



huu ay aht

ANCIENT SPIRIT, MODERN MIND

Inquiry Panel Terms of Reference

In response to serious allegations that have recently come to light, Executive Council has directed that an inquiry be conducted into allegations of abuse of power committed by members of government in a manner that:

- a) takes a trauma-informed approach,
- b) is consistent with the principles of *ii-saak*, *uu-a-thluck* and *hish-uk-tsawak*,
- c) is culturally appropriate,
- d) is attentive to the particular needs and dynamic of the Huu-ay-aht community, and
- e) adheres to best practices;

Executive Council has approved the following terms of reference for the panel that will be appointed to conduct the Inquiry.

Mandate

The mandate of the Inquiry panel is to:

- a) inquire into allegations of abuse of power, intimidation, harassment, assault, sexual harassment or sexual assault committed by members of government (the “subject matter of the Inquiry”);
- b) provide a report of its findings and recommendations to the Huu-ay-aht government regarding the subject matter of the Inquiry, including with respect to:
 - i. the identification of systemic issues,
 - ii. the development or amendment of legislation and policy,
 - iii. the provision of resources,
 - iv. training for staff or members of government,
 - v. community healing;
- c) where it considers appropriate, approve terms of reference for the lead investigator to conduct one or more investigations into the conduct of specific individuals based on information received during the Inquiry; and
- d) review reports from the lead investigator in respect of any specific investigations that are undertaken and make recommendations to the Executive Council concerning any such investigation.

After it has been provided to the Huu-ay-aht government, the report under paragraph b) will be made public.

Powers

The Inquiry panel will have the following powers:

- a) determine the processes by which it will receive information, which may include, but are not limited to: written submissions, interviews and public testimony;
- b) meet with and interview any person (inside or outside the Huu-ay-aht) that the Inquiry panel believes may have information relevant to the Inquiry and necessary in order to make findings of fact and/or provide opinions and/or advice concerning the Inquiry
- c) receive information (documents* and/or oral evidence) from individuals wishing to address the subject matter of the Inquiry in the manner it deems appropriate and fair;
- d) receive and accept such evidence as it considers proper, whether or not the evidence would be admissible in a court of law;
- e) require the Executive Director to produce any documents in the possession or control of the Huu-ay-aht that it considers relevant to the Inquiry;
- f) retain advisors and others required to assist in fulfilling its mandate;
- g) assist individuals prepared to make specific complaints or allegations by referring them to the appropriate supports and resources;
- h) prepare and approve terms of reference empowering the lead investigator to conduct investigations into specific complaints or allegations made against members of government; and
- i) request the Executive Director make staff resources available to assist it in implementing its mandate.

* the term document(s) is intended to have a broad meaning and include, without limitation, the following mediums: written, electronic, text, cellular or social media messaging, audiotape, videotape, digital reproductions, photographs, films, slides, maps, graphs, microfiche, metadata and any data and information recorded or stored by means of any device

Panelists

Executive Council has approved the appointment of the following panelists to conduct the Inquiry:

Sandra Cunningham, QC is a member of the Mitha Law Group who specializes in workplace investigations in the public and private sectors. She was Crown Counsel for 30 years, where she focused on serious crimes such as murder, sexual exploitation and human trafficking. She was also a policy drafter and analyst in the areas of domestic violence and sexual assault for the Ministry of Justice. Sandy has extensive experience in workplace investigations, including allegations of sexual misconduct and involving systemic issues leading to abuse and has worked internationally on projects to strengthen the criminal justice systems in Guyana, South America, and Ethiopia with an emphasis on violence against women. Sandy will take on the role of lead investigator.

Marjorie White is a respected Huu-ay-aht elder. She has a long history of serving in various capacities in the Huu-ay-aht government. At present she sits on the Huu-ay-aht Finance Committee and as a member of the Housing Authority. Marge, a former nurse, is (amongst numerous other achievements) a recipient of the Order of Canada, the Order of BC, one of the founders of the First Friendship Centre in the province, a founder of the Circle of Eagles Society, the first Indigenous person to be appointed as a Citizenship Court Judge and the first woman and Indigenous person ever appointed to the Vancouver Police Commission.

Jennifer Dehoney is a member of the Missanabie Cree First Nation and is also of Irish descent. Most recently Jennifer's work has been as a founding board member and team lead at Kilala Lelum, an Indigenous health and healing centre in Vancouver's Downtown Eastside. She is a former pediatric physiotherapist, a certified health & wellness coach and has a masters degree in counselling psychology. Jennifer has over 18-years experience working with Indigenous communities in clinical, research and decolonizing-systems work and has been facilitating anti-Indigenous racism workshops for healthcare, education and non-profit teams for the past 5-years. Jennifer was honoured to work with Huu-ay-aht as the coordinator for the social services project panel and the social services project implementation task force.