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# The TRC Report, 10 years later: a conversation with Chief Dr. Littlechild

By Chief Dr. Wilton Littlechild

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## Topic and importance

This is an edited transcript of the McGill Law Journal's 2025–2026 annual lecture, delivered by one of the TRC's three Commissioners, Chief Dr. Wilton Littlechild. He is a Cree lawyer and Chief from Maskwacis, Alberta, who attended residential school for 11 years. He has also spent decades advocating for Indigenous rights at the United Nations. The talk is a personal account and speaks directly to whether Canada's laws will honour treaties, how international human rights law applies to Indigenous peoples, and how law schools and lawyers can contribute to reconciliation. It matters now because, as he warns, some people are beginning to deny that residential schools existed, and progress on the Calls to Action is uneven.

The talk draws on Chief Littlechild's firsthand experience as a residential school survivor, a TRC Commissioner, and an Indigenous delegate at the United Nations since 1977. It also draws on the TRC's work, the TRC's Calls

to Action, the UN Declaration and related international instruments, a recent Supreme Court of Canada child welfare decision, and a 1982 court case in London, England.

## Main arguments

- Residential schools were real and must not be denied. Using the Ermineskin school as an example, Chief Littlechild describes children being separated from their families, losing their names, hair, and languages, and living behind a fence. He says the schools' stated aim was "to kill the Indian in the child."

- The UN Declaration is a roadmap for reconciliation. It took 27 years to negotiate, including an eight-year dispute over whether the word "peoples" could be spelled with an "s," which matters because peoples have a right to self-determination. Canada's UN Declaration Implementation Act now requires the federal government to review its laws for consistency with the Declaration and to report annually.

- The Indian Act should be dismantled, and consent should replace consultation. He calls for moving from a legal duty to consult toward "free, prior and informed consent," which he says is wrongly described as a "veto."

- Progress on the Calls to Action is incomplete. Of the 94 Calls to Action, he reports 14 completed, 42 in progress, 22 stalled, and 16 not started. He asks for data on whether the over-representation of Indigenous youth in custody has actually fallen.

- Indigenous legal systems work and deserve recognition. His example is a "grandmothers' court" in a community, held in a repurposed

trailer, where young offenders sit in a circle on the floor. He says youth violence dropped after it began.

- Law students have a role to play. The Calls to Action ask law schools to teach about the UN Declaration, Treaties, and the Crown's relationship with Indigenous peoples. He also points to open work in human rights, climate and environmental law, and the creation of "new legal space."

## Conclusion and additional considerations

Chief Littlechild's central message is that the Calls to Action, the UN Declaration, and the Treaties are meant as solutions, even though they are often portrayed as problems. He describes reconciliation using the Cree meaning of the place name Wîtaskêwin, "hills of peace," a name for good relations. He ends by asking lawyers and law students to learn about historical trauma, familiarize themselves with the international legal framework, and help create the legal change that makes reconciliation real. He also says that political will is essential and is currently weakening, so progress is not guaranteed.

For readers beyond legal academia, the piece shows what is at stake in how Treaties are honoured, how Indigenous children and families are treated by the justice and child welfare systems, and whether Indigenous laws and courts are recognized. It also invites readers to consider what reconciliation requires of every person in Canada, who he reminds us are all "Treaty peoples."