

EP05 P2: THE HONOURABLE MARION BULLER

AUDIO TRANSCRIPT

00:00:07 **Kerry Wright**

Hello again. I'm Kerry Wright. Welcome back for part two of my conversation with Marion Buller and QCC series: The Path of Public Service. You may want to listen to part one of our episode if you haven't already.

00:00:21 **Kerry Wright**

Well, at some point you might have been a walking encyclopedia, which begs, which begs the question, what's something that you wish you'd known before your appointment as a judge?

00:00:37 **Marion Buller**

I wish I'd known, I knew that it was a lonely job, I didn't realize how lonely a job it really is. You make your decisions on your own. Now I have to preface this by saying I worked with some fabulous judges and in a very collegial atmosphere, where you know, if you say "I'm having problems deciding this case." Go and talk to somebody, another judge, run it by and say, "well, you know, you had a case like this or have you ever run into this type of situation," but

the bottom line is it's your decision and you fall or or not on your decision. So it's intellectually a very lonely job.

00:01:27 **Kerry Wright**

Yes, is there a difficulty that if your peers are consulting or conferring with you that they there's a reluctance because they might influence you and and it's so important to have that independent decision?

00:01:41 **Marion Buller**

Ohh, independence first and foremost and I can't stress that enough, but here's an example. I had a a case involving everything that could go wrong with a wedding and it was a multiparty lawsuit and one of the contracts had some strong-

00:01:58 **Kerry Wright**

It sounds like a movie.

00:02:02 **Marion Buller**

Ohh several movies and this could be a Netflix series it I mean it just I felt so badly for them but anyway.

00:02:08 **Kerry Wright**

Well, truth is stranger than fiction.

00:02:10 **Marion Buller**

Yeah. And one of the contracts have some very strange wording in it. And I went to two other judges and said, "have you ever seen anything like this before," and the answers were, "No, we we haven't." And I said, "OK, fine." It's more a double checking, have I missed anything type of process but ultimately no.

00:02:29 **Kerry Wright**

OK, OK.

00:02:30 **Marion Buller**

I, as a judge, make my own decision myself based on the law and the evidence that I've heard and nothing else. So it's it's very isolating that way and socially isolating as well, because there are rules about what you can and cannot do as a judge. For example, you can't do fundraising. So I'm kind of glad about that.

00:02:53 **Kerry Wright**

Thank goodness. Thank goodness. Can you extend that to politicians, please?

00:03:09 **Marion Buller**

You know, I couldn't do fundraising for my stepdaughter's basketball team, for example. Just cannot do that. So, isolating in that way, you can't, for example, if I wanted to be an umpire, or a referee for a kids youth soccer team, can't do that. If I wanted to be a board of directors for some organization, it's

dicey about whether or not I could do that.

00:03:30 **Marion Buller**

So and for my family too, it was it was difficult because, you know, kids get into trouble. So not getting into trouble as as the judge's kid.

00:03:42 **Kerry Wright**

Yes, yes.

00:03:46 **Kerry Wright**

Are these things that you decide at your discretion or is it written down as a, and there's reference that you can go to and to clarify exactly if you can attend this or attend that.

00:03:59 **Marion Buller**

Some things are written down about what you can do and what you can't do. Other things are well, we called it or I called it the headline test. How would this look as a headline in the newspaper the next day, you know.

00:04:13 **Kerry Wright**

OK, fair enough.

00:04:13 **Marion Buller**

So you kind of have to be in the judge's chair to see people as they come into court and the trust the public gives you to be independent and to make a fair decision, a correct decision. And you don't want to blow that trust.

00:04:29 **Kerry Wright**

No, no. Trust is everything and trust is truth. So truth is authenticity. But somehow again, you're trying to do another balancing act where you're

juggling appearances with being able to be your authentic self, whereas sometimes as you know, the privilege of being a judge.

00:04:49 **Kerry Wright**

You have to stifle your own behavior. Does that get a bit much sometimes?

00:04:54 **Marion Buller**

You know you learn the trust the public has in you, and the independence is so important. Yes, that is the trade off you have to be willing to make. Yes. And I was. Yeah, because to me the role of a judge is so important that that superseded everything else.

00:05:14 **Kerry Wright**

It's it's more. You're prioritizing the collective good as opposed to, you know, you know your individual whim at that moment.

00:05:26 **Marion Buller**

Yeah. And you know you at the end of the day you take the robes off and you go home and you know you're there, like your your next door neighbor cutting the grass, or you're there like your next door neighbor washing your car. You know, it's not like you're cloistered.

00:05:42 **Marion Buller**

You still have those day-to-day experiences once you take the robes off and you go home.

00:05:49 **Kerry Wright**

You know, it's probably common knowledge that in the United States, confidence in the judicial system or the independence of the system is

somewhat undermined, especially with decisions even with the Supreme Court.

00:06:05 **Kerry Wright**

So I always find that whatever happens in the United States, a year or two down the road Canadians tend to follow suit. Not always, but but often.

00:06:16 **Kerry Wright**

Are you confident that judges in Canada, we'll be able to make decisions that are independent down the road.

00:06:25 **Marion Buller**

Oh, I'm very confident that there's a tradition of independence in the Canadian judiciary, and that's that's going to remain. I have absolutely.

00:06:34 **Kerry Wright**

You have better checks and balances.

00:06:45 **Marion Buller**

Ohh. Absolutely. I just as an aside, I can remember we had a joint conference one year with some American judges here in Vancouver. And they were appalled that we were not elected and that we didn't have to fundraise for our next election, and we didn't have to go through that whole influence peddling for lack of better words that they had to go through. And the American judges, without exception, preferred our process of appointment as opposed to election, saying it went far more to not only independence in fact, but independence in appearance.

00:07:15 **Marion Buller**

And you know, I have to be critical of the Canadian media for a moment here

because so often there are comparisons made between US and Canadian legal systems, and you know this Netflix and TV series do the same thing that quite often a Canadian court scene is depicted as if it's American. For example, we don't use, at least in B.C., we don't use gavels, but you know they're judges.

00:07:43 **Marion Buller**

Although some days I wish I had to use the gavel.

00:07:45 **Kerry Wright**

Very dramatic.

00:07:47 **Marion Buller**

And so there's a lot of misunderstanding about what happens in the Canadian court room and I found that with litigants. Yes, that they walked in expecting the process that they saw on TV, which was very American. Yes, so I have great confidence in the Canadian judiciary to continue to be independent.

00:08:07 **Kerry Wright**

Are you, are you seeing trends in the courtroom? I know you're retired, but have you seen trends and are you seeing trends in the courtroom that you didn't see in earlier years?

00:08:21 **Marion Buller**

Oh yeah, the one trend that was very apparent was the lack of legal aid, lack of legal representation. So people were coming into court and having to represent themselves in very difficult legal situations. It's unfair to them because, you know, you can't go through three years of law school, one

year of articling and a couple of years of law practice overnight. That whole learning process takes a long time.

00:08:49 **Marion Buller**

And so as a result, people weren't aware of how to prepare for court. I have to say there's been a lot of public legal education available. So you know, if you find you go to court, you go to the court website and it, you know, gives you 10 things that you have to do to prepare for court as an example. But I've seen so many instances where people really struggled to present their cases properly, because they really did need a lawyer, there was no legal aid available and they couldn't afford to retain a lawyer on their own.

00:09:24 **Marion Buller**

And that trend has been growing all across Canada with lay litigants and you know from a court administration perspective, these types of cases take more time just the time that you're in a courtroom is extended because it takes longer for people to understand. OK, I I give you this paper. Who do I give this paper to? You know, it's just little operational things like that that take more time, which means other cases are being backlogged because of the time that lay litigants are taking in court and I'm not being critical of the lay litigants at all.

00:09:57 **Marion Buller**

There have been some brilliant, laid litigants who have done better jobs than quite honestly say that, but it it creates an administrative and access to justice nightmare or nightmares. Plural, yeah.

00:10:10 **Kerry Wright**

Yeah, yeah, yeah. I mean, there is a perception of backlog and you're saying that's not a perception, that's a reality. But what you're describing is essentially, no access to justice.

00:10:26 **Kerry Wright**

I mean, I don't, I don't see how the average how a person can advocate for themselves.

00:10:34 **Marion Buller**

It's difficult. It's very difficult and.

00:10:37 **Kerry Wright**

Unless you have a particular skill set which there's no guarantee.

00:10:42 **Marion Buller**

Exactly and yet people know when something's wrong. They they may not know legally. You know, the legal details of why it's wrong, but they know it's wrong. And so as a judge, you have to kind of walk them through. OK. Now tell me why you think it's wrong.

00:10:59 **Marion Buller**

And so it places judges in a position of trying to remain neutral, but also trying to find out what happened.

00:11:08 **Kerry Wright**

Which is hard for a judge because you're dealing with efficiencies that have to be adhered to at the same time, you want to be compassionate and you want to be patient. You don't want to feel like they're just a number.

00:11:22 **Marion Buller**

No, you have to be fair and you have to make sure that people know they've been heard.

00:11:29 **Kerry Wright**

Yes. And that's really what it's all about.

00:11:36 **Kerry Wright**

Have you ever lost sleep because of a verdict you had to make a decision upon?

00:11:44 **Marion Buller**

Oh, several times I've lost sleep and I can't go into the details but they were cases that involve young children.

00:11:52 **Kerry Wright**

OK.

00:11:54 **Kerry Wright**

Yeah, no, you know, if you talk to a lot of firefighters, they'll say the same thing. They're sometimes the first responder on the scene and it always is more difficult when children are part of the trauma.

00:12:12 **Marion Buller**

Yes. And I guess what it does it makes you want to at the end of the day, after you hang up your robes, go home and hug your kids.

00:12:24 **Marion Buller**

Or hug them even more than you would hug them anyway.

00:12:28 **Kerry Wright**

Do you ever experience vicarious trauma as a judge?

00:12:32 **Marion Buller**

Oh, heavens yes, vicarious trauma. Oh, oh, yes.

00:12:37 **Marion Buller**

I have to say here in BC many years ago we had some training about vicarious trauma and how, first of all to say yes, I do experience it and then how to deal with it. I don't know if there's been anything since I retired about that, but yes, I don't want to get into too many details.

00:12:58 **Marion Buller**

But, when you hear about traumatic events, some of that trauma sticks to you. And so how are you going to unstick it? And everybody has their own way of of dealing with it. You know, when we had this training, the trainer said at the beginning you have to personally recognize that trauma is going to try to stick to you, and that was the analogy that she was using stickies. But you know some. Yeah, it's.

00:13:26 **Marion Buller**

It's going to stick to you. Yeah. So how are you gonna deal with that and, she said, first of all, you have to understand. And she held up the package of stickies. "This is somebody else's trauma. It's not yours. And you're not gonna help them by taking it away from them and letting it stick to you. You know, that's been really helpful advice all the way along. When you listen in court to a witness who's very upset and has to relive a traumatic experience, it's their trauma. It's not yours.

00:13:57 **Marion Buller**

With the national enquiry, it was the same thing although it's an awful lot more of it. It's understanding, listen carefully, be empathetic. But it's their trauma. It's not yours. Yes, and you're not going to help them heal by taking on the burden of their trauma.

00:14:14 **Marion Buller**

And that was very helpful to me all along, but I admit some of that trauma still sticks. And like I've still got some stickies on me. And, you know, it's it's just going to take time. And I may never, ever lose all the stickies, but at least I acknowledge that they're there.

00:14:31 **Kerry Wright**

Well, and you know it. It's human nature to want to take ownership sometimes of problems where you can see potential solutions and you want to help. But it will drain your energy because you're only one person.

00:14:46 **Marion Buller**

Right.

00:14:47 **Kerry Wright**

You're listening, and ultimately, as they say, they can talk through their own problems and come up with the solutions themselves.

00:14:56 **Kerry Wright**

So yeah, it that's very tough. So sustaining your energy levels must be important to you as well as finding those moments to relax. Do you have a go to something thatm you know, it either is very energizing for you in a happy way, or it's incredibly relaxing, and either way you get a sense of peace.

00:15:22 **Marion Buller**

Well, I think friends and family first. You know, they're the ones who always sustain you.

00:15:27 **Marion Buller**

But the best advice I had for a very long time ago from an elder was go to the Earth and so, well, I won't say I have a green thumb, but I love to garden, so go to the I love to hike and.

00:15:40 **Kerry Wright**

Oh, yes, yes, I do, too. Yeah.

00:15:43 **Marion Buller**

I love to run, love to exercise. Just blow all that that dark stuff away, yes.

00:15:51 **Kerry Wright**

Ohh, wonderful. Do you ever discover hope and beauty in the most unusual places that you would never expect to?

00:15:58 **Marion Buller**

Ohh almost daily.

00:16:03 **Kerry Wright**

That's probably your life story in consideration of what you do. You have a chapter you could write a book for sure.

00:16:11 **Marion Buller**

I I don't know where to. Yeah, I could write a book. I don't know where to start, but you know, to I can remember people coming back to court and saying thank you for keeping me out of jail. Or thank you for sending me to detox or, you know that when people come back in

person and thank you that's very meaningful.

00:16:36 **Marion Buller**

You know, the one thing that sticks with me, even still was from the national inquiry, and I can't identify the people because they testified in private and and so we have to respect that privacy.

00:16:49 **Marion Buller**

But I can share their story. I have permission to do that without identifying them. These four sisters, who probably would have been like late 50s, early 60s, I'm guessing, came in to tell me about their lost loved one and it was a horrendous story and it took a while.

00:17:07 **Marion Buller**

During one of the breaks, the oldest sister told me we're just having a casual conversation. And she said, "Well, we don't allow swearing." I'm taking this out of context because it'll identify or I give the whole context. And I said, "Well, what do you mean you don't swearing?"

00:17:26 **Marion Buller**

Very Long story short, in her community they had a history of women and girls going missing and being murdered and just crime. A lot of violence in their community.

00:17:40 **Marion Buller**

They tried to get a community safety committee together and it just fell apart for a variety of reasons, and so she said, "yeah, I can't change the whole world, but I can change what happens in my own home." And so she said, "I'm

going to have a zero tolerance policy in my own home.”

00:18:01 **Marion Buller**

And so she wrote out these rules and I don't remember them all, but they included like no hitting, no swearing, no gang paraphernalia, no drugs and alcohol.

00:18:11 **Marion Buller**

There were more but the bottom one was, the last rule was if you don't like it? You can leave.

00:18:18 **Marion Buller**

She had a lot of pushback and she said there were some family members who wouldn't follow the rules and said she told them to leave and put her foot down.

00:18:28 **Kerry Wright**

Well, I love her sense of conviction and you know, asserting that these are my values and I'm not compromising them for anyone.

00:18:37 **Marion Buller**

No, and ultimately people started following the rules, and then her sisters did the same things in their own homes about-

00:18:44 **Kerry Wright**

And it was contagious.

00:18:47 **Marion Buller**

And it was contagious. But it was people taking control over what they could control as opposed to trying to control something that they weren't ready for, or that, as individuals, they couldn't. Bless

them. And I still keep in touch with them. Really good news about violence reduced in their community. Children not going into foster care.

00:19:08 **Marion Buller**

You know, just these wonderful stories. But it was an individual taking control over what they could control, and it's been a good lesson for me because, you know, I can't control what the federal government does or doesn't do about our recommendations from the national inquiry. I can't control that. No, but what I can control is what happens in my community, for example, regarding the calls for justice.

00:19:35 **Marion Buller**

It's been a great lesson to learn and now if I can just add as Chancellor of the University of Victoria, I know there's some things I'd really like to change about the university. But me as an individual can't do that. I have to bring other people on board to make those changes, but there are some things. There are some things that I can change as an individual.

00:19:56 **Marion Buller**

And just knowing that difference is really important.

00:19:58 **Kerry Wright**

Yes, yes, I agree.

00:20:00 **Kerry Wright**

So I mean it, it sounds like there's a burden of behavior that comes with having to live up to being a judge, but at the same time, the rewards of being able to change people's lives.

00:20:15 **Kerry Wright**

In very positive ways. Well, I mean it sometimes that's not possible. Even so, there's learning with that. So yeah, it's lovely to hear.

00:20:25 **Marion Buller**

Yeah. You know, there's kind of a cone of silence around judges.

00:20:29 **Marion Buller**

And what we do or did and and what we can do and now judges across Canada, you know, now that they're retired, they're now starting to talk a little bit more about life as a judge and and what we can do and and what we can't do. And I say it's the best job in the world.

00:20:47 **Kerry Wright**

Yeah. Well, you're you're selling me here for all those public servants out there who are looking to make a difference.

00:20:48 **Marion Buller**

But you know what it really is is service.

00:21:02 **Kerry Wright**

Yes, yes it is.

00:21:04 **Marion Buller**

You're very much a public servant. You're there to serve the public, and I think that's honourable. And you know, we've lost that in the ME generation is the value of service. And this is something that I learned from both sides of my family. The importance of others, that it isn't just me in this world, who has to be served. It's the public, and things bigger than me. And there's a value in

service and we forget about that sometimes and and how rewarding serving the public really can be. And I think we have to also kind of step back a little bit and say, OK, "I have this education or I have this skill set that I'm bringing as a servant to the public, and my role in able to do that is valuable. I'm using that privilege that I have in terms of skills, education, experience, in order to serve the public better."

00:22:13 **Marion Buller**

And I I think we have to kind of go back and revisit the importance and the value of service.

00:22:21 **Kerry Wright**

I agree, and one thing that you said that really resonated with me is that there's a tendency right now we're going through something which feels like a me era. And as a consequence I think sometimes people are not as in tune to other people's pain. They're not as empathetic. Or maybe they're desensitized through different modes of communication, but ultimately there is a well. I'll take care of me. That hasn't happened to me yet, so I don't have to concern myself with that.

00:22:54 **Kerry Wright**

But at the same time, if we don't start raising a mindset of taking care of each other. We're going to go down a slippery slope where we're all just fighting tooth and nail to to survive, whereas I personally don't believe that's our purpose here. So the more that we have conversations that talk about the collective good, that talk about the value of public service.

00:23:27 **Kerry Wright**

And honestly, anyone that I've spoken with who's worked in public service throw out all those misconceptions, yeah, sure, there might be a few that live up to that, you know that stereotype. But ultimately they're very hard working. They're in it for the right reasons. They're working exceptionally hard and they're always looking to be of service to someone in a meaningful way that makes them feel proud. So it definitely resonates with me what you say.

00:23:58 **Marion Buller**

You know, let's just look at our language to see how things have changed and it drives me crazy.

00:24:06 **Marion Buller**

But now how often do we hear me and my friends went? Me and my next door neighbor did this. It's me first.

00:24:18 **Marion Buller**

When I was growing up, it would be my neighbor and I went, you know, you know, so, you know, even our language has changed to me first.

00:24:22 **Kerry Wright**

Yes, that's true. To accommodate that, I've never thought of that. Yeah.

00:24:32 **Marion Buller**

It makes me crazy. And so I think those who are in public service have to, I don't want to but should know that the work they're doing is very important, and it's about the bigger picture.

00:24:56 **Marion Buller**

And how it takes a bigger person to look at the bigger picture. And you're right, so many of them that I've had the privilege to work with over the years are those bigger people.

00:25:10 **Kerry Wright**

And it's not like the public service is immune to growth. I know that in 2021 I think the federal government had some kind of census where they were looking to get feedback, especially from Indigenous people working in the public service. And I remember reading something where someone was given some kind of intelligence test that they found out was not given to those who were non Indigenous.

00:25:38 **Kerry Wright**

And we're talking about modern day, so it is systemic, even though it might be in the subconscious, it's still, to have those conversations, to have that survey means that the public service is growing and responding to things that sometimes maybe they're just not thinking about, but at the same time it bubbles to the surface and then we know about it. There's no silence.

00:26:07 **Kerry Wright**

And and we can move forward and do better.

00:26:11 **Marion Buller**

Well, I'm not surprised about the test at all. Yeah, you know, and I'll just back up a little bit. The Canadian government was built on a foundation of European superiority. When the European settlers came over, they strongly believed in their moral, physical, ethical mental

superiority over indigenous people who were savages.

00:26:37 **Marion Buller**

And they equally, firmly believed that indigenous people were inferior, mentally, physically, emotionally, you name it. So our Canadian institutions are built on that belief. That's where it started. And so now to say we want to embrace Indigenous people as equals and colleagues, that's kind of going contrary to the very foundation of Canadian government institutions. And there's so much systemic racism that it's hard to see – there's so many trees it's hard to see one.

00:27:15 **Kerry Wright**

Gets become habitual.

00:27:17 **Marion Buller**

Oh, it has. It has. It's so firmly ingrained, and the problem is with systemic racism.

00:27:25 **Marion Buller**

Is that it forces people who are very open minded, very liberal, to act in a racist way.

00:27:35 **Marion Buller**

So as an example, the people that made the decision to deliver those tests and I'm just using it as a hypothetical, those people thought they were doing the right thing, obviously, by delivering those tests that were racist, that the process, the content, the results, I'm sure were all very race based and discriminatory, I I put money on it. But those very same people could have been the most open-minded liberal people. Yet the system

requiring that test, the policy that required that, is very racist.

00:28:14 **Marion Buller**

So systemic racism forced those individuals probably very open-minded to act in a racist way. And it's so insidious that it's hard to see.

00:28:27 **Kerry Wright**

I don't know why this is making me think of it, but a good comparison to reinforce what you just said is I feel that way about privacy now. You know, there are people working in retail who, through something systematic in the company that they work for, are demanding that they ask of customers private information that I know they shouldn't be asking, it's not appropriate.

00:28:54 **Kerry Wright**

But they're compelled to do so in order to be rewarded at the establishment that they were and and and racism is kind of similar, although I don't mean to make light of it by comparing it to privacy, but it's similar in that.

00:29:12 **Kerry Wright**

What a reasonable person would normally do theoretically. Sometimes when push comes to shove, it's easier for them to do something because they're not thinking about it too much when they really when they really should.

00:29:23 **Marion Buller**

Yeah, yeah.

00:29:26 **Marion Buller**

I agree, but I can't be critical either because I don't always see the systemic racism. I'm still learning, you know, and. And so I think we just have to be more vigilant and ask more questions, but I don't always see it myself.

00:29:45 **Kerry Wright**

No, no. Anyone who said I'm I've never had a racist thought is probably not being truthful. And then sometimes you just need to acknowledge it. Why did I think that? And let's get back to not doing that again, but that's easier said than done.

00:30:01 **Kerry Wright**

But yeah, conditioning is strong. Yeah. So I know that obviously a big part of your life from 2016 to 2019 has been the inquiry of missing and murdered Indigenous women and girls and when I look at the amount of work that went into that, did you know-

00:30:27 **Marion Buller**

I had a pretty good idea. I had a pretty good idea because I had been a judge for 22 years. I've been commission counsel in the past when I was a lawyer, said a pretty good idea of what I was getting into, both sort of structurally in terms of the terms of reference, that sort of thing. And then the challenge of asking people to talk about traumatizing events.

00:30:53 **Marion Buller**

So I knew that. What I wasn't aware, what I wasn't ready for were the personal attacks on me, because as a judge, you're isolated from that sort of thing. So that took me a little bit by

surprise. But in terms of the work itself, I knew we had to hit the ground running. I knew it was going to be messy, messy work, and I knew that we would be asking people to talk about very difficult parts of our lives, and I knew going into it that the media would turn on us.

00:31:30 **Kerry Wright**

You know the media have always presented a certain perception.

00:31:35 **Kerry Wright**

But if you look at the amount that was involved with your mandate, you were to fact check, you know, investigate, fact check, and report. But it was a big mandate.

00:31:46 **Kerry Wright**

And a lot of it with some unique challenges. You're you're you're serving in a capacity where there isn't just you as head commissioner, there's five of you.

00:31:55 **Kerry Wright**

So I can imagine sometimes that might have felt like, you know, too many cooks in the kitchen.

00:32:01 **Kerry Wright**

But other times, I'm sure it was a grace and a savior. But when you've got the government giving you a mandate and systematic change with it, that is to cover everything, every conceivable way that someone could be harmed or or murdered or sexual violence.

00:32:24 **Kerry Wright**

You're not in the role of judge anymore. You're not there to be judge and jury because you're not assigning blame.

00:32:31 **Kerry Wright**

Your trying to get to the root of systemic change so that the government, they will benefit the most. So I think there was this expectation giving you this mandate that you were going to take individual cases and find justice for them. And I think that confusion created disappointment, whereas you were just doing your job, which was overwhelmingly large. A huge mandate and painstakingly doing it in sequence the way it needed to be done with great patience.

00:33:09 **Kerry Wright**

Is that am I sort of in the ballpark?

00:33:13 **Marion Buller**

You are.

00:33:15 **Marion Buller**

Are terms of reference very specifically stated that we could not find blame or we couldn't find civil or or criminal blame, but what we could do is refer cases back to the originating agency for further investigation, which we did do I I don't even remember the number now where we said yeah this this doesn't look right and send it back, and unfortunately, the national inquiry finished before we could get feedback or replies back on all of those files. So we we did do referrals back, but we specifically were told in our terms of reference, we cannot lay blame and we cannot investigate specific cases.

00:33:56 **Marion Buller**

We also had a forensic document review where we did go through some files to see trends for investigation and again send those also back to the original investigation or agency. So we were able to do that, but no, you've isolated a problem that we ran into time and time again.

00:34:16 **Marion Buller**

Prior to the national inquiry actually starting, the ministers involved, federal ministers involved did round tables all across Canada of finding out what should this national inquiry look like and time and time again, people said. I want my mother's case or my sister's case reopened because I don't think the police did this properly or the child welfare agency was negligent. Variety of things like that. And so when we started, a lot of people thought based on what this pre inquiry work was done and what some ministers said publicly that their cases would be reinvestigated.

00:34:55 **Marion Buller**

So that pre inquiry process set up a lot of expectations that we just simply couldn't meet because of our terms of reference and it created a lot of problems for us in terms of educating the public about what we could and couldn't do. Yeah, but I just want to add a shout out to the national inquiry staff who embodied the concept of public service. They traveled all across Canada coast to coast to coast. Sometimes away from home for weeks at a time working, you know, in the airport waiting area on their computers,

missing birthdays, weddings, funerals. These people were fabulous examples of what it means to serve the public. I just had to put that in.

00:35:47 **Kerry Wright**

Thank you. Thank you for mentioning that and for giving them a shout out. Well deserved. Thank you.

00:35:53 **Marion Buller**

I have to say this, the success that we experienced, especially with our producing our final report was because of the staff. They were amazing across Canada.

00:36:06 **Marion Buller**

The selfless work that they did at very, very high standards and very difficult circumstances.

00:36:14 **Kerry Wright**

Your treasure and thank you for extending yourself with such generosity today. I really appreciate it. Thank you, Marion.

00:36:22 **Marion Buller**

It's been my pleasure. Thank you.

00:36:25 **Kerry Wright**

Take very good care.

00:36:26 **Marion Buller**

You too.

00:36:28 **Kerry Wright**

Purpose is personal. Talking about being of service while getting to know what that means on a personal level is what gives public service meaning. Marion

Buller teaches us that the judicial skills of balance, justice, harmony and order are proportional to our level of care and heartfelt connection. And when she asks us to go to the earth there is also recognition that none of us can be above the laws of nature. Our interconnection to the balance of nature also needs an honest and even handed justice. I imagine if we take care of the systems we hold dear, they will take care of us. Thank you for listening. We hope you enjoyed this episode. I'm Kerry Wright. Bye bye for now.

00:37:09 **Kerry Wright**

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