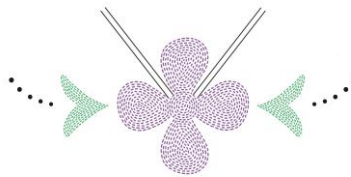


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



Enquête nationale
sur les femmes et les filles
autochtones disparues et assassinées

**National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-Gathering Process - Closing Oral Submissions
Sheraton Eau Claire
Calgary, Alberta**



PUBLIC

**Oral Submissions - Volume 1
Monday November 26, 2018**

**Christa Big Canoe / Commission Counsel
Union of BC Indian Chiefs
Assembly of First Nations Québec-Labrador
Kwanlin Dün First Nation
Government of Yukon**

**Heard by Chief Commissioner Marion Buller
& Commissioners Brian Eyolfson, Qajaq Robinson
& Michèle Audette**

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Union of BC Indian Chiefs	Kupki7 Judy Wilson (Representative), Salima Samnani (Legal Counsel)

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Second Chair: Shelby Thomas (Commission Counsel)

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Grandmothers, Elders, Knowledge-keepers & National Family Advisory Circle (NFAC) members: Gerald Meginness, Alvine Wolfleg, Norton Eagle Speaker, John Wesley, Skundaal Bernie Williams, Leslie Spillett, Louise Haulli, Myna Manniapik, Darlene Osborne, Pam Fillier, Lorraine Clements, Lesa Semmler

Blackfoot Confederacy Drummers: Leo Wells, Clarence Wolfleg Jr., Norvin Eagle Speaker, Sean Cutter

Clerks: Bryana Bouchir & Maryiam Khoury

Registrar: Bryan Zandberg

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1

Calgary, Alberta

2

--- The hearing starts on Monday, November 26th, at

3

8:35 a.m.

4

MS. CHRISTINE SIMARD-CHICAGO: (Anishnaabe

5

spoken) My name is Christine Simard-Chicago. I come from

6

Lac Seul First Nation and Treaty 3, and I'm Anishinaabe.

7

I'd like to thank the territory of Treaty

8

7, the drums, the bundles, the Elders, the Commissioners,

9

staff, parties with standing, and observers in the room

10

and online.

11

Right now, I would like to call upon Alvine

12

Wolfleg and Spike Eaglespeaker.

13

Alvine, as a well-respected Elder and a

14

retired educator from the Siksika Nation near Strathmore,

15

Alberta, who works with high school students to learn

16

their traditional Blackfoot knowledge -- language. Alvine

17

believes that language is the key to preserving their

18

Nation.

19

Alvine has done traditional teaching in her

20

community and as a well-respected Elder in the Siksika

21

Nation and a grandparent to the Horn Society. Prior to

22

retirement, Alvine was an accomplished language educator

23

with the Siksika Board of Education and focused on

24

educating the under 30 generation and preserving their

25

language.

1 Norton Spike Eaglespeaker is a well-
2 respected traditional Elder from the Siksika Nation near
3 Strathmore who works with his community to preserve their
4 traditional ways. Norton works with youth and traditional
5 ways of the Mystical Society of Bundle Carriers.

6 Norton believes that the language and
7 traditional preservation is important to preserving their
8 traditional ways.

9 Norton is a leader and grandparent to the
10 Horn Society and the Sacred Blackfoot Society.

11 So please come up.

12 **MS. ALVINE WOLFLEG:** (NATIVE LANGUAGE) In
13 Blackfoot, it means happy morning. We don't really say
14 "Good morning", even though we're nice and full today.

15 We're going to say our prayer in Blackfoot,
16 but in our ways what we pray for is to have a good day,
17 that the people in the hospitals and the people that have
18 diseases like cancer, diabetes, that they get well, that
19 the people that are incarcerated, that they come home to
20 their loved ones.

21 We also pray that we have a good day. We
22 also pray that our good, that what we're going to eat
23 today and what we're going to drink today, that it brings
24 nutrition to our bodies and that we don't get on sick it.

25 Also, we also pray for our Elders within

1 our Treaty 7 territories and other Elders within Canada,
2 that we -- that you see us for a long time.

3 Also, we also ask prayers for ourselves as
4 Elders because it's been a long time since we've been
5 here, and we're always glad to be invited to places to
6 share our culture, to share our language.

7 These are just some of the things that we
8 pray for, especially for the children, the youth of today
9 with all the different drugs that are floating around.
10 Especially today, we're going to remember the Blood
11 Reserve.

12 In our newspapers, you must have seen
13 what's happened to their children, so those are the -- and
14 we also want to pray for the drummers because they need
15 that prayer for their beautiful voices and that.

16 So we're going to pray together.

17 (OPENING PRAYER - NATIVE LANGUAGE)

18 **MS. CHRISTINE SIMARD-CHICAGO:** So we have
19 the Blackfoot Confederacy Drum with us. The Blackfoot
20 Confederacy Drum group was formed in 2006.

21 The drum group consists of members from the
22 Blackfoot Confederacy Tribes, the Piikani, the Siksika --
23 oh, forgive my pronunciation -- Kainai, and -- I can't say
24 that one, either. Meskwaki from the U.S.A.

25 The drum group formed with the intent to

1 bring back the old songs and the original composition.
2 The drum group travels mostly during the summer months to
3 different powwows across Canada and the United States,
4 competing in various competitions.

5 The group has been invited to many
6 functions and events locally and are always honoured to be
7 requested to share their music and their songs.

8 Migwech.

9 (OPENING DRUM)

10 **MS. CHRISTINE SIMARD-CHICAGO:** Oh,
11 *Migwetch*. Now, we're going to have lighting of the qulliq
12 with Myna Manniapik from Pangnirtung, Nunavut. She now
13 resides in Edmonton.

14 --- **LIGHTING OF THE QULLIQ**

15 **MS. MYNA MANNIPIK:** Thank you. Hi. Good
16 morning. My name is Myna Manniapik. I'm originally from
17 Pangnirtung, Nunavut Territory, but I reside in Edmonton
18 at the moment. I'd just like to say a little bit about
19 qulliq, but traditionally, qulliq was used for a term of
20 the oil lamp that was on a higher level in the hut. It's
21 not a traditional name of this -- the lamp because the
22 other qulliq -- the -- the other lamp was in a lower level
23 of the hut was called alliq (phonetic), the one in lower
24 level of the hut. So, actually, when we say qulliq, it
25 doesn't necessarily mean that's what, you know, what the

1 qulliq is called. That we call it that way anyways.

2 Qulliq was used for heat source, cooking,
3 and -- and light from way back. And I am proud to say
4 that I lived in it when I was child growing up. I
5 remember my mother doing this first thing in the morning
6 because a part of the flame would be going all night long.
7 And in the morning, my mother would just spread the flame
8 across, and then use it for cooking and heating water, and
9 for the heat in the tent. It is very traditional and
10 useful. It was used for everything in the -- in the hut
11 and igloos.

12 It's funny how I was going to light this
13 today, and last night when I turned the T.V. on, there was
14 the movie called Atanarjuat: The Fast Runner was on. It
15 was very reassuring for me.

16 **MS. CHRISTINE SIMARD-CHICAGO:** Thank you,
17 Myna. So right now, I would like to call up the family --
18 the National Family Advisory Circle. We have members from
19 across the country that are here with us today. Pauline
20 Muskego, Lesa Semmler, Lorraine Clements, Darlene Osborne,
21 and Melanie Morrison.

22 **MS. LESA SEMMLER:** I'm really short. I
23 don't know where Lorraine is. All right. *Uvlaami*. Good
24 morning. I'd like to welcome the families, Commissioners,
25 and all those that are in attendance today. I'm really

1 short, so I'd like to acknowledge that we are here on
2 Treaty 7 territory, and I'm sorry if I don't say these
3 right, to the nations of the Siksika, Kainai, Piikani,
4 Miscabie (phonetic), Tsuut'ina, and Stoney. Okay.

5 *Uvanga atira* Lesa Semmler. My name is Lesa
6 Semmler, and I am a member of the National Family Advisory
7 Circle. This group of families were formed and identified
8 as strong advocates fighting and making awareness for this
9 issue of missing and murdered Indigenous women. We've
10 been supporting and advising the Commissioners throughout
11 this Inquiry. Today, we are beginning the final
12 submission stage of the process. This week, we will be
13 witness to what the parties with standing will be adding.
14 As families, we hope that you have heard what we have said
15 over the past two years, and stay focused on putting
16 families first, and honouring the memory of our loved
17 ones, and avoid compromising this process for
18 organizational advancement and funding that may not meet
19 the needs of the individual families, as has been done in
20 the past.

21 Families have fought hard to have this
22 Inquiry, so that you, Canada, and the rest of the world
23 could see the inequity in our Indigenous women, girls, and
24 two-spirited -- what they're challenged with every day.
25 So on behalf of the NFAC, we look forward to this week,

1 and we thank you all for being here.

2 **MS. CHRISTINE SIMARD-CHICAGO:** M'hm. Thank
3 you.

4 **(APPLAUSE)**

5 **MS. CHRISTINE SIMARD-CHICAGO:** *Migwetch.*
6 Right now, it's time for the Commissioners to do their
7 opening comments. So I'd like to call upon Commissioner
8 Robinson. I was talking to my chest here.

9 **UNIDENTIFIED SPEAKER:** You're not wearing
10 heels.

11 **COMMISSIONER QAJAQ ROBINSON:** Coquette
12 (phonetic). Good morning. *Bonjour.*

13 **COMMISSIONER QAJAQ ROBINSON:** Good morning.
14 Bonjour. I want to start by acknowledging the land and
15 the people that walk amongst Treaty 7 territory, the
16 homelands of the Blackfoot peoples and the Métis Nation.

17 I want to acknowledge and thank Alvine and
18 Spike for your prayers this morning, but also for the
19 ceremony this morning and how -- and thank you for the
20 prayers that have continued since the last time we were
21 here. We were here in the spring speaking about some very
22 difficult things, and your prayers and your presence then
23 were so needed, and they've been -- we've received them
24 and we feel them, and I want to thank you for that, very
25 much.

1 It was an important teaching this morning
2 that you gave us about how pipe and prayer, they never
3 close. They never stop.

4 And the pipes that have been lit, the
5 sacred fires, the (NATIVE LANGUAGE) that have been lit
6 across this country and that continue to be burning are
7 something that I feel very much today here in this room,
8 in this process. And I wanted to acknowledge that
9 formally.

10 I want to thank, of course, the Blackfoot
11 Confederacy Drummers for the beautiful song. That was so
12 powerful.

13 (NATIVE LANGUAGE)

14 I thank you for lighting the (NATIVE
15 LANGUAGE) for providing us with light and warmth this
16 week.

17 I want to give a -- I can't -- following
18 Lisa and those words is difficult. I'm still trying to
19 compose myself.

20 But the National Family Advisory Circle,
21 those here with us, Pauline, Lisa, Lorraine, Darlene,
22 Melanie and Pam, and your husbands, your partners who are
23 here with us, and all the NFAC members who are watching
24 online, I just want to raise my hands up to you and
25 acknowledge you. We've come so far.

1 And all the families and survivors who've
2 shared with us over the last few months. We've heard from
3 hundreds of people from across the country, and it was so
4 important that we hear from families and survivors first
5 because their lived experience, their lives, their
6 knowledge, their wisdom, it must be central.

7 And I want to echo what Lisa and the
8 members of the National Family Advisory Circle have said,
9 the importance of putting that first.

10 From a legal perspective, from an
11 evidentiary perspective, there's nothing that gets to the
12 point and to the truth more honestly, more deeply than
13 what families and survivors have told us.

14 We've come to final submissions, and I'll
15 admit that we have a phenomenal amount of information and
16 knowledge and wisdom we've received during the community
17 gatherings, statement taking and the experts and
18 institutional panels. And as much as we want more, we
19 have to honour what we've been given, the truth that we've
20 been given.

21 When we started the work, we talked about
22 what our vision and our goal was, was to find the truth,
23 honour the truth, give life to the truth. It couldn't get
24 more complete and more simple than that.

25 Today, we are at a very important point in

1 honouring the truth. And hearing from you, parties with
2 standing, how you understand what the families, survivors
3 and experts and knowledge keepers have told us and what we
4 do with that, how do we honour that truth? How do we live
5 -- lift that truth up? How do we then give life to that
6 truth?

7 So I look forward to hearing what you've
8 heard, what you've learned, what you feel that we should
9 all be learning and how we need to be moving forward.

10 And as Lisa has so eloquently said, no
11 politics. It's about lifting up indigenous women and
12 girls, trans and two-spirited, and ensuring that this is a
13 country where they can reclaim their place and their
14 power.

15 Thank you, and I look forward to a week of
16 learning.

17 **MS. CHRISTINE SIMARD-CHICAGO:** I'd like to
18 now call up Chief -- I mean, sorry, Commissioner Eyolfson.

19 **COMMISSIONER BRIAN EYOLFSON:** Thank you for
20 the promotion.

21 Good morning. Bonjour. It's a pleasure to
22 be back here in Calgary.

23 I first, as well, want to acknowledge the
24 traditional territories of the Blackfoot and the First
25 Nations people of the Treaty 7 territory as well as the

1 Métis people of this region for welcoming us back to their
2 territory and homeland to conduct this important work
3 again here.

4 I also want to acknowledge and thank a few
5 people, our respected Elders and grandmothers who provide
6 us with guidance and support. And I want to thank Alvine
7 and Spike for the opening prayer, and especially for the
8 beautiful pipe ceremony that they led this morning. Thank
9 you very much.

10 And Myna, thank you for the lighting of the
11 (NATIVE LANGUAGE), and I also want to recognize our
12 grandmothers from the Commissioner's Grandmothers' Circle,
13 who are here with this week, Louis Holly and Bernie
14 Williams, for helping us guide us along the way and always
15 being here for us.

16 I also want to acknowledge the drummers for
17 their beautiful, powerful song this morning.

18 And to the members of our National Family
19 Advisory Circle for their ongoing commitment, for walking
20 with us and providing us with guidance and advice.

21 I want to thank all the members of the
22 National Family Advisory Circle, and especially those that
23 are here with today for being here this week, Pauline,
24 Lisa, Lorraine, Darlene, Melanie and Pamela. Thanks for
25 being here with us.

1 And I also want to thank those who have
2 joined us in person and by webcast to honour the spirits
3 of missing and murdered indigenous women and girls,
4 including two-spirited peoples.

5 And of course, I want to thank all of our
6 staff and our teams that are here for your hard work and
7 for your dedication, and for making these gatherings and
8 events happen. Thank you very much.

9 And I especially want to thank the parties
10 with standing for joining in this National Inquiry.

11 Examining the systemic causes of all forms
12 of violence against indigenous and women girls and two-
13 spirited and trans-gendered people, including the
14 underlying social, economic, cultural, institutional and
15 historical causes, is no small task, especially in the
16 allotted time that this Inquiry's been given.

17 And I know that many of you have been long-
18 time advocates concerning the issue of the violence
19 against indigenous women and girls and have asked for this
20 inquiry, and many people have been working on this for
21 decades.

22 So I want to thank you all for being here,
23 and I want to thank the parties with standing for
24 supporting -- being involved in and supporting the work of
25 the National Inquiry and being on this journey with us.

1 Together, we've heard a great deal about
2 the issues surrounding missing and murdered indigenous
3 women and girls, and we've also heard many recommendations
4 on how to address these issues at both the regional and
5 national levels.

6 And we've heard truths from many family
7 members, from survivors of violence, institutional
8 witnesses, experts, knowledge keepers about the often
9 negative experiences of indigenous women, girls, and trans
10 and two-spirited in key rights areas such as culture,
11 health, areas of security and justice.

12 And just to outline or to highlight a few
13 of the things that we've heard about, we've heard about
14 the many challenges with respect to obtaining employment,
15 education, housing. We've heard about inter-generational
16 trauma and the impacts of residential schools, child
17 welfare systems, the criminal justice and correctional
18 systems, and colonial policies.

19 We've also heard about agencies and
20 governments not recognizing women and girls and two-
21 spirited people as experts in their own experiences.
22 We've heard about racism. But we've also heard about
23 resistance, agency and resilience in addressing these
24 issues.

25 So we turn to you now, the parties with

1 standing, for your perspectives and recommendations in
2 light of the evidence we've all heard. I know you've put
3 a lot of thought into your work, into your final
4 submissions, and I thank you for taking that opportunity
5 to be with us here.

6 So I look forward to your submissions and
7 your recommendations to assist us with the final report,
8 which is due April 30th, 2019, and I know that date will
9 come up quickly, in order to address -- help us address
10 the safety and healing of indigenous women, girls and
11 2SLBGTQIA people in the communities -- in our communities
12 across the country.

13 So migwetch. Thank you. Merci.

14 **MS. CHRISTINE SIMARD-CHICAGO:** Migwetch,
15 Brian.

16 Now I'd like to call up Commissioner
17 Audette.

18 **COMMISSIONER MICHÈLE AUDETTE:** Merci, Mme
19 Chigard -- Chigard. Rewind. Thank you.

20 Bon, I had a sip of cappuccino and we never
21 have a cappuccino before a speech. This is why. But
22 because I did good this morning, I'm forgiven, I'm sure.

23 I want to say merci beaucoup, beaucoup,
24 beaucoup for the two of you this morning for giving me
25 this honour, my first ever experience to hold something so

1 sacred and to share something in English. It was tough.
2 But I'm sure you understood or he understood.

3 And I hope that we will honour those words,
4 those prayers and your love that you have for us all week,
5 and forever, of course. And you're still cute, so thank
6 you.

7 Thank you for welcoming us to your
8 beautiful territory. Merci beaucoup.

9 Merci aux gens du territoire des Black
10 Foots de nous accueillir chez vous, encore une fois. Merci
11 de nous avoir enseigné les protocoles et pour ceux et
12 celles qui nous écoutent en ce moment, nous sommes rendus
13 vers la fin des audiences publiques où là, nous allons
14 entendre des groupes, des représentants, des avocats de
15 différentes parties intéressées... pardon, parties ayant la
16 qualité pour agir, afin de nous partager votre savoir, vos
17 recommandations et, évidemment, nous aider à travailler
18 très fort pour soumettre un rapport avec des
19 recommandations dans lequel aucun gouvernement ne va dire
20 non!

21 This is where you say, "Yes". Thank you.

22 But I'll say it in English with a little
23 bit of caffeine in my body.

24 You know, I'm sad this morning and now
25 you're making me laugh. You know why I'm sad. It's

1 because we're almost at the end of the public hearings.

2 And this morning during the prayers I ask
3 the Creator, I ask our Elders that we have to remember why
4 -- maybe I didn't say it that why, but why we're doing
5 this, why every day we're working or get involved or doing
6 what we do, you know, volunteering or this National
7 Inquiry. That there is so many voices that had no choice
8 -- no chance to come and share their truth to this
9 process, to this National Inquiry.

10 I know the National Inquiry is one of the
11 tool, one of the exercise that is provided here in Canada
12 for families and survivors that lost a loved one or a
13 victim of many systemic causes. Too many, I would say.

14 So I had that this morning and hope also
15 that we have to find a way that for those who are silent,
16 not because they want to be silent, but because the system
17 right now didn't give us the opportunity to travel across
18 Canada, Canada that I know, the one that there is a real
19 north, there is an island on the west coast, there's a
20 small island on the east coast, and there's so many
21 communities across Canada that should have had that right
22 and come and share their truth.

23 So I carry that every day.

24 So hopefully, with what we were able to do,
25 we did it with conviction, with love, with passion, with

1 frustration sometimes. But we know we tried to do it in a
2 good way with lots of love.

3 The final submission, it's also an occasion
4 for you groups, lawyers, representative, individual, to
5 come and, of course, people from government to add to the
6 knowledge, the collective knowledge. Not my knowledge. I
7 always said we are a tool. I am a tool. To bring that
8 knowledge to any government across Canada, including our
9 governments, Métis, First Nation and Inuit.

10 It's also a place to contribute to the
11 final report, the final result, and to show a new path.

12 We know the problem. We know the
13 solutions. But there's some allies that are missing in
14 that canoe, boat or choose the way you want to transport
15 our voices out there.

16 I have to say thank you to the family
17 members for your patience with us, for your love and for
18 your advice.

19 Thank you for the Elders also that are
20 walking with us, not for us, but making sure that we do it
21 the right way, to remind also that the families and the
22 Elders, those voices that we weren't able to come here,
23 they know them so they bring those voices. Thank you so
24 much.

25 Like I said, we are heading to the almost

1 last month of our work. Our work. It's including you.

2 It's not only the staff of the Inquiry and
3 the Commissioner, but all of us.

4 I hope that we could collectively make a
5 commitment to the -- that this work will not stop here
6 with the National Inquiry, that as a citizen or a member
7 of an organization or a staff from a government that I
8 will challenge my people that I'm working with to make
9 sure that we change things starting today. Not when the
10 report will come, but starting today.

11 This is where I say all the time, we all
12 have that responsibility. All of us. All of us.

13 We might hear some people this week to say,
14 "Ah, the Inquiry, you didn't do this, you didn't do that".

15 Fine. Do it, if it's going to help you to
16 feel better, but remember that your voice, it's to help
17 Canada, Manitoba, Saskatchewan, Alberta, Quebec, all the
18 province and territory, and our indigenous government, to
19 change the way we do things here in this country.

20 So take your minutes to be part of that
21 chapter, historical chapter. They're very important.

22 And believe me, we are reading. I'm
23 reading in English for you. I love you. Yes.

24 And I see so many solutions. I have so
25 bubbles in my belly that, "Yes, that's it". If Canada

1 don't see it, come on. I have glasses.

2 If the other, you know, province and
3 territory government don't see it, come on. But you'll
4 hear from them.

5 I read their submission. Some of them are
6 making good stuff. Some of them are -- they challenge me
7 when I was reading their submission. Really? How come we
8 don't have that in Quebec? See. So thank you.

9 So this change needs to happen. It's
10 happening today. Believe me. But because it's happening,
11 we have warriors, we have women, survivors and people that
12 believe that change needs to happen.

13 So again, merci. Merci, merci beaucoup.
14 And I'll go finish my good coffee.

15 **MS. CHRISTINE SIMARD-CHICAGO:** Thank you,
16 Michèle.

17 Now I'd like to call upon Chief
18 Commissioner Buller.

19 **CHIEF COMMISSIONER MARION BULLER:** The real
20 Chief, yeah. That's what they tell me.

21 Well, good morning, everyone. Bonjour. I
22 want to start, as I always do, by acknowledging and
23 thanking the spirits of the missing and murdered
24 indigenous women and girls, including 2SLBGTQQIA. Their
25 memories and their spirits guide our work every day.

1 I also want to acknowledge the special
2 courage and challenges faced by members of the 2SLGBTQQIA
3 community. They inspire me to work harder and to take
4 more care.

5 Well, it's good to be back here. Thank you
6 to the Blackfoot Nation for welcoming us again.

7 Thank you to the Nations in Treaty 7 for
8 welcoming us. We're very happy to be back here again,
9 though I'm not too sure about the snow.

10 And thank you, members of the Métis Nation,
11 Region 3, for welcoming us. It's a warm welcome, even
12 though it's a little cold outside. Coming from the west
13 coast, I feel it a little bit more.

14 Thank you those coming in person and those
15 attending by webcast. Your presence virtually and in
16 person is very important in the work that we're doing.
17 Calgary, Alberta.

18 Myna, thank you again for giving us the
19 light to move forward and the warmth that we're going to
20 need this week.

21 Alvine and Spike, thank you again. I'm so
22 happy to see you, and for your hard lessons through love.
23 Thank you.

24 To the Blackfoot Confederacy Drummers, wow.
25 What a way to start the morning. Who needs caffeine,

1 Michèle, when you've got drummers like that?

2 I'm mindful of drumming wherever we go
3 because the drum, regardless of whose drum it is and who's
4 drumming, reminds me and inspires me that even though
5 there's been centuries of colonization, our heartbeat is
6 still strong, and getting stronger.

7 I want to take this moment to acknowledge
8 the people in the back of the room, people that we don't
9 always see, but make this National Inquiry happen, the
10 translation booth people in the back. Hello, and thank
11 you for your tireless work, for AVA people who make the
12 microphones work, thank you. And to our staff, our
13 amazing National Inquiry staff, who, as I've said before,
14 at the back there, back of the room, make it happen. They
15 work magic every day.

16 I want to, at this point, too, give a
17 special thanks to our legal team who really have pushed
18 this National Inquiry forward and made sure that we've had
19 the right evidence from the right witnesses at the right
20 times. Brilliant work by all of you. My hand's up to the
21 legal.

22 The one benefit of being the last speaker
23 is they've all said it better than I could, but I want to
24 add to the parties with standing. Thank you for being
25 here and thank you for joining us on this strange and

1 mysterious journey over the last two years.

2 We all look forward to hearing from you.
3 What you say is important, what you think the evidence is
4 that we should pay attention to. We look forward also to
5 hearing your recommendations.

6 We want to hear from you through your eyes,
7 ears and hearts about how we're going to, all of us
8 together, make this a safer country for all indigenous
9 women and girls. It's not an easy job, and we need your
10 help.

11 I also want to say at this point in time
12 that it's been a wonderful journey, and it's coming to an
13 end, but the work will have to continue. And I'm going to
14 ask each and every one of you that after our final report
15 is filed that you look at that only as the next step and
16 making this a better place for our women and girls.

17 So let's get to work. Enough talking from
18 us. Let's get to work and do the important stuff that
19 we're here to do this week.

20 Thank you all. I'm very grateful that
21 we're back in Calgary, and I'm so happy to see so many
22 familiar faces.

23 Thank you so much.

24 **MS. CHRISTINE SIMARD-CHICAGO:** Thank you,
25 Chief Commissioner.

1 Just a couple of housekeeping notes. We
2 have eight health supports in the room and around the
3 floor this week just to help those that are -- that might
4 be having trouble with some of the presentations that are
5 going on, it's important that we protect our support and
6 have that support.

7 So we have the Elders' room, which is in
8 the Mariposa Room, which is around to the right of the
9 elevators, and the health room is there as well. So all
10 the rooms are on this level.

11 **(PAUSE)**

12 **MR. REGISTRAR:** Testing, testing, testing,
13 one, two. Testing, one, two. You're good?

14 **UNIDENTIFIED SPEAKER:** Thank you very much.
15 Now, tell him to quit playing. No, stop, playing.

16 **(PAUSE)**

17 **MR. REGISTRAR:** I would like to formally
18 call the oral submissions to order this morning. We're in
19 Calgary. It's November the 26th. And I'd like to begin
20 by inviting Commission counsel, Christa Big Canoe, to
21 begin with our over view of the testimony of the
22 Commission. We'll begin right away.

23 **--- SUBMISSIONS BY MS. CHRISTA BIG CANOE:**

24 **MS. CHRISTA BIG CANOE:** Thank you, Mr.
25 Registrar. And if you could just set the time for me,

1 that would be great. (*Speaks in Native Language*).
2 Bears paw First Nation, Chiniki First Nation, Blood Tribe,
3 the Piiknai Nation, Siksika Nation, Tsuut'ina, and the
4 Wesley First Nation, all members of Treaty 7, whose
5 territory we're on. *Migwetch, Métis, (Speaking Native*
6 *Language)*. *Migwetch*.

7 Bonjour, commissaires. Je m'appelle Christa
8 Big Canoe. Je suis du clan de la loutre et
9 Anishinaabekwe de la Première Nation des îles de
10 Georgina. Je suis l'avocate en chef de la présente
11 Commission. Je vous présenterai une vue d'ensemble de
12 l'évidence et des témoignages entendus dans le cadre des
13 travaux de l'Enquête nationale sur les femmes et les
14 filles autochtones disparues et assassinées.

15 Cela peut paraître inhabituel de vous
16 présenter ceci, puisqu'en tant que commissaire, vous avez
17 entendu vous-mêmes la preuve dans le cadre de l'audience
18 depuis le mois de mai 2017 à travers tout le pays. The
19 reason for the overview is to inform the public and all
20 those in attendance or watching about the process, and
21 even those who aren't, but will be able to come back to
22 this public record to hear about the testimonies we have
23 heard to date. Cette information offre également une mise
24 en contexte préalable à l'écoute des soumissions finales
25 des différentes parties.

1 Aujourd'hui est la première journée de deux
2 semaines d'audiences courantes sur les observations
3 finales des parties ayant la qualité pour agir.

4 Cette semaine, à Calgary, en Alberta, nous
5 allons entendre 20 parties ayant les qualités pour agir. À
6 partir du 10 au 14 décembre 2018, nous allons également
7 entendre les observations finales de 37 parties. Leurs
8 observations permettront d'identifier les problèmes
9 importants ainsi les preuves qui mèneront à la rédaction
10 d'un rapport final et des recommandations finales.

11 L'Enquête nationale pris connaissance d'une
12 immense quantité de preuves. Tous les témoins et les
13 individus qui ont fourni une déclaration ou qui ont soumis
14 une déclaration sous forme d'expression artistique sont
15 braves et courageux d'avoir partagé leur vérité et leur
16 histoire pour aider aux travaux de l'Enquête. Cependant,
17 ces témoignages entendus ne font qu'effleurer la surface
18 de la problématique.

19 Je vais poursuivre la présentation en
20 anglais.

21 (APPLAUSE/APPLAUDISSEMENTS)

22 So good morning, Commissioners. I'm
23 Christa Big Canoe. I've introduced myself first in
24 Anishinaabe, which is the language, my traditional
25 language that I'm still learning. And as, you know, part

1 of the colonial legacy is something I strive to do. So I
2 introduced myself in anishinaabemowin and I took the time,
3 like many of us do, to recognise the territory,
4 particularly the Nations of Treaty 7 as well as the Métis
5 whose homeland we're on.

6 I took the time to thank the Creator as is
7 what is important in Indigenous law to do from an
8 Anishinaabe perspective, as well as the grandparents. And
9 I mean the grandparents and the Elders in this room, but
10 also those that have already passed on to spirit world.

11 And so I also explained that I'm from the
12 Otter Clan and that I'm anishinaabekwe from Georgina
13 Island First Nation. That is a Anishinaabe community in
14 Ontario.

15 I'm the lead counsel, Commission counsel.
16 And today I will be presenting an overview of the evidence
17 and testimony that the National Inquiry into Missing and
18 Murdered Indigenous Women and Girls has heard. It may
19 seem unusual to be presenting this to you because as
20 Commissioners you have been hearing evidence all across
21 the country at many hearings since May 2017. The reason
22 for the overview is to inform the public and all those in
23 attendance or watching about the process, and even those
24 who aren't, but will be able to come back to this public
25 record to hear about the testimonies we have heard to

1 date. This information will provide context for everyone
2 prior to hearing closing submissions from parties.

3 Today is the first day of two weeks of
4 hearings for oral closing submissions from the parties
5 with standing. As you know, this week we are in Calgary,
6 Alberta and we will be hearing from 20 parties. From
7 December 10th to the 14th we will be also hearing oral
8 closing submissions from 37 parties. Their submissions
9 will identify you in assisting key issues and evidence
10 required to write your final report and in making your
11 recommendations.

12 The National Inquiry has heard an immense
13 amount of evidence. All of the witnesses and individuals
14 that have provided statements, including providing
15 artistic expression, are brave and courageous in
16 contributing their truth and stories to us. Therefore,
17 today's overview really only scratches the surface. It
18 briefly touches on so many important topics and about the
19 testimonies and evidence we have received.

20 And we will also be using a slide
21 presentation and I will be relying on after my oral
22 overview a video. And the video takes tiny clips from the
23 part one hearings, the community hearings where we heard
24 families and survivors, family members, survivors,
25 individuals who've experienced violence, their truths,

1 their stories. Of course, again, that's barely scratching
2 the surface. In the amount of time we have we have chosen
3 a few clips. And there's been no preference for clips.
4 Everyone's story has mattered, but they were moments that
5 were brought to our attention either by families, parties
6 with standing, staff that actually marked for them a
7 poignant moment.

8 But one of the things we've had to do in
9 this entire process is protect our spirits. So anyone in
10 attendance, anyone who's watching, sometimes in order to
11 hear the evidence we've received, it has taken a lot of
12 courage even on the part of the listeners, because people
13 are sharing it's often sad truths. People are sharing
14 some of the worst moments in their lives.

15 So as I speak today and talk to some of the
16 evidence, which is only just brushing on it, I just want
17 to remind everyone to protect your spirit. The content is
18 not easy, as you, Commissioners, would know, having met
19 families and having met survivors face to face, as well as
20 of a number of our parties who have participated in part
21 ones, two and three. Even when it wasn't a witness who
22 necessarily was sharing their own story, but was talking
23 to an issue that's relevant to your mandate, they often
24 would be passionate. They would invoke a lot of emotions.
25 And as wonderful as it was to have them, as brilliant as

1 they were, some of those moments weren't easy either. But
2 we all know that this National Inquiry is not about being
3 easy and it's not about finding quick solutions.

4 I could ask to have the slide presentation
5 up? And we can go past the title page to the first page,
6 please.

7 So throughout the slide presentation you're
8 going to see a number of pictures. The pictures that have
9 been taken have usually been taken by staff or at various
10 events. And in the various events we'd always have a
11 waiver so that we could either put it on our website or
12 publicly share it as part of the public record, the
13 consent that allows. So any picture you do see up here,
14 it either has a staff member or individuals that have
15 signed such a consent. These will be peppered throughout
16 the presentation and they're representative of the full
17 hearings, community visits that we've seen.

18 And as you can see even on one page,
19 they're taken in different locations. So, for example,
20 you know, the sign up top was on the journey to Liard in
21 the Yukon. We have the red dress that was in Montreal.
22 We have a community visit that took place in Rankin Inlet.
23 We have objects also in pictures and setups.

24 And in every hearing room that we've had,
25 we've often tried to make it a place that's a little more

1 comfortable than a courtroom. So we try to make it less
2 legalistic, but we are a legal process in that we do have
3 to take things like evidence and that we do have to put
4 into place. But in each place we try to make it welcoming
5 and you see we have chairs and not tables. But one of the
6 things that I found most astounding as well is in all of
7 these places when the communities themselves put up a
8 backdrop or welcomed us by using something that they made
9 or that was important to their communities and you'll see
10 that throughout the pictures.

11 You can tell where we were based on those
12 backdrops, based on that artistic expression and that love
13 that was poured into the backgrounds of various places.

14 I ask that we get the next slide?

15 And the landscapes. The landscapes the
16 National Inquiry has seen, that is not actually formal
17 evidence, but in journeying across the country in all the
18 seasons we have also had the privilege of seeing different
19 places and often reminded. And I think of, you know, what
20 we've heard from Indigenous law practitioners or
21 decolonizing practitioners, how important it is, though,
22 to go back to the land. So throughout the presentation
23 you will see these pictures.

24 You will also see things where communities
25 have provided to us love like the poster on the bottom

1 with hearts, or often the red dresses that communities and
2 children have made to welcome us into their spaces.

3 And although they may not form part of the
4 formal record in a hearing, often these things have been
5 donated to us as part of artistic expression and we know
6 that stories are not just told with words. They're also
7 told with expressions and they're told through art and
8 they're told through the cultures that we have the
9 privilege of sharing.

10 One of the really important things is in
11 the spaces that we hold -- of course, our process isn't
12 perfect. No process is. And we put in a good effort to
13 try to ensure that we invite local individuals and
14 spiritual leaders to help us start things in a good way.

15 Ceremony has been central. As a lawyer
16 that has practiced mostly in inquest, in test case and in
17 victim rights advocacy, I can say with true honesty that
18 this is a space unlike any other. I have found myself
19 making submissions before inquests to beg to have the
20 picture of the deceased, to beg to have an eagle feather
21 in the space. And one thing we have tried to exemplify is
22 making or creating a safe space that is representative of
23 Indigenous people, and that is unlike any other process I
24 personally have taken part in. We -- I -- we have seen
25 strides in courts. We see courts now using eagle feathers

1 and often even allowing Elders in for prayers. But I'm
2 hopeful that as this process moves forward, that more
3 courts and administrative tribunals see the real
4 significance of what it means to create an Indigenous
5 space for people to share their truth. Next slide,
6 please.

7 So it -- one of the things that's important
8 to understand, and I do have to spend a little bit of my
9 time on process, and it's mostly just for context. But,
10 again, the Parties with Standing in the room, and
11 yourselves, will know, like, Christa, why are you telling
12 us about the process? It's available on our website,
13 we've been doing it for all these months. But I think
14 it's important because these are often the unsaid things
15 that don't turn up on the public record in the hearings,
16 and so that it's understood by anyone watching, or anyone
17 accessing this in the future, that our hearings have taken
18 place in three parts. The first part was community
19 hearings and statement gathering. The second part was
20 institutional hearings. And the third part was knowledge
21 keeper and expert hearings. Often, we had to get creative
22 with the short timeframe we've had and combine Part 2 and
23 3 hearings, so that we could get as much evidence before
24 the public. And a big important role has been the Parties
25 with Standing.

1 So before I actually dive into the evidence
2 and testimony you've heard in hearings, I want to talk
3 about, first, the important role of Parties with Standing.
4 And then I want to talk about -- a bit about the steps
5 before truth gathering, and what that entailed because we
6 don't actually get to a hearing room. We don't actually
7 get to evidence without an immense amount of work before,
8 and a lot of relationship building, and seeking trust from
9 people who have no reason to trust us, quite frankly. And
10 so the first place I'd like to start is Parties with
11 Standing because before we actually went into community
12 visits, before we went to different territories, we had
13 Parties with Standing make application to the
14 Commissioners to be recognized as a Party with Standing.
15 A Party with Standing is a group that's often represented
16 by counsel, or a non-legal representative, who will speak
17 on behalf of an organization that has been given standing,
18 so that they can explain, not only to the Commissioners,
19 but to the public in general, about their knowledge in
20 position. And the way they do that is through something
21 called Participatory Rights.

22 We have granted standing to persons or
23 groups who have demonstrated that they have a substantial
24 and direct interest in the subject matter of the National
25 Inquiry. We have also granted standing to parties who do

1 not have direct and substantial interest in the subject
2 matter, but who represent distinct interests, and whose
3 expertise and perspective will be essential for the
4 National Inquiry to fulfill its mandate.

5 See, a National Inquiry has some key
6 things. The first thing is, in Canada, there has never
7 been a national joint inquiry. We are the first national
8 joint inquiry. We are the first inquiry -- public inquiry
9 that actually falls under 14 different jurisdictions. The
10 federal government, all of the provinces and the
11 territories. This has made some interesting work for us
12 in understanding what laws apply and what areas and
13 jurisdictions, but I think it's also enriched because what
14 it means is the terms of reference that the federal
15 government gave to you, and the terms, and your mandate,
16 were also emulated and repeated by 13 other jurisdictions.
17 So we are a first. There's never been a joint national
18 inquiry.

19 We also have a requirement, as a public
20 inquiry, in law. So there's a number of laws in place
21 that speak to what we can and can't do. There's a purpose
22 and function to public inquiries. Part of it -- in some
23 cases, it's investigative. In some cases, it's policy-
24 based, where you look at academic works and -- and
25 research, and you make findings on what policies should

1 change. This National Inquiry is both. So it's another
2 layer, and it's another important thing.

3 So the parties that have interest, and who
4 get to participate, they enrich the process because they
5 get to represent the voices of people who have a stake in
6 ensuring that we have a safer Canada. And so it's
7 important that they have participatory rights, so that
8 they can, along the path, help us test evidence, help us
9 talk when we're with knowledge keepers and experts, to dig
10 deeper and to look, and to ask questions we might not have
11 thought of. We -- we as Commission counsel, you as
12 Commissioners, may not have had the perspective the same
13 as another party. So that's, obviously, of assistance.

14 And so, you know, this week, and the week
15 in Ottawa, obviously, speaks to the crucial and important
16 role that the parties will have, and I believe the Chief
17 has already said this, so I'm sorry if I'm being
18 redundant, in helping you to identify those important
19 things because they've been listening. They're another
20 set of eyes. They're often another set of ears. But,
21 most importantly, they're another voice that will help
22 contribute to the -- the work that needs to be done.

23 Before the truth gathering, so we refer to
24 our hearings, and we refer to the testimony we receive as
25 truth gathering. And before the truth gathering could

1 take place, there was a lot of work that needed to be done
2 by you the Commissioners in terms of meeting with a number
3 of stakeholders, you know, a -- a -- national Indigenous
4 organizations, governments, but there was also an
5 important path to meet with communities. And there was
6 different ways that we tried an approach to work with
7 communities. And so that we had communities' input on
8 various things, like what should our hearings look like,
9 how can we do this. But what was really important, and as
10 it applies specifically to the evidence to the testimony
11 you have, a number of the visits that we undertook, as a
12 National Inquiry, took us to the places where we would
13 hold hearings in places beyond, so that we could actually
14 meet with witnesses in Part 1.

15 And, actually, what that often meant for --
16 it was an inter-disciplinary approach, which meant there
17 was someone from health involved, there was often someone
18 for research, there would be community relations as well
19 as legal counsel. And -- and when we went to these
20 communities, and when we met with these witnesses, it gave
21 us an opportunity to determine a number of things. First
22 of all, it gave us the first opportunity to try to build a
23 relationship, to ask someone to come and share their
24 truth, often in a very public way and at very difficult
25 circumstance. And, again, this process, it was large. So

1 it -- it was imperfect. And part of it was learning as we
2 went. But the opportunity to have these community visits
3 also helped inform us, from a -- a from our community
4 relations and health perspective, about what needed to be
5 in place when we actually came to a hearing, understanding
6 the Indigenous people in a region, or the needs or the
7 services, was crucial to ensuring that we set up
8 appropriate health services, and that we did things in a
9 good way.

10 The teams worked together, and the
11 comradery grew amongst the -- the different members or the
12 different units. And it -- I think it's fair to say, this
13 far in, that the staff are like family because they've
14 gone through a lot. They've heard a lot. As I said, the
15 testimony's not easy.

16 So when we talk about the truth gathering
17 process, and I've talked about the three parts, that --
18 and I would like to start, specifically, with Part 1, and
19 the fact that Part 1 focused on gathering information from
20 families and survivors through the hearings. They can --
21 they first began in May 2107, and they continued through,
22 including statement taking, until as recently as last
23 week. And so the -- the first part, in particular, I do
24 want to, for the purpose of the record, lay out a bit of
25 procedure.

1 So when the hearings occur in various
2 communities, what you'll often see is -- what you'll
3 often -- what you'll often see is the public-facing
4 hearing, which is like what we're doing today. But that's
5 only a small part of the hearing process. So in addition
6 to having public hearings, we also held -- hold something
7 called in-camera hearings. That's a fancy word for
8 private. We're having a private hearing, and there's a
9 number of reasons, both in law, and to ensure that we're
10 trauma-informed, and that we protect the safety of
11 individuals, by holding them in-camera. We hold -- we
12 hold public hearings that are public, not just because you
13 can attend them, but because they're being live-streamed,
14 and you can pull up the archives.

15 In those processes, we -- we have heard it
16 as -- and you'll see as I walk through in immense. In the
17 in-camera hearings, often the only people in the -- that
18 particular space, would include a Commissioner, Commission
19 counsel, Parties with Standing who are granted standing
20 were allowed to attend, unless there was an extenuating
21 circumstance. And everything that was heard, was recorded
22 for the purpose of your ability to make findings of fact
23 as well as recommendations. However, those hearings have
24 bans of publications and will not form the public record.
25 Parties with Standing have had access to those, but the

1 general public will not have access to those.

2 And so I just want to touch, briefly, on
3 the reasons why. The reason why I -- as I mentioned,
4 there's reasons both in law and in -- for safety of
5 individuals. We were talking about a lot of incidences of
6 violence and harm that occurred to individuals, either
7 survivors or someone who experienced a loss, often, in
8 order to ensure that we had a trauma-informed process.
9 Some people didn't want to sit in front of a camera that
10 would be publicly streamed, and that would be retrievable
11 forever. And they would not be able to share their story
12 in a candid or honest way, unless they had the protection
13 of privacy. If they couldn't share their story, then we
14 wouldn't have been able to receive it. But there were also
15 legal reasons. Sometimes we wanted to be sure that we
16 were protecting an individual who may have a threat of
17 violence. An example I often use in explaining to
18 witnesses was if you aren't -- if you have lost someone
19 and you live in a neighbourhood where there's still
20 increased violence, by publicly putting out there who you
21 believe or if there's been a conviction potentially can
22 cause a threat to your wellness or to those of your family
23 members. So that was something that was gauged. Most
24 often we relied on the individual's presentation, but we
25 also looked at documents often to make sure that we

1 weren't putting anyone in harm's way.

2 We also didn't want to expose people to --
3 who they survived violence from, to an offender or a
4 potential assailant. We wanted to ensure there was
5 protection in place.

6 And the third thing that we've done is
7 statement gathering. So pursuant to the rules, under
8 Section 9, the Commission has the ability to hear
9 statements. Statements are generally not done in front of
10 a Commissioner. They are done with a statement gatherer
11 who takes the information and records the evidence of an
12 individual. The individual is welcome to have supports or
13 health in place so that they have the opportunity again to
14 speak candidly.

15 The statement gathering has happened all
16 across the country. And as I said, it continued as late
17 as last week. The statements can be either public or
18 private and it depends on the circumstance.

19 One of the things about statement gathering
20 is it's been very helpful in ensuring that we collect as
21 much evidence as possible, but it takes a lot of work to
22 do the review. And so in terms of timing, it's a lot of
23 work to review and ensure that everything's in -- within
24 the statement gathering could -- if chosen to be public,
25 can actually do so without harming third party interests.

1 If I can have the next slide?

2 Again you'll see some pictures. As I said
3 I'm going to take you to some pictures throughout this
4 presentation. So you'll see us in Iqaluit, you'll see us
5 in Thunder Bay. You'll see us in Edmonton, in the Yukon.
6 Where the canoe is was actually in Moncton. And another
7 picture in Iqaluit and the two feathers, those were
8 feathers that one of our grandmothers was gifted and
9 provided to the National Inquiry so that witnesses could
10 swear or take an affirmation on an eagle feather to
11 provide their testimony.

12 If I could get the next slide?

13 So you've heard me talk about the different
14 processes for collecting the information. Now I want to
15 tell you a little bit about what we have collected.

16 In part one community hearings and
17 statement gathering there has been 468 public witnesses.
18 They -- that was in 202 public hearings. So in a space
19 much like this in front of one to four Commissioners,
20 we've had 202 public hearings. We've had 202 in-camera
21 witnesses in 147 in-camera hearings. And we have had --
22 and it's only until October, as I said we've had some, so
23 we will have to update on this last one, but we've had 641
24 statements provided by the end of October. We've had 7
25 informal submissions and we've had 604 individuals that

1 provided artistic expressions. So what that means in
2 total is we've heard from 1,992 participants in this
3 process since May 2017.

4 We, as you know, have -- this means a lot
5 of things. One of the interesting things is it means that
6 the National Inquiry has heard 552 hours of testimony in
7 349 hearings for just part one. That doesn't include
8 information on the other parts. This -- so it doesn't
9 include -- that estimate of 550 hours also doesn't include
10 the many hours that our statement gathering team and
11 health teams collected statements. And often statements,
12 you know, they could be short. They could run an hour or
13 two, but we had ones run as long as five and six hours.
14 And we've had that with hearings too where we have started
15 and it's been so important to let the witnesses complete
16 telling their story that we will continue -- we would
17 continue to sit.

18 In a lot of the places -- and if I could
19 get the next slide please? Oh, sorry. I'm also going to
20 touch briefly on the next parts just to give you some
21 context and statistics around the witnesses we did hear
22 from during Part two and three hearings.

23 In total we had 82 witnesses. Those
24 witnesses were knowledge-keepers, experts or institutional
25 witnesses and it's broken down on the chart for you to

1 describe how many we had at each of the nine hearings that
2 were Part two and three hearings. And that's mostly for
3 context.

4 But if I could just -- if we go to the next
5 slide, and if I could just return back to what we heard in
6 Part one in terms of the hearings. Something that I think
7 is important for the public to understand is we didn't
8 always just run one room. In some of the places we
9 visited, like Vancouver, for example, we held four rooms,
10 hearing rooms. Three were public and one was in-camera.
11 Sometimes we were able to make two in-camera, but what it
12 meant was all four of you were sitting. And sometimes,
13 you know, we'd start a normal day, 9:00 a.m. and some of
14 the hearings would complete and sometimes we sat until 11
15 o'clock at night. And it was important to hear that
16 evidence.

17 In here you see clips including the blanket
18 or backdrop from Yellowknife. You see some of our staff
19 members they're standing because there's a prayer. You
20 see some beautiful jingle dancers giving us some healing.
21 That is Dr. Smiley and myself. And we have a clip of
22 Thunder Bay. We had a fire and a tepee outside. And we
23 have what was put in -- a picture put into exhibit during
24 our hearings in Moncton that was talking about the
25 importance of Igmagi (ph) laws and pictographs.

1 If I could get the next slide, please?

2 I'm not going to actually go through the
3 whole list. We held 15 hearings. These are the locations
4 and dates for which the hearings were held, often -- and
5 the Commissioners or staff have been heard to say "from
6 coast to coast to coast" and literally we have gone from
7 coast to coast to coast.

8 This does not include all of the places
9 that we also did statement gathering or places where we
10 did community visits. The 15 hearings, as I said, allowed
11 us to have those 349 hearings in which we were able to
12 gather evidence.

13 I'm going to turn my attention to the Part
14 two and three, but before I do that, I think it's really
15 important to say -- I mentioned earlier I'll be relying on
16 a video, because in the time I have with you today and the
17 overview I want to present to the parties and to the
18 public, there's not enough time to actually go over all of
19 the stories of those 1,992 participants. There's no way
20 to show you every artistic expression or what it means.

21 But one of the things with artistic
22 expressions is often interviews were done and there was
23 protocols put into place. Even the things we have before
24 us, all of these items are archived. They're marked.
25 There is information filled out so we know how to treat

1 and handle them. And in the artistic expressions that we
2 receive we do the same thing.

3 What I can say is I will never be the same
4 person following our community hearings. All of our
5 hearings I think has been an opportunity to learn, to
6 share with the public, to truly speak about the issues
7 that we need to hear about in order to address our
8 mandate. But I can tell you, as someone who practiced
9 mostly in -- and I hate the word "victim" -- but victim
10 rights advocacy and in inquest work that hearing and
11 working with these families, with these survivors, has
12 fundamentally changed me as a human being and the way I
13 look at law, as both an Indigenous person and as a
14 Canadian practitioner of law.

15 The ability to work with families and
16 survivors was not only a pleasure, it was not only a
17 privilege, it gave me the opportunity to understand and
18 see what resiliency truly is and how difficult and hard
19 sometimes it was for people to speak their truth, yet they
20 did it. And they did it in a way, and often very
21 publicly, almost unbearably hard for some people to share
22 those truths. But the fact that they let us walk with
23 them to do that, the fact that they shared their truths in
24 a way so that others can hear and learn and listen has
25 fundamentally changed me as a human being.

1 I cannot do justice in the time I have to
2 talk about each and every family that I've had the
3 pleasure to work with or the number of other counsels that
4 have worked with literally the hundreds of witnesses we've
5 had. But I do want to sincerely thank any individual,
6 regardless of how they chose to share their truth, that
7 they did so and that they let us walk with them in doing
8 it.

9 At this point I would ask for the next
10 slide, please?

11 I'm going to start with Part three.
12 You're, like, well, you just finished Part one. Why are
13 you jumping to Part three? There's a bit of chronology
14 here at work. The first -- the very first Part three, and
15 Part three is our knowledge-keepers and expert hearings.
16 The first one we had was actually August 22nd to August 24
17 2017 was the first time we held an expert hearing, and we
18 it as a national expert hearing, and we held it
19 specifically on indigenous law and decolonizing
20 perspectives.

21 This was done because it was important to
22 have context for the Commissioners to set out frameworks
23 and understanding of the evidence that they would hear
24 moving forward.

25 In August 2017, the National Inquiry held

1 its first knowledge keeper and expert hearing, and boy,
2 was it a learning curve, and not just because of the great
3 evidence we received, but because we learned of protocol.
4 And I actually see some of the grandmothers in the room
5 today.

6 And there was that one moment where I sat
7 there as a Canadian lawyer cross-examining an expert, but
8 I turned and I looked to my left and there sat three
9 grandmothers harvesting sage, picking medicine and
10 preparing it for the witnesses and the parties. And I
11 remember that moment and sitting there thinking, "Wow,
12 I've never seen this in a courtroom".

13 And it was important because, to me, it
14 actually exemplified indigenous practice and indigenous
15 law at practice.

16 We learned the value of indigenous legal
17 principles and models that would likely prevent violence
18 against indigenous women, girls, transgendered and two-
19 spirit people, and to reduce the vulnerability they're
20 exposed to and the violence they're experiencing.

21 The witnesses spoke of the value of
22 revitalizing indigenous laws in contemporary society as a
23 solution.

24 The witnesses included Dr. Val Napoleon,
25 Dr. Hadley Friedland, Tuma Young, Dawnis Kennedy, Sandra

1 Omik and Karen Drake, who helped and assist as we learned
2 on the third day rather than going with the evidence or
3 testimony we wanted to, to have the grandmothers help us
4 and guide a circle and speak with families.

5 Chief Commissioner Buller, you were quoted
6 as saying not only were all of the panels invaluable to us
7 as Commissioners; it was also an opportunity to educate
8 all Canadians about the existing laws of the Anishinaabe,
9 the Mi'kmaq and the Inuit.

10 Dr. Val Napoleon and Dr. Hadley Friedland
11 presented the need to shift our beliefs as a society and
12 to undo false assumptions that indigenous laws no longer
13 exist. They proved and demonstrated that indigenous law
14 continues to be in practise, and they actually encouraged
15 us to think beyond that mind frame that just says, "Oh,
16 there's indigenous law", but that indigenous law lives and
17 breathes.

18 They shared that indigenous laws are
19 practical tools to help solve problems when they arise,
20 and that these laws still continue to be part of
21 communities every day. They talked about the basic
22 concepts of indigenous law, but they pushed us further.

23 They reminded us that when we're listening
24 to stories that not only do those stories help us to
25 derive truth, but they also signify legal principles and

1 practices that are in place or should be in place.

2 When we look at indigenous law, and a good
3 example of this -- and we heard this time and time again
4 throughout the community hearings and in these other
5 hearings -- was that when we looked to our laws, we
6 actually learned things like how we should act, how we
7 should treat children, how we should teach them about
8 their rites of passage so they understand the roles of
9 womanhood, of manhood, of their obligations of
10 relationships.

11 The biggest point I took away from this
12 particular hearing was understanding how important our
13 relationships are in indigenous law, and indigenous law is
14 in governing all of our relationships.

15 When we have better relationships, we have
16 less violence.

17 Tuma Young shared with the Commissioners
18 the concepts behind two-eyed seeing, which is how to work
19 and think in a space between both Canadian and Mi'kmaq
20 law. He expressed that this concept can be practised by
21 all Canadians.

22 Professor Young explained that Mi'kmaq law
23 is practised through song, ceremonies, languages, dances
24 and storytelling. He emphasized the role of collective
25 responsibility in Mi'kmaq law and how this principle, when

1 implemented, is more effective in preventing abuse and
2 violence than is the Canadian criminal justice system,
3 which focuses only on individual responsibility.

4 Sandra Omik shared with us about Inuit
5 perspective and the Inuit laws.

6 The talking circle that I referred to
7 included grandmothers and families. The grandmothers that
8 were in attendance -- so during these particular hearings,
9 we had a sacred fire at Odena and we had a number of
10 ceremonies in place. And we were so lucky to have so many
11 grandmothers' guidance.

12 And I had the privilege of sitting in a
13 room with them one evening eating Chinese food for a
14 number of hours to get their direction. And you know,
15 Chinese food and pop actually helps get a little more
16 energy out of some of our grandmothers than you'd expect.

17 But the last person that we had as a
18 witness that we want to talk about, although she was not
19 the last witness, is Dawnis Kennedy.

20 Dawnis Kennedy explained that Anishinaabe
21 law is a deep wellspring from which we all derive.

22 She spoke about Anishinaabe law and her own
23 life experiences as a survivor of violence and as someone
24 who's lost someone.

25 She reminded us and the National Inquiry

1 that we could draw on that wellspring and that the key to
2 having respectful relationships is to understand, in this
3 case, Anishinaabe law and philosophy.

4 Commissioner Eyofson, you were quoted
5 saying, "The standing ovation for Dawnis Kennedy was a
6 powerful moment about how profound her words were for all
7 of us."

8 In that hearing, Dawnis Kennedy reminded us
9 that human rights are, from her perspective, only one part
10 of life. She said, and I quote:

11 "I believe in life for everyone,
12 respect for everyone. That's what I
13 believe in. Living a good way of life
14 in harmony and respectful
15 relationships with all my relation."

16 "And I am related to a lot of people", she
17 told us.

18 She also said:

19 "I'm related to everyone in this room.
20 I'm related to everyone watching out
21 there. I'm related to every tree, I'm
22 related to the stars. I'm related to
23 every being in the entire universe
24 because my creation tells me so. And
25 you're all related to the entire

1 universe as well."

2 So, she said:

3 "That's a lot of relationships that we
4 have to work at maintaining, you know.
5 Human rights isn't going to get us
6 there all the way. It's a bit of a
7 stingy word because that deer has as
8 much right to water as I do. That cow
9 has as much right to nourish her
10 children as I do, if I had one."

11 She giggled, and then continued on:

12 "I believe if we get better about
13 honouring and protecting life, all
14 life, I will feel good about the world
15 that we leaving for our great-
16 grandchildren. I can't undo what's
17 done. I can't bring back what's gone,
18 but I can find my best way forward and
19 I can do whatever I can do to help
20 anybody who wants to do the same."

21 "If I can do it for you, I will", she said.

22 "If I can share my story with you and you can find
23 something in it, I will."

24 We left with a lot of good lessons from
25 that.

1 The next hearing we had was actually as it
2 relates to knowledge keepers and experts was a national
3 and regional one, and it was a human rights framework.

4 It was held in Quebec City May 14th to the
5 17th, 2018. The witnesses presented powerful tools such
6 as international instruments and talked about things like
7 the social determinants of health that can inform the work
8 of a national inquiry and build a human rights framework
9 that includes a gendered lens and is based on not just
10 substantial rights, but ensuring that intersectionality as
11 well as cultural-specific, indeed, colonizing practices
12 are also built into such a framework.

13 The witnesses we heard from that week were
14 Tracy Denniston, Tim Argetsinger, Faye Blaney, Professor
15 Naiomi Metallic, Brenda Gunn, Corey O'Soup, Dr. Dalee
16 Sambo Dorough and Jean Leclair.

17 Beyond the tools that they shared with us,
18 those international instruments, there was some reflection
19 on a couple things.

20 A reflection on the important role of men
21 in ending the cycle of violence was brought in as
22 compelling evidence. Men need to be part of the solution
23 and walk beside women and girls in our communities and
24 honour and respect and support them.

25 The hearing strengthened the National

1 Inquiry examination of systemic causes that we'd heard in
2 Part 1 from so many witnesses. It helped us understand
3 what laws are in place from a human rights-based approach
4 and what needs to be done, I would suggest, not just in
5 Canada, but globally as it impacts indigenous women and
6 girls and two-spirited.

7 One of the noteworthy moments, and there
8 were many in that hearing, was when the provincial
9 advocate for Saskatchewan, Mr. Corey O'Soup, shared the
10 stunning statistics of children in care in that province,
11 but he reminded us over and over again using both law but
12 just the perspective and a book that youth developed that
13 the voice of children and youth is not only important, but
14 they also have human rights and we cannot ignore their
15 human rights.

16 The next expert -- sorry, knowledge keeper
17 and expert hearing we held was in June 2018, and it was
18 held in Toronto, and its theme was racism.

19 The National Inquiry heard that third
20 knowledge keeper and expert hearing on racism, and the
21 hearing explored racism and discrimination that creates
22 vulnerable circumstances and increases violence for
23 indigenous women, girls, two-spirited, LGBTQQIA people.

24 The hearing looked at solutions as well,
25 practices and policies that combat racism and ways to

1 create safer spaces and services. That hearing in
2 particular spoke a lot to services and it covered the
3 gamut, whether it was medical services that Indigenous
4 people received, whether it was education services, and we
5 also explored sort of media and pop culture implications
6 and how racism has an impact.

7 The -- in the first panel, we were
8 fortunate enough to have two witnesses that were able to
9 provide a perspective as it relates to Two-Spirit
10 LGBTQQIA. And we learned about things like pronouns. And
11 that seems funny, but I found that a really compelling
12 moment, when we start treating humans like humans and
13 accepting how people want to identify themselves.

14 The witnesses included Albert McLeod,
15 Fallon Andy, Dr. Barry Lavallie, Amy Hudson, Dr. Sylvia
16 Moore, Farida Deif, Jesse Wente, Tanya Talaga, and
17 Dr. Cindy Blackstock.

18 We heard powerful testimony about the
19 intersections between racism and the Two-Spirited issues -
20 - education, health, and welfare. As I said, one of the
21 points that I thought was eye-opening for a lot of
22 participants and those watching was how racism in media
23 and journalism and film actually impact us as a larger
24 society.

25 Particularly, Tanya Talaga spoke about the

1 Fallen Feathers, the seven youth for which there was an
2 inquest held in Ontario. And she talked about the impact
3 of writing a book and what it meant to share her truth,
4 but she also talked about what was portrayed in media as
5 often mistaken drug overdoses instead of close looks at
6 those deaths.

7 Jesse Wenté explained how pop culture,
8 cultural appropriation, and not being represented within
9 pop culture has had an impact, not only on Indigenous
10 people but also in how society interprets or
11 misunderstands Indigenous peoples cultures and practices.
12 Specifically, he said -- and I quote:

13 "When we see ourselves misrepresented,
14 we realize that we are not, that we
15 are othered, that we have been
16 positioned outside of mainstream
17 culture. And that is, I think,
18 traumatic, and [that] becomes
19 reflected in how, not only we view,
20 but the larger culture ultimately
21 views us."

22 He explained further that -- and quote:

23 "And I think the big issue is one of
24 dehumanization. And that over the
25 course of time without authentic

1 be dehumanized in this way as part of
2 the colonial process on Turtle
3 Island."

4 Okay. The next -- can I have the next
5 slide, please?

6 Again, we see a number of pictures. I do
7 want to point to two in particular. The one is the middle
8 is a heart. There were children that made little red
9 dresses, and they put the poster together and it formed a
10 heart, and they wanted anyone at the hearings to have
11 them.

12 And then there's also Angel. Angel wrote -
13 - this was in Iqaluit, and this is the street that's been
14 dedicated to lost missing and murdered Indigenous women.
15 Some of these are just beautiful landscape. The top
16 picture is in Thompson, Manitoba.

17 Next slide, please.

18 So in addition to Part III, we also had
19 Part II Institutional hearings. So we had government
20 services held in this actual location back in May and
21 essentially, it was the first of our Institutional
22 Hearings on Government Services. There was no combination
23 of witnesses. This was strictly institutional. So they
24 were either worked for a government, a non-profit, an
25 agency that could speak to institutional issues.

1 Specifically, we heard on victim services,
2 health, including mental health, addiction services and
3 treatment in remote Indigenous communities, and housing,
4 including emergency housing, shelters, and safe houses.

5 The witnesses were John Phelps, Leanne
6 Gardiner, Naomi Giff-McKinnon, Betty Ann Pottruff,
7 Dr. Valerie Gideon, Jackie Anderson, Christine Duhaime,
8 Nakuset, Sandra Montour, and Josie Nepinak.

9 The testimony that was shared shed
10 important light on how government services, whether they
11 are victim or justice service, family violence prevention
12 services, or health addictions or mental health service
13 often struggle with service delivery, particularly in
14 north -- northern and remote communities and how frontline
15 workers work tirelessly to support Indigenous Women and
16 Girls and Two-Spirit in often extremely trying
17 circumstances.

18 I think we often talk about the hours we
19 hold, but I think we often forget to recognize the
20 volunteer hours or the hours that frontline service
21 providers put into when they're under resourced.

22 A noteworthy moment was the panel with
23 Nakuset, Sandra Montour, and Josie Nepinak because they
24 assisted in our understanding of the real impact of the
25 lack of resources beyond the spreadsheets, beyond the

1 cost, beyond the corporate issues, but what it meant on
2 the ground, and they talked about taking a small amount of
3 money and feeding more people.

4 And the need to build stronger -- they
5 talked also to the need to build stronger relationships
6 with police services and authorities. And quite frankly,
7 they talked about what delivering humane and kind services
8 should look like for anybody providing services to any of
9 those people in need.

10 The next Institutional Hearing that we held
11 was on Police, Policies, and Practices. It was a national
12 and regional. It was held in Regina, Saskatchewan from
13 June 25th to the 29th, 2018.

14 It was the second Institutional Hearing,
15 and the hearing focused on how police respond to violence
16 against Indigenous women and girls and Two-Spirited,
17 including policies and practice. There was a large body,
18 not just of oral testimony, but a large amount of
19 documents produced out of this particular week, because we
20 did see a lot of...

21 So the witnesses that we had during that
22 week included Commissioner Brenda Lucki of the RCMP,
23 Daniel Bellegarde, Jean-Pierre Larose, Richard Coleman,
24 Yvonne Niego, Chief Clive Weighill, Jean Vicaire, Alana
25 Morrison, Sergeant Dee Stewart, and Deputy

1 Commissioner Brenda Butterworth-Carr, as well as
2 Captain Paul Charbonneau, and Chief Superintendent Mark
3 Pritchard.

4 The testimony that we heard -- there was a
5 couple of noteworthy moments, and one has -- but I can't
6 not look over. And people will take different positions,
7 and that's as they should on this particular testimony,
8 but something unprecedented happened. The Commissioner of
9 the RCMP apologized.

10 Commissioner Brenda Lucki made an apology
11 to families of missing and murdered Indigenous women, and
12 she said, and I quote:

13 "On behalf of myself and my
14 organization, I am truly sorry for the
15 loss of your loved ones and the pain
16 [it] has caused you, your families,
17 and your communities. I'm sorry that
18 [for too many people] -- too many of
19 you, the RCMP was not the police
20 service that it needed to be during
21 this terrible time in your life. It
22 is very clear to me that the RCMP
23 could have done better. I promise to
24 you we will do better. You are
25 entitled to nothing less than our best

1 work in your communities. I believe
2 it's never too late to do the right
3 thing, and I want this apology to be
4 just one more step in the RCMP's
5 commitment and reconciliation."

6 She continued and said:

7 "Although we are not the only solution
8 to these issues of violence against
9 Indigenous women, girls,
10 [and]...two-spirit, LGBTQ community,
11 we know we have a large role to play
12 when it comes to preventing this
13 violence in bringing perpetrators to
14 justice. So I look forward to
15 providing some insight into the
16 recruiting, retention, training and
17 development, and policing [of]
18 Indigenous communities. Thank you."

19 That was a noteworthy moment because it was
20 the RCMP making an apology to families.

21 If I could have the next slide, please?

22 Again, you will see some beautiful
23 landscapes in the Yukon, and in Smithers. We have one of
24 our staff members with a basket of gifts, and it was gifts
25 made by NFAC members that include little smudge kids, and

1 we have the red dress that was presented to the National
2 Inquiry in Thunder Bay.

3 Can I have the next slide, please?

4 And in the last Part II and III hearings,
5 we actually, you know, combined to conquer time. And what
6 we -- what you as commissioners directed that we do is
7 that we cull evidence that included both institutional and
8 knowledge keeper and expert hearings.

9 The first one that we held -- yes. The
10 first one... hearings. The first one that we held -- yes,
11 the first one that we held was in Iqaluit, Nunavut from
12 September 10th to the 13th. And it was focused on
13 colonial violence. And I will apologize in advance,
14 because I am certain I will not be able to pronounce the
15 Inuktitut names properly, but we had Elisapi Aningmiuq,
16 Inukshuk Aksalnik, Hagar Idlout-Sudlovenick --
17 Sudlovenick. So and I --

18 **UNIDENTIFIED SPEAKER:** Sudlovenick.

19 **MS. CHRISTA BIG CANOE:** Sudlovenick, thank
20 you. We also had Dr. Janet Smylie, Jasmine Redfern, TJ
21 Lightfoot, and Jeffrey McNeil-Seymour. There were many
22 notable moments that occurred in this particular hearing.
23 And I'm only going to speak really briefly to two of them.

24 In one of them, Dr. Janet Smylie reminded
25 us why it's important to count, which is interesting

1 because there's this really strange dichotomy between why
2 we are counting, and why aren't we. But her point wasn't
3 about counting the losses we've experienced alone, it was
4 about counting Indigenous people in particular. Because
5 we don't provide good services, and we don't do our work,
6 unless we understand the communities we're serving, and we
7 actually take a count of their population to provide that
8 -- that service.

9 Also, there was a really -- a couple
10 poignant moments on the last panel with TJ Lightfoot,
11 Jasmine Redfern, and Jeffery McNeil-Seymour that provided
12 insight and perspective from -- from two-spirit community,
13 but also talked about activism and the roles that is
14 important in protecting -- and fighting against a colonial
15 legacy.

16 The next hearing we held was on criminal
17 justice system and oversight. And it was held -- sorry.
18 It was also held in Quebec City. We heard from a number
19 of wonderful witnesses, who I will have to put later on
20 the record because I can't find it in my notes, so I
21 apologize. But we also then heard the family child and
22 family supports in domestic violence the week of October
23 1st in Winnipeg. The witnesses that we heard from spoke
24 to a -- a large number of perspectives, and some of the
25 most massive issues that we've heard time and time again

1 as it relates to children in care or the break down of
2 family based on government services. We heard from Cora
3 Morgan; Sara Clark; Dr. Amy Bombay; Dr. Cindy Blackstock,
4 who came back to be cross-examined; Susan Aglukark; Dr.
5 Mary Ellen Turpel-Lafond; and Dr. Alan Wade.

6 The last of the hearings that we heard, the
7 combined hearings, was on sexual exploitation, human
8 trafficking and sexual violence. This literally occurred
9 a month ago. So it might be fresh in some of the parties'
10 memories. It was a very emotional week, and it was a week
11 that took many witnesses a large amount of bravery to
12 present, not just their stories and impacts, but potential
13 solutions. We heard from the Assistant Commissioner
14 Joanne Crampton, Inspector Tina Chalk, Assistant Deputy
15 Attorney General Juanita Dobson, Mealis Sheutiapik,
16 Jennisha Wilson, Dr. Pertice Moffitt, Dr. Robyn Bourgeois,
17 Mary Fearon, Lanna Moon Perrin, Chief Danny Smyth, Staff
18 Sergeant Darryl Ramkisson, Diane Redsky, and Rachel
19 Willan. We had a large number of witnesses in this
20 particular hearing.

21 Again, there were number of poignant and
22 important moments. Pardon me. But I did want to
23 highlight, yet, another apology that we heard from a
24 police service. Chief Danny Smyth apologized on behalf of
25 the Winnipeg Police Service. He spoke quite a bit upfront

1 about the need for this, but what I want to quote is:

2 Before I talk about the partnership that
3 we've established, I also want to
4 acknowledge that the police in Winnipeg
5 have not always been on the right path.
6 That our past actions and procedures
7 contributed to harming Indigenous people in
8 our community. Indigenous women were not
9 treated with the respect and dignity that
10 they deserve.

11 He also said:

12 As the Chief of the Winnipeg Police
13 Service, I offer my apologies for past
14 conduct and policies that contributed to
15 harming Indigenous women and girls.

16 At this point, I only have a few minutes left, and I may
17 have to beg for indulgence for an extra, just to make my
18 closing remarks before we watch the video. One of the
19 most important functions of any public inquiry, is public
20 education. It's about having other Canadians understand
21 the issues that are being investigated, to understand the
22 impacts because if people don't understand them, and they
23 don't hear about them, they don't have the opportunity to
24 know better.

25 We have a lot of records in Canada. We

1 have a lot of history. The TRC has produced and provided
2 us information. There is a lot of stuff on the public
3 record. There is already a lot of stuff in public
4 archive. But this particular process got to hear about
5 gendered violence. It got to hear about Indigenous women
6 and girls, often from perspectives of Indigenous women and
7 girls, or those who were impacted by the violence and
8 harm.

9 This particular National Inquiry has taken
10 some unprecedented steps. It has had hiccups, it's had
11 burps. It's had problems, as would be expected in
12 something this size, of this magnitude, with the time
13 limitations it faced.

14 So in concluding, I would like to -- to say
15 a couple important and key things. The -- the body of
16 evidence before you is large. It is compelling. It has
17 touched not only on the number of issues that are
18 essential to the mandate of this public Inquiry but
19 includes real human experiences that individuals and
20 families had the courage to share with the National
21 Inquiry. These truth demonstrate human fragility,
22 frustration, heart-wrenching losses, deep sadness. But
23 they also speak to humanity and resiliency. They speak to
24 relation to it -- to relationships between families,
25 friends, and partners, and the community. And,

1 ultimately, their truth speak of love.

2 The task before you, to write the final
3 report and provide recommendations, given the sheer volume
4 of evidence, is not a small one. But it is a task, I
5 know, you're all committed to. That you have heard and
6 read these testimonies and met the people who told the
7 truth, means that you're in a position to honour and
8 respect stolen and murdered sisters.

9 For families, Parties with Standing, those
10 who have attended or watched any of the hearings, thank
11 you for your attention and participation. This, after
12 all, is a public inquiry. And as I stated earlier, an
13 important part of that is to hear the truth that people
14 have to share.

15 Witnesses took big steps to show tremendous
16 strength to speak to the National Inquiry, often in those
17 very public forums that is nerve-racking even for those of
18 us seasoned in it, and share. Some have waited a long
19 time to be heard. We heard that over and over again,
20 "I've been waiting years and decades to tell my story in a
21 meaningful way." That's why it's so important that others
22 are listening. One of the crucial roles is that public
23 education -- to educate about the issues that fall within
24 the mandate. But I'm going to suggest, the witnesses that
25 shared their truth, were in the best position to educated

1 everybody about the -- what they were experiencing and to
2 identify the changes needed for improving the dire
3 circumstances we've heard about over and over again.

4 As Commission counsel, not looking now to
5 the Commissioners, but to others, I make a challenge to
6 all in attendance here or watching, and other who are not
7 here. I challenge all Canadians and people, including
8 people in other countries, countries were Indigenous women
9 also experience disproportionate violence and
10 disappearances and murders, I challenge you to watch,
11 listen, or read the truths shared by the witnesses in
12 their testimonies of this National Inquiry. We've created
13 this large body of publicly available evidence. We have
14 collected the truth. We have collected the perspectives
15 and understanding, in addition to all of those families,
16 those -- the 1,992 participants, and additional 86
17 Knowledge Keepers, experts, and institutional witnesses
18 that form part of a public record.

19 This evidence doesn't just belong to the
20 Commission, this evidence belongs to the public. It is
21 accessible in video format and in transcripts. It can be
22 recalled and watched at command. These publicly available
23 testimonies should be used. They should be used by
24 academic institutions. They should be used by
25 governments, policy-makers, service providers. They

1 should be used to anyone who wants to understand what
2 Indigenous women are experiencing in this country. It
3 should be heard by those who want to ensure that positive
4 change will occur, so that Indigenous women, girls, two-
5 spirited, LGBTQ -- QIA individuals can walk in safety.
6 They can live in safety. And to ensure that they are
7 afforded, not only the same human rights to ...all other
8 citizens, but rights that will equal the playing field.

9 The evidence is compelling. There's a
10 problem in this country and how indigenous women, girls
11 and two-spirit are treated.

12 There is a problem about the lack of
13 respect for indigenous women, girls and two-spirited, a
14 problem about the lack of care, and there is clear
15 discrimination and racism and that needs to be addressed
16 and requires a cultural shift to make the necessary
17 changes.

18 I acknowledge that many of these
19 testimonies are not easy to listen to. I have spent many
20 tearful moments with families, with staff, by myself
21 thinking and hearing words over and over again of these
22 brave people who have shared with us.

23 A colleague told me that any time you have
24 a hearing, it can become ragged because it's unscripted.
25 So most often we know truth is not easy to tell. It's not

1 easy to listen to, either.

2 When you are listening to these
3 testimonies, and I challenge you all to listen to these
4 testimonies, make sure that you have taken necessary steps
5 to protect your spirit. Make sure you have supports in
6 place and recognize that hearing this testimony may cause
7 trauma or vicarious trauma.

8 It's important to talk about these issues,
9 but the issues must be raised in a safe and honest way.

10 I encourage you not only to listen, read,
11 watch, but to talk about these issues with your families,
12 with your communities. When you are empowered by
13 knowledge and the truth you've heard, you should share
14 that power.

15 It's through having tough conversations
16 that we help shape a new culture for change, so please,
17 take up the challenge so you can truly understand the
18 humanity and resilience that indigenous women exemplify in
19 the face of adversity and colonial legacy.

20 Take up the challenge so you can stand in
21 righteousness and say you will not contribute to the
22 crisis of missing and murdered indigenous women and girls
23 in this country.

24 People have shared profoundly sad and
25 upsetting truths, but they have also provided solutions

1 and recommendations. Having the knowledge and awareness
2 to contribute to the change and acknowledging the harm and
3 pain that drives the need for change is something that
4 anyone can do.

5 I want to thank you for your attention
6 during this overview of evidence. As chatty as I am,
7 believe it or not, I don't want the last word.

8 I believe the evidence does speak for
9 itself and, therefore, the last portion of my presentation
10 is an overview of evidence that's dedicating to watching
11 the testimony of those who were brave enough to speak to
12 the truth.

13 I do ask you to protect your spirit, to
14 brace yourself, to understand that what we have to hear is
15 not always easy.

16 I also have to give an immense amount of
17 gratitude to all the staff, all of the legal team,
18 everybody who's been a part of helping us summarize the
19 evidence in this very fast but, over time, summary and
20 particularly to Tiara Wilson and Shelby for editing the
21 video we're about to watch.

22 So if we could please let the last word be
23 those of the witness. Migwetch.

24 (VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

25 **MS. CHRISTA BIG CANOE:** Those are our

1 submissions.

2 I suggest at 15-minute break, please.

3 **CHIEF COMMISSIONER MARION BULLER:** Fifteen
4 (15), please.

5 **MS. CHRISTA BIG CANOE:** Thank you.

6 --- Upon recessing at 11:10

7 --- Upon resuming at 11:33

8 **MS. CHRISTA BIG CANOE:** I would like to
9 welcome you back to the hearing.

10 There are two small housekeeping matters
11 that I would request.

12 During the overview the Commission counsel
13 provided, there was a slide presentation. I'm going to
14 kindly ask that that be marked as an exhibit, and the
15 video as well to be marked as an exhibit.

16 I understand that the video will become
17 available online, and the slide presentation, in both
18 English and French.

19 **---Exhibit 1:** "Evidence Overview" Powerpoint
20 presentation, November 26, 2018 (16
21 slides)

22 Submitted by: Christa Big Canoe,
23 Commission Counsel

24 **---Exhibit 2:** Video presentation - Overview of
25 evidence

1 Submitted by: Christa Big Canoe,
2 Commission Counsel

3 **MS. CHRISTA BIG CANOE:** As we now sort of
4 shift gears, we'll be inviting parties with standing,
5 either their counsel or representatives, to make their
6 closing submissions to you.

7 Each party, for the purpose of this week
8 and in our next round of closing submissions, will have 40
9 minutes to make their submissions to the Commissioners.

10 The first party that we would like to
11 invite up is the Union of B.C. Indian Chiefs. Salima
12 Samnani is counsel, and I'd invite her to the podium,
13 please.

14 **---SUBMISSIONS BY MS. SALIMA SAMNANI:**

15 **MS. SALIMA SAMNANI:** My name is Salima
16 Samnani, and I'm here representing the Union of B.C.
17 Indian Chiefs.

18 I want to start by acknowledging the
19 Blackfoot territory and the people of Treaty 7, Bearspaw
20 First Nation, Cianiki First Nation, Blood Tribe Kainai
21 Nation, Piikani Nation, Siksika Nation, Tsuut'ina Nation,
22 and Wesley First Nation.

23 I thank the people of this beautiful land
24 for allowing Kupki7 Judy Wilson for performing her
25 protocol prior to giving her remarks. Kupki7 Wilson will

1 soon be drummed and sung in by Jody Leon and her grandson,
2 and Elder Sawsem(phon) and his daughter, Miranda. They
3 will be joined by Secwepmec leader Charlene Belleau, who
4 is the Chief of SCAT and worked with Indian Residential
5 School survivors in Ottawa.

6 I now welcome Judy Wilson Kupki7.

7 (CEREMONIAL DRUMMING)

8 **CHIEF JUDY WILSON:** (NATIVE LANGUAGE)

9 **MIRANDA:** That was a Porcupine Song, and
10 it's sung for if you've lost your way, it's for you to
11 come home. The porcupine will help you. And it's also
12 for the ones that are out there that are still missing,
13 and for the loves ones to call their children to come back
14 home.

15 The porcupine carries great medicine, and
16 will help the people, so kuksham(phon).

17 **KUPKI7 JUDY WILSON:** Thank you so much for
18 being on the Blackfoot territory, and also thank you for
19 Alvine and Spike Eaglespeaker, Sr. for the prayers and the
20 pipe ceremony this morning.

21 It was wonderful to be connected to the
22 pipe for the truth and also for the feeling because
23 sometimes the hardest and longest journey our people have
24 is from your mind to your heart and to act the truths. So
25 thank you so much.

1 I wanted to thank Miranda and -- for the
2 song and explaining what the porcupine is. It's a
3 medicine, the teachings from our Secwepemc people. And
4 also for Charlene being with us. She's done a lot with
5 her community and has showed a lot in the world what we
6 can do by our actions.

7 And also to Jody, who tirelessly works in
8 our Nation on missing and murdered women and stopping
9 violence against our women and girls.

10 And also Sawsem(phon). He's with us and
11 he's our women's helper. And he's -- will drop anything
12 and everything to be in supporting our women.

13 My name is Chief Judy Wilson Kupki7. I'm
14 the secretary-treasurer of the Union of B.C. Indian
15 Chiefs. And I've been Chief for over a decade and also
16 served as a Councillor for eight years.

17 I first started into politics with my late
18 uncle, Grand Chief George Manuel, who I served one term
19 with before he passed away. And he was a very hard
20 teacher as well.

21 I'm also a survivor. My sister was
22 murdered 22 years ago.

23 My mother and brother told their story for
24 the first time at the hearings in Vancouver, and I'm here
25 to ensure their stories and the stories of others do not

1 go silent and that justice is realized for all.

2 The Union of B.C. Indian Chiefs were
3 dedicated to affirming and defending inherent title and
4 rights of our First -- indigenous people and realizing our
5 own self-determination.

6 The Union is made up of representatives
7 elected by Band Council of B.C., and currently we serve
8 over half. There's roughly over 110 communities that
9 belong to the Union of B.C. Indian Chiefs.

10 The Union of B.C. Indian Chiefs is the only
11 organizations of Chiefs in Canada that have been granted
12 standing for this Inquiry.

13 The Union of B.C. Indian Chiefs was formed
14 in 1969 in response to the White Paper Policy, which tried
15 to -- for Canada's final solution to the "native problem".
16 The main goal of the White Paper Policy was to lay out a
17 plan for Aboriginal and title rights to be extinguished,
18 either through treaties or through governments imposing
19 their will.

20 The true respect for indigenous people
21 require that their inherent title and rights be recognized
22 and respected without being extinguished.

23 The displacement of our indigenous peoples
24 from their territorial lands has resulted in the state-
25 controlled reserve systems, dependency and poverty. My

1 cousin, late Chief Arthur Manuel, spent his life work --
2 he wrote two books, authored two books in regard to this
3 issue.

4 The Union of B.C. Indian Chiefs, we
5 advocate locally, provincially, federally and around the
6 world to demand that the colonial government meet its
7 obligation to finally restore indigenous people with the
8 security and liberty that they had -- we had before being
9 colonized.

10 The governments must take every ordinary
11 and extraordinary step to continue the healing and
12 reconciliation for Aboriginal people. This includes
13 repudiating the genocidal doctrines of discovery and
14 superiority and respecting our rights to our land in our
15 own way of living.

16 This is the core issue of dispossession and
17 displacement of our people. What you're hearing through
18 the stories about the tragedies and the loss, those are
19 the symptoms of our people being displaced and
20 dispossessed from our lands so that the very core issue is
21 our indigenous title and rights.

22 Currently, the Union is involved in
23 implementation of the UN Declaration on the Rights of
24 Indigenous People. This week we released a paper entitled
25 "True Lasting Reconciliation", a paper that guides the

1 B.C. government on implementing the UN Declaration.

2 This paper outlines the steps for the
3 government to take in addressing unfinished business in
4 decolonizing our lands and our way of life.

5 And in addition, our organization, we also
6 did a sexual abuse review committee, and we're developing
7 a tool kit and policy and templates for indigenous
8 organizations and Bands.

9 When we had an incident occur, the Chiefs
10 came together and thought it was very, very important to
11 start looking at even our own organizations and how we
12 treat women, and stop the violence.

13 Canada has ratified seven major UN, United
14 Nations human right treaties. The first one is the
15 International Convention on the Elimination of All Forms
16 of Racial Discrimination. The second one is the
17 International Covenant on Civil and Political Rights. The
18 third one is the International Covenant on Economic and
19 Social and Cultural Rights. The fourth one is the
20 Convention on Elimination of all Forms of Discrimination
21 Against Women.

22 The fifth one is Convention Against Torture
23 and Other Cruel, Inhuman and Degrading Treatment and
24 Punishment. And the sixth one, a Convention on the Rights
25 of the Child.

1 And the seventh is the International
2 Convention on the Protection of the Rights of All Migrant
3 Workers and Members of Their Families.

4 Those are binding to Canada, and the Union
5 of B.C. Indian Chiefs will continue to make all our
6 efforts to ensure Canada complies with all of its
7 international obligations.

8 We have been over there several times.
9 We've been planning to go again next year in 2019 to
10 continue reporting and monitoring and stating what Canada
11 is doing to our indigenous people.

12 We actually go with other people that are
13 right holders, title holders, and we present submission
14 papers regular to the United Nations Declaration.

15 The Truth and Reconciliation Calls to
16 Action cannot be implemented without the UN Declaration
17 being fully adopted and implemented without qualification.

18 The second part of my oral submission is
19 the Union of B.C. Indian Chiefs and indigenous women,
20 girls and transgender and two-spirited.

21 Prime Minister Trudeau has said he wanted a
22 new relationship with indigenous people based on rights,
23 respect, cooperation and partnership. Mr. Trudeau
24 betrayed his election time promises to indigenous people,
25 like buying a pipeline that crosses our beautiful

1 Secwepemc territories, and that was done without our
2 proper title and right holders' consent.

3 Mr. Trudeau's government has taken the
4 First Nations to Court and gone around the will of our
5 First Nations people. We want the governments we can rely
6 on in all cases, not just when it suits them.

7 One of the issues of missing indigenous
8 women and girls the government has not done enough, and
9 now they're proposing to set up a 1,000-man camp in our
10 territory which, in many reports, have said a lot of those
11 man camps have a lot of violence against our women. And I
12 applaud our women for standing up against that.

13 The government spared no effort in
14 colonizing our land and brutalizing our people. They used
15 and continued every legal and illegal tactic to keep our
16 people in their colonial Courts, fighting for clean water,
17 our land and our children, whereas those should just be
18 given rights.

19 They kidnap our children in residential
20 schools and now the child welfare system. They use
21 tremendous efforts and resources to hold us down and prop
22 themselves up, but when we ask for help we hear, "That's
23 too expensive. Solutions are too complex".

24 The government spares no expense and effort
25 to keep us down and erase us. Pipelines are expensive and

1 complex, but the government finds a way with the national
2 TransCanada pipeline.

3 If we are in a new era of reconciliation
4 with the government must stop making excuses and act with
5 the same dedication they used many years ago to colonize
6 us.

7 The Union has written a closing submission
8 that will focus on many issues, but today I'm only going
9 to focus on two: The systemic issues of the police and
10 women and girls; and the second one, support services for
11 Indigenous women and girls. Although, some reports
12 suggest there's 3,000 women and girl -- Indigenous women
13 and girls that have gone missing and murdered in Canada,
14 that data is unreliable and incomplete. Many women and
15 girls have not been added to these lists. Three thousand
16 is a gross underestimation.

17 For years, we have demanded action by
18 government and police to properly investigate the murders
19 and disappearance of Indigenous women and girls. White
20 girls and women don't have to worry about their safety the
21 way Indigenous women and girls do here in Canada. I'm
22 inspired by the movements in various communities that have
23 become allies and advocates, advocacy groups and the
24 fellow agitators for changes. For instance, Idle No More
25 powerfully highlighted the many ways in which our people

1 experience discrimination, oppression, and especially,
2 policy brutality. The Me Too movement has highlighted the
3 every day criminal treatment of women in all areas of
4 life. I stand with these movements, amplify their voices,
5 and raise my own voice in solidarity to call for change,
6 justice and equality for Indigenous women and girls.

7 For far too long the lives of Indigenous
8 women and -- and girls have been ignored. We will not
9 stand for this anymore. I take strength and inspiration
10 from these movements for change. There can be no more
11 discussion about whether we are discriminated against and
12 treated unfairly. We are, period. And we want solutions
13 now. In fact, we want these -- wanted these solutions
14 decades ago when we first began calling for a National
15 Inquiry. And I applaud the many women that are in this
16 room that began those discussions in their communities
17 many, many decades ago. And they're still here,
18 thankfully. But there's just as many that are passed on
19 now in the spirit world.

20 The -- the Union, we received standing in
21 the Missing Murdered Women Commission in -- of the Inquiry
22 in B.C. but refused to participate because of the denial
23 of a just process. Indigenous women in -- in our
24 organizations were purposely excluded, denying our voices
25 and our experiences once again. The Union has called for

1 a national public inquiry with many of our sisters, and
2 once again, we were shut out by the process. We were not
3 able to meaningfully participate. We are here today to
4 let the Commissioners and the government know that, after
5 years of advocacy, for many others, and us, to bring this
6 Inquiry into beginning -- into being, this Inquiry is not
7 enough. We expect more, we deserve more, and we'll
8 continue to demand more.

9 Indigenous people have no confidence in the
10 justice system. Be it the police, the courts, the law-
11 makers, or whether in the Downtown Eastside, or the
12 Highway of Tears, we have seen the law-makers drag their
13 heels, and police turn a -- a blind eye while women are
14 being murdered by the dozens.

15 It breaks my heart to think of the hundreds
16 of fathers, mothers, sisters, and aunties who have walked
17 the highways, the riverbanks, and the forests looking for
18 their daughters. And this just happened in Hope, and
19 there was a sad outcome to -- in -- Innalise (phonetic),
20 she was found in the river. So that was just reported to
21 us the other day. My heart goes out to that family.

22 It is clear to me that the murders of
23 Indigenous women and girls are not treated with respect
24 and urgency. Let me say in this forum, for you, the
25 Commissioners and the government to hear, that Indigenous

1 women and girls will not be erased. That we are strong,
2 and we will demand justice every day of all of our lives.
3 Our calls for justice will not be softened with the
4 closing of this Inquiry. But instead, this will be
5 another platform on which we will stand to drum, to sing,
6 and call for justice.

7 So the third part is the police and the
8 Union of B.C. Indian Chiefs. The Union has worked
9 tirelessly to educate police on how to behave ethically.
10 This is the work we should not have to do. Police treat
11 Indigenous people as though being Indigenous is a crime.
12 We have advocated for the appointment of an Indigenous as
13 the Police Complaint Commissioner, but this has not
14 happened. This has to change. We'll call an end to the
15 practice of police investigating their own. There must be
16 police accountability for Indigenous people to have faith
17 in any policing system.

18 We need to look no further than the case of
19 Cindy Gladue to demonstrate the shameful way in which the
20 justice system treats her Indigenous women. An Edmonton
21 jury acquitted Bradley Barton in the violent death of
22 Cindy Gladue. Her physical remains were scrutinized
23 inside the courtroom, which was a gross violation of her
24 physical and spiritual integrity, and extremely hurtful to
25 her family, and to Indigenous women, and to us all. The

1 court proceedings were racist. How can we believe the
2 justice system when the highest court, the Supreme Court
3 of Canada, to hear an absurd appeal of her killer? We
4 will keenly watch this for their decision, but we don't
5 have any high-hopes in this justice system.

6 We have lost many Indigenous women and
7 girls in horrific ways. Robert Pickton murders where
8 dozens of women's -- with -- with the police just looking
9 on. The government in B.C., the Missing Women's
10 Commission of Inquiry led by Wally Oppal, that guy -- that
11 Inquiry is a study of not how to run an inquiry. It
12 marginalized the very groups and people affected by the
13 missing women tragedies. It was plagued by scandal, and
14 then issued a report that found no specific fault of any
15 police officer and held no accountability for their
16 mistakes. To make matters worse, recommendations from the
17 Commission have been largely ignored.

18 In 2016, the Auditor General released a
19 report that found the government had not been transparent
20 in reporting its progress on implementing recommendations.
21 And has only implemented the intent of eight of the 23
22 recommendations. As far as the eight there have been --
23 that have been implemented, there has been very little
24 consultation with our Indigenous women and girls and the
25 grassroots people.

1 We strongly urge this Inquiry not to follow
2 the footsteps of the Oppal Inquiry. This Inquiry's
3 institutional expert hearing process was not adequate
4 enough. I know I heard the report this morning, but I --
5 I need to say that. It did not properly dive into the
6 systemic issues in the justice system, which need to bring
7 shift for this change. It is clear a national Inquiry
8 into the Missing and Murdered Indigenous Women and Girls
9 will likely not -- will not -- will likely not be
10 recalled. This is why it's so important that the
11 Commissioners be brave, be bold, speak the truth, to
12 insight a societal shift in Canada.

13 The fourth part the police and the women
14 and the deep distrust and lack of help. Give UBCIC's
15 history with policing issues, we speak with authority that
16 women and girls feel a deep distraught of the police.
17 This deep distrust is justified. Indigenous women have a
18 higher vulnerability to violence simply because they live
19 in a society that pose risk to their safety. This
20 statement deserves pause and reflection. The statement
21 must be understood and internalized, especially by the
22 police forces in B.C. and across Canada. We must ask the
23 tough questions. What makes society more risky for
24 Indigenous women? Who in society is directed -- directly
25 responsible for this risk? Who is indirectly responsible

1 for this risk? The Commissioners must answer these
2 questions decisively, and the politics must be put aside.

3 Indigenous women live in a more dangerous
4 world than the average person. And such, are deserving of
5 the best protection from the state and its police forces.
6 This is not the case, however. It is opposite is often
7 the truth. The report of the Commissioner Oppal, he asked
8 a question of whether police met their obligations to
9 provide equal protections, specifically to vulnerable
10 groups. He concluded that the police investigation of
11 missing, murdered women and girls did not live up to this
12 obligation in several important ways. However, Commission
13 Oppal found that:

14 Failing are the -- attributable neither to
15 overt or intentional police bias, nor
16 generalized institutional bias, but to the
17 operating of negative stereotypes and
18 systematic biases.

19 Two and half years and \$10 million dollars later, all he
20 came up with, a defence for the police that their
21 deliberate racist behaviour was not deliberate. The UBCIC
22 agrees with Commissioner Oppal on the later, however, not
23 the former. Indigenous people experience discrimination
24 by police every single day in our communities, in our
25 families. I just had instances in my community just last

1 week that -- it was a -- so this was a -- a son. You
2 know, we cannot allow that in our community, in our -- in
3 our nations, or anywhere.

4 The Union agrees that -- that we can only
5 make lasting changes if the Commissioners believe women
6 and girls, when they tell you the police are deeply racist
7 at every level. The police forces in B.C. and Canada must
8 lead the change in ending deep distrust between them and
9 our Indigenous women and girls. In a note, it was
10 mentioned that Brenda in June -- Brenda Lucki, the police
11 commissioner, RCMP Commissioner, apologized to the
12 families, and we heard today Chief Danny Smyth, we heard
13 these apologies, is a welcomed first step, but the RCMP
14 finally are recognizing their role in creating this
15 crisis, and are acknowledging that they need to do better.
16 But, apologies without action, without change, are
17 meaningless. You cannot simply just say something. You
18 have to do something.

19 We call upon each of the Commissioners to
20 speak the truth, to power and make recommendations that
21 will make these statements more than just hollow words.
22 We call upon the Commissioners to make findings that
23 assign clear and specific responsibilities for these
24 failures, and make effective recommendations that give all
25 of us a roadmap to stop this loss of life. Anything less

1 would render this Inquiry a waste.

2 I'm going to go on to this other section on
3 lack of support services now.

4 Apart from the help from police and the
5 courts, Indigenous women need support and services.
6 Support for Indigenous women and girls lack in quality,
7 quantity and relevancy.

8 When women and girls are seeking help from
9 the police, it's because the harm they are facing is about
10 to be realized. These women and girls deserve and require
11 support and help before issues in their lives reach this
12 crisis point. Indigenous women and girls need support
13 services that are Indigenized and decolonized. These
14 support services must be driven by Indigenous people
15 themselves and grassroots organizations.

16 The government programs fail to consult us
17 and result in meaningless programs that don't work. The
18 programs must ensure that as women and girls move through
19 urban and rural areas or through different stages of their
20 lives, their care is continuous, well-funded and
21 responsive to the women and girls' changes needs.

22 The Commissioners are well aware of the
23 issues women and girls face that are involved in the child
24 welfare system. The Commissioners are also aware of the
25 girls, the issues they face as they age out of the system.

1 This is one issue we face, but a good example of an issue
2 that has widely and thoroughly been discussed, but the
3 government has not implemented enough changes.

4 We have seen child welfare systems that
5 treat women and girls with no regard. We know when
6 Indigenous children are in care, they are at risk of harm,
7 serious harm. The state must stop taking our Indigenous
8 children from our communities. We know how to raise our
9 children. Any disruption to this knowledge and our
10 families is because of the residential school and
11 colonization. Support us in rebuilding our way of life
12 and stop taking our children from us. And, paying white
13 people to raise our children, often harming them, is
14 residential school all over again by another name.
15 Support Indigenous women and families and children, and
16 finally get on our side, we need that.

17 So, now we say, "What now?" So, what now
18 for some people? The final days of the Inquiry will
19 provide closure. But, for many, it's just the beginning.
20 For many, if the Inquiry's report accurately reflects the
21 concerns of the families and the communities, the report
22 will be a first step in the journey of healing, truth and
23 reconciliation.

24 It is not enough to simply repeat our
25 stories, saying "you heard us". We need action. If no

1 deep change comes from this Inquiry, the shameful legacy
2 of Canada's treatment of Indigenous women and girls will
3 continue, and we have had enough.

4 The questions that we have for you today
5 are for now what? Where do we go from here? We ask the
6 Commissioners to do everything they can to make bold
7 recommendations to ensure that the recommendations in the
8 reports are implemented in a timely, thorough and urgent
9 manner.

10 We ask that this Inquiry continue to
11 recognize the various complex causes for marginalization,
12 deeply consider the role of the state that creates and
13 maintains these vulnerabilities of Indigenous women and
14 girls, and inspire all levels of government to afford not
15 just basic but the very best quality of rights for
16 Indigenous women and girls. And, most of all, the utmost
17 importance, to recast Indigenous women and girls as
18 valuable members of Canadian society that uphold positions
19 of high regard, including us as givers of life.

20 The Canadian state has been perpetuating
21 violence against Indigenous women and girls since contact.
22 This is a position that the state has benefitted from,
23 stealing our lands, territories and resources, and this
24 violence at a state and individual level continues every
25 day.

1 We call upon this Inquiry to hold the
2 government accountable for these gross acts of injustices,
3 and purposeful marginalization and exclusion.

4 We ask all those who are witnessing today,
5 and those that are on the webcast that are joining us
6 through the livestream, we ask the people to continue to
7 speak their truths. It is going to take generations to
8 turn this around, but it starts with each one of us today
9 that are in this room that have shared their stories and
10 that went through all of these tragedies. The young girl
11 in the video that spoke in the video said, "Speak your
12 truth and we are strong. We can turn this around," but
13 it's going to start with each one of us.

14 And, we want to be able to create those
15 safe places and clear the path for all of our people who
16 came here today and have the right, the basic human right,
17 to feel safe and not be violated, and not have sexual
18 abuse or any kind of violence or murder perpetuated upon
19 them. That is the right to life that we have, the right
20 to human rights as an individual. Any person has those
21 rights.

22 Canada has those seven covenants from the
23 United Nations. It took a country to monitor and watch
24 what Canada is doing to say, "You're not treating your
25 Indigenous people right. You need to change that."

1 Whereas the Indigenous people have been saying that since
2 contact. This has to change. This has to start from the
3 very highest level of government to the person, the
4 public, the citizenry that are on the streets, because
5 they need to understand this is not just an Indigenous
6 problem. This is all of our problem because we've steered
7 so far away from what being human is about, what being a
8 human being is about.

9 In our teachings as Indigenous people,
10 that's one of the greatest teachings, is we strive to be
11 human beings. We strive to follow Creator's path that he
12 set out for us, and we need to all be able to encourage
13 everyone to listen to one another, and to continue to
14 fight for justice.

15 For the ones that were murdered, our
16 sisters and brothers, I will add, and also for those ones
17 that are experiencing it right now, right this minute in
18 Canada, and that are going to be experiencing it because
19 it happens every single day, almost every minute of the
20 day our women are experiencing this and our girls are,
21 too, that's the cycle we need to end, Commissioners, and I
22 really pray and hope you've listened to those words to
23 take the bold action against Canada as a state government,
24 continuing to oppress our people and say, "Enough Canada.
25 Give recognition to the people, the Indigenous people, and

1 return their lands," so we can be independent again, not
2 dependent on the government, which they made us.

3 They created programs and services, and
4 they created reserves, and they created that we are wards
5 of government. We didn't create any of that. It was the
6 state that created that so that they could have access to
7 our lands and resources and displace us. And, they placed
8 us on reserves. They thought that we would become extinct
9 or extinguish us, but we're still here and we're going to
10 continue to be here, and I really -- I appreciate that we
11 have that foundation of the teachings and the practises
12 and our language and our culture, because that's our
13 bedrock and our foundation. Thank you.

14 **MS. CHRISTA BIG CANOE:** Chief Commissioner
15 and Commissioners, did you have any questions? Yes.

16 **COMMISSIONER QAJAQ ROBINSON:** I do. Just
17 one. First, thank you very much for your testimony, and I
18 look forward to reading the full submissions. We've heard
19 from witnesses, and you've reiterated the importance of
20 the implementation of the U.N. Declaration of Rights of
21 Indigenous Peoples, and I would very much like a copy of
22 that ledger outlining the process that you believe needs
23 to be followed.

24 I tried looking online and I couldn't find
25 it, but if we could get a copy of that, that would be

1 fantastic. ...

2 **KUPKI7 JUDY WILSON:** Thank you.

3 The report was -- the embargoed report was
4 released Thursday, so it's actually just coming out.
5 It'll be released, I believe, Tuesday, and there will be a
6 press release as well. And we'll make sure that the
7 Commissioners receive a copy because it's a really
8 fundamental piece on implementation of the UN Declaration.

9 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

10 And just sort of to follow up, we've heard
11 from a number of witnesses how foundational implementation
12 of the UN Declaration is to addressing this national
13 crisis.

14 Is that something that you would support as
15 it being foundational and a key -- like a big step?

16 **KUPKI7 JUDY WILSON:** The UN Declaration is
17 key because it talks about our -- not only our free, prior
18 and informed consent as indigenous people, but it also
19 talks about our self-determination, so there's many, many
20 clauses in there, including the protection of our women --
21 indigenous women and girls. But without having self-
22 determination and free, prior and informed consent, -- we
23 need to have that as well.

24 That's why we've always been calling upon
25 the governments to fully implement without qualification

1 the entire UN Declaration. And that was also in the 94
2 calls to action of the Truth and Reconciliation Report as
3 well.

4 **COMMISSIONER QAJABQ ROBINSON:** Those are
5 all my questions. Thank you very much.

6 **COMMISSIONER MICHÈLE AUDETTE:** Merci
7 beaucoup, Chef Wilson.

8 Him and I are -- we're very listening and
9 the beauty of the image I had when you were talking, it's
10 we're doing this for him and for all our babies. So it
11 was an honour to carry your grandchild during your
12 presentation.

13 But also, I'm anxious to have the written
14 and very, very sensitive about the recommendation that you
15 are presenting on behalf of your organization, by the way,
16 an organization that is very involved.

17 We echo your -- we hear the echo of your
18 drum or your demonstration even in Quebec, just so you
19 know that it's very powerful.

20 And of course, I have to say thank you for
21 your -- how do we say in English -- you were transparent,
22 honest about what went wrong or what could have been
23 better through this process, and that -- I acknowledge
24 that. Merci beaucoup, beaucoup, beaucoup.

25 And of course, there will be other

1 recommendations from other groups or representative, and
2 it's going to be a tough exercise to see what do we
3 present.

4 So I hope the dialogue will still be open
5 with you if we have any further question or which one we
6 should, you know, put or how we should be strategic to
7 make sure that it's effective for all of us.

8 Merci beaucoup, beaucoup, beaucoup.

9 **KUPKI7 JUDY WILSON:** I just wanted to say I
10 guess I adopted a grandson. It's actually Jody's
11 grandson, but what do you say, publicly now I guess I got
12 another grandson.

13 I have one grandson, Quinn Wilson, and my
14 husband, William Wilson, and my daughter, Maria Wilson and
15 Hannah, or Jeffrey Wilson.

16 So yeah, I just wanted to say I guess we
17 share a grandson now.

18 **CHIEF COMMISSIONER MARION BULLER:** Chief
19 Wilson, thank you so much. And thank you to your
20 supporters and the beautiful song. It was a great way to
21 start.

22 You've inspired us with your words today,
23 being a wonderful leader yourself, so thank you again.

24 (CEREMONIAL DRUMMING)

25 **MS. CHRISTA BIG CANOE:** Chief Commissioner

1 and Commissioners, at this time we would like to request a
2 one-hour lunch break. It is now 12:10, so if we could
3 reconvene at 1:10 to call the next party with standings to
4 make their submissions, that would be appreciated.

5 **CHIEF COMMISSIONER MARION BULLER:** Yes,
6 1:10, please.

7 --- Upon recessing at 12:13

8 --- Upon resuming at 13:13

9 **MS. CHRISTA BIG CANOE:** I'm going to ask
10 that you please take your seat. We will be getting
11 started in a moment.

12 Just so everyone's everyone, the next party
13 will be presenting en français, in French, so there are
14 headsets so that you can get the full translation if you
15 require it just at the back of the room. So if you want
16 to grab a translator if you require it, that would be
17 helpful, and we'll be getting started in just a couple
18 minutes.

19 (SHORT PAUSE/COURTE PAUSE)

20 **MS. CHRISTA BIG CANOE:** Bonne après-midi,
21 les avocats de la Commission aimerais inviter Me Wina
22 Sioui et Me Philippe Larochelle pour présente les
23 observations finales de l'Assemblée des Premières Nations
24 Québec-Labrador. Ils vont 40 minutes pour présenter les
25 observations finales.

1 --- SUBMISSIONS BY MS. WINA SIOUI:

2 **MS. WINA SIOUI:** Bonjour. You all have
3 your head sets because I think you'll need it.

4 Donc, j'aimerais d'abord reconnaître le
5 territoire des Nations du traité numéro 7 ainsi que celui
6 de la nation Métis de la région. Nous les remercions de
7 nous accueillir aujourd'hui, afin que l'on puisse livrer
8 nos représentations finales afin de contribuer à la
9 clôture des travaux de l'Enquête nationale.

10 Nous soulignons d'abord le courage et la
11 détermination de celles qui sont venues livrer des
12 témoignages troublants et accablants, mais oh combien
13 importants d'être partagés devant vous dans le cadre de
14 vos travaux.

15 Nous soulignons aussi tout l'amour porté
16 par les familles envers leurs proches et puis nous
17 souhaitons remercier les aînés, les grand-mères, Madame la
18 commissaire en chef, mesdames et messieurs les
19 commissaires, l'équipe de procureurs de la Commission
20 ainsi que toute la précieuse équipe derrière l'Enquête
21 nationale, incluant l'équipe de soutien moral et
22 émotionnel et l'équipe de traduction, aussi, qui m'a
23 d'ailleurs mentionné de ne pas parler trop vite, donc je
24 vais m'adapter [Rires], alors sans qui toute cette
25 merveilleuse équipe, on ne serait pas ici aujourd'hui.

1 Alors, merci!

2 Donc, je me nomme Wina Sioui, je suis une
3 femme, membre des Premières Nations, mais principalement,
4 je suis une Huronne Wendat et membre de la nation aussi,
5 de la communauté Anishnabeg, Abitibiwinini, qu'on appelle
6 aussi Pikogan. Je suis avocate conseil et je représente
7 l'Assemblée des Premières Nations du Québec Labrador, qui
8 est une partie ayant intérêt pour agir devant vous.

9 Alors, je suis l'ainée de l'un des deux
10 frères Sioui de l'arrêt *Sioui* qui a été rendu de façon
11 unanime par la Cour suprême du Canada en 1990, ça fait
12 déjà un bon moment, mais cette décision-là es d'une grande
13 importance, elle concerne la validité, les règles
14 d'interprétation des traités préconfédératifs, ainsi que
15 l'importance de la relation de nation à nation.

16 Si je vous parle de cette décision-là,
17 c'est notamment pour introduire mon collègue, Me Philippe
18 Larochelle, qui m'accompagne aujourd'hui et qui va vous
19 livrer une partie de notre présentation un peu plus tard.
20 Me Larochelle n'est pas étranger à la défense et à
21 l'avancement des droits des Premières Nations, son père a
22 justement été l'un des acteurs clés ayant mené à la
23 victoire en Cour suprême dans la cause *Sioui*. Mais c'est
24 aussi en raison de son expertise en droit international
25 que la décision de s'allier avec Me Larochelle a été prise

1 tout naturellement. Je vais lui laisser évidemment le soin
2 de se présenter lui-même lorsque son tour sera venu, mais
3 sachez que vous avez devant vous deux guerriers qui sont
4 alliés, qui se sont alliés afin de poursuivre une bataille
5 amorcée depuis longtemps pour la défense et la protection
6 des droits des Premiers Peuples, un intérêt que l'on peut
7 qualifier, pour Me Larochelle et moi, comme étant
8 intergénérationnel entre deux alliés.

9 Alors, comme je vous l'ai mentionné, nous
10 allons vous adresse à vous aujourd'hui au nom de
11 l'Assemblée des Premières Nations Québec-Labrador. Donc,
12 qui est l'APNQL, l'Assemblée des Premières Nations Québec-
13 Labrador? Rapidement, l'APNQL a été créée en 1985, elle
14 est composée de l'Assemblée des Chefs, d'un bureau
15 administratif et de commissions régionales. L'Assemblée
16 des Chefs est composée justement des chefs et des grands
17 chefs des 43 communautés des Premières Nations qui sont
18 situées au Québec et au Labrador. Ces 43 communautés des
19 Premières Nations sont réparties dans 10 nations au
20 Québec. Je vais vous les nommer : les Abénaquis, les
21 Algonquins ou encore les Anishnabés, les Atikamekw, les
22 Cris ou les Eeyous, les Hurons-Wendat, les Malécites, les
23 Mi'gmaq, les Mohawks ou encore les Kanyen'kehà:ka, les
24 Innus et les Naskapis.

25 Les chefs en assemblées élisent pour un

1 mandat de trois ans le chef de l'APNQL. Le chef actuel est
2 M. Ghslain Picard et il est en poste depuis 1992.

3 Donc, bien que l'APNQL soit évidemment
4 grandement préoccupée par la situation qui existe au
5 Canada tout entier, vous comprendrez qu'elle est d'abord
6 interpellée par la situation propre au Québec. Alors, le
7 rôle de l'APNQL dans le cadre de vos travaux, des travaux
8 de l'enquête nationale, est donc d'apporter sa
9 contribution afin de vous aider à remplir le mandat qui
10 vous a été confié, l'important mandat qui vous a été
11 confié, en apportant un éclairage particulier sur la
12 situation qui est propre au Québec.

13 Alors justement, pour ce qui concerne le
14 Québec, vous avez sans aucun doute, certainement, y'a une
15 autre commission d'enquête qui en cours en ce moment, qui
16 est en cours au Québec, et elle poursuit ses travaux de
17 façon parallèle à ceux de la présente enquête nationale.
18 Cette commission se nomme la Commission d'enquête sur les
19 relations entre les Autochtones et certains services
20 publics au Québec. On l'appelle aussi la Commission Viens,
21 c'est le nom de son commissaire, le commissaire Jacques
22 Viens.

23 Alors, la Commission Viens a été mise en
24 place en décembre 2016 afin - là, je cite une partie du
25 décret qu'il a mis en place - « d'identifier les causes

1 sous-jacentes à toute forme de violence, de discrimination
2 systémique et de traitements différents qui pourraient
3 exister à l'égard des Autochtones ». On comprend qu'elle
4 vise, donc, des enjeux très similaires à la présente
5 enquête nationale.

6 La Commission Viens vise particulièrement,
7 elle, six services publics au Québec, incluant les
8 services policiers, et c'est important de mentionner les
9 services policiers et c'est important de mentionner les
10 services policiers parce que c'est principalement le
11 service public qui était visé à l'origine et qui a mené à
12 la création de la Commission Viens. Le rapport final de la
13 Commission Viens devra être présenté, lui, le 30 septembre
14 2019. L'APNQL, vous comprendrez, qu'elle a également
15 obtenu le statut d'intervenante devant la Commission Viens
16 et nous devons déposer notre mémoire dans les prochains
17 jours, le 30 novembre prochain. Les audiences finales,
18 elles, auront lieu le 13 décembre à Val-d'Or. C'est la
19 raison pour laquelle on est ici cette semaine à Calgary.

20 Alors, juste pour vous donner une idée de
21 ce que représente la Commission Viens, je vais vous donner
22 quelques chiffres, quelques chiffres en vrac, c'est des
23 approximations, mais ça donne une bonne idée de la bête.

24 Alors, plus de 500 témoins ont été
25 entendus, plus de 1 000 pièces ont été déposées au cours

1 de plus de 150 audiences, journées d'audience - pardon -
2 qui ont généré plus de 25 000 pages de transcription.
3 C'est énorme. De nombreux grands chefs et chefs du Québec
4 y sont intervenus. Ils y ont livré des témoignages quant à
5 leurs préoccupations et les difficultés vécues à l'égard
6 des relations avec les services publics du Québec. Ils y
7 ont également présenté leurs recommandations. Plusieurs
8 commissions de l'APNQL ont également contribué aux travaux
9 de la Commission Viens. Les témoignages et l'ensemble de
10 la preuve faite devant la Commission Viens a révélé
11 l'ampleur du gouffre à surmonter avant que les membres des
12 Premières Nations puissent recevoir des services publics
13 de qualité et qui soient exempts de discrimination, de
14 préjugés, de racisme, et qui soient financés de manière
15 adéquate et satisfaisante.

16 On a pu également constater le nombre
17 anormalement élevé d'allégations d'actes criminels et on
18 inclut ici des agressions sexuelles, des abus de pouvoir
19 de toutes sortes visant des policiers, notamment de la SQ
20 - la Sûreté du Québec - à l'encontre de femmes des
21 Premières Nations de Val-d'Or, et d'ailleurs, au Québec.

22 La Commission Viens apporte donc, selon
23 nous, un éclairage important qui est en quelque sorte
24 absent ici et qu'on va tenter de digérer un peu pour vous
25 puis de vous le replacer dans des mots plus simples et

1 peut-être plus concis pour qu'il fasse partie des travaux
2 de la présente enquête. Alors, c'est un peu le défi qu'on
3 va mettre dans notre mémoire.

4 Mais, voici rapidement ce qui s'est passé
5 qui a mené à la... en place... et qui a mené à la mise en
6 place de la Commission Viens. Alors, vous avez sûrement
7 déjà entendu parler du premier reportage de l'émission
8 *Enquête* de Radio-Canada qui a été parue... qui a paru -
9 pardon - en 2015. Ce reportage a ramené à l'avant-scène
10 les dénonciations justement des femmes des Premières
11 Nations contre des policiers de la SQ. Alors, à l'époque,
12 on se replace en 2015, on visait les dénonciations des
13 femmes de Val-d'Or ou contre... plus particulièrement,
14 contre des policiers de la région de Val-d'Or.

15 À ce moment-là, quand l'émission *Enquête* a
16 paru, on a fait face à une véritable onde de choc. Ça l'a
17 soulevé un mouvement de soutien collectif. Pourquoi? Face
18 au courage et à la détermination de celles qui ont osé
19 dénoncer et qui ont vu leur réputation attaquée et qui
20 considèrent, pour plusieurs, considèrent toujours
21 aujourd'hui ne pas avoir obtenu justice.

22 Mais qu'est-ce qui a été fait face à ces
23 multiples dénonciations à l'encontre des policiers de la
24 SQ? Qu'est-ce qui s'est passé? Qu'est-ce qu'on a fait au
25 Québec? Eh bien, dès le lendemain du reportage d'*Enquête*,

1 le ministère de la Sécurité publique a confié la
2 responsabilité des enquêtes à un autre corps de police, le
3 SPVM - c'est le Service de police de la ville de Montréal.
4 Parce que je vous rappelle que les enquêtes qui étaient
5 alors actives avaient été jusqu'alors gardées à l'interne,
6 au sein de la SQ. Alors, c'était la SQ qui enquêtait sur
7 la SQ - situation qui a été décriée - et la solution qui a
8 été présentée, c'était de confier les enquêtes à un autre
9 poste de police - comme je viens de le dire, le SPVM.

10 Alors, on se retrouve maintenant en
11 novembre 2015. Pour tenter de gagner la confiance du
12 public, le Québec a nommé Me Fannie Lafontaine, une
13 experte en droit international, afin d'agir à titre
14 d'observatrice civile et indépendante pour suivre le
15 déroulement des enquêtes du SPVM.

16 C'est à la suite du deuxième reportage de
17 Radio-Canada, qui est paru en avril 2016, que le mandat du
18 SPVM a été élargi, non plus seulement à la région de Val-
19 d'Or, mais à l'ensemble du Québec. Alors, ça l'incluait
20 maintenant toutes les plaintes provenant d'un Autochtone
21 et visant un policier membre d'un corps policier du
22 Québec, à l'exception du SPVM, bien sûr. Et qu'est-ce
23 qu'elle a fait, Me Lafontaine? Eh bien, elle a observé le
24 travail des policiers enquêteurs du SPVM afin d'examiner
25 et d'évaluer l'intégrité et l'impartialité de leurs

1 enquêtes.

2 Le 15 novembre 2016, Me Lafontaine rendait
3 son premier rapport. Ce premier rapport, on dit qu'il... qui
4 vise la phase 1 des enquêtes, parce qu'il y a deux phases
5 aux enquêtes de Me Lafontaine. La phase 2 est toujours en
6 cours, elle n'est pas terminée. Alors, Me Lafontaine va
7 pouvoir rendre le rapport de sa phase 2 lorsque les
8 enquêtes seront terminées et qu'elle aura terminé de
9 rédiger son rapport. Le rapport sur la phase 1 est public
10 ; on va aussi le déposer en vertu de la règle 33 de vos
11 procédures.

12 Mais cette phase, elle, vise 38 dossiers
13 d'enquête; des dossiers d'enquête qui se sont déroulés...
14 les enquêtes ont eu lieu entre le 23 octobre 2015 et le
15 5 avril 2016. Alors, la phase 2 suit le 5 avril 2016
16 jusqu'à aujourd'hui.

17 Donc, on se demande : si on lit le rapport
18 de Me Lafontaine et on regarde ses conclusions, on devrait
19 bien trouver là toutes les solutions pour régler les
20 problèmes, éradiquer la discrimination, le racisme
21 systémique. Donc, on lit avec grand enthousiasme son
22 rapport... mais savez-vous quoi? Eh bien, le travail
23 n'aurait pas été mal fait - c'est ce qu'on lit, dans le
24 rapport. Les règles du processus d'enquête policière
25 auraient bel et bien été suivies, les règles auraient été

1 respectées par les enquêteurs du SPVM.

2 Alors, j'aimerais, à ce moment-ci, vous
3 lire un extrait de son rapport, qui résume bien la
4 situation. Donc, ça va comme suit :

5 « Cela étant dit, une enquête
6 criminelle classique a des objectifs
7 limités, soit de déterminer si un
8 acte criminel a été commis et
9 d'identifier un ou des responsables.
10 Il y a peu ou pas de place pour
11 l'identification de chaînes de
12 comportements ou pour l'explication
13 des causes sous-jacentes à un
14 phénomène qui n'est documenté que de
15 façon fragmentaire au gré des
16 plaintes individuelles formulées.
17 L'enquête du SPVM ne peut donc être
18 qu'un élément de réponse à une
19 profonde crise sociale marquée par
20 des enjeux plus collectifs et plus
21 systémiques. En situation de crise,
22 l'enquête criminelle est nécessaire,
23 mais elle est insuffisante. La
24 justice, dans ce contexte, ingrédient
25 essentiel à la réconciliation, doit

1 être rendue tant au plan individuel
2 qu'au plan collectif, via des mesures
3 complémentaires au processus
4 criminel.»

5 Me Lafontaine nous dit aussi, dans son
6 rapport, que les plaintes des femmes autochtones de Val-
7 d'Or et d'ailleurs servent de catalyseur à un mouvement de
8 dénonciation, de solidarité et, surtout, de refus de
9 laisser perdurer des situations d'injustice -et là, et
10 j'ajoute, qui perdurent depuis beaucoup trop longtemps.

11 Je poursuis la citation :

12 « Ces témoignages qui brisent le
13 silence ne sont pas vains, même
14 lorsqu'ils ne mènent pas à la
15 responsabilisation pénale
16 individuelle d'un policier pour des
17 raisons propres au système pénal, qui
18 ne remettent aucunement en question
19 la véracité de l'histoire vécue. »

20 Donc, Me Lafontaine nous dit ici que ce
21 n'est pas parce que le DPCP, par exemple, le Directeur des
22 poursuites pénales et criminelles ne dépose pas de
23 plainte, ne traduit pas le dossier d'enquête, ne le porte
24 pas devant les tribunaux, ce n'est pas parce que la
25 décision a été faite de ne pas poursuivre au niveau du

1 tribunal que l'histoire est fausse, au contraire. Me
2 Lafontaine, justement, ici, réfère à l'annonce qui a été
3 faite par le Directeur des poursuites criminelles et
4 pénales en novembre 2016, qui confirmait la décision de ne
5 porter aucune accusation contre les policiers de Val-d'Or
6 visés par les dénonciations initiales.

7 Donc, le problème n'est pas tant dans la
8 façon de mener les enquêtes; il est donc ailleurs. Nous,
9 on croit qu'il est beaucoup plus dans les mentalités à
10 changer et aussi dans un processus qui n'est tout
11 simplement pas adapté aux réalités et aux cultures des
12 Premières Nations.

13 À titre d'exemple de mentalité à changer,
14 je vais vous donner un exemple qui, je pense... je vais
15 juste le dire puis je suis certaine que vous l'avez tous
16 en tête : la situation du port des bracelets rouges par
17 les policiers de la SQ en réaction aux dénonciations des
18 femmes de Val d'Or. Faut-il rappeler que cette représaille
19 par la SQ a été perçue certainement pas comme un geste
20 dans la bonne direction, un beau geste de réconciliation -
21 évidemment que non. Ça a été perçu comme un geste
22 d'intimidation pur et dur contre les Premières Nations.

23 Je pourrais aussi citer, à titre d'exemple,
24 le refus de la direction de la SQ d'admettre quelque faute
25 ou d'offrir quelque excuse que ce soit aux victimes et aux

1 survivantes ou à leur famille ou à leurs proches.

2 Donc, dans le cadre de la présente
3 commission, vous avez entendu plusieurs témoignages de
4 survivantes, de victimes, de familles, en plus des
5 témoignages, par exemple, de nombreux policiers à travers
6 le Canada qui nous permettent de conclure que la situation
7 qui est décrite dans le mémoire... pardon, dans le rapport
8 de Me Lafontaine n'est pas exclusivement réservée au
9 Québec, elle semble être bien généralisée à travers le
10 Canada.

11 Me Lafontaine a identifié la situation ;
12 elle a mis le doigt dessus, elle n'a pas eu peur des mots.
13 Elle a fait clairement le constat que l'on fait face à, et
14 je cite encore une partie de son rapport, on fait face à
15 quoi?

16 « à l'existence d'un racisme
17 systémique au sein des institutions
18 policières du Québec. »

19 Et là-dessus, j'aimerais apporter une
20 petite précision. Comme nous le rappelait la professeure
21 Suzie Basile, la professeure attikamek Suzie Basile devant
22 la Commission Viens, elle nous disait que les femmes des
23 Premières Nations sont quant à elles victimes d'une double
24 discrimination : d'abord, ce sont des femmes puis elles
25 sont autochtones. Alors, mettez-le dans l'ordre que vous

1 voulez, les deux éléments mis ensemble, double
2 discrimination. Elles ont aussi subi les contrecoups du
3 colonialisme, du racisme, du sexisme

4 . Alors, il semble qu'ultimement, la seule
5 façon d'éradiquer le fléau -et je dis bien le fléau - que
6 représente le racisme systémique, ça doit passer à travers
7 ou par l'éducation de la société tout entière.

8 Et ça ne repose pas seulement sur la
9 formation des policiers, par exemple ; oui, c'est très
10 important, c'est urgent, même, que les policiers soient
11 sensibilisés et formés aux réalités et aux cultures des
12 Premières Nations, mais ce n'est pas suffisant. Pour
13 éradiquer le racisme systémique, il faut, de manière
14 profonde et urgente, viser l'ensemble de la population,
15 afin que les cultures des Premières Nations soient
16 valorisées, reconnues, ce qui implique d'être connues, à
17 leur juste valeur.

18 Alors, on retient quoi, du rapport de Fanny
19 Lafontaine? C'est que même si on avait les meilleures
20 recommandations au monde et leur meilleure mise en œuvre
21 au monde, si on ne réussit pas à changer les mentalités,
22 on fait du sur-place, on n'avance pas.

23 Le mémoire de l'APNQL que nous allons vous
24 déposer en décembre contiendra certainement des
25 recommandations qui vont viser notamment à retravailler

1 l'offre des policiers, par exemple, mais qui vont aussi
2 tendre à s'attaquer aux attitudes racistes dans toutes les
3 sphères de la société.

4 J'arrive maintenant à l'après-enquête.
5 Donc, qu'est-ce qu'on veut retenir... une fois que l'enquête
6 va être terminée, qu'est-ce qui va rester? Qu'est-ce qu'on
7 va faire après, la suite, donc? Parce que toutes les
8 recommandations ne seront pas suffisantes. Oui, il faut
9 changer les mentalités, il faut aussi penser aux victimes,
10 ne jamais les oublier.

11 Et c'est pourquoi, dans nos réflexions, Me
12 Larochelle et moi et les réflexions de l'APNQL, nos
13 réflexions, justement, ont été motivées par deux axes
14 principaux pour la recherche de solutions. Le premier,
15 c'est un souci constant de faire en sorte que les victimes
16 et les survivantes soient replacées au premier plan ;
17 c'est le premier axe.

18 Le deuxième ; on était... on a été... on a
19 réfléchi de quelle façon on peut faire en sorte ou on peut
20 faire tout ce qui est en notre possible pour que le
21 rapport de l'Enquête nationale ne soit pas tabletté et
22 qu'il n'accumule pas la poussière comme tous les autres
23 qui sont déjà d'excellents rapports, mais qui sont sur les
24 tablettes du Parlement, qui accumulent eux aussi... pas eux
25 aussi, mais qui accumulent de la poussière et qui

1 contiennent d'excellentes recommandations?

2 Alors, face à ces constats, qu'est-ce qu'on
3 peut faire? Ou plutôt, que pourriez-vous faire de plus
4 pour les victimes? C'est pourquoi on a pensé qu'en plus
5 des recommandations à faire, une partie de la solution
6 C'est pourquoi on a pensé que, en plus des recommandations
7 à faire, une partie de la solution pourrait peut-être se...
8 ça pourrait peut-être être de se tourner vers le droit
9 international.

10 Et c'est ici que je vais laisser la parole
11 à mon collègue, Maître Philippe Larochelle, qui va vous
12 présenter le fruit de nos réflexions à ce sujet. Je vais
13 revenir un petit peu à la fin pour... je sais qu'on n'a pas
14 beaucoup de temps, mais pour faire une courte conclusion.

15 Alors, je vous reviens. Je cède la parole à
16 Maître Larochelle.

17 **Me PHILIPPE LAROCHELLE:** Madame la
18 commissaire en chef, Mesdames et Messieurs les
19 commissaires, merci de nous accueillir ici, c'est un
20 honneur pour moi d'être devant vous.

21 Mon nom est Philippe Larochelle. Je suis
22 avocat à Montréal et j'arrive à vous par un chemin un peu
23 détourné, celui du Rwanda, où j'ai vécu un autre génocide
24 pendant plusieurs années, où j'ai eu la chance de côtoyer
25 de nombreuses victimes, de nombreux survivants, de

1 nombreuses survivantes, et j'ai pu voir de première main
2 les effets dévastateurs que le génocide a pu avoir sur ce
3 pays, et je dois dire que le travail de préparation et le
4 travail avec Me Sioui m'a, je le confesse, ouvert les yeux
5 sur une tragédie dont je n'avais pas réalisé l'ampleur et
6 la persistance. Et c'est fort de mon expérience et de mes
7 connaissances en droit international que j'ai essayé bien
8 humblement de penser à quelque chose que vous pourriez
9 peut-être faire pour aller plus loin au niveau du droit
10 international avec les victimes.

11 J'ai très peu de temps, mais je vais quand
12 même retourner un peu dans le temps pour voir d'où
13 j'arrive et où je pense que nous pourrions aller en droit
14 international. Je pense... et on a fait circuler hier
15 quelques documents que vous devriez normalement avoir en
16 votre possession.

17 Je tiens à souligner que la question du
18 droit international fait partie des thèmes que vous
19 mentionnez dans vos axes d'enquête, c'est le thème 1(d).
20 Plus précisément, un objectif que vous poursuivez, selon
21 ma compréhension, c'est de « relier la violence au Canada
22 aux cadres autochtones et aux cadres des droits humains à
23 l'échelle mondiale ».

24 Le droit international s'est déjà invité
25 dans toute la problématique. Je pense que si on prend le

1 premier document qui est celui du 30 mars 2015, le
2 document du 30 mars 2015 est un rapport d'enquête du
3 Comité pour l'élimination de la discrimination à l'égard
4 des femmes. C'est un rapport d'enquête, c'est une enquête
5 qui avait été initiée en 2011 à la suite de plusieurs
6 demandes qui émanaient du Canada à la suite de visites
7 d'experts du Comité au Canada et qui amené à ce document
8 que j'estime, moi, être fort important et qui contient à
9 la fin 37 recommandations qui peuvent certainement vous
10 aider à formuler vos propres recommandations à la fin de
11 cet exercice.

12 Et pourquoi je tiens à attirer votre
13 attention sur ce rapport, c'est qu'il conclut au
14 paragraphe 214... en fait, là j'essaie de sauver du temps
15 parce que je me rends compte que je suis un peu pressé par
16 le temps, mais avant d'aller au paragraphe 214, vous
17 pouvez passer par le paragraphe 94. Le paragraphe 94 -
18 malheureusement le document n'existe qu'en anglais, donc
19 je préviens à l'avance les traducteurs que je vais sauter,
20 et d'ailleurs, traducteurs auprès de qui je m'excuse si je
21 vais trop vite -, mais ce document, ce rapport d'enquête
22 au paragraphe 94 - je le lis, il dit ceci :

23 « With the aim of analyzing all
24 aspects of violence of Aboriginal
25 women, including missing and murdered

1 Aboriginal women, the findings of fact
2 section covers the vulnerability of
3 Aboriginal women to violence due to
4 the legacy of colonization, their
5 disadvantage, socio-economic
6 situation, their reluctance to seek
7 help from the authorities for fear
8 that their children would be placed in
9 foster care, and their vulnerability
10 to prostitution and trafficking. It
11 also covers the high levels of
12 violence faced by Aboriginal women
13 from within and outside their
14 community, and the response of the
15 police and the justice system. »

16 Y'a 100 paragraphes de ce rapport qui
17 détaillent les conclusions de fait de cette commission
18 d'enquête. Je vous en conjure, relisez-les avant de
19 rédiger votre rapport puisque ces « Findings of fact »,
20 ces conclusions factuelles sont importantes et sont
21 encore, trois ans plus tard, d'actualité. La preuve, ce
22 que j'ai vu, ce que j'ai entendu de vos travaux reflète le
23 fait que ces conclusions de fait sont encore d'actualité
24 aujourd'hui.

25 Et à partir de ces conclusions de fait, si

1 vous allez au paragraphe 214, en fait le paragraphe 214 et
2 215 sont en quelque sorte les conclusions du Comité
3 d'enquête, et il arrive... il conclut à la violation de
4 nombreuses dispositions de la Convention sur l'élimination
5 de la discrimination à l'égard des femmes, mais surtout,
6 ce qui est très important, vous allez comprendre, pour la
7 suite de ma discussion, c'est qu'il conclut, il attribue
8 le qualificatif de « violation grave ». Donc, ce ne sont
9 pas des violations banales ou anodines, le Comité n'hésite
10 pas à aller plus loin et a considéré que ces violations
11 sont « graves », qualificatif qui peut être accolé à des
12 violations en vertu du Protocole additionnel à la
13 Convention sur l'élimination de la discrimination à
14 l'égard des femmes.

15 Ce Protocole additionnel, je vous en ai
16 aussi distribué une copie, c'est le deuxième document que
17 vous auriez normalement... que vous devriez avoir dans votre
18 pile, et ce Protocole a été ratifié par le Canada. Ce
19 Protocole est important parce qu'il prévoit tout d'abord
20 le mécanisme d'enquête en vertu duquel le rapport auquel
21 je viens de référer a été rendu, mais il prévoit aussi -
22 chose que je tiens à souligner -, il prévoit aussi à son
23 article 2 une procédure de pétitions individuelles, et
24 c'est vers cette procédure de pétitions individuelles que
25 je m'en vais tranquillement dans les 12 minutes qu'il me

1 reste, procédures de pétitions individuelles qui doivent,
2 suivant l'article 4 du même Protocole, faire une
3 démonstration de l'épuisement de recours internes. Donc,
4 si vous êtes familier avec le droit international, vous
5 connaissez peut-être ce concept.

6 Là où je veux vous amener, c'est à
7 considérer dans votre rapport le fait que, pour les
8 victimes qui pourraient être encore insatisfaites parce
9 que leur voix... elles considèrent que leur voix n'a pas été
10 assez entendue, pour les survivants qui sont encore sur le
11 chemin d'une guérison et qui espèrent encore plus que le
12 simple fait d'être entendus, la voix de pétitions
13 individuelles permet pour une personne de s'adresser
14 directement, de faire directement une plainte pour les
15 préjudices qu'elle a subis contre le Canada.

16 À partir de la preuve que vous avez reçue,
17 à partir également d'autres conclusions que l'on trouve
18 dans les documents qui émanent du Comité de la... du Comité
19 responsable de l'élimination de la discrimination à
20 l'égard des femmes, je pense que vous pourriez inclure
21 dans votre rapport final un paragraphe ou une section -
22 une section, puisque c'est une démonstration relativement
23 complexe à faire -, une section qui détaillerait en quoi
24 le Canada n'offre pas de remède interne efficace à ses
25 victimes.

1 Quelle serait l'utilité de cet exercice, si
2 vous acceptez de vous y prêter? L'utilité de cet exercice
3 sera de sauver cette démonstration onéreuse à chacune des
4 personnes qui désirent poursuivre le combat devant le
5 Comité pour l'élimination de la discrimination à l'égard
6 des femmes. Elle pourrait s'appuyer... vous pourriez... votre
7 rapport servirait de plateforme pour ces personnes pour
8 qu'elles puissent s'adresser directement au Comité et
9 faire les plaintes qu'elles estiment nécessaires pour les
10 violations qu'elles ont elles-mêmes vécues.

11 Donc, c'est quoi, des recours internes?
12 Évidemment, j'ai fait des dossiers devant le Comité contre
13 la torture et devant d'autres comités dans le système
14 interaméricain et le système africain, c'est... les recours
15 internes sont systématiquement opposés par les États qui
16 font face à des plaintes devant les instances
17 internationales. Notre mémoire va détailler davantage
18 évidemment notre pensée à ce sujet, va référer à la
19 jurisprudence qui vous permettrait éventuellement de
20 poursuivre la réflexion, si vous désirez aller plus loin
21 sur ce chemin, mais je pense que ça serait une piste
22 intéressante à offrir aux victimes de votre part pour
23 qu'elles puissent continuer après.

24 Quoi qu'il en soit, quelques mots sur la
25 question de l'épuisement des recours internes, les recours

1 internes, pour être valablement opposés à une plaignante,
2 doivent être : disponibles, suffisants et effectifs.

3 Pourquoi j'ai attiré votre attention tout à
4 l'heure sur le paragraphe 214 du document de 2015, c'est
5 que y'a une exception à l'épuisement des recours internes
6 dans la jurisprudence lorsque les violations qui sont
7 alléguées sont graves, sont qualifiées de graves comme le
8 fait précisément le Comité. Donc, vous avez déjà une
9 première piste pour argumenter que l'épuisement des
10 recours internes ne peut pas être opposé aux victimes et
11 survivants en ce que les violations sont graves et
12 persistantes, donc vous avez déjà une première ligne
13 d'arguments qui vous permet d'offrir cette plate-forme aux
14 victimes et aux survivantes.

15 Les recours doivent être suffisants ; quels
16 sont les recours effectifs? Et la jurisprudence se penche
17 sur cette question lorsque, par exemple, ce qui aurait dû
18 être fait, c'est une poursuite criminelle, comme on le
19 voit souvent dans ce qui s'est passé. Alléguer, dans ces
20 circonstances, que la personne ou que la victime ou que la
21 survivante aurait pu poursuivre en dommages et intérêts
22 n'est pas suffisant, selon la jurisprudence
23 internationale, ce n'est pas suffisant. L'État ne peut
24 invoquer le non-épuisement des recours internes dans de
25 telles circonstances.

1 Et je vais attirer votre attention sur
2 certains paragraphes du document de 2015, qui sont des
3 conclusions qui pointent, à mon avis, vers le fait qu'il
4 n'existe pas, au Canada, de recours internes efficaces à
5 la disposition des victimes et des survivantes que vous
6 avez entendues, donc qui ont osé porter la parole, mais
7 pour celles aussi qui n'ont pas pu ou qui n'ont pas trouvé
8 le courage et la volonté pour des raisons qui leur sont
9 propre, de venir s'exprimer devant vous.

10 Le premier paragraphe sur lequel j'aimerais
11 attirer votre attention, c'est le paragraphe 147, qui se
12 conclut de la manière suivante : The committee considers
13 that the response of the justice system offers
14 insufficient protection to Aboriginal women as a
15 disadvantaged group in a minority population affected by
16 high rates of violence.

17 Voilà déjà un indice que le comité sera
18 sensible à tout argument pointant vers la question de la
19 non-existence de recours efficaces en droit canadien.

20 Au paragraphe 169 : Several reports have
21 highlighted substantial shortcomings on the part of the
22 justice system with regards to Aboriginal women, such as
23 lack of communication and responsiveness; limited
24 awareness and understanding of rights; discriminatory
25 treatment of Aboriginal women, victims and witnesses;

1 insufficient enforcement of criminal laws on hate crimes,
2 and low prosecution rates for crimes against Aboriginal
3 women.

4 Les paragraphes 171 et 172 sont dans la
5 même veine. 172 : Based on the information before it, the
6 committee considers that the state party has not taken
7 sufficient measures to comprehensively address the
8 challenges faced by Aboriginal women in accessing justice
9 and to combat the descrimination against Aboriginal women
10 in the justice system. The state party has not given
11 sufficient focus to addressing the underlying causes that
12 prevent Aboriginal women from accessing justice on an
13 equal basis to men and non-Aboriginal women.

14 Vous avez aussi, finalement, au
15 paragraphe 180, la simple question de coûts a été même
16 considérée par le comité d'enquête : The families of
17 victims may claim restitution from the offender when
18 bringing their cases to court. However, the federal
19 ombudsman reported that restitution is under utilized and
20 poorly enforced in the state party, and that costs for
21 victims constitute a barrier to access.

22 Donc, ça, ce sont seulement des pistes de
23 réflexion qui pourront alimenter vous-mêmes et les gens
24 qui travaillent avec vous. Mais je pense que ce serait un
25 legs intéressant que vous pourriez laisser aux victimes

1 que celui de faciliter leur accès à un recours
2 international après vos travaux.

3 J'aurais aimé vous parler de la Déclaration
4 des Nations Unies sur les droits autochtones. Le Canada
5 déclare, sur les plateformes à l'extérieur du Canada,
6 qu'il met en œuvre cette déclaration. Or, force est de
7 constater, lorsqu'on vit au Canada, que ce n'est pas le
8 cas du tout ; le Canada se fait tirer la patte dans ce
9 domaine. Est-ce qu'on pourrait faire appel au concept qui
10 tend à prendre beaucoup d'ampleur, d'honneur de la
11 Couronne, qui ment sur les plateformes internationales,
12 mais qui refuse à l'interne, dont la parole n'est pas
13 suivie d'actes concrets à l'interne?

14 Vous avez d'autres déclarations, en plus de
15 la Déclaration des Nations Unies sur le droit autochtone;
16 il y a une déclaration dans le système interaméricain. Il
17 y a également... Trudeau a promis qu'il allait ratifier, que
18 le Canada allait ratifier la Convention de Belém, qui
19 contient aussi des garanties très importantes. Je pense
20 que dans la section sur le droit international, vous devez
21 rappeler le Canada à l'ordre et lui rappeler ses devoirs
22 et ses engagements sur la scène internationale pour
23 qu'effectivement, ces conventions soient ratifiées par le
24 Canada.

25 Et dernier aspect que je considère être

1 intéressant : dans le premier document que je vous ai
2 distribué, celui du 30 mars 2015, qui est un long rapport
3 d'enquête du Comité, vous avez, à la fin, comme je le
4 disais un peu plus tôt, 37 recommandations, en 2015,
5 avant... dont une, évidemment, qui vous concerne, puisque
6 sur la table à dessin du comité d'enquête, on retrouve
7 votre Commission, la Commission. Mais il y a
8 37 recommandations qui concernent la plupart des
9 problématiques que vous avez abordées au cours de vos
10 travaux.

11 Par la suite, je vous réfère au troisième
12 document que j'ai distribué, qui est un document du
13 25 novembre 2016. Ce document fait suite à des échanges
14 entre les représentants du Canada et le comité et
15 constitue les observations finales du comité suite à ces
16 échanges.

17 Je vous fais grâce de l'ensemble du
18 document puisque, de toute façon, je n'ai pas le temps de
19 l'aborder avec vous; par contre, j'attire votre attention
20 sur le paragraphe 28, où le comité prend acte de
21 l'engagement du Canada à appliquer la Déclaration des
22 Nations Unies sur les droits des peuples autochtones et il
23 demeure préoccupé par l'absence d'une stratégie ou d'un
24 plan cohérent pour améliorer les conditions économiques et
25 sociales des communautés autochtones.

1 Surtout... j'attire votre attention sur un
2 paragraphe qui est peut-être passé inaperçu jusqu'à
3 présent, qui est le paragraphe 58. Donc, ce document est
4 daté du 25 novembre 2016 ; donc, le comité avait jusqu'à...
5 le Canada avait jusqu'à hier pour faire rapport au comité
6 sur la mise en œuvre des recommandations qui figurent à la
7 fin du premier document. Je vous invite peut-être à
8 talonner les autorités canadiennes pour qu'on ait le
9 rapport sur ces recommandations qui, à bien des égards,
10 rejoignent le travail que vous avez fait et vont
11 certainement aller dans le même sens que les
12 recommandations que vous allez vous-mêmes formuler.

13 Donc, le Canada est en retard ; le Canada
14 nous doit des explications et nous doit un suivi sur des
15 mesures qui lui ont été formulées il y a maintenant plus
16 de trois ans.

17 Il reste... je dois m'arrêter ici, je dois
18 laisser... je veux laisser Me Sioui conclure. J'espère que
19 vous allez... comme nous parlons français, nous sommes un
20 peu pénalisés, nous devons parler plus lentement, donc je
21 vous demande une minute ou deux pour permettre à Me Sioui
22 de conclure.

23 Je vous remercie infiniment pour votre
24 attention.

25 Me SIOUI: Donc, pour conclure rapidement,

1 d'abord, c'est certain, je vous invite à lire notre
2 mémoire, parce qu'en ce moment, c'est un peu un teaser, un
3 aperçu des grands points qui vont être à l'intérieur.

4 Puis on voulait conclure aussi avec un
5 sondage qui vient tout juste de sortir du four, au Québec
6 ; c'est un sondage qui a été réalisé par la Commission de
7 santé et services sociaux de l'APNQL, qui a été fait en
8 collaboration avec l'Observatoire des tout-petits, qui a
9 été réalisé par Léger, une firme de sondages
10 professionnels et scientifiques et qui révèle des choses
11 incroyables... on me dit de réduire le rythme!

12 Alors, ce sondage a été mené auprès de la
13 population québécoise et concerne les enfants des
14 Premières Nations et il révèle des choses ou fait un
15 constat qu'il y a urgence d'agir et révèle essentiellement
16 que deux Québécois sur trois savent bien que les enfants
17 des Premières Nations sont l'objet de discrimination et
18 qu'ils naissent avec moins de chances que les autres
19 enfants de développer leur plein potentiel.

20 Alors, au Canada, en 2018, les enfants des
21 Premières Nations naissent encore avec moins de chances
22 que les autres ; la population en est consciente. Alors,
23 c'est pourquoi on vous demande et on a déposé ce sondage-
24 là, on vous dit ou on vous demande ou on vous encourage à
25 être braves dans votre rapport. Soyez audacieux, allez

1 loin, allez loin! Tellement de gens comptent sur vous!

2 On l'a vu dans le vidéo qui a été présenté
3 plus tôt aujourd'hui par Me Big Canoe, le procureur de la
4 Commission : partout au pays, des attentes ont été créées.
5 Alors, ces enfants des Premières Nations, leurs mères,
6 comptent sur vous ; ne les décevez pas. Don't disappoint
7 them.

8 Thank you, merci!

9 (APPLAUSE/APPLAUDISSEMENTS)

10 **MS. CHRISTA BIG CANOE:** Chief Commissioner
11 and Commissioners, do you have any questions for the AFN?

12 **COMMISSIONER QAJAQ ROBINSON:** Thank you
13 both very much.

14 I do have one question, and perhaps it's
15 more to plant the seed and when you are finalizing your
16 submissions you might want to speak to it.

17 I'm intrigued by your recommendation with
18 respect to us making a finding about there being an
19 absence of domestic recourse and how that could be a
20 vehicle for recourse and remedy for indigenous women on
21 the international front.

22 I'm not sure if you're aware of the *Kell*
23 decision by the committee on the elimination of
24 discrimination against indigenous women. I think it was
25 in 2008. It was filed by an indigenous woman in the

1 Northwest Territories who raised -- dealing with domestic
2 violence, and a multiple denial of fundamental rights.

3 The committee concluded that she had
4 exhausted and that there were no recourses for her and
5 issued a decision in her favour.

6 We heard when we were in Yellowknife that
7 she remains homeless and none of those orders have been
8 implemented, so I'd like to hear more from you on how
9 these international forums can lead to concrete resolution
10 and solution for women like Ms. Kell.

11 So I just wanted to flag that. I look
12 forward to hearing more about this path that you've
13 highlighted, but I flag this issue in my head about the
14 meat and the teeth. And I direct you to that decision by
15 the committee.

16 But thank you very much.

17 And if you want to speak to that, my
18 comment, I welcome you to.

19 **MR. PHILIPPE LAROCHELLE:** Yeah, the *Kell*
20 decision is actually referred to in one of the two
21 documents I sent you, and I -- for doing that myself,
22 doing international law, I appreciate that, in itself, it
23 is a fight to have these decisions implemented, but it is
24 a fight worth doing. And I can give you an example.

25 I represented a man who was facing

1 extradition, and we were opposing it before the Committee
2 Against Torture, and we managed to obtain an injunction
3 before superior Court because the Committee Against
4 Torture had issued provisional measures requesting Canada
5 to withhold extradition pending their examination of the
6 risk of torture. And the Judge was sensible enough to
7 grant an injunction against Canada.

8 So -- and what I'm saying is that it is
9 rather novel. There are not that many decisions when you
10 look at the jurisprudence of these committees.

11 But certainly what lies ahead anyone
12 wanting to, you know, make a formal complaint against
13 Canada is that thing which is very peculiar in our case,
14 which is exhaustion of local remedies. And I think the
15 situation warrants at least that you provide a framework
16 for that because you have heard so much evidence on the
17 discrimination and there is so much already said by the
18 committee which I believe would be sensible to that kind
19 of arguments that, in the end, at least would make the
20 task easier for these victims and survivors.

21 And what -- we cannot foresee the future,
22 but if the committee is flooded with individual complaints
23 there are also -- there is also room for provisional
24 measures that can be argued in the context of, you know,
25 they get a complaint every two years from Canada where

1 they should be getting thousands, so let's see how they
2 would react to that and let's see what kind of provisional
3 measures could be issued by the committee.

4 And I get the feeling that, to some extent,
5 the actual government has some sensibility to what comes
6 out from the international plane, so -- and I think in
7 view -- I will conclude on that. In view of the magnitude
8 and the persistence of the problem, I think every avenue
9 should be explored and none should be neglected, and I
10 think there is something that could be done on your part
11 to assist potential victims before these committees.

12 Thank you. Merci beaucoup! Alors moi, ça va
13 être en français, alors, merci beaucoup Me Sioui et Me
14 Larochelle. Me Larochelle, c'est un plaisir de vous revoir
15 encore - il n'y a pas très longtemps, nous étions dans un
16 même séminaire avec Avocats sans frontière. Et quelle
17 fierté de vous connaître, Me Sioui, de mieux vous
18 connaître maintenant, dans le cadre de l'Enquête,
19 évidemment.

20 Merci, vous m'avez ramenée dans mes anciens
21 mocassins lorsque vous avez parlé de la convention de
22 Belém do Para qui est... je comprends que le Canada n'a
23 toujours ratifié, bon...

24 **Me PHILIPPE LAROCHELLE:** Il y a un
25 engagement de Trudeau au Sommet des Amériques à Lima en

1 avril dernier de déclencher le processus d'adhésion.

2 **COMMISSIONNER MICHÈLE AUDETTE:** Okay,
3 parfait.

4 Vous avez, dans votre présentation, parlé
5 de certaines failles; j'imagine qu'on va recevoir le
6 mémoire. Je peux déjà vous dire, c'est sûr que je vais le
7 lire attentivement avec mes collègues de l'équipe Québec,
8 mes collègues avocats, sinon juristes, pour être sûre que
9 je comprends bien, que je comprenne tout ça comme il faut.

10 Et vous avez parlé des failles au niveau de
11 la justice criminelle, pour soutenir les femmes ; les
12 femmes autochtones, je vais revenir aux femmes autochtones
13 dans le cadre de notre mandat, pour ce qui a trait à ce
14 qui semble être l'inexistence de recours interne pour les
15 aider à aller vers le droit international ou
16 interaméricain. Est-ce que c'est ça que vous nous
17 présentez?

18 **Me PHILIPPE LAROCHELLE:** Ce n'est pas
19 l'inexistence, c'est l'ineffectivité...

20 **COMMISSIONNER MICHÈLE AUDETTE:** Oh, merci!
21 [Rires]

22 **Me PHILIPPE LAROCHELLE:** ... ce qui est
23 différent!

24 **COMMISSIONNER MICHÈLE AUDETTE:** D'accord!
25 Alors ça, c'est important d'amener cette clarification-là.

1 partie des recommandations que vous pourriez formuler à
2 l'égard du gouvernement.

3 **COMMISSIONNER MICHÈLE AUDETTE:** Okay. Parce
4 que le Court Challenge Program, je ne sais pas, c'est la
5 contestation judiciaire, je crois, en français, a été
6 coupé. Il semblerait qu'il y a peut-être une possibilité
7 d'un retour. Alors, je ne sais pas si vous en faites une
8 réflexion ou...?

9 **Me PHILIPPE LAROCHELLE :** Effectivement, ça
10 pourrait être une avenue intéressante à explorer, si
11 jamais le programme... je sais, j'ai entendu aussi qu'on
12 voulait le réactiver, si c'était le cas, vous pourriez... je
13 pense que ça pourrait être une avenue intéressante à
14 explorer pour les victimes qui veulent continuer.

15 **COMMISSIONNER MICHÈLE AUDETTE:** Bien, merci
16 beaucoup, parce que la question internationale peut aussi
17 servir - je le vois d'une façon à deux voies, une
18 jurisprudence qui peut être intéressante pour les femmes
19 autochtones du Sud comme les femmes autochtones du Nord.
20 Mais il faut s'assurer, si on propose des recommandations
21 audacieuses, c'est de faire en sorte qu'on puisse soutenir
22 à la base un individu pour qu'il puisse ou qu'elle puisse
23 se rendre jusqu'en Cour américaine ou internationale.

24 Merci infiniment, c'est un plaisir de vous
25 avoir ici avec nous. Puis merci beaucoup, Me Sioui, de

1 nous avoir partagé cette information toute chaude, toute
2 neuve encore sur ce que pensent nos jeunes au Québec sur
3 la question autochtone. Et je vous assure que ce document-
4 là va être regardé comme il le faut - pour être maman de
5 cinq enfants qui habite au Québec -et de voir qu'il y a
6 une sensibilité qui n'est plus la même depuis quand moi
7 j'ai commencé, il y a une vingtaine d'années.

8 Alors, sur ce, merci beaucoup et j'ai hâte
9 de lire votre mémoire. Merci!

10 **CHIEF COMMISSIONER MARION BULLER:**

11 Particularly to remind us to think large, to think big,
12 and to go beyond what might be politically correct. Thank
13 you both for being wonderful teachers and for inspiring us
14 to go beyond what we think we can do. Thank you both.

15 **MS. SHELBY THOMAS:** Thank you.

16 **CHIEF COMMISSIONER MARION BULLER:** We'll
17 take a short break. How many minutes?

18 **MS. CHRISTA BIG CANOE:** If we could request
19 a 15-minute break before we call the next party. That
20 would bring us back here at 2:20 please.

21 **CHIEF COMMISSIONER MARION BULLER:** 2:20
22 please.

23 --- Upon recessing at 2:09 p.m./L'audience est suspendue à
24 14h09

25 --- Upon resuming at 2:30 p.m./L'audience est reprise à

1 14h30

2 **MS. CHRISTINE SIMARD-CHICAGO:** ...closing
3 oral submissions for Kwanlin Dün First Nation. She will
4 have 40-minutes.

5 **CHIEF COMMISSIONER MARION BULLER:** You
6 pronounced it correctly.

7 **--- SUBMISSIONS BY CHIEF DORIS BILL:**

8 **CHIEF DORIS BILL:** First off, I just want
9 to introduce some people here who you notice I have a
10 delegation behind me. First off, Gary Resnick is Director
11 of Kwanlin Dün's Justice Department. Coincidentally, he
12 took over from Minister Jeanie Dendys, who is the Minister
13 of Tourism and Culture with the Yukon Government. She is
14 also Co-Chair of the Missing and Murdered Advisory
15 Committee, which I sit on as well. And she's also
16 responsible for the Women's Directorate in the Yukon.

17 Next to her is Andrea Bailey. She is Yukon
18 Government's legal counsel. And behind me, directly
19 behind me is Chantal Genier, and Chantal is also on the
20 Advisory Committee, and she'll be doing the Yukon
21 Government's presentation right after me.

22 Well, good afternoon Commissioners, Elders,
23 family members who have lost loved ones, Indigenous
24 leaders, dignitaries and guests. It is an honour to be
25 here today with you, and it's an honour to be here and see

1 how far you have come.

2 Given that this Inquiry started in my
3 traditional territory of Kwanlin Dün, I'm so pleased to
4 see this day come. I'm grateful to be given the
5 opportunity to contribute to the important work of the
6 Missing -- National Inquiry into Missing and Murdered
7 Indigenous Women and Girls.

8 I am, as you said, the leader in my
9 community of Kwanlin Dün. I am dedicated to keeping our
10 community, not just my community, but the Yukon community
11 safe. I also want to help with the safety of people in
12 First Nation communities across Canada if I can, and I am
13 sometimes called upon to do so.

14 I would like to take the -- this
15 opportunity to acknowledge the traditional territories of
16 the people of the Treaty 7 region in Southern Alberta,
17 which includes the Blackfoot Confederacy. I also want to
18 acknowledge this beautiful sash hanging here that the City
19 of Calgary is also home to the Métis Nation of Alberta
20 Region 3. Masi Chok.

21 As I present today, I pay tribute to family
22 members who have lost loved ones. I would also like to
23 honour all of those working to reveal the truth and past
24 tragedies in order to create a better, safer society in
25 the future. This is very hard work, but important to our

1 healing.

2 I also appreciate those who offer
3 ceremonial and spiritual support to all of us engaged in
4 this process. I believe in the beginning we told you it
5 was important that this Inquiry be steeped in ceremony.

6 Kwanlin Dün First Nation is located in the
7 City of Whitehorse. We are one of the largest First
8 Nations in the Yukon. We have a community that's about a
9 kilometer by a kilometer. We have been implementing our
10 comprehensive land claim and self-government agreements
11 for 13-years now. We live with both the benefits and
12 risks of our urban location.

13 Our history of colonization and resulting
14 intergenerational impacts is shared with other Indigenous
15 nations in Canada and throughout the rest of the world.
16 Our most vulnerable families are navigating lives affected
17 by violence, trauma, addictions, mental health issues,
18 poverty, absence of safe housing, and a host of other
19 problems. They demonstrate amazing strength and
20 resilience in navigating their daily lives.

21 Between December 2014 and February of this
22 year, there have been six murders in our community, four
23 women and two men. Two of these cases remain unsolved.
24 In the other four cases, arrests have been made or
25 convictions obtained. In all four cases, the accused were

1 connected to our community or another Yukon First Nation
2 community. Each of these tragic losses has had
3 devastating effects on our community and other connected
4 communities.

5 It is at the community level that resources
6 are most needed to address the issues that bring us here
7 today. We are also on the frontlines in this fight.

8 We know that both risk and resilience begin
9 to develop very early in life. Patterns that can lead to
10 lives marred by violence begin in childhood. Investment
11 in the support of families with young children is crucial.
12 School aged children develop stronger identities when they
13 are founded in pride of culture and language. Those who
14 suffer in the child welfare system, often followed by the
15 criminal justice system, may never recover their
16 identities or connections to culture and community.

17 Traditional Indigenous parents knew how to
18 develop and nurture peaceful and loving relationships with
19 family and community members. The disruption of
20 colonization caused that intergenerational transmission of
21 wisdom to be severed. Cultural continuity must be rebuilt
22 on the foundation of our powerful stories, language,
23 teachings and the practices of our ancestors.

24 Our best solution for healing are found in
25 our communities. We are strengthened through hearing the

1 voices of our people. Safety is the ground on which
2 healing is built. A person cannot invest in their own
3 well-being and that of others if they are in constant fear
4 of harm.

5 I will speak about how Kwanlin Dün's
6 community safety officer or CSO Program helps to prevent
7 trauma in our community. The Jackson Lake Wellness Team
8 programming in the community and on the land also
9 addresses trauma and works together with the CSO program.
10 And I know the Inquiry has heard about this program
11 throughout the -- the -- your time in Yukon. In
12 developing and implementing these programs, we work with
13 many service providers within our First Nation and other
14 collaborative partners, which we have built.

15 The vision for the CSO program is to
16 provide prevention and safety liaison services for our
17 citizens. The CSOs are highly visible in our community.
18 They wear uniforms and have their own culturally branded
19 vehicles. The CSOs mediate disputes between citizens and
20 provide rides to safe places for people in risky
21 situations. They call law enforcement back-up or connect
22 people to other service providers when needed. The CSO
23 program is implemented by a small team of four CSOs and
24 one coordinator, all of whom are Kwanlin Dün citizens or
25 have a connection to the community.

1 The team -- team has made a tremendous
2 impact on improving the safety in our community. CSOs
3 have a special focus on the safety of Elders. In one
4 case, an older woman was struggling with addictions, which
5 made her vulnerable to abuse. Monitoring by the CSOs has
6 been very effective in improving her safety and decreasing
7 her contacts with the RCMP. The relationship is now well
8 established, and the CSOs are a primary point of contact
9 when her safety is threatened.

10 Prostitution, illegal drug activity, and
11 bootlegging have been reduced due to the trust citizens
12 have in the CSOs and their ability to directly observe
13 illegal activity and intervene. CSOs work actively with
14 partners in the RCMP and Whitehorse City Bylaw. For
15 example, recently the CSOs spotted a young woman under the
16 influence of alcohol being pulled into a residence by a
17 known male predator. As the marked CSO vehicle approached
18 them, the girl immediately recognized the trusted CSO and
19 got into the safe vehicle. The CSOs were able to drive
20 the woman home to safety. The CSOs then shared their
21 observations with the RCMP for follow up. The CSOs'
22 knowledge of the community and their respectful and
23 consistent approach has earned the trust of the
24 community.

25 The CSO program was developed in direct

1 response to community members' concerns in public
2 meetings, that they were feeling unsafe in their homes and
3 in the community. We heard of women sleeping with
4 baseball bats by their beds. Entire families were
5 sleeping in their basements because they were scared to go
6 outside or sleep upstairs in case someone came in.

7 In 2016, there had been several murders,
8 assaults, and house fires in our community. As a result,
9 Chief and Council initiated a community-based research
10 project to identify priorities for action. The community
11 needs assessment was developed from a review of documents
12 from the last ten years that identified relevant community
13 issues, needs, and problems. The Chief and Council,
14 Elders, and community members also provided input and
15 ideas. And when we -- we developed the CSO program, we
16 had to really seriously scrutinize what was really
17 happening in our communities. And we had to be honest
18 with ourselves about the drugs and violence and who were
19 committing these offences. It wasn't a -- it -- it was a
20 extremely difficult task.

21 The next stage was a community safety
22 through environmental design report that we produce. The
23 report outlined a plan for improving community safety
24 through changes in the physical environment and
25 infrastructure. As well, the report recommended launching

1 the CSO program. Our Elders were our biggest supporters.
2 In addition, other actions taken to implement the
3 recommendations included a large-scale community clean-up.
4 We took out tons and tons of garbage. We improved
5 lighting. Trail clearing to improve line-of-sights, and
6 measures to slow vehicle traffic through the community.
7 And as a leader, I participated in those community --
8 community traffic check-stops. I talked to every vehicle
9 coming into our community, and there were 70 of them.

10 The CSO program has been operating since
11 August 2017. It has tremendous support and appreciation
12 from the larger community as well. The results are
13 dramatic. The CSO work has significantly reduced
14 citizens' calls to the RCMP in the last year. Calls have
15 decreased most in the areas of assaults, thefts, city
16 bylaw infractions, and reports of suspicious vehicles. In
17 the first full year of operation, there were 909 citizen
18 contacts with the CSOs, most of which were proactive.
19 They have prevented crime, helped solve crimes, and
20 establish a new standard of safety for the community.
21 Yukon Government Department of Justice has funded the
22 three-year pilot with an end date of March 31st, 2019.
23 The community is working actively to compete -- complete
24 an evaluation and secure on-going funding for this very
25 important program.

1 The Jackson Lake Wellness Team offers the
2 building a path to wellness. It's a four-week healing
3 program on the land. The camp, which is about 30 minutes
4 outside of Whitehorse, has been up -- up graded by Kwanlin
5 Dün. It is a wonderful site for the four-week land-based
6 program. Shorter programs and larger events also take
7 place there. The land-based programs bring together a
8 group -- group of men and women to address challenges with
9 trauma, addictions, and/or mental health. Last year, we
10 had one woman attend the woman's program, and her spouse
11 attended the men's program. With the support of the
12 program and care of the team, before and after, the couple
13 has maintained sobriety and have repatriated their
14 children from the care of the child welfare system.

15 In addition, the team carries out other
16 land-based activities, such as working with extended
17 families, from a few hours to a few days, to address
18 issues and improve relationships. In one case, the land-
19 based work resulted in two female teenagers being able to
20 stay in the care of their grandmother as an alternative to
21 foster care. Multi-day youth events at Jackson Lake have
22 involved up to 200 youth from across the Yukon. And I
23 want to just add that whole two van-loads of young people
24 from Inuvik had heard about our gathering and drove the
25 Dempster Highway just to attend. Shorter three to five-

1 day programs for youth have also been very well received.
2 Community members of all ages engage in cultural camps
3 involving traditional activities and relearning lost
4 skills.

5 I just want to point out here, that we also
6 held a -- a men's sharing circle during this time. Sixty-
7 five men took part in the circle. Later, I -- I heard
8 from one of the men that took part in the circle, and he
9 said, "Thank you. It saved my life." He said he had
10 never had the opportunity to share with other men, or
11 anyone for that matter, how he was feeling. It's one
12 reason that I also advocate on behalf of men. When
13 talking about this issue, we cannot forget the men. They
14 need programs and they need support. It's imperative.

15 The cultural programming has outdoor
16 recreational, cultural, and healing elements, often
17 supported by professional, clinical services when needed.
18 The engagement of the KDFN community, as the host, in
19 offering Elders, and other cultural resource people,
20 cooks, and camp attendants, is key to the success to all
21 the programming at Jackson Lake. Experiential, clinical,
22 and spiritual activities enhance the programming.
23 Ceremonies include prayers, smudging, circle, letting go,
24 and sweat lodge, complimentary, and alternative elements
25 include equine therapy, yoga, meditation, and breathing.

1 The most recent October 31st Welcome Home event, held on
2 the last day of the men's four-week program, celebrated
3 the success of the men who completed the program. The
4 pride and stories of change were remarkable.

5 As one observer said, "The men began with
6 their heads down and bodies slumped, unwilling to meet my
7 eyes. And, now, I see proud men standing up with their
8 drums and songs they made at the camp. And they were
9 demonstrating pride in themselves and their success." The
10 transformation is amazing.

11 The Jackson Lake Wellness Team also
12 provides Whitehorse based services to people before and
13 after the four-week program. Outreach to all Yukon
14 communities is done on request for crisis response, and
15 the provision of cultural and other supports. People of
16 all ages access the programs. The participants share in
17 the direct and intergenerational effects of residential
18 school and colonization. Many have experienced the child
19 welfare system, and in some cases, have been incarcerated
20 or are on probation. Culturally founded and land-based
21 programming has proven to be very effected for them.

22 KDFN has been active in offering land-based
23 and community-based healing options to First Nation people
24 and non-First Nation people for more than 25 years.
25 Funding has been accessed from the Yukon Government,

1 Canada, Aboriginal Healing Foundation, and other sources.
2 Jackson Lake was recently listed in the top five of
3 Indigenous treatment centres across Canada by Health
4 Canada.

5 But despite that, we have difficulty
6 obtaining permanent and consistent funding. In the past,
7 the funding provided for short-term programs, on the land
8 or in the community, lacked the continuity and
9 comprehensiveness to support lasting change.
10 Intergenerational trauma requires long-term funding
11 commitments to support comprehensive, relevant, and
12 affective programming.

13 In 2011, we were able to access funding to
14 support a four-person community-based team. The team
15 includes a coordinator, a cultural counsellor, and two
16 outreach after-care workers. Clinic counselling is made
17 available through the Kwanlin Dün Health Department. In
18 2012, the Yukon Government contributed funds towards two
19 land-based treatment programs per year. The healing
20 programs are open to all 14 Yukon First Nations and
21 others. I believe in our last camp, we had a non-First
22 Nation from Ontario. More than 220 people have completed
23 the program with significant success. Increased levels of
24 long-term funding are needed in order to increase the
25 number of programs offered each year, and to provide more

1 land-based programs for youth, families and Elders beyond
2 March 2019.

3 Elders tell us that, traditionally,
4 conflict including crime was mostly prevented. It was
5 prevented by the way children were raised and the values
6 they were taught. Families were strong and community
7 members were well connected with each other, their
8 traditional territories, and larger linguistic groups.
9 Supporting and protecting our infants, children, youth,
10 and their families is vitally important.

11 In 2011 -- 2011, following a crisis in
12 child welfare and our relationship with the Yukon
13 Government, Kwanlin Dün and Yukon Government entered into
14 negotiations to -- towards an agreement for collaborate
15 service deliverty (phonetic) -- delivery. The Memorandum
16 of Agreement, or MOA, which resulted, took more than a
17 year to negotiate. During the negotiations, as
18 relationships were developed and discussed -- discussions
19 hells (phonetic) -- held, child welfare practices in the
20 community began to change. The 2012 MOA is a unique
21 agreement, as it does not involve the delegation of
22 authority from Yukon or the drawing down of self-
23 government powers by Kwanlin Dün.

24 Implementation relies on collaboration,
25 respectful working relationships, joint action, a focus on

1 prevention, and commitment to keeping extended families
2 together. A review of the MOA documented success in
3 reducing the number of children in care and increasing the
4 use of extended family care agreements in place of foster
5 care, or group home care for out-of-home placements.
6 Kwanlin Dün and Yukon Government meet with families
7 together and have developed good working relationships.
8 Kwanlin Dün has recently succeed in negotiating parity
9 between foster parents and extended family care agreement
10 providers, for basic fees, and additional support
11 services.

12 In addition, more social workers from the
13 Yukon Government have been assigned to the community. The
14 approached programming is founded on respect and cultural
15 approaches. Maintaining connections for children and
16 youth with extended family, community and culture is a
17 shared priority.

18 I have some recommendations here that I'd
19 like to read out. Community safety officer programs.
20 Provide long-term funding to Indigenous governments for
21 CSO programs in communities that are interested. Continue
22 to evaluate and improve the program for implementation in
23 communities of all sizes.

24 Wellness teams. Provide long-term funding
25 to be directed by Indigenous governments for wellness

1 teams that have the capacity for land-based and community-
2 based programs using cultural, clinical and complementary
3 approaches to address trauma, addictions and mental health
4 issues.

5 Indigenous child welfare. In a spirit of
6 collaboration, design, implement and evaluate community-
7 based and culturally-founded child welfare programs for
8 prevention, early intervention, outreach and support. Out
9 of home care and family reintegration, including cultural
10 planning and agreements.

11 Agreements for self-determination. Canada,
12 provinces and territories to participate in negotiating
13 and funding the implementation of land claim, self-
14 government and administrative justice agreements to
15 support Indigenous self-determination.

16 Indigenous research. Fund and support
17 research led by Indigenous academic and community
18 researchers into risk factors and protective factors to
19 help build safer environments and better programming for
20 Indigenous people.

21 In closing, I want to thank the
22 Commissioners and organizers. I am grateful for the
23 support of my colleagues and community in appearing before
24 you. I wish you well in concluding your very important
25 work for the good of Indigenous people and Canadians, the

1 country as a whole. Merci.

2 **MS. SHELBY THOMAS:** Thank you.

3 **CHIEF DORIS BILL:** I need a drink of water.

4 **MS. SHELBY THOMAS:** Thank you. Chief
5 Commissioner and Commissioners, do you have any questions?

6 **COMMISSIONER QAJAQ ROBINSON:** Masi chok for
7 your submissions. I just have a point of clarification on
8 the MOA. You said it's not a delegation and it wasn't --
9 and I didn't quite catch in terms of your self-government
10 agreement, the connections with that.

11 Could you explain a little bit more about
12 the MOA in a, I guess, jurisdictional and self-
13 determination lens? Because we've heard from other
14 jurisdictions, most recently in Manitoba, the issue about
15 child welfare agencies just being a product of delegation
16 and that not being a true reflection of Indigenous self-
17 determination when it comes to children and families.
18 Could you explain a little bit more about the MOA in that
19 context?

20 **CHIEF DORIS BILL:** The Memorandum of
21 Understanding on Child Welfare was negotiated with the
22 Yukon government, and the agreement was negotiated during
23 a time of crises. We had child welfare -- you know, like
24 many other Indigenous communities, child welfare social
25 workers coming into our communities, taking our children,

1 and without the consent of parents or the involvement of
2 the First Nation.

3 So, our First Nation took the drastic
4 measure to ban social workers from our community. It
5 resulted in the complete -- thank you. It resulted in the
6 complete breakdown of that relationship, and we took the
7 lead and said you will not be allowed back into our
8 communities until we sit down and negotiate an agreement
9 that is one that will benefit our community, our people
10 and our citizens.

11 And, the agreement, to this day, social
12 workers, child welfare social workers cannot come into our
13 community without our knowledge. The First Nation is the
14 first point of contact, our Department of Justice. Gary
15 is the first point of contact, and from there, they
16 develop a plan that involves the parents, the First Nation
17 and Yukon government, and it is something that works for
18 our community.

19 I believe Jeanie -- Minister Dendys was
20 actually our Director of Justice when that agreement was
21 negotiated, and she'd have more around the history part of
22 it. But, it is -- we did not draw down our self-
23 government powers in that area. We chose to negotiate an
24 agreement that our people had control over.

25 And, I think that's incredibly important,

1 because for so long, you know, personally, I'm a product
2 of the child welfare system. I grew up in foster homes,
3 group homes, you name it. I've never had a family, and I
4 understand the system. I understand what these children
5 go through, and I wasn't going to let that happen on my
6 watch as well. No way.

7 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
8 Masi chok for explaining more about the context of the MOA
9 and the heart of it, and the importance of that control,
10 that self-determination. We've heard some studies
11 referenced that talk about, you know, outcomes being
12 better in the context where there are self-government
13 agreements or land claims settled, and one of the things
14 that you've identified in your presentation and in the
15 evidence we've heard from families and groups in the Yukon
16 is this issue of long-term funding.

17 Does any of that funding flow through the
18 land claims or are you still dealing with, like, project-
19 based funding from the government?

20 **CHIEF DORIS BILL:** Mostly project-based
21 funding. Although we have very, very little to do with
22 the *Indian Act*, our funding, our transfer payments, are
23 still based on *Indian Act*-type funding. I can give you a
24 good example. At one point, and it may still be the case
25 that our entire justice department was funding project

1 proposal based. Even the director's salary. Even the
2 salary of all the individuals. And, they spent a great
3 deal of time filling out reports and all kinds of stuff
4 which are extremely onerous, when we could be spending
5 that time doing other things.

6 Kwanlin Dün is negotiating an
7 administrative justice agreement. Through that agreement,
8 we will have our own First Nation courts; the CSO program
9 will fall under there. That is what we -- you know, that
10 -- it's justice as the way we see it, and it will --
11 because we're based in the City of Whitehorse, that system
12 will meld with the city -- or the territorial system will
13 have to collaborate with them on some things, which is
14 reasonable.

15 But, we are working towards, through the
16 fiscal transfer process, working towards changing all of
17 that. I'm hoping that those negotiations are really
18 successful in the end but, yes, I can tell you, or Gary
19 could probably better tell you how much time he spends
20 just on filling out applications and reporting on those
21 applications and evaluating the programs and you name it.

22 **COMMISSIONER QAJAQ ROBINSON:** So, even in a
23 modern land-claim context with a self-government agreement
24 where you are exercising your inherent and treaty rights,
25 you, to do that, are having to tap into project pots of

1 money?

2 **CHIEF DORIS BILL:** Yes. Every First Nation
3 in the Yukon. Every First Nation in the Yukon is the
4 same. And, like I say, through the negotiations with the
5 federal government, I'm hoping that the funding will
6 increase and the way we get that funding will change.

7 It's been that way for a long, long time,
8 and certainly, during the 13 years we have been self-
9 governing, our biggest problem with the land-claim and
10 self-government process has been implementation.
11 Implementation on the part of the federal government has
12 been sorely lacking. We have our First Nations -- as you
13 can see, Kwanlin Dün has done a tremendous amount of work.
14 We are probably one of the most progressive First Nations
15 in the Yukon, but implementation has been the biggest draw
16 back, I would dare say, and adequate levels of funding.

17 **COMMISSIONER QAJAQ ROBINSON:** Do you want
18 to elaborate a little bit more on -- so I see the -- I see
19 a funding formula for an Indigenous -- you are a self-
20 government. You are an Indigenous government as being
21 project based, as being really problematic in the sense of
22 effectiveness for you to exercise your inherent rights,
23 but from a relationship perspective, I see it as
24 problematic as well. It doesn't seem to me that your
25 inherent jurisdiction and exercising that within this

1 confederation is being respected equally if provinces and
2 territories get funding a certain way, and you have to
3 apply to pots.

4 So, I just wanted to share with you sort of
5 how I'm looking at this funding issue as being effectively
6 problematic, but also, equitably problematic, but I also
7 would like to hear a little bit more, if time permits, on
8 the issues you're dealing with when it comes to
9 implementation sort of on that high level on the
10 relationship with the state kind of dynamic. Do you know
11 what I mean?

12 **CHIEF DORIS BILL:** The relationship with
13 the state, with the government, the federal government?

14 **COMMISSIONER QAJAQ ROBINSON:** You said --
15 yes.

16 **CHIEF DORIS BILL:** The Yukon government?

17 **COMMISSIONER QAJAQ ROBINSON:** Or the Yukon.
18 Both. Either.

19 **CHIEF DORIS BILL:** Well, in terms of -- we
20 get funding through a transfer payment agreement, and when
21 we get that funding every year, we're already under-
22 resourced. Right now, a great deal of the funding flows
23 through Yukon government, for example, with child welfare
24 and with health, things like that.

25 Self-governing First Nations have been

1 working with the federal government for quite some time
2 and speaking to them about the -- changing the way we
3 receive our funding. We prefer that funding go directly
4 to us. Oftentimes, governments will take an
5 administration fee off the top, and then we get whatever
6 is allotted to Yukon government.

7 We have repeatedly, repeatedly said, over
8 and over, to the federal government that this is
9 unacceptable. We want the funding to go directly to Yukon
10 First Nations, and we want our communities adequately
11 resourced so we can deal with these issues.

12 **COMMISSIONER QAJAQ ROBINSON:** Thank you so
13 much.

14 **CHIEF DORIS BILL:** But, you know, we've
15 done what we can in this area, and we continue to do what
16 we can, but we have -- you know, in addition to the things
17 that I speak about, we have -- our communities are now
18 dealing with opioids. It has compounded the problem for
19 many of our communities, and I -- it's something else, yet
20 again, through, you know, chief and council's enormous
21 responsibility that we are having to deal now with a
22 crisis situation.

23 You know, it's a sad, sad situation because
24 it's most of the young people that are dying. It's a lot
25 of young people, and it breaks my heart to see that. We

1 have to deal with it at the community level, and often I
2 say this, is that the chief and council really, in these
3 situations, are the first point of contact. And, when I
4 started this job, when I was first elected, I wasn't
5 trained in trauma counselling. But, yet, we have totally
6 traumatized people walking through our doors asking for
7 help, asking for our help.

8 You know, Kwanlin Dün has been very
9 successful in a number of areas, and we have come a long
10 ways, but I often think about the communities that don't
11 have the resources to put towards this kind of thing.
12 And, you know, I plead with the federal government to
13 adequately fund our communities, to adequately -- to put
14 the adequate funding towards the communities so that we
15 can help our people. I just couldn't stress that enough.
16 You know, no one is more equipped to deal with these
17 issues than our people.

18 You know, I talked about taking
19 responsibility. When we scrutinized our community, it was
20 tough, because many of the people committing the offenses
21 were our people, and we had to own up to that. And, once
22 we did, we could move forward. And, we're the ones,
23 nobody else, and this is what I said to our citizens when
24 we started our CSO program, if you want change, if you
25 want to fundamentally change the way this community is

1 right now, then you need to walk with me. You need to
2 help me. Chief and council can't do it. You have to do
3 it. Chief and council can put all the programs and
4 resources out there, but ultimately, if you want change,
5 that change has to come from within. No one else can do
6 it.

7 **COMMISSIONER QAJAQ ROBINSON:** Masi chok.

8 **COMMISSIONER MICHÈLE AUDETTE:** Qajaq, merci
9 beaucoup. I have to say, Chief Doris Bill, it was a
10 powerful presentation ---

11 **CHIEF DORIS BILL:** Merci.

12 **COMMISSIONER MICHÈLE AUDETTE:** --- for
13 simple and strong reason that the simple one is I was able
14 to read in English and French your submission while my
15 kids were running all over the place, and "Mom, do this
16 and do that". And, I was so proud to read it for this
17 reason. I'll start with this one, because we started this
18 journey in your territory.

19 **CHIEF DORIS BILL:** Yes.

20 **COMMISSIONER MICHÈLE AUDETTE:** It wasn't
21 easy. We were all stressed, but we knew we had to do it,
22 and the first community who invited us, it was you and
23 your government, the government also of Yukon, and other
24 groups, women's groups. So, I have to say thank you for
25 that. So, it's a great honour.

1 You were in my kitchen, in my home and in
2 my bed when I was reading your submission. I won't tell
3 you what I was doing, but I was reading; okay? But, with
4 very, very proud and also -- come on. That I could do
5 some link with my own community in the east, up north,
6 northern Quebec, or other places that we visited, or we
7 were welcomed, or invited, or another pair of moccasins
8 that I went for another, you know, mandate.

9 So, I have to say thank you so much. And,
10 what was very, also, powerful, your initiative, your
11 programs or your solutions are simple. They are made by
12 you and for you. You mentioned it in your response to
13 Commissioner Robinson. We know who are the best people to
14 know what's needed. It's us, the people from this land.
15 So, I salute your work.

16 **CHIEF DORIS BILL:** Thank you.

17 **COMMISSIONER MICHÈLE AUDETTE:** Very, very,
18 very great work. Few questions. Of course, there are
19 great programs or initiatives or actions, concrete actions
20 that you mentioned that some communities don't have
21 adequate funding, including your nation, your community.
22 Do you think it's something as Commissioners we have to
23 think about, resolution -- resolution. Recommendation or
24 action, that it's something that it could be also
25 replicated or other communities could benefit this measure

1 or initiative?

2 **CHIEF DORIS BILL:** You're talking about the
3 CSO program; right?

4 **COMMISSIONER MICHÈLE AUDETTE:** CSO.

5 **CHIEF DORIS BILL:** Or both, the Jackson
6 Lake?

7 **COMMISSIONER MICHÈLE AUDETTE:** Oui.

8 **CHIEF DORIS BILL:** Yes. Actually, most
9 definitely. In terms of the CSO program, I have
10 communities reaching out to me. I have given -- gone to
11 several communities and spoken to the community leaders
12 and to council and to elders and some community members
13 about community safety, and I kind of -- I think as a
14 result of the success of our community safety program, I
15 kind of fell into this role.

16 And, there are many communities that are
17 asking for this program. They want a program like this in
18 their community. Of course, it will have to be tailored
19 to meet their community, but I can see it being replicated
20 in other communities. We've even had calls from outside
21 of Yukon. I myself have met with Minister Goodale about
22 the program. I've met with Minister Bennett, and they are
23 well aware of the community safety program. Actually,
24 just before I came here, I received a letter of
25 recommendation from Minister Bennett lauding the success

1 of the program. And, Minister Goodale said he really --
2 he likes the program and can see, definitely, where it can
3 fill in the gaps that are missing in the communities.

4 The CSO program has been an incredible
5 success. We've managed to build partners with the Yukon
6 government, the City of Whitehorse, and they're even
7 talking about having our CSOs exchange with bylaws, do an
8 exchange of some sort so they can get to know our
9 community, our people can get to know the system a bit
10 better and how it operates.

11 We've had our CSOs do -- it's not just our
12 community. They patrol all of our settlement lands. They
13 also -- we have where the Inquiry first started in our
14 beautiful cultural centre on the waterfront, they do
15 patrol in that area as well. But, I have -- you know,
16 it's a program that I definitely would recommend that
17 communities have a serious look at, and I try to help
18 where I can and I try to reach out where I can, but I'm
19 only one person and I have an entire community to look
20 after. I would love to build up our capacity a bit more
21 so I can do the reaching out to other communities as well.

22 The Jackson Lake Land-Based Healing
23 Program, I definitely see the program being replicated
24 across the country. I mean, I think, you know, First
25 Nation culture is grounded in the land, and it's where we

1 go to heal. It's where we go to think. It's in here.
2 And, to have a program built based on the land is
3 incredibly powerful, culturally and spiritually. Many of
4 our people -- we -- like I said, we take people from
5 across the country, and it's not just First Nation.

6 I just want to tell you a story about the
7 guy I spoke about recently that came from a non-First
8 Nation. He's a non-First Nation gentleman. He came from
9 Ontario -- Gary, was it Ontario? Yes. And, about four
10 months, four or five months before he came, I received an
11 email from a gentleman. It came across my screen and it
12 was from a gentleman, a non-First Nation gentleman saying,
13 "I know that your" -- you know, Jackson Lake is for First
14 Nation people, but this man was crying out for help. He
15 was suicidal. He had explained what he had gone through.
16 He had been in numerous -- in car accidents, and he's gone
17 to doctor after doctor after doctor and no one could help
18 him. And, he was crying out for help.

19 And, unbeknownst to me, he had -- I
20 forwarded his email, and it ended up with the Jackson Lake
21 team, and they accepted him into the program. And, I try
22 and get out to Jackson Lake, you know, when I can, and I
23 was invited out there during the camp. And, I was sitting
24 there talking to a gentleman, and it was the same guy who
25 had sent the email. And, he said to me, he said, "Oh my

1 God." He said, "I've been to 13 doctors, and nobody has
2 ever talked to me about trauma." And, he said, "That's
3 what I believe is wrong, is that this is the first time I
4 have ever been able to deal with my trauma."

5 And, the transformation in this man was --
6 it blew me away. I was, like, wow. I almost cried I was
7 so -- you know, what he was saying was so touching and so
8 incredible. And, you know, I just -- it's a wonderful
9 program. It's a wonderful program that's effective, and I
10 really see other communities, you know, I think it should
11 -- other communities, if they want this type of healing
12 camps, they should -- they should be funded, and they
13 should be able to access these camps.

14 You know, I spoke -- Jackson Lake was
15 listed in the top five of a Health Canada report recently,
16 and yet, we have trouble getting funding. There was a
17 Health Canada report that listed Jackson Lake as one of
18 the top five Indigenous treatment programs in the country,
19 and yet, we can't get stable funding. We can't get
20 consistent funding. We can't get permanent funding. But,
21 yet, they'll fund something downtown that doesn't work.

22 **COMMISSIONER MICHÈLE AUDETTE:** Well, again,
23 a powerful statement. Two more things. You mentioned
24 that in the work of this Inquiry, we have to think about
25 recommendations or actions about our men.

1 **CHIEF DORIS BILL:** Yes.

2 **COMMISSIONER MICHÈLE AUDETTE:** Our boys.

3 **CHIEF DORIS BILL:** Yes.

4 **COMMISSIONER MICHÈLE AUDETTE:** So, the
5 healing process.

6 **CHIEF DORIS BILL:** Yes.

7 **COMMISSIONER MICHÈLE AUDETTE:** Very
8 important. So, I want to salute your courage to be honest
9 to say that some of our men are suffering, and maybe are
10 part of the crime or the family violence, but the way
11 you're doing, it's not to blame, but to support, to help
12 and to have a healing process in place. Is it something
13 you see a result?

14 **CHIEF DORIS BILL:** Yes. In Yukon, the
15 murder rate for men is maybe just as high, if not higher.
16 We -- I see it in my community. Men have been murdered,
17 gone missing. I have a gentleman that's gone missing
18 since the 1970's, and from downtown Whitehorse, and his --
19 nobody has heard or seen of him since. I'm responsible
20 for all people in my community. Even though I stood --
21 I'm a Co-Chair of the Missing and Murdered Advisory, I
22 always talk about men because in some communities, men's
23 programming is non-existent. Men have nowhere to go when
24 they want to talk about their feelings, or to talk about
25 what is troubling them.

1 Some of them have been severely, severely
2 abused and traumatized. And we provide that space for
3 them to deal with some of those issues. Some of the --
4 what the men go through, you know, I just recently ran
5 into a man that we helped get off the streets of
6 Whitehorse and he was severely, severely addicted and
7 severely abused in residential school. And he gave me a
8 big hug and he said, "Thank you. Thank you for giving me
9 a bed." You know, it's incredibly -- for me this work is
10 incredibly important.

11 I also -- I don't know how much you know
12 about me, but I also -- I addition to my other duties,
13 along with the mayor of Whitehorse, I spearhead what's
14 called Safe at Home, and it's a comprehensive plan to end
15 homelessness within the city of Whitehorse and the Yukon.
16 It's a tall order, but in a short 10 months we came up
17 with a plan between 57 NGOs, First Nation governments,
18 organizations, we sat down and developed a plan.

19 The entire city -- throughout the entire
20 city -- and the mayor often talks about this, we saw a
21 shift in our community when we were developing this plan.
22 A shift in the way people see homeless people, the
23 attitude started to change. And the plan is now -- we are
24 now implementing that plan. There are some other major
25 changes coming to the City of Whitehorse that I can't go

1 into today.

2 But the work has been incredibly
3 satisfying, and I think it comes -- probably a lot of it
4 comes from my roots, you know, the things that I've seen
5 and the things that I see at the community level. And
6 there's so many people crying out for help, I do what I
7 can, and I have an incredible staff. My staff is, you
8 know, we have probably about 150 employees with maybe
9 another 50 on contract, and when these -- you know.

10 The CSO program started with the death of a
11 young woman in our community. She was murdered by a young
12 man. Both of them were not KDFN citizens, but this is how
13 our community is affected. And our staff, they held me
14 up, because like I said, the Chief is the first point of
15 contact when these things happen in a community. And it
16 was -- it was traumatizing. It traumatized not only our
17 community, but the larger community as well.

18 Probably one of the smartest things, I
19 think, that we did as Chief and Council, was we held
20 safety meetings with our citizens right after. And we
21 through the doors open and we invited everyone,
22 government, all the top politicians in town. And I said,
23 "I want you to sit there and I want you to don't say
24 anything. I just want you to listen." And they heard
25 from our people how the rest of the city was affecting our

1 community, the crime, the drugs, the alcohol, everything
2 that the other people were bringing into our community.
3 And they had no idea.

4 And from that meeting, I said about
5 building partnerships, because that what it says
6 throughout our land claim agreement, it talks about
7 partnerships. Self-government is not doing it alone, by
8 yourself. It's about building partnerships and those
9 partnerships helped us build these programs.

10 **CHIEF COMMISSIONER MARION BULLER:** I would
11 clone you and bring you to Quebec, with a Francophone
12 accent.

13 **CHIEF DORIS BILL:** Oui, Oui.

14 **CHIEF COMMISSIONER MARION BULLER:** You're
15 an amazing person, amazing woman, amazing leader. Very
16 impressed.

17 (APPLAUSE)

18 **CHIEF COMMISSIONER MARION BULLER:** To
19 conclude in five seconds, you're sitting with amazing
20 women in the back.

21 **CHIEF DORIS BILL:** Yes.

22 **CHIEF COMMISSIONER MARION BULLER:** I used
23 to work with Chantal, very proud to know Chantal. And I
24 was able to meet the Minister the l'honorable Dendys.
25 Merci beaucoup, beaucoup, beaucoup, and for your colleges,

1 thank you.

2 **CHIEF DORIS BILL:** Thank you.

3 **CHIEF COMMISSIONER MARION BULLER:** Merci.

4 **UNIDENTIFIED SPEAKER:** (off mic -
5 inaudible)

6 **CHIEF COMMISSIONER MARION BULLER:** She
7 wants to marry you.

8 (LAUGHTER)

9 **CHIEF COMMISSIONER MARION BULLER:** Chief
10 Bill, thank you so much.

11 **CHIEF DORIS BILL:** You're welcome.

12 **CHIEF COMMISSIONER MARION BULLER:** Thank
13 you for reminding us where we started and it seems like
14 yesterday, but it wasn't.

15 **CHIEF DORIS BILL:** Yes.

16 **CHIEF COMMISSIONER MARION BULLER:** You've
17 certainly started us, you and the other organizations and
18 Yukon government started us off in a good way. So thank
19 you for that. Thank you also for reminding us about
20 important values, and that's of community-based strength
21 of land -- the importance of land-based programming,
22 because that's where we come from, the land.

23 **CHIEF DORIS BILL:** Yes.

24 **CHIEF COMMISSIONER MARION BULLER:** And
25 thank you also for reminding us about the importance of

1 ceremony and healing and the approaches that we have to
2 take in our recommendations. So I just want to thank you
3 on behalf of all of us here for lifting us up, showing us
4 the right way, and for giving us more to think about.
5 Thank you so much.

6 **CHIEF DORIS BILL:** Thank you. Masi chok.

7 (APPLAUSE)

8 **MS. SHELBY THOMAS:** Chief Commissioners and
9 -- Chief Commissioner and Commissioners, next Commission
10 counsel would like to call up Chantal Genier on behalf of
11 Minister Jeanie Dendys for the Government of Yukon. She
12 will have 40 minutes.

13 **--- SUBMISSIONS BY MS. CHANTAL GENIER:**

14 **MS. CHANTAL GENIER:** (Speaking in Native
15 Language)

16 Commissioners, family members, survivors,
17 and fellow parties with standing. Thank you for giving me
18 the opportunity to stand here on behalf of Government of
19 Yukon today. My name is Chantal Genier, I am Government
20 of Yukon's Senior Advisor for the National Inquiry.

21 I began by introducing myself in a
22 tradition Southern Tutchone way. I told you my southern
23 Tutchone name and that I am part of the Wolf Clan. I told
24 you that my relatives are the Tagish Khwaan, the Tlingit,
25 and the French. I also told you my mother and

1 grandmother's name, my father and grandfather's name, and
2 also where I live.

3 Before I continue, I'd like to acknowledge
4 the traditional territories of the people of the Treaty 7
5 region in southern Alberta, which includes the Blackfoot
6 Confederacy, the Siksika, Piikani, the Kainai First
7 Nations, the Taut'ina First Nation, the Stoney Nakoda,
8 the Chiniki, the Bearspaw, and Wesley First Nations.

9 I also acknowledge that Calgary is
10 home to the Métis Nation of Alberta Region 3. I would
11 also like to acknowledge the presence of Jeanie Dendys,
12 the Minister responsible for the Women's Directorate and
13 Government of Yukon, Chief Doris Bill from the Kwanlin Dun
14 First Nation, and Anne Maje Raider, who will be joining us
15 soon from the Liard Aboriginal Women's Society in Watson
16 Lake. The stories of trauma and tragedy that the
17 Commission has heard over the last year and a half are
18 unfortunately all too familiar in Yukon. However, in
19 partnership with Yukon First Nations, Aboriginal women's
20 groups, non-profit societies, and other key partners over
21 the past several years, the Government of Yukon has
22 carried out significant work towards understanding the
23 reasons why Indigenous women and girls face exceptionally
24 high rates of violence and towards learning about the
25 lasting impact of this violence.

1 Throughout this journey we have heard
2 stories of loss and grief but we have also heard stories
3 of resilience and hope. We remain committed to standing
4 with our partners in working toward developing better
5 approaches to supporting families who have experienced the
6 loss of a loved one, better support for victims of
7 violence and better approaches to breaking the cycles of
8 violence. Government of Yukon believes that together with
9 Yukon First Nations governments, Indigenous women's groups
10 and other key partners that we can end this legacy of
11 missing and murdered Indigenous women and girls in Yukon
12 and that collectively we have the tools.

13 In this submission I will provide you with
14 some historical context about Yukon and information about
15 some of the work that I just mentioned. I will also spend
16 some time reflecting on issues and themes that have
17 emerged from the stories of Yukon families who have been
18 affected by high levels of violence that continue to
19 impact Indigenous women, girls, and community members, and
20 LGBTQ2S plus community members. The Commission heard some
21 of these stories firsthand when you opened your community
22 hearings in Whitehorse back in May 2017.

23 It is also very important for us to take a
24 moment to honour Yukon families and communities and what
25 has transpired leading up to today. Too often in a

1 context like this we focus only on the heartbreaking
2 stories and the trauma and despair that run with them.
3 However, Yukon First Nations people have shown themselves
4 time and time again to be strong and resilient with
5 cultures and ceremonies that have survived over a century
6 of colonialism. Culture and ceremony are becoming
7 regularly integrated within intergovernmental dialogues,
8 for example, at the recent Status of Women Minister's
9 meeting, which included Minister's from across the
10 country. Indigenous culture and ceremony are grounding
11 relationships, ensuring we share similar intentions and
12 goals and bringing people together to partner,
13 collaborate, and make a difference. The self-governing
14 Nations in Yukon continue to take a leadership role in
15 this way and we certainly see how culture and ceremony are
16 the foundation of supporting and empowering Indigenous
17 women and their families.

18 Of course Government of Yukon is also in a
19 position to shape territory-wide institutions and
20 programs. The main part of my presentation will outline
21 three areas we have identified and how Yukon has a number
22 of ideas of how to move forward on them. Although we
23 still have quite a ways to go, we have already taken some
24 meaningful steps, and I would like to share some of those
25 with you today.

1 First, we see the need to take steps to
2 prevent violence. This includes targeted work to improve
3 the safety of women across the territory. We recognize
4 that there are services and supports that are lacking,
5 particularly in communities outside of Whitehorse.

6 Secondly, we see the need to improve short
7 and long-term responses to violence within our Yukon
8 communities, including education, training, and economic
9 empowerment of Indigenous women. Services that are more
10 timely, accessible, and culturally relevant are also
11 required.

12 Third, we need to support healing of Yukon
13 families that are dealing with the loss of a loved one or
14 who have experienced violence. While we see the way
15 forward we know we cannot do this alone. The Government
16 of Yukon will need to rely on the wisdom, experience, and
17 skill of our government, First Nations governments,
18 Indigenous women groups, and other key partners. We are
19 fortunate to be able to support them and also to draw on
20 them. To this end we also need to look to ways to ensure
21 the economic empowerment and self-sufficiency of these
22 governments and organizations.

23 Right now I would like to take some time to
24 provide you with some historical context of Yukon First
25 Nations and some background on important Yukon initiatives

1 that took place prior to the launch of the national
2 inquiry.

3 The Yukon is home to 14 distinct First
4 Nations, 11 of which have modern treaties and are self-
5 governing. Yukon's Nations fall under eight different
6 language groups but ties between them are strong and many
7 families are related by marriage and other close
8 relationships. Although known to fur traders, miners, and
9 trappers, the Yukon was essentially free of white settlers
10 and colonial institutions until 1898 with the onset of the
11 Klondike gold rush. The influx of people had devastating
12 consequences on Indigenous peoples and cultures. Further,
13 drastic change occurred in the 1940s and '50s during the
14 building of the Alaska Highway. As the infrastructure of
15 highways and railroads were put in place the federal
16 government was able to implement its policies of
17 assimilation first by removing children to residential
18 schools and later by moving them into adoptions by white
19 families, often in far-flung locations that affectively
20 severed all ties between them and their communities. Many
21 First Nation groups were also combined for ease of
22 administrative purposes.

23 Following the release of the Supreme Court
24 *Calder* decision in 1973 a delegation of Yukon chiefs went
25 to Ottawa and presented a land claims document to Prime

1 Minister Pierre Elliot Trudeau. This document called
2 "Together Today for our Children Tomorrow" outlined the
3 grievances, needs, future plans, approaches, and
4 recommendations for settlement with Yukon First Nations.
5 It culminated in 1990 with the signing of the Umbrella
6 Final Agreement or UFA. The UFA laid out a framework for
7 land claims negotiations, financial compensation, and
8 served as the foundation for most of the subsequent
9 individual self-government agreements that would follow.
10 By 1993 four First Nations had signed onto the self-
11 government agreements. Since then seven more have signed,
12 bringing this total up to 11. There are three Yukon First
13 Nations that do not have self-government agreements or
14 settled land claim agreements and are remained governed
15 under the *Indian Act*.

16 According to Crown Indigenous relations and
17 Northern Affairs Canada's website there are 22 First
18 Nations with self-government agreements in Canada. Eleven
19 (11) or half of those are located in the Yukon Territory.
20 Furthermore, according to Crown Indigenous Relations and
21 Northern Affairs Canada there are about 50 self-government
22 negotiation tables currently running across the country.
23 What's very important to note about this is that when
24 funding is being considered for program delivery for First
25 Nations with self-government agreements is that it must be

1 done with the understanding that they require a different
2 framework than those First Nations governed under the
3 *Indian Act*. It is imperative that recommendations reflect
4 the self-governing First Nations of Yukon and are not
5 simply broad sweeping commentaries referencing on reserve
6 and off reserve.

7 Every Yukon First Nation self-government
8 agreement contains terms of negotiation and defines
9 consultation, which is what will ultimately determine what
10 the Nations citizens' needs are, especially with respect
11 to programs, initiatives, and resource development. These
12 are trilateral agreements signed by Government of Canada,
13 Yukon government, and each respective First Nation.

14 Although the marginalization and
15 vulnerability of Indigenous women and girls has only
16 recently become more evident to the general public
17 Indigenous women have been keenly aware of it for decades.
18 In the Yukon alone there are three Aboriginal women's
19 groups that have done tremendous work toward raising
20 awareness and giving a voice to Indigenous women and girls
21 and for one organization this work has been done since the
22 1970s. These groups are the Yukon Aboriginal Women's
23 Council, the Whitehorse Aboriginal Women's Circle, and the
24 Liard Aboriginal Women's Society in Watson Lake. We owe
25 the women behind the efforts of these groups a tremendous

1 amount of gratitude for their strength, bravery, and
2 endurance in bringing issues that have and continue to
3 impact Indigenous women and girls forward.

4 The work of Indigenous women's groups
5 ultimately influenced the decision for a review of
6 policing in the Yukon in 2010. This work was undertaken
7 collectively by the Yukon Department of Justice, the
8 Council of Yukon First Nations, and the "M" Division of
9 the RCMP. The Sharing Common Ground Report recognized,
10 among other things, that the level of service provided to
11 Yukon First Nations communities fell short in many
12 significant respects and provided a roadmap for a new
13 relationship.

14 Also in 2010 the Yukon Aboriginal Women's
15 Council took the lead from the National Sisters in Spirit
16 Project and began researching cases of missing and
17 murdered Indigenous women in Yukon and northern B.C. By
18 the end of the Yukon Sisters in Spirit Project in 2013, 38
19 cases of missing or murdered Indigenous women had been
20 identified, and a long overdue conversation started with
21 the families. Sadly, this number has only grown.
22 However, it was this significant project that helped to
23 develop the strong relationships that were needed to
24 meaningfully participate in the work of this Inquiry.

25 Following the announcement of the Inquiry

1 in 2015, a family gathering was organized by the
2 Whitehorse Aboriginal Women's Circle, and a Yukon Regional
3 Roundtable subsequently took place in 2016. In these
4 venues, families were able to share stories, make
5 recommendations, discuss current initiatives, and identify
6 areas for further collaboration. Several commitments came
7 out of this roundtable, including a declaration to support
8 families of missing and murdered women and girls, to
9 address the root causes of violence against women and
10 girls, and to take collaborative action. This declaration
11 was signed by the majority of Yukon First Nation Chiefs,
12 numerous representatives from Government of Yukon, the
13 RCMP, the Association of Yukon Communities, and many other
14 key community organizations.

15 Another commitment from the roundtable was
16 a joint submission for the National Inquiry during the
17 pre-inquiry consultation process. Yukon then sent a
18 delegation to the second National Roundtable that was held
19 in Winnipeg in February 2016 and spoke of the collective
20 work being undertaken in Yukon, and the importance of
21 seeking national solutions that meet our territory's you
22 can -- unique circumstances and experiences of northern
23 Indigenous women and girls. Yukon also allocated funding
24 to support Yukon Indigenous women's organizations and
25 their continued work in developing projects that respond

1 to the recommendations from the Yukon Regional Round.

2 This work solidified relationships between
3 Yukon family members and allowed them to collectively
4 communicate concerns and support needs. New partnerships
5 were created between the Government of Yukon, First
6 Nations, Indigenous women's groups, and the RCMP, which
7 have allowed for other collaborate effort to be --
8 collaborative efforts to be advanced. Public events such
9 as the Annual Sisters in Spirit Walks and Walking with Our
10 Sisters Commemoration raised the public consciousness and
11 prompted the RCMP to work closely with the Indigenous
12 women's groups to follow-up on cold case files, and even
13 re-open closed investigations.

14 Without these efforts, much of the
15 information that have been gleaned by families and loved
16 ones, who courageously shared their truths and stories
17 before you in May 2017, would not be known.

18 I would like to now speak about some of the
19 issues and themes that arose during the Whitehorse
20 community hearings in 2017. Yukon was honoured to be
21 chosen by the Commission as the first community to host a
22 community hearing. During these hearings, you heard
23 testimony from approximately 72 family members and
24 survivors. While the majority of the testimony was given
25 in-camera, a number of families and survivors bravely

1 chose to share their stories publicly. Common themes
2 emerged throughout the hearings that illuminated the
3 connection between the experience of missing and murdered
4 Indigenous women and girls, and the traumatic impact of
5 residential school, and in child welfare systems on Yukon
6 families and survivors. The testimonies provided
7 important and invaluable information, and the themes and
8 the insights that emerged, should guide the formulation of
9 recommendations by the Commission.

10 Over the course of the hearings, it became
11 obvious that Yukon's Indigenous women and girls are
12 victims of violence in large part because of government
13 policies and institutions that isolate them from their
14 culture and communities, sever social and family ties, and
15 that make them vulnerable and marginalized. The
16 institutions most squarely responsible for this isolation
17 were identified as residential schools, the child welfare
18 system, and the criminal justice systems. Prohibitions
19 imposed by the Indian Act also worked to attenuate the
20 connection between people and culture. As well, we
21 recognize that Indigenous women often face racist
22 stereotypes that further isolate them from the broader
23 community.

24 In addition to making women more vulnerable
25 to abuse, testimonies revealed that there is an inner-

1 section of historic and present-day complex factors that
2 impact Indigenous women and girls, including a loss of
3 culture, language, community, and identity. And that it
4 is a combination of these that often leads to conflict
5 with the justice system, feelings of isolation, poverty,
6 early death, racism, sexual abuses, neglect, suicide,
7 homelessness, violence, a lost of trust, mental health
8 issues, and alcohol and drug addiction.

9 At these hearings, parents spoke about the
10 lessons they learned from their children, and about their
11 hope for the future. Children talked about the
12 understanding they had for what their parents and
13 grandparents had suffered, and about their resolve to
14 reconnect with their culture and with the land. The
15 families had clear ideas about the way forward as
16 individuals and as communities. Many of the suggestions
17 and recommendations they offered are already known and
18 have been captured in many previous reports and studies.
19 We heard them when they said, "We must take action now."
20 And that we have the knowledge required to make meaningful
21 change, so no more families have to experience what they
22 have and, in many cases, still experience.

23 We heard the voices of the families who
24 testified in May 2017, just as we heard the voices of the
25 women whose stories were collected before the Inquiry was

1 launched. None of this is new. Much is a -- much of what
2 we have heard is already reflected in the recommendations
3 made by past inquiries and in the Interim Report of the
4 Commission. While I will not have time to delve deeply
5 into all three of these areas in my oral submission today,
6 our intention is to expand on them in our written
7 document. For now, I would like to speak about how Yukon
8 has started to address the issues, specifically, around
9 preventing violence, improving short and long-term
10 responses to violence, and support for healing of violence
11 who have -- of families who have experienced violence.

12 What we heard clearly throughout the
13 Inquiry is that, in order for women to be safe, their
14 communities must be healthy. The circumstances that lead
15 to violence against Indigenous women and girls are
16 complex, and the solutions need to be holistic. To this
17 end, there needs to be community support and healing
18 opportunities that are directed not just towards women,
19 but also towards Indigenous men who are struggling with
20 the same legacy of residential schools, the child welfare
21 system, and other racist laws and policies. Men have an
22 important traditional role to play with respect to
23 preventing, intervening, and responding to violence
24 against women. According to Stats Canada, in 2011, the
25 rate of police reported violence in Yukon was four times

1 higher than the national average. The rate in Northwest
2 Territories was nine times higher, and in Nunavut, almost
3 13 times higher. And for Indigenous women, this rate is
4 even three or four times higher than that.

5 With this in mind, I want to speak about
6 planning and implementation work that has been taking --
7 in place in Yukon around community safety planning. We
8 see this as an excellent example of both preventing
9 violence and improving the long-term response as it
10 directly involves and engages the communities that are
11 impacted most by violence. We had taken a lead from the
12 work that the Kwanlin Dün First Nation has done with their
13 community safety initiative. As you've just heard from
14 Chief Bill, one of its most successful components has been
15 the creation of the Community Safety Liaison Officer
16 program, which has made impressive strides toward creating
17 accessible, sustainable, and culturally relevant justice
18 services for their citizens.

19 In undertaking this work, Government of
20 Yukon has considered options with respect to crime
21 prevention through environmental design as well. We have
22 taken a broader view, however, and consider it to be only
23 one component of a more comprehensive community safety
24 planning process. One that includes community assessment,
25 gap analysis, priority setting, visioning, community

1 mobilization, and implementation. In exploring options to
2 support community safety planning for Yukon First Nations,
3 we recently collaborated with the Council of Yukon First
4 Nations and Public Safety Canada to deliver a workshop for
5 First Nations and Yukon stakeholders on Public Safety
6 Canada's Aboriginal Community Safety initiative.

7 The focus of the workshop was on awareness
8 of the new call for crime prevention proposals,
9 information on the new national crime prevention portal,
10 and evidence-based programs, and an information session on
11 community safety and wellness planning. During the
12 workshop, there were four First Nations that confirmed
13 immediate interest and readiness to proceed with community
14 safety planning, and we were pleased to see nine proposals
15 ultimately submitted following that.

16 The process follows four phases of
17 implementation. The first involves obtaining leadership
18 commitment and the building of a core group. Then,
19 relationship building, which involves introducing a
20 facilitator to plan consultation and engagement activities
21 in the community. Action planning occurs which involves
22 conducting an historical review, setting goals and
23 identifying assets. Then, the safety plan development
24 involves setting priorities, mapping activities and
25 documenting it all.

1 The initial step is very important. It is
2 for the First Nation governments to indicate their
3 interest and commitment by identifying a community
4 facilitator and submitting a mandate letter for the
5 process going forward. Once that happens, the community
6 facilitators will attend a five-day training workshop,
7 which I believe may have already taken place just
8 recently, and where they will be given tools and resources
9 on how to lead the community safety planning process.

10 Public Safety Canada is fully supporting a
11 Train the Trainer seminar in the Yukon, which will be
12 based on an intensive, highly-participatory, capacity-
13 building, knowledge-development training model, formatted
14 to mirror what typically transpires in communities engaged
15 in this process.

16 In addition to the five-day training,
17 Canada has committed to providing funding for six sessions
18 with each community with a Public Safety Canada contractor
19 with the option of additional meetings on an as-needed
20 basis. Once the training is completed, participants will
21 take the knowledge and resources back to their communities
22 to explore interests, leadership commitment, and ideally,
23 to begin the process of community safety planning.

24 Some of the principles guiding the process
25 include being holistic, really encouraging the whole

1 community to engage, and identifying what the issues are,
2 and to become active participants in the development of
3 solutions.

4 Cultural relevancy. The process must
5 embrace and reflect each community's unique history and
6 culture, recognizing the gifts and strengths of
7 individuals in the community, we know that they will need
8 to draw on them for this process to truly succeed.

9 Respect for each community's current state
10 of development. It is important to recognize that each
11 community will be starting at different levels of
12 readiness and capacity, and this process must be
13 Indigenous-led. We recognize how important it is that the
14 participants own the process.

15 Canada indicated they have funding
16 available for three to four Yukon First Nations to
17 undertake this process starting this year. Once the
18 community completes the Community Safety Plan, they will
19 then be eligible to apply for up to \$100,000 each in
20 implementation funding.

21 As encouraging as this has been, we have
22 also heard the need for long-term federal funding that
23 includes operational and management streams so that these
24 programs can be sustained. Recommendations must reflect
25 the need for multi-year agreements and for less onerous

1 reporting requirements.

2 In order to build safer communities, we
3 feel that the biggest impact can be made by working with
4 First Nation governments and our partners, and that true,
5 meaningful change will only occur if we engage with and
6 support the communities to develop their own Community
7 Safety Plans, and we are excited to see how the work
8 unfolds going forward.

9 Tragically, the rate of police-reported
10 sexualized assault is also over three times higher in the
11 Yukon than in the rest of Canada, and we are keenly-aware
12 that dark figures exist as well. Yukon takes this matter
13 very seriously and has been focused on not only improving
14 the short-term response, but also the long-term response
15 of addressing these heinous acts.

16 In December of last year, Yukon committed
17 to improving services for victims of violence and
18 sexualized assault by fostering a more responsive,
19 integrated and culturally-relevant system through the
20 creation of a sexualized assault response team, or SART.
21 Better coordination of existing medical and victim
22 services will be supported by two new Government of Yukon
23 positions; a victim support coordinator and a clinical
24 coordinator. They will work in partnership to ensure
25 there is continuity of care and wrap-around services for

1 victims of sexualized assault.

2 There are still components still being
3 implemented. However, we have hired a project manager and
4 have completed an MOU between the Yukon Hospital
5 Corporation and the Department of Health and Social
6 Services; a SART cart that will be available in the
7 Emergency Department of the hospital for sexual assault
8 exams; engagement by a medical expert with key partners on
9 all aspects of the affected medical system to inform
10 policy, protocol and training.

11 A detailed service mapping, linking all
12 critical systems; ensuring that priority access for
13 victims of sexualized assault at the mental wellness hubs,
14 which are located in Whitehorse and some of the
15 surrounding communities. And, we've also established a
16 Deputy Minister oversight committee and implementation
17 committee that consists of representatives of the RCMP,
18 Yukon Hospital Corporation, physicians and Yukon
19 government officials.

20 Other critical components are under way and
21 include the hiring of a clinical coordinator; a SART
22 victim support coordinator; finalizing negotiations with a
23 host organization for a crisis line; finalizing forensic
24 and medical policies and protocols; and providing training
25 for the SART multi-disciplinary team that includes

1 physicians, nurse practitioners, victim support workers,
2 crisis line workers, brief intervention and first
3 responders, partners and others as needed.

4 Victims currently have access to services
5 that will assist, whether they present in a time of crisis
6 or with an historic trauma. Although it has taken some
7 time to fully realize our vision for the SART, we are
8 taking the time needed to get this new initiative right.
9 This work is a high priority for us and involves working
10 with several Government of Yukon departments and external
11 partners.

12 We are very happy that we are getting close
13 to realizing the ultimate goal of the sexualized assault
14 response team, which is to create a gold standard of
15 holistic care. We are proud of all the hard work it has
16 taken to get to this point, and that we did not compromise
17 client and team health and safety for faster
18 implementation.

19 Now that Phase 1 is almost complete, Phase
20 2 will involve more extensive outreach with First Nation
21 governments, Indigenous non-profit organizations, and the
22 Council of Yukon First Nations to ensure that cultural
23 safety is at the heart of integration of victim and
24 clinical supports. For example, we know that some people
25 feel more comfortable disclosing to elders versus an RCMP

1 officer, a victim services worker or a doctor. So,
2 ensuring that our SART incorporates cultural practises and
3 preferences in such a way that increases safety and
4 healing for victims is critical.

5 An incredible example of support for
6 healing can be found in the recent project that Yukon
7 supported that was led by the Whitehorse Aboriginal
8 Women's Circle called "Finding our Faces", which focused
9 on dedicating a monument to residential school survivors
10 and the release of a book of memories.

11 The project honours the more than 100
12 former students who attended the Whitehorse Indian Mission
13 School which operated from 1947 to 1960. The artist, Ken
14 Anderson, met with former students before designing the
15 monument, and settled on a design that includes nine
16 wooden stools placed in a circular formation on a concrete
17 block, and circling an etched design of the former school.

18 Each stool is intentionally different to
19 reflect the uniqueness of each student, despite school
20 policies that saw all the students receiving the same
21 haircut and assigned uniforms. An opening in the circle
22 is meant to encourage people who did not attend
23 residential school to join the circle and be part of the
24 healing.

25 That monument is located on the waterfront

1 next to the Yukon River, very close to where the first
2 community hearings for the Commission took place. The
3 waterfront is sacred to Yukon First Nations people and
4 considered a healing place.

5 Not only will the monument provide a place
6 where former students can gather to remember and heal, it
7 will be seen by thousands of people who visit the Yukon
8 every year from around the world, sparking many important
9 discussions and raising awareness.

10 A book was also distributed at the event
11 called, "Finding our Faces", which documents photos and
12 stories from students who have attended the school. It is
13 a second edition, because the original release prompted
14 other students to come forward with more pictures and more
15 stories.

16 Given that the recognition of culture,
17 identity, and family is critical to the foundation of our
18 healthy communities.

19 Another area that is a high priority for
20 Yukon is around working to keep Indigenous children with
21 their biological families, extended kin, or within their
22 communities.

23 The Yukon's *Child and Family Services Act*
24 was updated in 2008 and provides for significant First
25 Nations input in government decisions about child

1 protection.

2 In addition, a clause was added that calls
3 for the review of the operation of the Act every five
4 years by an advisory committee. We are currently in the
5 middle of this process and expect that a report will be
6 tabled in the spring that will speak to whether the
7 purposes and principles in the Act are being achieved.

8 As well, the self-governing agreement
9 signed by the Yukon First Nations allow the service to
10 ultimately be drawn down and administered on an individual
11 First Nation basis.

12 Yukon recognizes that there is always room
13 for improvement in the implementation of the *Child and*
14 *Family Services Act* and we are committed to work with
15 Yukon First Nation government to get it right.

16 This is only a brief summary of some of the
17 work we have undertaken. Our written summary will
18 obviously contain more information both about what we are
19 working to accomplish now and other areas in which we see
20 change being needed.

21 Before I finish, I want to thank the
22 Commission again for this opportunity, and I raise my
23 hands up to all of you for all of your hard work over the
24 course of your hard work over the course of this Inquiry.
25 We know how hard this work can be and we are grateful to

1 your commitment and dedication to fulfilling your mandate.

2 We have learned a lot from the work and
3 recommendations that were set out in the interim report,
4 and know that we still have a lot of work to do.

5 We are looking forward to the final report
6 so that we can continue to work with our Indigenous
7 counterparts and other key partners to find solutions
8 towards ending the inequalities, inequities, and violence
9 that continue to plague Indigenous women, girls, and
10 members of the LGBTQ2S+ community in the north.

11 Shone thon (phonetic); thank you.

12 (APPLAUSE/APPLAUDISSEMENTS)

13 **MS. SHELBY THOMAS:** Chief Commissioner,
14 Commissioners, do you have any questions?

15 **MS. CHANTAL GENIER:** I would like to invite
16 my colleague, Andrea Daily (phonetic) to come; she may
17 assist me with some of my responses.

18 **COMMISSIONER QAJAQ ROBINSON:** Thank you
19 very much for your presentation, and as a government, who
20 issued an Order in Council to empower us within your
21 jurisdiction in this historic joint National Inquiry.
22 You've empowered us, so you -- has given us this mandate
23 in part as well, so I want to acknowledge that.

24 And in -- with that in mind, much of our
25 recommendations will be directed to governments, including

1 yours. And one of the things we've heard, and we've even
2 heard it today, this fear of the reports, the
3 recommendations collecting dust; sitting on shelves.

4 And our mandates end at the end of this,
5 and I'm really happy to hear about the work that has been
6 done giving life and honouring the truths that have been
7 shared by the families in the Yukon since even before the
8 Inquiry. Your government has been listening and the fact
9 that action has been taken exemplifies what we've been
10 saying all along is that you don't need to wait till we're
11 done.

12 So I want to raise my hands up to you and
13 your government and your Minister for putting words into
14 action.

15 One of the things that I think about is how
16 we, as a country, and how governments moving forward
17 demonstrate the honouring of what we've heard, and giving
18 life to what we've heard; so in a sense the implementation
19 of the recommendations and oversight of the implementation
20 of the recommendations that are coming forth.

21 Do you have thoughts on mechanisms that may
22 be put in place either by your government or other
23 governments across this country that might allow for that
24 ongoing oversight and reporting on the implementation?

25 **MS. CHANTAL GENIER:** Thank you for your

1 question.

2 I may actually invite my Minister up to
3 help me with this question as well. We've certainly had
4 some discussions around it.

5 **THE HONOURABLE JEANIE DENDYS:** Well, that
6 didn't take long.

7 I was going to say something at the end so
8 I'll say it now and then I'll answer your question.
9 Jeanie Dendys (speaking in Native language). I'm Jeanie
10 Dendys. I come from the Tahltan Nation. I'm Wolf. I
11 come from Cloga Dena (phonetic) people from Northern B.C.
12 but I'm a born and raised Yukoner and very, very proud to
13 be in this position.

14 I came in just around the time the Inquiry
15 was starting and have been a support to seeing a National
16 Inquiry into Missing and Murdered Indigenous Woman and
17 Girls in this country for a very long time.

18 So I absolutely stand with our Indigenous
19 groups, our governments, and I am honoured to be here
20 today and I echo what my staff member has brought forward,
21 Chantal.

22 I thought it was really important that a
23 Yukon First Nation woman present on behalf of Yukon and so
24 I'm really proud of her today in doing that on behalf of
25 Yukoners. And, of course, Chief Bill's work that I had

1 the absolute privilege of working on all of those
2 initiatives that she highlighted today and know that those
3 are transformational initiatives, they are. And I hope in
4 -- I know that the Commissioners have heard about them
5 before but I think that they're absolutely important to
6 others in Canada to hear that there's tremendous hope in
7 empowering our communities and that we have the answers
8 within our communities and that simply sometimes it's just
9 as much -- we need a partnership, that's what's needed.

10 And so I've followed the Inquiry all the
11 way through from day one. So I was there on the very
12 first day of the hearings and I've come as often as I
13 possibly could to be -- to hear the expert hearings and to
14 hear other family members from other jurisdictions.

15 I was there on the last day of the family
16 hearings in B.C., and it was quite an honour to hear from
17 families; heartbreaking. I've wept right alongside others
18 in Canada, you know, to hear these devastating stories.
19 And I did hear them today again. The video brought back a
20 lot, and I thank you for that summary.

21 In terms of -- okay, I'll get to the
22 question now -- the mechanisms to follow the
23 implementation, we do currently have an advisory committee
24 that's co-chaired by myself, by Chief Bill, and by other
25 -- by the Indigenous women's groups in Yukon. So it was

1 formed previous to the Inquiry to encourage an inquiry,
2 and then when I came on board, we had the Inquiry so it
3 became a committee to advise as the Inquiry unfolded.

4 And so I will have to talk with my co-
5 chairs and with Yukoners to seek their advice and -- but
6 my sense is that that's the type of approach we will take
7 in Yukon. That we are collaborative, we reported to -- we
8 have what's called the Yukon Forum which meets three --
9 four times a year with all of the First Nation chiefs, and
10 we've presented to the chiefs, along with all the
11 Ministers in Yukon on the Inquiry in the past, and we will
12 be doing that again.

13 So Yukon is taking very much a coordinated
14 approach, and absolutely, I've said this before and I'll
15 say it probably many, many more times that this is an
16 important chapter of Yukon -- or Canadian history that
17 ...must be told, and I will say this today, that I hold my
18 hands up to you, as Chantal has said today, in doing this
19 important work on behalf of all Canadians. I know how
20 hard it must have been, and I thank you for doing that on
21 all of our behalf. It's tremendous what you've done for
22 us, and I really look forward to the report and being on
23 the receiving end of that report.

24 So thank you. Madu. Madu is thank you in
25 the Tahltan language.

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(APPLAUSE)

MS. CHRISTA BIG CANOE: Thank you so much for giving us insight into your government's intentions and desire to follow through. That follow through is so key, and I also want to raise my hands to you for showing up, for being part of the 14 governments and showing up to so many hearings.

Thank you.

COMMISSAIRE MICHÈLE AUDETTE: Merci beaucoup. Merci beaucoup, l'Honorable Dendys. I know you mentioned the great work of Chantal and also to have an Indigenous woman and bring the message on behalf of the Yukon government. It is also, from where I'm sitting, as a mom, a mother, very impressed and very proud to see that we -- you also are an Indigenous woman holding that position where we can contribute for change and a real change.

I used to say or I still say those who have the power, we have the power.

THE HONOROURABLE JEANIE DENDYS: We do.

COMMISSIONER MICHÈLE AUDETTE: We have the power, but we do not change the legislation just like this, unless a Minister wants to see the change.

So I commend you for the work you do and I know you followed the work of the Inquiry, maybe not

1 physically, but you were on the phone or your staff with
2 us to make sure that we follow the protocol of your
3 territory. So again, thank you so much, and I'm glad that
4 Commissioner Robinson asked what's next for you as a
5 government, and I think it's a good example of when we
6 collectively worked together, not only one agency or an
7 institution, but with the grassroots organization, the
8 women's organization, the leadership from the land, the
9 territory, plus the government. I'm pretty sure there
10 will be some success. I hope so. And it should be a good
11 example for the rest of Canada.

12 I understand also during your presentation,
13 Chantal, that self-government is an important aspect of
14 the steps being taken by your government in order to
15 attempt to move forward.

16 And also, we've heard from Chief Bill. Di
17 you have, with other First Nations communities, the same
18 Memorandum of Agreement kind of work?

19 **THE HONOURABLE JEANIE DENDYS:** Yes,
20 Commissioner, there are other memorandum of agreements
21 that are under the child welfare, and as Chantal brought
22 forward, we have a full review of our Act right now. It
23 was supposed to be five years. It was within the
24 legislation to do a review in five years, which would have
25 been around the time that we formed government. So that

1 process is underway, and it includes Yukon First Nations
2 on that review. And so one of them being a Council Member
3 for Kwanlin Dün. So we intend to have very insightful
4 recommendations and practical types of information brought
5 forward from that review committee.

6 So yes, absolutely, there are others. I
7 was -- when I was Director of Justice for Kwanlin Dün at
8 the time when the banishment of social workers happened,
9 and so I was the one that got the call from then Chief
10 Mike Smith saying, "Yeah, I think you should come in for a
11 meeting because we've just banned social workers from our
12 traditional territory." And I was brand new, and he told
13 me this, and I said, "Okay. What does that mean?" What
14 it meant was a change.

15 And as Chief Bill brought forward in her
16 testimony, there are no interactions with social workers
17 in regards to Kwanlin Dün children or families without the
18 presence and knowledge of Kwanlin Dün. So it was a
19 catalyst for change, and there are other first nations and
20 communities that are entering into MoAs now in Yukon. And
21 there was a full review of that MoA as well. So there was
22 an evaluation recently that will feed into the review
23 that's happening of the Act.

24 **COMMISSIONER MICHÈLE AUDETTE:** So good to
25 have you there, Madame la ministre. I will enjoy this for

1 another question.

2 We were able to hear, and Canada also was
3 able to hear Chief Bill about her CSO program in Jackson
4 Lake Project or Team -- Program, sorry. Isn't funding
5 coming from your government or it's coming from the
6 federal government?

7 **THE HONOURABLE JEANIE DENDYS:** The CSO
8 Program and the way that it was negotiated was a
9 partnership agreement. It, yes, included funding from the
10 Government of Yukon, but the way it was framed when it was
11 negotiated was that Kwanlin Dün wasn't asking anyone to
12 come and fix anything. They said, "You know what? We
13 need this partnership." So we were very happy to enter
14 into an agreement, a three-year pilot agreement on that.

15 Is it okay, Chief Bill, to add those -- I
16 had to ask permission.

17 I think, you know, the intent always is
18 that Chief Bill talked about the administration of justice
19 negotiations that are ongoing, and that's something that
20 Kwanlin Dün's been at the table for a very long time, and
21 the CSO Program, Jackson Lake, all of those initiatives
22 are tied into long-term planning for the First Nation
23 around the Administration of Justice Agreement.

24 So looking at -- because under the AJA, you
25 can -- you're able to draw down courts, corrections and

1 enforcement and any other aspects that the parties agree
2 to. So the intent was always that they would tie into the
3 Administration of Justice Agreement. So that's a very
4 important aspect of it in terms of how do you sustain long
5 term.

6 You know, we're happy, as a government, to
7 give a strong mandate for the negotiations on behalf of
8 Government of Yukon for those agreements to be completed.

9 **COMMISSIONER MICHÈLE AUDETTE:** I just want
10 to make sure I understand it was a pilot project, three
11 years, the CFO -- CFO -- mon English is tired, là.

12 Is it something that could be permanent
13 now, knowing that it's a positive -- there is positive
14 impact or change?

15 **THE HONOURABLE JEANIE DENDYS:** And we're
16 supporting those discussions with -- I mean, those
17 discussions are with us, with the Government of Yukon, but
18 also with Canada. So I mean, I know that it's made a
19 tremendous difference in the community. And so we, you
20 know, are very supportive of the change that has occurred.

21 I had tea with an Elder over Christmas, and
22 she lives right in the middle of Kwanlin Dün's community,
23 and I said, "How's it going? Has it changed?" And she
24 said, "Jeanie, it's changed. It's changed in so many
25 ways. I do not feel scared in my community. The

1 community safety officers have made a tremendous
2 difference."

3 And I think Chief Bill is very modest in
4 how she presented the statistics. I think in the first
5 year, without even the full implementation, went down by
6 40 percent and even further now. And that's a huge
7 reduction in the calls to service, but that interaction
8 with that really important Elder, to me, was a good, clear
9 indication that the community is changing.

10 You had asked about funding for Jackson
11 Lake as well.

12 **COMMISSIONER MICHÈLE AUDETTE:** M'hm.

13 **THE HONOURABLE JEANIE DENDYS:** And there is
14 a funding arrangement in place with Government of Yukon,
15 but also with Canada. So the mental health wellness teams
16 hat are funded federally and as Chief Bill talked about,
17 all of those funding arrangements, that kind of -- there's
18 many funding partners to that and it is complicated in how
19 you report.

20 But -- so there are a number of funding
21 partners that make up the entirety of that program and
22 it's complex and -- but, you know, I'm not 100 percent
23 sure of where those negotiations are but that's generally
24 how it's set out.

25 **COMMISSIONER MICHÈLE AUDETTE:** Bien merci

1 beaucoup.

2 **THE HONOURABLE JEANNIE DENDYS:** Thank you.

3 **COMMISSIONER MICHÈLE AUDETTE:** Thank you so
4 much.

5 **CHIEF COMMISSIONER MARION BULLER:** I want
6 to thank all of you for coming this afternoon and showing
7 us how decolonization can really happen and that's through
8 relationships and partnerships. So thank you very much
9 for inspiring us and giving us a healthy framework for the
10 work that we have to do still. We're very grateful.
11 Thank you.

12 **MS. JEANNIE DENDYS:** Thank you very much
13 for the opportunity. It was tremendous for us to be here.

14 **CHIEF COMMISSIONER MARION BULLER:** So
15 having said that, we're adjourned for the day, except for
16 our closing ceremony.

17 **MS. CHRISTA BIG CANOE:** Yes and I would
18 just ask Chief Commissioner and Commissioners, tomorrow
19 for the schedule the first party withstanding will be
20 called at 9:30 a.m., but I understand that the opening
21 prayer will be at 9:00 a.m., so if we could adjourn until
22 9:00 a.m. tomorrow?

23 **CHIEF COMMISSIONER MARION BULLER:** Sure,
24 9:00 a.m., please.

25 **MS. CHRISTA BIG CANOE:** Thank you.

1 **MS. CHRISTINE SIMARD-CHICAGO:** Good
2 afternoon. It's been a good long afternoon with good
3 testimony. We have a couple things we need to do to wind
4 down for the day. So right now we'd like to ask Leslie
5 Metchahoya (Ph) to come up.

6 Leslie was here. Oh, there he is. Sorry.
7 And now I'm going to ask some of our ladies that sing that
8 brought their rattles with them to come up as well.
9 Bobby-Jo and we have Audrey. And anyone that feels
10 comfortable who would like to come up and sing, that would
11 be wonderful.

12 So I'm going to explain a couple of things
13 while we're waiting for these folks to come up. We're
14 visitors to the Blackfoot Territory and there's protocols
15 that must be followed.

16 I know at some of our other hearings we've
17 had women drummers and those are the teachings of that
18 land, but we're visitors here in this land.

19 So in order to respect the protocols of the
20 land and of the people, women don't normally drum, but
21 they can sing. Women can use rattles but when they're in
22 ceremony.

23 And what we're going to do in a couple of
24 minutes with the parties withstanding is go into ceremony
25 by honouring them. Honouring them for being in this

1 process with us for the last two years plus. Being there
2 asking questions and advocating for our families and for
3 our women and girls that we have lost.

4 So if we have everyone that needs to come
5 up, if they can come join us ladies. And I'm going to ask
6 the parties withstanding that are in the room to come up
7 as well. Carol.

8 (LAUGHTER)

9 **MS. CHRISTINE SIMARD-CHICAGO:** We have the
10 two young ladies there behind Marlene. Can you come?
11 Please join us? And the other lady with the ponytail.
12 Yes, you.

13 (LAUGHTER)

14 **MS. CHRISTINE SIMARD-CHICAGO:** Could I ask
15 our Commissioners to come up as well? And Ann Black(Ph).
16 And our grandmothers.

17 Leslie, Gerry, do you guys want to come up?
18 Okay.

19 So what we're going to do for the parties
20 withstanding, we're going to honour you and we're going to
21 honour you by singing you a song. An honour song, for all
22 the work and everything that you've done for us and for
23 our families. So I'll let Leslie start us off. Megwetch.

24 (SINGING)

25 **MS. CHRISTINE SIMARD-CHICAGO:** One for the

1 grandpas. One for the grandpas.

2 (SINGING)

3 **MS. CHRISTINE SIMARD-CHICAGO:** So megwetch.
4 Megwetch. Megwetch for all your hard work and with
5 protocol we also have our closing prayers for the day, so
6 I'd like to call up Alvine and Spike.

7 **MS. ALVINE WOLFLEG:** I just want to say I
8 still have to follow protocol here. If I step out of line
9 I'm going to be shunned, so any of you can adopt me. I
10 need to live on a reservation somewhere.

11 But it's too bad that a lot of the things
12 for the Blackfoot women -- our reservation is very strict.
13 We still have to follow and the laws of our Creator, the
14 laws of our societies. So I had to make a call here. So
15 I didn't ask my husband anything. So it was my call, but
16 I really like his songs. We do have songs too, and -- but
17 these are not sung for public. Those things are done
18 within the lodge, and when we have sundances in the
19 summer, that's when we sing our songs.

20 So I just want to thank you for coming all
21 of you to my territory. And I hope that you all have a
22 good sleep because I'm pretty tired. My husband, my
23 husband has a degenerative disk disease where his spine is
24 deteriorating, so he can't sit too long. So I'll just do
25 the closing prayer in my language.

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(CLOSING PRAYER)

MS. CHRISTINE SIMARD-CHICAGO: All right.

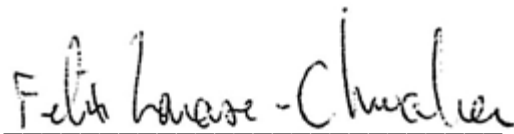
Have a good night everyone. Oh, I'm sorry. We have to extinguish the Qulliq too.

Good night.

--- Upon adjourning at 4:42 p.m./L'audience est ajournée à 16h42

LEGAL DICTA-TYPIST'S CERTIFICATE

I, Félix Larose-Chevalier, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.



Félix Larose-Chevalier

Nov 26, 2018