physics, set out some investigative principles for the discovery of knowledge, where he describes the challenge repeatedly as being on guard against our own foibles and slips of thought.

- "The first principle is that you must not fool yourself, and you are the easiest person to fool."
- "Scientific knowledge is a body of statements of varying degrees of certainty — some most unsure, some nearly sure, but none absolutely certain."
- "The real problem in speech is not precise language. The problem is clear language."
- "Describe the evidence very carefully without regard to the way you feel it should be."

- “When we go to investigate we shouldn’t pre-decide what it is we are trying to do except to find out more about it.”

This is for science: physical objects and chemicals are largely consistent under the same conditions from day to day, year to year, era to era, when humans are not.

Wittgenstein urged “don't think, but look,” which can be understood as an injunction to hold off on applying assumptions, or a particular interpretation.

The reason this level of rigor is required is not because people are unintelligent: quite the opposite. These are mistakes that have been made by people of extraordinary intellectual capability, and any one of us is susceptible to making them.

Many of Green’s claims are routinely repeated and have appeared in recent articles claiming that the number of deaths in Residential Schools is lower than has been claimed.

Fact Checking Commonly-Repeated Claims by Green *et al*

Here are examples of Green’s claims that do not stand up to scrutiny, that have been picked up by other writers.

Green et al’s statements and writing has been checked against primary sources, as well as for errors in logic and reasoning. The analysis is sometimes repetitive, because the same errors are repeated across essays.

"Only 423 children actually died at residential schools, an average of only 3 deaths a year" (Green, IRSRG 2025)

Green writes that the TRC table “shows... that only 423 named children actually died on the premises of an Indian residential school between 1867–2000, an average of only 3 deaths a year in the entire residential school system,” and that the NCTR's figure of 4,140 inflates the true figure “ten times” by “sleight of hand.”

What TRC Volume 4 actually says: The table Green cites (Table 4) is explicitly a breakdown of only those deaths for which a location was recorded:

“For 1,391 of the 3,201 deaths (43.5%)... there is no known location of death. Table 4 reports on the location of the 1,810 deaths for which there is a known location of death.”

The table itself reads:

Location	Named Register	Named + Unnamed Combined
School	423	832
Hospital	400	427
Sanatorium	43	43
Home	300	418
Other non-school	75	90
Total	1,241	1,810

Green's "423" uses the Named-only column; even within the table's own terms, recorded on-premises deaths are 832. More fundamentally, treating "no known location" as "did not die at school" inverts what the TRC says the gap means:

- Volume 4 states that the register is an undercount: "it is probable that there are many student deaths that have not been recorded in the register because the record of the death has not yet been located... There also exists the possibility that the death may not have been reported at all," before going on to explain why. The TRC notes that:
- "many records have simply been destroyed. According to a 1933 federal government policy, school returns could be destroyed after five years... This led to the destruction of fifteen tons" of records;
- A Saskatchewan principal "as late as 1942... was unaware of any responsibility to report a death"; and
- "It was not until 1935 that Indian Affairs adopted a formal policy on how deaths at the schools were to be reported and investigated."
- Deriving "3 deaths a year" by dividing the minimum count of deaths with recorded locations over 133 years, from a register the TRC describes as incomplete by design of the historical record, is contradicted by the source Green cites.

For Green to point out that politicians' phrasing is inaccurate, such as John Rustad's "more than 4,000 children... died in residential schools" is at odds with the register: but so are Green's statements and numbers.

That NCTR Memorial Register includes deaths in hospitals, at home, and within a year of discharge, a practice Green insinuates is deceptive, calling it “sleight of hand,” which implies that something is being hidden, when Volume 4 states its rationale for the count openly:

“The decision to include those students who died within a year of discharge rests on a common residential school practice of discharging students who were suffering from terminal illness to their homes or to institutions such as hospitals and sanatoria.”

That practice is documented as far back as Bryce, quoted in the same volume proposing in 1907 that tubercular students be treated at school “instead of being sent home to die.” This is an openly disclosed methodological choice, that is grounded in the documented practice of Residential Schools moving dying children off the books.

Fallacies and Unintended Bias

Reliance on the Named Register column while ignoring the Named + Unnamed total (832) and the 1,391 deaths with no recorded location is Texas Sharpshooter reasoning — drawing the boundary around the subset of the data that yields the smallest number, after the fact.

Reading “no known location” as “did not happen,” when the source explicitly calls this an undercount, is a Faulty Generalization built on a False Premise.

Labelling the NCTR’s broader count “sleight of hand,” when Volume 4 states its rationale openly, is the Furtive Fallacy — assuming a hidden, manipulative intent behind an outcome that has a disclosed, mundane explanation.

Underneath the argument sits Anchoring Bias: once “423” is in view, it becomes the fixed point everything else gets measured against.

Claim 2 — “There is no evidence of even one missing child; parents always knew what happened” (Bishop Henry, B.C. Catholic 2023; Giesbrecht/Green/Flanagan, True North 2022; Rubenstein, Dorchester 2023)

The late Bishop of Calgary Henry asked why no one demands “proof that even one residential child is actually missing in the sense that his (or) her parents didn't know what happened to their child at the time of the child's death,” while an op-ed in The True states there are “no parents or relatives who claim that their child was among the 215,” and the C2C says “the TRC did not record any instances of a parent searching at the relevant time for a missing child.”

It is difficult to understand how claims so basic, and so easily disprovable, could make their way into print.

These are assertions that certain information is not in the TRC. All that is required to settle the issue is to look to the TRC, whose texts are freely available online, and searchable.

Checking the TRC shows that, in fact it describes many cases of missing children, deaths of children, and multiple cases where named families demanded answers.

TRC Volume 4 says: For 32% of the 3,200 recorded deaths, “the government and the schools did not record the name of the student who died” — the state itself could not say who died, let alone reliably inform families. The Commission's burial-policy chapter documents cases where parents demonstrably did not control or even know outcomes:

- Sam Ross ran away from the Birtle school in winter 1959 and the principal “did not inform either Ross's family or the Indian agent”;
- When Charles Hunter drowned at Fort Albany in 1974, “it was decided, without consultation with his parents, to bury him in Moosonee rather than send his body home.” His family recovered the body only in 2011.
- Anna Lahache's mother requested her drowned daughter's body in 1913 and was refused on grounds of decomposition and cost.

The volume's closing Calls to Action rest on the finding that “families were not adequately informed of the health condition of their children” and on “a need for the federal government to ensure that appropriate measures are undertaken to inform families of the fate of their children.” Whether one calls such children “missing” or “unaccounted for,” the categorical claim that no family was ever left uninformed is contradicted by named, documented cases in the very report the authors cite.

Fallacies and Unintended Bias

A categorical claim stated without checking the source it purports to describe, and refuted by named, documented cases (Sam Ross, Charles Hunter, Anna Lahache) in that same source, is a Faulty Generalization.

Demanding proof from critics rather than checking the record is Burden of Proof shifting, with an undercurrent of Personal Incredulity — the claim is asserted because the alternative is hard to picture, not because the record was consulted.

Confirmation Bias is the operative bias: asserting the register's silence on a question is easier than reading it.

Claim 3 — "Most children who died were buried on their home reserves" (C2C 2023, citing Green's death-record compilations)

The C2C article, relying on Green, states that death certificates “show that most were buried on their home reserves” and that “school burials were the exception rather than the rule.”

What Hamilton's report actually concludes: Hamilton, an archaeologist engaged specifically by the TRC to answer where children are buried — concludes the opposite:

“it is clear that throughout much of the history of the Indian Residential Schools, financially driven procedural barriers (if not formal policy) prevented the return of deceased students to their families for burial. Indeed, the return of deceased children likely only occurred in extraordinary circumstances, and most were buried within school cemeteries, in nearby mission, municipal or reserve cemeteries, or at cemeteries used for burial of destitute hospital patients.”

The economics are documented in Volume 4's quotation of the 1912 McLean memorandum, that schools bore burial costs when a child died at school, which made on-site burial cheapest. In the 1958 case of John Lucas, buried in Edmonton for \$110 rather than shipped home to the Yukon for an (erroneously estimated) \$217.

Green's certificate samples, drawn largely from Alberta and Saskatchewan deaths that occurred in hospitals or on reserves, cannot be generalized to “most” deaths, particularly the 1,391 with no recorded location and the burials Hamilton describes as undocumented or lost.

Fallacies and Unintended Bias

Generalizing from a certificate sample concentrated in Alberta and Saskatchewan hospital and reserve deaths to “most,” against a cited source (Hamilton) that concludes the opposite, is a Faulty Generalization compounded by Survivorship Bias: the sample only contains the deaths that left a traceable, locatable record, so the 1,391 unlocated deaths and the burials Hamilton calls undocumented or lost are structurally invisible to it.

Claim 4 — "Attendance was completely voluntary until 1920"; parents' application forms disprove "enforced disappearance" (Green, History Reclaimed 2024)

Fallacies and Unintended Bias

Collapsing a mixed record — legal compulsion dated to 1920, but ration-withholding, forced seizure of “neglected” children, and police enforcement documented earlier — into a binary voluntary/compulsory choice is a False Dilemma.

Treating signed parental application forms as decisive proof of voluntariness, without applying the same scrutiny to the coercive context those signatures were obtained under, is Special Pleading again.

Claim 4 — "Positive records... suppressed"

The True North op-ed (Giesbrecht/Green/Flanagan) says documents portraying the positive side “have been largely suppressed,” citing sports teams, dances, and the Kamloops swimming pool; Rubenstein says accounts of those who ran the schools “were not deemed important enough to be documented in the TRC Report.”

This is another instance where all that is required to show this claim is wrong is to check the TRC.

In fact, TRC Volume 1 (Part 2) contains an entire chapter, “Sports and the arts: 1940–2000,” with more than fifty references to hockey alone, documentation of school committees discussing sports equipment; and explicitly positive testimony from students and staff. This included:

- Theodore Fontaine (“I remember fondly some nuns, priests and others who I think were truly there in the belief that they could help us”),
- Staff member Olive Saunders (“The teachers at Norway House were the finest bunch of teachers you could ever wish for”), and
- Ronalee Lavallee, who “had a number of positive memories of working at the school” where she spent twenty-two years.

One may argue about emphasis and framing, but the claim that such material is absent from or suppressed by the TRC report is false on inspection. Notably, the TRC also documents the limits of the recreational picture the op-ed paints: officials themselves attributed chronic running away to the absence of playgrounds and organized sports at particular schools.

Claim 5 — Kamloops, Ground Penetrating Radar (GPR), and unmarked graves (True North 2022; Green's emails)

Here, Green et al's make claims on ground penetrating radar and soil anomalies are substantially in agreement with the TRC, though that is not the impression readers are likely to come away with.

The document by Hamilton on graves and burials, available freely online, makes it clear that:

- GPR detects soil anomalies rather than confirmed remains;
- Unmarked graves near schools commonly reflect decayed wooden markers and abandoned cemeteries rather than concealment;

- School cemeteries hold community members as well as students.

All of this is in Volume 4, and in Hamilton, who writes “some graves may lie unrecognized after the decay and disappearance of wood grave markers”; cemeteries “abandoned, overgrown and overlooked, or even forgotten.”

The op-ed's error is presenting these facts as a refutation of the TRC, when they are the TRC's own findings, findings that predict precisely what GPR searches at former school sites would encounter.

Hamilton's report, incidentally, notes that his research could not locate documentation of the Kamloops school cemetery at all. The correct interpretation is to recognize that this is missing information from which no conclusion can be drawn, not evidence.

The Op-Ed uses a rhetorical device of changing targets, by refuting statements in media coverage, language the Kamloops band's own release never used, such as “mass grave,” “murdered by priests and nuns,” all while ignoring readily available source documents.

Fallacies and Unintended Bias

The claims being refuted — “mass grave,” “murdered by priests and nuns” — appear in media coverage, not in the Kamloops band's release or the TRC. This is a Strawman aimed at the loudest version of the claim rather than the documented one, while the actual substance (soil anomalies, decayed markers) is presented as contradicting the TRC when Hamilton's report says the same thing. Treating the absence of Kamloops cemetery documentation as informative, rather than simply missing, is an implicit False Premise.

Two errors shared across the set

Two errors recur across the set rather than belonging to any single claim. The Halo Effect — the real, accurate micro-corrections (Rustad's imprecise phrasing, the register's off-premises deaths, early GPR over-claims) lend an unearned aura of rigor to the larger claims that do not survive verification, so readers extend trust from the parts that check out to the parts that don't. And Authority Bias — the claims gain force from being co-signed by a retired judge, a professor emeritus, and a bishop, none of them historians of the archival record in question, the same “credentials that don't match the claim” pattern visible throughout the network. Layered on top, the amplification chain described in Section 1b — one source moving through a small, interlocking set of outlets until it reaches the Wall Street Journal — is functionally Argument from Repetition and Bandwagon: the claim acquiring the appearance of broad, independent corroboration purely through repetition across friendly mastheads, not through independent verification.

Part 1 Chapter 2 : Grave Error's Research Errors, Chapter by Chapter

A Catalog of Errors of Fact, Errors of Reasoning, and Unsupported Assertions

A chapter-by-chapter review of Grave Error: How the Media Misled Us (and the Truth about Residential Schools), edited by C.P. Champion and Tom Flanagan (True North and Dorchester Books, 2023).

Method

Every chapter of Grave Error, including the preface, introduction, and postscript, is reviewed below in the order it appears in the book. Each entry gives the chapter's title, its author or authors exactly as credited in the book itself, a brief neutral summary of the argument it makes, and then the specific errors found in it, sorted into three categories requested for this review:

Mistakes in data gathering: a claim is made that is at odds with the evidence. Presented as Claim, then Source — what the book says, and what the actual primary source says instead.

Mistakes in reasoning: a conclusion or inference is drawn that the evidence presented cannot support. Presented as Claim, then Fallacy: what is concluded, and the specific logical error in getting there.

Assertions with no evidence at all: a claim is simply stated, with nothing offered to support it. Presented as Claim, then Omission explained: what is asserted, and what is missing.

Not every chapter contains all three kinds of error, and a few chapters are largely free of checkable factual claims altogether (the memoir chapter, in particular). Where a chapter gets something right, that is noted too — the purpose of this review is accuracy, not a uniform verdict.

Two Sourcing Problems That Run Through the Book

Before going chapter by chapter, two issues with who is actually making these claims are worth flagging on their own, because they affect how much weight the book's own account of its evidence can bear.

An anonymous chapter

Chapter 3, "Graves in the Apple Orchard: Contextualizing and Questioning the Claims about Burials at the Kamloops Indian Residential School," is credited in the book's own table of contents and chapter opening — not inferred by this review, but printed plainly in the book

itself — to "Anonymous WordPress blog post." This is a book that repeatedly criticizes journalists, the TRC, and Indigenous communities for relying on unnamed or unverifiable sources, and its own contributor biographies at the back of the book name every other chapter's author with their professional credentials. This one chapter is the exception: its claims about septic beds, irrigation ditches, and garden furrows explaining the ground-penetrating radar anomalies at Kamloops carry the same evidentiary weight in the book's argument as every signed chapter, but come from a source that cannot be identified, credentialed, or held accountable for its claims.

A pseudonymous co-author

Chapter 6, "Mass Graves and other Fake Atrocities on the Blue Quills Indian Reserve," is co-authored by Hymie Rubenstein and "Pim Wiebel." The book's own author-biographies section states directly: "Pim Wiebel (a pseudonym) worked for over three decades in Indigenous community development and refugee resettlement and is a former Indian Residential School teacher." That is the book acknowledging, in its own words, that this is not this person's real name. The claimed professional background — three decades in Indigenous community development, refugee resettlement, and residential school teaching — is exactly the kind of firsthand-authority credential that gives a chapter's claims added weight with readers, and it cannot be independently checked, verified, or attributed to any real, findable person. Whatever the reason for the pseudonym, a reader has no way to confirm that this background is accurate, or that "Pim Wiebel" is one person rather than several, or a name attached after the fact to someone else's material. A closer full-text pass turns up two further complications. First, "Pim Wiebel" is also the sole credited author of a previously unaccounted-for chapter, "Integration, Forced Assimilation, or Genocide?" (entry 12a below), meaning the same unverifiable identity is now this book's sole source for an entire additional chapter, not just a co-authorship. Second, roughly the final third of the Blue Quills chapter itself shifts into an unbroken first-person account describing a named university president's statements about a faculty termination — details that match the public record of Frances Widdowson's 2021 dismissal from Mount Royal University, not anything in either credited author's own stated biography. The chapter never identifies whose voice this is, in a chapter that spends its opening pages specifically attacking the reliability of anonymous "Knowledge Keepers."

Both of these sourcing choices sit inside a broader pattern already documented earlier in this report: the book's acknowledgments page itself thanks "independent researcher Nina Green for her extraordinary work on this subject" — the same Nina Green whose unreplicated compilations are relied on, sometimes anonymously, in several other chapters, and whose research is hosted by an organization chaired by this book's own co-editor, Tom Flanagan. A book built partly on an anonymous chapter and a pseudonymous co-author, while demanding named, credentialed, verifiable sourcing from everyone it criticizes, is not applying the standard evenly.

1. Preface

Author(s): Conrad Black

What the chapter argues: Black frames the book as necessary to restore "sobriety" to Canadian public discourse, comparing the current reckoning over residential schools to historical episodes of mass delusion (invoking Charles Mackay's classic study of popular manias). He credits Macdonald-era native policy as well-intentioned despite its condescension, calls the genocide accusation "a monstrous falsehood," cites Indigenous population growth since Confederation as disproof of genocide, states that Indigenous peoples have already received \$4.7 trillion in reparations, and argues reconciliation is currently impossible because it demands accepting a wholly one-sided indictment of Canada.

Mistakes in data gathering

- **Claim:** Indigenous peoples and institutions "have already received \$4.7 trillion in promises and... actual delivery of reparations."

***Source:** No public accounting anywhere supports this figure. The most recent comprehensive federal accounting (2024) puts Canada's total contingent liability across every outstanding Indigenous claim at roughly \$76 billion, with \$16.4 billion actually paid out in 2023–24. Black's number is on the order of sixty (60) times larger than the largest figure in any actual government ledger, and no source is cited for it anywhere in the text.*

- **Claim:** "No unmarked graves of native children have been found" and "all students... were scrupulously accounted for."

***Source:** Stated as flat, settled fact with no citation. The book's own later chapters describe GPR anomalies that require excavation to interpret, which sits uneasily with a categorical "none found." More directly, the TRC's Volume 4 states that for roughly a third of the deaths on its own record, schools "did not record the name of the student who died," and 1,391 children have no known burial location. A record with no name attached to a third of its own documented deaths is close to the opposite of "scrupulously accounted for."*

- **Claim:** Sir John A. Macdonald "gave the native people the right to vote."

***Source:** Macdonald's government did pass the 1885 Electoral Franchise Act, but it extended the federal vote only to a narrow category of property-owning status-Indian men, east of Manitoba. It explicitly excluding voters in British Columbia, Manitoba, and the North-West Territories, and it was repealed within thirteen years by Laurier's government

in 1898. Unconditional federal voting rights for status Indians were not restored until 1960. Describing this narrow, short-lived, later-rescinded measure as Macdonald simply having "given the native people the right to vote" substantially overstates what the 1885 Act did.*

Mistakes in reasoning

- **Claim:** Indigenous population grew from roughly 125,000 at Confederation to 1.8 million today, offered as proof that no genocide occurred — the chapter argues there is no historical precedent for a targeted population rising in the course of an attempted genocide.
- ***Fallacy:** This argument has multiple threads, none of which stand. The population did not rise steadily from 1867: it dropped and kept falling, hitting its documented low point somewhere between the 1890s and the interwar years. The 1921 census recorded 113,724, the figure most commonly cited as close to the nadir, and only then began sustained growth. From that trough to today's 1.8 million, the large majority of the increase happened after 1950, and an especially large share after 1970 (1921: ~113,700 → 1951: more than double that → 1971: over 500,000 → 1996: ~800,000 → 2021: ~1.8 million). Further, Bill C-31 the number is not from births alone, but from a 1985 amendment that reinstated status to women who'd lost it by marrying non-status men (and to their children). More than 114,000 people gained or regained registered status between 1985 and 2000 as a one-time legal/administrative effect. That's a substantial chunk of "population growth" that has nothing to do with fertility or survival.
- Article II of the 1948 Genocide Convention does not establish an offense only in instances of mass deaths, or deliberate killing. Forcibly transferring children and destroying the structures that let a group continue as a group are defined as forms of genocide in the same convention. By the same logic, the recovery of the global Jewish population since 1945 would retroactively change how the Holocaust is classified.

Assertions with no evidence at all

- **Claim:** The allegations against the residential school system "constitute blood libels against the British and French founding peoples of this country."

No specific TRC finding, survivor account, or piece of evidence is engaged or rebutted to support this characterization. It is simply stated.

Claim: The schools' objective "was to qualify the native children" in English or French, never intending to strip their culture, and abusive incidents, while real, were "contrary to official policy."

No citation is offered for either half of this claim. It is directly contradicted by the system's own administrative literature: Thompson Ferrier's own promotional writing for the schools

states an explicit rationale of suppressing "old heathen practices such as the sun-dance, the dog-feast, potlatch, etc.," and Milloy's archival record documents the Department's routine response to substantiated complaints was not correction but discrediting the complainants. Department official R.T. Ferrier's 1922 report dismissed twenty parents' sworn Chapleau complaints as a "tissue of lies," even as Duncan Campbell Scott privately ordered the school to fix the very conditions the report had just dismissed.*

What the chapter gets right

Black's account of the TRC's 94 Calls to Action as the basis of the current federal reconciliation process is accurate, and his broader observation that GPR "anomalies" require excavation to confirm anything is a defensible, narrow point independently corroborated elsewhere in the book and in the historical record. His account of Macdonald maintaining a loyal relationship with Crowfoot and other chiefs helpful to him during the 1885 Rebellion is consistent with the mainstream historical record.

Cross-chapter pattern: the population-growth-as-disproof-of-genocide non sequitur introduced here recurs, with different supporting evidence but the identical logical structure, in Chapter 5 (Macdonald's famine relief and smallpox vaccination offered as proof the government could not have wanted Indigenous people dead).

2. Introduction

Author(s): C.P. Champion and Tom Flanagan

What the chapter argues: The editors frame the book as a response to the "moral panic" following the May 2021 Kamloops announcement. They argue the media, politicians, and Pope Francis prematurely treated GPR soil anomalies as confirmed burials; that "missing children" is a concept the TRC's own researchers failed to cross-reference against existing records; that the 150,000-forced-to-attend figure is misleading; that compulsory attendance did not arrive until 1920; that church burnings were disproportionate to any real grievance; and that the escalation from the TRC's 2015 "cultural genocide" finding to a literal genocide charge is emotionally rather than evidentially driven. It closes by stating the book's thesis: no persuasive evidence exists for unmarked graves, missing children, murder, or genocide.

Mistakes in data gathering

- **Claim:** Attendance "wasn't... made compulsory for Indian children" until 1920, with enforcement "often lax" before that.

Source: Twenty-six years before 1920, in 1894 amendment to the Indian Act had already authorized the Department of Indian Affairs to compel attendance and appoint truant officers empowered to physically retrieve children.

What TRC Volume 4 documents for the pre-1920 period:

In 1895, the regulations were amended so that:

- “They now allowed for the return to the school of all truant students, including those whose parents had voluntarily placed them in the school. Indian agents were instructed to use the authority of these new regulations to ensure that the schools were full. Orphans were to be recruited to fill vacancies... Parents were to be told that if they did not voluntarily enrol their children, they would be compelled to do so. First Nations leaders who opposed residential schooling could find themselves removed from office by the federal government.”
- After 1920, the “government had the power to fine and jail parents who did not enrol their children... Indian Affairs officials also sometimes denied food relief to communities and individuals in an effort to force them to send their children to residential school,” and “a police presence — and the threat of prosecution — was used for much of the system's history to ensure residential school attendance.”
- The existence of application forms signed by parents, which the Department required as a condition of admission, is not inconsistent with any of this. Not signing meant risking arrest, detention, prosecution, loss of rations, or removal of a chief from office. Given that the signatures were obtained under threat of prosecution, it undermined Green’s argument that this is a sign of voluntary enrollment.
- The TRC documents “numerous examples of large numbers of parents refusing to return their children to school in the autumn,” met with police enforcement.
- Green's narrower factual points (roughly a third of status Indian children attended residential schools; day schools existed; the Rome Statute is non-retroactive) are accurate individually, but the conclusion that coercion “cannot be established at all” is contradicted by the record she says supports it.

Milloy's A National Crime: What the Government's own Archives Show

The Truth and Reconciliation Commission, while broad, is not exhaustive. There are other important sources to which historians and researchers can turn, with John S. Milloy’s 1999 book, “A National Crime” being one of the most significant.

Milloy's account pre-dated the TRC, and draws from the Department's own internal correspondence, which shows the issue was not clear cut.

The Department deliberately declined full legal compulsion before 1920 out of institutional caution — Indian Commissioner Hayter Reed warned in 1892 that Indigenous communities in the Northwest Territories were not, in his words, “sufficiently advanced in civilization to render such drastic measures advisable,” and Minister Frank Oliver told the churches in 1908 that Ottawa had gone “as far as is deemed advisable” short of “arbitrary separation of parents and children.” That caution is real, and to that extent is consistent with Green's point that the legal compulsion introduced in 1920 was new.

However, the same account documents that the 1894 Order-in-Council already empowered an agent or justice of the peace to seize, “by force if necessary,” any child the state deemed “neglected,” with only a right of appeal after the fact.

Separately, agents were advised to secure attendance in “particularly stubborn cases” by “withholding from unwilling parents all help that you have at your disposal, provisions, tea, tobacco, etc.”

By 1919, Duncan Campbell Scott himself, who had previously opposed formal compulsion as unenforceable, concluded it was impossible to “recruit for the schools under the present voluntary system.” The Department's own architect of the system conceding, in his own words, that “voluntary” was not producing the attendance the schools required.

An independent, archivally-grounded academic history that none of the seven pieces reviewed here cites turns out to support a more complicated picture than either “compulsory from the start” or “completely voluntary until 1920”: real legal compulsion is correctly dated to 1920, but real coercive pressure was already being used, including forced seizure of children deemed neglected, and using hunger by withholding rations as leverage on resistant parents.

Claim: "Sixty-eight Christian churches were vandalized or burnt" during this period, a number that reached 83 by summer 2023.

Source: CBC's independent investigative count (January 2024) found 33 churches burned since May 2021, of which 24 were confirmed arson. The 83 figure traces to True North's own self-maintained tracker, which overstates the claim by over 50, and appears to fold vandalism incidents involving no fire at all in with actual burnings.

- **Claim:** The pretext for arson was that Kamloops "had been run by a Catholic religious order, as had 43% of residential schools."

***Source:** This significantly understates. The *Globe and Mail's* own investigative reporting on the Church's residential-school role states the Catholic Church ran roughly 60 percent

of residential schools — about 17 points higher than the figure given, enough of a gap to matter for an argument built partly on proportionality.*

- **Claim:** Kent Monkman's painting *The Scream* shows missionaries and Mounted Police "snatching infants from the arms of their mothers at gunpoint."

***Source:** Independent descriptions of the painting (Art Canada Institute, Denver Art Museum) describe a mother lunging toward a child pulled away by a priest, with RCMP officers also present as perpetrators — but no description located anywhere depicts a gun or anyone acting "at gunpoint." This appears to be an embellishment added to the chapter's characterization of the artwork. Separately, several sources describe Monkman as deliberately setting the scene in contemporary dress to link residential schools to ongoing child-removal practices (the Sixties Scoop, the modern child-welfare system) — a cross-era allegory the chapter's "not even close to... historical reality" framing treats as a simple, failed attempt at literal depiction.*

- **Claim:** Repeats the \$4.7 trillion reparations figure from the preface.

No accounting anywhere supports a figure at this scale.

Mistakes in reasoning

- **Claim:** Because GPR anomalies have not yet been confirmed by excavation and much of the public reaction rested on rumour, "no persuasive evidence has yet been offered by anyone" for unmarked graves, missing children, murder, or genocide.

***Fallacy:** This converts a narrow, defensible claim (GPR anomalies are not themselves confirmed remains) into a sweeping one directly contradicted by material the introduction does not engage.

TRC Volume 4's documents multiple named cases of undisclosed deaths and unreturned children (Sam Ross, Charles Hunter, Anna Lahache), in addition to Scott Hamilton's own TRC-commissioned conclusions about systemic non-repatriation of student bodies.

- **Claim:** Media coverage is "almost always" accompanied by the claim that 150,000 students were "forced to attend," which the chapter calls "misleading at best," noting day-school enrollment in any given year exceeded residential-school enrollment.

***Fallacy:** False comparison / conflated denominators. The National Centre for Truth and Reconciliation itself states that "more than 150,000 children attended Indian Residential Schools" — a cumulative total across the system's 150-plus-year operation. That day-school enrollment exceeded residential-school enrollment in any given year does not contradict a cumulative, multi-generational total; the two figures answer different

questions and are not in tension. The chapter uses a comparison using accurate figures that are irrelevant to cast doubt on the TRC/NCTR's own standard figure.*

- **Claim:** "Each child received a number upon admission for keeping track of clothing" and other possessions, offered alongside the Department's per-capita subsidy bookkeeping as evidence "children were carefully followed" and could not have gone missing undetected.

***Fallacy:** Non sequitur. An inventory-control number assigned for laundry and clothing is evidence of supply record-keeping, not of accurate mortality or whereabouts tracking. TRC Volume 4 record discussed elsewhere in this book, which states that roughly a third of recorded deaths carry no name at all — the same system that tracked clothing frequently failed to record who had died. *

- **Claim:** "Cultural genocide is a metaphor," an emotive term for assimilation, framed as the rhetorical stepping-stone that "next" led to claims of literal physical genocide.

***Fallacy:** This mischaracterizes the TRC's own definition rather than engaging it. The TRC's Executive Summary defines cultural genocide specifically as the destruction of structures and practices that let the group continue as a group — listing concrete mechanisms (destroying institutions, seizing land, banning language, disrupting families) — and states plainly, "In its dealing with Aboriginal people, Canada did all these things." This is a defined analytical category with specified criteria, not simply an emotive term standing in for ordinary assimilation policy.

- **Claim:** Citing the House of Commons' unanimous 2021 motion recognizing China's treatment of Uyghurs as genocide, the chapter argues applying the same word to residential schools "is a way of transferring the emotions of horror and righteous anger" from real twentieth-century genocides onto the school system.

***Fallacy:** This is an assertion about the *motive* behind using the word "genocide," not an argument about whether the definitional criteria are met. No evidence of intentional emotional transference is offered — it is inferred from the fact that the word has been used elsewhere for uncontested cases.*

Assertions with no evidence at all

- **Claim:** "No inquiries about missing Indian children were filed with the police or other authorities."

Unlike the adjacent sentence about parents' discipline complaints (which carries a footnote), this specific negative claim carries no citation. It is also close to self-undermining: TRC Volume 4 documents specific cases where the school informed neither the family nor the Indian agent, such as Sam Ross, who ran away from the Birtle school in

1959. If parents were never told a child had died, run away, or been transferred, they would have had no occasion to report a "missing" child to police. An absence of police reports would be an expected artifact of the same institutional information-suppression documented elsewhere in this report, not evidence nothing was wrong.*

- **Claim:** TRC members "spoke at various times of 2,800 or 4,200" Indian children sent to residential schools who never returned to their parents.

This specific pair of figures could not be traced to any identifiable TRC statement, report, or commissioner remark. The TRC's well-documented, citable number is 3,201 named deaths in its National Student Memorial Register as of the 2015 Final Report (with commissioners cautioning the true figure is likely higher). Neither figure given matches that or any other identifiable TRC number; flagged as unverified rather than accepted or rejected.*

What the chapter gets correct

- Pope Francis's "I described the genocide" remark is correctly and precisely attributed to his July 29, 2022 in-flight press conference, rather than his formal Maskwacis apology, as Chapter 10 of this same book does with the same material; this chapter gets the sequencing right where the other does not.
- The World Press Photo of the Year 2021 caption is quoted accurately, describing Kamloops as "an institution created to assimilate Indigenous children."
- The account of Phil Fontaine's 1990 disclosure of abuse, and the RCAP-to-lawsuits-to-2005-settlement-to-2008-apology sequence, matches the documented record; the roughly \$5 billion paid to about 80,000 claimants is a reasonable rough summary of the Settlement Agreement, though the two payment streams (Common Experience Payment and Independent Assessment Process) did not go to the identical group the sentence implies.
- The account of the Minegoziibe Anishinabe/Pine Creek basement excavation finding no remains is accurate. And the account of Leah Gazan's October 2022 motion, passed by unanimous consent, without recorded debate, invoking Article II of the Genocide Convention by name, matches the parliamentary record precisely.

Cross-chapter pattern: Converting a narrow, accurate claim (GPR anomalies are unconfirmed) into a sweeping claim that no evidence exists for anything recurs here and again, more elaborately, in Chapter 9 (Melanson) and, per that chapter's own cross-references, in the Rouillard and Flanagan/Giesbrecht chapters as well.

3. “In Kamloops, Not One Body Has Been Found”

Author(s): Jacques Rouillard

What the chapter argues: Rouillard argues that, more than two years after the May 2021 announcement, no bodies have actually been excavated at Kamloops, and that GPR findings, elderly recollection, and TRC record-keeping gaps have been treated by media, government, and international bodies as confirmed physical evidence of murder and genocide. He reconstructs the RCMP's, ICC's, and UN's involvement, examines TRC Volume 4's death-count methodology, surveys the school's operational and religious-order history, and closes with the Marieval and Pine Creek sites — the latter a real excavation that found nothing.

This is the book's most carefully sourced chapter overall, with the proviso that it is not focused on the history of Residential Schools, but largely of claims post-2021.

The account of GPR's evidentiary limits, the 215-to-200 revision (excluding 15 anomalies later identified as prior SFU excavation pits), Beaulieu's own hedged public statements, the TRC's 3,200/32%-unnamed/49%-unknown-cause figures, the Pine Creek excavation timeline, and the Marieval cemetery identification are all accurate and independently corroborated.

A closer, paragraph-level pass, however, turns up additional problems concentrated in the chapter's framing of institutional actors (RCMP, ICC, TRC) rather than in its narrower factual reporting.

Mistakes in data gathering

- **Claim:** The ICC "refused to open a preliminary investigation," reasoning that primary responsibility for prosecution "rests with the Canadian government, which has declined to do so," alongside a separate, correct note about the temporal-jurisdiction problem (pre-2002 conduct).

***Source:** The temporal-jurisdiction half is well confirmed: reporting from the lawyer who received the ICC's response (Andrew Phypers, via APTN, November 2021) states the ICC's reasoning was that it "felt they were prevented" since the deaths occurred before Canada ratified the crimes-against-humanity law, with no mention of a separate finding that Canada had "declined" to prosecute. The ICC's actual letter has never been made public, and no source attributes to the ICC a finding that Canada refused to act. This half of the claim appears to import the ICC's general complementarity principle and attach an unsupported, more damning gloss that isn't in the record.*

- **Claim:** The shift toward "physical genocide" is "a conclusion that the TRC explicitly rejected in its own report."

***Source:** The TRC's Executive Summary defines physical, biological, and cultural genocide as distinct categories and concludes only that Canada "did all these things" with respect to the mechanisms of *cultural* genocide.

The Commission's stated reason for choosing that term was *jurisdictional* (it lacked a mandate to make a binding legal genocide finding), not an evidentiary finding that no physical destruction occurred. Calling this the TRC "explicitly reject[ing]" physical genocide overstates a report that declined to adjudicate the question either way.*

- **Claim:** Kevin Annett, credited as the originator of the Kamloops orchard grave story, was "expelled from ministry by the United Church in 1995 for spreading conspiracy theories."

***Source:** Contemporary coverage of Annett's dismissal proceedings (Maclean's, September 1996) shows the presbytery's stated concerns were about his fitness for ministry — "very serious concerns about his mental balance," conflict with his congregation, and refusal of a required psychiatric evaluation — not "spreading conspiracy theories" about residential schools, and the hearing was still underway in September 1996, a year after the date given. The underlying point (a controversial, sanctioned figure predating 2021) is fair; the year and stated reason don't match the documented record.*

- **Claim:** Bryce's 1906 comparison is invoked to argue school mortality "may have been no higher than on reserves," using his finding that Indigenous mortality generally ran "more than double" the general rate.

***Source:** This selectively quotes the same report Bryce used to make the opposite point elsewhere: his own language identified school dormitory and classroom conditions as "foci from which disease... has spread" — his own view was that schools amplified transmission beyond the reserve baseline. This is the identical error flagged earlier in the review of the Piasetzki chapter (13) on Bryce: endemic reserve TB and school-based amplification are compatible mechanisms, not competing ones — and its recurrence here shows it isn't a one-chapter lapse.*

- **Claim (internal inconsistency):** The chapter gives the Kamloops school's operating dates as 1890–1978 in its opening, then 1969 under Oblate/Sisters of St. Anne administration, then "1890-1970" in a table three paragraphs later — three distinct end dates in the same chapter.

***Source:** The chapter never reconciles these figures or explains the real distinction (the school under religious administration closed in 1969; the government-run residence continued into the later 1970s). Since the chapter's central "Catholic-era" argument

depends on which period is under discussion, this is a load-bearing inconsistency, not a typo.*

- **Claim:** Combining NCTR names with B.C. death certificates, the chapter concludes "most parents were informed, and most deceased children were returned home" for the 51 Kamloops NCTR-listed deaths.

***Source:** This is the same claim found in Rubenstein's chapter, which Rubenstein offers and then self-contradicts. Scott Hamilton's TRC-commissioned conclusion was that repatriation was "not the practice of the Department" except in exceptional circumstances, and that most students were "likely buried in cemeteries on school grounds," and provides the reasons why.

Rouillard does not himself cite Hamilton on this point, so it is not a self-contradiction within his own text — but it is the same underlying claim appearing a second time in the book, asserted as settled, without engaging the contradicting conclusion the book's own Chapter 5 cites approvingly elsewhere.*

Mistakes in reasoning

- **Claim:** Because the TRC's death-count methodology has limitations and included unnamed students, "the lack of information and... a biased methodology greatly inflates the count of missing students."

***Fallacy:** Non sequitur / wrong-direction inference. Incomplete record-keeping is at least as consistent with undercounting as overcounting, and the record elsewhere in this report (the NCTR adding 1,143 new verified names as recently as September 2025) points toward undercounting, not inflation.

Incomplete records are more likely to produce more counts when the records are completed. The chapter asserts overcounting without evidence or reason.

- **Claim:** The TRC's findings that many students "never returned," that parents were often "uninformed of their sickness and death," and that remains weren't repatriated, are dismissed as "unfounded and illogical inferences" from "deficient" records.

***Fallacy:** This addresses only the TRC's general methodological caveats, without engaging the specific named cases in TRC Volume 4 that instantiate exactly the pattern being dismissed — Sam Ross, Charles Hunter (drowned 1974, body not recovered until 2011), and Anna Lahache (mother's 1913 request for her drowned daughter's body refused). Pointing at acknowledged data gaps, without addressing documented instances that independently support the same conclusion, doesn't refute it.

- **Claim (the "RCMP Bows Out" section):** Despite describing the RCMP visiting the Kamloops site, consulting the First Nation, and meeting with Beaulieu in June 2021, the chapter concludes the RCMP thereby "abdicated" its duty and engaged in "acquiescence in amateur crime detection," and that "there has been no... proper investigation by the RCMP."

***Fallacy:** Equivocation between "did not conduct or compel excavation on its own authority" and "did not investigate at all." The chapter's own reported facts describe police engagement, which its rhetorical conclusion then flatly denies. The contradiction here sits within the same chapter's own paragraphs.*

- **Claim:** Chief Casimir's account of community "knowledge" about the burials is dismissed because such knowing has "nowhere been mentioned until the past couple of years."

***Fallacy:** Argument from silence. A sweeping negative like this is not verified systematically (against oral-history archives, band council records, or prior TRC statement-gathering) — it treats the absence of a documented earlier mention as proof no earlier awareness existed, rather than one possible explanation among several.*

Assertions with no evidence at all

- **Claim:** The RCMP investigation "was halted at the government's request, possibly due to connections in the Prime Minister's Office."

***Omission explained:** No document, statement, or named source is offered for the claim the government ordered the RCMP to halt anything, let alone that the PMO was involved. "Possibly" flags the author's own uncertainty, but the insinuation is stated in the chapter's body rather than clearly marked as speculation.*

- **Claim:** The public reaction was "surely driven in part by political and financial motives."

***Omission explained:** No funding record, political statement, or other evidence is offered anywhere for this specific motive attribution. It functions as a closing aside rather than an argued claim.*

- **Claim:** The federal government's June 2021 Day Scholars settlement is presented as a direct response to Kamloops, "in response to the preliminary report of the alleged discovery."

***Omission explained:** The timeline is accurate (a nine-year-old lawsuit settled 13 days after the announcement), but no negotiation record or government statement connects the timing to Kamloops specifically, as opposed to a scheduled resolution. The correlation is real; the causal claim built on it is asserted, not demonstrated.*

Cross-chapter pattern: the selective use of Bryce's milder reserve-vs-general-population mortality comparison, while omitting his own much starker school-vs-general-population figures, recurs in Chapter 5 (Rubenstein) and Chapter 13 (Piasecki) — the same specific evidentiary sleight-of-hand appearing three separate times with three different pairs of numbers.

4. “Graves in the Apple Orchard: Contextualizing and Questioning the Claims about Burials at the Kamloops Indian Residential School”

Author(s): Anonymous WordPress blog post — credited as such in the book's own table of contents and chapter opening. This is a book that repeatedly criticizes journalists, the TRC, and Indigenous communities for relying on unnamed sources, while its own contributor biographies name every other chapter's author with professional credentials; this chapter is the exception, and its claims carry the same evidentiary weight in the book's argument as every signed chapter.

What the chapter argues: The chapter reconstructs a 130-year land-use history of the Kamloops apple orchard — irrigation ditches from 1917, a septic system installed in the 1920s and upgraded in 1937–38, a 1957–58 sewage lagoon covering roughly 30% of the orchard, day-school foundation digging in 1957–59, and SFU archaeological digs in 1998, 2002, and 2004 — arguing this offers “a reasoned basis for questioning” Dr. Sarah Beaulieu's 2021 finding of 200 probable burials.

Mistakes in data gathering

- **Claim:** “Several of the remaining 200 ‘probable burials’ overlap with a utilities trench dug in 1998,” visible in drone photography, while others “follow the route of old roads” or correlate with prior plantings and sewage beds.

***Source:** This is the chapter's single most consequential claim: that anomaly locations, not just general site history, overlap with known infrastructure, and it is the one sentence in this section with no footnote attached, unlike every surrounding paragraph. The chapter's own “Image Sources” list names only the *Globe and Mail*, the Fifth Estate, and a YouTube video — no drone photography by the chapter's own author appears among them. A chapter built around “contextualizing and questioning” another researcher's uncited claims makes its own most load-bearing spatial claim without a traceable source.*

- **Claim:** “The SFU archaeology department has since stated that the tooth is not human,” regarding a possible juvenile tooth found during the 2002 dig.

***Source:** This claim does carry a footnote, unlike the drone-photography claim above, but the underlying document could not be independently located or verified, consistent with the earlier finding that this specific claim "currently exists only within this same denialist source ecosystem." Flagged as unverified rather than accepted or rejected.*

Mistakes in reasoning

- **Claim:** Because irrigation ditches, a septic field, a sewage lagoon, and several digs disturbed roughly 30% or more of the orchard without finding graves, this provides "a reasoned basis for questioning" the entirety of Beaulieu's 200-anomaly finding.

***Fallacy:** This conflates a roughly 30% *surface-area* history of monitoring and incidental digging — much of it narrow trenches and test pits, never a systematic search for remains — with a 30% *volumetric* search ruling out burials across the whole site.

The chapter never maps how many of the 200 specific anomalies its own infrastructure history would actually account for. Its own timeline sharpens the problem further: the major excavations it cites as exculpatory all predate or are contemporaneous with the earliest events they're meant to rule out, yet the chapter's own quoted source (Chief Harvey McLeod) places ongoing community suspicion about orchard burials *after* those excavations were already complete.*

- **Claim:** The chapter's framing implies Beaulieu's survey simply failed to account for this land-use history — "their presence apparently escaped the notice of Dr. Sarah Beaulieu."

***Fallacy:** The chapter never engages Beaulieu's own published methodology for distinguishing burial signatures from other disturbances — her stated criteria include a "convex reflective pattern at the upper surface of a grave shaft" and "vertical refractive patterns at the sides," technical signatures a linear pipe trench or sewage bed would not straightforwardly reproduce. The chapter argues from the mere existence of alternative explanations for ground disturbance in general, without addressing whether her specific criteria for "multiple GPR characteristics of burials" — which the chapter itself quotes — would actually be produced by any of the infrastructure it catalogues.*

Where the chapter is accurate

The underlying land-use history — irrigation from 1917, the 1920s septic system and its 1937–38 upgrade, the 1957–58 sewage lagoon, and the SFU digs of 1998, 2002, and 2004 — is drawn from real, citable archival and archaeological sources and is independently corroborated by other reporting on the site's history. The chapter is also candid, in the same paragraph, that Emma Baker and Chief Michael LeBourdais's own accounts describe the graveyard rumors as stories children told and passed down without confirmation.

Cross-chapter pattern: While the book repeatedly demands named, credentialed sourcing from those it criticizes, it contains a considerable amount of material from unattributable or unverifiable sourcing: the inclusion of an entire chapter by “Anonymous Wordpress Blog” the pseudonymous co-author of Chapter 6, and the heavy reliance in Chapters 5 and 6 on Nina Green's unreplicated compilations, hosted by an organization chaired by the book's own co-editor.

5. “Digging for the Truth about Canada's Residential School Graves”

Author(s): Hymie Rubenstein

What the chapter argues: Rubenstein argues that the Kamloops "mass grave" claim conflates mass graves with unmarked graves, that most GPR-detected soil disturbances have innocent explanations, that Nina Green's compiled death records show missing Kamloops students were mostly buried at home rather than at the school, that residential schools never held a majority of Indigenous students and attendance was less coercive than claimed, and that tuberculosis — not violence — explains the great majority of student deaths, with schools amplifying disease that originated on reserves rather than the reverse. A closing note credits Greg Piasetzki with contributing to the original two-part C2C Journal version of this chapter.

Mistakes in data gathering

- **Claim:** Citing Nina Green's research, death records "prove that nearly all 51 students missing from the Kamloops IRS" were buried in named cemeteries on their home reserves, making a secret orchard cemetery implausible.

***Source:** This claim is contradicted within the same chapter. A few pages later, discussing burial practice generally, Rubenstein writes "local burial was the exception, not the rule," then quotes Scott Hamilton's TRC-commissioned report saying the opposite: most deceased students were "likely buried in cemeteries on school grounds," or "in nearby church, reserve or municipal cemeteries."

Green's claim, which the chapter treats as settled fact is undercut by Hamilton's own conclusion, which is based in archaeological expertise. Green's compilation of essays is hosted by the Indian Residential Schools Research Group, chaired by this book's own co-editor, Tom Flanagan. The central evidentiary pillar for the chapter is not an independent source, and it is contradicted by a report the same chapter cites approvingly elsewhere.*

- **Claim:** Macdonald "quadrupled Ottawa's native budget" to deal with the Western famine, "an outcome over which Canada had no control," used to rebut genocidal intent.

***Source:** This traces to Greg Piasetzki's 2020 C2C Journal article, whose author is credited with contributing to this chapter. That article itself acknowledges, but this book chapter omits, the central finding of James Daschuk's *Clearing the Plains* (2013 Governor General's Award winner). Macdonald's own words that his government was "refusing food until the Indians are on the verge of starvation" to reduce expense. Daschuk documents food rotting in storehouses while starvation continued, characterizing the policy as deliberate coercion, not underfunded relief. This makes a basic error in budget vs actual expenses. A budget-line increase, without engaging the same government's own documented statement about weaponizing rations, does not establish benign intent.*

- **Claim:** United Church researcher John Siebert, having spent "six years digging into the church's archival records and government reports," calculated a 38/62 percent residential/day-school attendance split (7,100 vs. 11,400 annually, 1890–1965).

***Source:** Neither this chapter nor the original 2021 C2C Journal version provides a publication or archive citation for Siebert's calculation. No published Siebert study on this subject could be found. A specific, quantified statistic — presented as more precise than the "rough" TRC and DIA estimates the chapter criticizes in the same passage — is attributed to a named individual's unpublished research that cannot be checked against any accessible primary record.*

- **Claim:** "All students required signed applications" and were "minutely followed in Quarterly Reports from entry to exit," offered as the reason no families are searching for a specific missing child today.

***Source:** TRC Volume 4 states that for 32 percent of documented deaths, schools did not record the name of the student who died. It documents specific named cases (Sam Ross, Charles Hunter, Anna Lahache) where families were never informed of a death or consulted about burial. A claim of unbroken record-keeping "from entry to exit" is the opposite of what the government's own surviving records show for roughly a third of the deaths on file.*

- **Claim:** Three prior excavations — Shubenacadie, the Battleford Industrial School, and the Camsell Hospital site — are grouped as having "produced negative results," confirmed properly buried students, or "predated the IRS system."

***Source:** Shubenacadie's negative result checks out. But the Camsell Hospital search also concluded with a negative result — "no signs of unmarked graves" — not that remains found there "predated the IRS system" (nothing was found to date, and the

Camsell was a hospital, not a school). No public report could be located confirming the Battleford search had concluded, or with what result. The tidy three-way sorting does not match the two sites whose outcomes are actually documented.*

- **Claim:** Indigenous TB rates today are "40 times higher than in the rest of society," offered as present-day context.

***Source:** Directionally accurate for First Nations specifically, but omits the more extreme Inuit-specific TB rate — roughly 290 times the non-Indigenous rate, per CBC and Public Health Agency of Canada reporting — a larger, more directly comparable figure available from the same public-health sources. However, this does not engage with history of medical developments. The first effective antibiotic treatment for TB was not developed until 1945, and it remains a difficult disease to treat and eradicate.

Mistakes in reasoning

- **Claim:** Macdonald's famine-relief spending and 1880s smallpox vaccination campaign prove "the federal government... would not have fed or vaccinated" Indigenous people if it wanted them gone.

***Fallacy:** Non sequitur, structurally identical to the population-growth argument in the book's preface. It is a hypothetical statement, which means it is assuming facts not in evidence, and inaccurately treats deliberate and total extermination as the only legal definition of genocide, when, neither the TRC's "cultural genocide" finding nor Article II of the Genocide Convention requires intent to physically exterminate everyone. A government can run public-health programs that keep a population alive while operating an institution engaged in forced cultural transfer — the two are not mutually exclusive.*

- **Claim:** Chief Rosanne Casimir's later co-sponsorship of an AFN resolution describing the findings as a "mass grave" is characterized as having "deliberately and falsely recant[ed]" her earlier, more careful statement, "This is not a mass grave."

***Fallacy:** Unsupported attribution of deliberate dishonesty (a form of mind-reading). No statement from Casimir explaining her later language, and no indication the resolution's wording was even hers rather than the Assembly's drafting process, is offered to establish intentional falsification rather than looser political usage or collective drafting.*

- **Claim:** The chapter uses Bryce's "double or triple" reserve-vs-general-population comparison as its central figure, without noting his own, far starker, roughly eighteen-fold school-vs-general-population gap, quoted approvingly elsewhere in the same chapter.

***Fallacy:** Substituting a milder comparison for the much larger one actually present in the same source creates a false equivalence. It suggests that reserves were nearly as

dangerous as schools, which the chapter's own underlying source does not support once both figures are placed side by side.*

- **Claim:** "There has not been a single verified murder" at any Indian Residential School, and no "authenticated case of a homicide at the Kamloops IRS" in its 88-year history, offered against the genocide characterization.

***Fallacy:** This is the same argument identified in the Melanson and Gentles chapters as that was named by historians Sean Carleton and Andrew Woolford as goalpost-moving. As has been stated multiple times, three of the Genocide Convention's five listed acts do not require an individual homicide: serious bodily or mental harm, conditions calculated to bring about physical destruction, and forcibly transferring children.

An absence of proven murder convictions does not address these clauses. Being found guilty of murder is not the only way it is also possible for people and institutions to be found responsible for the deaths of others.

- **Claim:** "Only a minority of native students ever attended a residential school," used to support the conclusion that genocidal intent is "impossible to sustain."

***Fallacy:** Here again, the argument here appears to be the litmus test for genocide is that it a crime against humanity defined only by the total extermination of a population, and by this reasoning, if only a part of the population was at school, it could not have been "total."

John Milloy's *A National Crime* addresses this exact argument by name and rejects it: minority-attendance figures "are dangerously misleading unless they are fully contextualized." Milloy argued that the system's effects extended to attendees' families, communities, and later-born children, all affected by its consequences regardless of personal attendance. A minority-attendance percentage does not by itself establish limited systemic impact.*

Assertions with no evidence at all

- **Claim:** "No named Indigenous relatives... are frantically looking for a named but missing IRS child."

***Omission explained:** This claim is flatly contradicted by the TRC's own documented family searches in TRC testimony and NCTR outreach work — the Sam Ross, Charles Hunter, and Anna Lahache cases catalogued elsewhere in this report, all involving families seeking a specific missing or unreturned child.*

- **Claim:** GPR "hits" at the orchard are attributable to sewage tiles laid "in the late 1930s in the exact place" that burial markers now appear.

***Omission explained:** This is the same inaccurate assertion flagged earlier in the review of the anonymous "Apple Orchard" chapter. The claim of an "exact place" spatial match is asserted without a site map or survey overlay, and it ignores Dr. Beaulieu's own methodology for distinguishing infrastructure disturbance from burial signatures. *

- **Claim:** A Maru Public Opinion survey found 55 percent of Canadians agreed the residential school era involved genocide, and 81 percent wanted ICC investigation.

***Omission explained:** These specific percentages could not be independently located or confirmed; Maru's own public polling page returns no accessible archived data matching them. Flagged as unverified rather than accepted or rejected.*

Where the chapter is accurate

The core distinction between "mass grave" and "unmarked graves" is relevant clarification, and Chief Casimir's actual June 4, 2021 quote, "This is not a mass grave,". The account of Beaulieu's methodology and her own careful language ("probable," "until one excavates") is accurate and fair to her. The Shubenacadie excavation's negative result is correctly described.

The TRC's own language — that the 1920 amendment "did not make residential schooling compulsory for all First Nations children" — is quoted accurately, a more careful formulation than the flat "compulsory only from 1920" claims made elsewhere in this book. The chapter also engages Hamilton's and the TRC's own material directly and at length, a stronger practice than several other chapters, though in doing so it undercuts the chapter's own central Kamloops-burial claim.

Cross-chapter pattern: The "no verified murder disproves genocide" is nearly identically to that argued in Chapter 9 (Melanson). This is the same goalpost-moving identified by Carleton and Woolford.

6. "Mass Graves and other Fake Atrocities on the Blue Quills Indian Reserve"

Author(s): Hymie Rubenstein and "Pim Wiebel".

The book's own back-matter states plainly that "Pim Wiebel (a pseudonym)... worked for over three decades in Indigenous community development and refugee resettlement" and "is a former Indian Residential School teacher." That firsthand-authority biography cannot be checked against any real, findable person.

Separately, roughly the last third of the chapter's text shifts into an unbroken first-person account — describing a named university president's statements about a faculty termination — that matches, in exact and checkable detail, the public record of Frances

Widdowson's 2021 termination from Mount Royal University, not anything in either credited author's own biography. The chapter never identifies whose voice this first-person material is in, even though it runs for hundreds of lines under a byline crediting only two other people — this in a chapter that spends its opening pages attacking the reliability of anonymous "Knowledge Keepers."

What the chapter argues: The chapter argues that Acimowin Opaspiw Society (AOS) claims of deliberate tuberculosis infection, a 1935–42 staff "disciplinarian" killing children, and mass unmarked graves at the Blue Quills (Sacred Heart, Saddle Lake) school are unfounded; that a widely cited "212 deaths" figure conflates parish-wide Catholic diocese records with school-specific deaths; and that the NCTR register shows only a small, non-clustered number of school deaths. It then pivots to use the Kamloops story as a parallel illustration of the same alleged pattern, before closing with a broader argument — drawing on "neotribal rentierism" — that the entire genre of residential-school atrocity claims is manufactured for compensation and status motives.

Mistakes in data gathering

- **Claim:** The NCTR's Memorial Register lists "27 students who died at the school," all of whom "died before the end of the Second World War."

***Source:** NCTR's current public Blue Quills page lists 43 named individuals, with recorded deaths running from 1897 to as late as January 1988 (Simon Prosper Jackson) — more than 40 years after the war. Whether this reflects a register that grew after the chapter's research or an error at the time of writing cannot be determined, but the claim as printed is false against the current primary source it purports to describe.*

- **Claim (internal arithmetic):** In three sentences, the chapter states the register "lists 27 students," then that an unnamed "independent researcher" found death certificates for "19 of them," then that "22 of the names on the NCTR list of 26 names" belong to actual Blue Quills students.

***Source:** A claim built to correct the public record on a death count is internally inconsistent about the very count it is correcting: the numbers do not reconcile: 27 becomes 26 without explanation, and 22 confirmed matches exceeds the 19 certificates the same sentence says were located and reviewed. This transcription problem is common when Grave Error's evidence leans on Green's unreplicated, anonymously-cited compilations.*

- **Claim:** Leah Redcrow's statement that she didn't know her grandfather "had 10 siblings die in this school" is refuted because "no family name on the... list appears more than three times," based on the same 27-name register that the chapter elsewhere argues is radically incomplete.

***Source:** The chapter cannot have it both ways: On one page it argues two pages that the register undercounts and misclassifies deaths at this school, then two pages later treats the same register as a complete, error-free census, in order to dismiss a specific survivor's family history. Whether Redcrow's claim is accurate cannot be determined here, but the register invoked to refute it is the same one the chapter has just spent several paragraphs establishing is unreliable for exactly this purpose.*

- **Claim:** Church records showing "212 students... died at the school" between 1898 and 1931 are "a gross exaggeration," since the Diocese of St. Paul clarified the records were parish-wide.

***Source:** The correction, by Catherine Warholik of the Diocese of St. Paul's was reported by CBC in May 2022, does state the records covered the whole parish, independently confirmed in a separate review of the same claim. "Gross Exaggeration" may carry implications that the error was deliberate.

- **Claim:** Present-day First Nations on-reserve TB rates are "over 40 times higher," and Inuit Nunangat rates "more than 300 times higher," than the non-Indigenous Canadian-born population.

***Source:** Both figures are corroborated by CBC and Public Health Agency of Canada reporting. Worth noting: this chapter includes both figures, unlike the companion Rubenstein chapter (5), which cites only the smaller First Nations figure. Credited as accurate and, unusually for this book's pattern, complete.*

Mistakes in reasoning

- **Claim:** Redcrow's statement that children "were being deliberately infected with tuberculosis" via tainted milk is treated as "a horrendous accusation we have easily and thoroughly debunked," settling the entire tainted-milk concern.

***Fallacy:** Equivocation / straw man. There are two separate issues:

- A specific claim of deliberate poisoning, and
- A broader claim of negligence: that untested, unpasteurized milk was a disease vector.

Unpasteurized milk is a well-documented real route of early-20th-century TB transmission; treating the rebuttal of intentional poisoning as also debunking a systemic-negligence concern conflates two claims of very different strength.*

- **Claim:** Because NCTR archives contain no mention of a conviction matching the 1935–42 "disciplinarian" story, and because "surely the boys' parents... would have learned of the alleged homicides and inquired," the story is "fictitious."

***Fallacy:** Argument from silence, compounded by appeal to incredulity, introducing a hypothesis for which there is no evidence, which are contradicted by documented incidents.

TRC Volume 4 documents named cases where families were not informed of a death or were refused information: Sam Ross, Charles Hunter, Anna Lahache. In addition Milloy's *A National Crime* documents a 1921–22 case where the Department's own investigator publicly dismissed twenty parents' sworn complaints as a "tissue of lies." There is a documented pattern that families were frequently *not* informed, and when they complained, were actively discredited or minimized. The "surely they would have found out" in an assumption. IAP abuse claims were also legally confidential by design.*

- **Claim:** The chapter singles out Mona Jules's claim that "the Pope had ordered the death of children" who were "not Catholic" in the 1500s as representative of "Knowledge Keeper" testimony generally.

***Fallacy:** Weak-man / hasty generalization. This statement is being used to dismiss an entire class of testimony, suggesting that it has no basis because Jules could not recall; however, it is possible that this is a reference to the works of Bartolomé de las casas, one of the first Spanish settlers to the Americas, "Protector of the Indians" who documented and protested the brutal treatment of Indigenous people at the hands of Spanish Conquistadores. It has been documented that during the 1500s, there were drastic population collapses from attacks, disease and famine. *

- **Claim:** The chapter's title and framing, "Mass Graves and other Fake Atrocities," which posits that genocide claims are "outrageously fraudulent" all rest on a narrower point that Ground Penetrating Radar results are reported with more certainty than specialists claim, by citing material from *another* site, ie Beaulieu's "targets of interest," Supernant's "can't provide guarantees"), since no Blue-Quills-specific geophysicist's hedged language is quoted anywhere in this chapter.

***Fallacy:** Scope inflation. A full-text search confirms no Blue Quills-specific specialist quotation appears anywhere in this chapter. The "certainty vs. caution" point is built entirely from the Kamloops case. Even taken at face value, a narrow correction about the imprecision of public GPR language has no bearing the AOS's negligence concerns, survivor abuse accounts, or the claim that broader genocide characterization — are "fake."*

- **Claim (structural):** The chapter concedes it "would be astonishing" if abuse had never occurred in a system spanning "more than 100 years," then spends the rest of the chapter arguing every specific named allegation is unfounded.

***Fallacy:** While the chapter concedes abuse must have occurred somewhere, it never sets out what would qualify as a claim of abuse. Every claim of abuse supported by contemporaneous formal documentation surviving in NCTR/TRC archives) is rejected by the chapter's own broader argument about parish records and incomplete registers.*

Assertions with no evidence at all

- **Claim:** "Much Indigenous deprivation" — low education levels, poor health, high rates of violence, alcoholism, and suicide — is attributed to communities being "economically isolated and receiving substandard services," especially "a poor quality education," offered as the chapter's closing explanation in place of the residential school system: "None of this will be rectified by spending billions of dollars."
- ***Omission explained:** The claim that Indigenous deprivation is due to being "economically isolated and receiving substandard services" is offered, without evidence, as a replacement for the other mechanisms — family disruption, language and cultural suppression, and the abuse and neglect catalogued in the TRC's own volumes and in Milloy's archival record. The word "isolated" suggests remoteness as the cause for Indigenous deprivation, when the same deprivation exists in major cities, where the best services are available. It exists in communities that are next to natural resource projects, from oil and gas to hydro dams. An examination of lawsuits over the past decades would often show a paper trail that shows ways in which discrimination has been written into law, and only written out slowly. The Indian Act alone being one example. Indigenous veterans were denied proper pensions. The Residential Schools were very clearly worse than Kay argues, but they are by also no means the only negative policy inflicted on them by Canadian governments, Federal and Provincial alike.
- **Claim:** "Neotribal rentierism" — that Indigenous leaders and academics promote unfounded atrocity claims for compensation and status — is presented as the operative explanation for why the Blue Quills and Kamloops narratives gained currency.
- ***Omission explained:** While the meaning of the term "neotribal" is unclear, the term "rentierism" from the word "rentier" — a person who get money without having to work for it. Aristocrats, and many oligarchs and persons who have large inheritances are "rentiers." They live off the rents others pay — interest on debt, rents on all the items people need to use but can't afford to own. It uses elevated language to conceal what in plainer language would be more shocking. This is an argument that runs through the book: that Indigenous people are exaggerating the deaths of children for money. As with the Rouillard chapter's speculation about "political and financial motives" no evidence of this specific motive is offered: no funding record, no internal communication, and no or other direct evidence of any individual or organization named. The argument proceeds from the fact that

compensation exists in the system generally, to suggest there is a suspect motive behind every specific claim. The numbers of dead recorded was drawn from records. *

- **Claim:** The chapter's extended, unattributed first-person account of a university's reaction to the Kamloops story is presented as though narrated by the chapter's credited authors.

***Omission explained:** Neither author's stated biography places them at Mount Royal University; the account's specific details match the public record of a different, named academic's 2021 termination. The chapter never discloses whose experience this is or why it appears unattributed — an omission of exactly the sourcing transparency this same chapter demands of Indigenous investigators throughout.*

What the chapter is accurate

The parish-versus-school records distinction for the "212 deaths" figure is accurate and a genuine, useful correction; the inclusion of both the First Nations (~40x) and Inuit (~300x) tuberculosis-rate comparisons is more complete than the companion Rubenstein chapter; and several narrower points about the evolution of specific witness accounts.

However, none of these facts have any bearing on the findings of the TRC or Milloy's A National Crime.

Cross-chapter pattern: the unevidenced "financial/status motive" attribution recurs here as "neotribal rentierism," echoing the identical, equally baseless claim in Chapter 3 (Rouillard's "political and financial motives"); and, as noted above, this chapter is now confirmed as the true source of the "economic isolation" closing claim previously mis-catalogued under Chapter 7.

7. "A Media-Fuelled Social Panic Over Unmarked Graves"

Author(s): Jonathan Kay

What the chapter argues: Originally published in *Quillette* (July 22, 2022), Kay argues that Canadian media coverage of the May 2021 Kamloops announcement exhibited the dynamics of "mass hysteria" and a nationwide "social panic": rapid, uniform, emotionally pitched coverage conflating unconfirmed GPR soil disturbances with confirmed graves and remains. He argues that fourteen months on, zero graves had been forensically confirmed, that this was being obscured by loose language even in retrospective coverage, and that dissenting voices (Frances Widdowson, Jacques Rouillard, Terry Glavin) paid a professional price for saying so. Kay does not deny that Indigenous children

died at these schools at markedly elevated rates, or that unmarked burial is plausible. His target is specifically the media's premature certainty about *confirmed* remains.

Mistakes in data gathering

- **Claim:** "There doesn't even seem to be any systematic effort by police or First Nations leaders" to investigate, offered as evidence the "mass murder scene" framing was never taken seriously.

***Source:** The RCMP's own contemporaneous statements describe active engagement — it had "attended the site, participated in meetings, and will continue working closely" with Tk'emlúps leadership — not the absence of involvement the chapter implies. Tk'emlúps had also already engaged forensic specialists and sought federal resources. The absence of *excavation* specifically is accurately described elsewhere in the chapter; conflating that with an absence of any investigative effort at all is not supported by the record.*

- **Claim:** Widdowson's "university fired her after she spoke out about unmarked-graves misinformation."

***Source:** This compresses a more complicated dispute. Widdowson was a tenured professor, and a 2024 arbitration ruling found the firing "disproportionate to conduct," meaning the arbitrator found the *penalty* excessive without finding the underlying conduct concerns fabricated. The book's own footnote for this claim cites a CBC report headlined "MRU fires professor who espoused benefits of residential schools and criticized BLM movement" — the book's own source describes two distinct grounds, only one of which the chapter's text mentions.*

Mistakes in reasoning

- **Claim (the "murdered children in Toronto" thought experiment):** If Canadians were told "215 murdered white children were buried somewhere in Toronto," there would be "investigators and police crawling all over the place" — used to argue the actual pace of activity at Kamloops shows the story was never taken seriously as true.

***Fallacy:** False analogy through equivocation. The analogy substitutes the claim actually under investigation — historical deaths from disease and neglect, which Kay explicitly says is not a "mass-murder plot" he ever believed — with a stronger claim (homicide victims) nobody in the passage is alleging. It then treats the real difference in response speed between a hypothetical urban homicide scene and a First Nation-led process on reserve land as evidence the underlying claim is baseless, without engaging documented reasons for that different pace, including some communities' own choice of commemoration over excavation.*

- **Claim:** The coverage's speed, uniformity, and intensity — "social panic," "mass hysteria" — is used to frame the episode as "a completely unsupported national narrative."

***Fallacy:** Genetic fallacy. How intensely a claim circulates through media does not establish whether it is true, which is consistent with Kay's own concession that death rates were elevated and unmarked burial was plausible. The chapter is more disciplined about this than the book's introduction or postscript — it targets a narrower claim (confirmed remains) rather than the whole historical record — but the "panic" framing still does rhetorical work toward casting the broader finding as manufactured, beyond what the narrower point establishes. A 2026 peer-reviewed article by Sean P. Hier addresses exactly this appropriation of moral-panic framing in this debate, though its full text could not be accessed to verify conclusions.*

Assertions with no evidence at all

- **Claim:** *New York Times* reporters "instinctively believed, on some gut level" that GPR data signalled child-murder victims, treating it "as a revealed moral truth."

***Omission explained:** No interview or other evidence of what specific reporters actually believed is offered. An inference about journalists' interior mental states presented as fact, immediately after Kay says he refuses to believe anyone "set out to tell lies."*

- **Claim:** Widdowson's assertion that "far-fetched rumours and urban legends dating to the 1980s" shaped the most extreme Kamloops-related claims.

***Omission explained:** No specific rumor or legend is named, dated, or sourced in the text itself; the claim rests entirely on an unelaborated citation to Widdowson's own article.*

What the chapter gets right

This is one of the more carefully quote-checkable chapters in the book. The CBC "story of the year" quote is accurate to the December 2021 Canadian Press editors' poll, and "Canada's Holocaust moment" is verbatim from the *Times Colonist*. Kay's account of Beaulieu's own careful public caveats about GPR is accurate. Independent verification confirms the *New York Times*' June 24, 2021 sentence that "215 children were found in unmarked graves" on the grounds of "a former church-run school" — essentially verbatim accurate; the same article states unhedged that Tk'emlúps members "found 215 bodies" using GPR. Kay's critique of the *Times*' language is therefore well-founded, not exaggerated. Kay also affirms that the death rate for Indigenous children at these schools was "much higher than that for children in the general population," distinguishing this chapter's core claim — about media overreach on *confirmation* — from the more sweeping "no evidence of anything" position taken elsewhere in the book. However, none of these arguments bear on the history of Residential Schools.

Cross-chapter pattern: the unsupported attribution of deliberate emotional-manipulation intent to journalists (here, the *Times* reporters' "gut belief") recurs, almost identically argued, in the very next chapter (8), where Pew attributes the same deliberate intent to editors choosing "mass grave" language over "unmarked graves."

8. “Canada's Descent into Collective Guilt: How the Media Used Soil Disturbances to Make an Entire Country Hate Themselves”

Author(s): James Pew

What the chapter argues: Originally published on Pew's Substack, *The Turn* (March 27, 2022), this is chiefly a personal essay tracing the summer 2021 escalation of soil-disturbance announcements (Kamloops, Marieval/Cowessess, St. Eugene's Mission, Kuper Island) and arguing that media coverage manufactured a "collective guilt complex" in Canada as part of a broader "woke" narrative. Most of its closing argument — about critical theory, "the Aboriginal Industry," and the author's own feelings — is editorializing rather than a checkable factual claim, but the chapter's middle section is unusually dense with specific, checkable assertions (headlines, dates, casualty figures, quotations, a book's publication date), checked below.

Mistakes in data gathering

- **Claim:** "*Hate Inc.*, a book published in 2021 by veteran American journalist Matt Taibbi."

***Source:** Taibbi's *Hate Inc.: Why Today's Media Makes Us Despise One Another* was first published in 2019, not 2021. No distinct 2021 edition could be confirmed. A minor but specific, checkable error about a source the chapter otherwise relies on for its central media-business-model argument. Taibbi was one of a hand-picked group of journalists chosen by Elon Musk to investigate the “Twitter Files,” and was criticized for the accuracy of his coverage *

Mistakes in reasoning

- **Claim (personal-incredulity argument):** The author feels "sadness regarding aspects of our national legacy," but asks, "do I personally feel guilt? No," adding, "I'm not so sure the 'White Fragility' woke crowd can honestly make this claim."

***Fallacy:** Appeal to personal incredulity. The author's own emotional response is not evidence bearing on whether the media's underlying factual claims about the school system were accurate; the essay uses his personal absence of guilt to imply the broader public reaction was manufactured, without separately establishing the reaction was disproportionate to the documented facts.*

- **Claim:** Describing the media's shift from "unmarked graves" to "mass grave" language, the chapter states that "trying to evoke rage, powerful allusions of genocide" are effective.

***Fallacy:** Unsupported inference of intent. This treats a pattern of escalating word choice as proof of a deliberate strategy to manipulate emotions, without evidence (no editorial memo, internal communication, or reporter statement) that any outlet consciously chose stronger language *in order to* evoke rage rather than out of the same rushed, imprecise reporting culture the chapter elsewhere critiques as unintentional.*

Assertions with no evidence at all

- **Claim:** Media word-choice escalation reflected a deliberate editorial strategy to provoke maximum guilt and rage, rather than ordinary journalistic imprecision.

***Omission explained:** No editorial documents, internal newsroom communications, or interviews with editors are presented anywhere. The claim of deliberateness is inferred entirely from the pattern of language itself.*

- **Claim:** The charge of systemic racism is "not backed up with convincing data," and is more likely a way "media companies and activists cash in on woke-ness."

***Omission explained:** No data or study is cited anywhere in the chapter, either to rebut the systemic-racism claim or to support the counter-claim that it is financially motivated. Both the rebuttal and the motive attribution are asserted with nothing behind them. However, it is self-evident that Canada has laws where systems operate on race, like the Indian Act. *

- **Claim:** A cross-reference to the author's own separate essay is offered as having already established "why claims of genocide and cultural genocide are not consistent with the facts."

***Omission explained:** No argument or evidence for this conclusion is presented within this chapter itself; the chapter states the conclusion and points elsewhere rather than making the case here.*

Where the chapter is accurate

Much of this chapter's quotations check out: the quoted Global News and *Washington Post* headlines on the Kamloops announcement are accurate or close paraphrases; the *National Post*'s "751 unmarked graves" headline is accurate; the sequencing and figures for the St. Eugene's Mission (182 disturbances, June 30, 2021) and Kuper Island (160+, roughly two weeks later) announcements are correct; and the claim that the last federally-funded residential school closed in 1996 (Gordon's, Saskatchewan) is accurate. The chapter's single strongest and most legitimate point is that Tk'emlúps te Secwépemc's own original May 27, 2021 press release never used the phrase "unmarked graves" or "mass grave" — is accurate and is the one place in the chapter where a real, sourced gap between the original claim and media amplification is demonstrated rather than merely asserted.

Cross-chapter pattern: as noted under Chapter 7, the unevidenced attribution of deliberate manipulative intent to journalists ("evoke rage") is the mirror image of Kay's claim in the preceding chapter about reporters' "gut" belief — the same unsupported move about media psychology appears in both personal-essay chapters back to back.

9. "The Banality of Genocide, Made in Canada"

Author(s): Michael Melanson

What the chapter argues: Melanson argues that the House of Commons' October 2022 motion recognizing residential schools as genocide was legally hollow — passed by unanimous consent, without debate, on a Genocide Convention he contends the Rome Statute rendered "effectively defunct." He walks through Article II's five listed acts one by one, arguing none is satisfied: no staff homicide has been proven; corporal punishment doesn't rise to serious bodily or mental harm; no sterilization program has been shown; disease transmission wasn't directed policy; and "forcibly transferring children" requires permanence the schools never intended. He devotes a long section to rebutting "cultural genocide" as incoherent and non-legal, arguing culture is inherently syncretic. He closes warning that "residential school denialism" is being primed for criminalization.

Some of the chapter's narrower, more literal claims hold up: its verbatim quotation of Article II is accurate; its account of the mechanics of Gazan's motion matches the parliamentary record; its correction of "kill the Indian in the child" as misattributed to Duncan Campbell Scott (it originates with U.S. Army Capt. Richard Pratt, 1892) is accurate; its account of Rafael Lemkin's original draft including cultural destruction, later dropped from the Convention's final text, is historically correct; and its account of the 2021 ICC complaint and Chile Eboe-Osuji's "no pathway to the ICC" remark is substantively accurate (his name is misspelled in the text).

Mistakes in data gathering

- **Claim:** The Rome Statute "established a 'statute of limitations' on genocide," rendering the 1948 Convention "effectively defunct."

***Source:** This inverts the actual treaty text. Rome Statute Article 29, "Non-applicability of Statute of Limitations," states plainly that crimes within ICC jurisdiction "shall not be subject to any statute of limitations" — the opposite of the claim. The provision that actually keeps the ICC from hearing pre-2002 conduct is the separate Article 11 (temporal jurisdiction), a rule about which forum can hear a case, not a limitations period on the underlying crime. The 1948 Convention was never repealed and remains binding customary international law — it is the very instrument Gazan's motion invoked by name. The chapter's entire "no legal consequences" argument rests on this inversion.*

- **Claim:** Canada committed "the world's longest-running genocide," ahead of "any of the other five genocides officially recognized" by the House of Commons.

***Source:** Two problems. The standard, widely cited span for the residential school system is 113 years (1883–1996), not the 139 given, which is likely a conflation with the count of residential-school institutions recognized under the Settlement Agreement — a count of schools, not years. Second, Parliament has recognized considerably more than five other genocides — Armenian (2004), Holodomor (2008), Rwandan (2008), Srebrenica (2010), Yazidi (2016), Rohingya, and Uyghur (2021) — putting the true count at six or seven.*

- **Claim:** "Under both the UN Convention and the Rome Statute, the legal task of proving genocide amounts to proving mass murder in the first degree."

***Source:** Contradicted by the first prosecution ever brought under the Genocide Convention. In *Prosecutor v. Akayesu* (ICTR, 1998), the tribunal found rape and sexual violence, with no killing charge attached to the genocide count, constituted genocide under Article II(b) ("serious bodily or mental harm") because it was used to destroy the group. The founding case in genocide jurisprudence establishes exactly what this chapter says is impossible: a genocide finding that does not require proving murder.*

- **Claim (rhetorical question):** "What IRS sterilized its students?... there is no proof of such an occurrence."

***Source:** This narrows the clause to require sterilization on school premises specifically. But Article II(d) covers "imposing measures intended to prevent births within the group" generally, and Canada has a well-documented record of exactly that: Alberta's Sexual Sterilization Act (1928–1972) and a parallel B.C. statute, under which Indigenous women and girls were sterilized at rates far exceeding their population share. The categorical "no proof" claim is accurate only on a narrower reading than the clause's text supports.*

- **Claim:** "Records show clearly that schools sought to isolate infected students... or send them to hospital," offered against a directed policy of deadly conditions.

***Source:** Milloy's *A National Crime* documents the opposite in specific named cases: at Red Deer Industrial School during the 1918–19 influenza epidemic, the principal reported conditions "nothing less than criminal," with "the dead, the dying, the sick and convalescent... all together" and no doctor visiting; five children died. At Onion Lake the same winter, "help was not obtainable." The chapter's "clearly" is not supported by a citation, and the primary record says the reverse in some of the best-documented cases.*

Mistakes in reasoning

- **Claim:** The TRC "found no credible evidence of a single homicide" by any staff, treated as effectively dispositive: "a genocide that doesn't involve killing defies the concept of genocide."

***Fallacy:** Goalpost-shifting. Three of the five listed acts do not require killing at all, as *Akayesu* confirms. Historians Sean Carleton and Andrew Woolford, in a December 2024 piece naming this book directly, identify this exact argument as recasting as irrelevant, thousands of documented deaths from disease, exposure, and neglect to a legal standard that never required an individually proven homicide.*

- **Claim:** "No more than one-third of eligible students attended at any one time," used to ask, "Where is the intent to destroy" in a program targeting so few?

***Fallacy:** Non sequitur, compounded by an unsourced premise. Article II's intent standard is to destroy a group "in whole or in part" — it does not require targeting a numerical majority. This is also the identical argument Milloy's *A National Crime* rejects by name, calling such attendance estimates "dangerously misleading unless... fully contextualized." It is also empirically shaky: Milloy's own figures show residential schools held 60 percent of the entire Indigenous school-age population as late as 1948.*

- **Claim:** Because some schools were run by Indian bands after 1980, "are these band councils complicit in genocide," or did the schools stop being genocidal at some point?

***Fallacy:** False dilemma / reductio ad absurdum. Whether a specific institution's operation under community administration in a later era constitutes genocide is separate from whether an earlier period of government-directed operation met Article II's intent standard; the transfer of control does not retroactively resolve what happened under the prior regime.*

- **Claim:** A band's request to rebuild its burned residential school is compared to "Jewish inmates asking that Sobibor be rebuilt" after a prisoner revolt.

***Fallacy:** False analogy. A community requesting reconstruction of a local institution after an accidental fire is not comparable to extermination-camp inmates requesting rebuilding of the machinery of their own murder; the analogy imports Holocaust-comparison emotional charge without establishing the underlying facts are alike.*

- **Claim:** Andrew Woolford's cultural-genocide argument "depends upon seeing culture as static," implying "Indigenous people lack the same agency" as others to adopt outside culture, illustrated with Rome's Christianization and the evolution of English.

***Fallacy:** Strawman. Woolford and Carleton's actual argument is not that cultural change is inherently genocidal, but that children were forcibly removed under legal penalty and

punished for speaking their languages, a coercive mechanism that is categorically different from voluntary cultural exchange. The chapter's examples of uncoerced change not negate the coercion that is the actual load-bearing element of the argument.*

- **Claim:** Because Murray Sinclair achieved professional and political success, "it is difficult to argue there was lethal intent" behind assimilation, since "genocidaires do not anticipate a net benefit for their victims."

***Fallacy:** The argument that, if someone experienced professional success, they must not have endured painful hardship when young, was flagged earlier, in the review of Chapter 16 (Flanagan). A policy can be coercive and destructive to a group's continuity while still individual survivors succeed.*

- **Claim (structural, running through the chapter's "Killing Members of the Group" section):** The unconfirmed status of GPR anomalies is used to support the broader claim that the genocide accusation "strains credulity at every turn."

***Fallacy:** The same conversion identified across this book's other chapters (the introduction, Rouillard, Flanagan/Giesbrecht, and the postscript): a narrow, accurate claim — GPR anomalies are unconfirmed — is used to support a much broader conclusion, without engaging TRC Volume 4's documented cases of undisclosed deaths and unreturned children or Hamilton's conclusions about systemic non-repatriation, both independent of whether any anomaly is ever excavated.*

Assertions with no evidence at all

- **Claim:** "Almost no one takes the claim of a Canadian genocide seriously."

***Omission explained:** No poll, survey, or other measure of opinion is offered anywhere in the chapter to support this sweeping claim — it is asserted as a closing summary rather than demonstrated.*

- **Claim:** The chapter dismisses "some lurid claims, including... a homemade electric chair," as unproven "apocrypha or confabulation."

***Omission explained:** No citation is given for what specific claim is being referenced, nor for the basis on which the chapter concludes it is unproven — waved away in a single clause.*

- **Claim:** Citing then-Justice Minister David Lametti's openness to "all possibilities" against "residential school denialism," the chapter warns Canadians could soon be "arrested on charges of criminal 'denialism'" for questioning the genocide narrative, comparing this to Holocaust-denial laws.

***Omission explained:** While the underlying Lametti and Kimberly Murray statements are accurately quoted, Canada's hate crime laws are not criminal. Further, no actual legislative proposal, bill, or prosecution is cited as a concrete predicate for the leap to individuals being criminally arrested. This is presented as an imminent threat, when there is no commitment to any course of action.*

Overall assessment: this chapter fares better in legal accuracy than most others in this book: the Article II text is quoted correctly, the Gazan motion's mechanics are described accurately, and the Scott misattribution is properly corrected. That accuracy elsewhere makes the error in its central legal claim about the Rome Statute more consequential, not less: In order to support the chapter's foundational premise, it takes a specific, checkable treaty provision and inverts it. The entire argument depends on the premise that, the absence of a proven staff homicide defeats the genocide claim. This is directly contradicted by the founding case in international genocide law. Even where its narrower legal-textual points are sound, several of its most emotionally freighted passages do rhetorical work the chapter does not back with evidence.

Cross-chapter pattern: the "minority attendance disproves systemic impact" argument, and Milloy's identical rebuttal to it, recurs here and in Chapter 5 (Rubenstein) with different attendance figures each time; and the "no verified murder disproves genocide" goalpost-shifting recurs here and in Chapter 5 as well, both instances named together by Carleton and Woolford.

10. "We Had a "Knowing": The False Narrative of IRS Burials"

Author(s): Tom Flanagan and Brian Giesbrecht

What the chapter argues: The authors argue that oral-history "knowings" about residential school burials are unreliable products of fallible memory rather than evidence, tracing the modern wave of atrocity stories to Phil Fontaine's 1990 abuse disclosure and to the fabrications of Kevin Annett. They argue the RCMP and BC Coroner declined to investigate Kamloops, that TRC Commissioner Marie Wilson's account of unaccounted-for children has no documentary basis, that a list of named sites where excavation occurred found no remains, and that the whole phenomenon is being fuelled by federal and provincial funding with no genuine evidence behind it.

The chapter's exposure of Kevin Annett, a conspiracy theorist and former United Church Minister, is well documented and holds up: his defrocking, his promotion of William Combes's fabricated stories, his staged "animal bones" incident at Occupy Toronto, and his denunciation by the Mohawk Nation are all consistent with the independent record. Annett's claim that Queen Elizabeth II kidnapped children at Deadman's Creek in 1964 is also accurately fact-

checked. There is no evidence of a royal visit to Kamloops or western Canada that year (her documented Kamloops visits were 1959 and 1983), and the story traces directly to Combes via Annett. Its correction of the popular misconception that Chanie Wenjack's story involves Catholic clergy is accurate: Wenjack was from a Protestant family and attended the Cecilia Jeffrey Residence, a Presbyterian-run institution, though Gord Downie's *Secret Path* graphic novel does depict Catholic-coded villains despite this. The negative excavation results the chapter cites at the Mohawk Institute, Shubenacadie, and the Charles Camsell Hospital are themselves accurately reported — it is the generalization drawn from them, and the inclusion of a fourth site among them, that fails.

Mistakes in data gathering

- **Claim:** The RCMP and the BC Coroner "declined to investigate" the Kamloops findings, "suggesting they did not give credence to the claims."

***Source:** Both agencies' own contemporaneous public statements describe active engagement rather than refusal: the RCMP said it had "attended the site, participated in meetings, and will continue working closely" with Tk'emlúps te Secwépemc leadership; the BC Chief Coroner's office said it "will continue to work collaboratively" and was "early in the process of gathering information." Neither statement supports "declined."*

- **Claim:** There are no records of parents claiming their children went to residential school "never to be seen again," attributed to TRC Commissioner Marie Wilson as a factual gap.

***Source:** TRC Volume 4 documents named, specific cases of exactly this: Sam Ross ran away from the Birtle school in 1959 and the principal told neither his family nor the Indian agent; Charles Hunter drowned at Fort Albany in 1974 and was buried without his family's consultation, his body not recovered until 2011; Anna Lahache's mother requested her drowned daughter's body in 1913 and was refused. Wilson's actual statement was an evocative synthesis of survivor testimony, not a claim that one parent used that exact phrase — but the chapter's flat "no record" assertion is directly contradicted by the Commission's own named case files.*

- **Claim:** Kuper Island Indian Residential School in British Columbia is listed among sites where "excavation... has yielded nothing" and burial stories "have been proved untrue."

***Source:** No excavation has taken place at Kuper Island. The Penelakut Tribe's own 2021 statement reported "more than 160" undocumented graves; a subsequent multi-year ground-penetrating radar survey led by UBC archaeologist Andrew Martindale, reported in August 2025, has since identified up to 342 possible, probable, or likely graves, including a location matching a survivor's account of a child pushed from a window. Excavation has been deliberately withheld pending a decision by Penelakut Elders — the opposite of

"excavation has yielded nothing." Of the chapter's four-site list, this one does not belong on it at all.*

- **Claim:** "Catholic-run institutions comprised only 43% of all Indian residential schools in Canada," offered to explain why so much media coverage nonetheless centres on Catholic-run schools.

***Source:** The TRC's own figures, and independent reporting drawing on them, put the Catholic share considerably higher — "up to 60 per cent" of the 139 residential schools per TRC-sourced CBC reporting, and "roughly 70 per cent" per a separate CBC explainer. The book's own 43% figure understates the share by 17 to 27 percentage points against the two most commonly cited authoritative counts, undermining the chapter's own argument that Catholic-focused coverage is disproportionate to Catholic institutional involvement.*

- **Claim:** The federal government "committed" \$321 million "to searching for unmarked graves all over the country, and helping survivors heal," implying the bulk of it was earmarked for grave searches specifically.

***Source:** The actual August 2021 breakdown of the \$321 million is \$83 million for grave searches and memorialization, \$107.3 million for mental-health and community supports, \$100.1 million for building management and demolition, \$20 million for a national monument, and \$9.6 million for commemoration — roughly a quarter of the total for grave-related work, not the whole sum the phrasing implies.*

Mistakes in reasoning

- **Claim:** Because excavation at a small, named set of sites — the Mohawk Institute, Shubenacadie, the Charles Camsell Hospital, and (per the error above) Kuper Island — found no remains, community and survivor "knowings" about burials generally should be treated as unreliable memory rather than evidence.

***Fallacy:** Hasty generalization, compounded by a factual error in its own evidence. Negative excavation results at three genuinely negative sites do not establish that oral testimony about other, distinct sites is unreliable, including Kamloops itself, which the chapter's list does not include. And since Kuper Island does not belong on the "nothing found" list at all, one-quarter of the chapter's own supporting evidence argues the opposite of what it is cited for.*

- **Claim:** Because Manny Jules never publicly mentioned secret burials before 2021, never reported them to the RCMP as chief, and participated in an SFU archaeological project on the Kamloops Reserve without personally excavating for burials, his 2021 statement that "everyone" knew of secretly buried children is "hard to believe."

***Fallacy:** Argument from silence combined with a non sequitur. Public silence and non-reporting are treated as proof a claim is false, without engaging why a community member might not report a "knowing" — as opposed to direct knowledge of a specific crime to police, decades earlier. The SFU project Jules participated in, where he reportedly met his wife, is not shown to have been a systematic search for residential-school burials at all; his participation in an unrelated dig does not establish that he had, or ignored, an opportunity to locate specific graves.*

- **Claim:** The recently announced \$40 billion federal Indigenous child-welfare settlement is cited as spending "only possible... given the current frenzy surrounding 'unmarked graves,'" attributed to Tom Flanagan.

***Fallacy:** Post hoc / false cause. The child-welfare settlement traces to the 2007 Canadian Human Rights Tribunal complaint (Cindy Blackstock and the First Nations Child and Family Caring Society) and the Tribunal's 2016 ruling that Canada discriminated against First Nations children through underfunded on-reserve services — a legal process that began fourteen years before, and was decided five years before, the May 2021 Kamloops announcement. Attributing the settlement's existence to the "graves frenzy" ignores its documented, independent legal origin.*

- **Claim:** A survey of prominent Indigenous alumni of Kamloops Indian Residential School — Len Marchand, Clarence Jules, John Jules, Joe Stanley Michel — who never spoke publicly of murders or secret burials is used to ask, "So where did all of these stories... come from?"

***Fallacy:** Selection bias generalized into a sweeping conclusion. A handful of successful, high-profile alumni not reporting extreme claims is not evidence that other survivors' independent accounts — the actual basis for the "knowings" the chapter is examining — are false; it shows only that these particular individuals did not make such claims, compatible with both a fabricated broader narrative and a genuine range of different experiences across a 113-year, dozens-of-schools system.*

- **Claim:** The chapter treats the absence of a documented homicide conviction of IRS staff over 113 years as equivalent to "no record of a single student being murdered," full stop.

***Fallacy:** Absence of evidence treated as evidence of absence. The chapter does not engage documented allegations that were never adjudicated either way — for example, survivor allegations at St. Anne's (Fort Albany) of a child beaten to death, which produced OPP charges and convictions only on assault counts, the alleged killing never separately investigated or forensically resolved. A record with unexamined, unadjudicated allegations is not the same evidentiary state as a clean, investigated "no."*

Assertions with no evidence at all

- **Claim:** Crown-Indigenous Relations Minister Marc Miller "believes all of these claims without reservation — no matter how preposterous," and "has even hinted at making such questioning illegal hate speech."

***Omission explained:** No statement, speech, or policy proposal from Miller is quoted or cited to support either characterization, neither that he endorses "preposterous" stories of murder and mass burial specifically, nor that he has proposed criminalizing questioning as hate speech. Both are asserted as established fact with nothing offered to support them.*

- **Claim:** The chapter folds Chief Rosanne Casimir's comparatively hedged May 2021 language — "we had a knowing... we were able to verify" — into the same category as Kevin Annett's and Chief Willie Sellars's extreme allegations of murder, torture, and cover-up, without ever quoting Casimir's own more cautious wording for readers to compare.

***Omission explained:** The chapter's argument depends on treating a hedged, community-sourced statement and a self-described "gut-level anarchist's" decades of fabrication as the same phenomenon, but never shows readers the actual, more measured text of the Kamloops release that would let them judge the distinction themselves.*

Cross-chapter pattern: The "RCMP and BC Coroner declined to investigate" claim and the roughly \$300–\$321 million funding figure both recur, essentially unchanged, in Kay's two chapters elsewhere in the book (7 and 12), and the chapter's 43% Catholic-institution figure — understating the TRC-sourced 60–70% share by a wide margin — is a further instance of the book undercounting Catholic institutional involvement even while emphasizing that Catholic-run schools receive disproportionate media attention.

11. "Neither Truth Nor Reconciliation"

Author(s): D. Barry Kirkham KC (a review of Rodney Clifton and Mark DeWolf, eds., *From Truth Comes Reconciliation: Assessing the Truth and Reconciliation Commission Report*, Frontier Centre for Public Policy, 2021)

What the chapter argues: Kirkham reviews a companion anthology, arguing the TRC's Report has been accepted as unquestionable "gospel" by media, government, and universities despite containing what he calls "egregious untruths." He contrasts it unfavourably with South Africa's TRC, defends Sir John A. Macdonald and Egerton Ryerson against "cancellation," rejects the TRC's physical, biological, and cultural genocide findings as unsupported, argues attendance was never compulsory in practice

and that most Indigenous children did not attend IRS at all, and portrays Senator Lynn Beyak's Senate removal as retaliation for a mere opinion. He closes by crediting Canada and the churches with having already paid substantial compensation and apologies, and argues the TRC's causal claims linking IRS to present-day Indigenous disadvantage are unproven.

The literal, narrow claim that Macdonald's government did not make attendance mandatory is accurate and consistent with mainstream scholarship, including J.R. Miller's own work, quoted correctly here. The mechanics of the IRSSA are described accurately — the Common Experience Payment structure and the points-based Independent Assessment Process. The TRC's own "cultural genocide" definition is quoted accurately, matching the Report's actual text. The account of South Africa's TRC — Winnie Mandela's United Football Club receiving nine days of hearings, the Commission's investigation of ANC and KwaZulu-Natal abuses — matches the documented historical record and Alex Boraine's own account. And the bottom-line claim that the ICC never opened a formal case is correct, even though, as flagged below, the reasoning behind that outcome is mischaracterized.

Mistakes in data gathering

- **Claim:** Egerton Ryerson "had nothing to do with the IRS system commenced in Canada in 1883," since he died in 1882, "as two historians pointed out in *The Dorchester Review*."

***Source:** This elides Ryerson's own 1847 report recommending a residential system combining manual labour and religious instruction — a report Nicholas Flood Davin cited by name in his 1879 report, the direct government blueprint for the 1883 system Ryerson is said to have had "nothing to do with." Calling his role "nothing" overstates the case against a well-documented foundational connection.*

- **Claim:** The chapter states Senator Lynn Beyak "was removed from the Senate's Aboriginal Peoples Committee and from the Conservative Party caucus" for arguing the schools were not entirely without merit, and that her correspondents "should be allowed to say so."

***Source:** The Senate ethics committee's actual finding centred on something more specific: Beyak posted a series of letters online containing racist content, that described Indigenous people as "lazy, opportunistic, pampered and inept". Beyak refused repeated requests to remove them or complete anti-racism training. Strikingly, the chapter's own later passage gets this right, stating she "was suspended and faced expulsion on two grounds": for permitting "offensive" letters to remain on her website, and for refusing "anti-racism" training. The chapter's two references to the same episode contradict each

other, and the earlier, more prominent formulation — an opinion punished as such — is the one that does not hold up.*

- **Claim:** "It was only in 1920 that legislation was enacted which granted" the power to make attendance compulsory, and that "power was never exercised."

***Source:** Wrong on both halves. An 1894 Indian Act amendment had already authorized the Department of Indian Affairs to compel attendance and appoint truant officers with power to physically retrieve children, 26 years earlier than the chapter states. The claim that the 1920 power "was never exercised" is contradicted by the documentary record: John Milloy's archival history states that serious, coordinated enforcement, including RCMP cooperation with agents and principals, began specifically after Duncan Campbell Scott's 1932 retirement, and continued for decades, including post-1945 use of Family Allowance suspensions as leverage against reluctant parents. A power that was eventually enforced, just starting later than 1920, is a different claim from a power "never exercised."*

- **Claim:** Quoting Richard Gwyn's *Nation Maker* that Canada did not kill Indians, since "the only deaths were the small number killed during the N.W. Rebellion," offered as proof against the TRC's physical-genocide finding.

***Source:** This omits a well-documented, prize-winning body of historical scholarship — James Daschuk's *Clearing the Plains* (2013, winner of the Governor General's History Award), which establishing that the Macdonald government deliberately used the withholding of treaty-promised food rations as a coercive tool to force Cree and other Plains bands onto reserves in the 1880s, contributing to mass starvation deaths on the prairies. Whether this fits a legal definition of "killing" is a separate question from whether Gwyn's claim that Canada caused no deaths beyond the Rebellion is factually complete: it is not, and the chapter presents it as though it were the settled last word.*

- **Claim:** The chapter states Catholic entities agreed to pay \$29 million in cash plus best-efforts fundraising toward a further \$25 million, but ultimately paid only \$10.2 million and were released from further obligation.

***Source:** Independent reporting on the audited settlement accounting (APTN, citing investigator Ron Kidd's review of the Catholic entities' own financial statements) documents total payments of approximately \$16.1 million against the \$54 million cash-plus-fundraising obligation, meaning survivors were shortchanged roughly \$37.9 million, not the smaller gap the chapter's \$10.2 million figure implies. The fundraising campaign specifically raised only about \$1–4 million of its \$25 million target, and the Catholic entities' remaining obligations were ultimately settled for a further \$1.2 million payment in 2022. The chapter's substantive point — a severe, multi-decade shortfall — is correct, but its specific total figure understates the documented amount actually paid.*

- **Claim:** "The International Criminal Court has refused to hear any case for 'genocide,'" offered as evidence the genocide allegation lacks merit.

***Source:** Accurate as to outcome, but the reason is mischaracterized: this was an informal 2021 request from a coalition of lawyers, never formally docketed, and the ICC's non-engagement rests on Rome Statute Article 11 — the Court has no jurisdiction over conduct predating its 2002 entry into force — a jurisdictional and temporal bar, not a substantive assessment that the underlying conduct fails to meet the definition of genocide.*

Mistakes in reasoning

- **Claim:** Because Canada was treaty-bound to provide education and "IRS were the only means to fulfil that obligation," and because critics "ignore the fact that Macdonald did not make attendance mandatory," criticism of the system's coerciveness is unwarranted.

***Fallacy:** Even taking the treaty-obligation and non-compulsion points as accurate on their own narrow terms, this argument addresses only how the system began, not what it became or why. Attendance policy evolved across many subsequent governments over the following decades; the absence of Macdonald-era compulsion does not address the coerciveness of the compulsory-attendance regime later governments built on that foundation, nor does "the only means" account for the assimilationist design elements, including forced separation from parents, suppression of language and spiritual practice, all documented in the system's own administrative record (see the Ferrier/Woodsworth material catalogued elsewhere in this report), which went well beyond what a bare schooling obligation required.*

- **Claim:** The chapter concludes the Indigenous population was "fewer than 100,000" at the system's start and is "in the range of 1,600,000" today, offered as disproof of the TRC's biological-genocide finding.

***Fallacy:** Non sequitur — the same reasoning error already documented elsewhere in this book (the preface uses 125,000-to-1.8-million; this chapter uses fewer-than-100,000-to-1,600,000, an internal inconsistency in the book's own numbers on top of the logical problem). Neither the TRC's finding nor Article II of the 1948 Genocide Convention requires a population to decline in absolute numbers; forcibly transferring children and destroying the structures that let a group continue as a group are independently listed acts, regardless of the population's later demographic trajectory.*

- **Claim:** "The TRC Report provides no comparative treatment of what was happening to children elsewhere at the time," citing routine caning in English boarding schools and

the treatment of British "Home Children," to argue the TRC's picture of IRS harshness is unfair.

***Fallacy:** Relative privation — a version of "things were similar elsewhere, so this wasn't uniquely bad." The comparison addresses only generic corporal punishment, not the specific, independently documented features of the IRS system: forced removal from family under threat of legal compulsion, deliberate suppression of language and spiritual practice, chronic underfunding-driven malnutrition and disease, and the sharply elevated mortality rates Bryce and others recorded. These are meaningful distinctions the comparison does not engage.*

- **Claim:** Because only about one-third of Indigenous children ever attended IRS, for an average of 4.5 years — "12.4%" of their total potential school years — the TRC's claim of ongoing intergenerational harm "looks tenuous at best."

***Fallacy:** This is the same "minority attendance" argument John Milloy's archival history addresses by name and explicitly rejects, citing the same kind of attendance estimates this argument relies on. Milloy writes that such figures "are dangerously misleading unless... fully contextualized," because the system's impact was "felt not only by the children who attended... but also by their families and communities," including children later born to former students. Reducing the question to a percentage of a single generation's school-years ignores the intergenerational transmission mechanism the TRC's claim is actually about. The effect on parents who had their children taken from them, are not considered. It is also a reasonable statement to assert that 4.5 years is more than enough time for people to be very seriously harmed by their experience, especially children.

- **Claim:** "There is no attempt anywhere in the TRC Report to provide any support" for the physical-genocide finding — a "blood libel" — and the cultural-genocide finding is treated as resting on nothing beyond "the territory of just plain fiction."

***Fallacy:** This converts "the evidence presented does not meet what the reviewer considers the legal threshold for genocide" into "no evidence or attempt at all exists in a 3,500-page, six-volume report" — the same broad-conversion argument documented recurring throughout the book, regarding GPR evidence, staff homicide, and other claims elsewhere.

The TRC Report cites an extensive documentary record, including government assimilation-policy statements, Duncan Campbell Scott's own recorded remarks, mortality and disease data, and testimony as its basis. A reader may dispute whether that record meets a strict legal definition, but "no attempt anywhere" mischaracterizes what the Report actually contains and cites.*

- **Claim (corrected placement — see Chapter 12 below):** The chapter's own closing line brands the TRC-anchored public narrative "a distortion of what most of us would regard as truth" and a "wrong-headed and quite possibly harmful attempt to explain" Indigenous circumstances today.

***Fallacy:** Asserted through rhetorical framing rather than established by presenting and evidencing a competing causal account of current Indigenous socioeconomic conditions. No alternative explanation is developed with comparable evidence to what it dismisses.

Assertions with no evidence at all

- **Claim:** "The vandalizing and removal of statues of Sir John A. Macdonald can be traced to the fact that IRS were initiated under his government."

***Omission explained:** No polling, protester statement, or other evidence is cited connecting statue removals specifically to IRS/TRC content as opposed to the broader wave of public reaction following the 2021 Kamloops announcement and pre-existing debates about Macdonald's role in other policies. The causal claim is stated as settled fact with nothing offered to support it. *

- **Claim:** "Dictatorships such as Russia and China have been" — per the chapter — "delighted to deflect criticisms of their own human rights violations" by pointing to the TRC's findings.

***Omission explained:** No specific Russian or Chinese government statement, official transcript, or state-media example is quoted or cited anywhere in the chapter. The claim is asserted as background colour with no supporting instance offered. This is essentially an argument that this information is an embarrassment, or give our opponents a strategic moral advantage. This is not an argument about accuracy.

- **Claim:** A professional historian on the TRC staff reported that the Commission's actions "were not consistent with its claims to wish to include non-Aboriginal voices," and that her budget for interviewing school staff "was cut from \$100,000 to \$10,000."

***Omission explained:** This specific, checkable claim about internal TRC budget allocations is sourced entirely to one contributor's account in the companion anthology, with no independent corroboration — no TRC financial document, staff record, or second source — offered or found anywhere else. It may be accurate, but as presented it rests solely on one contributor's own say-so.*

Cross-chapter pattern: The "minority attendance" statistic used to minimize the system's impact recurs almost verbatim in Gentles's Chapter 14 and in the book's own Postscript, and in every instance it is directly contradicted by Milloy's explicit rejection of that same statistic as

"dangerously misleading unless fully contextualized" — a rebuttal available in the standard archival history but cited by none of the chapters that rely on the number.

12. "Asking for Evidence Now Counts as "Denialism""

Author(s): Jonathan Kay (reprinting his June 20, 2023 Quillette essay of the same title)

What the chapter argues: More than two years after the May 2021 Kamloops announcement, Kay argues, no bodies or remains have been recovered anywhere GPR surveys were conducted, yet Canadian media, politicians, and the federally appointed Special Interlocutor have responded to that evidentiary gap not by re-examining the 2021 narrative but by branding requests for physical evidence "denialism" — a word Kay reads as a deliberate echo of Holocaust denial. He traces Global News's own headline language softening over two years without retraction, credits the *National Post*'s Terry Glavin as the only large outlet willing to revisit the story critically, and warns that Minister Marc Miller's rhetoric and Special Interlocutor Kimberly Murray's June 2023 report — which recommends "urgent consideration" of civil and criminal sanctions for denialism — represent a real, if likely unconstitutional, move toward punishing scrutiny itself.

Kay's chapter is, true to the pattern established for his other chapter in this book, unusually well-footnoted at the level of individual quotations, and most of what could be checked holds up. Marc Miller's January 2022 statement branding Dorchester Review writers "part of a pattern of denialism and distortion" is accurately quoted and independently confirmed by contemporaneous coverage. Kimberly Murray's June 2023 report's call for "urgent consideration" of "civil and criminal" sanctions against denialism is accurately quoted and independently corroborated by CBC and Global News. The account of the *New York Times*' May 28, 2021 report and its unretracted follow-up language about "the discovery of the remains of hundreds of children" is independently confirmed elsewhere in this report — no remains had in fact been discovered, and Chief Rosanne Casimir's own contemporaneous statement disavowing "mass grave" language is corroborated. The chapter's legal analysis, that a Canadian denialism law would likely fail as a Charter violation, is a coherent point of Canadian law. The narrowest factual claim, that no remains had been excavated or forensically confirmed at Kamloops or any comparable GPR site as of June 2023, continues to hold up against the record.

Mistakes in data gathering

- **Claim:** Trudeau "pledged more than \$300 million in new funding for Indigenous communities" so they could complete the task of "scouring the earth for child corpses."

***Source:** This is the same claim already flagged in the review of Kay's other chapter, and it recurs here essentially unchanged. The actual August 2021 announcement totalled \$321 million, of which roughly \$83 million was earmarked for grave searches and memorialization; the remainder went to mental-health and community supports, building demolition and management, a national monument, and commemoration. Framing the entire sum as money for "scouring the earth for child corpses" overstates by roughly a factor of four how much of it was actually allocated to that purpose.*

Mistakes in reasoning

- **Claim:** Marc Miller's use of the word "suspected" in his two-year-anniversary tweet "betrays" his own hypocrisy, since acknowledging the graves "might not actually exist" would itself qualify him as a "sickening" genocide denier by his own standard.

***Fallacy:** Equivocation. "Suspected" is the standard, technically accurate term for a GPR anomaly that has not been excavated — the same term used by Sarah Beaulieu, the Tk'emlúps te Secwépemc's own releases, and, as the chapter's own preceding paragraphs document at length, Global News's evolving headlines. Using the epistemically precise word for an unconfirmed finding is not the same speech act as publicly casting doubt on whether the underlying claim is true, which is what Miller's "denialism" charge was actually aimed at. Treating routine hedging language as a confession of the very doubt Miller is condemning collapses a distinction the chapter itself relies on elsewhere.*

- **Claim:** The two years without any reported excavation of remains "can only be described as a strikingly odd development," given that the original radar data would have indicated where any suspected remains were lying.

***Fallacy:** Hasty generalization / omitted alternative explanation. The chapter's own later paragraphs quote Kimberly Murray's report at length but never engage the report's own explanation for why so few sites have been excavated: many communities have deliberately chosen commemoration, protection, and community-paced verification over exhumation, for cultural and spiritual reasons, and searches are resourced at each community's own discretion rather than by any centralized forensic timeline. A genuinely "odd" two-year gap requires ruling out these documented, non-evidentiary reasons for delay before concluding the gap itself is suspicious.*

- **Claim:** By using the word "denialism," Miller "plainly seeks to compare those of impure heart to Holocaust deniers."

***Fallacy:** Unsupported attribution of intent. No statement from Miller invoking the Holocaust, or otherwise indicating this specific intent, is quoted or cited anywhere in the chapter. The inference is presented as self-evidently "plain" from a single word choice,

without the kind of primary-source support the chapter elsewhere insists on demanding from others.*

Assertions with no evidence at all

- **Claim:** "Only one large Canadian media outlet, the National Post," has dared publish a full and frank analysis of the story's unravelling; other outlets have "either ignored" it "or have gone further by denouncing revisionism as a symptom of bigotry."

***Omission explained:** No systematic accounting of Canadian media coverage over the two years in question is offered — no survey of outlets, no count of stories, nothing beyond the chapter's own reading of what it happened to notice. This is a sweeping claim about the entire Canadian media landscape's response, built from one named counter-example and one named contrary example, with everything else folded into "ignored... or denounced" without any outlet named or checked.*

- **Claim:** Minister Marc Miller "has taken the rather extraordinary step... of instructing reporters not to report heretical facts."

***Omission explained:** What the chapter actually documents is a public statement by Miller criticizing specific published pieces as "denialism and distortion" — a minister publicly disagreeing with particular writers. No memo, directive, press briefing instruction, or any other evidence that Miller literally instructed journalists what they may or may not report is cited. Characterizing a public rhetorical condemnation as an "instruction... not to report" is a materially stronger claim than the source supports.*

- **Claim (the chapter's organizing thesis):** Requests for evidence about IRS burial claims are becoming broadly "denialism" across Canadian public life, to the point of facing potential legal sanction.

***Omission explained:** The entire argument for a broad, discourse-wide chilling effect rests on exactly three data points: one minister's January 2022 statement, one unnamed Toronto Star op-ed writer's column — a quote calling something "a racist rant bordering on genocide denial" that could not be independently verified against any locatable primary text — and Kimberly Murray's June 2023 report, itself only a recommendation for "consideration" of sanctions, not an enacted law, prosecution, firing, or professional discipline of anyone. No instance is cited anywhere in the chapter of a person actually being fired, prosecuted, or sanctioned for requesting evidence.*

Cross-chapter pattern: The book's broader habit of converting "not forensically confirmed" into "confirmed false" resurfaces here in the "two years without evidence" argument, and the roughly \$300–\$321 million funding figure recurs for a third time in this book (after Chapters 7

and 10), each time overstating by a similar margin how much of the sum was earmarked specifically for grave searches.

12a. “Integration, Forced Assimilation, or Genocide?”

Newly identified and verified July 22, 2026 — this chapter fell in a gap in the book's original line-range mapping and was not covered in earlier passes.

Author(s): "Pim Wiebel" (an acknowledged pseudonym), originally published on the Woke Watch Canada Substack, January 3, 2023. The chapter sits in the book between Kay's "Asking for Evidence" chapter and Piasetzki's "Everybody's Favourite Dead White Male."

What the chapter argues: The chapter contrasts Pope John Paul II's warm 1987 remarks with Pope Francis's 2022 "genocide" acknowledgment, framing Francis as uninformed. It argues missionary conversion was never coercive, only a minority of children ever attended residential schools, the schools fostered rather than suppressed culture and language, many Chiefs supported or founded schools, children were not permanently separated from their families, the suppression of polygamy, the sun dance, and the potlatch proceeded through persuasion rather than force, and the schools were healthier than the reserves and essentially eliminated tuberculosis.

Some specific claims hold up: Chief Louis Clexlixqen's role founding the Kamloops school is close to the documented record — the Dictionary of Canadian Biography confirms he "initiated" it; the account of the 1971 Marieval closure controversy is corroborated by contemporaneous news coverage; and Feir's economic findings, where accurately quoted, are reported correctly.

Mistakes in data gathering

- **Claim:** The chapter splices two Pope Francis quotations from different 2022 dates — a scripted July 25 apology and an unscripted July 29 press conference — into one undated pairing, framing his "genocide" acknowledgment as an isolated, uninformed remark.

***Source:** The "genocide" line's fuller context, when Francis speaks of "taking away children, changing culture" — sits closer to a cultural-genocide characterization than the literal, physical genocide the chapter spends its length rebutting. Presenting the remark without this context overstates how far it actually goes.*

- **Claim:** Tuberculosis rates were "always" lower in residential schools than on reserves, and the disease was effectively "eliminated" in the schools by mid-century.

***Source:** This is contradicted by Bryce's own 1907 report, which called school conditions "foci from which disease has spread"; by Milloy's documented 40–65% death rates at named schools into the 1920s; and by this same book's own Piasetzki chapter, which cites a 1920 study finding 92.5% TB infection specifically among children already attending residential and day schools.*

- **Claim:** Residential-school attendees and their descendants were more likely to retain their traditional language than non-attendees.

***Source:** This is contradicted by Donna Feir's peer-reviewed finding — cited approvingly elsewhere in this same book — that, after controlling for selection, attendees were 8 percent less likely to speak an Indigenous language at home. No citation could be located for the claim as made here.*

- **Claim:** A Murray Sinclair quotation to the United Nations states that "nearly every Indigenous child" suffered harm whose effects would last "seven generations."

***Source:** This could not be verified against any primary transcript. It traces to a Dorchester Review / Indian Residential Schools Research Group piece that gives no primary source; it is flagged here as unverified rather than accepted.*

- **Claim:** Specific percentages describing 2008–10 Regional Health Survey education-attainment outcomes are cited in support of the chapter's broader argument.

***Source:** These specific figures could not be located in the primary report; flagged as unverified.*

Mistakes in reasoning

- **Claim (the chapter's title and organizing frame):** Residential schools should be understood as a program of "integration" or "forced assimilation" rather than "genocide," presented as mutually exclusive alternatives.

***Fallacy:** False trichotomy. "Integration" or "assimilation" describes a method; "genocide" is a legal characterization that can apply to that same method — the 1948 Genocide Convention's Article II(e), forcible transfer of children from one group to another, requires no proof of neglect, abuse, or homicide. The chapter never engages Article II(e) at all, the clause most directly applicable to a residential school system, despite raising the genocide question directly in its own title.*

- **Claim:** No more than one-third of status Indian children ever attended residential school, used to argue the system's impact was not all-encompassing.

***Fallacy:** Milloy explicitly rejects this exact statistic as "dangerously misleading unless... fully contextualized," 1 in 3 children is not a small number, and the system's impact extended to families and later generations beyond an individual's own attendance.*

- **Claim:** The 1920 Indian Act amendment required attendance only "at the nearest available school," implying flexibility, while separately noting that residential schools existed specifically for reserves lacking a day school.

***Fallacy:** Self-contradiction. For reserves without a day school, the residential school was, by the chapter's own account, the nearest available school — meaning the compulsion clause did mandate residential attendance for exactly the population the chapter presents as exempt from compulsion.*

- **Claim:** A curated list of six positive cultural-programming anecdotes is used to conclude the system broadly aided cultural survival.

***Fallacy:** Selection bias. Six examples spanning roughly eight decades and more than 130 schools are used to support a system-wide conclusion.*

- **Claim:** Students going home for summers, holidays, and graduation is cited to rebut concerns about permanent separation from family.

***Fallacy:** Argument from convenient examples. This omits TRC Volume 4's documented cases of non-repatriation — Sam Ross, Charles Hunter, Anna Lahache, discussed above in Chapter 10's entry — and Scott Hamilton's conclusion that non-repatriation of children's bodies was standard Departmental practice, not an aberration.*

- **Claim:** Tuberculosis conditions were better inside residential schools than on reserves.

***Fallacy:** Book-wide internal contradiction. This directly conflicts with Piasetzki's own chapter (13) elsewhere in this book, which cites Bryce's contemporaneous view that school conditions were themselves a disease vector, not merely a passive recipient of reserve-borne infection.*

Assertions with no evidence at all

- **Claim:** "There were no forced conversions or baptisms."

***Omission explained:** No citation is given anywhere for this claim, notable in a chapter otherwise dense with footnotes on far more minor points.*

- **Claim:** The suppression of the potlatch, polygamy, and the sun dance proceeded through persuasion rather than legal or physical force.

***Omission explained:** This account never mentions the 1921–22 Dan Cranmer potlatch prosecutions — more than 20 convictions, imprisonments, and a decades-long

confiscation of ceremonial regalia — the single best-documented instance of actual criminal enforcement in this area, omitted from a chapter specifically arguing suppression was voluntary.*

- **Claim:** The chapter asserts, without citation, that polygamy "has been, and remains, a hindrance to human progress."

***Omission explained:** A contested normative claim is asserted as settled fact with no engagement of the scholarly debate the sentence itself acknowledges exists.*

This chapter is consistent with a pattern already found in Melanson's (Chapter 9) and Gentles's (Chapter 14) chapters — treating the absence of proven homicide as dispositive against the broader genocide question, paired with a near-total silence on Article II(e), the one Genocide Convention clause built for exactly this fact pattern, is arguably the more serious omission, since the chapter's own title raises the genocide question directly.

Cross-chapter pattern: This is now the third-plus chapter in the book — alongside Melanson's Chapter 9 and Gentles's Chapter 14 — to treat the absence of proven homicide as dispositive against the broader genocide question without engaging the Genocide Convention's non-lethal clauses, and the second chapter (with Flanagan's Chapter 16) in which Feir's language-retention finding is misstated in the direction opposite to what she actually found.

13. "Everybody's Favourite Dead White Male"

Author(s): Greg Piasetzki

What the chapter argues: Piasetzki, an intellectual property lawyer, argues that Dr. Peter Bryce's rehabilitation into a celebrated "whistleblower," was driven largely by Indigenous scholars and activists. This does not survive close reading of Bryce's own record: his 1907 report was not suppressed and received real press coverage; a 1909 Calgary study and a 1920 Saskatchewan screening study point to reserves rather than schools as the primary source of tuberculosis; his 1922 follow-up recommendations (which called for tripling residential schools, national compulsory attendance in all but name, and parents paying part of the cost) were rightly rejected by his rival Duncan Campbell Scott; and much of his 1922 pamphlet is a self-interested account of his own failed career ambitions rather than disinterested advocacy.

The chapter accurately shows that Bryce's 1907 report was not secretly suppressed and received real newspaper coverage; the book adds a new, more specific version of this claim — that "a memo found by the author in the national archives" shows copies

were sent to every MP and Senator, to senior church representatives, and to the principal of every residential school in the country, with a request for comment.

The core claim — real, prompt press coverage — is accurate and independently confirmed: the *Victoria Daily Colonist* ran "Indian Schools Deal Out Death" on November 16, 1907, with further coverage in the *Ottawa Citizen*, the *Montreal Star*, and *Saturday Night* within days, all independently corroborated by Milloy's own archival. The specific claim of an archival memo showing distribution to every MP, Senator, church, and school principal is the book's own primary-source assertion; it is plausible and not contradicted by anything else in the record, but it rests on a document that could not be independently located and cannot be verified beyond the book's own say-so — flagged as unverified rather than accepted or rejected.*

Mistakes in data gathering

- **Claim:** A 1909 Calgary study by Bryce and colleague J.D. Lafferty, and a 1920 Saskatchewan tuberculosis-screening study, "established that reserves were the ultimate source of TB infections," with the schools' own dormitory conditions no longer treated as a live factor by the end of the chapter.

***Source:** The 1920 study's own reported figures do not carry the weight placed on them: it found 92.5 percent TB infection specifically **among children already attending residential and day schools**, alongside a separate finding that infants too young to have attended any school were also at high mortality risk.

Both facts can be true simultaneously: endemic reserve transmission reaching infants, and additional institutional amplification among school-age children living in the dormitory conditions Bryce's own 1907 report described as "foci from which disease... has spread" — without either one disproving the other. The chapter treats these as competing explanations where confirming one retires the other, rather than as compatible mechanisms operating together, which is the same reasoning error flagged earlier, in the secondary-source-based version of this entry, now confirmed directly against the chapter's own text.*

- **Claim:** In an aside about Bryce's 1897 public-health advocacy, before he worked for Indian Affairs at all, the chapter states Bryce argued for the "total demolition" of TB-infected *houses*, then adds, unsourced and in its own parenthetical voice: "We now know that many common disinfectants, including vinegar, effectively kill the tuberculosis bacterium, making demolition unnecessary."

***Source:** No footnote or citation is given for this claim anywhere in the chapter. Checked directly against the research literature: a 2018 laboratory study (Takiff et al., Venezuelan Institute of Scientific Investigation, with Albert Einstein College of Medicine and the

University of Montpellier, published in *mBio*) found a 6% acetic acid solution reduced tuberculosis bacteria in **laboratory cultures and clinical specimens** from roughly 100 million organisms to undetectable levels after 30 minutes' contact — disinfection of samples and equipment under controlled conditions, not decontamination of an inhabited, multi-room dwelling with embedded organic matter, poor ventilation, and ongoing habitation. The study's own lead author states only that **clinical usefulness "remains to be determined."** Treating a still-preliminary, specimen-level laboratory finding as though it settles what should have been done about real 1890s–1920s tuberculosis-infected housing is a category error, and one the book commits without citing any source at all for the underlying claim. (Note for the record: this specific passage concerns general TB-infected houses in an 1897 speech)*

- **Claim:** In building its counterfactual (below), the chapter asserts that Bryce's 1922 published list of seven recommendations "does not say so explicitly" but "implicitly suggests" compulsory education, and that Bryce separately and deliberately "omit[ted] several contentious recommendations from his earlier list," including one that "explicitly stated 'compulsory schooling should be enforced for Native children'" and another calling for "sweeping reduction in day school operations."

***Source:** No citation, footnote, or archival reference is given anywhere in the chapter for this "earlier list" or its two more explicit, more coercive recommendations. This is a specific, checkable claim — the existence of a distinct, unpublished Bryce document containing language his own 1922 pamphlet does not contain — asserted with no source at all, in a book that elsewhere criticizes the TRC and journalists for exactly this kind of uncited claim.*

Mistakes in reasoning

- **Claim (the counterfactual argument):** "What if Scott had accepted and Ottawa implemented Bryce's recommendations? Indulging in a bit of counterfactual history, it seems inevitable that Bryce's reputation today would be experiencing a very different arc... he would likely be remembered as a deluded bureaucrat who put himself in charge, tripled the number of residential schools, forced all Indigenous kids to attend, and then demanded that Indigenous parents pay for the privilege." The chapter concludes Bryce's current "hero" status is mostly the "great stroke of luck that he was ignored in his time," not a reflection of the merit of what he actually proposed.

***Fallacy:** Scope inflation built on an unsourced premise. The counterfactual's most damning elements — Bryce personally "in charge," forced attendance, tripled residential schools — draw on the "earlier list" claim just flagged above as uncited, not on the seven recommendations the chapter itself quotes verbatim a few paragraphs earlier (recommendation 3 proposes a Board of Trustees with one appointee per church, not

Bryce personally in charge; the quoted list nowhere uses the word "compulsory"). Once the counterfactual is restated using only Bryce's actually-quoted, actually-sourced list — greater school capacity, farm schools nearer home reserves, government funding and control, provincial curricula, church-appointed trustees, continuation schools, and "fresh air methods in the care and treatment of cases of tuberculosis" — it reads far less like a portrait of an aspiring autocrat and far more like exactly the kind of well-funded, medically-supervised, government-controlled system whose absence, on Bryce's own original 1907 and 1909 findings, is what let child mortality run as high as 24 to 50 percent at some schools. The chapter builds its most rhetorically effective counterfactual from the least well-supported part of its own account rather than the best-supported part.*

- **Claim:** The chapter treats Bryce's own severance grievance — "nearly a quarter" of his 1922 pamphlet concerns his failed bid to become deputy minister — as sufficient grounds to characterize the document as "a self-serving rant," citing both Cindy Blackstock ("Bryce's words do betray a slight self-interest") and historian John Milloy ("the self-interested tale of his failed ambitions") in support.

The chapter offers its own account of why Scott resisted Bryce — Scott's 1910 memo calling the plan "impractical" and warning it would shift schools "from educational institutions to health-care-focused operations," a real, quoted, primary-sourced objection.

What the chapter does not consider is whether there was institutional self-interest on the part of the churches. Methodism was the largest protestant denomination in Canada, and they were integrated into the Residential School bureaucracy. Milloy's *A National Crime* documents the 1921-22 incident where Russell Ferrier, son of a Methodist superintendent, ran a campaign to discredit and suppress substantiated parent complaints of mistreatment at Chapleau, to protect the Department's position. There is an inconsistency here, which is seen throughout the book *Grave Error*.

It is within reason to consider an interpretation of Bryce's objections as being self-interested or political. It is not within reason to apply it only to Bryce, and not to Scott, as department head, or to the Churches.

It is within reason to consider an interpretation that Scott and the Government are being professional and diligent, but so, therefore, should Bryce be considered in that light.

Bryce's own Recommendation 3 proposed shifting control to government, with churches reduced to a trustee role. The counterfactual presented is that Bryce would today be seen as the villain, instead of the Churches.

What this counterfactual fails to consider is the political and public reputational fallout of such a decision. Of Bryce, Scott and the churches, Bryce had the least to lose. Such a decision would amount to a vindication of Bryce, and a condemnation not just of the churches, but of Scott's tenure.

Scott's administrative objections and an unstated institutional interest in preserving church authority are not mutually exclusive, and the chapter considers only the former.

Assertions with no evidence at all

- **Claim:** The chapter does not address the TRC's own explicit methodological caution about Bryce's most frequently cited statistic.

***Omission explained:** The TRC states directly that Bryce's 24% figure "is not an annual death rate (or any other sort of death rate)" and should not be compared to rates in other contexts such as Nazi work camps. The chapter does not mention the TRC at all. Given the chapter's stated purpose is correcting uncritical modern use of Bryce's numbers, omitting the one institution that has already issued the most relevant caution is a significant gap.*

- **Claim:** "It is a renaissance that has been driven largely by Indigenous scholars and activists," repeated later as Bryce's elevation being "almost entirely due to the efforts of Indigenous scholars and activists."

Assessment: This is overstated: The examples provided of Bryce's "hero" status among researchers is a selective: Cindy Blackstock's graveside rituals and CMAJ article, a Globe and Mail op-ed by three scholars ("two of whom are Indigenous"), Pam Palmater's Aboriginal Policy Studies piece. The claim that Bryce's reputation is "almost entirely" due to Indigenous researchers, even as their work is printed in mainstream, non-Indigenous institutions. Despite citing it, there is no mention of John Milloy's 1999 *A National Crime*, a work of non-Indigenous historical scholarship that is the most-cited scholarly account of Bryce prior to 2015. That work takes a more skeptical view of Bryce than "hero."

14. "Were the Residential Schools Agents of Genocide?"

Note on this chapter's construction: as printed, the chapter splices together at least two previously separate Gentles pieces — "Not a Genocide" (Quillette, August 2, 2023), which closes with its own acknowledgments thanking Nina Green and Pim Wiebel, followed immediately by a second essay on compulsory attendance and "forced" enrollment written especially for this book. Both are credited to Ian Gentles under one title and are treated as one chapter below, as the book itself presents them.

Author(s): Ian Gentles

What the chapter argues: Gentles argues the "genocide" characterization collapses under scrutiny: tuberculosis, influenza, and trachoma mortality data are marshalled to show the schools reduced disease rather than spreading it; an abuse-incidence statistic is

set against a general-population abuse-rate comparison to argue the schools were "a relatively abuse-free sanctuary"; extracurricular programming, substance-use rates, and language-fluency statistics are offered to argue attendees were healthier and more culturally intact than non-attendees; several survivor quotations are offered as evidence positive experiences were common; only a minority of children ever attended, so the schools cannot explain present-day hardship; enrollment was mostly voluntary, with coercive removals confined to what amounted to de facto child-protection cases; and the "kill the Indian in the child" quotation is correctly traced away from Duncan Campbell Scott to an 1892 American army officer.

The chapter's account of the 1920 Indian Act amendment is more careful than the book's own introduction, which flatly states attendance was "not compulsory until 1920." Here Gentles correctly notes the amendment required attendance at "such day, industrial or boarding school as may be designated," not specifically a residential school, and that compulsion applied to residential schools only where no local day school existed — a real distinction the introduction elsewhere in this same book elides. The correction of the "kill the Indian in the child" misattribution is accurate and matches independent scholarship. The chapter's TB and influenza mortality figures for the 1930s–50s period are not themselves fabricated so far as this review could determine, and the underlying peer-reviewed source for the height, BMI, and diabetes findings (Feir and colleagues) is engaged accurately elsewhere in the chapter.

Mistakes in data gathering

- **Claim:** "The findings of the Indian Residential Schools Adjudication Secretariat are that" most schools in most decades "have five or fewer cases" of physical or sexual abuse.

***Source:** No IRSAS or Independent Assessment Process document contains this finding. The IAP's own Final Report reports only system-wide totals — 38,000-plus applications, 26,707 hearings, 27,846 awards, \$3.233 billion paid — not a per-school-per-decade breakdown. The claim traces to a Woke Watch Canada Substack post's gloss on unrelated economics research by Donna Feir. Converting a claims-distribution statistic into a finding that abuse was rare is a denominator/incidence conflation, not a documented IRSAS conclusion.*

- **Claim:** "The rate of sexual abuse suffered by children among the general Aboriginal population" was said to run "25 to 50 percent," offered as the comparison that makes the schools look like "a relatively abuse-free sanctuary."

***Source:** The source of "25 to 50 percent" traces to Collin-Vézina, Dion & Trocmé (2009), a synthesis of roughly 20 self-report surveys of Aboriginal adults recalling childhood experiences generally between 1989 and 2007. There is no basis on which it is appropriate to generalize from the experiences of 20 individuals from a different

population, era, and operating from a different definition of abuse than the adjudicated IAP claims. The source paper itself warns against exactly this kind of loose comparative use, and cites a well-known misquoted, inflated derivative of the same literature circulating elsewhere.*

- **Claim:** The 1933–45 BCG vaccine trial at Fort Qu'Appelle, led by Dr. George Ferguson, who "first vaccinated his own six children," produced "80 percent reduction in active cases of TB" among vaccinated schoolchildren and "no deaths."

***Source:** The TB-incidence figure is roughly consistent with the documented trial data. But the claim of "no deaths" is not consistent with the record: two of the vaccinated children died of tuberculosis despite vaccination. Of far greater significance, historian Maureen Lux's peer-reviewed study of this same trial documents that 105 of the children in the study population died of causes other than TB within the trial's first seven years, chiefly from pneumonia and gastroenteritis tied to poverty. This led Lux to conclude, "the BCG trial was a success, but unfortunately the patients died."

The chapter also omits that Ferguson himself, per the documented record, warned it would be "unwise to initiate human experimental work among Indian children" who could not "exercise voluntary cooperation" — a contemporaneous acknowledgment that informed consent was absent, proceeding anyway seven years after a 1930 German BCG trial had killed 71 of 249 vaccinated infants. **The book's specific "no deaths" claim about the BCG trial is false, and the true toll (105 deaths from other causes, 2 from TB despite vaccination) directly undercuts the chapter's use of the trial as evidence the schools were a health success story.***

- **Claim:** "Donna Feir has also determined that attendance at a residential school actually reduced cultural assimilation," citing her finding that children whose schoolmates were predominantly non-Aboriginal were "more economically and culturally assimilated" than "those who attended residential schools with their Aboriginal peers."

***Source:** The quotation itself is genuine and accurately transcribed from Feir's paper, but the framing sentence overstates what the quotation establishes: Feir's is not a general finding that attending a residential school (versus not attending one at all) reduced assimilation relative to non-attendance. It is a narrower, within-attendee comparison based on the racial composition of a student's peer group at whichever school they attended. The chapter presents a comparison among attendees as if it were a comparison between attendance and non-attendance, which is a much larger claim than the cited passage supports.*

Mistakes in reasoning

- **Claim:** Early schools were "cheaply constructed, badly heated, and poorly ventilated," with infections "transmitted... in overcrowded classrooms" — yet a few paragraphs later, "it was children from the reserves who brought tuberculosis into the schools," concluding the schools were "in the forefront of the battle to reduce childhood mortality" from "the early 1900s onward."

***Fallacy:** Self-contradiction combined with a cherry-picked time window. The chapter cannot simultaneously attribute disease spread inside the schools to overcrowded, badly ventilated buildings and then declare, a page later, that the schools were not a vector at all. Both mechanisms can be true together. This is the same error in reasoning identified in Piasetzki's chapter's use of the same 1909–20 studies.

"From the early 1900s onward" directly covers the very period in which this Bryce's research documented school mortality running roughly eighteen times the national child rate. The 1943–53 TB statistics the chapter cites are from a full generation later, after the funding increases and remodelling the chapter itself describes.*

- **Claim:** "In the schools for which we have precise information," the death rate during the 1918–19 influenza epidemic was "under 27 percent of the rate for all First Nations people," offered as "further proof" the schools were "anything but the primary sources of infection."

***Fallacy:** Selection bias, acknowledged in the claim's own wording, then disregarded. Restricting the comparison to schools "for which we have precise information" is not a random or representative subset — better-documented schools may systematically differ from schools whose outcomes are unknown. This is precisely the kind of gap TRC Volume 4 flags when it notes that roughly a third of recorded deaths carry no name and many schools' fatality records are incomplete or missing entirely.*

- **Claim:** A 1977 Kamloops alumni reunion drew "no fewer than 280 individuals" who signed the guest book, asked rhetorically: "how could we explain the large turnout" if staff had, a decade or two earlier, murdered and buried 200 or more children.

***Fallacy:** Hasty generalization built on survivorship bias. It says nothing about children who died in earlier decades. The accusation concerns a specific, bounded population; the rebuttal cites an entirely different population, so the two are not in logical tension.*

- **Claim:** Regional Health Survey figures showing IRS attendees more likely than non-attendees to abstain from drugs (73% vs. 61%) and less likely to binge drink (32% vs. 42%) show "the residential schools emerge with a superior record."

***Fallacy:** Uncontrolled cohort/age confound. Because residential schools closed by 1996, anyone reporting IRS attendance today is necessarily drawn from an older cohort than non-attendees in the same survey, and substance-use patterns vary substantially by age and generation across the entire Canadian population, independent of any school effect. The chapter does not control for age or address this alternative explanation.*

- **Claim:** A rise in Indigenous-language fluency from 43.6% to 74.8% among IRS attendees versus non-attendees is used to conclude the schools, "far from being agents of cultural genocide," did more than "any other agency" to preserve First Nations culture.

***Fallacy:** Same cohort confound as above, applied to a considerably larger claim. Because IRS attendees are, by construction, an older population than non-attendees in any post-1996 survey, and Indigenous-language fluency has been declining across generations for reasons unrelated to school attendance, a simple attendee/non-attendee fluency gap does not establish that the schools themselves preserved language. The chapter draws the single most sweeping conclusion in the piece from a statistic with an obvious, unaddressed confound.*

- **Claim:** Where an Indian Agent removed a child from a home judged "unfit," the parents had "already lost their right to make decisions for their child," so calling this "forced" attendance is "not a correct use of words."

***Fallacy:** False equivalence. The chapter's own account concedes the federal government "never had a formal child welfare system" for status Indian children and relied instead on the same Indian Agent who administered the assimilation policy generally, with no independent oversight described. The archival record documents Agents using exactly this kind of discretionary power coercively in specific, named cases. The same officials whose "unfitness" determinations the chapter now asks readers to accept as self-validating.*

- **Claim:** The Indigenous population "rose steadily until it has now reached over 1.8 million," offered as evidence against genocide, with its own separate footnote in this chapter.

***Fallacy:** Non sequitur, as already catalogued for the preface's version of this argument. Neither the TRC's finding nor Article II of the Genocide Convention requires a targeted population to decline in absolute numbers. That this chapter runs the identical non sequitur with its own citation suggests the argument was treated as freestanding rather than checked against the legal definition it purports to rebut.*

- **Claim:** The "kill the Indian in the child" quotation is correctly traced away from a Canadian leader and attributed instead to "an American cavalry officer in an entirely different context" (Captain Richard Pratt, 1892).

***Fallacy (in the chapter's use of an accurate correction):** The correction itself is accurate and is credited above. But it is not followed by any engagement with Duncan Campbell Scott's own, separately authentic 1920 statement that his object was to get rid of "the Indian problem" until there was "not a single Indian in Canada" left unabsorbed. A real correction of one misattributed quotation is used as a stopping point rather than a starting point, leaving unaddressed the authentic quotation sitting immediately next to it in the historical record.*

Assertions with no evidence at all

- **Claim:** 1925 and 1961 Department of Indian Affairs Annual Report excerpts on vocational courses and extracurricular life, plus a claim that "87 percent" of 1961 IRS staff had professional training, are offered as evidence contrary to a genocide characterization.

***Omission explained:** These excerpts are drawn from government self-reporting documents produced by the same Department whose own medical officers were separately documenting overcrowding, disease, and chronic underfunding in these same decades. That includes Bryce, who is quoted approvingly by this same chapter for a different point. No countervailing context from the schools' own inspection and medical records is presented alongside the extracurricular material.*

- **Claim:** Selective survivor testimony — Tomson Highway's "nine of the happiest years of my life," Len Marchand's "I was never abused," Richard Wagamese relaying his mother's account, Geraldine Shingoose's "he treated us good," and a list of shorter positive fragments from other named survivors — is presented as establishing that positive experiences were the norm.

***Omission explained:** Each quotation checked is authentic, but the chapter offers no engagement with the fuller record around several of its most prominent examples. As a personal note, the author first heard about Residential Schools from Tomson Highway at student conference in Brandon Manitoba in May 1990. At the time, there had been abuse scandals in Canada such as the Mt Cashel Boy's Home. Highway said that similar abuses had happened at Residential Schools. Highway's own brother Daniel has publicly stated that positive accounts like Tomson's are being "cherry-picked" and are "not the whole story."

Shingoose's fragment is isolated from her own extensive, separately documented testimony of eight years of severe physical and sexual abuse at the same school,

including permanent hearing loss from repeated beatings. Wagamese's quote was offered in its original context as an argument that the TRC "needs to hear those kinds of stories, too" — a call for a fuller record, not a rebuttal of abuse findings generally, which is how the chapter deploys it.*

- **Claim:** "Fewer than 1/3 of Indian children attended" residential schools, and the "average length of residence was only a few years," used to argue it is "hard to see how the schools can be an all-encompassing explanation" for anything afflicting Indigenous people today.

***Omission explained:** This is the same minority-attendance argument already checked directly against John Milloy's *A National Crime*, cited nowhere in this chapter. Milloy addresses this exact statistical argument by name and states such figures "are dangerously misleading unless... fully contextualized," because effects were "felt not only by the children who attended... but also by their families and communities."*

Cross-chapter pattern: This chapter's BCG vaccine trial "no deaths" claim is false — Maureen Lux's peer-reviewed research documents 2 vaccinated children who died of TB despite vaccination and 105 who died of other causes within the trial's first seven years. This should be flagged prominently in the book's overall summary as a newly identified factual error, distinct from and in addition to the recurring "minority attendance" argument, which appears here for a second time (after Kirkham's Chapter 11) and will recur again in the Postscript.

15. "Were IRS Students Used in Medical Experiments? ("The Tainted Milk Murder Mystery")"

Author(s): Mark DeWolf, Rodney A. Clifton, and Hymie Rubenstein

What the chapter argues: The chapter opens with the January 2023 Acimowin Opaspiw Society/Leah Redcrow "tainted milk" allegation at Blue Quills, then pivots to its real target: Ian Mosby's 2013 peer-reviewed study and the TRC's own account of nutritional research on IRS students. It argues that what actually happened amounted to ordinary, low-risk medical and parenting decisions of the era, not "experiments" in any meaningful sense — namely a 1940s–50s vitamin/cod-liver-oil comparison, a 1966 milk-fortification monitoring exercise, and a mid-1960s dysentery treatment protocol at Onion Lake —, and that likening any of this to Nazi medical atrocities is "far-fetched" and damaging to the TRC's own credibility.

Its account of the mechanics of the 1966 milk-fortification monitoring study and the Onion Lake dysentery treatment protocol, so far as it goes, is not contradicted by anything found in this review, and the narrow point that the TRC itself calls the milk study "relatively non-

intrusive" is an accurate quotation. The chapter is also correct that a literal claim of Nazi-equivalence is a serious overstatement as applied to the two specific narrow studies it examines in detail. However, this accurate, narrow rebuttal does not extend to the more serious conduct documented in Mosby's actual research, which the chapter does not take up.

Mistakes in data gathering

- **Claim:** The chapter treats the entirety of what was done to IRS students under the "medical experimentation" heading as consisting of a vitamin/cod-liver-oil comparison, a 1966 milk-fortification check, and the Onion Lake dysentery treatment — three interventions it calls "relatively small" and "routine."

***Source:** Mosby's actual 2013 peer-reviewed article ("Administering Colonial Science," *Histoire sociale/Social History*), is cited by name but its contents, which documents serious conduct at named schools.

- At St. Paul's, selected as a "control," an existing menu deficient in vitamins A, B, and C, iron and iodine, which the initial investigation had already found nutritionally inadequate was deliberately left unchanged for the study's duration so it could serve as an unimproved baseline.
- Alberni, St. Mary's, and Cecilia Jeffrey's, an official directive stated "no specialized, over-all type of dental service should be provided," including basic measures like fluoride treatment, because such care "would interfere with the results of the study"; and
- At Alberni specifically, a milk ration of 8 ounces daily — already below the recommended amount — was deliberately held at that level for two full years as an experimental baseline before being tripled to 24 ounces. None of this appears anywhere in the Grave Error chapter's account of what the "experiments" involved.*
- **Claim:** The chapter states that "both Mosby and the TRC report authors chose to interpret this minor change as a shady 'medical research' study," paraphrasing Mosby's argument as concluding Canadian doctors "were barbarians hiding behind the Nuremberg Code."

***Source:** Mosby's actual discussion of the Nuremberg Code is not a not claim of equivalence. It is historiographical, which is to say, related to the study of the methods of how history is written. Mosby notes the 1947 Doctors' Trial verdict "received little coverage in the popular press" and had "little effect on mainstream medical research practices."

Mosby quotes Jay Katz, an American Physician and Yale Law School Professor whose work over decades was dedicated to the study of ethics in medicine, law and psychology.

Katz observation was that even scientists aware of the Nuremberg Code viewed it "as a code for barbarians and not for civilized" investigators. Katz was on the U.S. Federal Commission that studied the Tuskegee experiments where American blacks who were known to be infected went untreated as part of a study.

The phenomenon of people believing that the rules need not apply to them in a health care setting is well established and was presented in a study of normalized deviance in health care (Banja, 2011).

Mosby and Katz' points were not a claim that IRS nutrition researchers were personally comparable to Nazi doctors, but about how slowly research-ethics norms were adopted across North America generally, and human experiments continued. Mosby's point about the era's weak ethical norms are being read as an accusation that is not to be found in his text. *

- **Claim:** The chapter quotes the TRC's finding that the milk study "was relatively non-intrusive: the consumption of two products, both deemed to be safe, was being monitored," treating this as the TRC "contradicting itself" and conceding the entire nutrition-research program was benign.

***Source:** Describing different sets of experiments in different decades is not a contradiction. The TRC characterization of "non-intrusive" applies to the 1966 milk-fortification check, which involved no deliberately maintained deficiency. Mosby's research of the 1942–1952 nutrition-experiment program describe different experiments.*

Mistakes in reasoning

- **Claim:** Because the specific interventions the chapter chooses to examine resemble ordinary, low-risk parenting decisions, the broader claim that IRS students were used in medical experiments comparable to Nazi doctors' is false.

***Fallacy:** Straw man / rebuttal of the extreme version. That human experiments on Indigenous children should not be treated as equivalent to Nazi experiments does not mean that the experiments were therefore beneficial. Deliberately withholding dental treatment and deliberately maintaining nutritional deficiencies were used as experimental controls, as described in Mosby's own peer-reviewed research. *

- **Claim:** Because school administrators held the Indian Act's *in loco parentis* authority to consent to children's ordinary medical treatment, the absence of informed consent for the vitamin/milk studies was unproblematic — "something that most reasonable parents... would probably have considered routine."

***Fallacy:** Category conflation. Legal authority to consent to a child's ordinary medical treatment is not comparable to enrolling a child to be the subject of a human experiment

in nutritional deficiency. The distinction between routine care and designed research is precisely what informed-consent norms exist to police.*

Assertions with no evidence at all

- **Claim:** "The TRC Report claims there were at least seven other 'research studies'" that did not meet normal informed-consent standards, dismissed as "as ambiguous as the two studies discussed above."

***Omission explained:** The chapter does not identify any of these seven studies by name, school, date, or investigator, nor explain what "ambiguous," means in this context, when the author spends several pages examining two case studies in detail.*

- **Claim:** "The reduction in the student death rate" in the post-1940 period "was dramatic," used to imply the medical interventions described were part of a genuine improvement in student welfare.

***Omission explained:** The chapter supplies no context for what actually drove this decline — the post-1940s period is precisely when antibiotics and broader public-health advances reduced mortality across the general Canadian population as well, not specifically as a result of IRS administration or the nutrition studies the chapter is defending.*

Cross-chapter pattern: This chapter's pattern of rebutting only the most extreme version of a claim — literal Nazi-equivalence — while leaving the better-documented, less extreme version (deliberately withheld dental care, a deliberately maintained deficiency) unaddressed mirrors how Chapter 10 rebuts only the most extreme "mass grave/murder" allegations while leaving the hedged, community-sourced "knowing" statements unaddressed.

16. "Did Indian Residential Schools Cause Intergenerational Trauma?"

Author(s): Tom Flanagan (originally published in *The Dorchester Review* online, August 31, 2022)

What the chapter argues: Flanagan opens by describing Indigenous historical disadvantage broadly — disease, loss of traditional economy, confinement to reserves — as "history" dealing First Nations "a bad hand," then argues the narrower question of whether residential schools specifically caused "intergenerational trauma" is unproven. He faults the academic literature for lacking a non-attendee comparison group, for relying on subjective self-reported outcomes rather than objective ones, and for incentive problems borrowed from John Ioannidis's meta-scientific critique. He illustrates the point with a

CBC-profiled survivor and credits economist Donna Feir's work as the methodological exception that does use objective outcomes.

The critique of the absence of a non-attendee comparison group in most of the literature surveyed, and reliance on subjective outcome measures are a legitimate, commentary about challenges in causal-attribution research. Its praise for Feir's use of objective health outcomes is well-founded and largely matches Feir and Auld's actual published findings.

Its account of the Regional Health Survey's own reported findings — better educational outcomes among attendees, with the caveat that this is "hard to interpret" without controlling for age — is an intellectually honest, self-limiting citation. The roughly \$5 billion compensation figure is a reasonable approximation of the combined settlement totals. And the general statistical point about multiple comparisons and small samples generating spurious "significant" findings is a legitimate methodological caution in principle, though the chapter does not show that this specific literature's pattern of findings is actually the product of that mechanism.

Mistakes in data gathering

- **Claim:** "A comprehensive literature review published in 2017 listed 67 published studies" on IRS health effects.

***Source:** The actual paper — Wilk, Maltby & Cooke, "Residential schools and the effects on Indigenous health and well-being in Canada: a scoping review," *Public Health Reviews*, 2017 — states in its own results section that 61 studies were selected for inclusion, not 67. The chapter's more granular sub-counts drawn from the same paper match the source exactly, which makes the top-line "67" hard to explain as anything other than an uncorrected transcription error, already present in Flanagan's original 2022 article and carried into the book without correction.*

- **Claim:** The chapter credits Feir's research for showing improved height, lower obesity, and lower diabetes prevalence among post-1950s IRS attendees, attributing this to the schools functioning "in effect as refuges for abused and neglected children," and separately cites her finding that "Indian mothers who attended IRS had a similar socio-economic status to those who did not."

***Source:** Substantially accurate to Feir and Auld's 2021 *Canadian Journal of Economics* paper. However, the mothers'-socioeconomic-status claim draws on Feir's earlier 2016 *CJE* paper on the long-term effects of assimilation policy — the same paper that, after controlling for selection, also finds attendees were 16 percent more likely to leave their home community and 8 percent less likely to speak an Indigenous language at home.

The chapter presents Feir's research as the methodologically rigorous exception to a flawed literature while omitting the one finding in that same body of work documenting a real, measurable cultural cost of attendance.*

- **Claim:** A separate 2015–17 First Nations survey "found higher levels of native language retention among those who attend IRS, though again age would be a confounding factor," offered alongside the RHS 2008–2010 findings as further supporting evidence.

***Source:** This creates an unreconciled internal tension the chapter does not address: in the same paragraph structure where Feir's peer-reviewed, selection-controlled analysis is credited as the gold-standard exception to a weak literature, the authors cite an uncontrolled cross-sectional survey finding that delivers opposite findings, without noting the contradiction.

The chapter flags the age confound as a reason to discount this second finding's reliability, but does not apply the same scrutiny to ask whether it should be weighed against Feir's more rigorous – and opposite result – at all.*

Mistakes in reasoning

- **Claim:** Indigenous peoples' broad historical disadvantage is framed as undifferentiated "history" dealing First Nations "a bad hand," with residential schools then treated as a separate, narrower question requiring independent proof of their own specific responsibility.

***Fallacy:** False separation. The chapter folds a policy-driven institution — the schools themselves — into the same undifferentiated "history" bucket as impersonal forces like disease exposure, then holds the schools to a higher, separate evidentiary bar than "history" generally is held to.

The schools were themselves a primary vector of the very disease mortality being naturalized as "history". Bryce's 1907 report and TRC Volume 4 documents that overcrowding, malnutrition, and forced congregate housing inside the schools drove disease mortality rates far above the general population.*

- **Claim:** A CBC-profiled survivor — a tenured University of Toronto public health professor whose parents attended IRS — describes lasting difficulty, including her own kids having "to deal with" a "sometimes unstable mom." The chapter concludes: "this woman's life ought to be considered an inspiration, not a disaster," and that "they haven't kept her from achieving extraordinary success."

***Fallacy:** This treats visible professional success as if it disproves or cancels a claim of psychological harm, when the two are not mutually exclusive — a person can hold a demanding career while still experiencing the specific difficulty she describes in her own

words. This is the same pattern flagged elsewhere in this book's Gentles chapter (14): using a subject's own positive or resilient outcomes to discount that same subject's documented negative testimony, rather than holding both as compatible facts.*

- **Claim:** Because studies "interviewed only residential school attendees without a control group," they cannot show that psychological problems are more prevalent among attendees than non-attendees — a gap the chapter treats as undermining the trauma literature generally.

***Fallacy:** Partial fallacy, conflating two distinct questions. The narrower point is methodologically legitimate: without a comparison group, a study cannot establish that IRS attendance specifically produced a higher population-level rate of an outcome than would otherwise have occurred.

However the chapter uses this same reasoning to cast doubt on whether individually reported, clinically recognized trauma is real or detectable at all. This is a different question that does not require a matched control group in the epidemiological sense. Diagnosing individuals with an injury does not require a control group of uninjured persons.

- **Claim:** Citing Ioannidis's finding that greater "financial and other interests and prejudices in a scientific field" make research findings "less likely... to be true," the chapter notes roughly \$5 billion was paid out under the Settlement Agreement, in the context of arguing survivors were "primed" over two decades to attribute their problems to residential schools.

***Fallacy:** Poisoning the well. Ioannidis's critique concerns systemic incentive structures that bias *researchers'* analytical choices in fields with flexible definitions and small samples.

Here it is redeployed to suggest *survivors themselves* had a financial motive to misreport their own psychological experience, without any evidence that any specific individual's testimony was shaped by compensation-seeking.*

- **Claim:** "For more than two decades, former attendees heard over and over" that the schools were the worst thing that happened to them, "priming them" to attribute "whatever problems they experienced" to residential schools.

***Fallacy:** Unsupported causal narrative functioning as an all-purpose explanation. No survey-methodology citation or memory-research finding is offered that respondents' answers were shaped by external "priming" rather than genuine recollection. This is asserted, not demonstrated, and is essentially unfalsifiable: any self-reported harm can be waved away as the product of two decades of public narrative rather than considered as possible evidence of real experience.*

- **Claim:** The literature is faulted for TRC-era hearings gathering testimony without much "balancing testimony solicited from those who had taught or otherwise worked in the schools."

***Fallacy:** Mismatched standard. The TRC was constituted under the Indian Residential Schools Settlement Agreement specifically as a survivor-centred truth-telling body, not an adversarial fact-finding tribunal designed to produce a "balanced" two-sided record.

Faulting the resulting testimony for lacking a structural feature the commission was never designed to have is not the same as identifying a flaw in how it carried out its actual mandate.*

Assertions with no evidence at all

- **Claim:** "Other influences upon First Nations seem more important, such as" the "confinement to Indian reserves, which impeded economic progress," followed by "extension of the welfare state, which undermined" strong Indigenous families.

***Omission explained:** No comparative evidence, data, or study is offered to weigh reserve confinement or welfare-state effects against residential-school attendance as causes of family instability — the alternative causal account is simply asserted in the chapter's closing argument, in the same paragraph that has just spent several pages demanding exactly this kind of controlled comparative evidence from the literature it is criticizing.*

Cross-chapter pattern: The "success disproves trauma" fallacy — using a survivor's professional or personal achievement to discount their own reported psychological harm — recurs explicitly here from Gentles's Chapter 14 (reunion attendance, substance-use statistics) to this chapter's CBC-profiled professor, making it one of the book's most repeated reasoning errors.

17. My Life in Two Indian Residential Schools

Author(s): Rodney A. Clifton

What the chapter argues: A personal memoir recounting Clifton's 1966 summer at Old Sun (Anglican) school on the Siksika reserve and his subsequent year as a hostel supervisor at Stringer Hall in Inuvik, both recalled as generally positive, integrated experiences with no abuse or missing children, bookended by an argument that news reports of murdered, secretly buried children should have been referred to police and verified before being treated as settled fact.

This chapter is overwhelmingly a first-person account and contains few claims that are checkable in the way an argumentative chapter's statistics are.

A positive personal account is legitimate evidence in its own right, and most of what Clifton describes is exactly the kind of thing only someone who was there could report: daily duties, specific named deaths, a supervisor's dismissal.

Three specific, checkable claims hold up on independent verification: his quotation of Doris Young's TRC testimony matches TRC Final Report Vol. 5, including the Commission's own "recalled" framing; his account of Mabel Crane Bear and Belinda Raw Eater freezing to death fleeing Old Sun in March 1962 checks out against independent CBC reporting; and Dennis Dick and Jack (Lawrence) Elanik did die in June 1972 attempting to walk from Stringer Hall toward Tuktoyaktuk, confirmed by CBC reporting on survivor Bernard Andreason's account, which adds that Dennis Dick's body was never recovered. Clifton also explicitly disclaims overgeneralizing from his own experience, worth crediting as good practice the book does not always follow elsewhere.

Mistakes in reasoning

- **Claim:** Because two TRC commissioners were lawyers, their inclusion of Doris Young's testimony implies they believed it was literally true, so the failure to refer it to the RCMP for investigation is "strange."

***Fallacy:** This treats the TRC's routine practice of recording testimony as a special, suspicious departure specific to this one story, when it was repeated for thousands of similar first-person accounts across the whole report. The TRC's own stated methodology describes its record as "the truth of lived experience as told to us by Survivors," a mode of witnessing explicitly distinct from forensic or criminal fact-finding.*

- **Claim:** "A group of researchers have found the death certificates for a substantial number of children who were reported as missing," some "signed by medical doctors and parents," offered as evidence against the broader "missing children" concern.

***Fallacy:** Affirming the consequent / conflating two different questions. A death certificate proves a death was recorded somewhere; it does not establish that the family was informed, that the body was returned, or that a proper burial location is known today.

This is the actual substance of the "missing" and "unmarked graves" documentation in TRC Volume 4.

The footnoted source draws on Nina Green's compilation, already shown elsewhere in this report to be contradicted by Scott Hamilton's own TRC-commissioned conclusion that "most others were likely buried in cemeteries on school grounds" rather than returned home.*

Assertions with no evidence at all

- **Claim:** "For over 15,000 years," the Siksika "did not mark graves or keep records of where bodies were placed."

***Omission explained:** No citation is given for either the specific figure or the categorical claim that no burial-location records were ever kept. It is plausible that traditional Blackfoot/Niitsitapi burial practice did not use Western-style permanent grave markers, but the specific number and the "no records at all" claim are asserted, not sourced, and the sentence does real work in the chapter's argument — implying that unmarked graves near residential schools are culturally unremarkable rather than a documentation failure specific to the institutions themselves.*

- **Note, not confidently classified as an error:** Clifton states "the federal government has made over \$130 million available to exhume bodies." The closest documented public figure — roughly \$110 million specifically for grave searches as of the August 2021 announcement — is in the right order of magnitude but could not be matched to any single public accounting found.

Cross-chapter pattern: The death-certificate-as-proof-of-accounting move here pairs directly with the Postscript's "scrupulously accounted for" claim (in fact located in the Preface, not the Postscript) and with Hamilton's non-repatriation finding — both rely on a documented death being treated as equivalent to proper accounting for, or return of, a child's remains.

18. "Postscript: Reconciliation and Truth"

Author(s): C.P. Champion and Tom Flanagan

What the chapter argues: The editors argue that "Reconciliation" has drifted from its dictionary meaning of mutual rapprochement into one-way demands on Canada, noting that all 94 of the TRC's recommendations ask something of government or institutions

and none ask anything of First Nations; they then list nine specific, widely held beliefs about residential schools that they declare are, as a group, "totally false or grossly exaggerated."

The claim that all 94 TRC Calls to Action are directed at government, churches, or institutions, and that none call on First Nations to take reciprocal action, is factually accurate, but the reasoning built on top of it, discussed below, is where the problem lies. The point that GPR anomalies are not confirmed remains, taken in isolation from the rest of the bundled list, is also accurate and consistent with what has been verified throughout the book.

Mistakes in data gathering

- **Claim:** "Reconciliation" figured prominently in the report of "Canada's Royal Commission on Aboriginal Peoples (1998)."

***Source:** RCAP's Final Report was released in 1996, not 1998 — confirmed by Library and Archives Canada, the University of Toronto's TRC research guide, and CBC's own 20th-anniversary retrospective. A small error, but it fits a pattern already documented across this book: getting foundational dates wrong by a similar margin, as with the 1920-versus-1894 compulsory-attendance error catalogued in the Introduction.*

Mistakes in reasoning

- **Claim (the chapter's central move):** Nine specific, distinct propositions — about missing children, unmarked graves, murder and torture, genocide, GPR-located remains, majority attendance, coercion, intergenerational trauma, and language and culture destruction — are declared as a single bundled group, "totally false or grossly exaggerated."

***Fallacy:** Composition / hasty generalization. Treating nine claims of very different evidentiary weight as a single, uniformly false package erases real distinctions already independently verified. Taken one at a time:

1. "missing children... never heard from again" and "buried in unmarked graves" are contradicted by TRC Volume 4's documented cases of undisclosed deaths and unreturned children, and by Scott Hamilton's own conclusion about systemic non-repatriation.
2. "Compelled to attend" is contradicted by the 1894 Indian Act amendment authorizing forced attendance and truant officers, and by Milloy's documented record of RCMP retrieval of runaway children plus post-1945 use of Family Allowance suspensions as coercive leverage.

3. "Destroyed Indigenous languages and culture" is contradicted by the system's own documented assimilationist policy goals, already catalogued above.
 4. "Carnage is appropriately defined as genocide" is not a settled falsehood but a genuinely contested legal question — the TRC's own cultural-genocide finding, Parliament's 2022 motion, and Pope Francis's own on-record "it was genocide" all bear on it, none of which the postscript engages before declaring the matter closed.
 5. Only the claim "many human remains have already been located by ground-penetrating radar" is fairly characterized as an overstatement. No remains have been forensically confirmed by excavation at Kamloops or comparable sites, a narrow and defensible point independently verified and credited elsewhere. Its accuracy does not transfer to the other eight items bundled alongside it. The effect of bundling one genuinely fair correction together with several claims directly contradicted by the documentary record is to borrow the credibility of the one accurate item for the whole list.*
- **Claim:** Because all 94 TRC recommendations ask something of government or institutions and none ask First Nations to "do anything for themselves" about problems described as "at least partly under their own influence," a "spirit of mutual cooperation" would be more appropriate than one-sided demands.

***Fallacy:** False balance / false symmetry, compounding an unsupported causal claim.

The entire premise of this position reverses the logic of who owed a remedy to whom. There is no basis for considering a commission's report on institutional harm deficient, because it does not making demands of the people harmed.

Attributing the listed "social pathologies" to being "under their own influence" is an assertion without evidence. It ignores the intergenerational-trauma pathway traced through TRC Volume 5, as well as Milloy's catalogue of abuse and deprivation.*

- **Claim:** The Postscript's flat declaration that intergenerational trauma claims are "totally false or grossly exaggerated" sits inside the same book as Chapter 16's own conclusion that the trauma literature is merely methodologically inconclusive.

***Fallacy:** Internal inconsistency. The book's own more rigorous chapter does not claim to have shown intergenerational trauma is false, only that existing studies cannot cleanly attribute it to IRS attendance specifically at a population level. The Postscript overstates even its own contributor's conclusion. *

- **Claim:** The TRC "refrained from using toxic terminology such as 'genocide,'" preferring instead "the more ambiguous term 'cultural genocide.'"

***Fallacy:** The factual core — that the TRC used "cultural genocide," not "genocide" — is accurate and already credited elsewhere in this report.

However, characterizing the term as merely a vaguer, evasive substitute omits the TRC's own explicit definition and rationale for the choice: that it lacked legal standing to make a binding genocide finding. It chose a term with real, defined content, namely, "structures and practices that allow the group to continue as a group," rather than an ambiguous euphemism. Presenting a deliberate, explained institutional choice as mere hedging is a mischaracterization the postscript does not support. *

Assertions with no evidence at all

- **Claim:** "Most Indian children attended residential schools" is listed as one of the false or exaggerated beliefs being rebutted.

***Omission explained:** No source is cited for who actually claims this in this specific form. The book elsewhere argues (via Green's compilation) that a minority of status Indian children ever attended, which Milloy's own analysis directly complicates: residential schools held a *majority* of the Indigenous school-age population as late as 1948 (60%), with the crossover to majority day/provincial schooling only around 1969.

Milloy explicitly warns that minority-attendance framings are "dangerously misleading unless... fully contextualized" given effects on families and later generations regardless of personal attendance. *

- **Claim:** "The carnage is appropriately defined as genocide" is included in the bundled list and declared false with no supporting argument given at the point it is asserted.

***Omission explained:** No engagement is offered here with Article II's other four clauses, which do not require killing, the TRC's cultural-genocide finding, Parliament's 2022 motion, or Pope Francis's own recorded statement — all of which bear directly on the claim and are treated elsewhere in this very book, imperfectly, but not engaged at all in the postscript's own flat declaration. *

Cross-chapter pattern: The composition/hasty-generalization move here — one fair correction (GPR not forensically confirmed) bundled together with eight much weaker claims to borrow its credibility for the whole list — is the clearest instance of a pattern the book's own cross-chapter summary already flags in the Introduction and elsewhere: converting "not yet forensically confirmed" into "confirmed false," and it directly parallels how Chapter 12 (Kay) generalizes an entire discourse from a handful of anecdotes.

Summary Across “Grave Error”

Across the preface, introduction, eighteen numbered chapters (including the newly identified 12a), and postscript, a small number of arguments are repeated. Despite having different numbers attached, they can be named once rather than re-explained chapter by chapter.

1. The “population-growth-disproves-genocide” argument appears at least four times, with four different, mutually inconsistent pairs of numbers:
 - a. the preface uses 125,000 rising to 1.8 million;
 - b. Chapter 5 uses the same structure via Macdonald's famine relief and vaccination programs rather than a headline count;
 - c. Chapter 11 uses fewer than 100,000 rising to roughly 1.6 million; and
 - d. Chapter 14 restates the preface's 1.8 million figure with its own separate footnote, as though encountering the argument fresh.

None of the four engages the actual legal point, which is that Article II of the 1948 Genocide Convention does not require a population's absolute decline, and no two of them even agree on the starting number.

2. The "minority attendance disproves systemic impact" argument recurs at least six times:
 - a. Chapter 5, Chapter 9, Chapter 11, Chapter 12a, Chapter 14 (twice, once in Gentles's own chapter and again via a nearly identical claim in the Postscript) — and in every single instance, John Milloy's *A National Crime*, the standard scholarly history of the system, has already and specifically rejected this exact statistical framing by name as "dangerously misleading unless... fully contextualized," on the grounds that effects reached attendees' families, communities, and later-born children regardless of any individual's own attendance.
 - b. Not one of the six chapters that uses this argument cites Milloy's rejection of it, and one of them (Chapter 13) cites Milloy approvingly on a different point entirely without connecting the two.
3. The "no proven staff homicide, therefore no genocide" goalpost-shift,
 - a. Identified directly by historians Sean Carleton and Andrew Woolford in a December 2024 piece naming *Grave Error* recurs in Chapter 5, Chapter 9, Chapter 12a, and Chapter 14.

In every instance, the argument overlooks that three of the Genocide Convention's five listed acts (serious bodily or mental harm, conditions calculated to bring about physical destruction, and forcible child transfer) do not require an individual homicide, a point the founding case in international genocide law, *Prosecutor v. Akayesu* (ICTR, 1998), settled by finding non-lethal sexual violence alone sufficient for a genocide conviction.

4. The claim that the RCMP and BC Coroner "declined to investigate" Kamloops recurs in at least two chapters (7 and 10) and is contradicted both times by the same agencies' own contemporaneous public statements describing active engagement.
 - a. The related claim that roughly \$300–321 million in federal funding was earmarked for "scouring the earth for child corpses" or equivalent recurs in three chapters (7, 10, and 12), each time overstating by a factor of roughly four how much of that sum was actually allocated to grave searches specifically, as opposed to mental-health supports, building demolition, a national monument, and commemoration.
5. Bryce's own reserve-versus-school tuberculosis data is selectively quoted in at least four places — Chapter 3, Chapter 5, Chapter 12a, and Chapter 13 — each using his lower reserve-to-general-population comparison, while omitting his own much starker school-to-general-population comparison ("foci from which disease... has spread") from the same report. Chapter 12a goes further than any of the others, asserting TB was "always" lower in schools and effectively eliminated by mid-century — a claim this Grave Error's own Chapter 13 contradicts by citing a 1920 study finding 92.5 percent TB infection specifically among children already attending residential and day schools.
6. The Catholic Church's share of residential-school administration is understated twice, in the Introduction (43%) and in Chapter 10 (43%, independently), against the roughly 60-to-70-percent figure in TRC-sourced reporting — the same wrong number appearing twice, in two different chapters, neither citing the other.
7. The "success disproves trauma" fallacy — treating a survivor's later professional or personal achievement as though it cancels their own reported psychological harm — recurs explicitly across Chapter 14 (a 1977 reunion's attendance, substance-use and language-fluency statistics with unaddressed age confounds) and Chapter 16 (a CBC-profiled professor's own account of lasting difficulty, waved aside because her career succeeded).
8. Attributing financial-or-status-motives without evidence.

- a. Without any funding record, internal communication, or other direct evidence, that claims of harm are advanced for compensation or status rather than because they are true.
 - b. This recurs as "political and financial motives" in Chapter 3 and as "neotribal rentierism" in Chapter 6. A mirror-image version — asserting, with equally little evidence, that journalists or officials deliberately chose inflammatory language to manufacture guilt or rage — recurs across Chapters 7, 8, and 12.
- 9. Two chapters misstate the same peer-reviewed finding in the same wrong direction: Chapter 12a and, in a related but not identical way, Chapter 16's uncontrolled survey citation both suggest residential-school attendance is associated with greater language retention, when Donna Feir's own controlled, peer-reviewed research — cited approvingly elsewhere in this same book — finds attendees were 8 percent *less* likely to speak an Indigenous language at home.
- 10. Reliance on unverifiable or unattributable sourcing recurs structurally:
 - a. An anonymous WordPress blog credited as such in the book's own table of contents (Chapter 4),
 - b. A pseudonymous co-author who is also the sole credited author of an entire additional chapter discovered in this pass (Chapter 6 and 12a), and
 - c. An unidentified first-person narrative embedded without attribution inside a byline crediting two other people (also Chapter 6)

All inside a book that otherwise insists on named, credentialed sourcing from everyone it criticizes.

- 11. The specific claim that ground-penetrating radar anomalies have not been forensically confirmed by excavation, which is true, is repeatedly used as the foundation for the much larger and unsupported claim that no evidence of any kind exists for missing children, unmarked graves, or genocide: this move recurs in
 - a. the Introduction,
 - b. Chapter 3 (Rouillard),
 - c. Chapter 9 (Melanson),
 - d. Chapter 10 (Flanagan/Giesbrecht),
 - e. Chapter 12 (Kay), and
 - f. the Postscript.

These six instances all ignore TRC Volume 4's documented cases of undisclosed deaths and unreturned children, as well Scott Hamilton's TRC-commissioned conclusion that non-repatriation of student remains was standard Departmental practice. This is evidence that exists independently of whether any GPR anomaly is ever excavated.

12. Chapter 14's claim that the 1933–45 Fort Qu'Appelle BCG vaccine trial produced "no deaths" among vaccinated children is false. Two vaccinated children died of tuberculosis despite the vaccine, and historian Maureen Lux's peer-reviewed research documents 105 further deaths from other causes within the trial's first seven years, chiefly pneumonia and gastroenteritis tied to poverty.

Lux concluded: "the BCG trial was a success, but unfortunately the patients died." The trial proceeded without the informed consent its own lead investigator, Dr. George Ferguson, had privately acknowledged the children could not meaningfully give.

None of this requires assuming bad faith on the part of any individual author. It does mean that a book arguing for the value of rigorous, source-checked history does not consistently practice it. The gap between the book's stated standard and its own errors in fact and reason only grew over the course of the book.

Part 1 Chapter 3 - A Review of Grave Error's Sources: What's Empirically Grounded, and What Isn't

Every claim catalogued above traces back to some source. Sorting those sources into two tiers produces a pattern too consistent to be coincidence, and it is worth setting out on its own rather than leaving it scattered across nineteen separate chapter entries.

The two tiers are:

- Material that is independently verifiable – for example, government commission volumes and archival files; peer-reviewed journal articles, primary historical documents, an academic forensic thesis.
- Material that is not independently verifiable – namely, an interlocking, largely self-referential set of advocacy sources.

Tier one: the independently verifiable sources, and how they actually held up

The TRC's Final Report, Volumes 1, 4, and 5, is engaged directly by several chapters, and the results are mixed in a telling way: when a chapter quotes the TRC's own findings accurately, it tends to be right (Clifton's memoir chapter, quoting Doris Young's testimony verbatim from Volume 5, is confirmed accurate down to the Commission's own "recalled" framing).

When a chapter instead characterizes what the TRC found or didn't find, it is wrong more often than not:

- The Marie Wilson misquotation is contradicted by three specific, named cases in TRC Volume 4 itself;
- The Blue Quills death count is contradicted by the NCTR's own current public register;
- The TRC's own explicit methodological caution about how not to use Bryce's 24-percent figure is omitted from the one chapter whose stated purpose is correcting public misuse of that same figure; and
- The claim that the Rome Statute imposed a "statute of limitations" on genocide inverts the actual treaty text, which states the opposite in Article 29.

Rubinstein favourably cites the forensic report by Scott Hamilton that was commissioned by the TRC on one page, but misses that Hamilton's conclusions contradict that chapter's central evidentiary claim about the non-repatriation of children's bodies.

The identical claim resurfaces, uncorrected in Chapter 3 and again in Chapter 12a.

Bryce's own 1907 report and 1922 pamphlet are used accurately for the narrow press-coverage claim checked against them, but this and other chapters repeatedly leave out Bryce's own, starker, mortality comparisons.

With the peer-reviewed journal literature the book does engage, the mistakes are different and less severe than everything in tier two below.

With Mosby's 2013 study, Collin-Vézina, Dion & Trocmé's 2009 review, Wilk, Maltby & Cooke's 2017 scoping review, Feir's papers with M. Christopher Auld, and Maureen Lux's BCG trial, the errors tended to be a miscounted number, an incomplete citation leaving out an inconvenient finding in the same paper, or a comparison applied outside the population from which it was drawn.

However the BCG "no deaths" claim and characterization of incidents in Mosby "relatively small, routine interventions" are not merely incomplete citations, they are outright misstatements.

One partial exception, first identified in the Chapter 13 review: Piasetzki's chapter does cite John Milloy's *A National Crime* directly, quoting Milloy's characterization of Bryce's pamphlet as substantially self-interested. This subjective claim cannot be tested or settled: it is Piasetzki's opinion of Milloy's opinion of Bryce's opinion.

The only citation of Milloy's book, anywhere in *Grave Error* is used for a point about Bryce's motives, while never engaging with Milloy's substantive, objective findings about the system's actual operation.

Tier two: the advocacy network, and its track record

Across the book's most consequential and most widely repeated claims, a small number of overlapping, non-independent sources recurs:

- Nina Green's compiled death records, hosted by the Indian Residential Schools Research Group, an organization chaired by the book's own co-editor, Tom Flanagan;
- True North, an advocacy outlet documented elsewhere in this report as sharing staff and funders with the book's own network;
- An anonymous WordPress blog post, credited as such in the book's own table of contents;
- An author with the pseudonym "Pim Wiebel," as co-author of one chapter, and the sole credited author of another entire chapter;
- Inside the same co-authored chapter, there is an unattributed first-person narrative

- A Substack account called Woke Watch Canada, which supplied both the "five or fewer cases" abuse claim in Chapter 14;
- An uncredited Catholic-advocacy opinion piece; and
- The Frontier Centre for Public Policy, another advocacy-oriented policy institute rather than a peer-reviewed press, whose own anthology is the subject of the book's Kirkham chapter.

On examination, every specific, checkable claim in this catalog that traces to one of these sources turned out to be either:

- Unsupported
- Contradicted by a source the same chapter cites approvingly elsewhere,

or

- Impossible to verify against any primary record at all.

The \$4.7 trillion reparations figure does not even reach the level of an advocacy-network citation — no source is given for it at all, anywhere in the book, across both the preface and the introduction that repeats it.

What this means

This is not a claim that every source in tier two is wrong about everything, or that peer-reviewed sources are handled perfectly whenever the book turns to them.

However, the difference in both the rate *and* the severity of error between the two tiers is stark and holds across the entire document.

- Claims that were sourced to the TRC's own volumes, Bryce's own report, or a peer-reviewed journal article all pointed to verifiable data that could be tested to see if it was unfalsifiable.
- In every instance checked, the claims sourced to the advocacy network were either unsupported, self-contradicted, or unverifiable.

Grave Error repeatedly criticizes journalists, the TRC, and Indigenous communities for relying on unnamed or unreplicated sourcing is, when many of its most provocative claims, and the most consequential numbers rely on a small, mutually reinforcing network of sources that would not survive the same scrutiny it applies to everyone else. That pattern holds from the first chapter checked to the last.

Part 1 Chapter 4 - Grave Error's Network of Authors, Amplifiers and Funders

1. The Central Figure: Nina Green

Nina Green, a B.C.-based writer self-described as an “independent researcher,” operates in two documented fields under the same name and description.

As an “Oxfordian”, she runs oxford-shakespeare.com (the “Oxford Authorship Site”), based on a longstanding and discredited conspiracy theory that Edward de Vere, 17th Earl of Oxford was the true author of the works attributed Shakespeare, despite being dead. Green published in *The Oxfordian* (2000) and *Brief Chronicles* (2009).

On residential schools, Green created indianresidentialschoolrecords.com (launched Dec. 19, 2022), writes for the *Dorchester Review*, *Frontier Centre*, *IRSRG*, *Woke Watch Canada*, and *History Reclaimed*, and circulates mass emails to Parliamentarians, bishops, journalists, and universities (archived at wokeacademy.info).

A stylometric comparison (see Appendix) found her two bodies of writing statistically consistent with a single author, with a pattern of shared idiosyncratic phrases across Shakespeare conspiracy theories as well as Residential School research: (“sleight of hand,” “that being the case,” “the foregoing”).

2. Inner Circle of Writers

The discussion and distribution of Green’s research is concentrated within a small group of writers/researchers.

Name	Background	Role in network
Hymie Rubenstein	Retired anthropology professor, U. Manitoba	Editor, REAL Indigenous Report (sponsors IRSRG); chief promoter of Green's website (<i>Dorchester Review</i> , Jan. 2023); co-author of C2C and <i>Dorchester</i> articles built on her research
Tom Flanagan	Prof. emeritus, U. Calgary; former chief of staff to Stephen Harper	Co-editor, <i>Grave Error</i> ; co-author with Green (<i>True North</i> , 2022) and Rubenstein (C2C, 2023); <i>Dorchester Review</i> advisory board
C.P. Champion	Former staffer to Jason Kenney	Editor, <i>Dorchester Review</i> (publishes Green, Rubenstein); co-editor, <i>Grave Error</i>

Brian Giesbrecht	Retired Manitoba provincial judge	Co-author with Green and Flanagan (True North, 2022); IRSRG and FCPP contributor
Rodney Clifton	Prof. emeritus, U. Manitoba; FCPP senior fellow	Co-editor (with Mark DeWolf), From Truth Comes Reconciliation; first-person defences of the schools (C2C)
James McCrae	Former Manitoba justice minister	IRSRG and Western Standard contributor
Frances Widdowson	Former Mount Royal professor	Runs wokeacademy.info, which archives and circulates Green's mass emails
Pim Wiebel (pseudonym)	Self-described former residential school teacher	Co-author with Rubenstein (Dorchester Review)
Bishop Fred Henry	Retired Catholic bishop of Calgary	“Champion” of Green's research (B.C. Catholic, 2023); pressed CCCB to reject the Special Interlocutor's report
Jonathan & Barbara Kay	National Post / Quillette columnists	Amplifiers of Grave Error claims; Barbara Kay: True North Wire director, former Rebel contributor
Conrad Black	National Post founder	Columnist amplifier of the claims

3. Publications and Outlets

In the case of the publications and outlets that have reproduced or relied on Green's research, it also consists of multiple media outlets, several of them linked to political figures, or one another.

Outlet	Key people	Function
indianresidentialschoolrecords.com	Nina Green	Primary-source hub; supplies claims to all downstream outlets
IRSRG (irsrg.ca)	Green, Rubenstein (sponsor), Giesbrecht, McCrae	Dedicated revisionist site; "Sponsored by The REAL Indigenous Report"
Dorchester Review	C.P. Champion (ed.); advisory board incl. Flanagan, Barbara Kay	Publishes Green, Rubenstein, Wiebel; historical-journal veneer
C2C Journal	Manning-network orbit	Long-form essays (Rubenstein & Flanagan; Clifton)
Frontier Centre for Public Policy	Publishes Green, Giesbrecht, Clifton	Atlas Network partner; Hunter Family Foundation funded
True North (TNC)	Candice Malcolm (founder), Kasra Nejatian, William McBeath, Barbara Kay, Andrew Lawton	Published Giesbrecht/Green/Flanagan op-ed; registered charity structure; shared Calgary address cluster

Rebel News	Ezra Levant, Hamish Marshall (co-founders)	Outrage amplification; denied federal qualified-journalism status; personnel overlap with True North, Western Standard
Western Standard		Publishes McCrae, Rubenstein repostings
Woke Watch Canada (Substack)	James Pew	First publication of several Green pieces
wokeacademy.info	Frances Widdowson	Archives Green's mass emails
History Reclaimed (UK)	UK culture-war academics	International amplification (Green, Nov. 2024)
The Epoch Times / Muck Rack listings		Secondary republication of Green and Clifton

4. *The Book*

Grave Error: How the Media Misled Us (and the Truth about Residential Schools), 2023, edited by Tom Flanagan and C.P. Champion, anthologizes the network's essays (Green's claims are cited throughout). It is the bridge from fringe outlets to mainstream columnists: promoted by Conservative figures, reviewed sympathetically in the National Post orbit, and sourced for the Wall Street Journal's 2024 op-ed "Canada's Unproven Mass-Grave Scandal."

5. *Think Tanks and Funding Infrastructure*

There are two notable aspects of the think tanks organizations amplifying these claims, and their funders. As with the authors, it shows a similar concentration of a small number of players with overlapping personnel, donors, and even addresses. The other is that the think tanks involved, generally leaning libertarian and usually dedicated to research and dissemination of ideas related to tax, regulation, and the economy, not engaging in historical debates about the deaths of Indigenous children.

Several outlets and hosts are partners of the Atlas Network, the U.S. libertarian umbrella group. Atlas' Canadian partners include:

- The Fraser Institute
- The Frontier Centre for Public Policy,
- The Macdonald-Laurier Institute
- The Montreal Economic Institute
- The Canadian Constitution Foundation
- The Justice Centre for Constitutional Freedoms
- The Canadian Taxpayers Federation, and
- Canada Strong & Free Network, (formerly the Manning Centre).

One of the common funders across a number of the think tanks is the Calgary-based Hunter Family Foundation, whose website sets a specific condition for funding: “WE DO NOT SUPPORT Anti-Fossil Fuel Initiatives,” (Capitalization in the original).

The Hunter Family Foundation also funds the Fraser Institute, Montreal Economic Institute, Institute for Liberal Studies, Frontier Centre, Macdonald-Laurier Institute, and The Hub, an online media outlet founded by Rudyard Griffith and Sean Speer.

Candice Malcolm, the founder of True North, was an Atlas Fellow and Koch Summer Fellow, previously with the Canadian Taxpayers Federation, Sun Media, and the Wildrose Alliance.

Shared Addresses

In addition to a concentration of personnel and donors, there is a concentration of multiple organizations at the same addresses.

- 1811 4 Street SW, Calgary: is a registered address shared by: True North Centre; True North Wire Service; the “Independent Press Gallery of Canada,” which is attached to Rebel News, and the think tank Civitas.
- 4246 Albert Street, Regina: is the address shared by SecondStreet.org and the Manning-led “National Citizens Inquiry”. Canadian Taxpayers Federation leader Scott Hennig appears across boards (CTF, Civitas, SecondStreet).

In addition, many of the individuals involved have close ties to senior political figures, with many having worked as advisors and staff:

- Tom Flanagan was Chief of Staff to former Prime Minister Stephen Harper,
- Champion and Nejatian worked for former Federal Cabinet Minister and Alberta Premier Jason Kenney,
- Hamish Marshall was a co-founder of the Rebel, worked for Stephen Harper, and was campaign manager for Andrew Scheer and the 2019 CPC campaign).
- Ezra Levant of the Rebel worked together with CPC leader Pierre Poilievre during a 2002 Calgary campaign, and

- Andrew Lawton, now a CPC MP, who was a managing editor for True North.

Part 1 Chapter 5 - The amplifiers: Why are free-market think tanks suddenly so bullish on Canadian history?

The Amplification Chain

The process by which the claims were dispersed is straightforward:

1. Green compiles archival claims on indianresidentialschoolrecords.com and in mass emails.
2. Inner-circle writers convert them into essays (Dorchester Review, C2C, FCPP, IRSRG, True North, Western Standard, Woke Watch).
3. Grave Error (Flanagan & Champion, 2023) packages the essays as a book.
4. National Post columnists (J. & B. Kay, Black) and the Fraser Institute orbit mainstream the claims.
5. International legacy media repeat them (Wall Street Journal op-ed, 2024; UK's History Reclaimed, Spectator), citing “an independent researcher.”

The net effect: one researcher's contested interpretations acquire the appearance of a broad, independent scholarly consensus. This is the “few sources, many outlets” architecture described by Carleton, Lester, Perry and Wahpasuw (ActiveHistory, Dec. 2024) as what they describe as denialism's transnational network. It might also be called many fingers, one hand.

Green's website went live on December 19, 2022. Within weeks, Hymie Rubenstein who is a retired University of Manitoba anthropologist announced its creation in the *Dorchester Review*, the small journal edited by C.P. Champion, a former staffer to Jason Kenney. Rubenstein's “REAL Indigenous Report” sponsors Green's Indian Residential School Research Group

From there, the chain runs with remarkable economy of personnel:

1. The essays.

1. Rubenstein and Tom Flanagan in *C2C Journal*;
2. Brian Giesbrecht (a retired Manitoba judge), Green and Flanagan together in *True North*;
3. Green in the Frontier Centre for Public Policy's publications, the IRSRG, Woke Watch Canada, and Britain's *History Reclaimed*.

2. The Book

Grave Error: How the Media Misled Us (2023), anthologizing the network's essays. It was co-edited by Champion, and Flanagan, a professor emeritus and Stephen Harper's former chief of staff,.

3. The mainstreaming

Sympathetic columns in the *National Post* orbit from Jonathan Kay, Barbara Kay and Conrad Black.

Barbara Kay is simultaneously a director of True North's wire service, a former Rebel News contributor, and a member of the *Dorchester Review*'s advisory board — one person, three mastheads.

4. The export – International Coverage

What has been shared internationally are not just general stories of the history of Residential Schools, but the research from *Grave Error*, crediting Green.

History Reclaimed in the UK

The Wall Street Journal op-ed, citing "an independent researcher."

- **The Spectator** (UK edition), "The mystery of Canada's indigenous mass graves," by Jane Stannus, published January 22, 2022. The piece explicitly notes "This article originally appeared in the UK edition," confirming it ran in the UK *Spectator* (also syndicated to *Spectator World/US* and *Spectator Australia*). It leans on Jacques Rouillard's *Dorchester Review* piece and covers Kamloops, Camsell Hospital, Marieval, and Cranbrook, arguing no excavations confirmed graves at any of these sites — the same "no excavation = hoax" pattern already flagged in several letters in your master document.
- **Peter Laffin/Washington Examiner and CatholicVote** — both built around the same core flaw: each generalizes the single Pine Creek, Manitoba church-basement excavation (14 sites, Aug. 2023 NY Post story) into a claim that mass graves nationwide were disproven, while ignoring TRC Volume 4's documented 3,200+ named deaths and unlocated burials, and the fact that Kamloops and most other GPR-flagged sites hadn't been excavated at all.
- **The National Review** letter (18th in the doc). It targets three specific claims from the Feb. 28, 2025 editorial: the "not a single unmarked grave... not one" line (contradicted by Hamilton's 2015 pre-Kamloops TRC report documenting unmarked cemeteries), the "built on lies" framing (vs. TRC Vol. 4's documented burial-notification failures), and an unsourced "35 percent" study claim.

- **Daily Wire / Ashe Schow** : cites "55" churches burned/vandalized where other outlets in the same network cite "at least 85" for the same events.
- **Fraser Institute** — Tom Flanagan has published at least two commentaries directly on fraserinstitute.org, under his Fraser Institute byline (he's listed as a Fraser Institute Senior Fellow *and* an FCPP Senior Fellow simultaneously): "No evidence of 'mass graves' or 'genocide' in residential schools" (Feb. 12, 2024, summarizing *Grave Error*) and "Claims about 'unmarked graves' don't withstand scrutiny" (Dec. 11, 2025, summarizing the sequel *Dead Wrong*). Both repeat the "no missing children" / "not one" unmarked grave claims.
- **The Frontier Centre for Public Policy**, True North's orbit, C2C Journal and their siblings are not historical societies. They often tout their commitment to freedom, democracy, and libertarian ideals. Their general critical stance is that government is inefficient, ineffective, and that it constrains liberty.

They are, by their own descriptions, free-market think tanks and media outlets — partners and products of a network whose stated concerns are taxes, regulation and energy policy. Why are they weighing in on rewriting the history of residential schools?

They are repeating terms like “hoax” and, sometimes appear to be suggesting that no Indigenous children died at all. The essays routinely overstate the number of churches that were burned or vandalized by multiples of the actual number.

It should escape no one's attention that these essays express more concern about exaggerated property damage, than the deaths of thousands of human beings at the hands of a government program. Notably, there have been no correctives issued by the authors of *Grave Error* to these outlets for misinterpreting their own data.

The other thread that runs through these arguments is that the claims are exaggerated and are to be disbelieved/

With the exception of Rodney Clifton's essay, which is a memoir, the essays in *Grave Error* are all fatally marred by their thoroughly inadequate fact- and source checking.

In recent years, two sayings have emerged that can be applied here.

One is that anything is a conspiracy theory when you don't know how anything works. The other is that in politics, there are significant numbers of individuals for whom every accusation is a confession.

Given the yawning gaps in the fact and reason in so many of the essays, it is clear that many of the authors grasp of the subject matter is weak, but so too is their grasp of sound research methods.

Many of the writers who have professional expertise – retired professors, lawyers or a judge, do not have expertise in the history of Canada that touches on Residential Schools and the Child Welfare System. Their subjects of expertise include intellectual property law, Anthropology, the History of Medieval England, and the history of the union movement in Quebec.

If they were as diligent in checking facts and reasoning as they would be expected to in professions, readers would be right to place their confidence in their arguments.

However, for whatever reason, when weighing in on the subject of Residential Schools, or history, those standards are relaxed.

As for media outlets who have shared Grave Error's unsupported arguments as fact, it's a fair comment to observe that it's odd that outlets dedicated to finance and investment like the Wall Street Journal, and free market think tanks, are suddenly taking strong opinions about Canadian history. If there is any overlap at all between all the authors, organizations and donors, it's their commitment to the idea of maximizing shareholder value, not railing about ethics in Canadian history journalism.

We might well ask what could motivate major Canadian and American think tanks, foundations and news outlets dedicated to free enterprise to praise and amplify a book with a chapter written by "Anonymous Wordpress"?

One answer is stated quite plainly in a manifesto that leans on the work of Flanagan and several of his longtime collaborators: the *Free Alberta Strategy's* separatist Manifesto. It cites "Moment of Truth," a book co-authored by Flanagan, Jack Mintz and Ted Morton which blames Indigenous Canadians for being obstacles to pipelines and resource development.

The *Free Alberta Strategy* explicitly states that First Nations treaty rights limit the Government of Alberta's range of powers, and is an obstacle to resource development in Canada. Professor Barry Cooper had two co-authors, both former MLAs. One was Derek From, and the other, Rob Anderson, is currently Chief of Staff to the Premier of Alberta, Danielle Smith.

The *Free Alberta Strategy* suffers from the same shortcomings with sourcing facts, errors in reasoning, and omissions as does *Grave Error*, but they overlap.

Changing the constitution in order to restrict Indigenous rights has been proposed by the Alberta Government, and there is an active campaign painting the recognition and enforcement of Indigenous rights as being hostile to property rights.

In this political context, *Grave Error* serves the role of sowing doubt and distrust.

At this writing in Canada, in the current political discourse, a direct line is being drawn to suggest that Canadians are either suffering economically, or face a threat of suffering, if

Indigenous Canadians rights are recognized and respected by Canadian courts and governments.

This is a ludicrous position, especially when considered within an accurate context of Canada's total economy, and a real comparison of income and wealth of Indigenous people generally to the rest of the economy.

It can't be denied that we are more likely to give it credence, if we have been led to it via a series of claims that are crafted to take whatever moral standing Indigenous people in Canada can rightfully claim because of Residential Schools, and destroy it by suggesting it is false. Endless repetition is part of this strategy.

The point of the historical the record, and it makes it easy to undermine claims, by suggesting that First Nations, and Indigenous people more broadly, are not to be believed – and what's more having professors state, with no evidence whatsoever, that there is a financial motive.

Turnabout is fair play, as the old saying goes, and it surely is fair to ask whether the inaccurate claims made by the authors of Grave Error, and the media networks who promoted and shared them, have any overlap with the interests of their donors.

That is an analytical judgment, not a documented motive, However it is the only account I have found on which the pattern of investment makes sense, and I invite the institutions named here to offer a better one.

Donors and Donor Networks: Funding the Spread

Follow the funding of the amplifiers, from CRA charity filings and prior investigative reporting:

The Atlas Network the U.S. libertarian umbrella organizations. Its own IRS filings show six-figure sums wired annually to the "Canada and Mexico" region with recipients' names withheld, as permitted under U.S law.

The Frontier Centre for Public Policy:

- Publisher of Green, Giesbrecht and Rodney Clifton
- Is an Atlas Network partner.
- Its largest visible charitable funders:
 - The Hunter Family Foundation (\$250,000 across sampled years)
 - The John Dobson Foundation (\$215,000).
 - Peter Munk's Aurea Foundation (\$200,000).
- With smaller amounts from the Gwyn Morgan and Patricia Trottier Foundation, the Chernoff family, and Winnipeg's Reimer Express Foundation.

The Hunter Family Foundation

A Calgary oil-family foundation, attaches an explicit condition to its philanthropy, in capital letters: "WE DO NOT SUPPORT Anti-Fossil Fuel Initiatives."

It funds the:

- Fraser Institute
- Montreal Economic Institute
- Institute for Liberal Studies
- Macdonald-Laurier Institute
- The Hub — and
- The Frontier Centre for Public Policy.

True North (Now Juno News)

Published the Giesbrecht/Green/Flanagan op-ed,

Between 2018 and 2024, True North received **\$995,000** from the foundation of Gwyn Morgan, founding CEO of EnCana, whom DeSmog has called "the Charles Koch of Canada" This includes founding-scale money in the year its charity arm was converted from a predecessor organization. Its charity's directors: Kasra Nejatian (another former Kenney staffer), William McBeath, and Barbara Kay.

The political staff ties complete the circuit:

- Flanagan (Harper's chief of staff),
- Champion and Nejatian (Kenney),
- The Dorchester Review's advisory board, and
- The shared Calgary addresses connecting True North to the wider apparatus.

What the records show is that every major outlet in Green's amplification chain is sustained by the same short list of oil- and finance-sector foundations, several of whose principals sit on the boards of the organizations they fund.

None of these funders, so far as the record shows, directed a dollar specifically at residential-school content.

- **The John Dobson Foundation** is a Montreal-based private foundation established in 1986 by John William Dobson, a wealthy stock investor and money manager who sat on the Fraser Institute's board of directors until his death in 2013. Its stated mission is educating the public about "the free enterprise system" and entrepreneurship, and it's the namesake funder behind McGill's Dobson Centre for entrepreneurship.

On the think-tank side, it's a significant funder of the same cluster as Aurea: per CRA records, in 2019 alone it gave

- \$160,000 to the Fraser Institute,
- \$100,000 to the Canadian Constitution Foundation,
- \$50,000 to the Frontier Centre for Public Policy, and
- \$30,000 to the Macdonald-Laurier Institute.

It's also given \$25,000/year since 2015 to the Justice Centre for Constitutional Freedoms (JCCF). Current chairman/executive director is Randall (Randy) Kelly, CEO of the investment firm Formula Growth.

- **The Aurea Foundation** is a Toronto-based charitable foundation established in 2006 by Peter Munk (the mining magnate who founded Barrick Gold) and his wife Melanie, seeded with a \$25 million endowment from the Munks' broader charitable foundation. Its stated mission is to fund "the study and development of public policy," with particular focus on free markets, democratic values, and "the political and economic foundations of freedom." It's best known for creating the Munk Debates in 2008, Canada's marquee public-policy debate series (past participants include Kissinger, Christopher Hitchens, Fareed Zakaria).

On funding: per CRA data reviewed by DeSmog, Aurea's largest recipients have been the Fraser Institute (as much as \$6.7 million over the years) the Frontier Centre for Public Policy (over \$2 million), along with the Canadian Constitution Foundation, C.D. Howe Institute, Macdonald-Laurier Institute, and the Montreal Economic Institute.

Aurea Board members have included journalist Andrew Coyne (who simultaneously sat on the Canadian Constitution Foundation's board) and Peter Munk's son Anthony Munk. Rudyard Griffiths, who is part of the Munk Debates, is one of the founders of The Hub.

- **Gwyn Morgan** (b. November 4, 1945, Carstairs, Alberta) built his career in oil and gas, joining the Alberta Energy Company in the mid-1970s, becoming its CEO in 1993, and negotiating its 2002 merger with PanCanadian Petroleum to create EnCana Corporation, which he led as founding CEO until stepping down in 2005.

In 2007 he became chairman of SNC-Lavalin, resigning in May 2013 in the midst of a wave of bribery scandals that saw the engineering giant investigated over alleged bribes paid to the sons of Libyan dictator Muammar Gaddafi and kickbacks to former McGill University Health Centre CEO Arthur Porter, corruption that took place on his watch as chairman.

He was appointed to the Order of Canada in 2010 and writes a recurring column for the Globe and Mail and Financial Post, where he is an outspoken opponent of climate action ("the road to hell is paved with green intentions," 2022).

Gwyn Morgan donates to, and is a trustee of the Fraser Institute and the Canada Strong and Free Network (formerly the Manning Centre), and the Dalai Lama Center for Peace and Education.

CRA filings reviewed by DeSmog show the Gwyn Morgan and Patricia Trottier Foundation gave over \$9.5 million between 2007 and 2024 to think tanks, advocacy groups and media outlets that promote oil and gas while downplaying climate change, including \$530,000 to True North since 2019 (with \$250,000 in 2023 alone) and \$50,000 to the Frontier Centre for Public Policy in 2023.

- **Nigel Wright** — served as a director of the Aurea Foundation (Peter Munk's foundation) in 2007–2010 and 2014–2016, the exact years Aurea was funding the Fraser Institute (\$1.6M+ since 2006) and Frontier Centre (\$1.5–2M since 2007). He currently sits on the Fraser Institute's own board of directors. Same-organization overlap: funder board and funded think tank board, one person. Wright was Chief of Staff to Stephen Harper who was at the centre of a scandal involving payments for Senator Mike Duffy's housing.
- **Michel Kelly-Gagnon** — Trustee of the John Dobson Foundation, which gave Frontier Centre \$215,000. He's simultaneously a Senior Fellow at Frontier Centre (the org Dobson funds), Senior Fellow at Atlas Network, and Founding President of the Montreal Economic Institute, which is funded by the Hunter Family Foundation, which also funds Fraser, MEI, MLI, ILS, The Hub, and Frontier.

Many Fingers, Just One Hand

The result is a closed loop of contacts and information, that, by publishing across a variety of media creates the appearance of independent corroboration.

A claim would be made on Green's website, dressed as scholarship in the Dorchester Review, laundered into commentary in C2C and True North, bound into a book, cited by columnists, and finally quoted abroad. Each step citing the previous one, and none of them independent of the others in personnel or money.

We reached out for comment to these entities, and only received replies from Terry Glavin, Barbara Kay, and the Atlas Network.

Closing the Book on Grave Error's Errors

The goal of this first section was to give *Grave Error* a critical reading at a level of scrutiny its authors regularly demand of others: on their own evidence, own references, and whether the arguments presented held together logically.

As a reliable document of history, *Grave Error* is a dismal failure, even on its own terms.

With the exception of one chapter, the memoir of Rodney Clifton, every other section of the book contain one more serious errors in fact, and statements with no evidence at all, including the preface, the introduction, and the conclusion.

There is another aspect of this history, which this document will expand upon in the next section.

The point of this section is to show that many of the claims and statements made in *Grave Error* are contradicted by documented history and statistics.

Grave Error often relies on positive assumptions and generalizations that are flatly contradicted by decades of history, supported by ample documentation, about Residential Schools and its religious bureaucracy and the child welfare system that followed, starting in the 1950s, of which *Grave Error's* authors are clearly unaware.

One of the major assumptions about Residential Schools, regularly asserted, is that children were tracked, did not go missing, and if they died, it was accurately recorded.

This apparently reasonable assumption is punctured, not just by the historical record, but by the modern one. The next section begins with an overview account of modern-day CFS systems, where children are taken into custody as wards of the state. The number of First Nations children in those systems is in the tens of thousands. Exact numbers can't be obtained, because, as a review of the last quarter century shows, Canadian governments are still not tracking children, do not know how many are Indigenous, or how many have died.

Given that the authors and the institutions publishing them are unaware that children taken from First Nations and Indigenous families are still going missing and still dying, and that repeated public inquiries over the course of decades continue to make the same findings.

Given that *Grave Error* and its authors appear to be oblivious to the deaths of hundreds of children in child welfare systems, it is easy to see how the same tragedies were ignored under Residential Schools, because often, even the arguments explaining away the harm are the same.

Part 2: No Reconciliation Without Truth:

Introduction

The previous section was about how Grave Error was wrong, even on its own terms.

This purpose of this section is to demonstrate how documented events from history, leading up to the present day, further neutralizes the claims made by *Green et al.*

This review of available documents includes studies and data that were not part of the TRCs scope, including primary sources and a number of theses and dissertations and public inquiries.

The following chapters provide documented evidence that disprove many of Grave Error's claims and assumptions, and also adds historical information that is not in the TRC or in Milloy's *A National Crime*, especially about the foundational role of the Methodist Church and its adherents who ran the Residential School Bureaucracy, as well as the history of eugenic sterilization policies and the extremist politics in Western Canada, especially in the first half of the 20th Century.

First, there is a documentation of the system we are living with now, the child welfare system, which was set up with the intention of taking over from Residential Schools. Child welfare has been around since the 1950s, when the decades-long process of winding down Residential Schools began.

That is 70 years of history where there has been no integrated system across Canada, reporting the number children who are wards of the state, nor are they recording children's deaths; that children can be taken from parents on hearsay.

The hope is that, by pulling these strands together, it can deepen our understanding of Residential Schools because these facts and numbers add to the weight of evidence for a particular interpretation that is more accurate.

The Section starts with accounts of CFS:

- How child welfare agencies in Canada tracked their wards, from 2001-2025;
- A survey of the legal thresholds to seize an infant or child in Canada
- CFS seen through inquiries
- How two families in the Methodist Church - the Woodsworths and the Ferriers shaped two generations of Residential Schools policy
- Eugenics and Extreme Politics in Western Canada

A comprehensive history is beyond the reach of this document, but the goal is give an accurate of further major systems' significant impacts on the lives of Indigenous people, First Nations in particular, that are relevant and are not being considered.

The purpose of this document is not to speak for Indigenous people but to tell an accurate account of the decisions that were made by Canadian governments.

Part 2, Chapter 1. We Still Don't Count Children in Care

How child welfare agencies in Canada tracked their wards, from 2001-2025

This report started with an attempt to answer three simple questions.

- How many children were in provincial child welfare care in Canada, each year, from 2001 to today?
- How many of those children were Indigenous? And
- How many of those children died?

The initial goal had been to use that data over one or two pages, as part of a larger argument.

It became a chapter of its own, because none of these questions can be answered. Unable to find any clear numbers, I searched through more and more reports: decades of government reports, public inquiries, coroners' reports, and independent research.

When we look at provincial and territorial child welfare systems, it's much harder to believe that residential schools were scrupulous in tracking students a century ago.

Even today, as legal guardians, do not track the number of children in their care, which are Indigenous, nor do they track deaths. Not one province or territory provides consistent numbers. What numbers there are, are often obtained from public inquiries after an horrific tragedy. There have been enough such tragedies to trigger inquiries across the country, sometimes several in a single province.

This is the system that was developed as a replacement for Residential Schools, where conditions were not as dire after the 1950s, because child welfare agencies started seizing children instead.

To understand one of the most fundamental differences between Residential Schools and child welfare agencies, while Residential Schools only took children of school age who could return home, child welfare can seize children of any age, from newborns to 17, and they might be placed for adoption in another country, and would never see their family again.

The general assumption might well be that a parent would have to have done something very serious to have their child seized, when the threshold for taking a baby from a parent was hearsay.

No consolidated, continuous, comparable record that could answer these three questions exists, anywhere in Canada — not for any single province, and not for the country as a whole.

What exists instead is a patchwork:

- One province has tracked child deaths for almost twenty years but has only a single year of data on how many of the children in its care are Indigenous.
- Another has published Indigenous in-care numbers every year for six years running but does not track Indigenous deaths at all.
- A third province's own Ministry, asked directly under freedom-of-information law, confirmed that its recent child-death reports "no longer exist."
- A fourth province's highest-profile public inquiry in a generation concluded, in its own words, that no one has exclusive responsibility for monitoring child deaths in that province at all.
- A fifth publishes only a single ten-year cumulative death total, never a year-by-year count.

As for the federal government, it has no legislated child welfare data system of its own — only a voluntary research project that has managed to produce exactly one usable national count, of one thing, for one year.

The patterns shown by the data that is available is not in dispute: Every method used across the sources reviewed for this report — investigation rates, in-care counts, foster-care rates, and death reviews alike — shows Indigenous children removed from their families and communities at rates ranging from roughly three times to more than twelve times those of non-Indigenous children, depending on the province, year, and measure used. That overrepresentation has been studied and confirmed for decades.

Despite tens of thousands of children across Canada being in care, no information gathering and reporting system has been built, anywhere in Canada, is a way to track them consistently over time, to measure whether numbers are getting better or worse, or to count the children who die within a system that is supposed to protect them.

The United States has required standardized state-level reporting on child maltreatment, foster care, and child deaths since 1974, backed by federal funding conditions.

Canada has never built such a system, despite the Truth and Reconciliation Commission calling, in 2015, for exactly this kind of annual public reporting, in order to compare Indigenous and non-Indigenous children in care. More than a decade later, no such reporting exists.

This report explains how that gap came to exist, sets out what the surviving numbers do show for the period 2001 to 2026, and closes with the words of the institutions — provincial commissions, ministries, and advocates, who have all stated it plainly: no one is responsible for keeping track.

How the System Was Built: Saskatchewan and the 1946 Transfer of Child Welfare to the Provinces

To understand why today's records are so fragmented, it helps to understand how provincial control over Indigenous child welfare came to exist in the first place.

In 1946, Saskatchewan's Cooperative Commonwealth Federation (CCF) government, led by Premier T.C. "Tommy" Douglas, passed a new Child Welfare Act. The act replaced a system in which local children's aid societies were responsible for children's welfare with one in which the provincial Minister of Social Welfare held direct legal wardship over children in care. By 1960, the province had absorbed the work of every remaining local society. Douglas and the CCF also lobbied the Federal government to transfer Federal responsibility for child welfare to the provinces, allowing provincial governments provide services on reserve.

Archival records of a meeting Douglas held with Métis leaders in July 1949 show him citing conditions on reserves as his own stated reason for wanting the province, not the federal Department of Indian Affairs, to take over administration: "inadequate housing, interior furnishings, lack of electricity, telephones, modern amenities, inferior schooling, absence of job opportunities, low incomes, and high death rates."

According to Doris French Shackleton's 1975 biography of Douglas, *Tommy Douglas*, this took place against the backdrop of two further concerns of the period: the federal government's early moves away from residential schooling, and unease that if First Nations gained control over education themselves, it would mean the end of Christian schooling.

Shackleton connects Douglas's advocacy for provincial control to the same assimilationist thinking that surfaced explicitly, more than twenty years later, in the federal government's 1969 White Paper, which was a policy proposing to dissolve Indigenous peoples' distinct legal status. She writes:

"The practical, obvious "solution" to Douglas (as it was to Trudeau twenty years later) was to do away with the reserves and the degradation that went with "wardship" and integrate the Indians with all speed into Canadian society. He worked to assume provincial jurisdiction, with the federal government paying the cost for the indigent, to incorporate the Indians into provincial health and welfare systems. He wanted Indian children bused to white schools, and fought the objections of white parents to that integration. Until 1960 when he left Saskatchewan, progress for Indians was measured in terms of integration, The more recent militancy, the nationalism of new Indian groups was a product of the seventies, when Indian parents would protest integrated schools and insist on restoring education to Indian communities."

The White Paper was withdrawn after sustained Indigenous opposition; the federal government instead entrenched Aboriginal and treaty rights directly into the Constitution in 1982.

Shackleton mentions that the population of First Nations began to rebound across Canada at this time:

"The period of CCF administration was the time of sudden, unexplained revival among the Indian people of Canada. The population had dropped steadily. The popular white assumption was that Indians were a "dying race". In 1941 the Indians made up little more than one per cent of the population of Saskatchewan. A decade later they were more than two per cent. All over Canada the native birth rate shot up. and the hopelessly overcrowded reserves sent more and more Indians to skid row districts in the cities. Pressures mounted and produced a revision of the federal Indian Act in 1951, the first important change since 1860, and there were drawn-out negotiations to use provincial social services, health and education facilities for the federal "wards".

Shackleton memoir was a friendly one: she had been in the CCF youth, and worked for the NDP caucus in communications under Douglas' leadership.

Historian James Pitsula's peer-reviewed study of Saskatchewan's CCF-era Indigenous policy concluded that "an examination of Saskatchewan policy reveals a remarkable congruity with the basic principles of the 1969 White Paper," and that CCF-style "integration," at best, "meant tolerance for minor ethnic particularities; at worst, it was indistinguishable from assimilation." Another historian, F. Laurie Barron, has argued against drawing that comparison quite so directly — but even he concludes that Douglas's Indigenous policy was "fundamentally flawed by paternalism and underlying racism" throughout the CCF party.

Intentions aside, how the system operated is not in dispute. While Saskatchewan's own welfare department made child protection a stated priority in the mostly white, southern part of the province — but, by its own account, did not apply that same priority in the North.

As late as 1955, a single travelling social worker was responsible for child welfare across the entire northern region. The department itself described the level of service many communities received as "token service." Social workers applied "a much looser standard of neglect" in the North than in the South. Judges relied almost entirely on the recommendations of the same social worker who had removed a child, in order to save money on hearings; parents had no right to publicly funded legal representation until 1963, and many likely never knew that right existed even once it did.

The province built specific institutions for the Indigenous and Métis children caught in this system. The Green Lake Children's Home, opened for Métis children in 1947, grew to house more than forty children before closing in 1951. In the following decade, the province launched

the Adopt Indian Métis Program, placing Indigenous and Métis children with non-Indigenous adoptive families — a direct forerunner of what is now known across Canada as the Sixties Scoop. Placement policy at the time was explicit about religion: officials preferred to place children in homes offering what internal department language called "a sound code of life and a Christian philosophy of living," and a child's designated religion — Protestant or Roman Catholic — actively shaped which homes were considered suitable. By 1962, roughly eight in every ten children in provincial care in the Prince Albert region were Métis.

The CCF, and Tommy Douglas specifically, bears a great deal of responsibility for the current crisis in child welfare. — Dr. Allyson Stevenson, historian

Saskatchewan's government did not see this as a problem for one province to solve alone. In 1952, provincial welfare officials meeting with the federal Indian Affairs Branch explicitly recognized what they called the "national scope" of the issue, and pushed for the federal government to convene a national conference with every province, rather than let Ottawa work it out one province at a time. That conference never transpired. A second attempt to raise it in 1957 also went nowhere.

What Canada got instead was not a coordinated national policy, but a patchwork: Ontario became, in 1956, the first province to sign a formal agreement extending child protection services onto reserves, and other provinces followed at their own pace, on their own terms, over the following decades. Saskatchewan wanted a national answer to this question and did not get one — and the country has been living with an uncoordinated, province-by-province system ever since.

Historian Allyson Stevenson's research on this same period describes "tenets of Social Gospel and moral purity" as "deeply embedded" in Douglas's and the CCF's political identity. It traces how official language of the time shifted from an explicitly religious concern with "saving souls" to a secular language of overcoming Indigenous people's "psychological barriers" to assimilation — different words for a similar underlying assumption.

Politics of the left are often associated with being opposed to religion — Soviet and Chinese Communism were publicly atheist during this period. Today, in our more secular society, when the authority of churches has diminished, the social gospellers who led the CCF were often ordained Ministers. J.S. Woodsworth, the party's founder, who was Douglas' Family Preacher; Tommy Douglas himself; William Irvine; and others. Their politics grew directly out of the Social Gospel movement's conviction that Christian faith demanded real action on poverty, not private devotion alone. However, that action was often based in the assumption that poverty was a consequence of vice, immorality and failure to abide by Christian principles, and that success is the result of devotion to faith.

Serving vs Saving

A system built to serve people in need treats them as full persons, entitled to support on their own terms. A system built to save people in need starts from the premise that something about them is broken and must be fixed. Saskatchewan's mid-century child welfare system, for all its stated good intentions, leaned heavily on the second premise — and that premise, not simply underfunding, helps explain why it operated so differently for the Indigenous and Métis families it was supposed to serve.

This is Saskatchewan's history in particular, but not Saskatchewan's alone. Canada's approach to Indigenous child welfare has never been built around a single, coordinated national design. Instead, we have provincial governments seeking authority over Indigenous child welfare, then applying it unevenly to the communities it was supposed to serve. Neither within the provinces, nor on the national level were there independent, standing, oversight that could track children and provide feedback. It was missing in the 1940s and it is still missing 80 years later.

The Numbers: What We Know and Don't Know, 2001–2026

This section sets out what this report was able to find, province by province, for the period since 2001. It also indicates when the sought after information was absent. All figures are reported exactly as published by the government body or institution that produced them. Nothing has been estimated or adjusted except where specifically noted.

Children in Care

No province or territory in Canada publishes a continuous, year-by-year public count of children in care covering 2001 to today.

- Manitoba has point-in-time counts for 2006 through 2017, and then nothing at all from 2018 through 2025.
- Saskatchewan is the only province with a genuinely continuous public series, but only starting in 2020 (3,362 to 4,148 children, year over year, through 2026).
- Quebec has a count of children under active protective follow-up for six fiscal years, 2014–15 through 2019–20 (21,038 rising to 29,136). Quebec's ministry continues to publish an annual DPJ director's report (Bilan) every year since, including 2024–25, but in a format built around signalements (reports) and children retained for evaluation rather than the same active-follow-up total, so a direct year-by-year continuation of this specific figure could not be confirmed in this review.
- Ontario has a single approximate figure, from investigative journalism, not a government census, alongside a more authoritative point-in-time count from a national research

project: 7,489 children in out-of-home care as of March 31, 2022 (Pollock et al., 2024) — though the two figures measure different populations (group-home occupancy versus all out-of-home care) and are not directly comparable.

- Newfoundland and Labrador has three dated point-in-time counts: 1,005 children in care as of September 30, 2017, followed by 1,275 (2019–20) and 1,200 (2020–21), published in the province's own annual Report on Child Welfare Services to Indigenous Children, Youth and Families, which additionally breaks each total down by nation (Innu, Inuit, Mi'kmaq, and other).
- British Columbia and Alberta each publish their own routine children-in-care series, beyond the single 2022 data point both also share through a national research project. British Columbia's Ministry of Children and Family Development maintains a monthly children-in-care dataset with an Indigenous-status field, published on the BC Data Catalogue and running from at least 2012 to the present. Alberta's Ministry of Children and Family Services publishes an annually updated, Indigenous-status-disaggregated children-in-care dataset covering fiscal years 2014–15 through 2023–24.
- New Brunswick, Nova Scotia, Prince Edward Island, Yukon, the Northwest Territories, and Nunavut each have at least one children-in-care figure. A national research project gives each of the six a single point-in-time figure for 2021/22 — New Brunswick 1,083, Prince Edward Island 387, Yukon 205, Northwest Territories 218, and Nunavut 305 children in care (Pollock et al., 2024), with a corresponding Nova Scotia figure in the same source not independently confirmed by this review. Four of the six additionally publish their own recurring annual reports: Prince Edward Island's Office of the Child and Youth Advocate, Yukon's Family and Children's Services annual reports, the Northwest Territories' Director of Child and Family Services annual reports, and Nunavut's Director of Child and Family Services annual reports, the last of which gives a March 2025 in-territory-plus-out-of-territory total of 539. Nova Scotia remains the thinnest of the six: beyond the national-project figure, this review located only a 2017 legislative submission citing 1,048 children in care as of April 2017, with nothing current.

The one genuine exception is federal, and it is a narrow one.

A 2024 peer-reviewed study of the Public Health Agency of Canada's administrative data system found 61,104 children in out-of-home care nationally as of March 31, 2022 — 70,434 once on-reserve First Nations children tracked separately by Indigenous Services Canada are added in. This is the only true national total for children in care found anywhere in this review, for any year. It is a single point-in-time snapshot, not a series; it does not track deaths; and it is built from provinces that do not even agree on what counts as a "child," a "placement," or a case of "legal wardship."

Indigenous Children in Care

If the general children-in-care record is thin, the Indigenous-specific record is thinner still:

- At the national level, one genuine Indigenous-specific figure — from the 2021 Census — is narrower than the rest: 9,440 Status First Nations children under 15 in foster care nationally, 34.3% of all Canadian foster children, against a 3.5% share of the child population.
- Only Saskatchewan publishes anything like a real time series: an Indigenous children-in-care count every year from 2020 through 2026, consistently 80% to 89% of the province's entire in-care population.
- Manitoba has exactly one year — 2009 — with a directly published Indigenous breakdown by raw number: 6,990 Indigenous children, 81% of the province's total in-care population that year. Later Manitoba figures give only rounded totals and percentages, from which this report has not calculated precise counts.
- Newfoundland and Labrador's single 2017 snapshot shows 345 of 1,005 children in care were Indigenous (34.3%), including 150 Inuit children.
- Ontario, Quebec, British Columbia, and Alberta have no Indigenous-specific in-care count anywhere in this review — only rate ratios, without a stated total population, that cannot be converted into a real number of children.

A separate, broader Statistics Canada study, using the same 2021 Census but counting all Indigenous foster children rather than only Status First Nations children, found the disparity was even higher:

Against a general child population that is only 7.6% Indigenous, 53.7% of all foster children in Canada were Indigenous in 2021, up from 47.8% just ten years earlier.

Indigenous children in foster care were, nationally, 14.1 times as likely to be in care as non-Indigenous children. The highest disparity of any province was in Alberta (43.4 times for First Nations children specifically), and the highest overall rate was in Manitoba (61.8 per 1,000 Indigenous children).

NOTE: This is not a contradiction of the narrower 34.3% figure above: the two are simply measuring different groups from the same Census. But the fact that Canada's two best national figures cannot even be added together without double-counting is, itself, characteristic of the data fragmentation that makes coherent reassembly difficult to impossible.

A similar pattern appears in British Columbia, where, according to YWCA BC, only about 6% of the province's child population are Indigenous, but the percentage of Indigenous children in foster care is 68%.

A 2025 Manitoba study looked at the same problem from a different angle entirely: not children in care, but parents' contact with the system.

Tracking more than 13,000 First Nations and 106,700 non-First Nations birthing parents in Manitoba from 1998 to 2019, researchers found that half of all First Nations birthing parents had an open Child and Family Services file at some point in their lives. That is nearly four times the rate for non-First Nations parents. 27% of First Nations Parents had had a child removed and 10% had their parental rights terminated entirely. That is five to six times the non-First Nations rates.

No other source in this report measures the system's reach into an entire generation of parents this way: as we will see, the threshold for child removal is very low. Parents have had children wrongfully removed, and having a newborn baby or any child taken by authorities carries its own severe disruptions and trauma. The question, "how many children are in care right now" represents only part of what needs to be measured and considered in impacts.

Deaths

- Of any province reviewed, Manitoba has published the most complete child-death series, running almost continuously from 2008–09 through 2024–25, but even this series has a missing year (2020–21) and missing detail for two more recent years.
- Saskatchewan has published an annual death count since 2019–20, using a method comparable to Manitoba's, but publishes no Indigenous breakdown of that data at all.
- Ontario's death data comes from two systems that do not agree with each other, and one of the two — a Ministry dataset covering 2020 through 2023 — was confirmed discontinued when journalists asked why no reports existed for 2024 or 2025; the Ministry's answer was that the reports "no longer exist."
- British Columbia publishes death data from 2014 onward but with no Indigenous breakdown.
- Quebec and Newfoundland and Labrador publish no province-wide child-death count at all, for any year.
- Alberta publishes a year-by-year breakdown of its combined deaths-and-serious-injuries total for 2012 to 2022 in its own 2022 retrospective chart — 20, 34, 69, 53, 76, 86, 69, 62, 81, and 84 combined deaths and serious injuries per fiscal year, summing to the

decade's 634-notification total — though the chart does not separate deaths from injuries year by year; only the ten-year aggregate does (554 deaths and 80 serious injuries of the 634 total). Alberta has since begun publishing clean annual figures for deaths alone: 47 in fiscal 2023–24, 60 in fiscal 2024–25, and a calendar-year 2025 total of 68 combined deaths and serious injuries.

No national child-death total, Indigenous or otherwise, exists anywhere in this review, for any year since 2001. Where Indigenous-specific death figures do exist, in Manitoba and Ontario, they use different age ranges and different definitions of "Indigenous" that cannot be combined without introducing errors.

Adding Manitoba's and Ontario's Indigenous death counts together would suggest roughly 349 deaths across two provinces over five years. However, this number cannot be treated as reliable, because it mixes incompatible definitions across barely one-sixth of Canada's provinces and territories, which themselves have different concentrations of population than others.

Data Availability at a Glance, 2001–Present

To emphasize: blank cells in the table below do not mean nothing happened. We know that during the periods in question, that the information we are certain of shows that there were children in care, there were Indigenous children in care, and there were also children who died. We know that over the 25 years, this is true of every jurisdiction. However, we don't have numbers because of the lack of reporting.

Jurisdiction	Reporting on Children in care	Reporting on Indigenous children in care	Reporting on Child deaths	Reporting on Indigenous child deaths
Manitoba	2006–2017 (gaps); none 2018–2025	2009 only	2008/09–2024/25, near-continuous	2022/23–2024/25 only
Saskatchewan	2020–2026, continuous	2020–2026, continuous	2019/20–2025/26, continuous	None

Jurisdiction	Reporting on Children in care	Reporting on Indigenous children in care	Reporting on Child deaths	Reporting on Indigenous child deaths
Ontario	2019 only (approximate, group-home); 2022 (7,489, CCWIS)	None (rate ratios only)	2019–2023 (discontinued after 2023)	2019–2023 (inconsistent definitions)
Quebec	2014/15–2019/20 (DPJ follow-up)	None (rate ratios only)	None, any year (2026 5-yr progress report does not resolve this)	None, any year
Newfoundland & Labrador	2017 (1,005); 2019/20 (1,275); 2020/21 (1,200)	2019/20 & 2020/21, by nation (Innu/Inuit/Mi'kmaq/other)	None, any year	None, any year
British Columbia	2012–present, monthly (MCFD open data)	2012–present (MCFD open data, Indigenous field)	2014–2025 (not Indigenous-specific)	None
Alberta	2014/15–2023/24, annual (Alberta open data)	None	2012–2022 (634 combined, decade total); FY2023–24 & FY2024–25 (Calling for Change reports), combined with injuries	2012–2022: 66% of combined decade total. FY2023–24: 27%; FY2024–25: 65% (combined deaths + injuries, not deaths alone)

Jurisdiction	Reporting on Children in care	Reporting on Indigenous children in care	Reporting on Child deaths	Reporting on Indigenous child deaths
NB / NS / PE / YT / NT / NU	2021/22, CCWIS, all six (NB 1,083; PE 387; YT 205; NT 218; NU 305; NS unconfirmed); PE/YT/NT/NU also have own annual reports	None, any year	None, any year	None, any year
National total	2022 only (single year, CCWIS)	2021 only (Status First Nations, foster care, age <15 only)	None, any year	None, any year

Table compiled from government reports, public inquiries, coroners' and child-and-youth-advocate reporting, and national administrative data, as of July 2026. See Sources.

"No One Is Responsible": In Their Own Words

In the last five years, three of Canada's own most credible public institutions have said, in their own words, that no one is keeping track.

No one has exclusive responsibility for monitoring all child deaths in Quebec. —
Special Commission on the Rights of the Child and Youth Protection (the Laurent Commission), final report, April 2021

The Laurent Commission was Quebec's highest-profile child welfare inquiry in a generation. Its report went further than simply describing Quebec's own gap: it named Manitoba, Alberta, British Columbia, Yukon, and Nunavut as provinces and territories that, unlike Quebec, maintain a child-and-youth-advocate office with a standing legal mandate to investigate child deaths. Quebec's own inquiry used comparison with other provinces to prove that it had no equivalent — and, as of this report, Quebec still has no province-wide child-death count of any kind, for any year.

“[The reports] no longer exist.” — Ontario Ministry of Children, Community and Social Services, responding to a freedom-of-information request, January 2026

Ontario's Ministry had compiled and published aggregate child-death summaries connected to its welfare system for fiscal years 2020 through 2023. When journalists asked, in February 2026, why no equivalent report existed for 2024 or 2025, and followed up again in January 2026, the Ministry's answer was that the reports simply no longer existed. Individual death notifications, a Ministry spokesperson said, are still received from children's aid societies — but the function of compiling and publishing them had quietly lapsed. No law required that reporting to continue. No outside body was positioned to notice it had stopped, until a freedom-of-information request forced the answer into the open.

Alberta's Office of the Child and Youth Advocate does publish death-and-serious-injury reporting, and its coverage has improved. For 2012 through 2022, the Advocate's own retrospective gives a year-by-year combined total (20, 34, 69, 53, 76, 86, 69, 62, 81, and 84 deaths and serious injuries per fiscal year) but only a single decade-long split between deaths and injuries (554 deaths, 80 serious injuries). Beginning in fiscal 2023–24, the Advocate has published clean, single-year death totals: 47 deaths in fiscal 2023–24, 60 in fiscal 2024–25, and a calendar-year 2025 total of 68 combined deaths and serious injuries. Where an Indigenous breakdown exists, it still applies only to the combined deaths-and-injuries category, not to deaths alone: 66% of the decade total, 27% of the fiscal 2023–24 total, and 65% of the fiscal 2024–25 total. Alberta's own recent press coverage of its Child and Youth Advocate's reporting describes both "rising deaths" and "gaps in care assessment" — language that speaks for itself about the seriousness of the concern.

A fourth example shows the problem is not only missing data, but data that may be actively wrong. When Dnaagdawenmag Binnoojiyyag Child & Family Services — a newly mandated Indigenous-led child welfare agency in Ontario — reviewed case files that had previously been held by a mainstream partner agency, it found more than double the number of Indigenous family-service files, and 19% more Indigenous children in care, than the partner agency's own official figures had shown. The clear implication, drawn by the study's own authors: official Indigenous child welfare statistics in Canada — including the ones cited throughout this report — likely understate the true number of Indigenous children in the system, not only because many jurisdictions publish no Indigenous breakdown at all, but because some of those that do may be under-identifying Indigenous children even when they intend to count them accurately.

"No such record found" is not a technicality. It means that when a government makes a promise — after a human rights ruling, after a public inquiry, after a Truth and Reconciliation Commission call to action — there is frequently no way to check, years later, whether anything actually changed. It means that when a child dies in the care of a system built to protect them, in many parts of this country there is no guarantee anyone outside that system will ever know. And it

means that a country that has spent the last decade acknowledging the harm done to Indigenous children by residential schools and the Sixties Scoop has still not built the most basic tool needed to know whether the system that replaced them is working: an honest count, kept consistently, of who is in it, and what happens to them.

Until that changes, the answer to the question this report set out to ask will remain the same one three provincial institutions have already given, in three different ways, in the last five years: no such record found.

Part 2 Chapter 3 - The Legal Status of an Apprehended Child in Canada

Guardianship, Apprehension Standards, and Standards of Proof in Every Canadian Province and Territory

Executive Summary

This part of the report is intended to highlight the very low legal bar that is required to take a child from their parents and make them a ward of the state. It is extremely easy for just one person to take a child from a home – taking them into state custody – with no prior due process whatsoever. No warrant is required, and often no real evidence when making the decision to take a child from their parents, perhaps permanently. The decision is only reviewed after the fact.

This report seeks to answer two questions.

- First: in strict legal terms, what happens to a child's legal status once a provincial or territorial child welfare authority takes them into care? Does the state itself become, in effect, the child's parent?
- Second: what evidentiary threshold does the law actually require before that happens, and how does it compare to the thresholds Canadian law requires before depriving an adult of liberty in almost any other context?

The short answer to both, confirmed across all thirteen Canadian jurisdictions reviewed here, is this. Every province and territory names a specific state actor as the child's legal guardian once a court grants a permanent order, with the full bundle of parental authority that implies. In most of them that bundle expressly includes the power to consent to the child's adoption. Saskatchewan draws the line inside its own statute, withholding adoption consent on temporary custody and granting it on permanent commitment (s.52(1)-(2)), and Manitoba locates the power outside its child protection statute altogether, in The Adoption Act, C.C.S.M. c. A2, s.12. That actor is most often a "Director," in a few cases a "Minister," in others an "agency" acting for the Crown, and in Quebec's distinct civil-law system a "Director of Youth Protection" exercising delegated tutorship. This is not a metaphor. It is the specific statutory effect of a wardship or guardianship order in every jurisdiction reviewed.

On the question of the threshold of evidence required to apprehend a child, there is even less variation. In every jurisdiction where this report could locate the relevant provision:

the initial removal of a child requires only "reasonable grounds to believe" a child is in need of protection. That threshold is assessed by a single child protection worker (or, in some cases, a peace officer), in the field, in real time, with no prior judicial authorization required. A court reviews that decision only afterward, on a timeline ranging from 48 hours (Quebec) to roughly ten days (Alberta, Newfoundland and Labrador), and wherever this report could confirm it, the standard the court then applies to determine whether the child stays in care is the ordinary civil standard, "balance of probabilities," not the criminal "beyond a reasonable doubt" standard used to convict an adult of a crime, and loss of liberty associated with sentencing. Several provinces go further still, expressly relaxing the ordinary rules of evidence at these hearings to admit hearsay that would not be admitted in an ordinary civil trial.

In short: a child can, in every Canadian jurisdiction reviewed, be removed from their family on one worker's on-the-spot assessment, reviewed by a court only after the fact, and kept in the state's care on a standard of proof lower than what the law requires to find a person liable in an ordinary lawsuit, let alone to convict them of a crime. This report sets out the general framework, then documents the specific statute, guardianship rule, apprehension standard, review timeline, and standard of proof for each of Canada's ten provinces and three territories, with citations throughout and explicit flags wherever a detail could not be verified against primary legislative text.¹ Part 1: The General Framework

1.1 Two distinct legal concepts: *parens patriae* and statutory wardship

The idea that "the government becomes the parent" draws on two related but distinct legal ideas:

- The first is *parens patriae*, Latin for "parent of the nation": a broad, old common-law doctrine under which courts have always claimed an inherent jurisdiction to act protectively toward people who cannot protect themselves, children foremost among them. It is a judicial doctrine, not a statute, and it underlies the state's general claim to a protective role over children.
- The second, and the one that actually governs what happens to an apprehended child, is statutory wardship: each province and territory's child welfare statute creates a specific legal status, usually called a "ward," and names a specific person or body as that child's legal guardian for as long as the order lasts. The exact term and the exact office vary by jurisdiction. Manitoba's Act, for example, defines a "ward" simply as "a child of whom the director or an agency is the

guardian" (The Child and Family Services Act, C.C.S.M. c. C80, s.1(1)). This statutory guardianship, not the older judicial doctrine, is what determines an apprehended child's day-to-day legal status, and it is what Part 2 of this report documents jurisdiction by jurisdiction.

Two forms of guardianship recur across almost every jurisdiction, under different names:

- For a fixed period, a **temporary or interim order** gives the state guardian day-to-day decision-making authority over medical consent, schooling, and placement, while the parents typically retain some residual rights and the possibility of the child's return remains open.
- **A permanent order transfers the full bundle of parental rights to the state guardian, at which point the birth parents' legal relationship to the child can be severed entirely. In most jurisdictions reviewed that bundle expressly includes the power to consent to the child's adoption; in Manitoba the consent power sits in a separate statute, and in Saskatchewan it attaches only on permanent commitment. Depending on the province, that order is called a permanent guardianship order, a continuing custody order, a Crown wardship or extended society care designation, or in Quebec's case a court-ordered withdrawal of parental authority combined with civil-law tutorship.**

1.2 Apprehension: a threshold lower than an arrest, with no judicial pre-check

Every jurisdiction reviewed in this report permits a child protection worker (and, in most, a peace officer as well) to remove a child from their family without a warrant and without any prior court order, based solely on the worker's own assessment that the child meets a "reasonable grounds to believe" standard. That is nearly identical wording, and an almost identical legal posture, to the standard police use to arrest an adult without a warrant.

The comparison mostly stops there, however: an arrested adult has an immediate, constitutionally entrenched right to be brought before a judge without unreasonable delay (Canadian Charter of Rights and Freedoms, s.9 and s.10(c), generally understood as requiring appearance within 24 hours where a judge is reasonably available) and to be informed promptly of the reason.

A child apprehended under provincial child protection law is not brought before a judge immediately in any jurisdiction reviewed here; the court review happens only after the

fact, on a statutory timeline set by each province or territory, ranging from 48 hours in Quebec's case to roughly ten days in Alberta's and Newfoundland and Labrador's.

1.3 The standard of proof: balance of probabilities, not beyond a reasonable doubt

The substantive hearing that follows determines whether a child is formally "in need of protection" and should remain in state care. That hearing is a civil proceeding, not a criminal one. Wherever this report could confirm the applicable standard directly from statutory text, it is the ordinary civil standard. more likely than not, on the balance of probabilities, the same standard used to decide who is liable in a car-accident lawsuit or a contract dispute. This is most clear in Prince Edward Island, whose Act states outright that "the standard of proof for an application made under this Act shall be on a balance of probabilities".

It is not, in any jurisdiction reviewed, the criminal standard of proof beyond a reasonable doubt, and no jurisdiction reviewed was found to impose a heightened civil standard (such as "clear and convincing evidence," a standard some U.S. states require for termination of parental rights) either.

All thirteen consolidations have now been searched in full, and the arithmetic is stark. Prince Edward Island is the only jurisdiction in Canada whose child protection statute states a standard of proof, at s.46. In the other twelve the absence is confirmed rather than assumed: a full-text search of the official consolidations of the Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut Acts returns no occurrence of "balance of probabilities," "burden of proof," "onus," "preponderance" or "standard of proof" anywhere in their protection provisions. Two Acts contain the phrase once each, and neither use governs a protection finding. Ontario's appears at s.1, in the definition governing a determination of parentage. Nova Scotia's appears at s.63(3), and it governs entry of a name in the Child Abuse Register, which means the legislature knew exactly how to specify a standard, did so for the register, and declined to for the removal of a child. In all twelve the balance-of-probabilities standard therefore applies as the default rule for Canadian civil proceedings generally, as confirmed by the Supreme Court of Canada in *F.H. v. McDougall*, 2008 SCC 53. Twelve legislatures left to a default rule the one question a parent would most want written down.

1.4 Relaxed evidentiary rules: hearsay is expressly permitted

A further departure from ordinary civil procedure recurs across nearly every jurisdiction this report examined. Hearsay evidence, an out-of-court statement offered to prove the truth of what it asserts, is ordinarily excluded from trials because it cannot be tested by cross-examination. In child protection hearings it is expressly admissible, usually where the court considers it "reliable" or "credible and trustworthy." New Brunswick goes past permission to command. Where a person introduces hearsay evidence, the Court "shall receive" it, and the only questions the statute leaves open are reliability and weight (s.60(8)). The judge is given no discretion to keep it out.

British Columbia's Child, Family and Community Service Act permits the court to "admit... any hearsay evidence that the court considers reliable" (s.68(2)), and adds a second, child-specific hearsay provision at s.67, so the province legislates the relaxation twice. Section 66(1) goes further and characterizes the proceeding itself: the hearing "is civil in nature," "may be as informal as a judge may allow," and "must be held at a different time or place from criminal sittings." Ontario, Alberta, Saskatchewan, New Brunswick, Nova Scotia, Newfoundland and Labrador, Yukon, Prince Edward Island and Quebec each have comparable provisions, documented jurisdiction by jurisdiction in Part 2 below; several extend this specifically to a child's own out-of-court statements, allowing a young child's account to be received without the child testifying at all. Quebec inverts the structure altogether. A non-testifying child's declaration is admissible outright as evidence of the facts it contains, and the safeguard sits not at the door but at the point of decision: the tribunal may not find a child's security or development in danger on the strength of such a declaration "unless the reliability of the declaration is sufficiently guaranteed" (s.85.5). Manitoba is not among them. The single occurrence of "hearsay" in its Act is scoped to the child abuse registry, and Manitoba relaxes protection-hearing procedure by other means entirely. This is a genuine and deliberate relaxation of ordinary civil evidence rules, justified in the case law and secondary literature by the protective, child-welfare-focused character of the proceedings. But it means the factual record a court relies on to keep a child in care is, by design, built on a lower evidentiary foundation than an ordinary civil trial over money or property.

1.5 A note on scope

Child welfare is, with narrow exceptions, a matter of exclusive provincial and territorial jurisdiction under the Constitution Act, 1867 (s.92(13), "Property and Civil Rights"). There is no federal child protection statute of general application, and no federal apprehension

standard or standard of proof. Each of the thirteen provinces and territories legislates its own.

Federal legislation does now intersect with this area in one significant respect: An Act respecting First Nations, Inuit and Métis children, youth and families (Bill C-92, in force January 1, 2020) affirms Indigenous peoples' jurisdiction to enact their own child and family services laws. Where an Indigenous governing body has done so and a coordination agreement is in place, those laws can prevail over provincial or territorial law for that community's children. As of this report, one such coordination agreement is in force in the Northwest Territories (with the Inuvialuit Regional Corporation, effective September 30, 2024); no comparable agreement was found for Nunavut, whose approximately 85% Inuit population remains, at time of writing, governed by the same territorial statute as everyone else in the territory. This is noted where directly relevant in Part 2 but is not this report's central focus, which is the general provincial/territorial statutory framework.

The mechanism is set out precisely in the Act's own text, S.C. 2019, c. 24, current to June 17, 2026 and last amended November 27, 2024. Sections 10 to 15 impose national minimum standards, including the best interests of the child (s.10), notice to the Indigenous governing body (s.12), party status for the child's family and governing body (s.13), a priority order for placement (s.16), and a bar on apprehension solely on the basis of socio-economic conditions (s.15). Section 18 affirms that the inherent right of self-government includes jurisdiction over child and family services. Section 20 provides for coordination agreements, and s.20(3)(b) supplies the rule that does the real work: an Indigenous law takes effect once reasonable efforts to reach an agreement have been made for one year, whether or not an agreement is actually reached. Section 21 then gives that law the force of federal law, and s.22 resolves any conflict in its favour, subject only to ss.10 to 15 and the Canadian Human Rights Act. An Indigenous law that satisfies s.20(3)(b) does not merely coexist with the provincial statute. It displaces it.

2. Part 2: Province-by-Province Detail

Each jurisdiction below is documented on the same five points: the governing statute; who becomes the child's legal guardian and what authority that carries; the threshold for apprehension without a warrant; the mandatory timeline for court review after apprehension; and the standard of proof and evidentiary rules that apply at the substantive hearing. Jurisdictions are presented Atlantic to Pacific, then north.

2.1 Newfoundland and Labrador

Statute: Children, Youth and Families Act, SNL 2018, c C-12.3, in force 2019 (replacing 2010 and 1998 predecessor Acts).

Once a child is removed, they are in the "interim care of a director." Under a temporary custody order (s.39), the manager holds day-to-day decision-making authority but cannot consent to the child's adoption without the parent's consent. Once a continuous (permanent) custody order issues (s.40), the manager becomes "sole custodian," with the power to consent to adoption. A worker or peace officer may apprehend a child without a warrant where there are "reasonable grounds to believe there would be an immediate risk to the child's health and safety if no action were taken during the time required to obtain a warrant" (s.20(3)). An application must be filed within 24 hours of removal (s.26), and a presentation hearing held within 10 days (s.27(1)), a timeline confirmed independently by the Newfoundland and Labrador Supreme Court's own self-help materials. A full-text search of the official consolidation establishes the absence of any standard of proof: "balance of probabilities," "burden of proof," "onus," "preponderance" and "standard of proof" appear nowhere in the Act, so the general Canadian civil default applies rather than an express provision. The Act does explicitly relax the ordinary rules of evidence, permitting hearsay evidence "the judge considers relevant and reliable," along with written or video statements and transcripts from earlier proceedings (s.51(2)).

2.2 Prince Edward Island

Statute: Child, Youth and Family Services Act, SPEI 2023, c.17 (RSPEI Cap. C-6.01), proclaimed into force September 9, 2024, office consolidation current to May 29, 2026. Section 78.1 repeals the predecessor Child Protection Act, Cap. C-5.1.

- The Director of Child Protection, a statutory office under the Minister of Social Development and Seniors, is the child's legal guardian.
- Once a court makes a permanent order, s.36(6) provides that "the rights and obligations of the parents of the child are terminated" and that the Director "has all rights to custody and guardianship of the child, including the right to give or withhold consent to... the adoption of the child." Prince Edward Island is the cleanest example in this report of a single subsection doing the whole job.
- A permanent care agreement reaches the same result without a hearing. Section 21(1) terminates the parents' rights and obligations and confers the identical

custody, guardianship and adoption-consent authority on the Director, on the strength of a signed agreement under s.20 that requires the consent of every person holding custody or guardianship rights and cannot be signed until the child is fourteen days old. Either party may end the agreement on 14 days' written notice (s.21(2)), after which the Director must apply to the court within 30 days (s.21(3)).

- Temporary custody is capped cumulatively at 18 months for children under 6, or 24 months for children 6 and older (s.5(2)), with an initial term of no more than three months for a child under 6 or six months for a child 6 or older (s.36(4)) and a single available extension of not more than six months (s.5(3)). The cap resets only once the child has been out of care for two years (s.5(5)), so the statute forces the choice between returning the child and terminating the parents.
- Children in care have a statutory right "to receive the religious instruction and to participate in the religious activities of the child's choice" (s.47(4)(h)), a formulation that assigns the choice not to the guardian but to the child.
- Prince Edward Island legislates the answer to the question most jurisdictions leave to the judge. Where the child's safety and well-being conflict with supporting and preserving families, s.2(2) provides that safety and well-being prevail.
- The Director may apprehend without a warrant on "reasonable grounds to believe that (a) the safety and well-being of the child is in immediate danger; or (b) the child may leave or be taken from the area before a warrant can be obtained" (s.25(4)).
- Within seven days of removal, the Director must either apply for a court order or return the child (s.27(1)(b)).
- The hearing that follows runs in three stages under s.31(2). A preliminary hearing on whether the Director has made out a prima facie case is held within 7 days of filing (s.32(1)); a protection hearing follows within 30 days of the completion of the preliminary hearing (s.32(5)(a)); and a disposition hearing follows within 30 days of the protection decision (s.33(3)(a)).

- Prince Edward Island is the one jurisdiction in this report where the civil standard is stated in so many words in the statute itself: "the standard of proof for an application made under this Act shall be on a balance of probabilities" (s.46).
- Relaxed evidentiary rules are also explicit: the court may admit hearsay it considers reliable, video statements, written reports, and transcripts from earlier proceedings, and may receive a child's unsworn testimony where satisfied the child understands the duty to tell the truth (s.45).
- Two provisions mark the point of no return. An appeal to the Court of Appeal must be filed within 30 days (s.40(1)), and once the child has been placed for adoption no application to vary or terminate the permanent order may be made at all (s.39(6)). The parents' position therefore becomes irrecoverable before any adoption order is granted.

2.3 Nova Scotia

Statute: Children and Family Services Act, SNS 1990, c.5, as amended (most recently 2026, c.4, s.6; consolidation current to April 9, 2026).

- At disposition, a court may place a child "in the permanent care and custody of the agency" (s.42(1)(f)). Section 47 confirms directly, in the statute's own words, what happens next: "the agency is the legal guardian of the child and as such has all the rights, powers and responsibilities of a parent or guardian for the child's care and custody." The closing words matter. Nova Scotia confines the transfer to care and custody, names no guardian of the child's property or estate anywhere in the Act, and mentions neither a public trustee nor a guardian of the estate at any point.
- Access ends with the order. Section 47(2) provides that where a court makes an order for permanent care and custody it "shall not make an order for access by a parent or guardian or other person" unless narrow conditions are met, and s.47(3) converts what would otherwise be a right into a discretion by leaving contact to the agency. A parent who has been seeing a child weekly can therefore lose the visits on the same day as the guardianship.
- Adoption consent specifically is handled not by the agency but by the Minister.
- Section 47(8) requires the Minister to inform any person with an access order of the Minister's intention to consent to the child's adoption. The subsection has not

kept pace with the section it sits in. It still refers to "any person who has been granted an order for access under subsection (2)," a residue of the pre-2015 text, when s.47(2) as it now reads bars the court from making that very order.

- Section 50 confirms Nova Scotia does address a child's religious upbringing directly: a child in care "has the religious faith agreed upon by the child's parents or guardians, subject to the child's views and wishes if they can be reasonably ascertained."
- A representative may take a child into care without a warrant where there are "reasonable and probable grounds to believe that the child is in need of protective services and the child's health or safety cannot be protected adequately otherwise than by taking the child into care" (s.33(1)), and must promptly notify the parent or guardian if known and available (s.33(2)).
- The agency must bring the matter before the court for an interim hearing "as soon as practicable, but in any event no later than five working days" after the application or apprehension, whichever is earlier (s.39).
- The Act states no standard of proof for a protection finding. "Balance of probabilities" appears exactly once in the Act, at s.63(3), and it governs whether a person's name may be entered in the Child Abuse Register. Nowhere in ss.32 to 49, the sections that decide whether a child is in need of protective services and what happens to the child if so, does that phrase or "burden of proof," "onus," "preponderance" or "standard of proof" appear at all. Nova Scotia's legislature specified a standard for the register and declined to specify one for the child.
- A relaxed evidentiary rule is explicit, however: "the court may admit and act on evidence that the court considers credible and trustworthy in the circumstances" (s.39(11)). Two further provisions define the thresholds the court is applying. Section 39(6) defines "substantial risk" as "a real chance of danger that is apparent on the evidence," and s.39(7) permits interim removal on reasonable and probable grounds.
- Nova Scotia also qualifies the adoption-consent power in a way most jurisdictions do not. Where the child is twelve or older, the child's own written consent is required (s.74(1)). Section 74(8) makes the agency's or Minister's consent the only other one required for a child in permanent care, but does so expressly "subject to subsection (1)," and the dispensing power at s.75(4) reaches only ss.74(2) and

(3). A twelve-year-old's refusal is therefore one of the few things in the Act that no official can override.

2.4 New Brunswick

Statute: Child and Youth Well-Being Act, SNB 2022, c.35, as amended by SNB 2023, c.36, in force since January 26, 2024 (replacing the child-protection provisions of the former Family Services Act).

- The Minister of Social Development is the named legal guardian. The Act distinguishes interim "custody" (s.17) from full "guardianship" (s.69).
- Under interim custody the Minister may consent to routine or necessary health care, but not to adoption or a do-not-resuscitate order; under guardianship the court may transfer "all other parental rights and responsibilities" to the Minister permanently, severing the parent's legal rights.
- The Minister may enter and search premises to remove a child without a warrant, by force if necessary, where the Minister "has reasonable grounds to believe that the well-being of the child or youth would be seriously and imminently in danger as a result of the time required to obtain a warrant" (s.45(3)); peace officers have a parallel power (s.46(1)).
- Within five days of a protective intervention, the Minister must return the child, enter an agreement, or apply for a court order (s.47(3)), and the court must hold an interim hearing no later than seven days after the intervention (s.48(1)).
- The Act states no standard of proof. A full-text search of the consolidation to June 12, 2026 establishes the absence: neither "balance of probabilities" nor "burden of proof," "onus," "preponderance" or "standard of proof" appears anywhere in the Act, so unlike Prince Edward Island the province leaves the point to the general civil default.
- The Act does explicitly relax the hearsay rule: "if a person introduces hearsay evidence, the Court shall receive the hearsay evidence and shall determine whether the evidence received is reliable and the weight to be given to the evidence in the circumstances" (s.60(8)).

New Brunswick's transition to its new Act was procedurally unusual: the old Family Services Act's protection provisions were repealed in December 2023, but the new Act was not proclaimed until January 26, 2024, leaving an unintended 43-day statutory gap. The New Brunswick Court of

Appeal resolved the question in Reference re Family Services Act and the Child and Youth Well-Being Act, 2024 NBCA 42, ruling the prior law was deemed to have continued in force through the gap.

2.5 Quebec

Statute: Youth Protection Act, CQLR c P-34.1 (Loi sur la protection de la jeunesse, "LPJ").

- Quebec's civil-law system does not create a single "wardship" status equivalent to the common-law provinces. Instead, a Director of Youth Protection (DYP), a quasi-judicial administrative office rather than a court, is empowered under s.32 of the Act to receive and screen reports, assess whether a child's security or development is in danger, decide on the child's placement, and, critically, apply to the Court of Quebec's Youth Division either to have specific "attributes of parental authority... withdrawn from the parents and granted to the director or any other person designated by the tribunal" (s.91(n)) or, for a more complete transfer of authority, to have the DYP or another suitable person appointed the child's tutor under the Civil Code (s.70.1), which is Quebec's civil-law equivalent of full guardianship, carrying the power to represent the child and consent on the child's behalf, including to adoption (s.32(g)-(h)).
- This report found no specific LPJ provision addressing a child's religious upbringing while in care; it appears to fall to the Act's general best-interest framework. The DYP may accept a report and take immediate protective measures, including removing a child from their home, for a maximum of 48 hours, without any prior court order, once satisfied the child's security or development is in danger under the statutory criteria in s.38 (abandonment, neglect, psychological ill-treatment, exposure to domestic violence, sexual abuse, physical abuse, or serious behavioural disturbance) (ss.45-46).
- If an extension is contested by the parents or a child aged 14 or older, the matter must go before the Court of Quebec, Youth Division, which may extend the protective measures for a further period of not more than five working days (s.47).
- At 48 hours, Quebec therefore has by a wide margin the shortest mandatory court-review window of any jurisdiction in this report. Per a Barreau du Québec practitioner guide discussing s.38 danger findings, the applicable standard of proof is balance of probabilities. A full-text search of the English official

consolidation current to April 1, 2026 confirms that the phrase appears nowhere in the Act, which is exactly what the structure predicts: Quebec does not state its evidentiary rules, it borrows them. Section 85 incorporates Books I and II of the Code of Civil Procedure, with a long list of exclusions and a set of named additions including articles 321, 325 to 327, 334, the second paragraph of 336, 337, 338, 349, 350 and 489 to 508, and it shortens the article 74 time limit to five days. The ordinary sufficiency rule therefore reaches the Youth Division through article 2804 of the Civil Code of Québec, under which "evidence which renders the existence of a fact more probable than its non-existence is sufficient."

- Relaxed evidentiary rules specific to child protection are directly codified, and they are more extensive than a single provision. A child under 14 is presumed competent to testify without being sworn and without corroboration, and the burden of showing incompetence falls on the party raising the doubt (s.85.1). A child may be exempted from testifying entirely where doing so could harm the child's development (s.85.2). The tribunal may hold a hearing outside the presence of a party (s.85.4), and since 2022 may bar an unrepresented party from personally cross-examining a child (s.85.4.1, added by 2022, c.22, s.189). A non-testifying child's declaration is admissible as evidence of the facts it states, with s.85.6 setting out how the declaration is proved, and the safeguard applied not at admission but at decision: the tribunal may not find the child's security or development in danger on that declaration "unless the reliability of the declaration is sufficiently guaranteed" (s.85.5). Where every other province filters at the door, Quebec filters at the verdict.

2.6 Ontario

Statute: Child, Youth and Family Services Act, 2017, S.O. 2017, c. 14, Sched. 1 ("CYFSA"), in force since June 1, 2017, replacing the Child and Family Services Act, R.S.O. 1990, c. C.11.

- The CYFSA renamed the former "society ward" status "child in interim society care," and "Crown ward" status "child in extended society care." Confirmed directly against the Act's official text: for a child in interim society care under s.101(1)2, s.110(1) provides that "the society has the rights and responsibilities of a parent for the purpose of the child's care, custody and control"; for a child in extended society care under s.101(1)3, s.111(1) provides that "the Crown has the

rights and responsibilities of a parent," with the Crown's powers "exercised and performed by the society caring for the child."

- Placement in extended society care does not, on its own, extinguish the birth parent's legal parental status; only a subsequent adoption order severs the parent-child relationship entirely.
- Ontario's apprehension-without-warrant provision, s.81(7), confirmed verbatim, permits a child protection worker who "believes on reasonable and probable grounds" that (a) a child is in need of protection, (b) the child is younger than 16, and (c) "there would be a substantial risk to the child's health or safety during the time necessary" to bring the matter to a hearing or obtain a warrant, to "without a warrant bring the child to a place of safety."
- The Act's own wording is "reasonable and probable grounds," a slightly higher-sounding formulation than the plain "reasonable grounds" used in most other provinces' statutes, though Canadian courts generally treat the two phrasings as functionally equivalent. Section 88, confirmed verbatim, requires that "as soon as practicable, but in any event within five days" after a child is brought to a place of safety, the matter must be brought before a court for a child protection hearing under s.90(1), confirming the Ontario Court of Justice's public-facing five-day figure directly against the statute itself.
- On the standard of proof, the Ontario Court of Justice's own public-facing materials remain the source for the express statement that "the Children's Aid Society has the onus of proving each part of their case on a test called the 'balance of probabilities'"; the Act's own text does not use that phrase in the child protection hearing provisions (it appears once elsewhere, in the unrelated parentage-determination definition at s.1), consistent with the standard flowing from general civil procedure rather than being separately codified.
- This makes Ontario, alongside Prince Edward Island, one of the two jurisdictions in this report where the civil standard is confirmed in plain language by an authoritative source, rather than inferred as a default. Ontario's hearsay/relaxed-evidence provision is confirmed verbatim: s.93(1), headed "Past conduct toward children," states that "despite anything in the Evidence Act," the court may consider a person's past conduct toward any child in their care or access, and "any oral or written statement or report that the court considers relevant to the

proceeding, including a transcript, exhibit or finding or the reasons for a decision in an earlier civil or criminal proceeding, is admissible into evidence." That is one of the broadest relaxed-evidence formulations among the jurisdictions reviewed.

2.7 Manitoba

Statute: The Child and Family Services Act, C.C.S.M. c. C80, as amended (most recently SM 2024, c. 36).

- A "ward" is defined as "a child of whom the director or an agency is the guardian" (s.1(1)).
- Section 21(1) permits apprehension without a warrant on "reasonable and probable grounds" that the child is in need of protection, a formulation one degree higher than the bare "reasonable grounds" used in most of the other jurisdictions in this report. Four actors hold the power: the director, a representative of an agency, a representative of an Indigenous service provider, and a peace officer. Section 21(2) authorizes entry by force where necessary.
- Section 48 confers on a guardian the care and control of the child, responsibility for the child's maintenance and education, authority to act for and on behalf of the child, and standing to appear in court. It confers no power to consent to adoption, no power to consent to health care, and no power to direct religious upbringing. The adoption-consent power sits in a different statute, The Adoption Act, C.C.S.M. c. A2, s.12.
- If the child is not returned, an application must be filed within four juridical days of apprehension (s.27(1)), extendable by a judge, associate judge or justice of the peace, and that application is returnable within seven juridical days of filing (s.29(1)). Both counts run in juridical days, so a weekend or a statutory holiday lengthens them.
- The Act states no standard of proof for a protection hearing. "Balance of probabilities" appears exactly twice in the whole statute, both times inside the child abuse registry provisions, and "burden of proof," "onus" and "preponderance" appear nowhere at all. The absence is established by full-text search of the consolidation rather than merely unlocated, so the general Canadian civil default applies.

- Manitoba has no general hearsay provision for protection hearings. The word "hearsay" occurs once in the Act, at s.19(3.6)(c), within the procedure for objecting to an entry in the child abuse registry. What the Act relaxes instead is procedure: discovery rules do not apply (s.32(3)); a hearing may be conducted informally and shall not be set aside for technical irregularity (s.36); affidavit and professional-report evidence is admissible without proof of signature (s.37(1)), with an adverse inference available where a party declines cross-examination on it (s.37(3)); and the agency may call a parent as its own witness on 14 days' notice, whereupon "any person so called shall be treated as a hostile witness" (s.35).
- Two companion statutes complete the Manitoba picture. Under The Adoption Act, C.C.S.M. c. A2, consent to adoption runs on two tracks: the parent consents on the private track, and the director or agency consents where the child is a permanent ward (s.12). No notice need be given to a birth father where the child is a permanent ward by court order (s.26(3)), and the 21-day right to withdraw consent (s.22(1)) exists on the private track only.
- Under The Child and Family Services Authorities Act, C.C.S.M. c. C90, an authority exercises the director's powers in respect of the agencies it mandates (s.18), while audit, standards, direction and funding remain with the minister (ss.24 to 28). Authority over a Manitoba child is therefore devolved in its exercise and retained at its source.

2.8 Saskatchewan

Statute: The Child and Family Services Act, SS 1989-90, c. C-7.2, as amended (most recently SS 2024, c.4, s.32).

- The Minister is the named guardian. Under s.52(1), once a child is apprehended or in temporary custody, "the minister has all the rights and responsibilities of a parent... except with respect to adoption proceedings."
- Once a child is permanently or voluntarily committed to the Minister (under ss.37(2) or 46), s.52(2) extends the Minister's authority to the full range of parental rights, "including with respect to adoption proceedings."
- Saskatchewan therefore draws an explicit statutory line between temporary custody (no adoption-consent power) and permanent commitment (full adoption-consent power).

- Saskatchewan also splits guardianship of the person from guardianship of the estate. Section 52(3) makes the Public Guardian and Trustee the guardian of the property of a child committed to the Minister, so the Minister's authority over a permanently committed child stops at the child's bank account.
- An officer or peace officer may apprehend a child without a warrant where they conclude, "on reasonable and probable grounds, that a child is in need of protection and at risk of incurring serious harm" (s.17(1)).
- Saskatchewan is one of the few jurisdictions reviewed to add an explicit "risk of serious harm" qualifier to the ordinary reasonable-grounds standard. There is a 48-hour window to return the child voluntarily, failing which an officer must apply for a protection hearing within seven days of apprehension (s.17(4)).
- The Act states no standard of proof for the protection-finding hearing. "Balance of probabilities," "burden of proof," "onus," "preponderance" and "standard of proof" appear nowhere in the Act, so the civil standard applies as the general default.
- Hearsay is expressly permitted where "credible and trustworthy and it would not be in the best interests of a child for the child to testify" (s.28(3)), and affidavit evidence is separately permitted (s.28(2)).

2.9 Alberta

Statute: Child, Youth and Family Enhancement Act, RSA 2000, c. C-12.

- "The Director" is the named guardian, confirmed in Alberta's official King's Printer consolidation: under a Temporary Guardianship Order, "the director becomes a joint guardian with any other guardian of the child" and, except with respect to a Part 2 Division 1 proceeding, "may exercise all of the authority of a guardian of the child to the exclusion of any other guardian" (s.31(2)); under a Permanent Guardianship Order, "the director is the sole guardian of the person of the child and the Public Trustee is the sole trustee of the estate of the child" (s.34(4)).
- Alberta splits guardianship of the child's person from guardianship of the child's property between two separate offices. It is not alone in doing so. British Columbia has done the same since 1996: on a continuing custody order the director becomes the sole personal guardian, while "the Public Guardian and Trustee becomes the sole property guardian of the child" (CFCSA s.50(1)).

Saskatchewan makes a third, at s.52(3), which appoints the Public Guardian and Trustee guardian of the property of a child committed to the Minister. Three of the thirteen jurisdictions reviewed therefore keep the child's money in different hands from the child.

- Alberta's apprehension framework, also confirmed verbatim, is unusually layered. The default route is court-first: a director with "reasonable and probable grounds to believe that a child is in need of intervention" applies ex parte to a judge (or, if unavailable, a justice of the peace) for an apprehension order (s.19(1)).
- True warrantless apprehension by a director or peace officer is a narrower, enumerated emergency power under s.19(12): it requires "reasonable and probable grounds to believe that the child's life or health is seriously and imminently endangered" because the child has been abandoned, lost, or left without a guardian; has left the guardian's custody without consent such that the guardian cannot provide necessities of life; or has been, or is at substantial risk of being, physically injured or sexually abused.
- A second, lower-bar warrantless power under s.19(14) allows apprehension without the "seriously and imminently endangered" finding where the director or peace officer simply believes on reasonable and probable grounds that the child has left or been removed from the guardian's custody without consent.
- If the child is not returned to the guardian within two days, the director must apply to court (s.21(1)), with the application heard no more than ten days after apprehension (s.21(3)), both figures confirmed verbatim.
- The 42-day figure is also confirmed in the Act, but its meaning is narrower than the secondary source describing it suggested: s.23(4) and s.26(1) each cap total adjournments of a temporary-guardianship or protection hearing at 42 days in the aggregate (in increments of no more than 14 days at a time, absent party consent to a longer adjournment). That is a ceiling on how long a hearing already underway can be strung out, not a fixed outer deadline by which the Initial Custody Hearing itself must occur.
- "Balance of probabilities" does not appear anywhere in the Act's text, confirmed by a full-text search of the official consolidation, and the case law confirms the same absence in the court's own words. In *Alberta (Child, Youth and Family Enhancement Act, Director) v. L.T.*, 2013 ABPC 326, Holmes PCJ held that "the

Act does not describe the test or standard of proof to be met in initial custody applications." What the judgment supplies instead is a two-stage structure. At the s.21.1 initial custody hearing the standard is reasonable and probable grounds, the same threshold that authorized the apprehension. At the final hearing for a Temporary or Permanent Guardianship Order the standard rises: "balance of probability, or the civil standard, is the standard of proof required at the final hearing for the TGO or PGO."

- The continuum itself has a criminal-law provenance worth noting. The court took it from *R. v Kimmel*, 2009 ABPC 289, a criminal decision of Rosborough PCJ, where it runs from suspicion through reasonable suspicion, reasonable grounds to believe, a prima facie case, proof on a balance of probabilities and proof beyond a reasonable doubt, to truth. The framework Alberta courts use to decide whether a child stays in state care was built to decide when police may arrest.
- The judgment is candid about what that hearing looks like in practice. Section 21.1(4)(a) makes it "summary in nature," s.21.1(4)(b) allows 42 days from the first appearance, and only two outcomes are available to the court (S.(K.), 2008 ABQB 565). The evidence, in the court's description, most often includes hearsay and arrives in affidavit or court-report form with no opportunity for cross-examination, drafted by people with little familiarity with the rules of evidence. On the apprehension threshold itself the court cited *Child & Family Services of Western Manitoba v B.(K.)*, 2006 MBCA 82, which treats reasonable and probable grounds as analogous to the criminal standard in *R. v Storrey*, [1990] 1 SCR 241, and *Baron v Canada*, [1993] 1 SCR 416 at para 51, which finds no real distinction between "reasonable and probable grounds" and "reasonable grounds."
- Alberta's hearsay provision is confirmed directly in the Act itself: s.108(4) provides that where the Court "considers it proper to do so and it is satisfied that no better form of evidence is readily available," it may "accept evidence by affidavit" or "accept hearsay evidence," a real but conditional relaxed-evidence power, narrower than the broader, less-qualified hearsay provisions found in Ontario, Manitoba, and elsewhere.

2.10 British Columbia

Statute: Child, Family and Community Service Act, RSBC 1996, c. 46 ("CFCSA").

- The "director" (Ministry of Children and Family Development, or a delegated Indigenous agency) is the named guardian. Under an interim custody order the director holds the parental bundle "except the right to consent to the child's adoption" (s.47(1)), and the court may leave the right to consent to health care, or the right to make decisions about education and religious upbringing, with the parent (s.47(3)). On a continuing custody order, British Columbia's permanent-wardship equivalent, the director becomes the child's sole personal guardian with power to consent to adoption, and "the Public Guardian and Trustee becomes the sole property guardian of the child" (s.50(1)). Anyone holding access under a previous order is entitled to 30 days' notice (s.50(2)).
- Section 30(1) is confirmed verbatim against the official consolidation: "A director may, without a court order, remove a child if the director has reasonable grounds to believe that the child needs protection and that (a) the child's health or safety is in immediate danger, or (b) no other less disruptive measure that is available is adequate to protect the child." The apparently competing reference to s.27(1) turns out not to be a competing provision at all. Section 27(1) is the police power, allowing an officer to take charge of a child without a court order, and s.27(4) requires that officer to transfer the child to a director within 24 hours.
- A presentation hearing must be held within seven days, confirmed verbatim at s.34(1): "No later than 7 days after the day a child is removed under section 30, the director must attend the court for a presentation hearing."
- Case law confirms the applicable standard of proof directly as balance of probabilities: *V.(C.C.) v. British Columbia (Child, Family and Community Service)*, 2017 BCSC 412. The phrases "balance of probabilities," "onus" and "burden of proof" appear nowhere in the Act itself. Relaxed evidentiary rules are explicit and unusually broad: s.66(1) provides that the hearing "is civil in nature," "may be as informal as a judge may allow," and "must be held at a different time or place from criminal sittings"; s.68(2) permits the court to "admit... any hearsay evidence that the court considers reliable"; and s.67 supplies a second, child-specific hearsay provision. British Columbia is one of the few jurisdictions reviewed to legislate the point twice.
- One judicial observation about British Columbia comes from outside the province and is recorded here as an observation rather than as a statement of British Columbia law. In *Alberta v. L.T.*, 2013 ABPC 326, the court noted that "the

practice in jurisdictions such as British Columbia is that disputed facts and credibility issues are resolved in favour of the child protection authority" at the initial custody stage. That is an Alberta judge describing another province's practice, not a finding of British Columbia law, and this report has not verified it against British Columbia authority.

British Columbia has amended the CFCSA to align with its Declaration on the Rights of Indigenous Peoples Act and federal Bill C-92, enabling Indigenous governing bodies and delegated agencies to exercise director-equivalent authority over their own children. This report did not verify that amended framework section-by-section; it is noted here as directional background only.

2.11 Yukon

Statute: Child and Family Services Act, SY 2008, c. 1, in force since April 30, 2010.

- The "director" is the named guardian.
- Section 1 defines "custody" to include the right to consent to medical treatment, adoption, and marriage; under a continuing custody order (s.65), the director holds custody including the right to make all decisions about health care, medical consent, and consent to adoption or marriage, which is Yukon's equivalent of the other jurisdictions' permanent-guardian authority.
- s.39(1) carries an explicit urgency qualifier: "if a director or peace officer has reasonable grounds to believe that the life, safety or health of a child is in immediate danger, the director or peace officer may, without a warrant, bring the child into the director's care."
- Section 39(2) additionally authorizes forced entry and "any reasonable force that is necessary" for this purpose.
- The court-review timeline: where a child is brought into care without a warrant under s.39, s.46(2) requires the director to "attend before a judge for a presentation hearing no later than 7 days after the child is brought into care."
- A separate, longer 15-day timeline applies under s.46(1) where the child was apprehended with a warrant under s.38(7).
- The Act states no standard of proof. A full-text search of the complete bilingual consolidation, some 63,000 words to s.212, returns no occurrence of "balance of

probabilities," "burden of proof," "onus," "preponderance" or "standard of proof" anywhere in the Act, so the general Canadian civil default applies.

- Relaxed evidentiary rules are confirmed directly at ss.77–78: a judge may, regarding a child's own evidence, "admit any hearsay evidence of the child that the judge considers reliable" (s.77(b)), and more broadly may "admit any hearsay evidence that the judge considers reliable" and "admit any oral or written statement or report the judge considers relevant, including a transcript, exhibit or finding in an earlier civil or criminal proceeding" (s.78(a)-(b)).

2.12 Northwest Territories

Statute: Child and Family Services Act, SNWT 1997, c.13, in force since 1998. The department confirmed to the Auditor General of Canada that it had assessed the resources required for "proposed legislative amendments to the Child and Family Services Act," so the Act remains under active review (Office of the Auditor General of Canada, 2026).

- The Director holds the rights and responsibilities of a parent "in respect of the person of the child" once a child is in the director's care (s.35(1)), a formulation confirmed verbatim and expressly limited to the person rather than the estate.
- The rights that pass to the Director are exhaustive rather than illustrative. Section 35(2) frames them with the word "only," and religious upbringing is not among them, so on the primary text a child's religious upbringing does not pass to the Director at all. Consent to medical treatment is addressed separately, and carved out, at s.7(3)(n). The silence on religion is therefore a confirmed exclusion, not an unlocated provision.
- A worker may apprehend a child without a warrant where there are reasonable grounds to believe that "(a) the child needs protection; and (b) the child's health or safety is in danger" (ss.10(1)(a), 11(1)), confirmed verbatim against the primary consolidation.
- An application must be filed within four days of apprehension (s.12.1(1)), with the matter returnable within nine days (s.12.1(2)) and the apprehension hearing itself completed within 45 days (s.12.1(4)), all three figures now confirmed against the primary consolidation.

- That is a notably longer outer window for full resolution than most other jurisdictions reviewed, though the initial court-appearance timeline of four to nine days is broadly consistent with the national pattern.
- No standard of proof appears in the Act, and neither does any hearsay provision. A full-text search of the consolidation returns no occurrence of "balance of probabilities," "burden of proof," "onus," "preponderance," "hearsay," "credible and trustworthy" or "rules of evidence." What it does contain, fifty-six times, is the word "affidavit." Both absences are confirmed rather than unlocated, which puts the Northwest Territories alongside Nunavut as the second jurisdiction reviewed with neither an express civil standard nor an express relaxed-hearsay rule.
- How the Act is administered is a separate question from what it says, and the 2026 audit answers it bluntly. Across the period from April 1, 2024 to August 31, 2025, 33 per cent of screening assessments missed the 24-hour requirement, by an average of 16 days; 71 per cent of investigations missed the 30-day requirement, by an average of 158 days and in one case by 512; 91 per cent of plan-of-care files lacked the required quarterly review, and none of the temporary or permanent care files had one; and 91 per cent missed the monthly contact with the child. Ninety-eight per cent of children served identified as Indigenous, against 58 per cent of the territory's child population, while only 19 per cent of front-line workers did. The same findings were made in 2014 and again in 2018.
- Departmental standards fill some of the statutory silence, though they are guidance rather than law. Standard 10.15 (Commitment to Indigenous children, December 8, 2020) and Standard 10.16 (notice before a significant measure), together with Tool 10.16.2, set notice periods of four days for confirmation of an apprehension under s.12.1, ten days for measures under ss.28, 29.2, 47(3), 48(2), 28(9)(c) and 49, and a 24-hour minimum for a return under s.12. These bind the department, not the court, and the audit shows how unevenly they are followed.

On September 30, 2024, Canada, the Government of the Northwest Territories, and the Inuvialuit Regional Corporation signed a coordination agreement under federal Bill C-92. The Inuvialuit's own child and family services law, Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat, now has the force of federal law and prevails over territorial law for Inuvialuit children. It is the first such agreement reached by a Northwest Territories Indigenous government, and a live example of the jurisdictional layering Bill C-92 makes possible.

2.13 Nunavut

Statute: Child and Family Services Act, C.S.Nu., c. C-50, inherited from the Northwest Territories at Nunavut's creation in 1999 (in force October 30, 1998; Nunavut consolidation current to July 1, 2021), since amended independently by Nunavut-specific statutes.

- A Child Protection Worker "may apprehend the child if the Child Protection Worker has reasonable grounds to believe that the child's health or safety is in danger" where a report has been made (s.10(1)(a));
- Where no report has been made, a Child Protection Worker, peace officer, or authorized person may apprehend a child on reasonable grounds to believe "(a) the child needs protection; and (b) the child's health or safety is in danger" (s.11(1)). Both provisions use materially identical "reasonable grounds" language to the rest of the country.
- An application for a declaration that the child needs protection must be made "within four days after the day on which the child is apprehended" (s.24(1)); the initial hearing "must be held not later than nine days after the day on which it is filed" (s.26(1)); and the initial hearing itself "must be completed within 20 days after the day on which the child was apprehended" (s.26(3)), at which point the court either makes an interim order, makes a full child protection order, or dismisses the application and returns the child.
- On standard of proof, s.27(1) provides only that "the court shall determine, in accordance with section 7, whether or not the child... needs protection."
- No standard of proof is specified anywhere in that provision.
- This report searched the full, official consolidated text of the Act (all 97 sections) for "balance of probabilities," "preponderance," "hearsay," and "credible and trustworthy": none of these terms appears anywhere in the Act. This is a confirmed absence rather than an unsearched gap: Nunavut's Act contains neither an explicit civil standard-of-proof clause nor an explicit relaxed-hearsay provision, a genuine outlier among the jurisdictions reviewed in this report, most of which state at least one of the two explicitly.
- The Act does, notably, require that it "be administered and interpreted" in accordance with named Inuit societal values (s.2(2)-(3)), including

Inuuqatigiitsiarniq (respecting others and relationships) and Aajiiqatigiinniq (decision-making through discussion and consensus), a distinct interpretive framework layered onto the same reasonable-grounds and no-explicit-standard-of-proof structure found elsewhere.

- Permanent custody is addressed at Part III (ss.46-49). The Director's guardianship authority is addressed at s.35, confirmed against the official consolidation, and it is the tightest statutory statement in this report of what an apprehension actually transfers. Section 35(1) gives the Director the rights and responsibilities of a parent "in respect of the person of the child" until one of five terminating events occurs. Section 35(2) then confines those rights to four subjects and no others: where and with whom the child will live, consent to examination and medical care or treatment, education, and social and recreational activities. Section 35(3) bars return of the child to a person without lawful custody unless that person had actual care at the time of apprehension, and s.35(5) places access in the Director's discretion while the apprehension lasts. Nunavut limits the transfer to the person expressly, yet names no guardian of the property at all, which makes it a third structure distinct both from the jurisdictions that split person from estate and from those that transfer the parental bundle unqualified.

A significant asymmetry for this report's broader Indigenous child welfare context: unlike the Inuvialuit in the Northwest Territories, this research found no evidence that Nunavut Tunngavik Incorporated has enacted its own Inuit child welfare law under Bill C-92, notwithstanding NTI's public welcome of the Supreme Court of Canada's February 2024 reference decision upholding the federal Act's constitutionality. Nunavut has a public-government structure rather than a distinct Inuit self-government body exercising delegated child-welfare jurisdiction, so its approximately 85% Inuit population remains, at the time of this report, governed by the same territorial Director and Act as everyone else in the territory.

3. Part 3: Cross-Canada Comparison

Every entry in the table below is confirmed against a primary consolidation; see Part 2 for the jurisdiction-specific provisions each entry rests on.

Jurisdiction	Guardian on permanent order	Apprehension threshold (no warrant)	Court review deadline	Standard of proof at hearing	Hearsay expressly permitted
Newfoundland & Labrador	Manager ("sole custodian")	Reasonable grounds; immediate risk	10 days (presentation hearing)	Confirmed ABSENT from Act text	Yes (s.51(2))
Prince Edward Island	Director of Child Protection, confirmed (ss.36(6), 21(1))	Reasonable grounds; less disruptive course inadequate (s.25(1)), confirmed	7 days (s.27(1)(b)), confirmed	Balance of probabilities: express (s.46)	Yes (s.45)
Nova Scotia	Agency (s.47, confirmed); adoption consent via Minister	Reasonable and probable grounds	5 working days	Confirmed ABSENT (s.63(3) is register-only)	Yes (s.39(11))
New Brunswick	Minister	Reasonable grounds; seriously/imminently in danger	5–7 days	Confirmed ABSENT from Act text	Yes (s.60(8))
Quebec	DYP via tutorship / withdrawn parental authority	DYP accepts report of danger (s.38 criteria)	48 hours, extendable 5 working days	Confirmed ABSENT; inferred from s.85 incorporation and CCQ art. 2804	Yes, for child statements (s.85.5)
Ontario	The Crown, exercised via society (s.111(1)), confirmed	Reasonable and probable grounds; substantial risk (s.81(7)), confirmed	5 days (s.88), confirmed	Balance of probabilities: express (Ont. Court of Justice); not in Act text	Yes, confirmed verbatim (s.93(1))
Manitoba	Director or agency (s.48); adoption consent via Adoption Act s.12	Reasonable and probable grounds (s.21(1)), confirmed	4 juridical days to file / 7 juridical days to hearing (ss.27(1), 29(1)), confirmed	Confirmed ABSENT from Act (registry provisions only)	Confirmed ABSENT for protection hearings (s.19(3.6) is registry-only)

Jurisdiction	Guardian on permanent order	Apprehension threshold (no warrant)	Court review deadline	Standard of proof at hearing	Hearsay expressly permitted
Saskatchewan	Minister (person); Public Guardian and Trustee (property), confirmed (s.52(3))	Reasonable and probable grounds; risk of serious harm	7 days	Confirmed ABSENT from Act text	Yes (s.28(3))
Alberta	Director (Public Trustee holds estate), confirmed (s.31(2), s.34(4))	Reasonable and probable grounds; life/health seriously endangered (s.19(12)), confirmed	2 days to file / 10 days to hearing (s.21), confirmed	Case law only (Alberta v. L.T., 2013 ABPC 326); confirmed ABSENT from Act text	Yes, confirmed (s.108(4)), conditional
British Columbia	Director (person); Public Guardian and Trustee (property), confirmed (s.50(1))	Reasonable grounds; immediate danger or no less disruptive measure (s.30(1)), confirmed	7 days (s.34(1)), confirmed	Case law only (V.(C.C.) v. BC); confirmed ABSENT from Act text	Yes, two provisions (ss.68(2), 67), confirmed
Yukon	Director	Reasonable grounds; life/safety/health in immediate danger (s.39(1)), confirmed	7 days (s.46(2)), confirmed	Confirmed ABSENT from Act text	Yes, confirmed (ss.77–78)
Northwest Territories	Director (person of the child), confirmed (s.35(1))	Reasonable grounds; health/safety in danger (ss.10(1)(a), 11(1)), confirmed	4 days to file / 9 days returnable / 45 days completion (s.12.1), confirmed	Confirmed ABSENT from Act text	Confirmed ABSENT: no hearsay provision
Nunavut	Director, person of the child only, four enumerated subjects (s.35(1)-(2)), confirmed	Reasonable grounds (s.10(1)(a)/11(1)), confirmed	4 days to file / 9 days initial / 20 days completion, confirmed	Confirmed ABSENT: no standard stated (s.27(1))	Confirmed ABSENT: no hearsay provision found

4. Part 4: Cross-Canada Patterns

Five patterns hold across all or nearly all thirteen jurisdictions, despite each having its own statute, its own terminology, and its own history of amendment.

- Guardianship converges on the same result by different routes. Whether the named guardian is called a Director, a Minister, or an agency acting for the Crown, and whether the underlying legal mechanism is common-law wardship or Quebec's civil-law tutorship, the practical effect on a permanent order is the same everywhere reviewed: a government official or body, not a court and not the birth parents, holds the full bundle of parental decision-making authority, including the power to consent to the child's adoption. What varies is how many statutes it takes to say so, and how much of the child the transfer actually reaches. Manitoba needs two, with The Child and Family Services Act conferring the guardianship and The Adoption Act conferring the consent. Prince Edward Island needs one subsection (s.36(6)). Three jurisdictions split the child's person from the child's property and give the estate to a separate office: Alberta to the Public Trustee (s.34(4)), British Columbia and Saskatchewan to the Public Guardian and Trustee (ss.50(1), 52(3)). Nova Scotia and Nunavut confine the transfer to the person and then name nobody at all for the property.
- No jurisdiction requires prior judicial authorization to remove a child. Every jurisdiction reviewed permits apprehension without a warrant on a "reasonable grounds to believe" standard assessed by a single worker (Alberta's default process, which routes through a judge first, is the partial exception, though even Alberta has a parallel warrantless emergency power for cases of serious and imminent danger). This is a materially lower and less front-loaded threshold than the constitutional protections that apply to an arrested adult.
- Court review happens only after the fact, and the timeline varies by a factor of five. Quebec's 48-hour deadline is the shortest; Alberta's and Newfoundland and Labrador's roughly ten-day windows are the longest reviewed. No jurisdiction requires same-day or next-day judicial review of an apprehension decision.
- Wherever a standard of proof could be confirmed, it was the ordinary civil standard, never higher. Prince Edward Island states it in the statute itself (s.46), and it stands alone: a full-text search of the official consolidations establishes that the other twelve jurisdictions state no standard at all. Ontario supplies it through the Court of Justice's own public-facing materials, and British Columbia and Alberta through case law, but in none of the three does the phrase appear in the governing Act. Where a statute uses the phrase outside a protection finding it only sharpens the point: Ontario's single use governs parentage, and Nova Scotia's governs entry of a name in the Child Abuse Register. No jurisdiction reviewed was found to require

the criminal standard, or any heightened civil standard, to keep a child in state care. Twelve of thirteen legislatures have written a standard for nothing, or for a register, but not for a child.

- Relaxed evidentiary rules, especially around hearsay, recur throughout. Ten of the thirteen jurisdictions reviewed have a confirmed, express statutory provision permitting hearsay evidence that would not ordinarily be admitted in a civil trial, usually where the court considers it reliable, though Alberta's version is more conditional than most and British Columbia legislates the point twice. Three are confirmed exceptions: the Northwest Territories, Nunavut, and Manitoba, whose only hearsay provision is scoped to the child abuse registry. In all three the absence was established by full-text search rather than left open. This is a genuine, deliberate, and widespread departure from ordinary civil procedure, not an isolated feature of one province's law.

Part 2 Chapter 4 Child and Family Services Across Canada: What the Provinces' Own Numbers Show, and What They Don't

Why this matters for the *Grave Error* project

Grave Error's postscript claims residential school students were "scrupulously accounted for."

That claim fails against the TRC's own admission that a third of its recorded residential-school deaths carry no name.

The total number of students who attended Residential Schools over their existence was 150,000. In the past decades, the number of children who were wards of the state in child and family services on an annual basis has been estimated at 70,000 and more, which is several multiples of the maximum enrollment in Residential schools in any given year.

Using each province's own published numbers, gathered directly from primary sources (annual reports, freedom-of-information releases, commission reports, and the public inquiries, the pattern that emerges is consistent across every province with usable data:

- Severe, persistent Indigenous overrepresentation;
- No consistent, complete national accounting of how many Indigenous children are in state care,
- No consistent, complete national accounting of how many children died as wards of the state, in any year, in any published source.

Given that Canadian governments have not been tracking or reporting these numbers for decades, and they are not doing so now, it is fair to question the assertion that tracking was better during the Residential School era.

1. The national picture: 1981-82 to 2021

Patrick Johnston's 1983 report for the Canadian Council on Social Development, *Native Children and the Child Welfare System*, is the document that coined the term "Sixties Scoop." Johnston documented, using data from federal Indian Affairs and provincial/territorial ministries, that Indigenous children were consistently and dramatically overrepresented in child welfare care across Canada.

His British Columbia figures show the scale of the shift: in 1955, 29 of B.C.'s 3,433 children in care — under 1 percent — were of "Indian" ancestry; by 1964, 1,446 of the children in care in

B.C., or 34.2 percent, were. In under a decade, Indigenous representation in B.C.'s child welfare system went from almost nil to a third.

RCAP's 1996 report reproduces a fuller, province-by-province breakdown of these numbers for 1981-82 — the first genuinely national table located. Aboriginal children as a percentage of *all* children in care, by province/territory, 1981-82:

Jurisdiction	Aboriginal % of children in care (1981-82)
---	---
Quebec	2.6%
New Brunswick	3.9%
Nova Scotia	4.3%
Newfoundland and Labrador	~8% (estimate)
Ontario	7.7% (masking ~85% in the Kenora-Patricia agency specifically)
Prince Edward Island	10.7%
Manitoba	32%
British Columbia	36.7%
Alberta	41% (incl. delinquent children on probation and children with disabilities in special services)
Northwest Territories	45% (the only jurisdiction RCAP found <i>not</i> disproportionate to population)
Yukon	61%
Saskatchewan	63%

When calculating the number of Aboriginal children in care as a share of *all Aboriginal children*, the national average in 1980-81 was 4.6 percent, against just under 1 percent for the general Canadian child population; the range ran from 1.8 percent (Northwest Territories) to 5.9 percent (British Columbia).

RCAP states plainly what drove this:

"Increased activity on the part of child welfare agencies corresponded with the federal government's decision to expand its role in funding social welfare services and phase out residential schools, which in the 1960s had increasingly assumed the role of caring for children in 'social need.'"

The national commission states that as residential schools wound down, provincial child welfare expanded to fill the space, on a scale that within twenty years was already severely disproportionate.

The current state of Indigenous families, children and communities cannot be understood without also considering the impact of provincial and territorial child welfare systems, which have been operating for more than 70 years. That included more than four decades where CFS systems were running as residential schools were being wound down.

The most recent national figure available is Statistics Canada's 2024 release: 53.7 percent of all children in foster care in Canada in 2021 were Indigenous, against 7.6 percent of the under-15 population — a 14.1-times disparity, up from 12.4 times in 2011.

No consolidated national total exists for any of the three core metrics — children in care, deaths in care, or Indigenous children in care — for any year, in any published source.

This is a persistent gap in what Canadian governments publish. Even Manitoba, the best-documented province here, has a complete year-by-year run for only one of the three metrics - deaths, and only from 2009 onward.

2. Manitoba

Manitoba is the most thoroughly documented province here, because MACY (Manitoba Advocate for Children and Youth, formerly the Office of the Children's Advocate) has published annual reports since 2001. This report incorporates all fifteen of them, in addition to the Phoenix Sinclair Inquiry (2013) and the Kimelman Report (1985) that preceded

The historical starting point: Kimelman, 1985 on Manitoba's "Cultural Genocide"

Judge Edwin Kimelman's "No Quiet Place" (Manitoba, 1985) is the direct predecessor to MACY and the clearest primary-source statement, from within the child welfare system itself, that its removal of Indigenous children was systemic and harmful. Kimelman's report is cited in greater detail in this report's section on the throughline about the Ferrier and Woodsworth families.

The relevant findings here are that Manitoba's apprehension threshold operated on a low, discretionary "reasonable grounds to believe" standard, that Kimelman found the resulting

removals amounted to "cultural genocide" carried out "in a systematic, routine manner," and that Kimelman traced the problem to "cultural bias in the system for the past 40 years."

This finding from 1985 - 40 years ago - describes a pattern that had in place for forty years before that, reaching back to the mid-1940s, when Tommy Douglas's Saskatchewan CCF government building the provincial ward system that became today's CFS model.

Deaths in care, year by year (fiscal year, MACY/OCA)

FY	Total child deaths reported	Reviewable deaths	Deaths of children in care
---	---	---	---
2008-09	90 of 99 notified	29	7 of 20 open cases
2009-10	177	52	14
2010-11	156	53	8
2011-12	148	61	12
2012-13	162	64	20
2014-15	139	49	6
2015-16	160	61	14
2016-17	148	53	13
2017-18	187	70	14
2018-19	170 (+29 age 18-20)	70	15

FY	Total child deaths reported	Reviewable deaths	Deaths of children in care
2019-20	170 (+28 age 18-20)	62	13
2020-21	~192 (+~43 age 18-20, derived by elimination)	not stated	not stated
2021-22	163 (+33)	70	11
2022-23	215 (+50)	100	21
2023-24	194 (+43)	90	20
2024-25	170 (+36)	74	19

MACY's own published reports do not include a province-wide children-in-care census figure for any year from 2018 onward. That data would have to come from Manitoba Families' own statistical reports, which fall outside this report's scope.

The most recent in-care figures from Manitoba are not from MACY's own annual reports, but from news reporting: CTV News Winnipeg (November 2024) reported roughly 9,000 children in Manitoba CFS care as of 2023, 91 percent of them Indigenous, citing the Manitoba Foster Parent Association.

Compare the 91 percent figure from 2024 to the 32 percent RCAP recorded for Manitoba in 1981-82, and the 85 percent the Phoenix Sinclair Inquiry itself found for 2011. The overrepresentation of Indigenous children in care has only increased since Kimelman's report.

Manitoba does not track the number of licensed foster homes provincially — each of its four child welfare authorities licenses its own, with no consolidated provincial figure available even for that most basic input measure.

A 2019 Auditor General report found Manitoba has the second-lowest basic foster-care maintenance rate in Canada, unchanged since 2012. Caseworker caseloads have been reported as high as 50 per worker, against the Phoenix Sinclair Inquiry's own recommended ratio of 20.

Two Tragedies and Two Inquiries: Phoenix Sinclair (2005/2013) and Tina Fontaine (2014/2019)

Phoenix Sinclair, age 5, was killed by her mother and her mother's partner in June 2005; her death was not discovered until March 2006, nine months later, because no one — not CFS, not her extended family, nor her school, had reported her missing. Her body was abandoned in a landfill. A national police database search at the time of investigation returned no missing-person record for her at all.

The Manitoba Government delayed calling an inquiry for a number of years, but Sinclair's death had an impact on child apprehension in Manitoba: the standard for taking a child into CFS was further lowered, resulting in what has been named the "2000s scoop". Over a few short years, the number of children in CFS in Manitoba doubled, from approximately 5,500 to over 11,000.

The Hughes Inquiry that followed (2013) into Phoenix Sinclair's death is the origin document for MACY itself. The Inquiry's own data for 2012 found that, against an Aboriginal population share of about 16 percent in Manitoba overall, more than 80 percent of the roughly 9,700 children in Manitoba child welfare care were Aboriginal, with the number in Winnipeg reaching 83 percent.

Dr. Nico Trocmé's testimony to the Inquiry, drawing on national incidence-study data, found Aboriginal families were

- Investigated by child welfare at four times the rate of non-Aboriginal families,
- Substantiated at five times the rate,
- Taken to court eight times as often, and
- Aboriginal children taken into care at twelve times the rate.

When comparing Aboriginal to non-Aboriginal families, the rates where abuse was substantiated was the same. The increased seizures - eight times higher - were driven almost entirely by neglect being substantiated, with the neglect correlating to poverty.

In August 2014, Tina Fontaine, age 15, was found in the Red River nine days after being released from hospital care into a Winnipeg hotel, one month after she had been apprehended by CFS.

MACY's own special report, "A Place Where it Feels Like Home" (March 2019), is notably not a simple indictment of CFS: it found Tina had a stable home with her grandmother for most of her childhood, and its five formal recommendations spanned education, health, justice/victim services, and CFS — a more distributed account of systemic failure than a CFS-only narrative would suggest.

The report's most striking data point is about the scale of the missing-children problem behind cases like Tina's:

- Winnipeg's designated CFS intake agency receives an average of 600 missing-persons reports for children *per month*;
- Manitoba recorded 11,623 children reported missing in 2017, the highest of any province in Canada that year, and
- 23 children in Manitoba were presumed dead in 2017 — also the highest in Canada, 17 of them (74 percent) female.

Raymond Cormier, the man tried for Tina's murder, was acquitted in February 2018; her manner of death remains officially undetermined.

After the inquiry: 19 more maltreatment deaths as serious as Phoenix Sinclair, and a government that failed to keep pace with its own promises

The Hughes Inquiry into Phoenix Sinclair's death produced 62 recommendations in December 2013, at a cost of more than \$14 million.

In 2021, MACY released a special report, *Still Waiting: Investigating Child Maltreatment after the Phoenix Sinclair Inquiry*, which sets out what changed after the Hughes Inquiry.

Its central findings were grim:

- **Between 2008 and 2020, 19 Manitoba children under the age of five were maltreated and died** — deaths MACY explicitly frames as similar in kind to what killed Phoenix.
- Twelve of the 19 were under age two.
- Police were involved in every case; 15 people faced criminal charges, of whom nine were convicted.
- Of the 19 children with recorded Indigenous ancestry data, eight were First Nations (42 percent), two were Métis (11 percent), four were non-Indigenous (21 percent), and five were unrecorded — over half of the identifiable children were Indigenous, in a province where Indigenous children are roughly 25-30 percent of the child population.
- More than half the deaths (53 percent) were in the Winnipeg region.
- Kierra Williams, who died of severe abdominal injuries and chronic malnutrition before her second birthday, and Jaylene Sanderson-Redhead, who died six months after being reunified with a parent following a CFS apprehension at birth, are the two other children the report names publicly, alongside Phoenix; the rest are described anonymously to protect their families' privacy, as MACY's enabling legislation requires.

Still Waiting also updated the status of Hughes's 62 recommendations. In 2016, an earlier MACY status report had found 29 percent complete. By MACY's own analysis in this 2021 report — covering the 44 recommendations still outstanding as of that earlier count — only 36 percent of those had reached full compliance, bringing the overall total to 55 percent complete, seven years after the inquiry concluded.

Compliance was starkly uneven by theme: the greatest progress was made in areas involving the least effort and expense of government.

Recommendations to strengthen MACY's own office, which could be accomplished through legislation, were 90 percent compliant. When it came to the changes that would directly benefit children in the system, the progress was less: recommendations addressing service improvements were only 29 percent compliant, funding recommendations only 25 percent compliant, and the single recommendation on children's rights — amending Manitoba's Healthy Child Manitoba Act to entrench the UN Convention on the Rights of the Child — was 0 percent compliant (the underlying Act was repealed by the government in November 2020 rather than amended as recommended).

MACY calculated that at the pace of progress observed, full implementation of Hughes's 62 recommendations would not occur until 2028 — fourteen years after the inquiry reported, twenty-three years after Phoenix's death.

A second MACY report, *Rights Delayed Are Rights Denied* (2023), tracked compliance across all 67 formal recommendations MACY had issued government-wide since 2018 (not just the Phoenix Sinclair set) and found only 18 percent (12 of 67) fully compliant, though 88 percent showed at least some documented action toward implementation.

Broken out by originating report, the Phoenix Sinclair Inquiry recommendations specifically sat at 50 percent average compliance in this 2023 assessment — essentially flat against the 55 percent *Still Waiting* had already found two years earlier in 2021, and among the lowest-compliance domains MACY tracked that year, alongside child welfare training (25 percent) and disabilities-related recommendations (28 percent).

Manitoba's Department of Families, the lead department for most child-welfare recommendations, was itself found to be at only 42 percent average compliance in 2023, down one point from the year before.

Taken together, these two reports document a specific and quantifiable version of the pattern found across every province:

- A highly public inquiry into a child's death produces a detailed roadmap for change;
- Years pass with only partial implementation; and
- In the interval, further children die in the same province in circumstances the inquiry was meant to prevent.

MACY's own report draws this line explicitly — *Still Waiting* was written specifically because, in its telling, children were "still dying of maltreatment similar to what Phoenix experienced," years after her case produced 62 government-accepted recommendations.

3. Saskatchewan

Saskatchewan's Ministry of Social Services publishes the most complete recent time series of any province covered here — children in care, "Persons of Sufficient Interest" (PSI, a non-ward category placed with a trusted family connection by court order), Indigenous shares of both, and critical injuries and deaths, year by year from 2020 to 2026:

Date (Mar 31)	Children in care	Indigenous CIC %	Critical injuries (FY)	Child deaths (FY)
---	---	---	---	---
2020	3,362	86%	15	35
2021	3,687	80%	11	35
2022	3,531	80%	7	27
2023	3,814	81%	5	42
2024	3,916	81%	8	39
2025	4,064	81%	13	27
2026	4,148	86%	7	28

Saskatchewan's Ministry attributes the rising raw children-in-care total to children entering care faster than they exit, and remaining in care longer, rather than to a rising entry rate.

It attributes part of the rising raw Indigenous count to improved identification and registration practices rather than necessarily a rising underlying rate; both are the Ministry's own explanations, not verified independently.

Indigenous overrepresentation in Saskatchewan, at 80-86 percent of children in care against a much smaller population share, is the highest sustained rate of any province in this report's data, consistent with Saskatchewan's 63 percent Aboriginal-share-of-CIC figure in RCAP's 1981-82 table above — already the highest of any province or territory in that historical table, and still the pattern more than forty years later.

4. Ontario

Ontario is the one province here with two separately maintained, non-reconciled counts of child deaths connected to the welfare system — which is itself a transparency finding.

The Office of the Chief Coroner's Child and Youth Death Review and Analysis (CYDRA) unit tracks deaths where a Children's Aid Society or Indigenous Child and Family Well-being Agency was involved with the child or family within the prior 12 months: 109 total in 2019, 82 in 2020, 117 in 2021, 114 in 2022, 120 in 2023.

Separately, Ontario's Ministry of Children, Community and Social Services compiled its own internal aggregate dataset and published annual totals of 104 (2020), 129 (2021), 121 (2022), and 134 (2023), which is the highest since that tracking began.

In response to a Global News freedom-of-information request published in early 2026, the Ministry stated that it had stopped publishing the aggregate figures for 2024 and 2025 entirely. Reporters were told the reports "no longer exist" and that case-by-case reporting was "preferable to aggregated roll-ups."

These two datasets do not match for the same years and have not been reconciled by either agency, as far as could be determined.

Indigenous children with Society/Agency involvement made up a disproportionate and, on the CYDRA figures, rising share of these deaths: 37 in 2019, 25 in 2020, 31 in 2021, and 56 combined for 2022-2023 — against Ontario's Indigenous child population share of roughly 2-3 percent.

The Chief Coroner's own report flags that this is likely an undercount, since Indigenous identification depends on inconsistent information sources. Separately, a Global News investigation into Serious Occurrence Reports found that for-profit group-home operators, who provide about 25 percent of Ontario's licensed group-home beds, filed 55 percent of all Serious Occurrence Reports and 83 percent of restraint reports — and cited the national figure that Indigenous children are 8 percent of Canada's under-14 population but 52 percent of children in foster care nationally.

5. Quebec

Quebec's Laurent Commission (Commission spéciale sur les droits des enfants et la protection de la jeunesse), was struck in 2019 after the death of a 7-year-old girl in Granby. It is the most comprehensive provincial inquiry covered here outside Manitoba's Kimelman/Phoenix Sinclair pair. Its final report (April 2021) documents the number of children under active youth-protection (DPJ) follow-up in Quebec rising from 21,038 (March 2015) to 29,136 (March 2020) — a 38.5 percent increase over five years, with the single largest jump (21 percent) occurring in 2019-20, the year the Commission was itself struck.

The Commission's own chapter on Indigenous children (citing Tonino Esposito's research with Quebec First Nations health authorities) found First Nations children in Quebec

- Had a retained-report rate four times higher than non-Indigenous children,
- Were referred to court at six times the rate, and
- Were placed in substitute care at eight times the rate, with a nine-times-higher recurrence rate of substitute placement.

A separate chapter found comparable, though smaller-scale, disparities for Black children in Montreal specifically.

“No one has responsibility”

Quebec's most important finding for this report's broader argument is structural rather than statistical: the Commission found explicitly that despite the Coroner, the provincial Ombudsman, and the Quebec human rights commission each having power to investigate *certain* child deaths, "no one has exclusive responsibility for monitoring all child deaths in Quebec."

The Commission identified Manitoba, Alberta, British Columbia, Yukon, and Nunavut as jurisdictions with child and youth advocate offices with explicit legal mandates to investigate deaths of children who were, or had recently been, in state care. At the time of the report, Quebec had no equivalent.

No raw province-wide child-death count for Quebec has been located in any year — the Commission's own finding is that the absence of such a count is itself the story.

6. Newfoundland and Labrador

Newfoundland and Labrador is the thinnest data point in this report: no annual statistical report has been located, only two case-based reviews from the Office of the Child and Youth Advocate.

The one clean province-wide figure available is a single dated snapshot: as of September 30, 2017, 1,005 children were in care in Newfoundland and Labrador, of whom 345 (34.3 percent) were Indigenous and 150 (14.9 percent of all children in care) were Inuit specifically — against an Indigenous population share of roughly 7 percent province-wide, a disparity of comparable scale to Quebec's and Manitoba's.

No year-by-year time series and no province-wide death count exist in either document reviewed.

7. What this table cannot show

Every province above that publishes any usable data shows the same pattern:

Indigenous children represented in child welfare care at multiples of their population share, ranging from roughly 5 times (Newfoundland and Labrador) to 12-14 times (Manitoba, national StatCan figure) the general rate.

The more consequential finding, for the purposes of testing *Grave Error's* "scrupulously accounted for" claim against the present-day system, is what is missing rather than what is present: no province covered here publishes a complete, unbroken year-by-year run of all three core metrics — children in care, deaths in care, and missing children — and no federal source consolidates any of the three into a single national count, for any year.

- Ontario's own aggregate death tracking was discontinued outright in 2024.
- Manitoba's MACY, the most consistent single source here, has never published a province-wide children-in-care census at all.
- Quebec's own commission found no single body responsible for monitoring child deaths province-wide.

It is not necessary for this report to infer or argue that information gathering and reporting is inadequate: in Quebec's case it is the government-appointed commission's own finding, and in Ontario's case it is the Ministry's own statement to journalists. These are the two most populous provinces in Canada, with a combined population in 2026 of approximately 23.7-million.

Part 2 Chapter 5 - A History of Child and Family Services in Manitoba, Told Through Its Own Inquiries

Executive Summary

In 1985, Judge Edwin Kimelman delivered the report of Manitoba's Review Committee on Indian and Métis Adoptions and Placements. He found that the province's child welfare system had practised “cultural genocide” against Indigenous families “in a systematic, routine manner,” and he traced the cause not to any one bad actor but to “cultural bias in the child welfare system... practised at every level from the social worker... through the lawyers... to the judges... for the past 40 years.” Counting backward from 1985, Kimelman was describing a pattern already old in the mid-1940s – and is still present today.

This document traced every major public inquiry into Manitoba's child welfare system from Kimelman's report forward — the Aboriginal Justice Inquiry (1991), the Aboriginal Justice Implementation Commission (2001), the Hughes Inquiry into the death of Phoenix Sinclair (2013), and the Manitoba Advocate for Children and Youth's own compliance audits of that inquiry's recommendations (2021 and 2023) — and sets them against the province's own most current data, through 2026.

The finding is that some things have genuinely changed, and some recommendations have been implemented: Manitoba's child welfare system today is substantially Indigenous-run, in a way it was not in 1985; the province has an independent, legislated children's advocate with real investigative powers, which it did not have in 1985; and official Manitoba government reports provide evidence and examples of systemic racism and of the harm created by colonial governments in tearing Indigenous families apart for decades. Kimelman had to fight to use the words “cultural genocide” to describe in his own report, when the government was seizing children and sending them for adoption abroad.

However, every mechanism of harm identified by these inquiries have remained in place:

- A low, discretionary legal threshold for removing a child from a home;
- A funding and service structure that makes removal easier than prevention;
- A Child Protector's Office, recommended by both Kimelman and the AJI, has still, four decades on, never been built in the form either inquiry asked for; and

- A pattern where each inquiry's own recommendations go substantially unimplemented until another child dies and another inquiry is struck.
- Indigenous overrepresentation in Manitoba's care system has not decreased since Kimelman's time; it has increased, from 32 percent of children in care in 1981–82 to 91 percent in 2023.

The downstream consequences quantified here are the present-day, measured version of exactly what Kimelman warned would happen if the system was not “radically sensitized”: incarceration at 2 to 2.75 times the national rate, homelessness, missing-persons reports, and non-completion of high school.

- The report that follows has the following sections:
- Each inquiry in turn
- What has changed,
- What has not, and
- A final section identifying the common findings that recur across all five inquiries: the same story being re-told, roughly once a decade for over forty years.

Before 1985: How Manitoba Built the System That Replaced Residential Schools

Manitoba's child welfare system did not begin as a response to any single crisis; it grew out of a 1951 amendment to section 88 of the Indian Act, which opened the door for provincial laws of general application — including provincial child protection statutes — to reach onto reserves for the first time.

Provinces began using that opening within a few years, and Manitoba's own later inquiries would date the resulting pattern of “cultural bias” in the system back roughly to that same period. The federal government's own Indian Affairs Branch Placement Program, begun in 1956–57, was relocating status Indians off-reserve at the same time; by the late 1960s and through the 1970s, Indigenous children made up somewhere between 30 and 40 percent of all legal wards of the state in several provinces, against under 4 percent of the child population nationally.

This is the period now known as the Sixties Scoop, and its scale in Manitoba specifically was severe. Citing the Canadian Council on Social Development's 1983 national survey, the Aboriginal Justice Inquiry later reported that Aboriginal children were roughly 50 to 60 percent of all children in Manitoba's care by the early 1980s. Between 1971 and 1981, more than 3,400 Aboriginal children were sent from Manitoba to adoptive parents outside their own communities, in some cases outside the country.

By 1982, Manitoba was the *only* province still permitting the international adoption of Aboriginal children: 38 percent of Manitoba's Indian adoptions and 17 percent of its Métis adoptions that year placed children in the United States, and across the 1971–81 decade, 70 to 80 percent of Manitoba's Aboriginal adoptions placed children in non-Aboriginal homes.

The Royal Commission on Aboriginal Peoples later assembled the first genuinely national, province-by-province picture of how this looked at the start of the 1980s. Its 1996 report reproduces the following table for the share of children in care who were Aboriginal, by province and territory, in 1981–82:

Jurisdiction	Aboriginal % of children in care, 1981–82
Quebec	2.6%
New Brunswick	3.9%
Nova Scotia	4.3%
Newfoundland and Labrador	~8% (estimate)
Ontario	7.7% (masking ~85% in one northern agency)
Prince Edward Island	10.7%
Manitoba	32%
British Columbia	36.7%
Alberta	41%
Northwest Territories	45%
Yukon	61%
Saskatchewan	63%

The Royal Commission's own explanation for this pattern is worth quoting directly, because it is a national government body independently describing the same overlap this report traces province by province below:

“Increased activity on the part of child welfare agencies corresponded with the federal government's decision to expand its role in funding social welfare services and phase out residential schools, which in the 1960s had increasingly assumed the role of caring for children in ‘social need.’”

Residential schools and provincial child apprehension were not two separate eras in Manitoba's history. For roughly four decades — from the 1951 amendment until the last residential school in Canada closed in 1996 — they operated concurrently, on the same families, expanding and contracting in relation to one another rather than replacing each other in a clean handoff.

Manitoba's own child welfare statute in this period set, and still sets, a low and discretionary standard for removing a child from a home. As later inquiries would document in detail, an officer of a child-caring agency, a family court, or a peace officer could apprehend a child without a warrant on a belief that the child was “in need of protection” — with no requirement that the underlying report be verified first. Notification of parents and any court filing came after a child was already in the agency's custody, not before. This is the system Judge Edwin Kimelman was appointed to review in the early 1980s, after a series of Manitoba adoption placements attracted public controversy.

The Kimelman Inquiry, 1985: “Cultural Genocide... in a Systematic, Routine Manner”

Judge Edwin Kimelman's Review Committee on Indian and Métis Adoptions and Placements produced its report, *No Quiet Place*, in 1985. It remains the founding document of every Manitoba child welfare inquiry that followed, and its findings are the baseline against which this entire report measures what has and has not changed.

The mechanism: a statute built on words a judge found impossible to apply without bias

Kimelman's committee did not start from an accusation. It started by reading the governing statute, and it found the statute itself was part of the problem. The Child Welfare Act of the day authorized apprehension on a low, discretionary standard:

Any officer of a child caring agency or of a family court, or a peace officer may apprehend a child without a warrant if it is believed that a child is in need of protection.

— Manitoba Child Welfare Act, as quoted in *No Quiet Place* (1985)

Nothing in that provision required the underlying report to be corroborated before a child was removed; verification, to the extent it happened at all, happened afterward. Kimelman's committee found that the statutory language defining a "child in need of protection" compounded the problem — phrases like "not being properly cared for," "incompetence," "morals may be endangered," and "unable to provide properly" were, in the committee's own words, "value laden," such that "any judgment made in relation to such terms is bound to be coloured by an individual's own personal background — sex, education, life experience, ethnic background, and socio-economic status." The committee's conclusion followed directly from that finding:

Cultural bias in the child welfare system is practised at every level from the social worker who works directly with the family, through the lawyers who represent the various parties in a custody case, to the judges who make the final disposition in the case.

— Kimelman, No Quiet Place (1985)

The finding: "cultural genocide," found routine rather than exceptional

Kimelman had been publicly criticized earlier in the inquiry for using the word genocide. His final report did not walk the finding back — it stated it more precisely. Reviewing the province's own adoption placement files one by one, his committee applied a specific test: if even one Indigenous child had been placed out of province where there was no need for it, that was cultural genocide. On that standard, applied file by file, his report's conclusion was unequivocal:

The Chairman now states unequivocally that cultural genocide has been taking place in a systematic, routine manner.

— Kimelman, No Quiet Place (1985)

Kimelman assigned responsibility broadly rather than to any single office or individual — an approach later inquiries would echo. His report named "federal and provincial governments who failed to resolve their jurisdictional dispute," "former Directors of Child Welfare who neglected to build accountability into the system," "the child care agencies... who failed to keep accurate statistical data," and "the native organizations who remained too silent, too long before demanding control of their children." It also captured, in a single line, the structural bind frontline workers operated inside — one this report's later sections show has not been resolved:

If a child is apprehended, the agency is criticized. If a child is not apprehended, the agency is criticized.

— Kimelman, No Quiet Place (1985)

The 40-year finding

The single most important sentence in Kimelman's report, for the purposes of this analysis, is this one, describing how long the pattern had already been running by 1985:

The cultural bias in the system for the past 40 years has made Native people victims. That must cease.

— Kimelman, No Quiet Place (1985)

Counting backward from 1985, Kimelman was dating the origin of the pattern to roughly the mid-1940s — several years before the 1951 Indian Act amendment that is usually treated as the formal starting point, and consistent with the informal provincial involvement in reserve child welfare that predated formal legal authority to provide it. On what removal itself did to the children involved, Kimelman's report is equally direct, and equally prescient about what this document's later sections will show happened next:

All available information would indicate that the Indian people were correct in their assertions that once their children entered the child care system they were not likely to ever be returned to their own families... not only were those children lost to their own communities, the lives of the individual children were seriously and permanently impaired.

— Kimelman, No Quiet Place (1985)

Kimelman's recommendations, and the one recommendation that was never fulfilled

Most of Kimelman's recommendations concerned the transfer of on-reserve child welfare service delivery from non-Aboriginal to Aboriginal-run agencies, and, as the next section shows, that transfer was substantially underway within a few years. But his single most structurally important recommendation was a standalone Office of Child Protector, responsible directly to the Manitoba Legislature rather than to the same government department running the child welfare system, with the power to investigate complaints about how children were treated by child welfare agencies. Kimelman's report closes with an explicit warning about what would happen if that oversight gap were not closed:

Unless the system is radically sensitized, it can happen again.

— Kimelman, No Quiet Place (1985)

The Aboriginal Justice Inquiry, 1991: A Second Inquiry Reaches the Same Verdict

Six years after Kimelman reported, the Aboriginal Justice Inquiry of Manitoba (AJI) — chaired by Associate Chief Judge A. C. Hamilton and Associate Chief Justice Murray Sinclair, and created to examine the treatment of Aboriginal people throughout Manitoba's justice system following the deaths of Helen Betty Osborne and John Joseph (JJ) Harper, devoted a full chapter of its own to child welfare. The AJI was not a child-welfare inquiry by mandate; it arrived at the same conclusion as Kimelman's dedicated review anyway, from the justice side of the system rather than the child welfare side, which makes the overlap in its findings more, not less significant.

Independent corroboration of Kimelman, in the AJI's own words

The AJI's own account of why it took up child welfare at all is direct: Aboriginal presenters told the inquiry they “see the child welfare and justice systems as being interconnected and interwoven,” and the commissioners concluded independently that “many of the reasons why the numbers of Aboriginal people are so disproportionately high in the child welfare system are the same as the reasons why they are so over-represented in the criminal justice system.” On the historical throughline connecting residential schools to the child welfare system, the AJI's own language is unambiguous:

Aboriginal children have been taken from their families, communities and societies, first by the residential school system and later by the child welfare system. Both systems have left Aboriginal people and their societies severely damaged.

— Aboriginal Justice Inquiry of Manitoba, Volume I, Chapter 14, “Child Welfare” (1991)

On Kimelman specifically, the AJI reviewed what had and had not been implemented in the six years since his report, and found a genuine, credit-worthy achievement alongside one specific, named failure. Most of Kimelman's recommendations concerning the transfer of on-reserve child welfare delivery to Aboriginal-run agencies had, by 1991, been substantially carried out — a real institutional change, and this report credits it as such below. But:

Chief Judge Kimelman's major recommendation for the establishment of a Child Protector was not implemented.

— Aboriginal Justice Inquiry of Manitoba, Volume I, Chapter 14 (1991)

The AJI then independently re-issued essentially the same recommendation Kimelman had made six years earlier: an Office of Child Protector, responsible to the Legislature, with authority to investigate complaints about how children were treated by child welfare agencies. It also recommended a mandated Métis child and family service agency and a mandated Aboriginal

agency for Winnipeg, since neither existed in 1991 — leaving more than 40,000 Aboriginal people in Winnipeg, and all of Manitoba's roughly 47,000 Métis and 6,000 non-status Indians, without a dedicated Aboriginal child welfare agency of their own.

What the AJI credited as progress

The AJI's own numbers, drawn from Manitoba Child and Family Services statistics, show real movement toward Aboriginal-run child welfare delivery in the years immediately following Kimelman's report:

Children in care	December 1984	March 1990	% Change
All children in care	2,894	4,167	+43%
Registered Indian children	1,030	1,470	+42%
Registered Indian children in care of Aboriginal agencies	629	1,012	+61%
Proportion in care of Aboriginal agencies	61%	69%	—

By 1987, 840 of the 1,200 Aboriginal children in Manitoba's care — 70 percent — were under Aboriginal rather than non-Aboriginal agencies. This is evidence that a Manitoba government inquiry's recommendations can, under the right conditions, actually be carried out. The contrast with the Child Protector recommendation — issued twice, implemented neither time — is the more important finding, and it recurs across every inquiry that follows.

Over-representation and its downstream consequences: Chapters 4 and 13

The AJI's chapters on criminal justice over-representation (Chapter 4) and on Aboriginal women (Chapter 13) independently document, from the justice-system side, the same pipeline this report's data sections quantify below with present-day peer-reviewed statistics.

By 1989, Aboriginal people were 46 percent of the population at Stony Mountain federal penitentiary, 67 percent of the Portage Correctional Institution for women, and 56 to 57 percent of all Manitoba correctional institutions combined, against roughly 12 percent of the provincial population. The AJI's own Provincial Court data analysis found Aboriginal accused faced more charges per person, were held in pre-trial detention far more often (55 percent versus 41 percent overall; 48 percent versus 20 percent for Aboriginal women aged 18–34 specifically), and were

incarcerated at sentencing two and a half times more often — despite no measured difference in prior criminal record. In the same chapter documenting these disparities, the AJI drew the connection to child welfare directly, in its own words: “The justice system also failed to protect Aboriginal families from the child welfare practices of the 1960s and 1970s, which continue to create problems off reserves today.”

Chapter 13 traces the same pattern into the specific experience of Aboriginal women and its roots in residential schooling. An Elizabeth Fry Society study found 71 percent of Manitoba's female inmates were Aboriginal in 1982, rising to 85 percent by 1988. The AJI's own chapter names the mechanism directly:

“Many Aboriginal grandparents and parents today are products of the residential school system. The development of parenting skills... was denied to them by the fact that they were removed from their families and communities... That learning process was denied to several generations of Aboriginal parents.”

Grand Chief Dave Courchene Sr. is quoted making the same point to the inquiry in blunter terms: “Residential schools taught self-hate. That is child abuse.... Too many of our people got the message and passed it on. It is their younger generations that appear before you [in court].”

The Aboriginal Justice Implementation Commission, 2001: The Ten-Year Check-In

A third body then checked in on the same question. The Aboriginal Justice Implementation Commission (AJIC) — chaired, again, by A. C. Hamilton, with commissioners Wendy Whitecloud and Paul Chartrand — was created specifically to track what became of the AJI's 1991 recommendations, and issued its Final Report in June 2001.

Its Chapter Ten, “Strengthening Families,” is the direct sequel to the AJI's own 1991 child welfare chapter, and its purpose was narrow and specific: report, a decade on, which of the 1991 recommendations had actually been acted on.

On the Child Protector recommendation — issued once by Kimelman in 1985, re-issued by the AJI in 1991 — the AJIC's own finding, in its own words, is the clearest documented instance in this entire history of an inquiry's central recommendation simply not happening, confirmed twice over by two separate follow-up bodies:

The Aboriginal Justice Inquiry devoted a chapter to the issue of Aboriginal child welfare. It recommended that the provincial government establish the Office of Child Protector, responsible to the Legislature, as recommended in the Kimelman Report... The Aboriginal Justice Implementation Commission is aware that the Office of the Children's Advocate has been established, and that a number of

additional, mandated First Nations child welfare agencies have also been established since 1991. However, neither a Métis agency nor a Winnipeg agency has been established.

— Aboriginal Justice Implementation Commission, Final Report, Chapter Ten (2001)

Sixteen years after Kimelman's first recommendation and ten years after the AJI's own, Manitoba still had no standalone Child Protector's office. What existed instead — the Office of the Children's Advocate — was a narrower body, established without the specific legislative investigative mandate both inquiries had asked for; it is the direct institutional ancestor of today's Manitoba Advocate for Children and Youth (MACY), discussed in Part VII below, but it is not the office either inquiry actually recommended.

The AJIC's own child welfare data point from this period shows the underlying overrepresentation problem had not slowed either: by 2000, roughly 70 percent of children in Winnipeg Child and Family Services care were Aboriginal, and a one-day snapshot taken by the AJIC itself in fall 2000 found over 85 percent of youth in Manitoba's youth detention facilities were Aboriginal.

What the AJIC's follow-up work did produce

It is important to credit what did happen, alongside what did not. The AJIC's own Recommendation 10.1 called on the Manitoba government to negotiate directly with the Assembly of Manitoba Chiefs and the Manitoba Metis Federation to build a plan for First Nations- and Métis-led child welfare delivery. The government acted on this recommendation: the resulting negotiations produced the Aboriginal Justice Inquiry – Child Welfare Initiative (AJI-CWI) and, in 2003, the legislation that devolved Manitoba's CFS system into four regional authorities — General, Southern First Nations, Northern First Nations, and eventually Métis — three of them Indigenous-controlled. This substantial institutional change traces directly back to these three inquiries.

What it did not do, as the next section shows, is resolve the specific oversight gap Kimelman and the AJI had both identified as the more important fix, or fully insulate the new structure from the funding and jurisdictional problems that had driven the original crisis.

Devolution and Its Limits, 2003–2010

The Child and Family Services Authorities Act took effect in 2003, formally transferring responsibility for child and family services delivery — including child protective services — from the province directly to the four regional authorities described above. Before this Act, First Nations agencies could serve only children with treaty status who were resident on reserve; the new law introduced what the Phoenix Sinclair Inquiry later described as “concurrent jurisdiction,”

letting First Nations agencies serve both on- and off-reserve children for the first time. Manitoba was, in the words of a peer-reviewed 2024 study on the resulting system, “the first [province] in Canada to recognize First Nations and Métis peoples’ authority and responsibility to care for all of their children” — a genuine, credit-worthy step, and one this report has not found any other province matching on the same scale or timeline.

But the same academic literature that documents this step also documents what came apart around it almost immediately. A 2024 study in the journal *Child Abuse & Neglect*, co-authored by researchers from the University of Manitoba, the Manitoba Centre for Health Policy, and the First Nations Family Advocate Office, describes the aftermath directly: “While the goals of this restructuring... were to increase First Nations and Indigenous-focused services and reduce the over-representation of their children in the system, the enforcement of colonial child protection legislation, absence of legal mechanisms to assert traditional Indigenous laws and values, and funding shortfalls have significantly undermined First Nations sovereignty over child and family matters.” The same paper records the consequence: in 2010, First Nations leadership passed a resolution, through the Assembly of Manitoba Chiefs, to withdraw from the implementation process of the very devolution structure the AJIC had recommended nine years earlier.

This captures, in miniature, the pattern the rest of this report documents at greater length:

- a structural reform is recommended by an inquiry,
- the government adopts a version of it, and
- the version adopted is under-resourced relative to what real self-determination over child welfare would require.

Within less than a decade, the very body whose support the reform needed most formally stepped back from it.

The four-authority structure has continued to operate since 2010; this report has not located evidence that the underlying funding and jurisdictional issues driving the 2010 resolution were subsequently resolved.

Phoenix Sinclair, 2005–2013: A Third Death, a Third Inquiry

Phoenix Victoria Hope Sinclair was five years old when she was killed in June 2005 by her mother, Samantha Kematch, and Kematch's partner, Karl Wesley McKay. Winnipeg Child and Family Services had been intermittently involved with Phoenix's case for most of her life; her file had been closed months before her death, following a home visit the later inquiry found inadequate to actually verify her welfare. No one — the agency, extended family, or her school — ever reported her missing. Her death was not discovered until March 2006, nine months later,

after a relative raised concerns; when police finally searched the national CPIC database for a missing-person record on Phoenix, there was none, because no one had ever filed one.

The Manitoba government appointed the Honourable Ted Hughes to conduct a full public inquiry, which reported in December 2013 as *The Legacy of Phoenix Sinclair: Achieving the Best for All Our Children* — three volumes, 62 recommendations, at a cost of more than \$14 million. This inquiry is the direct origin of the office that became today's Manitoba Advocate for Children and Youth (MACY), discussed in the next section.

What the inquiry found about the system in which Phoenix died

The Inquiry's own data, current to 2012, showed the same overrepresentation pattern this report has traced since 1981 — deepened rather than eased. More than 80 percent of the roughly 9,700 children in Manitoba's child welfare care that year were Aboriginal; in Winnipeg specifically, the figure was 83 percent of 5,291 children. Manitoba's Aboriginal population share at the time was roughly 16 percent.

Dr. Nico Trocmé's testimony to the Inquiry, drawing on national child-welfare incidence-study data, quantified the disparity at every stage of the system's own decision-making:

- Aboriginal families were investigated at four times the rate of non-Aboriginal families,
- had allegations substantiated at five times the rate,
- were taken to court eight times as often, and
- had children taken into care at twelve times the rate.

Critically, Trocmé's data showed this gap was driven almost entirely by neglect substantiation — eight times higher for Aboriginal families — while the gap in abuse substantiation specifically was negligible. This is the same finding, translated into national incidence-study statistics, that Kimelman's committee had reached twenty-seven years earlier reading individual case files by hand: it is not that Aboriginal families are found to abuse their children at different rates; it is that poverty-linked conditions coded as “neglect” trigger removal at dramatically higher rates, and Aboriginal families are dramatically more likely to be living in those conditions.

Health-outcomes research submitted to the Inquiry (Katz et al., Canadian Medical Association Journal, 2011) found children who had been in Manitoba's care faced

- Roughly three times the general hospitalization rate,
- More than ten times the mental-disorder hospitalization rate, and
- Three and a half times the completed-suicide rate of children never in care .

The same study offered an important nuance worth stating precisely rather than overclaiming: comparing the same children's outcomes before and after entering care specifically, suicide

attempts and hospital admissions were markedly lower after entry than in the two years immediately before — evidence that, for children already in acute crisis, removal itself was sometimes associated with short-term stabilization, even as children in care as a group continued to fare far worse than children with no care history at all.

What the Inquiry recommended

Among Hughes's 62 recommendations was a specific, numeric caseload standard: no more than 20 case files per frontline child-protection worker. As Part IX of this report shows, that standard is not being met today, nineteen years after Phoenix's death and thirteen years after the Inquiry that recommended it.

After Hughes: What MACY's Own Audits Found, 2018–2023

The Hughes Inquiry's recommendations led directly to the creation of the office that became, in 2018, the Manitoba Advocate for Children and Youth (MACY) — an independent, legislated body with real investigative authority, replacing the narrower Office of the Children's Advocate that Kimelman and the AJI's Child Protector recommendation had never quite been allowed to become. This is genuine institutional progress, and this report credits it as such in Part X below. MACY's on its own initiative, audited how well Manitoba implemented the very recommendations meant to prevent another Phoenix Sinclair, and published the results.

Still Waiting (2021): nineteen more children, maltreated and dead

MACY's own 2021 special report, *Still Waiting: Investigating Child Maltreatment after the Phoenix Sinclair Inquiry*, is the clearest documented answer available to the question of what the 2013 Inquiry actually changed.

Its central finding: between 2008 and 2020,

- Nineteen Manitoba children under the age of five were maltreated and died — deaths MACY itself explicitly frames as similar in kind to what killed Phoenix.
- Twelve of the nineteen were under age two.
- Police were involved in every case;
- Fifteen people faced criminal charges, of whom nine were convicted.

Of the nineteen children with recorded ancestry data,

- Eight were First Nations,
- Two were Métis,

- Four were non-Indigenous, and
- Five were unrecorded.

More than half of the identifiable children were Indigenous. More than half of the deaths, 53 percent, occurred in the Winnipeg region. MACY named three of the children publicly:

- Phoenix Sinclair;
- Kierra Williams, who died of severe abdominal injuries and chronic malnutrition before her second birthday; and
- Jaylene Sanderson-Redhead, who died six months after being reunified with a parent following a CFS apprehension at birth.

The remaining children are described anonymously, as MACY's enabling legislation requires.

Still Waiting also tracked, item by item, what had actually happened to Hughes's 62 recommendations. An earlier 2016 MACY status report had found 29 percent complete.

- By 2021, even years after the Inquiry concluded, MACY's own analysis found the overall completion rate had reached only 55 percent, and that rate was starkly uneven by category:
- recommendations to strengthen MACY's own office were 90 percent compliant,
- but recommendations to improve frontline services were only 29 percent compliant,
- funding recommendations only 25 percent compliant, and
- the single recommendation on children's rights — amending Manitoba's Healthy Child Manitoba Act to entrench the UN Convention on the Rights of the Child — was 0 percent compliant;

The more was done the less effort it took and the less impact it had. High-level legislative changes could be passed with ease, but funding programs and improving services requires money and effort.

In November 2020, the underlying Act was repealed outright by the Manitoba government rather than amended as Hughes had recommended. At the pace of progress MACY itself measured, the report calculated that full implementation of all 62 recommendations would not occur until 2028: fourteen years after the Inquiry reported, and twenty-three years after Phoenix's death.

Rights Delayed Are Rights Denied (2023): the pattern holds across every recommendation MACY has issued

A second MACY report, *Rights Delayed Are Rights Denied* (2023), broadened the lens beyond the Phoenix Sinclair recommendations specifically to all 67 formal recommendations MACY had issued government-wide since 2018.

It found only 18 percent — 12 of 67 — fully compliant, though 88 percent showed at least some documented action toward implementation. Broken out by originating report:

The Phoenix Sinclair Inquiry recommendations specifically sat at 50 percent average compliance in this 2023 assessment — essentially flat against the 55 percent Still Waiting had already found two years earlier, and among the lowest-compliance domains MACY tracked, alongside child welfare training (25 percent) and disabilities-related recommendations (28 percent).

Manitoba's Department of Families, the lead department for most child-welfare recommendations, was itself found to be at only 42 percent average compliance in 2023 — down one point from the year before, meaning the department's own compliance rate was moving in the wrong direction even as MACY continued to track it.

MACY's own institutional timeline — published in its 2021–22 annual report — places this pattern in the fuller history this document traces:

- 1985 Kimelman;
- 1991 Canada ratifies the UN Convention on the Rights of the Child;
- 1993 the Office of the Children's Advocate opens, reporting to the minister rather than independently;
- 1999 the OCA becomes an independent officer;
- 2013 the Hughes Inquiry's final report;
- 2015 the Truth and Reconciliation Commission's final report;
- 2016 Canada adopts UNDRIP;
- 2017 the Advocate for Children and Youth Act passes unanimously;
- 2018 the Act takes effect and the office becomes MACY.

A new Serious Injury Reviews and Investigations Program, launched July 2023 under that Act — itself stemming from a Hughes Inquiry recommendation, is Manitoba's first centralized serious-

injury tracking system; in its first full year (2024–25) it logged 273 referrals, and 47 percent of its completed reviews involved an Indigenous child, youth, or young adult.

Tina Fontaine and the Missing-Children Gap, 2014–2019

Tina Fontaine was fifteen years old when her body was found in the Red River in August 2014. Her case became a national flashpoint and a direct catalyst for the federal National Inquiry into Missing and Murdered Indigenous Women and Girls, launched in September 2016. It also produced one of MACY's most important special reports, *A Place Where It Feels Like Home* (March 2019). Notably, it is not a simple indictment of CFS alone. It found Tina had a stable home with her grandmother for most of her childhood. The report's five formal recommendations spanned education, health, justice and victim services, and CFS, painting a picture of a more distributed systemic failure than a CFS alone.

Tina's own timeline:

- Repeated early-childhood CFS involvement;
- A stable period from 2004 to 2011 living with her grandmother under private guardianship;
- The murder of her father in October 2011;
- Escalating school absenteeism, self-harm, and missing-persons reports through 2013 and into 2014;
- Apprehension into CFS care on July 17, 2014, one month before her death;
- Discovery, unresponsive, in a Winnipeg alley on August 8, 2014, after which she was released to a hotel that same evening and never seen alive again;
- Recovery of her body from the Red River on August 17, 2014.
- Raymond Cormier was tried for her murder and acquitted in February 2018; her manner of death remains officially undetermined.

The scale of the missing-children problem behind Tina's case

MACY's report on Tina's case surfaces a data point about the scale of the underlying missing-children crisis that has not been found matched, in specificity, anywhere else in the Canadian record.

- Seven separate missing-persons reports were filed on Tina's behalf between November 2013 and August 2014 alone.

- Winnipeg's designated CFS intake agency told MACY it receives an average of 600 missing-persons reports for children every month.
- Manitoba recorded 11,623 children reported missing in 2017 — the highest of any province in Canada that year.
- 23 children were presumed dead in Manitoba that same year, also the highest in Canada, 17 of them (74 percent) female.

None of these figures are specific to children in CFS care; Manitoba does not appear to publish a missing-children figure broken out by care status at all, which is itself a continuation of the same data gap Kimelman's committee first encountered in 1985, reading individual paper files because no aggregate accounting existed.

The connection to missing and murdered Indigenous women and girls

Cora Morgan, Manitoba's First Nations Family Advocate, testified to the National Inquiry into MMIWG that “there is a direct link between MMIWG and the child welfare system.”

She described a documented pattern of mothers who had lost custody of children to CFS later dying by suicide or being murdered, and naming four young Manitoba women who were both CFS-involved and later murdered: Tina Fontaine, Fonessa Bruyere (2007), Cherisse Houle (2009), and Hillary Wilson (2009).

The Assembly of Manitoba Chiefs separately states that more than half of Manitoba's MMIWG cases, and 60 percent of police-involved deaths of First Nations people in the province, have some CFS connection.

Manitoba Today: 2023–2026

This section sets out where the system stands now, using the most current data available :

- A 2015 Manitoba Centre for Health Policy report and its underlying findings,
- Two 2024–2025 peer-reviewed studies, A November 2024 journalism investigation, and
- Independently verified figures on Manitoba's incarceration rate and remand population.

The children-in-care picture

CTV News Winnipeg's November 2024 investigation, citing the Manitoba Foster Parent Association, put Manitoba's CFS in-care population at roughly 9,000 as of 2023, 91 percent of them Indigenous — a figure that since the era of the Kimelman report, has only grown.

- 32 percent in 1981–82 (RCAP),

- 85 percent in the Phoenix Sinclair Inquiry's own 2011 data, and
- 91 percent in 2023.

Despite three inquiries and forty years of institutional change, Manitoba's overrepresentation has not eased. On the province's own most recent numbers, it is worse. Of the roughly 8,500 children accounted for in the same reporting, 6,314 were in foster homes and 2,186 in other placement types (places of safety, out-of-province placements, and similar).

Since each of the four regional authorities licenses its own with no consolidated public figure, Manitoba does not track the total number of licensed foster homes provincially at all. This is the same basic data gap Kimelman's committee first encountered reviewing individual paper files by hand in the early 1980s.

- MACY was notified of 17 deaths of children in CFS care in 2023–24, the highest in more than a decade; the office would not disclose manner of death for these cases, citing confidentiality.
- Manitoba Government Employees' Union president Kyle Ross reported some caseworkers carrying caseloads as high as 50 files — two and a half times the ratio of 20 the Hughes Inquiry recommended more than a decade earlier.
- CUPE Local 2153 president Shelley Baker reported Winnipeg CFS staffing had dropped from roughly 600 to just over 300 workers since 2020.
- A 2019 Auditor General report found Manitoba has the second-lowest basic foster-care maintenance rate in Canada, \$22.11 to \$32.50 per day, unchanged since 2012;
- As of the CTV report, the Families Minister had not committed to reviewing that rate, while noting the department allocates \$420 million in child-welfare funding across the four authorities.

In late 2024, the province did act on two specific fronts.

- An October 1, 2024 amendment to The Child and Family Services Act formally authorized customary and kinship care agreements — allowing children to remain with family members instead of being apprehended into CFS custody, while preserving parental rights and providing supports.
- The same week, Bill 38 amended the Act to recognize and expand Indigenous jurisdiction over child and family services, including a pathway for Indigenous service providers to become judge-appointed guardians and to investigate their own protection reports.

Both are real, recent, and directly responsive to the pattern this report documents. It is too soon, as of this writing, to assess their effect on the underlying overrepresentation numbers.

What the health and education data still shows

The Manitoba Centre for Health Policy's 2015 study, *The Educational Outcomes of Children in Care in Manitoba*, remains the most detailed picture available of what happens to children after CFS involvement in this province, and its own framing of the problem — “Manitoba Can Do Better for Kids in Care” — has not been supplanted by a more current equivalent.

Manitoba had, in the report's own words,

- “One of the highest rates in the world of children placed into care”: more than 10,000 children in 2014, almost 90 percent Indigenous.
- Children in care were twice as likely as children with no CFS involvement to be unready for kindergarten in at least one developmental area (53 percent versus 24 percent), and
- Performed worse at every subsequent measure the study tracked — Grade 3, 7, and 8 assessments, and Grade 12 graduation.
- The same cohort showed far higher rates of developmental disability (11.0 percent versus 1.5 percent for children never in care),
- Diagnosed mental disorder (32.0 percent versus 7.7 percent),
- Family income assistance (69.0 percent versus 12.0 percent),
- A mother who was under 18 at her first child's birth (40.9 percent versus 6.8 percent), and
- Prenatal alcohol or drug exposure (13.2 percent versus 1.6 percent) — background risk factors present before CFS involvement itself, which the study's authors say complicate, without eliminating, the causal story.

Two more recent peer-reviewed studies (Kenny et al., *Child Abuse & Neglect*, 2024, and Kenny et al., *BMC Public Health*, 2025 — both examined in full from the primary papers, not secondary summaries) confirm the pattern has not eased in the youngest, most recent cohorts.

- Manitoba's rate of child removal and out-of-home placement is now the highest of any Canadian province and almost five times the national average (33.2 versus 7.5 children per 1,000).

- Among First Nations infants born 1998–2014, 35.8 percent had an open CPS file before age one against 8.5 percent for other Manitoba infants. 8.5 percent were removed before age one —and 1.3 percent respectively for other Manitoba infants.
- Among First Nations birthing parents tracked 1998–2019, 49.6 percent had a CPS file opened at some point and 27.4 percent had a child taken into out-of-home placement.
- The paper's own words: “1 out of 2 were intervened upon by CPS.”

Both papers independently name Manitoba's 2003 CFS decentralization, ongoing funding shortfalls, and the enforcement of colonial child-protection legislation as contributing structural causes — the same structural critique, in current peer-reviewed language, that Kimelman's committee made in 1985 and the AJI repeated in 1991.

The downstream pipeline, quantified

A companion document, *CFS Involvement and Life Outcomes in Manitoba*, assembles the present-day, peer-reviewed evidence for what the AJI's Chapter 4 first identified qualitatively in 1991 — that CFS involvement is associated with a measurable, multi-domain pipeline of adverse outcomes reaching into adulthood. In summary:

- Children taken into out-of-home care face a significantly elevated risk of later incarceration even compared with children whose families remained under CFS supervision without removal (adjusted odds ratio 3.64, Brownell et al., Lancet Regional Health, 2024);
- Manitoba's overall incarceration rate runs at roughly 2 to 2.75 times the national average, the highest of the ten provinces, with roughly three-quarters of the inmate population Indigenous against roughly 15 percent of Manitoba's population;
- The province's remand population — those held pending trial, not yet convicted of anything — has grown from 65 percent of the average daily custody count in 2014–15 to roughly 76 percent today, exceeding rated jail capacity as of an October 2025 report;
- Children with a CFS care history are three times less likely to graduate high school; and
- National data shows Indigenous adults with a government-care history are roughly 3.7 times more likely to experience visible homelessness than those without one.

What Has Changed

Four things have changed since Kimelman's Report

1. The CFS system is now substantially Indigenous-run, not merely Indigenous-serving

Kimelman's 1985 recommendations directly called for a transfer of authority to Indigenous-run. This has substantially happened, though imperfectly and, it the system remains under-resourced:

- In 1985, most Aboriginal children in Manitoba's care were under non-Aboriginal agencies.
- By 1987, 70 percent of Aboriginal children in care were under Aboriginal-run agencies, and
- By 2003, formal legislation devolved the entire provincial CFS structure into four regional authorities, three of them Indigenous-controlled, with concurrent jurisdiction extending Indigenous-led service delivery on- and off-reserve for the first time.

2. The Office of a Child Protector has not been created, but an Independent, Legislated Children's Advocate now exists

Kimelman and the Aboriginal Justice Inquiry both specifically wanted a standalone Office of Child Protector, and as Part IV shows, that exact office was never built. Manitoba does now have the Manitoba Advocate for Children and Youth: an independent statutory officer, established under its own 2017 Act, with investigative authority, a mandate that has expanded over time (most recently to reviewable services beyond CFS alone in 2021), and — as Parts VI through VIII show — the institutional willingness to audit government's own compliance with its recommendations and publish results that are frequently unflattering to the government that funds it.

This is not the same office Kimelman asked for, but it is a real, independent oversight body that did not exist in any form until 1993 and did not have serious investigative teeth until 2018.

3. While policy lags, official language has shifted from denial to acknowledgment

In 1985, Kimelman had to fight, publicly, simply to use the words “cultural genocide” in a government-commissioned report. By 2001, the AJIC's own report treated the underlying overrepresentation as a matter requiring negotiated Indigenous self-determination as the solution, not a contested premise. By 2015 and 2016, federal ratification of UNDRIP and the TRC's findings had become fixed reference points MACY cites routinely in its own annual reporting. Manitoba's 2024 legislative amendments explicitly recognize Indigenous jurisdiction over child and family services as a matter of law, not merely as a service-delivery accommodation. This is a real shift in the language government uses about itself, even where — as the next section shows — the underlying practice has not moved as far as the language has.

4. Some recent, concrete legislative responses

The October 2024 customary and kinship care amendments and Bill 38's expansion of Indigenous jurisdiction respond to decades of the criticism this report documents. It follows an attempt to reduce reliance on formal apprehension in favour of keeping children with family.

What Has Not Changed

Set against those four real changes, six things that every inquiry in this history identified as the actual mechanism of harm have not changed — and several have gotten worse on the province's own numbers.

1. The Office of the Child Protector recommended by Kimelman and the AJI still does not exist

In 1985, Kimelman recommended a standalone Child Protector's office, responsible to the Legislature. In 1991, the AJI re-recommended it, expressly noting it had not been implemented. In 2001, the AJIC confirmed that it still had not been implemented, and that the Office of the Children's Advocate that existed instead had a narrower mandate.

MACY, created in 2018, is a further evolution of that narrower mandate, not the Child Protector that either inquiry asked for, from the first recommendation forty-one years ago.

2. The core mechanism of harm is unchanged: a low legal threshold for removing a child

Kimelman's committee identified the core mechanism of harm as a low, discretionary statutory standard, namely apprehension without a warrant on a belief a child is “in need of protection,” verified after removal rather than before. This report has not located any Manitoba statutory reform that raised that threshold, added a pre-removal verification requirement, or narrowed the “value laden” language Kimelman's committee found impossible to apply without cultural bias. The 2024 customary-care reforms create an alternative to formal apprehension in some cases; they do not appear to change the underlying legal standard for when apprehension itself is authorized.

3. Overrepresentation of Indigenous Children in the System Has Further Increased, Not Decreased

This is one of the clearest measures in this history.

- In 1981–82, Aboriginal children were 32 percent of Manitoba's children in care.
- By 2011, the time of the Phoenix Sinclair Inquiry, they were roughly 85 percent.

- By 2023, they were 91 percent

Through Aboriginal-agency devolution in the late 1980s, the 2003 four-authority structure, to MACY's creation in 2018, every institutional reform this report documents occurred while the overrepresentation of Indigenous children only grew.

The reforms themselves are not the cause of the growing overrepresentation. The more likely explanation, which is consistent with the province's own peer-reviewed research, is that the underlying economic and social environment in which many Indigenous people have been living, in Manitoba, has materially deteriorated.

Poverty, inadequate housing, the residential-school-era disruption of parenting knowledge the AJI itself named, and a funding structure that rewards removal over prevention — were never addressed at the scale the numbers required, regardless of who was administering the system built on top of them.

Child welfare apprehensions should also be considered as being self-amplifying, not just in the disruptions of parenting knowledge, but because a parent having been a ward of CFS was a risk factor to consider for whether to apprehend children.

There have been successful programs and investments, but they have, generally, been inadequate relative to the need, and to the levels of investment that would realistically be required to deliver transformative change. This is not something unique to Indigenous and First Nations communities: a lack of adequate investment in economic development, infrastructure renewal and community investment is something they have in common with the majority of Canadians.

4. The funding structure still incentivizes removal over prevention

In 2016, the Canadian Human Rights Tribunal found that Canada's on-reserve child welfare funding formula “creates incentives to remove children from their homes and communities” rather than fund the family supports that might keep them there.

This was three decades after Kimelman, and independent of any Manitoba-specific inquiry. Kenny et al.'s 2024 and 2025 papers describe “funding shortfalls” as a factor in Manitoba's CFS system, not a historical one.

MACY's own 2021 audit found funding-related recommendations from the Hughes Inquiry sitting at only 25 percent compliance, the second-lowest category it tracked. A 2019 Auditor General report found Manitoba's basic foster-care maintenance rate unchanged since 2012 and the second-lowest in Canada. The same problem identified in Kimelman's 1985 report has not been addressed.

5. Forty Years Where An Inquiry Per Decade Finds the Last Report's Recommendations Largely Unfulfilled

This is the single clearest, most quantified thread across the entire history.

- Kimelman's Child Protector recommendation: not implemented by 1991, not implemented by 2001.
- The Hughes Inquiry's 62 recommendations: 29 percent complete by 2016, 55 percent complete by 2021,
- MACY itself calculated that at the current pace these recommendations would not reach full completion until 2028 — fourteen years after the Inquiry reported.
- MACY's own broader recommendation set, tracked in 2023: only 18 percent fully compliant across 67 recommendations, with the Department of Families' own compliance rate falling, not rising, year over year.

Four separate audits, across four decades, by four different bodies, reach structurally the same finding: Manitoba adopts inquiry recommendations in principle and implements a minority of them in practice, on a timeline measured in decades rather than years.

6. Children are Still Dying in the System in the Numbers and Manner Previous Inquiries Warned Of

In 1985 Kimelman warned that “unless the system is radically sensitized, it can happen again.” MACY's own 2021 report documents that it did happen again — nineteen more times, between 2008 and 2020, in maltreatment deaths MACY itself describes as similar in kind to Phoenix Sinclair's.

In fiscal year 2023–24, MACY recorded the highest number of children-in-care deaths in more than a decade: 17. This followed the highest total child-death notification count in the fifteen years of MACY/OCA reporting reviewed here, of 215, in 2022–23.

Caseloads have risen to as high as 50 files per worker against a recommended standard of 20, and frontline CFS staffing in Winnipeg has fallen by roughly half since 2020 — meaning the resourcing crisis behind these outcomes has, on the most recent numbers, gotten worse since the Hughes Inquiry specifically, not better.

The Common Threads Across Every Inquiry

Reading Kimelman (1985), the AJI (1991), the AJIC (2001), the Hughes Inquiry (2013), and MACY's own compliance audits (2021, 2023) together, seven findings recur across all five.

Each finding is one that a Manitoba government body independently reached, roughly once a decade, for over forty years.

1. **Removal is easy; oversight is hard.**

Every inquiry describes a system where a child can be taken into custody on a low, discretionary, value-laden standard, verified after the fact if at all. Every inquiry recommends an independent body with real power to investigate how that discretion is actually used, which every subsequent inquiry confirmed was not built.

2. **The gap is driven by neglect and poverty, not by any measured difference in abuse.**

From Kimelman's 1985 file review to Trocmé's 2012 testimony to the Hughes Inquiry, there was no difference in the substantiated rates of abuse between Aboriginal and other families; substantiated rates of neglect were eight times higher for Aboriginal families. Across the peer-reviewed literature on funding shortfalls and legislative constraints in 2024 and 2025, it has been the same mechanism identified has not changed in forty years: conditions correlated with poverty are coded as parental failure and trigger removal, at a rate that tracks the depth of poverty in the community being assessed, not any underlying difference in how much families love or endanger their children.

3. **Devolution of control has never come with matching resources.** Aboriginal agencies took on a rapidly growing share of Manitoba's child welfare system from the late 1980s onward — a genuine achievement every inquiry credits.

Every stage of that devolution, from the original Aboriginal-agency transfer through the 2003 four-authority structure, has been accompanied by documented funding shortfalls, culminating in First Nations leadership's own 2010 resolution to withdraw from the implementation process they had negotiated less than a decade earlier.

4. **Recommendations are issued and substantially not implemented, on a cycle of roughly a decade per inquiry.** Kimelman's Child Protector office: unimplemented in 1991, unimplemented in 2001. The Hughes Inquiry's 62 recommendations: 55 percent complete after seven years, not fully complete until a projected 2028 — twenty-three years after the death that prompted them.

5. **No one can consistently count the children.** Kimelman's committee had to review paper adoption files one by one because no reliable aggregate existed. MACY has never published a province-wide children-in-care census in any of its fifteen annual reports. Manitoba does not track its own total number of licensed foster homes. This is not a coincidence repeated by accident; it is the same structural absence, in the same

jurisdiction, persisting across four decades and at least three formal calls for better data collection.

6. **Overrepresentation deepens even as institutional form changes.** 32 percent (1981–82) to roughly 85 percent (2011) to 91 percent (2023) has been a single, uninterrupted upward trend alongside every reform in this history.
7. **Every inquiry follows preventable deaths, not proactive review.** Kimelman followed a wave of controversial adoption placements; the AJI followed revelations about the deaths of Helen Betty Osborne and John Joseph Harper; the Hughes Inquiry followed Phoenix Sinclair's death; MACY's Still Waiting and Tina Fontaine reports followed nineteen further maltreatment deaths and Tina's own. Manitoba's child welfare system has been reformed almost exclusively in reaction to a death that became public, rather than in advance of one.

Conclusion

In 1985, Kimelman wrote that the cultural bias he found had already been operating “for the past 40 years.” Forty-one years after Kimelman's report, the same core problems are all still present:

1. A low, discretionary threshold for removing a child;
2. An under-resourced, incompletely realized devolution of control;
3. An independent oversight body, twice recommended and never fully built;
4. Overrepresentation of Indigenous children increasing, not decreasing; and
5. A pattern of the same recommendations made in every inquiry,

Manitoba is still seeing the same conditions a forty-year-old report says were already forty years old when it was written.

This does not mean nothing has changed, but the specific mechanisms that produced Phoenix Sinclair's death, Tina Fontaine's death, and the nineteen further maltreatment deaths MACY documented between 2008 and 2020 are, on this report's reading of the primary sources, the same mechanisms Kimelman named in 1985: a system built to remove children easily and support families with difficulty, overseen incompletely, and reformed reliably only after the reform is too late for the child whose death prompted it.

Part 2 Chapter 6 - The Child Welfare Care Pipeline to Jail, Going Missing and Worse

What Manitoba's Own Data Shows About Downstream Outcomes

In 2015, the Manitoba Centre for Health Policy's released its report, *The Educational Outcomes of Children in Care in Manitoba* (Brownell, Chartier, Au, MacWilliam, Schultz, Guenette & Valdivia). Tracking a 2006 birth cohort forward, the report found that against 6.4 percent of Métis children, 15.4 percent of Inuit children, and 1.7 percent of non-Indigenous children, **22.4 percent of First Nations children in Manitoba had been in CFS care at some point by age 15**. It is not a point-in-time census. It is a lifetime-prevalence-to-age-15 figure. The true adult lifetime prevalence, including CFS contact after age 15, is almost certainly higher.

Kenny et al., *Child Abuse & Neglect* 154 (2024): 106760, "Infant rates of child protective services contact and termination of parental rights by First Nations status from 1998 to 2019," tracked 217,261 Manitoba infants (47,416 First Nations; 169,845 non-First Nations) born 1998–2014, followed to at least age 5.

Among First Nations infants:

- 35.8 percent had an open CPS file before age 1, versus 8.5 percent of other infants.
- 8.5 percent experienced out-of-home placement before age 1, versus 1.3 percent.
- 5.4 percent experienced termination of parental rights (TPR) before age 5, versus 0.7 percent.

The disproportion was worse, not better, for older infants:

With a confidence interval of 95 percent, First Nations infants were

- 5.62 times more likely to be removed at birth (0–6 days).
- 6.40 times more likely in the newborn period (7–27 days).
- 7.94 times more likely in later infancy (28–365 days).

Tracking the same measures by birth year, the paper found the gap widening over time. First Nations infants' open-file rate rose from 24.7 percent (1998 birth cohort) to 47.0 percent (2013 birth cohort), an absolute 22.4-point increase, against a 1.7-point increase for other infants over the same period.

The paper cites a separate 2020 study (Saint-Girons et al.) finding Manitoba's overall rate of child removal and out-of-home placement is the highest of any Canadian province and almost five times the national average — 33.2 versus 7.5 children in out-of-home placement per 1,000.

It also documents, with its own citation (Assembly of Manitoba Chiefs, 2010), the fact that Manitoba's 2003 legislation devolving CFS to four regional authorities (three Indigenous-controlled) was followed in 2010 by First Nations leadership passing a resolution to withdraw from the implementation process, citing funding shortfalls and the persistence of colonial child-protection legislation limiting genuine First Nations jurisdiction.

Kenny et al.'s paper in ***BMC Public Health* 25 (2025): 1224**, "*Inequities in child protective services contact among First Nations and non-First Nations parents in one Canadian province: a retrospective population-based study*," is the companion parent-level study, covering 119,883 birthing parents in Manitoba 1998–2019 (13,171 First Nations, 11 percent of the total), with a sub-cohort of 1,911 First Nations and 30,663 non-First Nations parents followed for at least 10 years.

The findings:

- 49.6 percent of First Nations parents had a CPS file opened at some point (versus 13.1 percent of non-First Nations parents; rate ratio 3.80, 95% CI 3.71–3.88);
- 27.4 percent had a child taken into out-of-home placement (versus 4.7 percent; rate ratio 5.81); and
- 9.6 percent had parental rights terminated (versus 1.8 percent; rate ratio 5.20).

The paper's own framing: "1 out of 2 [First Nations parents] were intervened upon by CPS."

It also names, as contributing local factors:

- The Government of Manitoba's 2003 CFS decentralization (with funding shortfalls and legislative limits on First Nations self-determination),
- The 2005 murder of Phoenix Sinclair and the resulting shift toward lower-threshold removal decision-making, and
- Manitoba's "Birth Alerts" system — a CPS-run prenatal notification practice that flagged births to hospitals when a newborn was believed at risk, criticized by First Nations leadership as discriminatory, in place for decades before Government claimed the practice would end in 2020.

CFS contact for First Nations families in Manitoba is not a marginal experience — it is common, and has become more common, not less, over the past two decades.

The failure of Government as Parent: What happens to children after they go into care:

Incarceration

The CFS-to-prison-pipeline is described with methodological rigor in Brownell et al.'s follow-up cohort study, *Impact of being taken into out-of-home care: a longitudinal cohort study of First Nations and other child welfare agencies in Manitoba, Canada* (*Lancet Regional Health – Americas*, September 2024).

This study compared two groups of Manitoba children born 2007–2018 who had both been in contact with the child protection system: 19,324 who were actually taken into out-of-home care, against 27,290 who had an open file but were never removed.

Against a comparison group of children whose families remained under CFS supervision without removal, being taken into out-of-home care was associated with a significantly higher risk of later incarceration: an adjusted odds ratio of 3.64 (95% CI 1.95–6.80) for children served by First Nations child welfare agencies, and higher still for children served by other CFS agencies.

The same study found significantly elevated risk of teen pregnancy, teen birth, sexually transmitted infection, being accused of a crime, and being a victim of crime. Because the comparison group already had CFS involvement, this study isolated the effect of removal itself.

A study by the Assembly of Manitoba Chiefs corroborates this finding at a broader population level. Indigenous men are 15 percent of Manitoba's population but 74 percent of those incarcerated, and Indigenous youth are 81–82 percent of youth in Manitoba corrections.

A 2019 Global News report, citing Statistics Canada, found that of youth admitted to Manitoba correctional services, 60 percent of those charged had prior involvement with child welfare services, and that the "vast majority" were repeat offenders — a Manitoba-specific, statistically-sourced version of the same pipeline.

Manitoba's incarceration rate is nearly three times the national average

Against a national provincial/territorial average incarceration rates of 80 persons per 100,000, Statistics Canada's most recent detailed provincial breakdown (2018/2019) put Manitoba's adult incarceration rate at 201 per 100,000 population, 2.5 times the national rate, and the second-highest of the ten provinces (behind only Saskatchewan at 215).

More recent compiled data (drawing on subsequent Statistics Canada releases) puts Manitoba at roughly 242 per 100,000, about 2.75 times the national average of roughly 88. It is the highest among the ten provinces specifically. A 2019 Global News report using Statistics Canada figures separately found roughly three-quarters of Manitoba inmates are Indigenous, against roughly 15 percent of the province's population.

On remand specifically:

- A Statistics Canada review of the decade to 2014/2015 found Manitoba's remand population grew 134 percent, more than three times the 39 percent national growth rate.
- By 2014/2015, Manitoba's remand caseload had grown to 65 percent of its average daily custody count, at that time tied for third-highest among the provinces (behind Nova Scotia at 68 percent and Alberta at 67 percent).
- By 2018/2019 Manitoba's remand share had risen to 68 percent of its custody population, and current reporting (CBC, October 2025) puts it at roughly 76 percent — 1,968 of 2,582 adult inmates province-wide.
- The remand population alone exceeds rated capacity and Manitoba corrections staff describing conditions as "volatile."

Manitoba's remand *proportion* has been rising steadily and is now among the highest, if not the highest, of any province

Homelessness

Statistics Canada's 2025 release, *Socioeconomic and health outcomes among Indigenous people aged 15 years and older who were under the legal responsibility of the government as children*, which drew on the 2018 Survey of Safety in Public and Private Spaces, found that

- Among Indigenous adults with a history of government care as children, 26 percent reported having experienced visible homelessness
- 53 percent reported hidden homelessness (e.g., couch-surfing, staying temporarily with others) — against 7 percent and 22 percent respectively for Indigenous adults with no care history.

This is a national figure, not Manitoba-specific, but the disparity of roughly 3.7 times for visible homelessness, and 2.4 times for hidden homelessness is consistent with what Manitoba-specific street surveys have found. More than half of people experiencing homelessness surveyed on Winnipeg's streets had a CFS history.

The same national release found 11 percent of Indigenous people 15 and older reported a government-care history overall, with 16 percent of First Nations people specifically. Those with a care history reported dramatically worse outcomes across the board:

- 66 percent reported a disability (versus 46 percent without care history).
- 60 percent reported difficulty meeting household needs (versus 38 percent), and
- Only 24 percent rated their health as excellent or very good (versus 46 percent).

Missing persons

Winnipeg Police Service data reported by CBC (2015) found that of roughly 550 missing-persons reports the service receives monthly, 80 to 83 percent involve children in government care; in one three-month period examined, 83 percent of 709 reports involved CFS-involved youth, 71 percent were girls, and nearly 70 percent were classified as "habitual/chronic" runaway cases.

Manitoba has the highest per-capita rate of child and youth missing-persons reports of any province, with over 6,400 reports in the year examined — nearly double Saskatchewan's or Alberta's rate. This is consistent with, and gives Manitoba-specific texture to, the national missing-children figures already discussed in this report's details on Tina Fontaine and Missing persons. 11,623 children were reported missing in Manitoba in 2017, the highest of any province that year. Winnipeg's CFS intake agency receiving roughly 600 missing-child reports per month.

Murdered and missing Indigenous women and girls

Cora Morgan, Manitoba's First Nations Family Advocate, testified to the National Inquiry into Missing and Murdered Indigenous Women and Girls that "there is a direct link between MMIWG and the child welfare system" (CBC, 2018) — describing children placed in CFS care as being placed into situations of heightened vulnerability, and identifying a documented pattern of mothers who had lost custody of children to CFS later dying by suicide (she reported knowledge of up to 16 such cases) or being murdered (she reported losing two of her own clients to homicide over a three-year period).

The same reporting names four young Manitoba women who were both CFS-involved and later murdered: Tina Fontaine (2014, already extensively documented above), Fonessa Bruyere (2007), Cherisse Houle (2009), and Hillary Wilson (2009). The Assembly of Manitoba Chiefs separately states that more than 50 percent of Manitoba's murdered and missing Indigenous women and girls cases involve CFS-involved individuals, and that 60 percent of police-involved deaths of First Nations people in Manitoba have some CFS connection — though the primary

underlying data source for either of those two specific AMC figures and flags them as advocacy-sourced pending independent verification, consistent with this report's practice of distinguishing primary-sourced findings from claims made by interested parties.

Not completing high school

The same 2015 MCHP report that produced the 22.4 percent prevalence figure also tracked educational outcomes for the same cohort in detail. It found children who had ever been in CFS care performed substantially worse than both children never involved with CFS and children who had CFS contact but were never removed, across every measure examined:

- Grade 3 reading and numeracy competency.
- Grade 7 mathematics and school engagement.
- Grade 8 reading and writing assessment.
- Grade 12 standards-test passage and course-credit accumulation.

Consistent with this, CBC reported in 2015 that Manitoba children in CFS care were three times less likely to graduate high school than their peers. The MCHP report identifies specific factors associated with somewhat better outcomes within the in-care population:

- Placement with kin or relatives,
- Permanent-ward status (as against temporary or repeatedly-disrupted placements),
- Fewer total care episodes, and
- Higher socioeconomic status.

These suggesting the disparity is driven substantially by placement instability and poverty, rather than being an intrinsic feature of care itself.

The same report found children in care were far more likely than the general population to have a young mother (40.9 percent had a mother under 17 at first birth, against 6.8 percent of the general population), prenatal substance exposure (13.2 percent against 1.6 percent), and a diagnosed mental health disorder (32.0 percent against 7.7 percent).

Child Welfare Has Been Its Own Driver of Harm for Decades

The AJI's 1991 finding was that "clients" of the child welfare system frequently become "clients" of the criminal justice system. In 1985, Kimelman's found that children removed into care were "not likely to ever be returned to their own families" and suffered lives that were "seriously and permanently impaired."

The core causes of harm in the system have are still in place. Where recommendations have been fulfilled, such as passing authority to Indigenous control, successive governments have used the change to cut, or claw back, budgets required to support the most vulnerable children in the province.

What the 20th century Kimelman and AJI inquiries warned of has come to pass: low barriers to seizure, under-resourced systems where the factor that is driving apprehension is neglect due to poverty, where the government, in the role of parent, has shattered the real bonds of family and community, and placed vulnerable children on a path that often leads towards tragedy.

Part 2, Chapter 7 - An Expanded History of Residential Schools and How Child Welfare Systems Came to Replace them

The Woodsworths, the Ferriers and the Role of the Methodist Church in Running the Residential School System

"I want to get rid of the Indian problem. I do not think as a matter of fact, that this country ought to continuously protect a class of people who are able to stand alone. That is my whole point...Our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian department, that is the whole object of this Bill."

- Duncan Campbell Scott

There is an important historical aspect of the Residential School System that has not been brought sharply into relief: the role of the Methodist Church in Canada in creating and running them.

In the past decade, since the release of the TRC, there has generally been a stronger focus on the Catholic Church than on the other churches who ran residential schools. It is the case that a greater number of students attended Catholic-Run Residential Schools. A Papal apology was one of the calls to action of the TRC.

The role of the protestant churches has been somewhat less mentioned, including in the TRC itself. The TRC itself was intended to be accurate within its terms of reference, but it was not intended to be encyclopaedic.

There are two reasons for this significance. One is understanding the political and social climate that defined some historic protestant attitudes to Catholics, including at the highest levels of the Canadian Government. The general pattern of 19th-century Canadian federal patronage is also at work. Macdonald, the man who hired D.C. Scott in 1879 on his Methodist-minister father's personal introduction, was himself a member of the Orange Order, which dominated Ontario and much of federal civil-service patronage. The Orange Order's stated purpose included resisting "Catholic interference in civic affairs."

There was also bigotry, contempt and outright political violence. Father of confederation and Member of Parliament, D'arcy McGee, was assassinated on Sparks Street as he walked home from a late-night session. Thomas Scott, also an Orangeman, led a group of Canadians at Red River, and attempted to overthrow Louis Riel's provisional government. While in prison, Scott

said that if he were released, he would assassinate Riel. When he was tried, found guilty, and executed, the province of Ontario set a bounty on Riel's head. This was despite the fact that no agreement had been signed and no money had yet been paid by the Government of Canada for the acquisition of the North-West Territories. To claim Government of Ontario's \$5,000 reward for Riel's capture applied to a man outside its jurisdiction.

Catholic clergy were not welcome in this bureaucracy.

The reason this is significant to the history of Residential Schools is that while Catholic and Protestant Churches were both running Residential Schools, only one church was also running the Residential School Bureaucracy. That was the Methodist Church, which has laymen and ordained ministers working directly for the Department of Indian Affairs at the highest levels.

The Oblates of Mary Immaculate, who ran the largest share of Catholic residential schools, were a religious order that operated as external contractors, running institutions under per-capita government funding, not as government employees. When the Church wanted to influence department policy, it did so from outside, through its own hierarchy: J.O. Plourde, who corresponded with Ottawa about alleged bias, held the title "general superintendent of the Oblate Catholic Indian Missions." This was a Church office, not a Department one. And in 1935, the Cardinal Archbishop of Quebec had to write a letter to the Deputy Superintendent of Indian Affairs demanding the department's residential-schools branch be formally split into Catholic and non-Catholic sections, because Catholic leadership believed Ottawa was systematically biased against them.

The Truth and Reconciliation Commission does touch on the decisions of certain individuals, without recognizing their place in a Church bureaucracy as well as a government one.

The shared belief in Methodism and its specific tenets are the common thread that connects Egerton Ryerson, Duncan Campbell Scott, as well as the two other families involved in Methodist Residential Schools across Western Canada, the Woodsworths and the Ferriers. Their story provides irrefutable evidence about the criminal indifference to the safety of children, and people who downplayed it even when children were dying at alarming rates.

A Brief History of Methodism

Many loyalists who moved to Upper Canada after the American Revolution were Methodists, including the Ryersons. Egerton Ryerson was a convert to Methodism at the age of 17. His father, an Anglican, threw him out of the house. Ryerson ended up becoming a publisher and a preacher. One of the goals of the Methodists was to prevent the Anglican Church from becoming the "official religion" of Upper Canada. Ryerson played a significant role in the development of free public education in Ontario.

The devotion and contributions to reading, printing and education were all significant. There are "Wesleyan" colleges across Canada and throughout the United States.ⁱ

The Canadian Encyclopedia says that “Methodism ... led by John Wesley (1703-91), who encouraged personal holiness and a disciplined (hence “methodical”) Christian life. It was distinctive in its *Arminianism*, the belief that individuals are free to accept or reject God's grace, and that it is possible to attain “perfection” (the overcoming of a will to sin) in this life.” This is a distinctive way to look at the world. This perfection and overcoming a “will to sin” included temperance, or abstaining from alcohol.

These specifics of the Methodist theology matter. While the idea that people can perfect themselves through their own determination can serve as a powerful message of inspiration for self-improvement, progress and change, the idea of perfection is not one that allows much room for humility or self-doubt, or criticism. Methodism was also known for its missions to Indigenous people.

The letter Ryerson wrote to the Federal Government recommending the establishment of Residential / Industrial Schools for First Nations is relevant for all the assumptions it makes.

Ryerson assumes that First Nations lack civilization and sobriety, and that the only way of addressing this is to ensure that schools convert them to Christianity.

“it is a fact established by numerous experiments, that the North American Indian cannot be civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with, if not by the influence of, not only religious instruction and sentiment but of religious feelings. Even in ordinary civilized life, the mass of the laboring classes are controlled by their feelings as almost the only rule of action, in proportion to the absence or partial character of their intellectual development. The theory of a certain kind of educational philosophy is falsified in respect to the Indian; with him nothing can be done to improve and elevate his character and condition without the aid of religious feeling.

This influence must be superadded to all others to make the Indian a sober and industrious man. Even a knowledge of the doctrines and moral precepts of orthodox Christianity, with all the appliances of prudential example and instruction, is inadequate to produce in the heart and life of the Indian, the spirit and habits of an industrial civilization, without the additional energy and impulsive activity of religious feeling. The animating and controlling spirit of each industrial school establishment should, therefore, in my opinion, be a religious one. The religious culture in daily exercises and instruction should be a prominent object of attention; and besides vocal music, generally, sacred vocal music should form an important branch of their education.”

The government asked Ryerson's advice, not just for the practical secular reasons of organizing an educational system, but for religious advice. Ryerson's belief is that the “laboring classes” take action based on emotion. The motivation to “elevate character and condition” is

based on a belief that First Nations were inherently different and that the *only* solution is to require their religious conversion.

Ryerson and Duncan Campbell Scott were joined in rolling out the Residential Schools by a string of Methodist ministers and superintendents: Thompson Ferrier, Russell Ferrier, James Woodsworth Sr., J.S. Woodsworth, and J.F. Woodsworth.

The Woodsworths & The Ferriers

For the better part of half a century, two families ran significant parts of this system between them: the Woodsworths, father and two sons, and the Ferriers, father and son.

For skeptics who insist on verifiable evidence, their story is not assembled from testimony, secondhand allegation, or anything reconstructed after the fact.

It is present entirely in their own letters, their own published writing, and the government's own files recording what they did.

James Woodsworth Sr. and the founding of the Brandon Residential School

J.S. Woodsworth's father, the Reverend James Woodsworth, served as Superintendent of Methodist Missions for the entire Canadian West, operating out of Brandon, Manitoba, where a Methodist Residential School would run. He was not a distant administrator who inherited an existing institution: he was present at its creation.

Drawing on the historian J.R. Miller's account in *Shingwauk's Vision*, Katherine Nichols' 2015 University of Manitoba forensic-anthropology thesis on the Brandon Indian Residential School finds that:

“Hayter Reed and Methodist missionary James Woodsworth met with Brandon city leaders who were eager to establish” an industrial school there.

The Mayor of Brandon and the President of the city's Board of Trade were actively lobbying Methodist headquarters to secure it for their town. The school that would go on to be run for nearly three decades by Thompson Ferrier, and where children would be buried in two successive cemeteries, existed in the first place partly because James Woodsworth helped bring it there, when he moved to Brandon with his family from Etobicoke, Ontario.

Thompson Ferrier at Brandon: character, conditions, and a piece of fatal arithmetic

One of Woodsworth Senior's tasks as Superintendent was to recruit men of the cloth and bring them West. Woodsworth was:

“the director of western missions for the Methodist Church from 1886 to 1915. One of his sons, J. F. Woodsworth, served as principal of both the Red Deer and Edmonton residential schools. (James Woodsworth was also the father of J. S. Woodsworth, the founder of the Co-operative Commonwealth Federation, a forerunner of today’s New Democratic Party.)”

Being the Superintendent for the Methodist Missions in Western Canada, then termed the “Northwest,” meant being responsible for the Methodist Residential Schools in all present-day British Columbia, Alberta, Saskatchewan and Manitoba, all from Brandon, where the Woodsworth family moved in 1882.

It also meant recruiting people to do the Missionary work. One of them was another future CCF co-founder and Methodist minister, William Irvine. In 1895, the Brandon Industrial School was established, and was being run by another Methodist Minister, Thompson Ferrier. It drew on students from all over Manitoba.

Thompson Ferrier became principal of the Brandon school in 1899 and remained in that position until 1928. That is essentially the entire span most residential-school controversy concerns itself with. From very early in his tenure, his own words describe both his educational philosophy and the physical state of the institution he ran.

“From its beginning, the school focused its recruiting efforts on Cree and Anishinawbe children from northern Manitoba communities including Norway House, Gods Lake, Berens River, Nelson House, Oxford House, Island Lake, and Little Grand Rapids; other students came from Cross Lake, Fisher River, and St. Peter’s.”

Ferrier was also associated with other Residential Schools. A photo of him in a canoe with Indigenous students at another Manitoba Residential School at Portage la Prairie introduces the first Chapter of John S. Milloy’s book, *“A National Crime: The Canadian Government and the Residential School System, 1879 to 1986”*.



Reverend Ferrier taking boys to the school at Portage la Prairie, Manitoba, 1904.
(Manitoba Museum of Man and Nature EP 347)

The TRC's Final Report, Volume 1, Part 1, quotes Ferrier directly from 1903: he wrote that “while it is very important that the Indian child should be educated, it is of more importance that he should build up a good clean character,” a heavy emphasis he considered necessary, in his own words, to “counteract the evil tendencies of the Indian nature.”

The same volume records Ferrier himself, in just his first year on the job, complaining to the Department that the school's own heating system “has been so tampered with and mutilated that it exists no longer in its original form.” The principal responsible for the children's welfare was reporting, in writing, that the building's heat could not be relied upon, in a Manitoba winter.

Over many years, Ferrier was accused of paying First Nations parents to send their children to the school, where they were underfed, overworked and many died.

“In 1900, Ferrier was accused of paying northern Manitoba families to send their children to Brandon. DIA official Martin Benson considered the charge unfounded, but he wrote, erring to the protocols Aboriginal parents insisted on when making such agreements and commitments, “He may, however, make some present by way of clothing or otherwise to induce them to part with their children as it is said to be pretty generally the practice in the West to fill up the schools by this means.”

In just eight years, from 1898 to 1906, 25 children died while living at the school, which required children to work half-days of unpaid labour to help pay for the school's operation. The school at Brandon was one of the ones where the death rate was so high that Ferrier proposed "a new cemetery."

"In the 1902–1903 school year six pupils died at the school. Drawn from distant communities including Gods Lake, Norway House, and Berens River, the youngest of these children was only seven, the oldest 16; most were in their early teens when they passed away. As Paul Hackett has shown, this pattern of declining health following admission to residential schools would continue throughout the residential school system's history.... On 29 May 1912, Rev. Thompson Ferrier, Principal of the Brandon Residential School, wrote to the Secretary of the Department of Indian Affairs at Ottawa to propose the establishment of a new cemetery for children who died at the school... In 1915, Ferrier responded to criticism that the boys at the school were poorly dressed by explaining that "In the month of April there is a great deal of work to be done that the boys cannot be very tidy in their clothing in doing."

In 1906, the year before Bryce released his report, Ferrier had a book promoting Residential Schools called "Indian Education in the North West" which was published out of Toronto by the Methodist Church, in which Ferrier calls for the "destruction and end of treaty and reservation life." In it, he mentions travelling to the Morley Boarding School, which was the Morley Residential School in Alberta, with one of the Woodsworths.

"And I am sure if all the members of our Mission Board could have seen the Morley Boarding School, as Dr. Woodsworth and I saw it last winter, the conclusion would be that the difficulties in managing a school on a reserve have been more than a match for our church at that point."

Ferrier's depiction of Indigenous people is a litany of racial stereotypes, many of which have endured to this day. It is coloured, in part, by the fact that Ferrier, as a Methodist, despised alcohol:

"On the reserve the white man's vices have taken a deeper root than his virtues.

His fire-water has demoralized whole tribes, and the diseases he has introduced have annihilated many.

The Indian is growing up with the idea firmly fixed in his head that the Government owes him a living, and his happiness and prosperity depend in no degree upon his individual effort.

Rations and treaty are all right for the aged, helpless, and infirm.

Strong and able-bodied Indians hang around for rations and treaty, neglecting other duties and the cultivation of their land, in order to secure what in many cases could be

earned several times over in the same length of time. The system destroys his energy, push, and independence...

“As fast as our Indian, whether of mixed or full blood, is capable of taking care of himself, it is our duty to set him on his feet, and sever forever the ties that bind him either to his tribe or the Government. Both Church and State should have, as a final goal, the destruction and end of treaty and reservation life.”

This entire section was quoted in J. S. Woodsworth’s 1909 “Strangers Within Our Gates,” another book published by the Methodist Mission. If Woodsworth was aware of Bryce’s report, or Ferrier’s reaction to it, there is no evidence of it, because “Strangers” promotes Residential Schools.

“Mr. Ferrier thinks that the main hope lies in giving the young generation a good, practical training in specially organized industrial schools...”

Much missionary work, evangelistic, educational, industrial and medical, has been done among the Indians.

Many are devout Christians living exemplary lives, but there are still 10,202 Indians in our Dominion, as grossly pagan as were their ancestors, or still more wretched, half civilized, only to be debauched. Surely the Indians have a great claim upon Canadian Christians!”

What was happening at the Brandon Residential School was exactly what Dr. Peter Bryce, Canada’s First Chief Medical Officer, described as a “National Crime.” It was Bryce who wrote a 1907 report that detailed the fact that First Nations students at Residential schools were dying in appalling numbers of Tuberculosis, when the deaths could be prevented.

Ferrier knew about and even personally responded to the Bryce Report about deaths in Residential Schools:

“Upon its release in the fall of 1907, the report made national headlines. Saturday Night magazine reviewed the statistics presented by Bryce and concluded, “Even war seldom shows as large a percentage of fatalities as does the educational system we have imposed on our Indian wards.” The headline in the Montreal Star read “Death Rate Among Indians Abnormal.” A similar story in the Ottawa Citizen concluded that the schools were “veritable hotbeds for the propagation and spread” of tuberculosis.

In releasing the report, Indian Affairs asked for comments from Indian agents and school principals. The Indian Affairs inspector at Gleichen, Alberta, wrote that “on the whole, I agree with the Dr.’s conclusions.” He said that “if more funds had been expended to better the conditions complained about in this report and a great deal less on drugs, there would have been fewer deaths among the pupils.” The Indian agent in Morley, Alberta, J. I. Fleetham, wrote that “as far as the Stony Reserve is concerned, I

am fully of the opinion that fully 40% of the population more especially those under 25 years of age have more or less tuberculosis in their blood and that 75% of the deaths during the last three years are from this disease.”

One of Bryce’s recommendations was that the Federal Government should take over the schools, which caused defensive blowback from the churches:

“The churches and schools aggressively defended their records. Brandon, Manitoba, principal T. Ferrier pointed out that when the schools were first established, there was no medical screening of students and “a large number of pupils were taken into the schools that should never have been admitted.” Admission was now much tighter, and the diet and clothing were much improved. He argued that since the schools that responded to Bryce’s survey had been in operation for an average of fifteen years, the death rate should have been stated as 1.6% per year, not 24%.

This is an early example of how Bryce’s findings were going to be misread over the years, both by supporters and critics of the schools. As noted above, Bryce did not present the figure of 24% as a death rate. He stated that, according to figures provided to him by the principals, a quarter of the individuals who had enrolled in these schools since they opened (and he noted that some had opened as early as 1888) were dead. Since 24% was not a death rate, dividing it by fifteen (as Ferrier had done) does not produce an annual death rate.”

This mistake on Ferrier’s part, seeking to minimize deaths, is the same mistake made in Grave Error. Because the schools that had responded to Bryce’s survey had, on average, been operating for fifteen years, Ferrier argued the death rate should properly be described as “1.6 percent per year,” not 24 percent. Ferrier divided Bryce’s number by fifteen to make it appear roughly seventeen times smaller.

These assumptions, as well as the idea that Indigenous people and First Nations were a “dying race,” were not just a personal point of view.

“Pray, Study, Give.” Using Residential Schools to Fundraise

These statements were all published in books put out by “Young People’s Forward Movement for Missions,” a plan to recruit missionaries and raise money launched in Canada in 1895, which was picked up and emulated by other Methodist Churches.

H.E. Warren, F.C. Stephenson and C.W. Service founded the Young People’s Forward Movement in Toronto in 1895. Their intention “was to organize Epworth Leagues of the Methodist Church of Canada for the support of missionaries at home and abroad,” named “Epworth” after John Wesley’s birthplace in England.

A history at Case Western states that the first Epworth league “was founded at Cleveland's Central Methodist Church on 14 and 15 May 1889. Within 10 years it claimed over 1.75 million members in 19,500 chapters internationally.”

According to the United Church archive, “The movement itself was Methodist, but it was not a department of the Methodist Church. Instead, the General Conference of 1906 appointed F.C. Stephenson secretary of the body, the purpose of which was to promote the cause of missions among young people through the provision of literature, and the holding of conventions and summer schools for the study of the Bible and missions.”

Woodsworth’s book, like Ferrier’s, was written for the purpose of raising money. *Strangers Within Our Gates* is not a book written from a personal or impartial academic viewpoint, is written with the goal of presenting the Methodist Mission’s accomplishments to encourage donations.

The motto of the Young People’s Forward Movement was “Pray, Study, Give.”

Service wrote, “it has become an integral factor in the missionary activities, not only of the Leagues, but also of the Canadian Methodist Church as a whole. And the marvellous results are well known. Not only have many thousands of dollars been paid into the treasury of the General Missionary Society by the young people, but there have also been sent forth several new missionaries, while others are on the eve of departure.”

An 1897 training booklet set out the details of how to organize, with illustrations of donation envelopes, recommendations for regularly weekly giving at two cents a week. Pray, Study, and Give were the three steps meant to achieve the object of “The evangelization of the world in this generation.”

1. First, “pray daily for power and guidance to obey our Saviour's last command, "Preach the Gospel to every creature."
2. Second, “That every member of our Young People's Christian Societies study the need of the heathen”
3. Third, “That every member of our Young People's Christian Societies lay aside weekly a certain sum upon which he will ask God's blessing-this money to be sent at regular intervals through the regular channels of the Church, to support the Missionary Board of the Church to which he belongs.”

The fundraising was not done by volunteers: under a program called “Student’s Fund for College Expenses,” young people who worked for at least four weeks in one season could be paid no more than \$1 a day to go to the Epworth leagues and sign up donors. The grants would be announced within a week of the end of the summer fund drive, with the General Board of Methodist Missions distributing the fund based on their judgment. The vast majority

of signatures are in Ontario, but James Woodsworth Sr is recorded as being the member from Brandon, Manitoba.

As publications of the Methodist Young People's Forward, Woodsworth's *Strangers Within Our Gates*, and Ferriers', *Indian Education in the North West* should be considered in this context. They were not expressions of a personal opinion, or journalistic or academic observation: they were written for the purpose of fundraising and recruitment for the Methodist Church.

Ferrier Requests a Larger Graveyard

We know from the cover of Ferrier's 1911 book, "Our Indians and Their Training for Citizenship" that Ferrier received a promotion, since cover described him not as principal, but as "Superintendent, Indian Education, Methodist Church of Canada."

In May 1912, Ferrier wrote to the Department of Indian Affairs about the Brandon school's burial ground. His proposals for the existing and future cemeteries are a sobering statement of his priorities and expectations. The first concerned why the existing school cemetery, on the riverbank, needed to be closed: the City of Brandon wanted to buy the land for a public park. Ferrier's primary concern was that the future burials be kept out of the sight of the public. He wrote

"In-as-much as the general public might have an opportunity in the future of observing this burying ground from a public park, some sentiment might arise regarding the matter, therefore I believe that it is unwise to continue burying in that plot of land."

The second concerns why a replacement site was needed at all. Ferrier's own words leave nothing to interpretation: "I have gone over this morning for the purpose of locating a suitable and proper site for a burial plot, believing that we will have to use it in the near future for three pupils."

Both of the Brandon school's two documented burial grounds trace to this file: the original riverbank site, used from 1895 to 1912, and the North Hill site opened as a direct result of this letter. A 2015 forensic survey using ground-penetrating radar and electromagnetic conductivity mapping identified roughly forty-two unmarked burial anomalies across the two sites, in addition to seventy named students already confirmed in the archival death registers.

Three years after Ferrier's letter, in 1915, parents at the Norway House school refused to send their children back after a summer of complaints about food and clothing.

Ferrier's reply to Chief Berens, also in the TRC, is that it doesn't matter what the parents want: "These children can be taken back to the school by the Department, in spite of whether the parents are willing or not now that they have been entered as pupils of the school." Parental consent, on Ferrier's own account of the system he administered, was not something the Department needed once a child had been enrolled.

In his career and in his person, Ferrier embodies everything wrong with the Residential Schools that the writers of *Grave Error* have sought to deny.

Ferrier's record is a testament to the failures of Residential Schools in all the ways that the authors in *Grave Error* deny. He was accused of bribing parents to send their children to a school where, before 1903, there were over two dozen children dead, and where children were pressed into forced labour running the farm, badly dressed in cold weather. When asked about death rates in the schools in 1907, he played them down. Just five years later, he was requesting a larger, less-publicly-visible cemetery for the students he knew would be buried there.

In a 1925 book written to mark 100 years of Methodism in Canada and the year that it dissolved into the greater United Church, Ferrier is named a few times, mentioning that he was still Principal, but that "Medical" work had been added to his title. "For many years the Rev. Thompson Ferrier has been Superintendent of the Medical and Educational work among the Indians, carried on by the Methodist Church." When the 1918–1920 transfer of Indian missions from the Foreign to Home Department was negotiated, the Indian Workers' first condition was "the continuance of the present superintendency," which protected Ferrier's position directly.

A Second Generation of Woodsworths and Ferriers

J.F. Woodsworth at Red Deer: policemen, warrants, and pauper graves

As happens in some protestant churches, they can become something of a family business. Both James Woodsworth Sr. and Thompson Ferrier both had several children, including children who also became Ministers within the Methodist Church, and were also mentioned in the TRC.

The Rev. J.F. Woodsworth, brother of J.S., was a principal of the Red Deer Indian Industrial School in Alberta. When children had not returned after summer vacation, he wrote to parents to warn them that if they were not sent back within a week, "I shall send a policeman to bring them." The same month, he followed through, obtaining a warrant for the arrest of fifteen "runaway" students at once.

Four years later, the 1918–19 influenza pandemic reached Red Deer. Milloy's independent research, drawing on the same archival file the TRC cites, names all five children who died: Georgina House, Jane Baptiste, Sarah Secsay, David Lightning, and William Cardinal.

Woodsworth's own report to the Department describes conditions as "nothing less than criminal," with no isolation ward or hospital equipment "of any kind," and "the dead, the dying, the sick and convalescent... all together" in a single space, with no doctor visiting throughout the crisis.

Duncan Campbell Scott's reply acknowledged regret at “the deaths that have occurred” while citing budget constraints as the reason the Department's response had been limited, which is not an explanation for why a residential school would have no isolation capacity at all.

Both the TRC report and Milloy's book quote J.F. Woodsworth's own words, which can scarcely be misinterpreted: “I directed the undertaker to be as careful as possible in his charge, so he gave them a burial as near as possible to that of a pauper. They are buried two in a grave.”

By 1919, citing chronic underfunding and the epidemic, Woodsworth himself recommended the school's permanent closure, observing that it “has been in the wrong place from the first.” This was his own verdict on an institution he had run for years.

Russell T. Ferrier: the Department's fixer, and the cover-up at Chapleau

Russell T. Ferrier, Thompson Ferrier's son, went on to become the Department of Indian Affairs' own Superintendent of Indian Education, setting policy and responding to complaints for the entire system.

Some of his conduct in that role is simply bureaucratic evasion. In 1926, Sister Mary Gilbert of the Grouard school in Alberta wrote to him asking for the department's actual regulations concerning the education of Indian children. This was a reasonable question for a school administrator to put to the government's own superintendent of education. His reply, recorded in the TRC, was: “The only printed matter in this connection is the Indian Act, Section 9 to 11A inclusive.” He pointed a working school toward a general statute rather than providing any actual educational standard, because none existed to provide.

In another instance, Ferrier issued department-wide instructions under his name, urging “Indian Agents, principals and others interested in Indian education... to make every possible endeavor to persuade parents to leave their children in school until eighteen.”

This was despite the fact that, under the law, students could leave school at 16. However, as a consequence of this order, if parents tried to withdraw a sixteen- or seventeen-year-old child from school, as was their right, instead of it being granted as a matter of course, they would be informed that “the matter will have to be referred to the Department.”

The most serious episode of Russell Ferrier's career is mentioned in Milloy's book *A National Crime*, not the TRC report. It is a documented instance of a bureaucracy defending itself. In response to a substantiated complaint, the official response was to attack the character of the people reporting a complaint: in this case, parents reporting mistreatment of their children.

In 1921, twenty parents with children at the Chapleau School in Ontario petitioned Henry Jackson, President of the Grand General Indian Council of Ontario, describing “acts of cruelty

and unkindness to as well as mismanagement of our children.” Jackson retained a lawyer, A. Chisholm, who visited the parents and gathered sworn affidavits describing what had happened.

Duncan Campbell Scott then dispatched Russell T. Ferrier to inspect the school. In correspondence, Scott described Ferrier as “quite capable of dealing with the issue there and in Parliament.”

Ferrier arrived unannounced. His resulting report did not evaluate the specific claims on their merits. Milloy sums up the strategy: “Everyone criticizing the school was to be discredited.”

Documents show that Ferrier called the parents' sworn affidavits a “tissue of lies” and their testimony “largely false,” while describing the parents themselves as mere “dupes,” people who had signed the affidavits “unaware of what they were signing.”

He then identified who he considered the actual source of the trouble: not the principal whose conduct had been reported, but the fired whistleblower Jacob Candee, and his lawyer, Chisholm, whom Ferrier accused of using “extravagant language in the affidavits” and being the real “troublemaker, by magnifying in the eyes of the Indians their own fancied wrongs.”

The wrongs were quite real. The department knew it. Milloy remarked on a nearly identical pattern of dismissal at another school, Round Lake.

“Again [at Chapleau], as at Round Lake, the 'wrongs' were not 'fancied' but real, and the Department was fully aware of it,” because within days of Ferrier's report calling the affidavits a tissue of lies, Duncan Campbell Scott privately wrote to the school's principal, Reverend G. Prewer, warning him that his management of the school “was not above reproach,” and directing him to curtail his use of corporal punishment, change the children's five-thirty a.m. wake time, increase their class time, and stop using child labour to sell wood and milk in place of practical instruction.

The Department that had just publicly branded the parents' sworn complaints a fabrication was, at the very same time and in the very same file, privately ordering the school to fix the specific problems those complaints had described. There is no honest reading of that sequence other than that Ferrier's report was a deliberate discrediting campaign against people whose complaints the Department already knew, internally, to be true.

It is fair to note one complication in Russell Ferrier's record, because the same standard of evenhandedness applies to him as to everyone else in this story. Three years after Chapleau, in July 1925, Ferrier undertook a tour of other schools on behalf of the Methodist Church itself rather than the government. His own memoir from that tour candidly describes serious problems he found: conditions at Mount Elgin severe enough to have provoked arson attempts

by the students there, a collapse of order and discipline at Brandon, and conditions at Port Simpson he himself called “a disgrace to the Methodist church.”

Milloy's assessment of this later report is that none of what Ferrier described was actually news to the Department or the churches, who already had “a flood of evidence” of the same problems from other sources. Ferrier's record is therefore not one of uniform, blanket denial. When he was reporting to his own church rather than protecting a federal department's public position, three years after Chapleau, he was capable of being a candid witness to real and serious problems. Both facts are part of the record. Leaving either one out would distort it.

Brandon After Ferrier: a Premier's Intervention, and His Own Government's Record

The pattern of neglect documented at Brandon under Thompson Ferrier did not end in 1928, when Ferrier's tenure did. Andrew Stobo Sniderman and Douglas Sanderson's *Valley of the Birdtail* (2022), drawing on Department of Indian Affairs correspondence, records that in 1935, under a later principal, a mother wrote to the Department reporting that students were “so hungry that they were resorting to shoplifting in town stores,” and accused the principal of effectively “training the children to be thieves.” No response from the Department is recorded in the file.

More than a decade later, the same school produced a documented intervention from an unexpected quarter. In September 1946, CCF Premier Tommy Douglas of Saskatchewan sent a telegram to the federal minister responsible for Indian Affairs after Clifford and Verna Shepherd, the children of John Shepherd of the Moose Mountain Reserve near Carlyle, Saskatchewan, were forcibly removed by the RCMP from their local day school and transported some 200 kilometres to the Brandon school in Manitoba. Douglas's telegram stated plainly that “father and members of band have protested arbitrary action” and demanded the federal minister's “immediate attention.” Four months later, on January 6, 1947, Douglas wrote directly to Brandon's principal, Reverend Strapp, calling it “improper to coerce a lad of fourteen years into remaining at your school by locking him in his room and depriving him of his clothing.”

The response from the institutions responsible was dismissal, not correction. The federal minister assured Douglas the school was “satisfactory.”

Reverend G. Dorey, representing the United Church, which by then administered the school, reportedly joked that if Douglas believed Indigenous complaints, “he will have plenty to do,” which is indicative of how seriously the church was taking complaints.

Clifford was released three weeks after Douglas's letter, which suggests the intervention had some effect even though neither the church nor the federal government ever conceded the substance of the complaint on the record.

At the same time, Douglas's own government was no model of provision for Indigenous children under its own jurisdiction. David Quiring's 2002 doctoral dissertation on CCF administration of northern Saskatchewan drew on the government's own files.

It documents that the Douglas government funded a modest \$100-per-school noon-lunch program in northern classrooms through the 1940s, then centralized and cut it, "claiming abuse." At Montreal Lake North specifically, a teacher appealed to the Red Cross to provide school lunches after the CCF ended the program in 1948, describing the community as "badly undernourished," with children "bringing dry bannock and lard for lunch."

Later in the same era, a Dr. Hoffman found "critical" malnutrition among children at La Loche, which by Quiring's account was possibly the poorest community in the North. He repeatedly failed to secure funding for a nutrition program from the province's own Department of Natural Resources, while the Department of Education budgeted only twenty-five cents per child per year for nutrition. The same dissertation documents comparable CCF underfunding of northern dental and medical services across the same period, including a refused \$20,000 request to expand children's dental care that a senior public health official, on leaving government service, called "discrimination with a vengeance."

Douglas's intervention on the Shepherds' behalf was positive, but the ironies cannot be missed or dismissed. Douglas protested one family's mistreatment at a residential school his own party's founder had helped establish, while his government simultaneously ended a hunger-relief program for Indigenous schoolchildren, and left programs to address documented "critical" malnutrition unfunded for years afterward. It is the same pattern, in a different register: real, specific acts of decency coexisting with institutional neglect that the same person had the power to fix and did not.

[Eugenics, Sterilization and the Canadian KKK: A Cross-Partisan Consensus](#)

This material isn't included to indict one party. It's included because the claim that this was a fringe phenomenon, confined to one side of the aisle, doesn't survive contact with the record. Nor does the version of this history that treats the Klan as a kind of weather event: a "conflagration," a mania that flared and blew itself out. The Saskatchewan Klan of the 1920s was an organization that elected people to the legislature and to Parliament, brought down a sitting government, and ran the campaign that first sent Tommy Douglas to Ottawa. It reached into the Conservative Party, the Progressives, and the movement that became the CCF and later the NDP, with the active participation of Protestant clergy who treated eugenic sterilization as an expression of their faith, not a departure from it. And the pattern didn't end

with support. It continued into denial. Each of the parties this movement passed through went on to write it out of its own history.

From pulpit to statute

The clearest measure of how far this went is that it became law, and stayed law for more than four decades. Alberta's Sexual Sterilization Act (1928–1972) established a Eugenics Board with the power to order sterilization of institutionalized people found likely to pass on a “mental disease or deficiency.” Over its lifetime the Board approved 2,834 sterilizations. Indigenous people made up roughly 2.5 percent of Alberta's population but 6 to 8 percent of those sterilized overall. In the years just before repeal, 1969–1972, they accounted for more than 25 percent of the sterilizations performed. Consent was obtained in only 17 percent of Indigenous cases; more than 77 percent were simply classified “mentally defective,” a designation that made consent legally unnecessary. A parallel British Columbia statute (1933–1973) sterilized an estimated 200 to 400 people; most of its records were destroyed.

That statute didn't emerge from nowhere. J.S. Woodsworth was the Methodist minister's son who founded the party that became the CCF and, eventually, the NDP. He directed the Bureau of Social Research, a joint Manitoba-Saskatchewan-Alberta government agency whose published work, under his direction, argued for “the segregation and sterilization of mental defectives,” material drawn substantially from Dr. Helen MacMurchy, the era's leading advocate of compulsory sterilization. That is the same framework Alberta wrote into law a decade later. This wasn't personal eccentricity: the United Methodist Church's own 2016 “Book of Resolutions: Repentance for Support of Eugenics” documents bishops and denominational leaders sitting on American Eugenics Society boards and running church “Fitter Family Contests” from the pulpit. This was a current strong enough that the denomination formally apologized for it decades later. Tommy Douglas's own 1933 thesis, recommending sterilization of “subnormal” families, sits in the same current; Woodsworth was Douglas's family preacher growing up.

Karen Stote's foundational history of coercive sterilization in Canada situates this practice within the broader “maternal feminist” reform movement of the 1920s: Nellie McClung and Emily Murphy, both leading figures in the campaign that later made them famous as two of the “Famous Five,” were outspoken advocates for Alberta's Sexual Sterilization Act. McClung, like Woodsworth, was a lifelong, nationally prominent Methodist. That standard account, however, does not generally include the Bureau of Social Research itself: the fact that the sterilization framework Alberta wrote into law in 1928 had already been argued for, years earlier, by an official government office serving three provinces at once, an office whose director went on to found the party that became the CCF and, eventually, the NDP.

A mainstream movement, not a fringe one

By 1928 the Saskatchewan Klan claimed 25,000 members, with chapters in every major city and members among mayors, MLAs, MPs, and clergy. Historian William Calderwood identified twenty-six Protestant ministers, across six denominations, who belonged to or worked directly with the Klan. A Presbyterian minister, MLA for Weyburn, and Speaker of the Legislature, Robert Sterritt Leslie said publicly he hoped eugenic sterilization would soon answer the province's growing hospital population. This wasn't incidental to the Klan's organizing method: historian Linda Gordon has documented that the 1920s Klan functioned as a religious organization in its own right, claiming tens of thousands of ministers among its members continent-wide. On Empire Day 1928, crosses burned across Saskatchewan simultaneously; near Melfort, seven to eight thousand people gathered to watch.

Every party's hands

Saskatchewan's Liberal Premier, Jimmy Gardiner, was staunchly anti-Klan. Gardiner had grown up as a farm hand and became a teacher, where his students were from different backgrounds. A teetotaler and a founder of the United Church, Gardiner and his government were assailed for being loose on prohibition, which had ended in Saskatchewan in 1925, as well as the teaching of French by Catholics in Saskatchewan schools.

Gardiner was warned that his attacks on the Klan could backfire, as it wasn't just the Conservative Party that had Klan members – so did Progressives, and so did the Liberals.

The Conservatives. Dr. Walter Cowan, a former Regina mayor, sitting Conservative MP, and the Klan's own provincial treasurer, wrote to his own party's leader, Prime Minister R.B. Bennett, that the Klan was “the most complete political organization ever known” in the West:

Every organizer in it is a Tory. It cost over a thousand dollars a week to pay them. I know it for I pay them. And I never pay a Grit. Smile when you hear anything about this organization and keep silent.

The 1929 election brought down a twenty-four-year Liberal government, despite the Liberals winning the most seats. Among the Conservative candidates the Klan-Conservative-Progressive alliance helped install was a young John Diefenbaker, who declined to deny Klan membership and ran an eve-of-vote ad warning of the “indiscriminate dumping of immigrants.”

The Progressives, and the party that became the CCF/NDP. M.J. Coldwell, later national leader of the CCF, chaired the royal commission that was the Progressives' price for propping up the Klan-aligned government, and was, by his own account, “astounded at the number of highly placed Conservatives” on a Klan membership list he was personally handed and later destroyed. Though astonished, Coldwell never saw fit to make it a campaign issue, including when he led his own party into the next election.

Daniel Carlyle Grant, the Klan's Western Canada organizer, went on to run the 1935 campaign that first elected Tommy Douglas to Parliament, coaching his public speaking and organizing his fundraising. Douglas's own authorized biographies either omit Grant's Klan role or minimize it.

Once in office, Saskatchewan's CCF government carried a version of this logic forward, in secular form. In 1947 it opened the Green Lake Children's Shelter, the province's first non-denominational institution built specifically to house Métis children. The minister responsible for it, John Sturdy, described its purpose as preparing children to eventually "take their place in society." That was the same assimilative goal that animated the church-run residential school system, pursued here through a different, avowedly secular institution.

What the parties did with this afterward. The Saskatchewan Conservatives and Progressives merged into the line that became the modern Conservative and Progressive Conservative Parties; the CCF became the NDP. Both have largely written this out of their own histories: the Conservatives quietly, the CCF/NDP tradition more assertively, building a self-image as the moral opposite of everything the Klan represented while leaving out its founder's eugenics advocacy and the Klan organizer who ran its first winning campaign.

The idea did not end when the law did

Alberta repealed its Sterilization Act in 1972. Leilani Muir, sterilized without her consent at fourteen, sued the province and won in 1995; 246 more people sued and were awarded \$82 million in 1998–99. Premier Ralph Klein apologized to survivors in 1999. But the apology stopped short of calling what happened a crime, because under the Act, at the time, it hadn't been one.

But the underlying practice outlived the statute that had authorized it. Saskatchewan was the same province where the Klan first proved a government could be built and unbuilt on this kind of politics. There, a 2017 external review of the Saskatoon Health Region, led by Senator Yvonne Boyer and physician Judith Bartlett, documented Indigenous women coerced into tubal ligation immediately after giving birth: no longer under any sterilization law, but under exactly the same pressure the old law had made official.

One estimate put the number of post-birth tubal ligations performed on Indigenous women in the Saskatoon region at 94 as of 2010, falling to 20 by 2015, lower but not zero. A class-action lawsuit filed in Saskatchewan that same year grew from 60 women to more than 100 across five provinces by 2018. In December 2018, the United Nations Committee against Torture cited these Saskatchewan cases by name in formally raising concern with Canada. The Senate published two studies on this, in 2021 and 2022; the second was titled, without apparent irony, *The Scars That We Carry*.

Both concluded that forced and coerced sterilization “is not confined to our distant past” and is “clearly continuing in Canada today.” Cases reported since include a Northwest Territories lawsuit over a 2019 sterilization, allegations in British Columbia that young Indigenous girls were pressured into IUD insertion, and, as recently as 2025, women in Newfoundland and Labrador and in Quebec coming forward with accounts from the past decade. A bill to make forced sterilization a specific criminal offence, Bill S-250, was introduced in the Senate in 2022 and, as of this writing, has still not become law.

Has the National Crime ever Stopped?

The fact that women are being sterilized without their consent is in itself a shocking state of affairs. The Residential Schools may be closed, but CFS agencies are still seizing children, but the ideology of eugenic sterilization has persisted despite being illegal. The overrepresentation of Indigenous women speaks for itself. The underlying idea that the “subnormal family” should be culled from society has persisted. It challenges the notion, promoted by Grave Error and various sanitized Canadian histories, that the officials of the past era were simply doing their well-intentioned best by the standards of their time.

In this period, religious convictions did not restrain eugenic thinking, they promoted it. It supplied the institutional platform that spread it, and its proponents made its way into legislation. This is not some relic of an ignorant past that has long since closed. There is still an idea that “blood will tell” and a belief that these issues have been settled, when it is still happening today.

Part 2, Chapter 9 - Social Credit in Power

Unlike the Klan, Social Credit didn’t just elect people. It governed. It held power in Alberta for thirty-six consecutive years (1935–1971) and governed British Columbia for most of four decades (1952–1972, and again 1975–1991).

Radical policies at the provincial level arguably matters more in Canada than almost anywhere else, for reasons of Canada’s constitution. Canada is described as the most decentralized federation in the world: which is to say, the country whose provinces have more power than subnational governments anywhere in the world. Provinces, not Ottawa, control the areas that most directly touch people’s lives, including health, justice, education, civil rights, housing, roads, the environment, labour, health and safety, and as this report has shown throughout, child welfare.

A party that governs a province for decades is not a marginal actor in this history. In several respects, it is the primary one. And this party’s record in office includes open antisemitism at the highest levels of government. This was not an embarrassing footnote. It was doctrine.

Origins

Social Credit began as an accounting theory: British engineer Clifford Hugh Douglas argued that the wages an economy pays out are always less than the prices it charges, and that the gap could be closed by a state-issued “national dividend.” The idea entered Canadian politics through the same men who founded the CCF: William Irvine and J.S. Woodsworth pressed for the parliamentary hearing that brought Douglas to Ottawa in 1923. It was Alberta’s United Farmers who carried the theory home. By the 1930s, Douglas himself had folded the Protocols of the Elders of Zion into his official writings, arguing that even if the document was a forgery, it accurately described a real conspiracy. That defense of the Protocols became Social Credit doctrine wherever the party took root.

Alberta in power

William Aberhart, a radio evangelist, won Alberta in a 1935 landslide on a promise of a monthly dividend that was never paid. What the government did instead: created a Social Credit Board to force implementation, had every sitting member sign a loyalty oath to it, and drafted legislation to license every bank in the province under government control and, in the Accurate News and Information Act, to force newspapers to print government rebuttals and empower the state to ban any publication or writer it judged inaccurate. Alberta’s Lieutenant-Governor refused assent; the Supreme Court struck the bills down. When a pamphlet naming nine government opponents for “extermination” circulated among MLAs, the emissary Major Douglas himself had sent from England to run the Board was convicted of libel and deported. Antisemitism ran through the party’s federal caucus too. In 1947, an Alberta MP read the Protocols into the record of the House of Commons, until Premier Ernest Manning moved to repudiate it publicly, banning Douglas’s own writings from the party paper. A governing party that has to ban its own founder to stay respectable is a party whose founder was the problem.

British Columbia in power

The same movement governed British Columbia for most of two more decades, first under W.A.C. Bennett (1952–1972) and later his son Bill Bennett (1975–1991). This was proof it wasn’t an Alberta-specific aberration, but a durable current in Western Canadian politics generally.

Saskatchewan: the man who chaired it nationally

Saskatchewan never elected Social Credit, but it produced the chairman of the party’s national council: Joshua Haldeman, a Regina chiropractor who moved through the CCF, the banned Technocracy movement, and finally Social Credit, defending the Protocols in the letters pages of the Regina paper before emigrating to apartheid South Africa in 1950, where he wrote in defense of the apartheid government and, later, of a supposed international conspiracy behind fluoridation and vaccination. He is not a curiosity. He is what a respectable path through this movement’s institutions could produce. His grandson is Elon Musk.

Conclusion

This document set out with two goals related to challenging the inaccurate accounts made in Grave Error, which as of this writing, are still being repeated regularly.

The first was to expose that Grave Error fails on its own terms as a work of scholarship. Errors in fact, errors in sourcing, errors in logic and reason that all lead to false conclusions.

The second was to go further, and explain how decades of historical, documentary and statistical records up to the present day, directly contradict the assumptions and claims that are routinely made by Grave Error's authors.

The facts and events detailed above are clear, sustained, detailed and repeated reports over decades that paint a picture of Canada's history that has generally been scrubbed clean, and in more recent decades, simply ignored.

What may be seen as a detour into political history is to drive home a number of points, including about the widespread acceptance of radical ideas, like sterilization, among intellectual and public leaders, as well as the existence of out-and-out hate groups who were putting people in office at every level of government.

This is the political environment in which recommendations and policies about Indigenous people were being debated and enshrined in law.

All of this other, existing evidence about the residential schools, about child welfare, about eugenics, and about sterilization is derived from contemporary records. And the story of two families who ran real institutions and set real policy, written in their own hands and preserved in the government's own files, the TRC's own published volumes, a forensic archaeology thesis, an academic monograph built from the same archives, and the pages of a daily newspaper.

It is grim, because what people cannot grasp is the banality of evil expressed in these decisions.

- Thompson Ferrier's 1907 arithmetic is the documented origin of an argument still being made in Grave Error's own pages today.
- His 1912 letter shows a school principal securing burial capacity in explicit anticipation of further deaths while managing how visible the existing graves would be.
- J.F. Woodsworth's own description of "pauper" burials, two to a grave.
- J.S. Woodsworth held the directing position in a government bureau that advocated eugenics, at the same time he was building the political career that would eventually make him the founding leader of Canada's social-democratic left.

- Russell T. Ferrier's response to a substantiated complaint at Chapleau – to smear Indigenous people who had made out worn statements as dupes, is fully documented, primary-sourced incident that shows exactly how the department defended the system against criticism: by lying and making false accusations.
- We know they were lies because behind the scenes, the Department's acted to rein in the abuses their own Superintendent had called a lie.
- The ill-treatment of students at Brandon continues past Ferrier's own tenure into the 1930s and 1940s, generating a hunger complaint the Department never answered.
- A sitting premier's personal intervention that the church dismissed with a joke
- That self-same premier's own government was, at the very same time, cutting hunger-relief funding for Indigenous schoolchildren in its own jurisdiction.

This is the paper trail left by the people who were actually in charge — including, in Douglas's case, someone widely remembered as a reformer.

In addition, we have the decades of the child welfare system in Canada, which was created to replace Residential Schools and operated in parallel for decades, without ever penetrating the consciousness of *Grave Error's* writers.

- That Canada's provincial and territorial governments have not tracked the tens of thousands of children in care for whom they are legal guardians: not the numbers of children, not the number who were Indigenous, not the number who died.
- Despite the patchwork of reporting, the number of deaths of children who were the government's responsibility has been in the hundreds. In Ontario, a child was dying at a rate of one every three days.
- The legal standard for a government to take a child into custody and make them a ward has been identified as too low for decades.
- The vast overrepresentation of Indigenous children in child welfare is directly correlated to neglect related to poverty.
- The total number of all children who attended residential schools in the century and more when they operated was approximately 150,000.
- The number of children currently in care this year in Canada is approximately 70,000.
- The Manitoba child welfare system, which was taking children from Indigenous parents and adopting them out internationally, was doing so until the 1980s, when the first of four inquiries over four decades described the practice as “cultural genocide.”

It is notable that so many of the writers and researchers in *Grave Error* have taken the stance that they are defending reason, facts, evidence, and a tradition of critical thinking, even as they consistently fail on all counts.

Lord Acton's quotation about "Power tending to corrupt" bears repeating, with its full context. It applies directly, as it occurred in a letter to Bishop Mandell Creighton, he was asking Creighton not to whitewash history by absolving powerful historical figures of their wrongdoing.

The sentence that follows "power corrupts" is usually forgotten – but critical to the quotation in context:

"I cannot accept your canon that we are to judge Pope and King unlike other men, with a favourable presumption that they did no wrong. If there is any presumption it is the other way against holders of power, increasing as the power increases. Historic responsibility has to make up for the want of legal responsibility. Power tends to corrupt and absolute power corrupts absolutely. Great men are almost always bad men, even when they exercise influence and not authority: still more when you superadd the tendency or the certainty of corruption by authority.

There is no worse heresy, than that the office sanctifies the holder of it. That is the point at which the negation of Catholicism and the negation of Liberalism meet and keep high festival, and the end learns to justify the means.

You would hang a man of no position, like Ravallac; but if what one hears is true, then Elizabeth asked the gaoler to murder Mary, and William III ordered his Scots minister to extirpate a clan. Here are the greater names coupled with the greater crimes. You would spare these criminals, for some mysterious reason. I would hang them, higher than Haman, for reasons of quite obvious justice; still more, still higher, for the sake of historical science."

Acton's call was for justice, responsibility and historical science. This document is written with the same motivation, in the hope that Canadian history is written this way as well.

I am certain that one of the reasons why this history is so difficult is that it challenges our sense of who we are as Canadians – of having pride in our country, pride in our history and admiration for political heroes. As individuals, we all want to believe we are in the right. Sometimes the truth is only hard, and sometimes it is shattering, as we learn that we are not who we believed ourselves to be.

The reaction to this can either be to argue against it, which keeps things from ever getting better, and the other is to recognize it and be the better people and better country we believed ourselves to be.

- END -

APPENDIX

A Statistical Analysis Comparing Nina Green the Oxfordian to Nina Green the Residential Schools Researcher

It is not enough to simply assume that two Nina Greens who each describe themselves as independent researchers from BC are the same person. Because both have written a large quantity of publicly available text, we can analyze the text and for characteristic patterns of expression, word use, and frequency of certain words that are a kind of “fingerprint” in their writing,

When such a stylometric analysis is performed on the writings of the Oxfordian Nina Green the residential-school Nina Green, the results are statistically consistent with a single author.

Both texts include certain idiosyncratic constructions — “sleight of hand,” “that being the case,” “the foregoing,” and of course, an author with the same name and self-description.

Stylometric Comparison

“Nina Green” (Shakespeare authorship) and “Nina Green” (Indian Residential Schools)

Consolidated report — July 2026

Question

Are the Nina Green who writes on the Shakespeare/Oxford authorship question and the Nina Green writing about Indian Residential Schools the same author?

Bottom line

Across every configuration tested — three registers of Green’s writing, eleven control authors, and documents spanning more than three decades — her residential-school writing consistently sits at or inside the distance of the closest same-genre rival to her Shakespeare writing, and per-document attribution selects her cross-genre corpora at 2.6 to 4.4 times chance. Function-word stylometry cannot deliver a fingerprint-grade identification at these control sizes, but the pattern is stable, replicated, and directionally consistent with the documentary record: one author.

The principal findings:

- Green’s residential-school corpus (Delta 0.905) and email corpus (0.937) are closer to her Shakespeare corpus than five of the six residential-school controls and than three of the four smaller Oxfordian controls.
- Her residential-school documents attribute to her cross-genre corpora first in 75% of cases and top-two in 88% (chance: 17% / 33%), and this survives the addition of the strongest available genre-matched control.
- The residential-school corpus is closer to Green’s Shakespeare writing than to fellow residential-school writers covering the identical topic — a result topic similarity cannot explain.
- Two rhetorically distinctive phrases and a cluster of formal connectives — including the comparatively rare “the foregoing” — appear across all three Green corpora and in none of the controls.
- The countervailing limit: within the Oxfordian-essay genre, well-sampled colleagues (Stritmatter, Waugh) blend with Green at function-word resolution, so a low score alone cannot be treated as a fingerprint.

1. Corpora

A critical preliminary: roughly 97% of the Conference About Succession file is Green’s transcription of a 1594 Elizabethan tract — someone else’s prose. Only her editorial summary was used. Block quotations, verse epigraphs, endnotes and bibliographies were stripped from all texts, and agent-collected duplicates were removed before the final run.

Green corpora

Corpus	Contents	Tokens
GREEN_SHX	Three scholarly works (editorial summary to A Conference About Succession; “The Fall of the House of Oxford,” Brief Chronicles, 2009; “Who Was Arthur Brooke?”, The Oxfordian, 2000), 24 usable issues of the Edward De Vere Newsletter, and the full Oxmyths myth-rebuttal text	103,000
GREEN_RS	Eight residential-school articles (Dorchester Review, Frontier Centre for Public Policy, IRSRG)	15,800
GREEN_EMAILS	Seven Green emails, headers and quoted material removed	10,900

Note the temporal spread: the newsletters date to 1989–94 (revised 2001), the residential-school material to 2021–26. The analysis therefore spans more than thirty years of the author’s writing.

Control authors

Control	Genre	Approx. size
Alexander Waugh — “Edward de Vere as Shakespeare”	Oxfordian essay	~2,100
Roger Stritmatter — four single-authored pieces, Brief Chronicles First Folio issue (2016)	Oxfordian essay	~7,900
Richard Whalen	Oxfordian essay	~2,000
Bryan Wildenthal	Oxfordian essay	~2,000
Ramon Jiménez	Oxfordian essay	~2,000
Rubenstein & Wiebel — “Mass Graves & Other Fake Atrocities”	Residential schools	~2,700
Rodney Clifton — “My Life in Two Indian Residential Schools”	Residential schools	~3,800
Tom Flanagan	Residential schools	not recorded
Frances Widdowson	Residential schools	not recorded
Greg Pew	Residential schools	not recorded
Brian Giesbrecht	Residential schools	~1,200

Individual word counts were not recorded for every control, but all control corpora fall between roughly 1,200 and 7,900 words.

Stritmatter is the most demanding control available: he was general editor of the journal in which Green published, writing in the same Oxfordian-essay register, and at ~7,900 words he is also the best-estimated control profile in the study.

Several proposed controls were unusable. The oxford-shakespeare.com material is Green’s own site, so it adds attribution confirmation rather than control text; the anonymous-shakespeare.com pages are a digitized copy of B. M. Ward’s 1928 *The Seventeenth Earl of Oxford*, usable in principle but blocked at transcription; lookingforshakespeare.blogspot.com is client-rendered and could not be retrieved. The Gottfriedson file (a podcast transcript) and the group-photo file (a third-party post) are not Green’s prose and were excluded.

2. Method

Burrows’ Delta on 116 English function words — topic-independent items used largely unconsciously — standardized across the corpus and bootstrapped over 300 resampled 2,000-word pseudo-texts per pair. Lower Delta means greater stylistic similarity. Robustness checks using a 150-most-frequent-word feature set, 1,000-word chunks, and exclusion of atypical word-list paragraphs did not change the pattern.

Two further tests were applied to the full corpus:

- **Leave-corpus-out document attribution.** Each document is ranked against 12 candidate authors with its own corpus withheld, so a Green document can only attribute to her other corpora across a genre boundary. With two Green corpora among twelve candidates, chance performance is 17% for first place and 33% for top-two.
- **Genre-controlled imposters.** A target corpus competes against same-genre “imposter” authors to be nearest the reference corpus, scored over repeated trials. A score of 0.5 means the true author wins half the time against the best of the imposters.

3. Results

3.1 Paired analysis: within-author calibration

The first step establishes how far apart two documents by the same author sit in this material. Green’s three Shakespeare-side works, compared with each other:

Pair (known same author)	Delta
Editorial summary ↔ “Who Was Arthur Brooke?”	0.878
Editorial summary ↔ “The Fall of the House of Oxford”	1.041
“The Fall of the House of Oxford” ↔ “Who Was Arthur Brooke?”	1.048

For this author, cross-document same-author distances run 0.88–1.05. The question pairs — each Shakespeare work against the residential-school corpus — fall almost entirely inside that band:

Question pair	Delta
Editorial summary ↔ residential-school corpus	0.931
“Who Was Arthur Brooke?” ↔ residential-school corpus	0.986
“The Fall of the House of Oxford” ↔ residential-school corpus	1.112

Two of the three sit within the same-author calibration range; the third — the most archaic and document-dense of the Shakespeare texts — sits slightly above it. Known different-author pairs, by contrast, spread upward:

Pair (known different authors)	Genre match	Delta
Waugh ↔ editorial summary / “Arthur Brooke”	yes	0.877 / 0.878
Clifton ↔ residential-school corpus	yes	0.987
Waugh ↔ residential-school corpus	no	0.990
Waugh ↔ “Fall of the House of Oxford”	yes	1.066
Rubenstein ↔ residential-school corpus	yes	1.126
Waugh ↔ Clifton	no	1.130
“Fall of the House of Oxford” ↔ Clifton	no	1.201
Rubenstein ↔ Clifton	yes	1.214
Waugh ↔ Rubenstein	no	1.220
“Fall of the House of Oxford” ↔ Rubenstein	no	1.258

Every pairing above roughly 1.12 in this analysis involves confirmed different authors, and no Green ↔ Green pair reaches that zone. Standard deviations run approximately 0.08–0.10 throughout.

3.2 The email corpus as a positive control

Four Green emails (~5,000 words after removing headers and quoted material) were added as a validation test of the whole pipeline, since they are known Green writing on the residential-school side. The method passes: Delta from the emails to Green’s residential-school articles is 0.987 — closer than to any control, including the two controls writing on the identical topic (Rubenstein 1.198, Clifton 1.144) — against a within-email baseline of 0.79.

The emails sit at 1.139 from the Shakespeare corpus, indistinguishable from the controls. This is informative rather than disappointing. It shows that at these sample sizes a maximal register-plus-genre gap — informal mass email versus archival scholarship — swamps the authorial signal. That the published residential-school articles nonetheless scored inside Green’s same-author range against her Shakespeare work makes that result more meaningful, not less, given how readily genre gaps inflate Delta.

3.3 Full-corpus Delta matrix

Distances to GREEN_SHX (103,000 tokens), the critical comparison:

Corpus	Genre	Delta to GREEN_SHX
Waugh (control)	Oxfordian	0.884
Stritmatter (control)	Oxfordian	0.886
GREEN_RS	Residential schools	0.905
GREEN_EMAILS	Email	0.937
Pew (control)	Residential schools	0.941
Flanagan (control)	Residential schools	1.032
Clifton (control)	Residential schools	1.034
Widdowson (control)	Residential schools	1.094

Corpus	Genre	Delta to GREEN_SHX
Rubenstein (control)	Residential schools	1.114
Giesbrecht (control)	Residential schools	1.143

Green’s residential-school and email corpora remain closer to her Shakespeare corpus than five of the six residential-school controls and than three of the four smaller Oxfordian controls. Only Waugh and Stritmatter — both writing in Green’s home genre — match or better her own cross-genre score.

3.4 Per-document attribution

Leave-corpus-out attribution, each document ranked against 12 candidate authors with its own corpus withheld:

Documents tested	Attributed to a Green corpus first	Top-two
Green’s 8 residential-school documents	75%	88%
Green’s Shakespeare-side documents	44%	85%
Green’s Shakespeare-side documents (Stritmatter in pool)	11%	81%
Chance	17%	33%

The residential-school figures hold at 75% and 88% with Stritmatter in the candidate pool. What Stritmatter does move is the Shakespeare-side direction: within the Oxfordian genre, a well-sampled colleague from the same journal blends with Green at function-word resolution, and first-place attribution of her Shakespeare documents to her own cross-genre corpora collapses to 11% (though top-two remains 81%).

3.5 Genre-controlled imposters

Test (target → reference)	Score
Residential-school corpus → Shakespeare corpus	0.64

Test (target → reference)	Score
Emails → residential-school corpus	0.54
Emails → Shakespeare corpus	0.43
Shakespeare corpus → residential-school corpus	0.30

The first two scores hold with Stritmatter added to the imposter pool. The weak reverse test (0.30) reflects the same confounder identified throughout: Waugh and Jiménez sit almost as close to Green’s residential-school corpus as her own Shakespeare corpus does, so the Oxfordian-essay genre remains the principal source of interference — and those particular controls are small, at roughly 2,000 words each.

3.6 Lexical and phrase-level evidence

A targeted phrase comparison found two rhetorically distinctive expressions present in both bodies of work and in none of the control authors.

“Sleight of hand.” “The Fall of the House of Oxford” (2009) uses it of the Crown’s manipulation of the wardship revenue figures for de Vere’s lands; “Who is misinforming Canadian politicians...” (IRSRG / Woke Watch, 2025) uses it three times of the NCTR’s death-count methodology, including the charge that a figure of 4,140 was arrived at by sleight of hand. In both corpora the phrase does identical work: characterizing an institution’s numerical accounting as deliberate deception.

“That being the case” as a sentence-opening pivot. In the Shakespeare work it introduces an inference about figures for individual manors in Glascock’s survey; in the 2025 IRSRG article it introduces the question of where the “more than 4,000” figure repeated by Canadian politicians originates. Both deploy it mid-argument to convert a just-established premise into an accusatory question about numbers.

Both Green corpora also share markedly heavier use of formal connectives than the controls: thus (15.7 per 10,000 words in the Shakespeare corpus, 5.1 in the residential-school corpus, 1.2 in controls), moreover, a number of (zero occurrences in 9,000 words of control text), as well as the, in short, it is clear that, unfortunately, and the comparatively rare the foregoing — which occurs in all three Green corpora (Shakespeare scholarship, residential-school articles, and emails) and in no control at all.

Individually these markers are weak evidence and the counts are small. Jointly, and alongside the Delta results, they are consistent with a single hand. A publishable version would need

these rates tested against a much larger control pool — twenty or more authors — to establish base rates.

4. Interpretation

Supporting single authorship

- The cross-genre question pairs are statistically indistinguishable from Green's own document-to-document variation inside the Shakespeare genre. If the residential-school author were stylistically distinct, those numbers would be expected to resemble the different-author, cross-genre pairs, which cluster between 1.13 and 1.26.
- The residential-school corpus is closer to Green's Shakespeare writing than to fellow residential-school writers addressing the identical topic. Shared subject matter cannot account for that ordering; if anything, it works against it.
- In the full-corpus run, her residential-school writing beats every same-topic rival author to her Shakespeare corpus by a clear margin, in both the bootstrap matrix and per-document attribution.
- The email corpus validates the pipeline end to end: a known-Green corpus attaches correctly to the other known-Green corpus despite a substantial register shift.
- The direction of the identification survives the strongest genre-matched control available, and holds across documents written more than thirty years apart.

Against certainty

- Function-word Delta at these sample sizes cannot fully separate author from genre in this material. Waugh scores as low against Green's Shakespeare prose as her own works do against each other, and Stritmatter — same genre, same journal — is closer still. A low score is therefore not a fingerprint.
- The Shakespeare-side direction is materially weaker than the residential-school-side direction, and any claim built on it alone would be overstated.
- Control corpora are unequal in size (roughly 1,200 to 7,900 words), and Delta distances shrink as control corpora grow because larger samples yield better-estimated profiles. Part of Stritmatter's apparent strength is an artifact of his size advantage over the 2,000-word controls.
- Web-scraped and OCR-derived texts required aggressive cleaning; residual quotation contamination remains possible, most visibly in "The Fall of the House of Oxford," which retains archaic vocabulary from paraphrased documents.
- Formal forensic attribution would report published error rates for the imposters method at these sample sizes. Without that calibration, no probability of identity should be stated.

5. Conclusion

The two bodies of work behave, statistically, exactly as one author's work across two genres should, and unlike the great majority of different-author pairs tested. The identification is robust in the direction that matters most — residential-school Green attributes to Shakespeare Green ahead of all same-topic rivals — and it holds under the most demanding genre-matched control obtainable. What the method cannot do is distinguish Green from a same-genre, same-journal colleague on her home turf at these scales, which caps the strength of any claim resting on the Shakespeare-side comparison alone.

This is strong consistency rather than proof. Combined with the public documentary record — both bodies of work credited to “Nina Green, independent researcher,” Canada-based — single authorship is the parsimonious conclusion.

6. Strengthening the analysis

If the study were prepared for publication, three additions would carry the most weight:

- Equalize control corpus sizes at 5,000 or more words per author before reporting attribution rates, so size advantage cannot masquerade as stylistic proximity.
- Add cleanly attributed single-author Oxfordian essays of 3,000+ words each. The Oxfordian control pool is the residual weakness; material beyond the Oxmyths section of the second supplied file could not be reliably segmented by author and was not used.
- Test the phrase and connective rates against a control pool of twenty or more authors to establish base rates, and obtain published error rates for the imposters method at these sample sizes.

Sources Stylometric

- Green, “The Fall of the House of Oxford,” *Brief Chronicles I* (2009); Green, “Who Was Arthur Brooke?,” *The Oxfordian* (2000)
- Collected Edward De Vere Newsletters (24 usable issues, 1989–94, revised 2001) and the full Oxmyths text, oxford-shakespeare.com
- Green residential-school articles: *Dorchester Review*, *Frontier Centre for Public Policy*, *IRSRG*
- Green email corpus (CBC complaint; federal-government/Kamloops email; Sinclair/Talaga email; three-year-anniversary email, among others)
- Rubenstein & Wiebel, “Mass Graves & Other Fake Atrocities,” *Dorchester Review*
- Rodney Clifton, “My Life in Two Indian Residential Schools,” *C2C Journal*
- Alexander Waugh, “Edward de Vere as Shakespeare,” *De Vere Society*

- Roger Stritmatter, four single-authored pieces, Brief Chronicles First Folio special issue (2016)
- Nina Green author page, Frontier Centre for Public Policy; Nina Green tag, Shakespeare Oxford Fellowship

Sources

A The Conspiracy Theorist Behind Canada's Residential School "Debate" — Grave Error, Chapter by Chapter

1. TRC Final Report, Vol. 1, Part 1, Vol. 4, and Vol. 5 (2015).
2. Scott Hamilton, *Where are the Children Buried?* (TRC-commissioned report).
3. John S. Milloy, "A National Crime": The Canadian Government and the Residential School System, 1879 to 1986 (University of Manitoba Press, 1999).
4. James Daschuk, *Clearing the Plains* (2013).
5. Ian Mosby, "Administering Colonial Science" (*Histoire sociale/Social History*, 2013).
6. Collin-Vézina, Dion & Trocmé, "Sexual Abuse in Canadian Aboriginal Communities" (Pimatisiwin, 2009).
7. Wilk, Maltby & Cooke, "Residential schools and the effects on Indigenous health and well-being in Canada: a scoping review" (*Public Health Reviews*, 2017).
8. Donna Feir and M. Christopher Auld, "Indian Residential Schools: Height and Body Mass Post-1930" (*Canadian Journal of Economics*, 2021).
9. Donna Feir, "The Long-Term Effects of Forcible Assimilation Policy: The Case of Indian Boarding Schools" (*Canadian Journal of Economics*, 2016).
10. Maureen Lux, research on the Fort Qu'Appelle BCG trial.
11. Grekul, Krahn & Odynak, "Sterilizing the 'Feeble-Minded'" (*Journal of Historical Sociology*, 2004).
12. Rome Statute of the International Criminal Court, Articles 11 and 29.
13. UN Genocide Convention (1948), Article II.
14. Prosecutor v. Akayesu (ICTR, 1998).
15. Sean Carleton and Andrew Woolford, *Active History* (December 2024).
16. CBC investigative reporting on church burnings (January 2024) and the Diocese of St. Paul clarification.
17. APTN reporting on the ICC response and the Catholic settlement shortfall.
18. Global News, Globe and Mail, and CBC reporting cited throughout.
19. The primary and archival sources catalogued in this report's companion documents.

Book reviewed: C.P. Champion & Tom Flanagan, eds., Grave Error: How the Media Misled Us (and the Truth about Residential Schools) (True North and Dorchester Books, 2023).

B Grave Error's Network of Authors, Amplifiers and Funders

1. Rubenstein, "New 'Indian Residential School Records' Website Is Born," *Dorchester Review*, Jan. 13, 2023.
2. Woke Academy, Nina Green tag archive.
3. Green, "History on Trial," *History Reclaimed*, Nov. 7, 2024.
4. Stockland & Amundson, "Retired Calgary bishop demands proof," *B.C. Catholic*, Aug. 17, 2023.

5. Rubenstein & Flanagan, "Jawbones, Gophers and Tainted Milk," C2C Journal, Feb. 28, 2023.
6. Green, "Who is misinforming Canadian politicians," IRSRG/Woke Watch, Mar. 2025.
7. Giesbrecht, Green & Flanagan, True North, May 19, 2022.
8. Lamont, Substack, Oct. 26, 2024 and Apr. 18, 2025.
9. Companion reports: "Nina Green Stylometric Analysis" and "Green Claims vs. Primary Sources" (July 2026).

C No Reconciliation Without Truth: The Other Side of the Story

This report draws on a structured review of provincial and territorial government reports, public inquiries, coroners' and child-and-youth-advocate reporting, national incidence studies, peer-reviewed research, and archival and historical sources. Full citations for every figure and quotation in this report are available in the author's accompanying academic paper, "Seven Decades of Falling Through the Cracks: Detailing the Systemic Failure to Track Children in the Custody of Canada's Child Welfare Systems and its Impact on Indigenous Children, 2001–2026," available on request.

1. Barron, F. L. (1997). *Walking in Indian moccasins: The native policies of Tommy Douglas and the CCF*. Vancouver: University of British Columbia Press.
2. Boxall, R. A. (2019). *The settler colonial paradox of T.C. Douglas and the CCF in Saskatchewan, 1945–1962* (Master's thesis). University of British Columbia.
3. Co-operative Commonwealth Federation. (1949). *Security for all* [Election platform]. In D. O. Carrigan (Ed.), *Canadian party platforms 1867–1968*. Toronto: Copp Clark Publishing.
4. Commission spéciale sur les droits des enfants et la protection de la jeunesse [Laurent Commission]. (2021). *Final report*.
5. First Nations Child & Family Caring Society and First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada, 2016 CHRT 2.
6. Global News. (2026, February). *Investigation: Ontario's discontinued Ministry of Children, Community and Social Services child-death dataset*.
7. Kenny, K., et al. (2025). *Child and family services contact among First Nations and non-First Nations birthing parents in Manitoba, 1998–2019*. BMC Public Health.
8. Manitoba Advocate for Children and Youth / Office of the Children's Advocate. (1999–2025). *Annual reports*.
9. Ontario Association of Children's Aid Societies / First Nations/Ontario Incidence Study 2023 (FNOIS-2023) research team. (2023). *First Nations/Ontario Incidence Study of Reported Child Abuse and Neglect 2023*.
10. Pitsula, J. M. (1994). *The Saskatchewan CCF government and treaty Indians, 1944–1964*. *The Canadian Historical Review*, 75, 21–52.
11. Pollock, N. J., Blackstock, C., Cronin, K., Owusu, D., Farmer, A., Bell, S., & Weeks, M. (2024). *Rates of out-of-home care among children in Canada: An analysis of national*

administrative child welfare data. *Health Promotion and Chronic Disease Prevention in Canada*, 44(4).

12. Quiring, D. M. (2002). CCF colonialism in northern Saskatchewan (Doctoral dissertation). Published in revised form as CCF colonialism in northern Saskatchewan: Battling parish priests, bootleggers, and fur sharks, Vancouver: University of British Columbia Press, 2004.
13. Saskatchewan Archives Board. (1949, July 13). Report of "Métis" meeting [Archival record]. T.C. Douglas Papers, Files of the Premier.
14. Shackleton, D. F. (1975). Tommy Douglas. Toronto: McClelland and Stewart.
15. Statistics Canada. (2021). Status First Nations people in Canada: A snapshot from the 2021 Census.
16. Statistics Canada. (2024). Indigenous foster children living in private households: Rates and sociodemographic characteristics of foster children and their households. 2021 Census of Population.
17. Stevenson, A. (2015). Intimate integration: A study of Aboriginal transracial adoption in Saskatchewan, 1944–1984 (Doctoral dissertation). University of Saskatchewan.
18. Stevenson, A. (2016). Colonial legacy of the CCF [Interview]. *Red Anthropology*.
19. Truth and Reconciliation Commission of Canada. (2015). Calls to action.
20. U.S. Congress. (1974). Child Abuse Prevention and Treatment Act, Pub. L. No. 93-247 (as amended).
21. University of Manitoba, Rady Faculty of Health Sciences. (2025, April 8). Manitoba study finds half of First Nations birthing parents experience interventions by Child and Family Services [News release]. *UM Today*.
22. YWCA Metro Vancouver. (2022, June). What is the Indigenous child welfare crisis, and how do we address it? [Blog post].

D The Legal Status of an Apprehended Child in Canada

1. Adoption Act, C.C.S.M. c. A2 (Manitoba).
2. Alberta King's Printer. Child, Youth and Family Enhancement Act, RSA 2000, c. C-12, Office Consolidation (current to March 26, 2026).
3. Alberta (Child, Youth and Family Enhancement Act, Director) v. L.T., 2013 ABPC 326 (Red Deer, Holmes PCJ, November 28, 2013).
4. An Act respecting First Nations, Inuit and Métis children, youth and families, S.C. 2019, c. 24 (current to June 17, 2026).
5. *Baron v. Canada*, [1993] 1 SCR 416.
6. British Columbia, Law Society of British Columbia. (n.d.). Family Law Checklist D-6: Child protection.
7. Canadian Charter of Rights and Freedoms, ss. 9–10, Part I of the Constitution Act, 1982.

- 8.** Child & Family Services of Western Manitoba v B.(K.), 2006 MBCA 82.
- 9.** Child and Family Services Act, C.C.S.M. c. C80 (Manitoba), as amended by SM 2024, c. 36.
- 10.** Child and Family Services Authorities Act, C.C.S.M. c. C90 (Manitoba).
- 11.** Child and Family Services Act, CSNu, c C-50 (Nunavut).
- 12.** Child and Family Services Act, SNWT 1997, c.13 (Northwest Territories).
- 13.** Child and Family Services Act, SS 1989-90, c. C-7.2 (Saskatchewan), as amended (most recently SS 2024, c.4, s.32).
- 14.** Child and Family Services Act, SY 2008, c. 1 (Yukon).
- 15.** Child and Youth Well-Being Act, SNB 2022, c.35, as amended by SNB 2023, c.36 (New Brunswick).
- 16.** Child, Family and Community Service Act, RSBC 1996, c. 46 (British Columbia).
- 17.** Child, Youth and Family Services Act, 2017, S.O. 2017, c. 14, Sched. 1 (Ontario).
- 18.** Child, Youth and Family Services Act, SPEI 2023, c.17, RSPEI Cap. C-6.01 (Prince Edward Island). Legislative Counsel Office office consolidation current to May 29, 2026; s.78.1 repeals the former Child Protection Act, Cap. C-5.1.
- 19.** Children and Family Services Act, SNS 1990, c.5 (Nova Scotia), as amended.
- 20.** Children, Youth and Families Act, SNL 2018, c C-12.3 (Newfoundland and Labrador).
- 21.** Constitution Act, 1867, s. 92(13).
- 22.** F.H. v. McDougall, 2008 SCC 53.
- 23.** Government of Canada, Prime Minister's Office. (2024, September 30). Coordination agreement between Canada, the Government of the Northwest Territories, and the Inuvialuit Regional Corporation [News release].
- 24.** Government of Manitoba, Department of Families. (n.d.). Child and Family Services operations manual, section 1.3.2.
- 25.** Government of Manitoba. (n.d.). Family Law Modernization: Protective services [Web page].
- 26.** Government of Nova Scotia. (n.d.). Agency adoption [Web page].
- 27.** New Brunswick Court of Appeal. Reference re Family Services Act and the Child and Youth Well-Being Act, 2024 NBCA 42.
- 28.** Newfoundland and Labrador Supreme Court. (n.d.). Self-help materials, child protection proceedings.
- 29.** Northwest Territories, Department of Health and Social Services. Child and Family Services Standards and Procedures: Standard 10.15 (Commitment to Indigenous children, December 8, 2020), Standard 10.16 (notice of significant measures), and the Section 10 tools.
- 30.** Nunavut (Director of Child and Family Services) v. J.A., 2012 NUCA 7.

- 31.** Office of the Auditor General of Canada. (2026). Child and Family Services, Northwest Territories. Cat. No. FA3-202/2026E-PDF, ISBN 978-0-660-99697-4.
- 32.** Ontario Court of Justice. (n.d.). Child protection law trial [Web page].
- 33.** Ontario Court of Justice. (n.d.). Child protection: Going to court [Web page].
- 34.** Public Health Agency of Canada. (2025, October). Provincial and Territorial Child Protection Legislation and Policy 2023. Cat. HP35-116/2025E-PDF, ISBN 978-0-660-79231-6.
- 35.** R. v Kimmel, 2009 ABPC 289.
- 36.** R. v Storrey, [1990] 1 SCR 241.
- 37.** Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 SCC 5.
- 38.** V.(C.C.) v. British Columbia (Child, Family and Community Service), 2017 BCSC 412.
- 39.** Youth Protection Act, CQLR c P-34.1 (Quebec).

E Child and Family Services Across Canada

- 1.** Patrick Johnston, Native Children and the Child Welfare System (Canadian Council on Social Development, 1983), as reproduced and quoted in Royal Commission on Aboriginal Peoples, Report of the Royal Commission on Aboriginal Peoples, Volume 3, “Gathering Strength” (1996), Chapter 2, “The Family.”
- 2.** Judge Edwin C. Kimelman, No Quiet Place: Final Report to the Honourable Muriel Smith, Minister of Community Services (Review Committee on Indian and Métis Adoptions and Placements, Manitoba, 1985), Parts I and II.
- 3.** The Hon. Ted Hughes, The Legacy of Phoenix Sinclair: Achieving the Best for All Our Children (Manitoba, December 2013), Volumes 1–3.
- 4.** Manitoba Advocate for Children and Youth (and predecessor Office of the Children's Advocate), Annual Reports, fiscal years 2000–01 through 2024–25.
- 5.** Manitoba Advocate for Children and Youth, A Place Where it Feels Like Home (March 2019).
- 6.** Manitoba Advocate for Children and Youth, Still Waiting: Investigating Child Maltreatment after the Phoenix Sinclair Inquiry (2021).
- 7.** Manitoba Advocate for Children and Youth, Rights Delayed Are Rights Denied: Summary Assessment of Government Compliance with Recommendations Made Under The Advocate for Children and Youth Act (2023).
- 8.** CTV News Winnipeg, “Failures laid bare by deaths in Manitoba child welfare system, advocates warn” (November 8, 2024).
- 9.** Government of Saskatchewan, Ministry of Social Services, “Child Welfare Statistics” (accessed 2026).
- 10.** Office of the Chief Coroner of Ontario, Paediatric Death Review Committee/Child and Youth Death Review and Analysis Unit, annual reports 2019–2023.
- 11.** Global News, FOI reporting on Ontario child-in-care deaths (2024–2026) and Serious Occurrence Reports investigation.

12. Commission spéciale sur les droits des enfants et la protection de la jeunesse, *Instaurer une société bienveillante pour nos enfants et nos jeunes* (Quebec, April 2021).
13. Office of the Child and Youth Advocate (Newfoundland and Labrador), *Seen But Not Heard* (2019) and *A Long Wait for Change* (September 2019).
14. Statistics Canada, "Indigenous foster children living in private households" (Catalogue no. 41-20-0002-2024001, 2024).

F A History of Child and Family Services in Manitoba, Told Through Its Own Inquiries

1. Judge Edwin C. Kimelman, *No Quiet Place: Final Report to the Honourable Muriel Smith, Minister of Community Services (Review Committee on Indian and Métis Adoptions and Placements, Manitoba, 1985), Parts I and II.*
2. Report of the Aboriginal Justice Inquiry of Manitoba, Volume I, *The Justice System and Aboriginal People* (Winnipeg, 1991), Chapters 4 ("Aboriginal Over-Representation"), 13 ("Aboriginal Women"), and 14 ("Child Welfare").
3. Aboriginal Justice Implementation Commission, *Final Report* (Winnipeg, June 29, 2001), Chapter Ten, "Strengthening Families."
4. The Hon. Ted Hughes, O.C., Q.C., *The Legacy of Phoenix Sinclair: Achieving the Best for All Our Children* (Manitoba, December 2013), Volumes 1–3.
5. Manitoba Advocate for Children and Youth (and predecessor Office of the Children's Advocate), *Annual Reports, fiscal years 2000–01 through 2024–25.*
6. Manitoba Advocate for Children and Youth, *A Place Where It Feels Like Home* (March 2019).
7. Manitoba Advocate for Children and Youth, *Still Waiting: Investigating Child Maltreatment after the Phoenix Sinclair Inquiry* (2021).
8. Manitoba Advocate for Children and Youth, *Rights Delayed Are Rights Denied: Summary Assessment of Government Compliance with Recommendations Made Under The Advocate for Children and Youth Act* (2023).
9. Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples, Volume 3, "Gathering Strength"* (1996), Chapter 2, "The Family."
10. Patrick Johnston, *Native Children and the Child Welfare System* (Canadian Council on Social Development, 1983).
11. Kenny KS, Wall-Wieler E, Frank K, Courchene L, Burton M, Dreaver C, Champagne M, Bennett M, Rocke C, Brownell M, Anderson M, Urquia ML. "Infant rates of child protective services contact and termination of parental rights by First Nations status from 1998 to 2019." *Child Abuse & Neglect* 154 (2024): 106760.
12. Kenny KS, Wall-Wieler E, Frank K, Courchene L, Burton M, Champagne M, Bennett M, Rocke C, Brownell M, Urquia ML. "Inequities in child protective services contact among First Nations and non-First Nations parents in one Canadian province." *BMC Public Health* 25 (2025): 1224.

- 13.** Brownell M, et al. "Impact of being taken into out-of-home care: a longitudinal cohort study of First Nations and other child welfare agencies in Manitoba, Canada." *Lancet Regional Health – Americas* 38 (September 2024): 100886.
- 14.** Brownell M, Chartier M, Au W, MacWilliam L, Schultz J, Guenette W, Valdivia J. *The Educational Outcomes of Children in Care in Manitoba* (Manitoba Centre for Health Policy, June 2015), and its June 2015 public summary, "Manitoba Can Do Better for Kids in Care."
- 15.** First Nations Child and Family Caring Society et al. v. Attorney General of Canada, 2016 CHRT 2.
- 16.** CTV News Winnipeg, "Failures laid bare by deaths in Manitoba child welfare system, advocates warn" (November 8, 2024).
- 17.** Global News, "Manitoba reducing number of people in jail, still has highest prison rates" (2019).
- 18.** CBC News, "Remand populations pushing Manitoba jails well over rated capacity, creating 'volatile' situation: union" (October 2025).
- 19.** Statistics Canada, "Adult and youth correctional statistics in Canada, 2018/2019" and "Trends in the use of remand in Canada, 2004/2005 to 2014/2015" (Catalogue no. 85-002-X).
- 20.** Sixties Scoop Settlement Agreement (fully executed November 30, 2017), Schedule G class definition.

G The Woodsworths, the Ferriers and the Role of the Methodist Church in Running the Residential School System

H Eugenics, Sterilization and the Canadian KKK

- 15.** Grekul, Jana, Arvey Krahn, and Dave Odynak. "Sterilizing the 'Feeble-Minded': Eugenics in Alberta, Canada, 1929–1972." *Journal of Historical Sociology* 17, no. 4 (2004): 358–384.
- 16.** Stote, Karen. "The Coercive Sterilization of Aboriginal Women in Canada." *American Indian Culture and Research Journal* 36, no. 3 (2012): 117–150.
- 17.** Leason, Jennifer. "Forced and Coerced Sterilization of Indigenous Women." *Canadian Family Physician* 67, no. 7 (2021): 525–527.
- 18.** Boyer, Yvonne, and Judith Bartlett. *External Review: Tubal Ligation in the Saskatoon Health Region: The Lived Experience of Aboriginal Women*. Saskatoon Health Region, July 2017.
- 19.** Standing Senate Committee on Human Rights. *Forced and Coerced Sterilization of Persons in Canada*. Ottawa: Senate of Canada, June 2021.
- 20.** Standing Senate Committee on Human Rights. *The Scars That We Carry: Forced and Coerced Sterilization of Persons in Canada — Part II*. Ottawa: Senate of Canada, July 2022.
- 21.** The Canadian Encyclopedia. "Sterilization of Indigenous Women in Canada," April 17, 2019.
- 22.** Native Women's Association of Canada. "A History of Forced and Coerced Sterilization among Indigenous Peoples" (timeline).

23. CBC News. “‘They had no right’: Inuit women recount experiences past and present of forced sterilization,” March 15, 2025.
24. NPR. “Indigenous Women in Canada File Class-Action Suit over Forced Sterilization,” November 19, 2018.
25. CBC News. “Klein Apologizes for Forced Sterilizations,” November 2, 1999.

-
1. ⁱ Upper Canada Academy (1836, Cobourg, became Victoria College), Mount Allison (1843, Sackville NB), Wesley College (1888, Winnipeg), Stanstead Wesleyan College (Quebec), and Belleville Seminary (1857, became Albert College) all trace to the Wesleyan Methodist Church. In the US, Wesleyan University (1831, Middletown CT), Wesleyan College (1836, Macon GA), Illinois Wesleyan (1850), Iowa Wesleyan (1843), Kentucky Wesleyan (1850), Dakota Wesleyan (1885), Kansas Wesleyan (1886), Nebraska Wesleyan (1887), West Virginia Wesleyan (1890), Montana Wesleyan (1890), Central Wesleyan (Missouri, 1864, now defunct), Indiana Wesleyan (1920), and North Carolina Wesleyan (1956). In addition, roughly 123 institutions total have a United Methodist Church affiliation, most without "Wesleyan" in the name.