

September 1, 2010



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**Re: Terms of Reference for Public Inquiry
on Pickton Case and Other Violence Against Girls and Women Cases**

Dear Sirs,

Justice for Girls has been advocating for teenage girls in British Columbia for over a decade. We have engaged numerous provincial, federal, and international bodies regarding the failures of the Canadian criminal justice response to violence against teen girls who live in poverty, a disproportionate number of whom are Aboriginal. We have been calling on the BC Attorney General, since 2004, to initiate a systemic public inquiry into criminal justice failures in responding to violence against Aboriginal teen girls.

In light of the Pickton case and the imminent government decision regarding the scope and nature of inquiry into that case, we urge you to ensure that the terms of reference include a broader review of the systemic failures of the criminal justice response to violence against Aboriginal girls and women in British Columbia. In particular we urge you to review a number of specific cases (in addition to R. V. Pickton) including, but not limited to: R. V. Dezwaan; R. V. Ramsay; R. V. Tremblay; and the investigation of the Highway 16 murders and missing young women. The Pickton case is one thoroughly disturbing example of a much broader failure of policing and criminal justice processing of violence against marginalized women and girls in British Columbia. The government must ensure that an inquiry is conducted into this broader systemic failure in order for the inquiry to be truly effective in preventing violence against girls and women.

In light of,

i) The United Nations Committee on the Elimination of Discrimination against Women (CEDAW) 2008 directive to Canada to "examine the reasons for the failure to investigate cases of missing or murdered Aboriginal women [read also girls] and to take the necessary steps to remedy the deficiencies in the system [...] and] carry out an analysis of those cases in order to determine whether there is a racialized pattern to

the disappearances and take measures to address the problem if that is the case”.¹

ii) The fact that British Columbia has the highest number of documented missing and murdered Aboriginal girls and women in relation to other provinces and territories, according to the Native Women’s Association of Canada’s most recent report.²

We call on you to designate a public inquiry with a mandate to investigate the criminal justice system’s response to violence against Aboriginal girls and women in British Columbia, to be conducted as both a study and hearing commission, as follows:

i) an inquiry into the criminal justice system’s response to violence against Aboriginal girls and women in specific cases, including R. V. Pickton, R. V. Ramsay, R. V. Tremblay, R. V. Dezwaan and the Highway 16 murdered and missing girls investigations.

ii) a review of research, studies, reports and an undertaking of interviews with community members as well as organizations respecting the criminal justice response to violence against Aboriginal girls and women in British Columbia.

iii) a review of research, studies, reports and evaluations respecting social conditions for Aboriginal girls and women (both on and off reserves) including high child welfare apprehensions, failures of the child welfare system, poverty, poor health, inadequate housing, and violence.

The purpose of the inquiry must be to make recommendations respecting

i) the investigation and prosecution of violence against Aboriginal girls and women in British Columbia.

ii) improving the social conditions of Aboriginal girls and women in British Columbia.

In order for such an inquiry be effective, representatives from Aboriginal women’s organizations and feminist anti-violence groups must be meaningfully engaged in developing the terms of reference.

We look forward to hearing from you on this matter, and invite you to meet with us.

Respectfully,

Asia Czapska, Coordinator

Cc: Mr. Mike Farnworth, MLA—Opposition Critic for Public Safety and Solicitor General

¹ Concluding Observations of the UN Committee on the Elimination of Discrimination against Women: Canada, CEDAW/C/CAN/CO/7, 7 November 2008, at para. 32.

² Native Women’s Association of Canada, *What Their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative*, 2010, page ii. Online at: http://www.nwac.ca/sites/default/files/imce/2010_NWAC_SIS_Report_EN_Lite.pdf