



National Advisory Committee
on Residential Schools Missing
Children and Unmarked Burials

Forensics and the search for residential schools missing children

The **National Indian Residential School Crisis Line** is available at all times, free of charge: **1-866-925-4419**. Free support is also available through the **Hope for Wellness chatline** at **1-800-721-0066** or using the chat box at <https://www.hopeforwellness.ca/>.

Forensic disciplines are often crucial in law enforcement and criminal trials.

However, there is also another side to forensics. Forensics has played an important role in humanitarian responses to disaster, wars, and mass human rights violations around the world. Forensic humanitarian work includes identifying the person who has died so that families and their communities can mourn and hold ceremony and so that they can learn the truth about what happened to their loved ones.

Forensics include:

- The recovery of human remains in challenging environments
- The dignified management of human remains
- Proper documentation
- Determining the identity and fate of the recovered human remains
- Collection of evidence in a way that supports criminal investigations, if communities choose that path
- Expert testimony





Considerations for Communities

Important information can be gathered or confirmed through forensics. There are also limitations. See “Myths and Misconceptions” below. Prior to starting forensic work, there are important issues for families and communities to consider which can have important impacts on the outcome of the process.

Protocols

Families and communities should create their own detailed protocols for how they want to work with forensic experts and others, keeping in mind the potential cultural gulf if those experts are not Indigenous. This can include protocols regarding prayers, ceremonies and other considerations prior to site visit and during scientific exhumation. This will allow for everyone involved to respect and adhere to Indigenous laws and protocols.

Whether to collect DNA samples

It is important to determine as early as possible whether affected biological families are willing to provide DNA samples for the purposes of identifying recovered human remains. There are important concerns about ensuring that DNA is handled with respect and that the privacy of families and individuals is not compromised.

Unidentified remains

In the event that human remains are located but cannot be conclusively identified, families and communities should determine how these unidentified children will be honoured and commemorated.

Criminal accountability

Families and communities should consider whether they want to pursue accountability through the legal system in the event that forensics process results evidence that could be used to lay charges against a perpetrator.

The Forensic Identification Process

To use forensic disciplines to identify a missing child requires a process that brings the scientific examination of human remains together with information gathered through other research.

Exhumation and postmortem examination

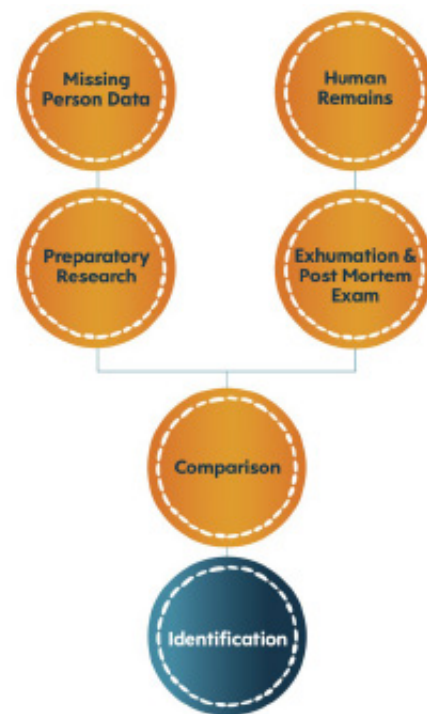
The careful examination of human remains to determine the identity, cause of death and other information is known as the “postmortem” examination. The examination process starts at the location where the human remains are found. The uncovering of the burial site – or exhumation – must be done in a way that is consistent with Indigenous law and traditions, standards of bioethics, science and medicine, and the need to respect the dignity of human remains. Postmortem data collection is collaborative, requiring the expertise of many disciplines such as anthropology, archaeology, pathology, dentistry and biology. Some procedures require the remains to be transported to a specialized lab. These human remains are held in trust by the Coroner or other death investigation institutions until they are returned to the family or community

Missing persons data

Identification of human remains cannot be performed without information about the missing person by families and other sources. Historical information about the children who attended the residential schools and those who remain missing will play a role in determining the identify of any human remains that are found.

Comparison

Human remains are identified by comparing the results of the scientific examination with the missing persons data that has been gathered. The most reliable means of identification include comparative dental analysis and DNA analysis. However, personal description, clothing, and personal effects, can also play a role in identification.



Planning and Coordination

Conducting forensic investigations requires financial and human resources to support planning and coordination. A team must be established to coordinate the care of human remains and engage other relevant agencies such as law enforcement, body removal/funeral services, forensic identification services, communication with families, public and media. Such coordination requires experience

in death investigation including the exhumation, logistics, and secure storage of human remains. This coordination structure needs to be decided before any exhumation begins.

It is crucial that families and communities be supported through every stage of this process.

Myths and Misconceptions

1

Ground penetrating radar (GPR) is able to locate children's bodies

GPR CANNOT detect the presence of bodies/human remains. The data that is gathered through GPR and similar technology can indicate the likely presence of a burial site. Only an exhumation can confirm the presence of human remains.

2

Exhumation will allow the recovery of bodies.

It is UNLIKELY that whole bodies will be recovered.

There may be bones (skeletal remains) that are present within the unmarked burials. However, the skeletons of children (juvenile skeletons) do not persist as long as adult skeletal remains and may have completely disappeared due to the natural break down of human remains and other changes.

3

It is possible to identify ALL human remains

Identification of human remains MAY NOT be possible. In many cases, not enough evidence remain to enable identification.

4

The forensic work can be completed in a short timeframe (i.e. weeks)

The search, recovery and identification of your loved ones will take many months at least but is more likely to take YEARS.

This summary is based on a discussion paper written by Dr. Rebekah Jacques, a Métis Forensic Pathologist & Coroner and member of the National Advisory Committee on Residential Schools Missing Children and Unmarked Burials. The full paper is available online at www.NAC-CNN.ca