

AS MASS CASUALTY COMMISSIONERS YOU SAID, “AS COMMISSIONERS, WE BELIEVE THIS LESSON TO BE THE SINGLE MOST IMPORTANT ONE TO BE LEARNED...LET US NOT LOOK AWAY AGAIN”: BUT YOU GRIEVOUSLY HAVE LOOKED AWAY

Feedback Report Submitted to

Commissioners Honourable J. Michael MacDonald, Chair, Leanne J. Fitch (Ret. Police Chief, M.O.M.), and Dr. Kim Stanton

By

Jeanne Sarson, MEd, BScN and Linda MacDonald, MEd, BN, Retired Public Health Nurses, Civil Society Human Right Defenders, as Participants in the Nova Scotia Mass Casualty Commission

21 April 2023

Contact: C: 1.902.895.6659 | C: 1.902.956.2117 | contact@nonstatetorture.org

Sent to Wendy Clark - Wendy.Clark@masscasualtycommission.ca

As Mass Casualty Commissioners you said, “As Commissioners, we believe this lesson to be the single most important one to be learned...let us not look away again”: But you grievously have looked away

Jeanne Sarson and Linda MacDonald

Introduction

We submit this feedback report because we were granted participant status in the work of the Mass Casualty Commission (MCC) under the heading of [Gender-Based Organizations](#), identifying our expertise work under [Persons Against Non-State Torture](#). We took our involvement extremely serious, specifically in connection to contributing to the [Orders in Council](#) as set for you as Commissioners under the authority of the Government of Canada and the Government of Nova Scotia, to address the mandate of gender-based and intimate partner violence. This, our feedback report identifies how, in our opinion, there is a discriminatory exclusion in the final report of gender-based violence that manifests as non-State torture crimes, ignoring and thereby eliminating the professional, scholarly, and scientific evidence we presented during multi-oral statements and in our final written report entitled, [A Feminist Analysis: Transforming An Understanding of Cultural Patriarchy, Misogyny, and Red Flag Warnings of Violent Men’s Non-State Torture of Nova Scotian Women](#).

The Exclusion of Non-State Torture Violence of Women and Children

Two questions to address:

1. Ought it be considered an intentional decision to discriminatorily exclude and invisibilize gender-based violence of women and children, including intimate partner and family violence, that manifest as non-State torture criminal acts or behaviours?
2. Why was this statement included, “[F]ocusing on simpler stories about the dangerousness of specific individuals...or about evil. While such narratives are appealing, a reductive focus on simpler explanations will not keep us safe?” (Vol. 3, p. 238).

Both questions ignore that we presented 30 years of praxis and scientific evidence addressing non-State torture (NST) victimizations of women and children. We were never questioned during our oral presentations, about our three submitted scholarly references which were

recorded as evidence,¹ and now not one word exposing non-State torture victimizations of women and children is included in the final report volumes.

Question 1: Non-State torture of women and children

The justifiable reasons why we are submitting our feedback to you is because as Commissioners you wrote many statements in the volumes of your final report that apply to your mandate to address “gender-based violence.” The following are examples of such statements yet these have been destructively ignored being applicable to women and children who survived non-State torture crimes. You wrote that:

1. “Our recommendations are designed with two objectives...: prevention of violence...the broader root causes of violence, how much violence can be prevented, and how we can all help to improve community safety and well-being (Exec. Summary, p. xiii);
2. “Valuing all members of our communities, from childhood onward, will contribute to making our communities safer for everyone” (Exec. Summary, p. xiv);
3. “As a country, we need to commit to persisting month after month, year after year, making steady improvements and sustained efforts to shift entrenched values, fix broken systems, and make violence prevention our guiding star. It will take collaboration from all Canadians...” (Exec. Summary, p. xv);
4. “One of our guiding principles was to be respectful and to recognize that “every word matters” (Vol. 7, p. 25);
5. “Transparency: We strove to make the Commission’s process inclusive, accessible, transparent, and conducted with humanity. The Commission would listen, learn, and investigate. We would share what had been brought to light in a Final Report, with sustainable recommendations and a thorough, evidence-based record” (Vol. 7, p. 32);
6. “One essential feature of an effective system for intervening in and preventing violence, including its escalation to a mass casualty, is ensuring the system can ‘see’ the red flags so that appropriate and proportional steps can be taken...Systemic reform must include learning about and addressing the obstacles to reporting red flags as experienced by

¹ COMM0061203 P-003715 Book: [Women Unsilenced Our Refusal to Let Torturer - Traffickers Win](#) (2021), Excerpt: Chapter 8 Confronting Actions of Human Evil; COMM0061201 P-003717 Article Titled [A Difficult Client](#); COMM0061202 P-003716 Article Titled, [Having Non-State Torture Recognized by the UN and Member States as an Infringement of Women's Human Rights is Imperative](#).

community members and ensuring these red flags are properly seen and acted upon by responsible institutions and actors” (Vol. 3, p. 157);

7. “Inclusion is a means to a safer, and more effective society” (Vol. 3, p. 163);
8. Gender-based violence is an epidemic in Nova Scotia and in all of Canada, as it is in most parts of the world...has been consistently present throughout societies to the point that it is seen by many as routine or normal. This normalization is further reinforced by the ways our collective efforts have failed to gain traction in stamping it out. We must work together against this placid perception, and we need to take action with the collective communal force of meeting an epidemic (Vol. 3., p. 268);
9. “Our efforts must be to eradicate all forms of gender-based violence and its impact on all survivors (Vol. 3, p. 269);
10. **“As Commissioners, we believe this lesson to be the single most important one to be learned...Let us not look away again”** (Vol. 3, p. 267);

In our opinion you have looked away. None of the above statements have been applied to include women and children who survive non-State torture crimes. The failure to include the women and children who suffer non-State torture crimes is about looking away; it’s discriminatory, invisibilizing, marginalizing, and exclusionary, creates on-going vulnerabilities, disregarding of their humanity, and will perpetrate ongoing harms as this inquiry report will be catalogued for others within society to learn or not learn from. Do you not think that such exclusion reinforces systematic oppression?

Question 2: Language that identifies the action or behaviours of perpetrators as “evil”

“*Today I hate the world with all of this evil and cruelty in it*” was spoken by a Nova Scotia mother and captured in this article about the criminal behaviours of the man who was the murderer of her son, [Taylor Samson’s mother says she hates ‘all of this evil’ at his murderer’s sentencing](#) (Cooke, A., 2023, April 20). Her statement relates to the science of identifying the behaviour or action elements of a crime which we presented in our oral statements and final written report. The science we presented to you as Commissioners was of the work of Welner and associates whose research we participated in and who were intent on addressing human behaviours that people often described as “evil,” “atrocious,” or “heinous.” We included these three references in our final report that could have been studied by you as Commissioners to respect their science of dealing with the depravity of some criminal’s behaviours:

1. Welner, M, & the Forensic Panel. (2016). The depravity standard. https://depravitystandard.org/about_the_research.html

2. Welner, M., O'Malley, K. Y., Gonidakis, J., Saxena, A., & Stewart-Willis, J. (2018). The depravity standard III: Validating an evidence-based guide. *Journal of Criminal Justice*, 55, 12–24. <https://doi.org/10.1016/j.jcrimjus.2017.12.010>
3. Welner, M., DeLisi, M., Saxena, A., Tramontin, M., & Burgess, A. (2022). Distinguishing everyday evil: Towards a clinical inventory of extreme and outrageous behaviors, actions and attitudes. *Journal of Psychiatric Research*, 154, 181-189.

Additionally, if as Commissioners you needed further information on the statistical analysis of a crime we would have shared how we reference the United Nations Office of Drugs and Crime [International Classification of Crime for Statistical Analysis](#) which identifies these four elements of a crime:

1. Defining the behaviours or actions of perpetrators,
2. Defining the perpetrator's intentionality,
3. Defining who is being victimized by the perpetrator, and
4. Defining the relationship between the perpetrator and the person(s) they victimize.

Furthermore, in Volume 1, under "Decreased Sense of Safety and Increased Fear" you shared a respondent's voicing their increased fear that the "mass casualty could trigger fear and, in some cases, panic" (p. 96). Under this section one respondent wrote,

After that first month, this type of anxiety began to subside but there is a certain level of fear that never goes away when you realize that **evil-doers** [emphasis added] very much live amongst us.

Then in Volume 5 Dr. Mahar's statement reads:

[W]e see the ways in which our institutions express or embody, even though they might say unwittingly, decisions about – decisions or attitudes that are misogynistic ...

I think there we can see immediately a sense of justification, a suspicion, a sense that women don't deserve safety or may have done something to provoke the violence against them and the kind of ready flippage into that sort of justification, I think, is not only a part of policing but it's part of everyday quotidian experiences that, in a sense, we all have a responsibility to think to and to respond to if police forces and institutions come from our society. They're a reflection of who we are, a reflection of how we hold ourselves accountable in a sense for this as well for these types of violence, for their dreadful outcomes, for their everyday **banal evil** [emphasis added] in a sense (p. 628).

Banal evil refers to the reality that ordinary people commit atrocities which include actions or behaviours such as non-State torture that we described in our oral and written statements exposing non-State torture of women and children and that Taylor Samson's Nova Scotia mother on this day of the 20th of April 2023 defined the murder of her son as evil. Women who have been subjected to the violent actions of perpetrators of non-State torture crimes repeatedly express psychological concerns, anxieties, fears, and terror that they have been harmed by the perpetrators' actions or behaviours they described as evil.

The human experience of relational violence includes insights into actions or behaviours that amount to torture, including non-State torture. When such criminal actions or behaviours are not studied as human actions that people frequently use words such as "evil" to define, their responses are disregarded, dismissed, and discriminatorily minimized. Or worse, when defined in your final report as "simpler stories" (Vol. 3, p. 238); this statement can be experienced as a put-down, as insulting, dismissive, or as a biased, subjective, and judgemental opinion that disregards the science of criminal depravity. In fact, it feels as if the praxis and science we shared and the women we know who survived non-State torture and worked so hard to find a place of respect and equality in the Mass Casualty Commissioners' mandated responsibilities to address "gender-based violence" have been 'thrown under the bus' in your *Turning the Tide Together* final report.

A conclusion: This shares the harmful and on-going discriminatory impact of invisibilizing non-State torture as a distinct form of violence that can be inflicted within families, as a form of intimate partner violence, as family violence, and within Nova Scotian and global communities.

To place in context the mandate to address all forms of violence against women, have you as Commissioners considered that there may have been a woman who survived non-State torture in the audience on the day you presented your final report?

Have you considered what a woman would say knowing that the non-State torture victimization she survived was totally eliminated and further put-down as "simpler stories" and that as Commissioners this meant the decision was not to acknowledge the victimizations she survived?

To inform you of what women who realize that the non-State torture ordeals they survived have been dismissed, invisibilized, and disrespecting of their human dignity, here are some of the statements they said within hours of the release of your final report which indeed has looked the other way:

- I wanted the Commissioners to say I existed, so I am a person, I am nothing when made invisible;
- Makes me feel like an “it”, unworthy, hurt, not even an “it”;
- [Commissioners] had a chance to hold non-State torturers accountable;
- It hurts so bad, makes me want to cry, makes me angry;
- Words the Commissioners say are the right words but their behaviours dismissing me as a person then the words mean nothing;
- I would like for them [Commissioners] to explain why they have not acknowledged me;
- I know what I went through for decades – invisibilized and it scares the hell out of me that my torture doesn’t matter and I want them to look me in the face and tell me why they didn’t recognize me, and
- [Commissioners] you had the opportunity to make a difference in my life, you hurt me big time.

A respectful equality-based intervention includes for you as Commissioners to write an addendum to correct the invisibilization of forms of violence that amount to non-State torture and to apologize to the women above and the many others we have supported over the past 30 years who have survived non-State torture as children and or as adults.

Feedback is respectfully submitted,

Jeanne Sarson and Linda MacDonald

Cc’ed Dr. Stephen Ellis, Member of Parliament Cumberland-Colchester, Nova Scotia,
stephen.ellis@parl.gc.ca

Honourable Brad Johns, MP, Attorney General and Minister of Justice, of Nova Scotia
mlabradjohns@gmail.com

Honourable David Lametti, Minister of Justice and Attorney General of Canada,
David.Lametti@parl.gc.ca

Honourable Marci Ien, Minister for Women and Gender Equality and Youth,
marci.ien@parl.gc.ca

Justin Trudeau, Prime Minister of Canada, justin.trudeau@parl.gc.ca