



Haircut aftermath

2010-11-17

By Jamie Smith, tbnewswatch.com

A haircutting incident at a local school has landed the police and public school board in front of the Human Rights Tribunal of Ontario.

Members of the Lakehead District School Board, Thunder Bay Police Services Board and the Ministry of the Attorney General are named in a human rights case following a hair cutting incident at McKellar Park School in April of 2009.

A teacher's assistant cut the hair of a seven-year-old First Nations boy at the school April 16. A police investigation and Crown attorney ruled that no criminal charges would be laid.

Lawyer Julian Falconer, representing the child's family, said from the family's perspective what happened to their child is nothing short of a "gross human rights violation". While the family views the incident as an assault, Falconer said the police and Crown's handling of the case shows "callous disrespect" for First Nations people.

"It just is a classic example from the families point of view of First Nations being less than worthy victims," Falconer said. "Neither the crown nor the police consulted with the family in any meaningful way about proceedings or took any of what would be the ordinary steps that the family says would be ordinarily undertaken in the case of a non-first nations persons."

Falconer said police did not consult with the child's parents before concluding its investigation.

While financial compensation is part of the complaint, Falconer said the tribunal has the power to order actions to ensure the Crown, police and school board act to respect First Nations.

Police spokesman Chris Adams said because the case is before the tribunal, he could not comment.

"It's really not appropriate for us to comment on any of those aspects," Adams said. "There was a very thorough investigation at the time and at that point a conclusion was reached

that it wasn't appropriate to proceed with criminal charges...the details of that now are before the tribunal."

The school board refused comment but did confirm that the employee is no longer with the board. Falconer said the board's handling of the incident "left a lot to be desired".

A mediation date will be set. If talks there are unsuccessful, Falconer said a hearing will be held.