

OCTOBER 5, 2016

2016-253

WHEREAS the Government of Canada has committed to launching an inquiry to identify and examine the systemic causes of violence against Indigenous women and girls in Canada and to make recommendations for effective action (the "Inquiry");

AND WHEREAS the Government of New Brunswick is committed to addressing the issue of violence against Aboriginal women and girls and is supportive of identifying and examining the root causes of this issue, and to identify positive actions and measures to be taken to eliminate this violence;

AND WHEREAS it is in the public interest to entrust to the National Commission of Inquiry the mandate to carry out its work in matters of New Brunswick's jurisdiction in accordance with the *Inquiries Act*, RSNB 2011, c 173;

AND WHEREAS the Government of Canada has undertaken to pay all costs incurred with respect to the Commission of Inquiry;

NOW THEREFORE, effective October 5, 2016

Pursuant to section 2 of the *Inquiries Act*, the Lieutenant Governor in Council directs a Commission to issue, under the Great Seal of the Province, appointing the Honourable Marion R. Buller, Michèle Taïna Audette, E. Qajaq Robinson, Marilyn Poitras and Brian Eyolfson, as Commissioners (the "Commissioners"):

1. The Commission shall conduct an Inquiry into Missing and Murdered Indigenous Women and Girls in Canada, under the name of the National Inquiry into Missing and Murdered Indigenous Women and Girls (the Inquiry),

2. The Commission shall:


- a) inquire into and report on:
 - i. systemic causes of all forms of violence – including sexual violence – against Indigenous women and girls in Canada, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls in Canada; and
 - ii. institutional policies and practices implemented in response to violence experienced by Indigenous women and girls in Canada, including identification and examination of practices that have been effective in reducing violence and increasing safety,
- b) make recommendations on:
 - i. concrete and effective action that can be taken to remove systemic causes of violence and to increase the safety of Indigenous women and girls in Canada, and
 - ii. ways to honour and commemorate the missing and murdered Indigenous women and girls in Canada;
- c) conduct the Inquiry taking into account that the Inquiry process is intended, to the extent possible to:
 - i. be trauma-informed and respect the persons, families and communities concerned;
 - ii. provide an opportunity for persons, families and community members to express and share their experiences and views, particularly on ways to increase safety and prevent and eliminate violence against Indigenous women and girls in Canada;
 - iii. be culturally appropriate and acknowledge, respect and honour the diverse cultural and spiritual traditions of Indigenous peoples; and

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- iv. promote and advance reconciliation and contribute to public awareness about the causes of, and solutions for, ending violence experienced by Indigenous women and girls in Canada.
3. The Commission shall perform its duties without expressing any conclusion or recommendations regarding the civil or criminal liability of any person or organization. The Commission shall further ensure that the conduct of the inquiry does not jeopardize any ongoing investigation or proceeding.
4. The Commission shall not receive or admit any information or evidence that is subject to solicitor client or any other legal privilege unless it is voluntarily provided by the person to whom the privilege belongs.
5. All departments and all boards, agencies, and commission of the Government of New Brunswick shall, subject to any privilege or other legal restriction, assist the Commission to the fullest extent possible, including producing documents in a timely manner, so that the Commission may carry out its duties.
6. The Commission shall make referrals or remit information pursuant to provisions m, r and s of the Government of Canada Terms of Reference – PC 2016-0736 in accordance with any formalized processes or protocols that may be established from time to time in New Brunswick for this specific purpose, and communicated in writing to the Commission on behalf of the Attorney General for the Province of New Brunswick.
7. The Government of New Brunswick shall bear the cost of its own participation and attendance in the National Inquiry, as well as any costs associated with the production of its records to the Commission.
8. The Commission shall deliver to the Attorney General of the Province of New Brunswick and to the Government of Canada:
 - i. an interim report, to be submitted before November 1, 2017, setting out the Commissioners' preliminary findings, conclusions and recommendations,

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- ii. a final report, to be submitted before November 1, 2018, setting out the Commissioners' findings and recommendations, and
 - iii. the reports shall be submitted in both official languages
9. The Commission shall ensure, in so far as practicable, that the Interim Report and Final Report are delivered in a form appropriate for public release, consistent with the requirements of New Brunswick's *Right to Information and Protection of Privacy Act* and other applicable federal and provincial legislation.
10. The Commission shall be responsible for translation and printing and shall ensure that the Interim Report and Final Report are delivered in English and French at the same time, in electronic and printed versions.



Jocelyne Roy Vienneau
Lieutenant-Governor

This is to certify that the foregoing is a true copy of an Order of the Lieutenant-Governor in Council of the
Je certifie que le document qui précède est une copie conforme d'un décret du lieutenant-gouverneur en conseil

Province of New Brunswick, made on the
de la province du Nouveau-Brunswick, pris le

5 October 2016.

Clerk of the Executive Council/Greffier du Conseil exécutif

