

# FIRST NATIONS LEADERSHIP COUNCIL

## News Release

February 24, 2021

### Justice for Kenneth Seymour Michell

**(Xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətał (Tseil-Waututh)/Vancouver, B.C. – Feb. 24, 2021)** On January 13, 2021, Kenneth Seymour Michell of the Ts'kw'aylaxw First Nation left RCMP custody in Williams Lake BC. By January 14<sup>th</sup>, he was dead, having strangled himself with his own shoelace. Kenneth's death was completely preventable, and yet another example of the justice system in Canada failing to protect the lives of Indigenous peoples.

The First Nations Leadership Council (FNLC) is calling for further investigation into this incident, including reprimands to the RCMP and judge involved in the case. Ignoring the psychiatric condition of any person suspected of suicidal tendencies is a criminally negligent abrogation of duty. The Independent Investigations Office (IIO) concluded on January 25, 2021 that the RCMP actions/inactions "did not play any role" in Mr. Michell's death.

Kenneth had told everyone involved in his case that he was having suicidal thoughts. The RCMP and Crown Counsel recommended Kenneth be kept in custody as he could pose a harm to himself. What's worse, Kenneth's friend attempted to pick him up from the courthouse but was told Kenneth would be transported back to his home in Kamloops. And yet he was released from custody by the judge, and dropped off in Williams Lake, far from home in the middle of winter, wearing only a sweater. Mr. Michell's family is devastated and continues to grieve one month after burying him.

"Mr. Michell's family reached out to us in their grief and frustration. The entire judicial system continues to harm First Nations people despite the commitments to reform the justice and policing system, including support for the First Nations Justice Strategy a year ago. The Strategy included a commitment to training and education to reduce bias among front line workers, RCMP and judges in the justice system. Did this judge receive that training? And if so, what made him think Kenneth Michell should have been released without support? How did the RCMP and Sheriff's Office think it was okay to leave him in the cold, on the street miles from home?" said BC Assembly of First Nations Regional Chief Terry Teegee.

Kukpi7 Judy Wilson, Secretary-Treasurer of the Union of BC Indian Chiefs stated, "Our people deserve to be treated with dignity and respect, and not brushed aside like Kenneth was. He should be alive today. His family should not be going through this trauma. Once more we are calling for justice. The officials involved must be removed, and the broken so-called justice system must be repaired to ensure that there is no space for the current widespread racism and discrimination toward Indigenous peoples."

"This is yet another horrific example of our people being victimized by a broken justice system. The complete lack of compassion and understanding by the judge of Kenneth's condition, and potential for self-harm is astounding. Kenneth was tossed aside by a system that failed to provide the necessary supports to ensure his safety and well-being,



BRITISH COLUMBIA  
ASSEMBLY OF  
FIRST NATIONS

1004 Landooz Rd.  
Prince George, BC  
V2K 5S3

Ph: 778-945-9910  
Fx: 778-945-9916



FIRST  
NATIONS  
SUMMIT

1200-100 Park Royal South  
West Vancouver, BC  
V7T 1A2

Ph: 604-926-9903  
Fx: 604-926-9923  
Toll Free: 866-990-9939



UNION OF  
BRITISH COLUMBIA  
INDIAN CHIEFS

401 – 312 Main Street  
Vancouver, BC  
V6A 2T2

Ph: 604-684-0231  
Fx: 604-684-5726

a system that all too often, does not care about Indigenous peoples. This is a sad reality and another example of the need to immediately implement the BC First Nations Justice Strategy. Our sincere thoughts and prayers go out to Kenneth's family for their tragic loss," said Lydia Hwitsum of the First Nations Summit Political Executive.

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*The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).*

**For further information, contact:**

Kukpi7 Judy Wilson, Secretary-Treasurer, UBCIC: c/o eneel@ubcic.bc.ca  
Annette Schroeter, Communications Officer, BCAFN: 778-281-1655  
Colin Braker, Communications Director, FNS: 604-328-4094