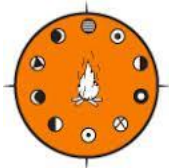




BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

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Assemblée des
Premières Nations
du Québec et du Labrador



JOINT STATEMENT

For Immediate Release

September 25, 2020

Joint Statement Regarding the Insufficient Charge of Brayden Bushby in the Murder of Barbara Kentner

(Lheidli T'enneh Territory, Prince George, BC – Sept. 25, 2020) – In Thunder Bay, Ontario, on July 4th 2017, a 34-year-old Anishnaabe woman, Barbara Kentner, succumbed to her injuries that were inflicted by non-Indigenous, 18-year-old Brayden Bushby when he threw a rusty trailer hitch at her in January of that year from the window of a moving vehicle. She leaves behind a grieving daughter, family and community. Considering the reasonable assumption that Bushby would have known that striking someone with a trailer hitch would be likely to cause death to a person, he was charged with second degree murder following Kentner's death. On September 11, 2020, Thunder Bay Ontario Superior Court Justice Helen Pierce downgraded Brayden Bushby's charge from second degree murder to manslaughter; his trial will now also consist of only a judge rather than facing a jury trial.

After many other Indigenous court cases have received little to no justice, this doesn't come as a shock but yet another disappointment. While infuriating and entirely unjust, this is what both Indigenous and non-Indigenous peoples in Canada have come to expect from the justice system when it comes to violence against Indigenous peoples, in particular, Indigenous women, girls and two-spirit people. When considering the Gerry McNeilley report that denounced the systemic racism in Thunder Bay police services and lack of resources, and the Murray Sinclair report that recommended the disbanding of the Thunder Bay police service board due to "clear and indisputable pattern of racism," it is no surprise that Barbara Kentner's murder is being treated with such apathy. This was not a prank gone wrong. This was an individual purposely using an object with the sole intent to cause harm to another individual. By allowing this charge to be downgraded from second degree murder to manslaughter, the Superior Court Justice proves that this type of violence will be allowed without full repercussions of the law. The justice system in Canada continues to perpetuate and condone the racist, colonial rhetoric that Indigenous lives are less valuable than others when it fails to adequately address attacks against Indigenous peoples.

Until perpetrators of violence against Indigenous peoples are served with just charges and sentences, Indigenous people in Canada will continue to experience disproportionately high rates of violence and Canada will continue to have blood on its hands. We must all work towards a society where Indigenous women are safe, protected, and respected. Regional Chief Ghislain Picard (Quebec), Regional Chief Terry Teegee (British Columbia) and Regional Chief RoseAnne Archibald (Ontario) are demanding that the charge be restored back to second degree murder from manslaughter, that Helen Pierce be removed from the trial process and that a formal apology be issued to Barbara Kentner's family.

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