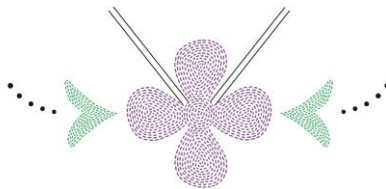


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



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 2  
Tuesday November 27, 2018**

**Vancouver Sex Workers Rights Collective  
Inuit Tapiriit Kanatami  
Native Women's Association of the Northwest Territories  
Government of Saskatchewan  
West Coast LEAF**

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

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### APPEARANCES

Vancouver Sex Workers Rights  
Collective

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(Legal Counsel)

Inuit Tapiriit Kanatami (ITK)

President Natan Obed  
(Representative), Elizabeth  
Zarpa (Legal Counsel)

Government of Saskatchewan

Barbara Mysko (Legal Counsel)

Native Women's Association of  
the Northwest Territories

Caroline Wawzonek  
(Legal Counsel), Marie  
Speakman (Representative)

West Coast LEAF

Kasari Govender  
(Legal Counsel)

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Second Chair: Shelby Thomas (Commission Counsel)

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Brian Eyolfson & Qajaq Robinson & Michèle Audette

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

Clerks: Bryana Bouchir & Maryiam Khoury

Registrar: Bryan Zandberg

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1 Calgary, Alberta

2 --- Upon commencing on Tuesday, November 27<sup>th</sup>, 2018 at  
3 9:08 a.m./L'audience débute mardi, le 27 septembre 2018 à  
4 9h08

5 **Mme CHRISTINE SIMARD-CHICAGO:** Bonjour.

6 (Speaking Anishnaabe). My English name is Christine  
7 Simard-Chicago. I am your MC throughout the next couple  
8 of days for the final submissions for the National  
9 Inquiry.

10 We are going to start our opening  
11 ceremonies, and I would like to call up Elder Gerald  
12 Meginnis.

13 **--- OPENING CEREMONIES/**

14 **MR. GERALD MEGINNIS:** Good morning. I  
15 welcome you to Calgary. I guess this is some of my  
16 territory. Ours are just on the southeast of Calgary  
17 here. I came in last night. I was kind of tied up  
18 yesterday, so I couldn't make it, so accept my apologies.

19 But I welcome each and every one of you, my  
20 Elders, my brother here with me that's doing the prayers  
21 too, and all the people that come from far and wide, the  
22 Commissioners.

23 The thing that I'm going to pray for is to  
24 come to a solution. It seems that the world doesn't  
25 revolve without problems. So I'm going to ask the Great

1 Creator to help us, because in the end, he's the one that  
2 makes the decisions for each and every one of us. So I'm  
3 in the habit of always asking him. I think to myself,  
4 "When is he going to say no to me?" But lately it's been  
5 a good track record.

6 **(LAUGHTER/RIRES)**

7 **MR. GERALD MEGINNIS:** I guess I'll know  
8 when I do the wrong thing.

9 So I'll welcome you, the people that come  
10 near and far. I hope you had a safe trip.

11 With that, I'll say a prayer for each and  
12 every one of us that we have a good day and that problems  
13 and the things that we're going to talk about, that we'll  
14 come to a solution, not as one, as a group, because we're  
15 all here as Native people. And this problem, I hope we  
16 solve it one of these days, and I pray and hope that we  
17 get to that solution.

18 (Prayer in Aboriginal language).

19 Thank you very much.

20 **MS. CHRISTINE SIMARD-CHICAGO:** All right.  
21 We're going to have a hand drum song that's going to be  
22 done by Spike, Jr. from Siksika Nation. He's with the  
23 Blackfoot Confederacy Drum. He's travelled all over.

24 Spike.

25 **(DRUM/TAMBOUR)**

1                   **MS. CHRISTINE SIMARD-CHICAGO:** Megwetch.  
2                   Now we'll have Myna doing the lighting of the Qulliq this  
3                   morning.

4                   (SHORT PAUSE/COURTE PAUSE)

5                   **MS. MYNA MANNIAPIK:** (Speaking in  
6                   Inuktitut). Good morning. We finally got MMIW (Speaking  
7                   in Inuktitut) today and yesterday I wanted to mention  
8                   about one of the things that I learned when I was a child  
9                   living in a camp and my grandmother and my mother used to  
10                  say whenever the flames are swaying back and forth, it  
11                  means that they are scared because there's a presence of  
12                  spirits - of lost ones - loved ones.

13                  And yesterday I certainly experienced the  
14                  (NATIVE LANGUAGE) experience. Yesterday the presence of  
15                  the loved ones we have lost; mothers, sisters and  
16                  daughters.

17                  Thank you.

18                  **MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.  
19                  So with just a couple of housekeeping things. For parties  
20                  withstanding that arrived today and that will be  
21                  presenting, we have the Elders room in the Mariposa room,  
22                  which is around the elevators to the right.

23                  We have health supports with us. We have,  
24                  I think, 8 or 10 health supports. They're either wearing  
25                  purple shirts or they have purple lanyards, so if you're



1 having difficulty please reach out. Or maybe they may  
2 approach you if they notice you're in distress.

3 And we also have my friend Gerry here and  
4 Coralee who are doing healing through beating in the  
5 Elders room. It's a good exercise to help ground  
6 yourselves with the stories that are being told, et  
7 cetera, that you're going to hear throughout the day.  
8 Just a place to lighten your spirit.

9 Right now, we have a couple things to do.  
10 We have a start of 9:30 so we'll reconvene at 9:30.  
11 Megwetch.

12 Start in five minutes.

13 (LAUGHTER/RIRES)

14 --- Upon recessing at 9:19 a.m./

15 L'audience est suspendue à 9h19

16 --- Upon resuming 9:24 a.m./ /L'audience est maintenant  
17 reprise à 9h24

18

19 **MS. CHRISTA BIG CANOE:** ...ask everyone to  
20 please take a seat. Also, a friendly reminder to turn  
21 your notifications or volume off on any of your cell  
22 phones or devices.

23 **CHIEF COMMISSIONER MARION BULLER:** Just  
24 before we get started, I have two announcements to make.  
25 First of all, I want everybody to know that Michelle

1 Brass, who has been counsel for two police organisations,  
2 has been appointed as a provincial court judge in  
3 Saskatchewan.

4 She'll be based in Estevan Saskatchewan and  
5 of course we have very high expectations of her, so I just  
6 wanted to make that part of our formal record, that it's  
7 going to be judge Brass.

8 And I think it's effective immediately or  
9 sometime this week, anyway.

10 **UNKNOWN:** That means we don't hear from  
11 her.

12 **CHIEF COMMISSIONER MARION BULLER:** That  
13 means we don't hear from her, that's right.

14 (LAUGHTER/RIRES)

15 **CHIEF COMMISSIONER MARION BULLER:** One way  
16 of avoiding this.

17 The second thing that -- announcement I  
18 want to make, I made a mistake yesterday and I take full  
19 ownership for this. Our -- I didn't understand how our  
20 clocks were working yesterday, so the clocks will show 40  
21 minutes for parties to give their submissions. The clocks  
22 then will show 10 minutes for our questions.

23 So I just want to clarify that it was my  
24 mistake. We weren't watching the clocks properly, so I'll  
25 go and stand in the corner for that.

1 (LAUGHTER/RIRES)

2 **CHIEF COMMISSIONER MARION BULLER:** Thank  
3 you.

4 **MS. CHRISTA BIG CANOE:** Good morning, Chief  
5 Commissioner, Commissioners. Thank you.

6 Before we start by inviting the first party  
7 up, I just wanted to also introduce on the record  
8 Commission counsel, so Associate Commission Counsel Thomas  
9 Barnett who is sitting up here with me today. He will  
10 also be calling the parties up today.

11 The first party that we would like to  
12 invite up to do their closing submissions, is the  
13 Vancouver Sex Workers Rights Collective. Their counsel  
14 Ms. Carly Teillet will have 40 minutes.

15 **---SUBMISSIONS BY MS. CARLY TEILLET:**

16 **MS. CARLY TEILLET:** (NATIVE LANGUAGE),  
17 bonjour and good morning. I want to acknowledge that  
18 we're gathered on the traditional territory of the nations  
19 of Treaty 7 and on the homeland of the Métis Nation.

20 And I'd like to acknowledge the spirits of  
21 our stolen sisters, the survivors and families, the big  
22 drum yesterday, the drum and song this morning, the Elders  
23 and their prayers, the lighting of the Qulliq to give us  
24 light and warmth, the sacred bundle and the medicines that  
25 are here so that we can do our work in a good way.

1                   My name is Carly Teillet and I am the  
2                   great-grand-daughter of Sarah Riel and she was the niece  
3                   of Louis Riel. And I am Métis from the Red River  
4                   community in what is now Winnipeg.

5                   And I have the honour of being here today  
6                   as counsel for the Vancouver Sex Workers Rights  
7                   Collective.

8                   It's a collective of Indigenous trans and  
9                   cis women, and individuals from diverse gender identities  
10                  and sexual orientations, who participate or have  
11                  participated in sex work or provide sexual services in the  
12                  downtown east side of Vancouver.

13                  These submissions focus on the importance  
14                  of being heard, believed and the urgent need for action.  
15                  I'll begin by briefly discussing the importance of  
16                  language and terms, and then move into a discussion of the  
17                  importance of hearing voices and the challenges to being  
18                  heard. And then I'll discuss the recommendations of the  
19                  Vancouver Sex Workers Rights Collective.

20                  In keeping with the diverse Indigenous  
21                  traditions of my clients, and the Inquiry's mandate to be  
22                  respective of Indigenous legal principles and practices, I  
23                  will be sharing some stories today. As I'm sure many of  
24                  you have experienced when you ask Knowledge Keepers or  
25                  Elders why something is important to them, it's a story or

1 an experience that they share with you. And so my talk  
2 this morning is filled with the voices and stories of my  
3 clients because they are the experts, the voices that need  
4 to be heard, and they offer important knowledge and stress  
5 the urgency of their recommendations. And I want to take  
6 a moment to remind everyone listening that they may need  
7 to protect themselves because stories are powerful, and  
8 they may be difficult to hear.

9 We recognize the importance of language and  
10 its power, and to that end, we wish to be clear about  
11 terms that are used. We define Indigenous to include  
12 Inuit, Métis, and First Nations individuals. And we  
13 acknowledge a spectrum of gender identities and define the  
14 term, gender identities, to include trans and cis women,  
15 two-spirit non-binary and gender-fluid individuals. We  
16 recognize a continuum and a diversity of sexual identities  
17 and define the term, sexual orientations, to include  
18 lesbian, gay, bisexual, asexual, pansexual, and queer  
19 individuals.

20 The importance of voices. Stories build a  
21 strong foundation. A strong foundation for our work is  
22 necessary to understand what needs to change to get  
23 action, to make life safer for individuals who participate  
24 in sex work or provide sexual services. One of my  
25 clients, an Indigenous woman who describes herself as a

1 survivor of the streets, asked me to share one of her  
2 stories so that people can try and understand. She  
3 shared:

4 Who among you can understand what it's  
5 like? Have you been raped? Do you know  
6 what it is like to be raped? Walking down  
7 the street at night, you hear footsteps  
8 behind you. He put a rope around my neck.  
9 Later, when the police came, you hear, "You  
10 were drinking; weren't you?" "Why were you  
11 out so late?" I could report this, but  
12 it's a waste of time. When I think about  
13 all of this, the recommendations and the  
14 Inquiry, I had a rope around my neck and  
15 that is my visual. How can we get that  
16 experience across to people? To know what  
17 it's like to have a rope around your neck,  
18 to know that you were so close to death.  
19 If they had taken me seriously, maybe other  
20 people wouldn't have been raped.

21 And with these words, "If they had taken me seriously,  
22 maybe."

23 I turn to discuss briefly how Indigenous  
24 women and individuals of diverse sexual orientations and  
25 gender identities, who participate in sex work, have been

1 excluded, silenced, and their truths have not been  
2 believed, firstly, by the police. Indigenous women and  
3 individuals of diverse sexual orientations and gender  
4 identities, who participate in sex work, face multiple and  
5 often compounding barriers to reporting violence to  
6 police. These barriers act to silence the truth. In  
7 Regina, RCMP Commissioner Lucki agreed that barriers to  
8 reporting violence include: distrustful relationships with  
9 police, previous bad experience with the police, fear of  
10 having their children removed, losing their housing, or  
11 violence, and the fear of being outed to their families  
12 and communities as someone involved in sex worker trade.

13           When Indigenous folks who provide sexual  
14 services share their truth about violence, they're often  
15 not believed. First by the police, then Crown  
16 prosecutors, and sometimes judges. In Quebec City,  
17 Jacqueline Hansen of Amnesty International discussed the  
18 role of stigma, and how the criminalization of commercial  
19 sex means that folks may be mistreated by police, and men  
20 may exploit this reality and engage with a violent --  
21 engage in violence with impunity. Stigma and violence  
22 silences truth.

23           In St. John's, Lanna Moon Perrin who  
24 started street-based sex work at the age of 16 and worked  
25 in multiple cities and settings, and at the age of 40, is

1 still a sex work advocate. She was asked to draw on her  
2 24 years of involvement in the community, and she was  
3 asked to stress -- oh, sorry. Pardon me. She was asked  
4 to reflect on how often people who assault sex workers are  
5 charged or convicted. She entered -- answered simply and  
6 powerfully, "I don't know any." This is a failure of the  
7 state to investigate, charge, and convict people who break  
8 the law by assaulting and murdering individuals. The  
9 knowledge that, no action comes from sharing further  
10 silence, is truth.

11 Overwhelmingly, Indigenous trans and cis  
12 women, including folks of diverse sexual orientations and  
13 gender identities, who participate in sex work, are  
14 excluded. They're not allowed to be safe or to have  
15 justice. Indigenous trans and cis women, and folks of  
16 diverse sexual orientations and gender identities, who  
17 participate in sex work, have been excluded from  
18 meaningful participation in the creation and  
19 implementation of laws, policies, and decision making. In  
20 St. John's, the Chief of the Winnipeg Police Force  
21 acknowledged that nothing should be done without  
22 Indigenous women being at the table, that it was part of  
23 the solution to murdered and missing Indigenous women and  
24 excluding them was a problem.

25 Indigenous women and folks of diverse



1 sexual orientations and gender identities, who participate  
2 in sex work, are often stigmatized and shamed in their  
3 Indigenous communities and in Indigenous women's  
4 organizations. Shame and stigma silences truth and  
5 creates exclusion. Lanna Moon Perrin stated, "I am hurt  
6 more and stigmatized more by my Indigenous sisters than  
7 Canada or the government." In Iqaluit, Dr. Smylie noted  
8 that the stigma of sex work and the fear of being shamed  
9 is a barrier to accessing health care and also exists in  
10 Indigenous women's organizations.

11 Indigenous women and folks of diverse  
12 sexual orientations and gender identities, who participate  
13 in sex work or provide sexual services, are excluded and  
14 silenced in many of the processes that are supposed to  
15 shine a light on their realities, including inquiries.  
16 The Missing Women's Commission, or the Oppal Inquiry, that  
17 investigated the conduct of police into the missing women  
18 in the Downtown Eastside of Vancouver, and the mishandling  
19 of the investigation into Robert Pickton, failed. It  
20 excluded, and it silenced the very people it was meant to  
21 serve, the women who were murdered and disappeared for the  
22 Downtown Eastside of Vancouver, the survivors and their  
23 families. This was raised yesterday by Judy Wilson of the  
24 Union of B.C. Indian Chiefs. Even with key errors, that  
25 report called for the very voices it excluded to be heard.

1           In this Inquiry, Indigenous women and folks  
2           of diverse sexual orientations and gender identities, who  
3           participate in sex work or provide sexual services, have  
4           been excluded and their voices have been silenced through  
5           the processes of this Inquiry. Some of my clients shared  
6           that they didn't feel welcome or safe attending the  
7           statement gathering held in Richmond, British Columbia.  
8           And the Vancouver Sex Workers Rights Collective has  
9           repeatedly requested that the Inquiry provide, facilitate  
10          or fund statement gathering in a safe, confidential  
11          location. Our requests were not answered. The stories of  
12          many of my clients were not heard and are not part of the  
13          evidence of this Inquiry.

14                 Additionally, there's been a deep personal  
15          cost for some of my clients who have chosen to attend and  
16          tell their stories. For some of my clients who shared  
17          with the Inquiry, there has been no after care. Their  
18          experience affirmed for others in our Collective that  
19          sharing with this Inquiry was not as safe as it should be.  
20          Last week, some of my clients were able to participate in  
21          an informal meeting with the Chief Commissioner to share  
22          some of their truths. They value every opportunity to be  
23          heard and believe that it is a great loss that what was  
24          shared at that meeting will not form part of the formal  
25          evidence of this Inquiry.



1 the hearings and these oral closing submissions. The  
2 funding model of the Inquiry is one that requires  
3 significant expenses, tens of thousands of dollars to be  
4 spent and then carried for months, waiting for  
5 reimbursement, all to participate. These up-front costs  
6 have made full participation in the Inquiry by my clients,  
7 survivors, family members, community members, some of the  
8 most marginalized folks, simply impossible.

9 Their strength, their determination and the  
10 importance of their stories have driven the Vancouver Sex  
11 Workers Rights Collective to be heard today, despite all  
12 of these obstacles. They are committed to improving the  
13 lives of folks in their communities. They are committed  
14 to doing what they have always done, and that is fight to  
15 be heard, believed, to keep themselves and others safe.

16 And so now I turn to the recommendations of  
17 the Collective, Indigenous trans and cis women,  
18 individuals of diverse gender identities and sexual  
19 orientations who participate or have participated in sex  
20 work or provide sexual services in Vancouver's downtown  
21 east side.

22 No single recommendation can be taken up in  
23 isolation. No single recommendation is the solution.  
24 Widespread change is needed. The voices and stories of my  
25 clients provide the foundations for their recommendations.

1                   The first theme: include and respect their  
2 voices. One of my clients, an Indigenous trans woman  
3 shared this story:

4                   “Growing up in a small community was  
5 really hard. Growing up in a small  
6 community and being Indigenous was  
7 even harder. Growing up in a small  
8 community and being an Indigenous  
9 transgender person was absolutely  
10 unbearable. There was no safe place  
11 to go. No one ever talked about trans  
12 people. I tried to learn how to  
13 pretend to be a boy. It wasn’t easy  
14 to play this role, and I reverted back  
15 to my feminine self regularly, until I  
16 was looked at strangely or someone  
17 said something like ‘fag’ or ‘faggot’.  
18 I eventually couldn’t stand living  
19 this double life and I couldn’t focus  
20 on school. It was exhausting. And so  
21 I ran away to the city and I found  
22 safety in the gay scene, and I felt  
23 really comfortable there for a long  
24 time. And it was there that I found  
25 out about feminine boys and trans

1 people and how to get on hormones to  
2 become the woman I really felt I was  
3 inside. During this time, I met a lot  
4 of other trans women exactly where I  
5 was in transition and we became each  
6 other's family. We learned how to do  
7 street work and how to keep an eye on  
8 each other. It became like a natural  
9 way of making money to have our needs  
10 met. Gaining meaningful employment  
11 and being a trans person in transition  
12 wasn't accepted and it isn't safe. We  
13 had to learn to keep ourselves safe.  
14 Most of the clients of sex work were  
15 good people, but of course there are  
16 bad folks in every community. There  
17 were drugs and alcohol around, and  
18 many of us became addicted.  
19 Eventually, I started to lose friends,  
20 many to disease, a lot to violent  
21 murders, just because they were trans  
22 women, and just as many to murders  
23 while doing sex work. The predators  
24 out there know that there is little  
25 protection for women that do sex work,

1 and it really makes us easy prey to  
2 these sick individuals. I really feel  
3 if people were educated at early  
4 stages of education, more trans people  
5 would have better qualities of life.  
6 We're just as normal as anyone else.  
7 It's as simple as that. If we're  
8 given the chance, many folks will  
9 realize that we're no different than  
10 any other boy, girl, man or woman. I  
11 think there should be more money put  
12 into funding for safe places for trans  
13 women, Indigenous and two-spirit  
14 people and people that do sex work.  
15 It's these folks that are the most  
16 vulnerable, and I consider myself one  
17 of the lucky ones. I was able to  
18 leave the street behind because I  
19 found one of the only sex work  
20 agencies in Vancouver that gave me the  
21 opportunity to give a little back to  
22 the community I grew up and survived  
23 in."

24 And so we call for the recommendations of  
25 the National Inquiry into Murdered and Missing Indigenous

1 Women and Girls and all actions taken to implement the  
2 recommendations to include Indigenous trans and cis women,  
3 two-spirit, non-binary and gender-fluid individuals, as  
4 well as lesbian, gay, bisexual, asexual, pansexual and  
5 queer individuals.

6 They said:

7 "You can help sex workers by listening  
8 to them, acknowledging them with a  
9 smile and a hello, show them you care.  
10 Love them. They're beautiful inside  
11 and out. When policy and law makers  
12 talk about sex work without talking to  
13 sex workers, I feel they don't have a  
14 clue how hard they're making it for  
15 us, not hearing, like a third wheel,  
16 unimportant, that our, my, personal  
17 wellbeing is not on their agenda.

18 Very upset and left out."

19 We call on all governments, decision makers  
20 and policy makers to include Indigenous folks from diverse  
21 gender identities and sexual orientations who participate  
22 or have participated in sex work or provide sexual  
23 services as participants in the developments of all  
24 policies, programs and laws that will impact them. This  
25 includes but is not limited to policies, initiatives and



1 laws related to police, health, housing, justice and child  
2 protection. In such efforts, compensation must be  
3 provided for the time, knowledge and participation  
4 offered.

5 The next theme: police must recognize our  
6 right to be safe and free from violence. They said:

7 "More police in the community would  
8 mean more police treated us all fair  
9 and with dignity, not judging us, who  
10 we are."

11 We call on the Vancouver Police Department  
12 to expand the role of the Sex Worker Liaison position by  
13 creating, at a minimum, a second liaison position.

14 They said:

15 "As a sex worker, I would like respect  
16 as a human being, regardless of  
17 profession, gender or ethnicity."

18 We call on the Vancouver Police Department,  
19 the Royal Canadian Mounted Police and all police forces  
20 across Canada to revise all forms and educate all officers  
21 so that officers consistently and respectfully ask how a  
22 person identifies gender, their pronouns, and if they  
23 identify as Indigenous, what nation or community they are  
24 from.

25 They said:

1                    "When I needed help, the police  
2                    brutalized me and took me into city  
3                    cells, let the perp go."

4                    We call on the Vancouver Police Department  
5                    and the RCMP to work with Indigenous sex workers,  
6                    organizations, and Indigenous women's organizations to  
7                    create enforceable policy that ensure that when reporting  
8                    violence or when police are called to a violent incident,  
9                    the victim is treated with dignity and respect and they  
10                   are not arrested for a minor unrelated outstanding charge.

11                   One of my clients, an Indigenous woman,  
12                   shared this story:

13                   "I got away. I was lying on the  
14                   sidewalk. I raised my hand up. They  
15                   were four cops in an undercover car.  
16                   They saw me. I told them they were two  
17                   minutes behind him. I told them what  
18                   the van looked like, what he looked  
19                   like. I said 'He went that way' and I  
20                   pointed. I told them I was tazered.  
21                   I showed them the marks. They said  
22                   no. They didn't even open a notebook.  
23                   They didn't even take me to a  
24                   hospital. They asked where I lived.  
25                   I was homeless. They put me in a car

1 and they drove me back to Main and  
2 Hastings. They didn't even open their  
3 notepads. It could have saved other  
4 lives. My truths had no relevance, no  
5 truth, and after that, 25 more women  
6 went missing. I went to treatment to  
7 deal with the crippling anxiety for  
8 what they have not done."

9 We call for an independent review of the Vancouver Police  
10 Department's responses, to 9-1-1 calls involving violence  
11 or threats of violence in the downtown east side of  
12 Vancouver, and any policy that sets priorities for police  
13 responses. This review must investigate the overwhelming  
14 evidence that police are not protecting indigenous folks  
15 from diverse gender identities and sexual orientations who  
16 participate in sex work or provide sexual services.

17 With this review, we call for the creation  
18 of an independent mechanism that will create  
19 accountability for failing to respond in a timely manner  
20 or to investigate when violence is threatened or  
21 committed.

22 They said, "We need empathy and compassion.  
23 Harassment has to stop. They don't believe us. We need  
24 respect for women who experience violence".

25 We call for the long-term sustained funding

1 of victim services for those that participate in a police  
2 complaint mechanism that is equal to the services and  
3 support provided to police officers who are being  
4 investigated.

5 The next theme, the law must not deprive us  
6 of safety.

7 They said, "We need a place where you can  
8 take your date where you know you'll be safe". We have  
9 safe injection sites. We need that, but for sex.

10 We call for the decriminalization of safe,  
11 clean indoor spaces for sex work or the provision of  
12 sexual services to take place. Long-term sustained  
13 funding must be provided for sex worker organizations to  
14 set up and run these indoor spaces.

15 They said, "Engage all safety practices  
16 that sex workers know will keep them safe". The law  
17 creates danger by pushing sex workers underground in back  
18 alleys in the dark. They don't have the time make certain  
19 that they're getting into a safe situation.

20 They also get ripped off because they're  
21 rushed and can't see the money they ask for is fake or  
22 it's not what they've asked for. If they can't have a  
23 clear conversation with clients about business, it can be  
24 unsafe.

25 It is also unsafe sometimes sex workers

1       lose their housing because of the laws. Also, sex workers  
2       can be blackmailed into giving free services.

3               We call for the decriminalization of sex  
4       work, including the purchase of sexual services, the  
5       employment of third parties for safety, and communication  
6       for the purpose of participating in the exchange of sexual  
7       services.

8               Communication is essential for safety and  
9       security, consent and negotiation of sexual services.

10              They said, "We need mentors and a kit so  
11       that young folks are safe when they try it, know what to  
12       expect, what they're getting into, who to trust".

13              We call for the funding and creation and  
14       distribution of sex worker safety kits for folks who are  
15       new to the community, and the kit would include at least a  
16       whistle, a phone, harm reduction equipment, lists of  
17       resources including safe places and shelters, any  
18       information for the police sex worker liaison officer,  
19       amongst other things.

20              The next theme, provide safe spaces and  
21       housing now. They said, "If her or her kids are beaten up  
22       or sexually assaulted, there is nowhere to go if a woman  
23       wants to leave".

24              We call for the creation of safe spaces or  
25       shelters in all indigenous communities and in all cities

1 in Canada that are accessible 24 hours a day for  
2 indigenous women and girls, including all folks of diverse  
3 sexual orientations and gender identities.

4 They said, "The way I got into sex work was  
5 almost losing my home. No food in the home, no husband,  
6 and lots of money to make and sex being paid for. It  
7 looked exciting for me being plus sized. I was 19 and  
8 with low confidence".

9 We call for the immediate construction of  
10 new housing and the provision of repairs for existing  
11 housing for self-identified indigenous women in indigenous  
12 communities.

13 They said, "If I had a stable source of  
14 income, I would move out of the downtown east side into a  
15 house".

16 And once out of detox, there is no housing.  
17 Some places kick people out if they get high. The  
18 recovery house needs wet rooms.

19 We call for the provision of clean, safe  
20 housing in urban centres and cities for indigenous women,  
21 including folks of all sexual orientations and gender  
22 identities. The housing should be located in a variety of  
23 neighbourhoods and must serve a variety of specific  
24 housing needs, including transitional housing, safe  
25 housing specifically for indigenous women and girls who've

1 experienced violence, housing for specific tenants,  
2 including single women, indigenous women and their  
3 children and indigenous families, housing that allows for  
4 overnight guests, housing that is not condition on  
5 maintaining sobriety as well as dry housing where no  
6 substance or alcohol use is permitted.

7 They said, "I stayed in sex work because I  
8 needed money for food and to pay my bills" and "Sex work  
9 helped me pay my bills".

10 And so if we call for an increase in social  
11 assistance and disability income rates that will provide a  
12 livable income.

13 The next theme, fund our vision of support  
14 and services.

15 They said, "We are experts in the  
16 violence". We call for funding for sex worker supportive  
17 organizations to digitize existing bad date reports,  
18 develop and run a searchable bad date report database and  
19 create a mobile application for greatest access to safety  
20 and information.

21 They said, "So many women I was connected  
22 with are gone. We need that connection. We know what it  
23 feels like. We were there". And "We need an integrated  
24 outreach team, culturally competent if they weren't able  
25 to get to me with that help that I desperately needed".

1                   We call for long-term sustainable funding  
2                   for indigenous women's organizations to create sex worker  
3                   outreach or safety positions in every major city with  
4                   those roles staffed by current or former sex workers who  
5                   would be responsible for building trust and taking bad  
6                   date reports, spotting for sex recorders or recording  
7                   licence plates and someone you could let know where you  
8                   were going and when you would be back, and providing  
9                   information and taking requests and referrals for  
10                  services.

11                  They said, "If I had community support, I  
12                  would feel safe, sing, be grateful, grow emotionally and  
13                  be courageous".

14                  And so we call for a sustained core funding  
15                  of indigenous organizations, sex worker organizations and  
16                  sex work supportive organizations.

17                  They said, "Isolation kills women. I  
18                  didn't want to be stuck where I felt like I didn't  
19                  belong".

20                  We call for free cell phones with phone  
21                  plans to be provided for indigenous women and girls,  
22                  including those of all sexual orientations and gender  
23                  identities, for use in emergency situations.

24                  They said, "Transportation is huge. This  
25                  is my war zone. I hate walking these blocks". And



1 "There's no real option for escape. We're pushed out onto  
2 Highway 16".

3 And so we call for free or low-cost safe  
4 transportation between indigenous communities, from  
5 indigenous communities to cities, and within cities.

6 They said, "Recovery is about giving back.  
7 The men need to be taken care of to leave the women  
8 alone". And "Programs need to think about a continuum of  
9 care. It took me a long time to heal, search and find,  
10 navigate services myself. A program would close and I  
11 would lose faith and trust".

12 We call for sustained core funding for the  
13 creation and running of holistic indigenous healing  
14 centres, one-stop shops. The focus on healing and  
15 prevention where the whole person is healed with access to  
16 medical care, specific cultural and ceremonial practices,  
17 counsellors, Elders, sacred medicines and prescriptions  
18 all in one location.

19 They said, "You can help sex workers by  
20 being kind, patient, open-minded, compassionate".

21 We call for the creation of low-barrier  
22 medical care in the downtown east side, including medical  
23 care that does not require identification documents or a  
24 fixed address.

25 They said, "I deserve to be acknowledged

1 and validated for my courage and resilience and  
2 perseverance".

3 And so we call on all service providers,  
4 indigenous organizations and shelters to adopt a meet them  
5 where they're at policy, decreasing or eliminating  
6 barriers for sex workers to access services.

7 We further call on all service providers,  
8 health care providers and government officials to change  
9 all forms and educate all staff so they can respectfully  
10 ask how a person identifies their gender, their pronoun  
11 and whether they identify as indigenous, Aboriginal and  
12 what Nation or community they may be.

13 They said, "I stayed in sex work because of  
14 my addictions to drug and fast cash. I started chasing  
15 cops around to take me to jail. I wanted treatment".

16 That moment of clarity. The line-up for  
17 treatment was so long.

18 We call for the creation of community  
19 integrated healing centres, including substance and  
20 alcohol misuse in urban centres and indigenous  
21 communities. The healing centres will provide a continuum  
22 of care and assist individuals to transition out of  
23 treatment and continue healing in the community. The next  
24 theme, our families deserve healing and support, not  
25 disruption. An Indigenous woman shared:

1           The role of aunties. The role of aunties  
2           and street aunties is very important.  
3           Their role is to teach young girls and  
4           women for the first time to respect  
5           themselves. There's a role of aunties to  
6           help you cry at home, so that outside, you  
7           can show your strength.

8           We call for support and services for Indigenous families  
9           to thrive. Children should not be removed from Indigenous  
10          mothers or families solely due to poverty, including  
11          inadequate housing.

12          They said:

13                 I'm Indigenous women who teaches her  
14                 children to be respectful, and healing  
15                 creates more choices.

16          And so we call for a fundamental change to child  
17          protection legislation and policy, including requiring the  
18          perpetrator of violence, rather than the child, to be  
19          removed from the home. Providing support to Indigenous  
20          women and girls, including the spectrum of sexual  
21          orientations and gender identities who seek help, to  
22          remove themselves from family violence. And providing  
23          support to someone who tried to protect a child, rather  
24          than removing the child.

25                 They said, "We are mothers, daughters,

1 sisters. Treat us all equally.” We call for the  
2 decolonization and Indigenization of the definition of  
3 family and parent in child protection legislation. They  
4 said, “Listen to us. Don’t cut us off. It’s not our  
5 fault.” We call for the revision of permanent removal and  
6 adoption timelines as they fail to recognize ongoing  
7 colonization and barriers to lifelong healing for parents  
8 and fail to recognize that the removal of a child is toxic  
9 interference with the mother and traumatic for a parent.

10 The next theme, listen to our teachings.

11 They said:

12 I didn’t feel like I belonged. I didn’t  
13 have a connection with family and other  
14 women. Being on the rez was colonizing in  
15 a way. Running away, finding people like  
16 me. I didn’t know I had a human right I  
17 didn’t have to get beaten up.

18 We call for the education of all children and youth to  
19 include history and recognition of ongoing colonization in  
20 Canada; the history of strong, vibrant Indigenous peoples;  
21 the role of power dynamics in society, decision-making,  
22 policy-making, and law; self-esteem, self-awareness, and  
23 body positivity; basic human rights, including the right  
24 to be free from violence; lifting up and normalizing folks  
25 of all sexual orientations and gender identities; bodily

1       autonomy; the concept of consent and, specifically,  
2       consent to sexual activity; sexual health, including STDs  
3       and HIV; positive and negative physical touch; and hope.

4       They said:

5                       It has entrenched so much abuse. My sister  
6                       had a black eye and won't talk about it. I  
7                       can't go back and pretend it is normal.

8

9       We call for Indigenous communities to participate in  
10       facilitated, safe, open discussions about violence within  
11       their communities, particularly, how this violence  
12       disproportionally impacts Indigenous women and girls and  
13       individual of diverse sexual orientations and gender  
14       identities.

15       They said:

16                       We need a safe place outside of the police  
17                       station where it is safe for us to report  
18                       violence. That we know that it isn't going  
19                       to be hidden or covered up within the  
20                       police. It doesn't look like anything's  
21                       ever done about the way the police are  
22                       treating people. We need accountability.  
23                       The policeman just made their own judgement  
24                       on whether it should be reported or not.  
25                       It happens so much to Native women. I grew

1 up just never being able to fully trust the  
2 police. My grandpa was killed by the  
3 police. They assumed he was drunk because  
4 he was Native. Meanwhile, he was in coma  
5 because he hit his head.

6 We call for the education of the police and all service  
7 providers and decolonization, including self-awareness  
8 about the role of settlers and police in the colonial  
9 system, and the imbalance of power and control inherent in  
10 their work.

11 They said, "I'm a matriarch, Knowledge  
12 Keeper." We call for the creation and full support of  
13 matriarch schools that will pass on traditional knowledge  
14 empowering young Indigenous women. They said:

15 We need more people to reach out to the  
16 youth to say, 'I used to do what you did.'  
17 We need more Youth workers. Someone to  
18 give them birthday gifts, food, clothes, a  
19 sense of love.

20 And so we call for the creation and support of sex work  
21 mentors.

22 And in conclusion, as individuals who  
23 participate in sex work or provide sexual services, my  
24 clients hold valuable knowledge and truth. They have  
25 never been silent about the violence they have

1 experienced, including violence because of structural  
2 inequality and colonialism. They have never been silent  
3 about friends and family members that were murdered, are  
4 missing, or disappeared. They have never been silent  
5 about their desires to be seen and treated as human.  
6 Human beings that have made choices in their lives that  
7 advance their priorities, self-actualization, and their  
8 survival. And they will never cease to call for the  
9 celebration of their humanity and their Indigeneity.  
10 Their voices have been dismissed and ignored. Their  
11 truths and lives not valued, and this must change now.  
12 Thank you.

13 **(APPLAUSE)**

14 **MS. CHRISTA BIG CANOE:** If we could reset  
15 the time. And do the Commissioners have questions for Ms.  
16 Teillet? Go ahead.

17 **COMMISSIONER BRIAN EYOLFSON:** Thank you  
18 very much for your submissions. I just wanted to ask you  
19 about one of the recommendations you just made near the  
20 end. You called -- said, call for the creation of  
21 matriarch schools. I'm wondering if you could expand upon  
22 that a little bit? Or if you're aware of any good  
23 examples that exist, if they do.

24 **MS. CARLY TEILLET:** I'm not aware of any  
25 good examples that exist. It was something that came out

1 of many of the stories that were shared by my clients  
2 about not realizing their value, and that they are  
3 special, and they have power, and they have a right to  
4 speak, and that there is a traditional way of holding up  
5 women and valuing them in each of their individual  
6 cultures. And that that needs to be brought back. We  
7 need to go back to traditional ways of celebrating women  
8 and the knowledge they carry. And that we could -- one of  
9 the ways that we could do that is by training -- really  
10 investing in training future matriarchs.

11 **COMMISSIONER BRIAN EYOLFSON:** Thank you.

12 **COMMISSIONER QAJAQ ROBINSON:** Hi. Good  
13 morning. I wanted to ask you about the recommendation in  
14 relation to the independent mechanism for accountability  
15 when dealing with police non-responsiveness. And this  
16 is -- I mean, you know we've heard about this not only in  
17 the community hearings, but even in the institutional  
18 hearings. And one of these -- one of the issues is when -  
19 - when the officers don't even open their books, don't  
20 even open a file. There's no internal mechanisms within  
21 the forces to hold officers accountability for non-  
22 responsiveness, right? So I would like to hear your  
23 thoughts on what this independent mechanism would look  
24 like, and what key -- what are some foundational elements  
25 to this mechanism that you see as being instrumental to



1       these being effective and trusted? Because there are  
2       existing mechanisms, but the mechanisms are viewed to be  
3       ineffective and there is equal lack of confidence in these  
4       accountability and oversight bodies as well as the forces  
5       themselves. So I'd like to hear your thoughts on what key  
6       elements must this type of a body or measure include?

7                   **MS. CARLY TEILLET:** I think that the best  
8       place to start is bringing together the experts on what  
9       happens. So there needs to be -- the body needs, at a  
10      very basic level, needs to be created in partnership with  
11      Indigenous women's organizations and folks who have  
12      experienced violence at the hands of police or feel, as  
13      one of my clients, "Has over policed and underserved." So  
14      bringing together groups that really want to have  
15      successful outcomes out of this mechanism, to build it  
16      together. And I think that'll really lead into the trust  
17      piece because if it's a mechanism that's entirely built  
18      within a police force, or set up by the government as a  
19      separate body, those are still part of, at least from -- I  
20      believe, the -- from the perspective of my clients, still  
21      part of the same colonial machine. And so, really, we  
22      need to bring together, in particular, Indigenous women's  
23      organizations as part of the group that makes this  
24      mechanism.

25                   The other things I've heard from my clients

1 is that ...it has to be accessible. So right now, there's  
2 the opportunity to fill out a two-page sheet - a police  
3 complaint sheet - or to sue the police. Neither of which  
4 are really accessible to folks that are struggling and may  
5 experience disproportionate amounts of police attention.

6 The other thing with both of those pieces  
7 is there's no real outcomes that come from that. There is  
8 huge power difference between individuals who are making  
9 complaints and the police unions on the other side who can  
10 hire lawyers, who can choose court dates, file motions.

11 And we have folks that are looking for  
12 poverty lawyers to help support them through the process  
13 to make sure their voices are heard. So we need to make  
14 sure whatever process goes forward has some equality in it  
15 so that both parties are heard, but that from the very  
16 outset there isn't this unbalance, just in the very  
17 process.

18 I think one of the other things we've heard  
19 a lot from folks is:

20 "I'm the one who was hurt. My arm was  
21 broken. This happened to me. The  
22 officer is on paid leave."

23 Now they're saying that very clearly from  
24 the beginning sends the message to them that they're not  
25 valued in the same way that that officer is valued.

1                   He gets a vacation and I am healing. I'm  
2                   trying to heal and I'm trying to fight this upward battle  
3                   to have my voice heard and to have justice.

4                   And so that's where that recommendation  
5                   comes in, it's that we're not necessarily saying you need  
6                   to take the paid leave away from the officers, because  
7                   they need to have their story heard as well, but we need  
8                   to support folks who are saying we've been harmed as well.

9                   Counseling, all these services that are  
10                  available to a police officer when on leave should be made  
11                  available to the other person going through the process.

12                  **CHIEF COMMISSIONER MARION BULLER:** Thank  
13                  you for your submissions and your answer.

14                  **MS. CARLY TEILLET:** (NATIVE LANGUAGE)

15                  **CHIEF COMMISSIONER MARION BULLER:** Are you  
16                  going?

17                  **MS. MICHÈLE AUDETTE:** O.k., merci. Merci -  
18                  thank you very much for your presentation. It goes beyond  
19                  your mandate. There is a lot of passion and love for the  
20                  people that you represent and it's always very nice to  
21                  see.

22                  You've mentioned in your opening remarks or  
23                  opening statement that stigma against Indigenous women and  
24                  the people that you represent, individuals from diverse  
25                  gender, all what you explained to us, who participate or

1 still participate or provide sexual services, is often  
2 more present in the Indigenous community itself. So do  
3 you have any recommendation on how we can reduce this  
4 stigma within the Indigenous community?

5 **MS. CARLY TEILLET:** The recommendations on  
6 how to move forward really do come from my clients. I've  
7 had people sitting in the room offer and say if you would  
8 like I will fly home if there's a facilitated safe space  
9 and I will educate them about my journey as a trans  
10 individual and why I had to leave. Or the choices I had  
11 to make to get home for ceremony, for a funeral, to  
12 provide sexual services to get a ride somewhere, because  
13 that's how important this is for me.

14 To really show that they are human, they've  
15 made choices to survive, to thrive, to -- as Lana said, to  
16 provide tap shoes for her children, to send them on school  
17 trips, to show -- to really put a face to what might only  
18 be talked about kind of in hush terms or behind closed  
19 doors.

20 Really to try and educate folks about the  
21 fact that there are a diversity of sexual experiences and  
22 there are some choices. But it's part of the bigger  
23 education piece about what is positive sexuality. That  
24 sex can be a wonderful thing and there's also bad sexual  
25 experiences and really trying to learn what is positive,

1 what is not, what is consent, what is not. And to not  
2 shame people for having participated in different sexual  
3 experiences to live or to get those tap shoes for their  
4 children.

5 So really to have kind of an open  
6 conversation about what sex is, what loving oneself and  
7 one's body is and really start -- and what violence  
8 currently exists in the community and kind of start having  
9 those conversations about what's happening right now.

10 **COMMISSIONER MICHÈLE AUDETTE:** En tout cas,  
11 Maître Teillet, si je peux me permettre ce commentaire  
12 très personnel -- if I may allow this comment, I think you  
13 are quite an impressive young lawyer. Thank you very  
14 much. I don't need any translation to understand what you  
15 said.

16 **CHIEF COMMISSIONER MARION BULLER:** The  
17 questions I was going to ask have already asked have al,  
18 so I'd like to -- with the wonderful task of thanking you  
19 so much for the wonderful work you do on behalf of your  
20 clients and also to thank your clients for speaking up and  
21 speaking out. Their voices are heard and will continue to  
22 be heard. Please tell them that. Thank you very much.

23 **MS. CARLY TEILLET:** Thank you.

24 **MS. CHRISTA BIG CANOE:** Chief Commissioner,  
25 Commissioners, I would now request a 20 minutes break. It

1 has been built into the schedule. It is now 10:10, so I  
2 ask that we break until 10:30, please.

3 **CHIEF COMMISSIONER MARION BULLER:** Ten  
4 thirty (10:30), please.

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

6 --- Upon recessing at 10:14/  
7 L'audience est suspendue à 10h14

8 --- Upon resuming at 10:38 p.m./  
9 L'audience est reprise à 10h38

10 **MR. THOMAS BARNETT:** Everyone, if we could  
11 begin again. Next up with have Inuit Tapiriit Kanatami  
12 represented by counsel Elizabeth Zarpa. And shortly after  
13 she delivers her recommendations, we'll also be hearing  
14 from the president of ITK, Natan Obed.

15 **---SUBMISSIONS BY MS. ELIZABETH ZARPA:**

16 **MS. ELIZABETH ZARPA:** (In Inuktitut). Good  
17 morning. My name is Elizabeth Zarpa and I am legal  
18 counsel representing Inuit Tapiriit Kanatami.

19 Inuit Tapiriit Kanatami is the National  
20 Organisation that represents 60,000 plus Inuits across the  
21 country.

22 A majority of Inuits live above the 60<sup>th</sup>  
23 parallel throughout 51 communities within 4 land claim  
24 regions known as Inuvialuit, the North West Territories,  
25 Nunavut, Nunavik, Northern Quebec and Nunatsiaq, Northern

1 Labrador.

2                   These communities are predominantly fly-in  
3 and the cost of flights are in the thousands of dollars  
4 and sometimes hundreds of kilometers apart across the Iron  
5 Lands.

6                   This makes leaving or traveling to Inuit  
7 Nunangat inaccessible to those who are incapable  
8 financially. Inuit Nunangat has the highest cost of  
9 living in Canada.

10                   Inuits do not live on reserves and Inuits  
11 are not governed under the *Indian Act*. This legal  
12 distinction has political and fiscal implications for  
13 Inuits programming and also funding regimes.

14                   This has to be taken into account by  
15 relevant provincial territory owned federal governments  
16 and other governing decision stakeholders who make  
17 decisions that affect Inuits.

18                   The changes that have happened throughout  
19 Inuits communities in the last century is stark. The  
20 adjustment to colonization and globalization in a short  
21 period of time has had a lasting effect on Inuits  
22 communities and this is still felt today.

23                   As we have heard throughout several  
24 hearings, the experiences of residential schools and day  
25 schools, the experiences of being forcefully settled into

1 communities and the slaughtering of Inuits sled dogs, this  
2 all his still has an effect today.

3 It was testified in Iqaluit that the  
4 individuals whose dogs were killed by the RCMP have not  
5 yet received any formal apology.

6 I want to thank the First Nations of Treaty  
7 7 and the Métis Nation of Alberta for allowing me to be on  
8 your territory this week.

9 I also want to thank the inquiry staff for  
10 your dedication to this national emergency for the last  
11 year and a half.

12 I want to thank the Elders in the room, the  
13 NFAC members and the Commissioners for your continued  
14 guidance and strength throughout these very challenging  
15 part I, part II and part III hearings across the country.

16 I acknowledge the strength of the  
17 Indigenous women, girls and LGBTQ (In Inuktitut) who are  
18 still with us today, who are not murmured or missing, but  
19 who endure ongoing lateral domestic and other forms of  
20 violence in our daily life.

21 Your story and your life are valued. Keep  
22 striving. There is help out there.

23 I acknowledge the spirits of those  
24 Indigenous women, girls and LGBTQ2S who are not with us  
25 today for reasons that are unfathomable to the human mind,



1 heart and spirit.

2 I specifically acknowledge the Inuit women,  
3 girls and children who have died due to violence, who are  
4 missing, or who we have had the privilege to learn about  
5 throughout these hearings; namely, these 20 people:  
6 Alexandra Analeya (phonetic), Edith Ungalik (phonetic),  
7 Mary Birmingham, Sule Inrock (phonetic), along with her  
8 two daughters, Mary Evans Harlick (phonetic), Kimberly  
9 Gerarcy (phonetic), Betsy Kalasuk (phonetic), Sylvia Lyle,  
10 Jessica Michaels, Deidra Michelin, Angela Maher  
11 (phonetic), Alicia Nowardalukudluk (phonetic), Katy Obed  
12 (phonetic), Della Utuva (phonetic), Loretta Saunders, Joy  
13 Semler (phonetic), Tracy Utak (phonetic).

14 All forms of violence against Inuit women,  
15 girls and LGBTQ2S has to end, and the permanent funding  
16 Inuit-specific programs to support the end of violence  
17 against Inuit women, girls and LGBTQ2S has to be taken  
18 seriously by all relevant governments and stakeholders.

19 We've heard throughout the hearings in  
20 Happy Valley-Goose Bay, Montreal and other hearings, that  
21 Inuit women experience sexualized violence within their  
22 communities and Inuit children and youth also experience  
23 sexualized violence within their communities.

24 As Ms. Barbara Sevigny publicly testified  
25 in Montreal, we have to end the silence about violence.

1 This has to end, and all relevant governments,  
2 stakeholders and community members have to take a  
3 proactive role in eradicating all forms of sexualized  
4 violence against Inuit women, girls, LGBTQ2S, children and  
5 youth.

6 When there are children who experience  
7 abuse or child sexual abuse within Inuit Nunangat as was  
8 testified to be extensive in several of the hearings where  
9 Inuit were present, but most relevant at the Winnipeg  
10 hearing on child and family welfare, the access to safe,  
11 healthy and supportive child and youth spaces in Inuit  
12 Nunangat is lacking.

13 The issue is being addressed on a program-  
14 by-program basis, but the access to essential services  
15 like child and family programming and safe spaces is being  
16 funded on a project-by-project basis, and it is not a  
17 permanent resource available to Inuit throughout the 51  
18 communities.

19 The permanent funding of infrastructure for  
20 safe spaces for children within Inuit Nunangat and the  
21 permanent funding of Inuit child and youth programming  
22 throughout all 51 communities is needed, as was testified  
23 to in Winnipeg by Ms. Susan Aglugark, the founder of the  
24 Arctic Rose Foundation.

25 We've heard from Inuit women and girls

1       about the experiences of domestic violence or intimate-  
2       partner violence and how that leaks into the community,  
3       where individuals are beginning to see violence within  
4       their community as normal. This has to stop.

5                       There was testimony in Happy Valley-Goose  
6       Bay by Ms. Harriett Lamb (phonetic) that when the police  
7       were contacted in relation to her late daughter, Kimberly  
8       Gerarcy, who was murdered, this was her experience:

9                       "There was one time that Kimberly  
10                      charged him. He spent one, two three  
11                      months in jail. In November 2009, two  
12                      months before she was killed, she came  
13                      home very frantic and messed up hair,  
14                      screaming and crying that he tried to  
15                      choke her and that he almost choked  
16                      her at that time. Now, I called the  
17                      RCMP. I said, 'I need you to come up  
18                      here right now and talk to Kimberly  
19                      because she was almost choked by her  
20                      boyfriend. And they, the police, said  
21                      that they'll need to come in tomorrow  
22                      to make a statement. But the next  
23                      day, she did not go to make a  
24                      statement. She was in an abusive  
25                      relationship."

1                   The thorough investigation of intimate-  
2 partner violence by the police and the RCMP within Inuit  
3 communities is lacking, as expressed by Ms. Harriett Lamb  
4 in the murder of her daughter, Kimberly. And the issue  
5 has to be adequately addressed with the police and RCMP  
6 being adequately trained to deal with intimate-partner  
7 violence in a trauma-informed manner in a northern  
8 context.

9                   There is also a need for safety expressed  
10 throughout the testimony of Inuit women. An Inuit woman  
11 who publicly testified in Happy Valley-Goose Bay explained  
12 that out of 53 communities throughout Inuit Nunangat,  
13 there are only 15 communities that have a shelter.

14                   Inuit women and their families are unable  
15 to access safe houses and transition houses, and women are  
16 leaving their communities to access services in the south,  
17 simply because the services are not available to them and  
18 their families in the community.

19                   There has to be 24/7 access to safe  
20 houses, shelters and transition houses for Inuit women and  
21 their families throughout all 51 communities within Inuit  
22 Nunangat.

23                   As we have heard here in Calgary at  
24 the hearing on government services, indigenous shelters  
25 struggle with funding, staffing and paying their staff

1 competitive salaries. The paid positions within Inuit  
2 shelters has to be equitable at a living wage economy as a  
3 cost of living within the north is the highest in the  
4 country.

5 The issues of violence are not applicable  
6 to only Inuit women and girls, as was testified to in the  
7 community hearing in Happy Valley-Goose Bay and Montreal.  
8 Inuit men and boys also experience violence.

9 Ms. Mary Thomassie explained in Montreal:

10 "I've also worked at helping people  
11 come out of jail because they too need  
12 so much help. Our men need help.  
13 There was a man in jail 14 years.  
14 There's a place of accommodation where  
15 we are providing counselling. I was a  
16 counsellor for 14 years. They, the  
17 men, are the ones that need the most  
18 help out of our population. We must  
19 help our men too. They will not ask  
20 for help first either. We women are  
21 more open to receiving help. We have  
22 men come home, back to their  
23 community, and they have nothing to  
24 say or to share while their hearts  
25 hurt."

1                   Mr. Joannis Lamp also expressed in Happy  
2 Valley-Goose Bay that Inuit men and boys are also  
3 experiencing violence.

4                   The need for men and boys Inuit-specific  
5 programming to deal with issues surrounding violence is  
6 needed, as expressed by Ms. Tomasi and Mr. Lamp.

7                   The approach of rehabilitation programming  
8 has to be a holistic and whole family, whole community  
9 approach to address the issue of violence against Inuit  
10 women, girls and LGBTQ2S. As explained throughout the  
11 testimony from several Inuit women and Inuit men, there's  
12 a growing number of Inuit that are travelling south to  
13 urban centres like Edmonton, Winnipeg, Toronto, Ottawa,  
14 Montreal, Halifax and St. John's either voluntarily or  
15 involuntarily to access essential human needs like  
16 healthcare, birthing centres, cancer treatment, education,  
17 post-secondary education, Elder care and, at times, even  
18 affordable housing.

19                   And the reasons for this was testified  
20 extensively throughout several hearings. The most common  
21 reason is because access to essential services is simply  
22 not available within Inuit communities. And if it is  
23 available, then it isn't sufficient to meet the needs.

24                   As was testified to extensively by Inuit  
25 women and men, Inuit travel south to the closest urban hub

1 to access healthcare not available to them within their  
2 own community.

3 It was expressed in Montreal that the  
4 quality and care of healthcare professionals who work  
5 within Inuit communities has to be of high standard. It  
6 was also expressed that there are some Inuit who do not  
7 have access to financial means to fly down south, which  
8 costs them thousands of dollars, and they're paying their  
9 own flights.

10 It was also expressed in Iqaluit that there  
11 are Elders who are having no other option other than to go  
12 down south into an Elder care home because they're not  
13 available within their community.

14 It was testified that an Inuit woman was  
15 sexually abused when she travelled to Montreal for a  
16 medical, and she recommended all Inuit have access to an  
17 escort when travelling down south for medical.

18 In Iqaluit it was testified that there were  
19 instances where there was strain on the family when a mom  
20 had to leave her family to give birth in another place  
21 because it isn't available to her within her own  
22 community.

23 It was testified in Montreal that a mother  
24 had to leave her children behind for weeks or months to  
25 attend to her baby, who was diagnosed with leukemia, and

1       how this was a very difficult time for her family members.

2                   Ms. Tracy Denniston testified in Quebec  
3       City at the human rights framework hearing that access to  
4       universal health care through Inuit Nunangat doesn't  
5       exist.

6                   This lack of access to health care has a  
7       detrimental effect on the lives and experiences of Inuit  
8       women, girls and LGBTQ2S, and addressing this has to be  
9       taken very seriously by all relevant governments and  
10      stakeholders.

11                  It was also testified throughout the  
12      hearings that there's a lack of access to permanent mental  
13      health resources throughout the 51 communities within  
14      Inuit Nunangat.

15                  The need for mental health resources and  
16      grief programs for homicide survivors through Inuit  
17      Nunangat was also testified as something that's lacking,  
18      and access Inuit-specific counselling services in both  
19      English and Inuktitut was something which was expressed as  
20      important. The rotating door of counsellors and health  
21      care professionals isn't working.

22                  Ms. Barbara Sevigny expressed another  
23      recommendation I would like to see is some more Inuit-  
24      specific grieving programs delivered in Inuktitut and  
25      English. Often a lot of non-Inuit hire to deliver Inuit



1 programs and don't speak Inuktitut, but are Inuit. But  
2 it's the language that really connects.

3 For those of us who do speak Inuktitut, we  
4 need to speak our language when we are feeling.

5 Ms. Charlotte Wolfrey expressed, "I really  
6 think there should be wrap-around services for families in  
7 crisis, everyone working together to get healing and, for  
8 me, most especially for the children left behind. And I  
9 really think for Inuit what is needed is land-based  
10 healing camps because when we're on the land, we are in  
11 tune with our bodies, our minds are clearer".

12 And Ms. Elisapi Aningmiuq, in Iqaluit,  
13 testified that, "To go out on the land, if you were to  
14 travel in the winter, you need a snowmobile. A snowmobile  
15 is, I don't know, 13,000, 15,000, 16,000. On top of that,  
16 you need gas and then you need a humitik(phon) to carry  
17 all the other stuff, and all that costs money. Everything  
18 you bring out on the land costs money. Same thing in the  
19 summer. A lot of times, people have to bring their  
20 shelter, like tents, their bedding, everything to go out  
21 on the land, and all that takes time and it's very  
22 consuming, so somebody who doesn't have their means of  
23 getting out on the land has to rely on others, so  
24 financial support to the culture is very important".

25 The ongoing financial support of Inuktitut

1 and English mental health resources and Inuit on the land  
2 healing programs throughout all 51 communities is clearly  
3 a need which is expressed by witnesses.

4 It was testified that once Inuit women  
5 travel to the city, there are several barriers, like  
6 accessing transportation, which was testified to in Quebec  
7 City on the hearing on criminal justice, experiencing  
8 blatant racism and sexual harassment while walking down  
9 the street, which was testified to in Montreal, and being  
10 over-policed for being in poverty, which was testified to  
11 in Calgary in the government services hearing.

12 These barriers once coming into the urban  
13 centres create more vulnerable circumstances for Inuit  
14 women, girls and LGBTQ2S.

15 There are, at times, Inuit children or  
16 youth being taken from their families and communities, and  
17 they're sent to the south with non-Inuit families. The  
18 family members whose children are being apprehended are  
19 left without adequate Inuit-specific legal representation.  
20 They're left feeling powerless within a colonial legal  
21 system.

22 As was testified to in Winnipeg at the  
23 child and family welfare hearing, the system doesn't speak  
24 their Inuktitut language, and getting their family member  
25 back is taxing on their human spirit.

1                   As was testified to in Happy Valley-Goose  
2 Bay hearing with Mr. Gordon Obed, he expressed, "Our  
3 oldest grandson lives with us while he is in Goose Bay  
4 doing a program with the college, and the other two are  
5 still in care on the island. The point I'm trying to make  
6 is what we ask for, like visitations, we'd like to have  
7 visitations to us. We don't have any say how long they  
8 can stay. They have so much authority. On one hand, I  
9 feel they failed at their job, their job and going by the  
10 book. Us indigenous people, when we get into situations  
11 like this with our grandchildren and children, we never --  
12 well, we don't seem to have much say in what Child, Youth  
13 and Family Services does with our children, our  
14 grandchildren."

15                   Dr. Turpel-Lafond explained in her  
16 testimony that Inuit children and youth who are  
17 apprehended have a more difficult time accessing their  
18 family and community after being sent south and, because  
19 of this, the Inuit children sometimes never return north.

20                   The number of Inuit children and youth who  
21 are apprehended within the provincial and territorial  
22 systems across the country is unknown because there is no  
23 disaggregated data system in place to track that  
24 information.

25                   We heard in Montreal the relevance and

1 importance of having conversations around keeping the  
2 families together instead of breaking them apart. The  
3 issue of the apprehension of Inuit children from Inuit  
4 families is an ongoing issue that has to be seriously  
5 considered by the relevant governments and stakeholders.

6 And then there are Inuit men and women who  
7 are being flown to southern prisons or penitentiaries.  
8 The number of Inuit men and women within the federal,  
9 provincial and territorial incarceration institutions is  
10 unknown, as was testified to.

11 When there are Inuit within prison or  
12 penitentiary systems, access to culturally relevant,  
13 Inuit-specific rehabilitative programming is not available  
14 to them, either inside or outside when they're exiting the  
15 institution as was testified to in the Quebec City hearing  
16 on criminal justice.

17 There are Inuit women, girls and youth who  
18 are choosing a post-secondary education and accessing  
19 Inuit-specific education in the south is available through  
20 programs like Nunavut Sivuniksavut and Nunavik  
21 Sivuniksavut, but these Inuit-specific educational  
22 programs which educate youth about their respective land  
23 claims agreements, are not yet available within the  
24 Kivalliq Region and the Nunatsiavut Region.

25 If an Inuk wants to pursue a university

1 degree, there is no other option other than to leave their  
2 home in Inuit Nunangat because Canada is the only  
3 circumpolar country without a university above the 60<sup>th</sup>  
4 parallel.

5 Dr. Barry Lavallee, in the hearing on  
6 racism in Toronto, indicated that universities could  
7 potentially do more to reach out to Inuit and make post-  
8 secondary education more accessible to them.

9 The relevant governments and stakeholders  
10 have to seriously consider post-secondary educational  
11 institutions like universities in the north and the  
12 incorporation of Inuit knowledge within these educational  
13 systems has to play an integral role within that process.

14 We've heard in St. John's that Inuit women  
15 and girls are at risk of being sexually exploited -- or  
16 there are already Inuit women and girls who are being  
17 sexually exploited. The eradication of the risk factors  
18 that contribute to this reality has to be made a priority  
19 by the relevant governments and stakeholders who make  
20 decisions that influence Inuit communities.

21 Those are my -- that's my brief overview.  
22 And right now, I'll read through the qualifying  
23 recommendations. These are preliminary qualifying  
24 recommendations.

25 Recommendations.

1 Inuit-specific and -- sorry. Inuit-  
2 specific and access to post-secondary institutions.

3 That Inuit be equally funded to  
4 independently undertake any future inquiries or inquests  
5 on pan-Aboriginal national, provincial or territorial  
6 commissions that are involved in investigating Aboriginal  
7 matters.

8 That any future inquiries or inquests  
9 involving a pan-Aboriginal approach investigate the matter  
10 in each of the four land claim regions, Inuvialuit,  
11 Nunavut, Nunavik and Nunatsiavut, as well as major urban  
12 centres where Inuit reside.

13 That governments, post-secondary  
14 institutions and stakeholders fully endorse and  
15 permanently fund Inuit-specific post-secondary programs  
16 within Inuvialuit, Nunavut, Nunavik and Nunatsiavut, and  
17 these post-secondary institutions accredit Inuit knowledge  
18 as a core requirement to that education.

19 That governments and stakeholders fully  
20 endorse and permanently fund the creation of Inuit-  
21 specific educational institutions, including support for  
22 the creation of an Inuit Nunangat university and Inuit-  
23 specific programming within major urban hubs where Inuit  
24 reside.

25 Recommendations in relation to sexualized

1 violence and domestic violence.

2 That governments and relevant stakeholders  
3 permanently fund culturally-relevant programs and  
4 infrastructure within Inuit communities to prevent and end  
5 childhood sexual abuse throughout all 51 communities  
6 within Inuit Nunangat.

7 That governments and relevant stakeholders  
8 permanently fund culturally-relevant programs and  
9 infrastructure to eradicate domestic abuse and sexual  
10 abuse within all 51 communities throughout Inuit Nunangat.

11 That governments and relevant stakeholders  
12 within Inuit Nunangat permanently fund Inuit-specific  
13 rehabilitation programs for men and boys within all 51  
14 communities throughout Inuit Nunangat.

15 That governments and relevant stakeholders  
16 within Inuit Nunangat fully fund infrastructure where  
17 rehabilitative programs can take place throughout all 51  
18 communities within Inuit Nunangat.

19 That governments and stakeholders  
20 permanently fund rehabilitative programming for Inuit men  
21 and boys who are within federal, provincial or territorial  
22 penitentiaries or prisons and that governments and  
23 stakeholders permanently fund rehabilitative programming  
24 for Inuit women who are within federal and provincial and  
25 territorial penitentiaries and prisons.

1                   That governments and stakeholders fund  
2                   rehabilitative programming and transition housing for  
3                   Inuit men and boys who are exiting the provincial,  
4                   territorial or federal penitentiary or prison systems and  
5                   that governments and stakeholders permanently fund  
6                   rehabilitative programming and transition housing for  
7                   Inuit women and girls who are exiting the provincial,  
8                   territorial, federal penitentiary or prison systems.

9                   The creation of educational campaigns for  
10                  Inuit women, girls and youth regarding the signs of being  
11                  groomed for sexual exploitation and the creation of  
12                  meaningful paid positions for Inuit women and girls who  
13                  are looking to exit sex work.

14                  Recommendations in relation to safety,  
15                  responding to violence within Inuit Nunangat.

16                  The creation of and permanent funding of  
17                  training or programs relating to non-violent communication  
18                  for community agencies or services who deal with domestic  
19                  violence within Inuit communities, and this training be  
20                  accessible to Inuit community members.

21                  Mandatory trauma training, domestic  
22                  violence training and Inuit cultural competency training  
23                  for RCMP or police who work within any of the 51  
24                  communities throughout Inuit Nunangat.

25                  The creation of campaigns throughout Inuit



1 Nunangat to end silence about sexual violence and domestic  
2 violence and the reforming of medical care systems that  
3 create vulnerability for Inuit to be sexually exploited.

4 Next set of recommendations will look at  
5 access to permanent and culturally-relevant mental health  
6 supports and health care throughout Inuit Nunangat.

7 That families of homicide survivors  
8 throughout Inuit Nunangat have access to permanent whole  
9 family healing programs to address the aftermath of the  
10 homicide of their loved one.

11 That grieving programs are put in place for  
12 Inuit homicide survivors, and this is offered in English  
13 and Inuktitut throughout all 51 communities within Inuit  
14 Nunangat.

15 The permanent funding of Inuit-specific on  
16 the land healing programs throughout all 51 communities  
17 within Inuit Nunangat.

18 The permanent funding of Inuit-specific  
19 treatment centres throughout all 51 communities within  
20 Inuit Nunangat.

21 The creation of Inuit traditional healing  
22 methods -- sorry. The recognition of Inuit traditional  
23 healing methods as a credential in the accreditation of  
24 rehabilitation program training within Inuit Nunangat and  
25 the creation and permanent funding of Inuit-specific

1 services for Elders and their children with a colonial  
2 legacy of forced relocation, the slaughtering of Inuit  
3 sled dogs and the experiences of residential schools can  
4 be openly and safely healed from.

5 Permanent mental health services that are  
6 Inuit-specific and permanently funded within all 51  
7 communities within Inuit Nunangat.

8 The financing of infrastructure to build  
9 health care centres throughout all 51 communities within  
10 Inuit Nunangat.

11 Permanent health care staff and health care  
12 professionals throughout all 51 communities in the north.

13 The creation and financing of fully-staffed  
14 birthing centres with doctors or Inuit midwives throughout  
15 51 communities within Inuit Nunangat.

16 Mandatory Inuit cultural training for  
17 health care professionals who work within 51 communities  
18 across Inuit Nunangat.

19 The creation of medical training programs  
20 and professional medical designations for Inuit.

21 That Inuit women and girls travel with an  
22 escort when going to an urban centre to access health care  
23 services, and this travel and accommodation is paid for by  
24 the relevant governments.

25 My second -- I'm almost done. My two

1 further recommendations, or two categories of  
2 recommendations -- qualifying recommendations is creating  
3 safe spaces for children, youth, LGBTQ2S.

4 The creation of and permanent funding of  
5 24/7 safe spaces for children, family and youth, including  
6 LGBTQ2S individuals across 51 communities throughout Inuit  
7 Nunangat.

8 The creation of and permanent funding of  
9 child advocacy centres within each of the four regions,  
10 including Inuvialuit, Nunavut, Nunavik and Nunatsiavut.

11 My last set of recommendations go towards  
12 child, youth and family services.

13 The financing for the creation of a  
14 Children's Commissioner in each region of Inuvialuit,  
15 Nunavut, Nunavik and Nunatsiavut.

16 The creation of a national unified  
17 disaggregated data system that analyzes the number of  
18 Inuit children and youth within the child and family  
19 welfare systems across the country, and this system is a  
20 mandatory system that each of the child and family welfare  
21 departments in each province and territory has to use.

22 Thorough investigations into family  
23 dynamics by an independent body before an Inuit child is  
24 apprehended by the Department of Child and Family Welfare.

25 The establishment of affordable legal

1 supports and lawyers who aid Inuit families throughout the  
2 processes involved in child and family welfare  
3 proceedings, and these legal supports be established in  
4 each province and territory.

5 The opportunity for Inuit families to keep  
6 their children within their own family and community when  
7 child and family welfare departments are involved in any  
8 proceedings.

9 That summarizes my oral submissions and the  
10 qualifying recommendations. I'm going to pass the mic to  
11 ITK's President, Natan Obed.

12 Thank you.

13 **MR. NATAN OBED:** (NATIVE LANGUAGE)

14 I want to first recognize all the Elders in  
15 the room, First Nation, Inuit and Métis, Myna for tending  
16 the qulliq, Commissioners. Nice to see you all again.  
17 Any other elected leaders in the room, and all those who  
18 care so much for the subject.

19 My intervention this morning will build  
20 upon our lead counsel, Elizabeth Zarpa's, statement, and  
21 it will get into some of the larger issues, the things  
22 that go beyond just the conversations that we've had but  
23 get at the root -- the systemic root of the challenges  
24 that we face in implementing or in making the strategic  
25 policy, political or real system changes that are

1 necessary to end violence against indigenous women and  
2 girls.

3 I will start with the United Nations  
4 Declaration on the Rights of Indigenous Peoples and the  
5 primacy of that particular UN instrument and its  
6 potentially amazing effect or transformational effect on  
7 the way indigenous rights in Canada are upheld and are  
8 implemented.

9 The Government of Canada has talked about  
10 the creation of a piece of legislation, Bill C-262, that  
11 acknowledges the Declaration and attempts to integrate it  
12 within to the Canadian legislative context.

13 I would like to pause and talk about the  
14 importance of remedy or recourse within the application of  
15 UNDRIP within Canada, especially in relation to section 35  
16 of the *Constitution*, where Minister Bennett has talked  
17 about -- a lot about the UNDRIP fitting within. But  
18 without remedy, without recourse, without any fundamental  
19 way of going about doing that, then we -- where, really,  
20 are we?

21 And for the recommendations for -- for this  
22 Inquiry, the importance of accountability within systems  
23 is just as important as ambition, or intent, or sympathy,  
24 or empathy. Getting the systems right and having the --  
25 the ability to go and litigate, to -- to enforce our

1 existing rights, is still something that, in many cases,  
2 does not exist in this country. So if it means opening  
3 the Constitution and actually putting the entire text of  
4 UNDRIP within Section 35, then let's have that  
5 conversation. But let's not stay in this endless debate  
6 and conversation about whether or not Indigenous rights in  
7 this country exist, and how little the Government of  
8 Canada, or other governments, have to do to meet such a  
9 low bar, that in the end, perpetuates the violence and  
10 perpetuates the socio-economic inequities that exist in  
11 this country that drive the violence against Indigenous  
12 women and girls.

13 ITK has entered into evidence a number of  
14 our strategies or reports. I'd like to pause and talk  
15 about the importance of the National Inuit Suicide  
16 Prevention Strategy and the -- the holistic way in which  
17 the strategy tries to build a new narrative about why  
18 suicide happens the way it does in our community, and what  
19 we then do to push back against it, what interventions are  
20 necessary. Social equity is the key driving factor for  
21 the rates of suicide in our communities. The challenges  
22 that we face, in relation to child sexual abuse, or all  
23 other risk factors for suicide, play into this issue of  
24 violence in our society. And suicide and self-harm is a  
25 form of violence, and it is not something that is the

1 individual's prerogative in many cases. There are sets of  
2 circumstances that create risk. We are manufacturing risk  
3 in our communities. And our National Inuit Suicide  
4 Prevention Strategy talks about the way that that happens  
5 and then the way to counteract that.

6 ITK just hosted a child sexual abuse forum  
7 last week in Ottawa. And we hope to enter into the  
8 evidence the -- the key findings from that conference  
9 because we know that there is an explicit link between  
10 child sexual abuse and a risk for suicide, and all -- and  
11 a whole host of other risk factors for suicide. We also  
12 know how huge the challenge is that 41 percent of  
13 respondents to the Inuit Health Survey reported being  
14 sexually abused during childhood.

15 We also entered into evidence our National  
16 Inuit Research Strategy, and that strategy, again,  
17 promotes self-determination, resetting a broken system.  
18 The ability for this Inquiry to learn from the work that  
19 has already happened with the national Indigenous  
20 organizations, and any other Indigenous representation  
21 organizations, fighting for self-determination, and has  
22 already outlined paths to self-determination, will allow  
23 for your reports to -- your report to immediately have  
24 traction in a way that it would not if it did not consider  
25 the work that has already been done.

1                   There's a difference between politics and  
2                   governance and leadership. And I -- and I've -- I've  
3                   listened in as much as I could to the hearings. I've  
4                   heard so many people talk about this being a non-political  
5                   space and wanting to push politics out of the  
6                   conversation. And I totally understand that, and as a  
7                   politician, I'd some people tell me that I am. I've had  
8                   to reconcile with that and come to terms with why  
9                   individuals have a deep distrust for all political systems  
10                  and all political leaders, Indigenous or otherwise. What  
11                  we're lacking is proper governance and also the leadership  
12                  to create that proper governance and the implementation of  
13                  it.

14                  It comes down to leadership, and I think  
15                  that our communities, Inuit, First Nations, Métis, we can  
16                  understand and embrace leadership when we see it. And too  
17                  often, we have seen leadership in a vacuum of political  
18                  power. And so I do hope that we can continue to have this  
19                  conversation about how to best use governance and use  
20                  leadership to drive changes without having to just say  
21                  that where, at large, politics is not needed within this  
22                  exercise. Because if you think about research, or  
23                  policing, or health care delivery, or education, we have  
24                  the same considerations and same historical attitudes that  
25                  are well deserved. Why should we send our children to a



1 formal K to 12 system, when it's broken? And all that we  
2 get back are children who don't know their language and  
3 don't know their culture, don't know themselves, and don't  
4 have the skills to be successful within a southern  
5 environment. Why would we do that? The solution isn't to  
6 throw out education completely, just as I would hope that  
7 you are not going to throw out politicians completely from  
8 the work that we all do.

9 Also, that racism in this country is alive  
10 and well. And we need to say it for what it is. And this  
11 Inquiry has heard so much about how racism has impacted  
12 the way services are provided. The -- the respect that  
13 people have or don't have, and that it isn't something of  
14 the past. And these are hard conversations to have, but  
15 we need to have them.

16 The infrastructure deficits that exist are  
17 linked with racism. They're founded in a belief that  
18 Indigenous people are not as human, we are sub-human, we  
19 do not deserve the same level of care. Historically, it  
20 was much more black and white about how all that happened.  
21 But we are still within the roots and the foundation of  
22 that same system.

23 We do this work to -- to improve the lives  
24 of all that come after us and improve the lives that are  
25 people who are here who need more help. We do this work,

1 not because it's easy, or not because of gratification,  
2 but we do this because it's necessary. And I do hope that  
3 we can find the optimism in what we can all achieve, more  
4 than we can find the pessimism in what we have not  
5 achieved to date. This Inquiry was never going to be  
6 everything for everybody. And, yes, there are huge  
7 challenges that -- that our people are -- that Inuit have  
8 had in accessing the Inquiry itself, or some of the other  
9 challenges. But I do hope that we can focus now in this  
10 last sprint on what is possible, and how to change  
11 systems, and how to get the best possible outcome because  
12 we've heard from so many Inuit, First Nations, Métis, and  
13 all those who have wanted to help. It's -- and that is so  
14 important.

15 So I'd hope that this will all culminate in  
16 a report that we can use for a long time. And I do hope  
17 from the -- my angle, that I can push for a First  
18 Ministers' Meeting in relation to murdered and missing  
19 Indigenous women and girls, so that not only the federal  
20 government who has called for this Inquiry and has -- has  
21 administered it, but all those other provinces and  
22 territories who have signed on as well. We'll see this  
23 through to the end, and at the highest level, we'll act  
24 upon the findings. *Nakurmiik.*

25

**(APPLAUSE)**

1                   **UNIDENTIFIED SPEAKER:** Good job.

2                   **MR. THOMAS BARNETT:** Have a seat.

3                   **MS. ELIZABETH ZARPA:** Thanks.

4                   **MR. THOMAS BARNETT:** And Chief

5 Commissioner --

6                   **COMMISSIONER QAJAQ ROBINSON:** I do.

7                   **MR. THOMAS BARNETT:** -- Commissioners, if  
8 there's any questions.

9                   **CHIEF COMMISSIONER MARION BULLER:** Okay.  
10 Okay. Go ahead. What --

11                   **COMMISSIONER QAJAQ ROBINSON:** *Ullaakuut* and  
12 *nakurmiik* to you both. I have one question of  
13 clarification, Ms. Zarpa, in relation to your  
14 recommendation for a children and youth advocate in each  
15 of the regions. Are you envisioning this institution and  
16 this position to be similar to that of AMC's advocate  
17 where it's -- we heard ...from Ms. Morgan when we were in  
18 Winnipeg, and she occupies that role for AMC, or are you  
19 envisioning this to be a provincially or territorially  
20 legislated position similar to what exists in Nunavut or  
21 Inuit identified and Inuit specific?

22                   Just wondering, who empowers and who do  
23 they serve?

24                   **MS. ELIZABETH ZARPA:** So listening to the  
25 testimony from the child and welfare systems and also

1 testimony from the Happy Valley-Goose Bay hearings with  
2 Mr. Gordon Obed and also other Inuit, it was clear that  
3 when individual family members were -- there was no Inuit-  
4 specific place to go to, whether it was in Winnipeg when  
5 Annie expressed directly that she knows Inuit children who  
6 are taken within the system and she doesn't -- her friend  
7 has no voice in that process. She's not sure how it  
8 works.

9                   Throughout -- who it would empower would be  
10 determinant upon the individual region or the different  
11 governing systems, but I think that conversations around  
12 how to allow Inuit children and families to have a better  
13 voice, a clearer voice and representation within these  
14 very powerful systems that can sort of take with -- and  
15 then families are left feeling voiceless or not really  
16 knowing who to go to from a legal representation because  
17 of a lack of access to justice throughout northern  
18 regions, representation from lawyers, paralegals who  
19 understand Inuktitut.

20                   So it's -- it's the creation of these  
21 conversations from the different areas to understand how  
22 to better create these dynamics in a way that Inuit-  
23 specific -- Inuit families themselves can deal with this  
24 and have more of a voice in that process, if that makes  
25 any sense.

1                   So I'm not sure if it's geared towards  
2                   AMC's mandate specifically or ---

3                   **COMMISSIONER QAJAQ ROBINSON:** I'll tell you  
4                   why I ask, because in Nunavut there is a territorially-  
5                   legislated child and youth advocate, and they're funded by  
6                   the territorial government. Inuit make up 80 to 90  
7                   percent of the population, so it's clear that their  
8                   mandate, although created by a public government and for  
9                   all citizens of Nunavut, should theoretically serve Inuit  
10                  families and children.

11                  But in a province like Quebec, for example,  
12                  where Inuit Nunavik do not make up a majority of the  
13                  population, a child and youth advocate in the province of  
14                  Quebec may not have the resources or a mandate sufficient  
15                  enough to give equitable services to Inuit in Nunavik  
16                  versus Inuit in Nunavut that receive it from their  
17                  territorial government, so this distinction between  
18                  provincial and territorial public governments being the  
19                  body that creates this position and supports this  
20                  position.

21                  So that's where my concerns rest. In a  
22                  province like Quebec and even in Newfoundland and  
23                  Labrador, a province-wide child and youth advocate may not  
24                  have -- Inuit may become off the side of their table more  
25                  than a focus.

1           I also want to challenge the idea of  
2           jurisdictional boundaries, and I know ITK has pushed for a  
3           long time to create Inuit Nunangat policy spaces, so why  
4           not have an Inuit Nunangat child and youth advocate that  
5           could be funded territorially, provincially and federal,  
6           five-partite or whatever.

7           So I'm just sort of thinking outside of the  
8           box on how you ensure that these advocate bodies, which  
9           often end up being created through the silos of federal-  
10          provincial jurisdiction, is actually going to serve those  
11          families and children that -- and children and youth that  
12          need it most that you are asking us to make a  
13          recommendation in relation to.

14                 **MR. NATAN OBED:** Just in that same vein,  
15          within our -- under our position paper, we talked about  
16          the creation of an Indigenous Human Rights Tribunal, and  
17          it would sit alongside the Canadian Human Rights Tribunal,  
18          but it would be specific for indigenous peoples because  
19          there is an expertise within the field. And that to  
20          ensure that there is recourse or redress remedy for  
21          violation of human rights, that we go to the place where  
22          it is explicitly for us.

23                 The same principle could be applied to  
24          child welfare and to an institution that focuses on  
25          upholding the rights of children, of Inuit children.

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

2                   My final question goes to the issue of  
3                   social inequities. And you raised the issue of migration  
4                   to urban settings and basically in order to access  
5                   essential services.

6                   And when we were in Calgary, particularly  
7                   on the issue of FHNIB -- what's that acronym for -- health  
8                   benefits, the witness from Indigenous Services Canada  
9                   talking about the different programs that were available  
10                  confirmed to my question that these services are  
11                  recognized as programs and not as rights-based programs.

12                  And it also has come out that in terms of  
13                  the delivery of those services under that branch, there is  
14                  no mechanism or certainty in the equity of services. So  
15                  you can have Inuit women in Gjoa Haven with the exact same  
16                  needs, health needs, and then a woman in, say, Reglet, and  
17                  there's no -- although they're both eligible for this  
18                  benefit, there is no certainty in the quality of the  
19                  service or that it's going to meet their needs.

20                  And it struck me particularly when you look  
21                  at the decision by the Human Rights Tribunal in *The Caring*  
22                  *Society* how the characterization of what was being  
23                  provided as a right versus a service gave more recourse  
24                  and remedy in the hands of the Court.

25                  Programs, when they're not characterized as

1 being rights-based, are provided out of the goodness of  
2 heart, not because they are tied to a fundamental human  
3 right, yet health, education, safety, security, and I  
4 would add food security, which are all outlined in terms  
5 of your social indicators and the inequities identified in  
6 -- I can't remember which report now, but there's a great  
7 photo that was submitted when we were in Quebec that shows  
8 the discrepancies in, say, household income, housing, food  
9 security, life expectancy.

10 My large preamble, just do you have  
11 thoughts on what we might or should be seeing with respect  
12 to these services as being rights versus benefits, and is  
13 that something that is important for the Commission to  
14 take a position on?

15 **MR. NATAN OBED:** This is an ongoing  
16 conversation for decades now in relation to non-insured  
17 health benefits program. And the risk for First Nations  
18 and Inuit always has been if you fight too hard for rights  
19 and the government pushes back on it being a program, then  
20 you could very easily find yourself losing non-insured  
21 health benefits completely.

22 And so there's always a risk when there  
23 isn't an equitable relationship between indigenous rights  
24 and Canadian rights.

25 If we are coming in and trying to assert



1 rights and a government has the flexibility to take away a  
2 program, that is a massive amount of leverage within a  
3 space that then does not allow for indigenous people to  
4 truly exercise the rights that we have.

5 So yes, this is something that is of great  
6 concern.

7 Also, in the same vein, the way in which  
8 funding flows from the federal government or from  
9 provinces and territories to indigenous peoples, and the  
10 idea that indigenous-specific funding could flow to public  
11 governments and not to representatives of Inuit and that  
12 that is a fundamentally sound way this federal government  
13 still operates is a vestige of another time.

14 Inuit are demanding that we have the right  
15 to decide how Inuit-specific funding from the federal  
16 government flows into our homeland, the priorities that  
17 are put on it and how it is delivered, and that is  
18 essential to self-determination and also essential for us  
19 to ensure that we are delivering in the best possible way  
20 for our population.

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

22 I've run out of time. I have more  
23 questions. Elizabeth, I know you know how this feels.

24 **CHIEF COMMISSIONER MARION BULLER:** I'm sure  
25 we all look forward to receiving your final submissions

1 today. It was just a wonderful taste of what's yet to  
2 come.

3 Thank you, President Obed, for reminding us  
4 to think large and to dream because the dreams are what  
5 have been taken away from us. So thank you.

6 Thank you all.

7 **MR. THOMAS BARNETT:** And, Chief  
8 Commissioner, Commissioners, if we could take a one-hour  
9 lunch break and reconvene at 12:30?

10 **CHIEF COMMISSIONER MARION BULLER:** Thank  
11 you. 1:30 please. Sorry, what time again?

12 **MR. THOMAS BARNETT:** 12:30.

13 **CHIEF COMMISSIONER MARION BULLER:** 12:30.  
14 Thank you.

15 --- Upon recessing at 11:33 a.m./L'audience est suspendue  
16 à 11h33

17 --- Upon resuming at 12:36 p.m./L'audience est reprise à  
18 12h36

19 **MR. THOMAS BARNETT:** Next up we have the  
20 Native Women's Association of the Northwest Territories.  
21 They are represented by counsel Caroline Wawzonek.

22 **--- SUBMISSIONS BY CAROLINE WAWZONEK:**

23 **MS. CAROLINE WAWZONEK:** Good afternoon.  
24 I'm grateful to be here on Treaty 7 Territory. I'm  
25 grateful to be presenting on the Métis Nation of Alberta's

1 lands as well. This is the nation of my biological  
2 paternal family.

3 I want to bid good afternoon to the  
4 families, to survivors, to the Elders, to the Chief  
5 Commissioner and the Commissioners, and I'm very lucky  
6 this afternoon that I can introduce to you Marie Speakman.  
7 She is one of the Victim Services workers from the Native  
8 Women's Association of Northwest Territories, and she's  
9 travelled from Yellowknife to give a brief welcome on  
10 their behalf today as well.

11 **MS. MARIE SPEAKMAN:** (Speaking in  
12 indigenous language). I just wanted to say in English  
13 that I welcome everyone here. Thank you, and for the  
14 Commissioners too. Thank you.

15 **MS. CAROLINE WAWZONEK:** As I've said, I'm  
16 here on behalf of the Native Women's Association of the  
17 Northwest Territories. I want to talk to you today about  
18 trust. The Native Women's Association has placed their  
19 trust in me, and it's an incredible gift that I've  
20 accepted, and as long as I take care of this gift, I know  
21 that I have the potential to have this gift forever. But  
22 if I break this trust, I may not get it back.

23 And we are trusted, all of us here, with  
24 the stories of the survivors and their families. We have  
25 been trusted to hear their stories and to now accept their

1 stories and to act on them, and that too is a trust that I  
2 would say we cannot break.

3 And I want to talk to you a little bit  
4 about the importance of trust, how easily it's lost, and  
5 then our recommendations as they focus on rebuilding the  
6 trust in Canada.

7 Commissioners, I would suggest you can take  
8 notice of the fact of how important trust is to society,  
9 how important it is to our relationships, both starting in  
10 our families and all the way up through our governments,  
11 and that as Canadians, we've put our trust into so many  
12 social institutions and political institutions. And when  
13 I call the police, I trust them to be available. I trust  
14 that they are in my community. I trust they will show up.  
15 I trust they will hear me and investigate a matter.

16 And if I attend for healthcare, I trust  
17 that they will evaluate me, look at my symptoms, even if  
18 those symptoms might happen to overlap with signs of  
19 addiction.

20 If I send my children to school, I trust  
21 that my children will see themselves reflected in what  
22 they learn, and I trust that they will be safe at school.

23 And I trust that if I'm challenged by one  
24 of those things, and if those things don't happen for me,  
25 I trust that I can go to the halls of power and say

1 "Please fix this." And then if the politicians don't  
2 listen, I would go to the media and say to them, "Please  
3 fix this." And I can trust that someone will do something  
4 because I'm Canadian and I matter.

5 But that has not been the evidence that you  
6 have heard in the course of the Inquiry. And in Iqaluit,  
7 Inukshuk Aksalnik described the work of the Qikiqtani  
8 Truth Commission and recommendations arising out of the  
9 Qikiqtani Truth Commission, looking at the impacts of  
10 relocations and dog slaughters, and she says that most of  
11 those recommendations in response to society-destroying  
12 events are recommendations looking at a way to arrive at a  
13 point where the design and the delivery of services is  
14 done for Inuit in a way that Canadians take for granted.  
15 In response to dramatic events, all they want is to be  
16 brought to a level that is the same as when I say I  
17 matter, that she too can know that she matters.

18 It's a very simple thing to take for  
19 granted, our trust, and one of the most simple ways that  
20 we take for granted will bring me to my next point about  
21 trust. And it was when Elisapi Aningmiuq also in Iqaluit  
22 said: "How come we as Inuit are the one who must  
23 understand you?"

24 And I would suggest, based on all that you  
25 have heard, that simple question applies to the First

1 Nations and to the Métis Peoples as well. Why do we need  
2 to understand you?

3 And she illustrated this point with a  
4 simple question from her son: "Anaana, why do the Inuit  
5 speak English but the Qallunaat don't speak Inuktitut?"  
6 And asking that question in Iqaluit, I would suggest, is a  
7 very powerful thing. The simple ability to communicate  
8 our needs, to communicate to power and to government is  
9 something that we too easily take for granted.

10 And when trust is broken, the more times  
11 you break it, the harder it is for someone to trust you  
12 again. That is clear from the evidence of the families  
13 and the survivors, that the police do not come when they  
14 are called. They come, but you feel like the criminal.

15 The offender might be found guilty and  
16 taken away but then returned to your community  
17 unrehabilitated and with no change and no protective  
18 structures when they return.

19 The education system takes your children,  
20 does not educate them, and your way of life is not  
21 reflected. They're told, in fact, that it's bad.

22 The health system takes you away from your  
23 community, treats you in isolation. Indeed, when you're  
24 born into the world as a child in the North, your mother  
25 very often has been flown out of her community and is

1 giving birth to you away from her community and away from  
2 her family.

3 The Terms of Reference of what brings us  
4 all here, of course, ask for the reasons why there's such  
5 violence, and disproportionate violence against indigenous  
6 women.

7 But I would suggest that the reasons that  
8 we are here truly is not actually the issue. The issue is  
9 why are we still here?

10 In the Northwest Territories in the 1970s,  
11 we had the Berger Inquiry. And while this was in response  
12 predominantly to an assertion of rights over land,  
13 ultimately what came of that was a recommendation that was  
14 not only a moratorium on the development but a call to the  
15 need to pay attention to what is being said by indigenous  
16 communities, to protect those indigenous communities and  
17 to involve them in the decision making about indigenous  
18 communities.

19 Twenty (20) years later, the 1990s, we have  
20 the Royal Commission on Aboriginal Peoples where it is  
21 said we realized that the usual strategy, tackling the  
22 problems one at a time, independently, is tantamount to  
23 putting a Band-Aid on a broken leg.

24 Instead, we propose a comprehensive agenda  
25 for change. What we want is something more radical. To

1 bring about change in human lives is to ensure that  
2 Aboriginal children grow up knowing that they matter, that  
3 they are precious human beings, deserving love and  
4 respect, and they hold the keys to a bright future with  
5 possibilities in society as equals.

6 And yet we are still here. And we were  
7 told this all again, this same decade, by the Truth and  
8 Reconciliation Commission. They had given us guiding  
9 principles on truth and reconciliation. I want to  
10 highlight only Number 6 for now in the interests of time:

11 "That all Canadians, as Treaty  
12 Peoples, share responsibility for  
13 establishing and maintaining mutually  
14 respectful relationships."

15 This time around, it seems there is some  
16 work that has begun, but if the issue here is around  
17 protecting indigenous women, we have to ask if that needle  
18 that is in the critical red is moving fast enough. And  
19 the evidence before the Inquiry suggests that it simply is  
20 not. It is certainly not the evidence in the Northwest  
21 Territories, where there are high rates of violent crime,  
22 but particularly the highest reported rates of violence  
23 against women in Canada. In 2013, the rates of violence  
24 against women was nine times the national average. By  
25 2016, the rates of domestic violence in the Northwest



1 Territories was the second highest in Canada. And while  
2 I'm not certain, but I strongly suspect it was our  
3 neighbouring territories who rounded out the top three.  
4 And in fact, the real numbers are far worse. It is widely  
5 known, and it was explained to you by Dr. Pertice Moffitt,  
6 that it is often unreported and particularly so in small  
7 communities that violence is normalized, and that this  
8 creates significant risk of behaviour and expectations  
9 passing generation to generation.

10 In addition, the Indigenous population in  
11 the Northwest Territories have below average education  
12 levels, high rates of poverty, low employment rates,  
13 housing shortages, high rates of addiction, and a multi-  
14 sourced inter-generational trauma. So, again, the needle  
15 simply is not moving fast enough, and the situation  
16 remains critical despite having been told in the '70s and  
17 in the '90s and in earlier this -- in this decade, that we  
18 need to change our ways.

19 So why are we still here? Dr. Moffitt and  
20 her collaborators used the imagery of a web, depicting how  
21 all the different factors intersect to create a web of  
22 oppression. And that you may successfully address one of  
23 those strands or, perhaps, you've created a program that  
24 targets available housing, that increases access to  
25 transportation, that increases access to available

1       childcare. But when you're only taking one, or even two,  
2       all of the strands stay there, and they anchor the  
3       oppression. And it is high time, having been told again  
4       and again, that we need to acknowledge that the efforts  
5       strand by strand are not working.

6                   And we are asking this Commission to have a  
7       broader vision. To have a vision that looks at what is  
8       anchoring this web, and not simply strand by strand. And  
9       that's where I come back to trust. If you look at trust,  
10      and the trusts that are broken, and the underlying trust  
11      underneath each of those strands, you will start to -- I  
12      will suggest that you will start to see that there are  
13      connections and linkages, and there is something that can  
14      be done to change the relationships.

15                   And it's -- this is true even for those  
16      with the best of intentions, which is, perhaps, this --  
17      the one that's the most difficult to root out. Dr. Janet  
18      Smylie in Iqaluit said:

19                   One of the most disruptive parts of  
20      colonial policies and processes is the  
21      attitudinal and systemic racism when  
22      outsiders, and now sometimes insiders, who  
23      may not have been exposed to these ways,  
24      they don't see, or they misunderstand, or  
25      they underestimate a piece of this way of

1           living, and they try to replace it with  
2           something that they know, but something  
3           that won't work for us.

4           We need to trust the people to know. Part of the mission  
5           of the Northwest Territories Native Women's Association is  
6           to build relationships with all levels of government and  
7           with other organizations, and they are relationships that  
8           will be built on trust.

9           Which brings me to our recommendations.  
10          They are recommendations that look to the future. We wish  
11          to articulate a path to renew trust of Indigenous women to  
12          all levels of government and to all government services.  
13          But we also want to find a path to ensure that governments  
14          start to trust Indigenous women. So we have four core  
15          recommendations. We are mindful that the Inquiry strives  
16          for decolonization and for respect of Indigenous self-  
17          determination. We are mindful that to build upon the  
18          resiliency of Indigenous peoples in communities, as has  
19          been demonstrated and heard time after time throughout  
20          this Inquiry so powerfully. And fundamentally, our four  
21          recommendations seek to rebuild a trusting relationship  
22          between all nations within Canada.

23                 Number 1, is that all Canadians and the  
24          Canadian political leadership must meaningfully --  
25          meaningfully acknowledge that violence against Indigenous

1 women and girls, including members of two-spirited, LGBTQ  
2 communities, are at a state of national crisis that demand  
3 an urgent and an active response. Number 2, that all  
4 Canadians and Canadian political leadership must  
5 proactively re-establish, build, and foster trust between  
6 all levels of government, service providers, communities,  
7 and citizens. Three, that the federal, provincial, and  
8 territorial, and Indigenous governments should ensure that  
9 the purpose and objective of all government services is to  
10 be community and person-centered. And four, that the  
11 federal, provincial, territorial, and Indigenous  
12 governments establish senior levels of entities mandated  
13 to be accountable for monitoring and reporting on measures  
14 of Indigenous women's safety, health, education, and any  
15 other socio-economic indicators as measures of their  
16 equality, dignity, and wellness.

17 Before we got to our four recommendations,  
18 we started with almost 40. And it was when we went to  
19 cross-reference these against the Inquiry's master list of  
20 recommendations, we realized two things. First, that,  
21 again, we actually have been told much of this already.  
22 That so many of these things have been said in one way or  
23 another. But two, what a treasure the master list is. We  
24 would also urge you, then, to take those 233 pages, and  
25 growing list of recommendations, and don't lose it. Make

1       it accessible. Make it user-friendly. Add to it the  
2       powerful and thoughtful recommendations that you have  
3       already begun hearing in Calgary and will continue to hear  
4       over the course of your -- of these next hearings. Make  
5       it interactive. Allow the incredible dialogue that has  
6       happened over the course of these -- this -- of all of  
7       these hearings, not to end. It is a tool, and it can be a  
8       tool, and it should be a tool for leaders, politicians,  
9       policy-makers, and advocates.

10                Because I'm confident in this dialogue, I  
11       wanted to highlight, briefly, some of the recommendations  
12       that we had -- I'm calling them the additional  
13       recommendations for consideration, for lack of a better  
14       term. And I know I have been -- they've been provided to  
15       the parties and to the Commission in their fullness, but  
16       to -- for the sake of those listening only, I wanted to  
17       highlight, as I said, a few that were particularly  
18       salient.

19                One is that the federal, provincial,  
20       territorial governments, in collaboration with Indigenous  
21       governments, need to establish working groups to reduce  
22       the high turnover rate in front line services. Provincial  
23       and territorial governments, in collaboration with  
24       Indigenous governments, must establish working groups with  
25       Elders, Grandmothers, and youth, to develop and deliver

1 public education and community awareness in a number of  
2 arenas: Safe and healthy relationships, warning signs of  
3 abuse, warning signs of personal crisis, ending stigma  
4 around victimization, and safely accessing community  
5 services. These people -- these groups must also come  
6 together to develop cultural safety. They should come  
7 together to develop trauma-informed training. And all of  
8 that should then be shared with law enforcement, front  
9 line service providers, and others in the justice system.

10 We'd suggest having a mobile trauma-  
11 recovery team. We suggest also that there be community-  
12 based addictions treatment services, each one ensuring  
13 that there's aftercare supports. That you engage the  
14 Elders, the youth, the Grandmothers to develop these  
15 community-based services. And similarly, develop  
16 community-based anti-violence programs, recovery programs  
17 for survivors, and ways to safely re-integrate offenders  
18 into their communities.

19 I want to spend the rest of my time going  
20 over our four core recommendations and giving a bit of  
21 meat to their bones. Firstly, the acknowledgement. And  
22 we're conscious that the Interim Report already indicates  
23 that all levels of government should publicly acknowledge  
24 and condemn violence against Indigenous women and girls  
25 and LGBTQ and two-spirited persons. But we want to

1 consider for a moment what is meant by the word,  
2 acknowledge. And I'll go back many years to the Royal  
3 Commission on Aboriginal Peoples, again, where they call  
4 for a realistic look at Canadian history and in  
5 acknowledgement that government policies built on 150  
6 years of colonialization was wrong. And I quote:

7 Every Canadian will gain if we escape the  
8 impasse that breeds confrontation between  
9 Aboriginal and non-Aboriginal people across  
10 barriers, real or symbolic. The barriers -  
11 - barricades will not fall until we  
12 understand how they were built.

13 Dr. Janet Smylie in Iqaluit acknowledging that there is  
14 unequal social positioning:

15 If we don't acknowledge the social  
16 positioning, how can we begin to correct  
17 it? If we are trying to be able to bridge  
18 across differences, you need to be aware of  
19 one's own social positioning to even out  
20 the interaction.

21 We need to acknowledge our shared history, our current  
22 reality, the social inequalities, and it is more than  
23 simply shame or blame.

24 And then Gabriel had many strong words for  
25 the government, but she also said this, "Canadians have to

1 move beyond the guilt. Help us progress because we are  
2 spinning our wheels in the mud of colonialization".

3 That's the acknowledgement that we're  
4 asking, one that comes from knowledge and one that comes  
5 with understanding.

6 It should start with those who take on the  
7 responsibility of leadership and in whom we place trust.

8 Our second is to then re-establish and  
9 build trust. Witness after witness has made it clear that  
10 the Canadian government cannot continue to impose an  
11 external world view on indigenous people and simply  
12 existing them to conform.

13 Non-indigenous Canadian leadership must  
14 start trusting the world view of indigenous Canada.

15 We already know again that these  
16 conclusions are being drawn in the interim report, but  
17 still, it's how you build that trust is a real issue and  
18 is an ongoing question.

19 We would ask that all governments be  
20 required to take steps to establish, build, demonstrate  
21 trust in the ability of indigenous women, girls, LGBTQ and  
22 two-spirited persons to show that they know the ways of  
23 healing, the ways of strengthening and ways of themselves  
24 working towards equality.

25 We would also ask that you please, please



1 encourage us not to be afraid. Dr. Blackstock in Winnipeg  
2 noted:

3 "The governments are worried we're  
4 going to screw up. We might screw up,  
5 but we have survived our own mistakes  
6 for thousands of years. We might not  
7 survive theirs. The evidence is very  
8 good that we might not survive theirs.  
9 It is time for them to learn how to  
10 give up control and to understand that  
11 it is not going to be chaos on the  
12 other side, that we demand much more  
13 of ourselves than that."

14 And so Commissioners, we ask you to please  
15 help us all stop being afraid to trust each other.

16 So how do you go about re-establishing and  
17 building something like trust?

18 This is where the power of those 233 pages  
19 of recommendations come in, and the power of all the  
20 recommendations you will hear here. These are the  
21 requests of the people. A good starting place to build  
22 trust would be to take some of them and actually act on  
23 them.

24 We would highlight just a few.

25 Better and more dialogue, education and

1 collaboration. With respect to dialogue, an example of  
2 how you might do that is to actually understand the person  
3 with whom you are speaking and to even be in the place  
4 with the person with whom you are speaking.

5           So for example, I'd asked how the  
6 Anishinaabe Aske Nation was able to create a better  
7 awareness about the needs of their northern communities  
8 when they were negotiating their police agreements. And  
9 their Chair said to me, "One of the things we did was  
10 invite the negotiating parties from both Canada and  
11 Ontario to come and visit in our communities because most  
12 negotiation processes take place in an urban setting".

13           The reason to take them up north was to see  
14 firsthand what any specific community has to deal with,  
15 whether that's a poor facility or even the geographic  
16 layout itself. Most people don't know anything about the  
17 north. That certainly has been our experience as well,  
18 and likely extends to so many communities across Canada  
19 vis a vis the people making the decisions about them.

20           Dr. Blackstock again offers insights:

21           "For so long the communities have been  
22 told, 'No, you can't have it', so I  
23 think it's a duty on the government  
24 and, in fact, it's an obligation on  
25 the government under the UNDRIP to go

1 out to the communities and say, 'Not  
2 only are we changing the page  
3 ourselves, we realize our previous  
4 approach was not the one we should  
5 have taken'."

6 And she goes on:

7 "We sincerely are interested in  
8 hearing from you or, alternatively,  
9 under something like the touchstones  
10 of hope to allow to allow communal  
11 visioning to happen. They shouldn't  
12 be waiting in their offices. They  
13 need to get out there and really speak  
14 to people."

15 Dr. Blackstock, of course, provides a  
16 roadmap, a roadmap to develop trust in the form of the  
17 Spirit Bear Plan. And we would suggest that that, too, is  
18 another way to establish and to build trust.

19 It's a simple five-step plan. And it  
20 involves, at one point, a 360-degree evaluation process  
21 where governments have to have an honest dialogue with  
22 themselves because, as she has said, "Unless governments  
23 reform themselves in a serious way, not tinkering around  
24 the edges, the vestiges of colonial powers and practices  
25 will continue to pile up."



1                   And so we know that building trust in  
2                   education is possible. We hope there's a similar approach  
3                   that can be expanded across ages.

4                   And this isn't just education for young  
5                   people. It's education for all of us who missed out when  
6                   we were young, whose education systems didn't teach us.

7                   Education doesn't end. We all have to  
8                   continue to educate ourselves and continue learning.

9                   And the last of our highlights with respect  
10                  to the building of trust is collaboration.

11                  Manager of the Northwest Territories  
12                  Community Justice and Policing spoke in Calgary, Leanne  
13                  Gardiner. She said:

14                                 "Service provision to victims is best  
15                                 delivered when all of the stakeholders  
16                                 are communicating well, and especially  
17                                 in a small community. The reality is,  
18                                 there's maybe one victim services  
19                                 worker, two or three RCMP officers.  
20                                 Whenever there's any turnover in any  
21                                 of these positions, that impacts this  
22                                 relationship."

23                  Speaking about the inter-agency  
24                  relationships, Dr. Moffitt also said that in the Northwest  
25                  Territories, and again, I suspect many smaller

1 communities, not only does this kill the institutional  
2 memory, it breaks the bonds of trust between the service  
3 providers and the clients they are serving.

4 There are benefits for formalizing cross-  
5 institutional relationships so that the relationships are  
6 not dependent only on the individuals filling the roles at  
7 any given time, but also they can translate then to being  
8 something that lasts within those institution and goes  
9 beyond the individuals filling those roles.

10 And in our view, this creates a far better  
11 foundation for trust between agencies and it will create a  
12 far better foundation for trust with the people they are  
13 serving.

14 Our third recommendation, to be person and  
15 community centred in our government services.

16 And on this point, it's not simply a  
17 singular occasion. It's not just one government service.  
18 We actually mean every single one of them.

19 The purpose and objectives, often found in  
20 a preamble or in the policy document that lays out how the  
21 government institution is meant to be providing a certain  
22 type of service, should actually be retooled so that  
23 instead of having it be about the service, it is about the  
24 fact that they need to serve the wellness of the whole  
25 person, whomever they are serving in whatever capacity and

1 for whatever reason.

2 They need to start seeing their clients as  
3 complex people with complex needs, and very often with  
4 families.

5 Shifting to the purpose of government  
6 services at each entry point to being whole person centred  
7 creates an umbrella, and there's a better sense of trust  
8 coming from the client if they know that they could go to  
9 a point of access and receive whatever need they're  
10 professing to need, but that their other needs won't be  
11 forgotten, that they won't be handed a card and told to go  
12 to the next place, that they will actually be accompanied  
13 there, that they will be taken care of and that whatever  
14 their access point is, they know that every one of their  
15 needs contributing are all going to be serviced and cared  
16 for.

17 So that instead of, if it's raining, rather  
18 than handing them a newspaper and saying, "Well, head over  
19 to that office there and I hope you don't get wet", this  
20 is the umbrella. We actually are going to protect them  
21 and take them and make sure that they get where they need  
22 to go so that all of their needs are cared for.

23 What does it mean to see the whole person?  
24 Commissioner Robinson had asked about counselling that is  
25 either family oriented versus one on one. And Elisapi

1       Aningmiuq said, "One on one is non-indigenous. Inuit  
2       don't focus on the individual".

3                   In her organization, they don't consider  
4       what they do as siloed programs. What they do focuses on  
5       the way of life, taking a holistic approach. It is not  
6       just a program. As she says, "My life is not a program.  
7       It is my way of life. Our life is not a program. It is  
8       our way of life."

9                   Dr. Turpel-Lafond gave some examples. She  
10       observes that, at times, people from remote communities  
11       who need to visit a medical facility in a major centre.

12                   And we don't suggest that that's suddenly  
13       going to come to an end, but without a care plan, that  
14       person risks being left in downtown Winnipeg or name your  
15       major centre and may never get home again.

16                   In another example, Dr. Turpel-Lafond  
17       observes that poor quality and short-term addictions  
18       treatment for mothers is not working. We need to create a  
19       priority that you incentivize and support post-treatment  
20       like at-home supports.

21                   And she described the work that is  
22       happening in the First Nations Health Authority in British  
23       Columbia where they are seeing clients as whole  
24       individuals, including clients who are parents. And  
25       instead of saying, "You need to take care of your child",



1       which she observes most parents do know, instead the  
2       system's focus changes to this person as a whole person,  
3       and the question becomes, "How can we make sure that this  
4       person has the supports he or she needs to be healthy, to  
5       understand the needs of their child and to provide them?"

6                   The focus changes. And it is not shaming  
7       and blaming as much as it is on motivating and supporting.

8                   Keeping a person in their community working  
9       with their community obviously has the potential to build  
10      trust. Taking them out of their community, taking them  
11      away from their family obviously has the potential to  
12      break trust.

13                  Now, we note and we're conscious that  
14      certainly there is an argument that has been made that  
15      perhaps these small communities and their service  
16      providers don't have the right academic qualifications.

17                  But the point has been made exhaustively  
18      that indigenous nations and communities have the  
19      knowledge, have traditional knowledge to support the  
20      emotional, spiritual healing and wellness of their people.

21                  Dr. Janet Smylie described an extraordinary  
22      example of how you can build indigenous and non-indigenous  
23      health care networks that use the best of all these  
24      worlds.

25                  And in prioritizing a community-centred

1 approach, then the focus should be on the strengths of the  
2 community, to support those strengths rather than worrying  
3 about the deficits. Again, we don't want to get lost in  
4 fear.

5 And instead of insisting on external  
6 experts, the current system -- as the current system does,  
7 perhaps we can focus on their strengths and what can do  
8 instead is ensure that the person who has the experts --  
9 the expert knowledge for that community bring them the  
10 opportunity to get the academic qualifications instead of  
11 always bringing the academic qualifications and hoping  
12 that they can start to understand the community. That  
13 approach seemingly hasn't gone very well.

14 And the last, number 4 out of our  
15 recommendations, accountability.

16 No matter what recommendations this  
17 Commission ultimately lands on, without accountability  
18 there will be no ability to ensure that progress is  
19 meaningful and that progress is effective.

20 Dr. Turpel-Lafond spoke about  
21 accountability in her testimony where she said that:

22 "They must identify a point of  
23 leadership within your institution  
24 responsible for every component of  
25 proposed change. They must have the

1 capacity to conduct detailed reviews.  
2 They have to have sufficient authority  
3 to change the process if it's not  
4 working. There must be clear  
5 timeframes, and there must be a  
6 process by which that person can  
7 ensure that whoever is responsible for  
8 change sees and understands how they  
9 fit into the process, and the person  
10 who's accountable needs to report back  
11 publicly."

12 But besides accountability within  
13 individual institutions, Dr. Turpel-Lafond points out that  
14 when there are many or different overlapping systems,  
15 there needs to be accountability between those systems.

16 By way of example, she described the senior  
17 level meetings that are among stakeholders engaged in  
18 child welfare in British Columbia, and that involves a  
19 Director of Child Welfare, the Public Guardian, the  
20 Ombudsman, many.

21 Every single one that attends that level of  
22 meeting becomes accountable to the others so that as each  
23 system changes, not one is left to be falling behind.

24 And so the Northwest Territories Native  
25 Women's Association proposes that the federal, provincial,

1 territorial and indigenous governments all have this  
2 responsibility to be accountable. They are all going to  
3 have a responsibility to develop to build trust, to  
4 establish that trust and build that trust, and to deliver  
5 programs and services within a spirit of trust. And they  
6 need to be accountable for doing so.

7 In conclusion, I would reiterate again our  
8 desire to catalogue all the recommendations that you have  
9 and that you will receive, but to look beyond individual  
10 services and individual programs and go to the very core  
11 of our relationships as Canadians.

12 We urge the National Inquiry to take a  
13 multi-generational view. We are seeking recommendations  
14 for change that aspire to transform how Canadians and how  
15 Canadian institutions understand and see and treat  
16 indigenous women and girls.

17 We want to have acknowledgment through  
18 understanding. We want commitment to rebuild our trusting  
19 relationships. We want to change the entire focus and  
20 delivery of services to being community and person-centred  
21 and establish accountability to make sure it actually gets  
22 done.

23 The Northwest Territories Native Women's  
24 Association looks forward to a future for indigenous  
25 children and grandchildren to grow up proud of their

1 indigenous heritage, confident of their place in Canadian  
2 society and where our non-indigenous children grow up  
3 knowing the truth of their history where they can benefit  
4 from the powers and the gifts of their indigenous  
5 neighbours.

6 And in this future, indigenous women and  
7 girls and LGBTQ and two-spirited persons can have trust  
8 that they will be treated with dignity and with respect  
9 comparable to every other Canadian.

10 Thank you.

11 **MR. THOMAS BARNETT:** Chief Commissioner and  
12 Commissioners, before you ask any questions, would it be  
13 possible that Commission counsel can ask two simple  
14 questions just to clarify things for the record?

15 Of counsel, Ms. Wawzonek.

16 **CHIEF COMMISSIONER MARION BULLER:** Go  
17 ahead.

18 **MR. THOMAS BARNETT:** So Ms. Wawzonek, just  
19 to be clear for the record, is the master list that you're  
20 referring to, is that the same one that is available on  
21 the National Inquiry web site that's titled "Master list  
22 of previous recommendations organized by theme"?

23 **MS. CAROLINE WAWZONEK:** That's the one,  
24 yes.

25 **MR. THOMAS BARNETT:** Okay. And then you

1 also referred to the Native Women's Association of the  
2 Northwest Territories two-page document about the  
3 recommendations.

4 Are you seeking that to be an exhibit on  
5 the record?

6 **MS. CAROLINE WAWZONEK:** Yes. I apologize  
7 on the process.

8 Yes, if I could perhaps -- the document  
9 that we had sent in that outlined our recommendations, if  
10 I could please ask that that be made a formal exhibit.

11 **CHIEF COMMISSIONER MARION BULLER:** Exhibit  
12 3.

13 **---Exhibit 3:** "Primary Recommendations on behalf of  
14 the Native Women's Association of the  
15 NWT" (4 pages)  
16 Submitted by: Caroline Wawzonek,  
17 Counsel for Native Women's Association

18 **MS. CAROLINE WAWZONEK:** Thank you.

19 **CHIEF COMMISSIONER MARION BULLER:** Thank  
20 you, Commission counsel.

21 **MR. THOMAS BARNETT:** Yes. And thank you,  
22 Chief Commissioner and Commissioners. If you have any  
23 questions.

24 **CHIEF COMMISSIONER MARION BULLER:** For  
25 once, none of us have any questions.

1                   But we all do want to say thank you very  
2 much for your thorough and very passionate submissions,  
3 and we look forward to reading more.

4                   Thank you so much. Thank you both.

5                   **MR. THOMAS BARNETT:** And if we could take a  
6 20-minute break.

7                   **CHIEF COMMISSIONER MARION BULLER:** Twenty  
8 (20) minutes, please.

9 --- Upon recessing at 13:14

10 --- Upon resuming at 13:33

11                   **MR. THOMAS BARNETT:** Thank you, Chief  
12 Commissioner and Commissioners.

13                   Next we have the Government of  
14 Saskatchewan. They are represented by counsel, Barbara  
15 Mysko.

16 **--- SUBMISSIONS BY BARBARA MYSKO**

17                   **MS. BARBARA MYSKO:** Good afternoon,  
18 Commissioners. I'd like to acknowledge that we're  
19 gathered this afternoon on Treaty 7 territory, the home of  
20 the Blackfoot and the Métis. And I would like to start my  
21 submissions by extending my gratitude to the Commissioners  
22 for their tireless efforts. To the activists who continue  
23 to shed light on matters of public importance. To all of  
24 the Parties with Standing for their commitment. And, of  
25 course, to all of the staff and those who have made this

1 Inquiry come together. Most importantly, though, I'd like  
2 to thank the families of the missing and murdered  
3 Indigenous women, girls, two-spirit, and transgender  
4 people. And I would like to acknowledge the spirits of  
5 those who have passed on.

6 It's important for us to remember who is at  
7 the center of this process. It's not the provincial  
8 government, it's the people we try to serve. And in that  
9 respect, I take note of Betty Ann Pottruff's reply to a  
10 question I asked her in her evidence in relation to her  
11 work from the provincial partnership on missing persons.  
12 And she said:

13 I think the other lesson we learned was  
14 that the families, they had a lot of  
15 valuable information to contribute if  
16 anybody would listen to them.

17 And I think we have all understood the truth of that  
18 statement throughout this journey over the last two years.  
19 So I will do my best to keep this front of mind during  
20 these submissions, knowing that this is probably one of  
21 the more difficult things I've done in my career. I am a  
22 little bit nervous, but I also know that this is  
23 absolutely nothing compared to what the families have  
24 endured, so this is the least that we can do.

25 So on that note, I will provide a road map



1 for the submissions. First off, we'd like to start with  
2 first principles and talk about the terms of reference for  
3 the Inquiry. Speaking to Saskatchewan's engagement with  
4 the process, and our desire, our seeking of concrete  
5 solutions to affect positive change, we'll speak to the  
6 importance of recognizing best practices, not for the  
7 purposes of marketing or self-promotion, but for the  
8 purpose of building, learning, and becoming better. I'll  
9 then go into review some of Saskatchewan's efforts in  
10 reconciliation, education, housing, child welfare, and  
11 numerous other areas, many of which I won't be able to  
12 cover exhaustively in the submissions today. Throughout  
13 this, I'll try, as best as I can, to recognize some of the  
14 areas in which we're struggling. But we'll also repeat  
15 very importantly some of what we've heard in the evidence.  
16 The presentation will, of necessity, be incomplete.

17 So to start off, as we all know the mandate  
18 of this Inquiry is expansive to say the least. And I  
19 would like to refer to something that Jessie Wente said in  
20 the racism hearing in June, which was:

21 The reality is, our existence is nuanced.

22 It requires nuanced responses. Not

23 everything for each community is going to

24 be the easy answer.

25 We know the disproportionate violence against Indigenous

1 women, girls, two-spirit people, is a complex problem.  
2 And something that Betty Ann Pottruff said to me  
3 throughout the course of this Inquiry really resonated  
4 with me and that was, "Complex problems require complex  
5 solutions." For that reason, the mandate of the Inquiry  
6 is expansive. The expansiveness, the breath of the  
7 Inquiry affirms the complexity that's inherent in  
8 examining and understanding systemic causes of violence.

9           According to the terms of reference you,  
10 the Commissioners, are directed to inquire into and report  
11 on and, of course, you know this, systemic causes of all  
12 forms of violence, including sexual violence, against  
13 Indigenous women and girls in Canada, including underlying  
14 social, economic, cultural, institutional, and historical  
15 causes. No small feat. As well, institutional policies  
16 and practices implemented in response to violence  
17 experienced by Indigenous women and girls in Canada,  
18 including the identification and examination of practices  
19 that have been effective in reducing violence and  
20 increasing safety. Any and all decisions taken by this  
21 Commission are informed by these terms of reference. It's  
22 for that reason that I go back to it today.

23           This broad mandate recognizes the need for  
24 carefully considered and constructed solutions to complex  
25 problems. Such solutions require a multi-sectoral

1 involvement, dialogue among partners, to promote an  
2 exchange of information, encourage understanding, and  
3 support capacity building. Dialogue is facilitated by the  
4 very nature of this process. I may be used to adversarial  
5 processes. This is not that. This in -- is an  
6 inquisitorial process, the very nature of which is meant  
7 to facilitate open discourse about past and present  
8 challenges, existing practices and proposed solutions. As  
9 the Commission knows, its role is to investigate, educate,  
10 and provide advice to government.

11 Where, then, does Saskatchewan fit into all  
12 of this? I'd like to speak to something that Dr. Allan  
13 Wade said in his evidence. He said:

14 I don't think there's any substitute for  
15 working together as allies. People in  
16 different positions, who have different  
17 things, who bring different things to the  
18 table. If we are going to work together,  
19 that would be my hope.

20 We are here because we want to encourage the Parties with  
21 Standing to see public servants as their allies. Maybe  
22 not today, or tomorrow, but some day. I've been reading a  
23 lot from Simon Ruel, the author of The Law of Public  
24 Inquiries in Canada. And he notes in that text that  
25 public

1 inquiries -- only matters of very significant -- public  
2 importance, rather, should be entrusted to Commissions of  
3 Inquiry.

4 Violence against Indigenous women and girls  
5 is a matter of significant public importance.  
6 Saskatchewan has recognized this by providing the  
7 Commission with the authority into inquire into issues  
8 under provincial jurisdiction. Saskatchewan's Order in  
9 Council affirms that it is in the public interest to  
10 entrust to the Commission of Inquiry the mandate to carry  
11 out its work in matters of Saskatchewan's jurisdiction.  
12 Our OC, or Order in Council says further that the province  
13 is committed to working with Indigenous communities to end  
14 the threat of violence against women and girls, and to  
15 ensure the safety of future generations, to take action to  
16 support reconciliation, working in collaboration with  
17 Indigenous peoples based on principles of mutual respect  
18 and shared benefits.

19 I'd like to tell you today that  
20 Saskatchewan's paying attention. We have a team of  
21 officials that meet on a bi-weekly basis that monitor and  
22 review the evidence raised at the Inquiry. At the risk of  
23 giving evidence, this team is composed of officials from  
24 across government representing ministries of education,  
25 health, social services, justice, corrections,

1 prosecutions, the Public Service Commission, Status of  
2 Women, FILU among others. Officials, over the past few  
3 years, have been monitoring the institutional and expert  
4 proceedings, and there was significant representation at  
5 the Saskatoon community hearings, including for members of  
6 the Saskatchewan Elders Forum. Government  
7 representatives, who have been in attendance at every  
8 institutional expert hearing since August 2017 have  
9 identified themes in the evidence, and regularly report  
10 back to their team for consideration.

11 While along the way, and in the past,  
12 Saskatchewan has implemented some best-practices, it  
13 understands it does not have all the answers. We  
14 acknowledge the significant over representation of  
15 Indigenous people in the child welfare system as well as  
16 in the corrections and justice system. We recognize the  
17 challenges of service delivery in remote and northern  
18 communities, and the existing disparity in income,  
19 education, and employment for Indigenous people. We have  
20 participated in the Inquiry to seek out more effective and  
21 responsive solutions to these challenging issues. And I'd  
22 like to review some of what we've heard in the testimony,  
23 so that you can understand that we are listening. And the  
24 list is, obviously, not going to be exhaustive.

25 We have testimony on recognizing the

1 resilience of Indigenous women and children and families;  
2 ensuring a person with lived experience is at the table;  
3 understanding Indigenous world views, plural; building  
4 capacity in families in communities; implementing  
5 culturally appropriate services and programs; educating  
6 those who are delivering services, so that they can  
7 provide equitable, respectful services; ensuring that  
8 supports and services exist in and for remote and northern  
9 communities; keeping women and children safe in their  
10 homes and communities where possible; spreading awareness  
11 of the problem of human trafficking; educating and  
12 training men and boys; collecting reliable statistics;  
13 performing objective evaluations; ensuring that risk  
14 factors do not penalize, but instead create opportunities;  
15 being mindful of the language and signals that people use  
16 to alienate, humiliate, or create more vulnerability;  
17 creating alliances among women; addressing the  
18 marginalization of two-spirit people; providing meaningful  
19 funding.

20 No list can be exhaustive. We are seeking  
21 concrete solutions to address the complex challenge of  
22 violence against Indigenous women and girls in line with  
23 the terms of reference that ask the Commissioners to do  
24 exactly that. The terms of reference also direct the  
25 Commission to identify practices that have been effective

1 in reducing violence and increasing safety. We ask, urge  
2 the Commission to look carefully at existing, effective  
3 practices in developing its concrete recommendations. The  
4 quality and strength of the Commissioner's recommendations  
5 require a proportionate, but rigorous review of the  
6 information that's available.

7 Saskatchewan recognizes that this  
8 Commission has been unable to hold a viva voce hearing on  
9 every possible systemic cause. For this reason, we have  
10 tried to provide a series of evidentiary submissions to  
11 the Commission outlining past and existing practices,  
12 which I understand the Commissioners have already begun to  
13 review. Although, these submissions are far from  
14 exhaustive, they're intended to assist in the development  
15 of your final report: Carefully considering existing,  
16 effective practices of all organizations, not just  
17 provincial, federal governments, serves to promote trust  
18 among those who work in the field, and those who are  
19 impacted by the work; build on momentum of existing  
20 efforts and encourage capacity building within  
21 institutions; contribute to a sense of well-being and hope  
22 for Indigenous people rooted in their demonstrated  
23 successes. We'll provide a brief outline of some of the  
24 initiatives for the purpose of promoting and understanding  
25 of what progress has been made; spreading awareness that

1 the public service is capable of empathetic service and is  
2 committed to performing progressive responsive work for  
3 and with its Indigenous partners; and calling for your  
4 advice.

5 So I'd like to start by talking about  
6 reconciliation and referring, again, to my favourite  
7 quoteable, Betty Ann Pottruff, who said in her evidence:

8 One of the major issues that you need to  
9 deal with in work like this, is building  
10 trust.

11 We've heard a lot about that today. Betty Ann went on to  
12 say:

13 Because if you don't build the trust and  
14 focus on relationships, then it's going to  
15 be that much more difficult for you to be  
16 successful. People have to feel that  
17 they're in a safe environment in which they  
18 can say what they want to say, even if what  
19 they want to say might be hard to hear.

20 Well, here is one of those hard truths. Saskatchewan  
21 knows that it shares in Canada's legacy of residential  
22 schools and disproportionate levels of violence against  
23 Indigenous women and girls. Of the 139 recognized  
24 residential schools that existed across Canada,  
25 Saskatchewan was home to 20 of those and the highest



1 number of residential school claimants. It is a  
2 consistent theme in the evidence that the residential  
3 school system has long-lasting impacts for family  
4 cohesion, domestic violence, and child welfare. It's  
5 important for the Saskatchewan public to be educated and  
6 informed about the legacy of residential schools. Greater  
7 understanding leads to more empathetic provision of public  
8 services, reduces negative stereotyping, and improves the  
9 quality of life for Indigenous people.

10 As this Commission has recognized in its  
11 Interim Report, no one knows for sure how many Indigenous  
12 women and girls have been murdered or gone missing in  
13 Canada. However, it is clear that Indigenous people are  
14 disproportionately represented as victims of crime,  
15 generally. Nationally, we know Indigenous women  
16 experience significantly higher rates of violent  
17 victimization than non-Indigenous women. Since the  
18 Saskatchewan Association of Chiefs of Police began  
19 recording long-term missing persons statistics in 2006,  
20 the number of missing Indigenous women in Saskatchewan  
21 consistently represents 50 percent or more of total female  
22 persons in the province. This compares with Indigenous  
23 women accounting for only 15, 1-5, point 6 of the female  
24 population in the province.

25 So we acknowledge, we don't have all the

1       answers. We have heard, and we understand that it's  
2       important to collaborate with our Indigenous partners to  
3       address the serious challenges and underlying causes of  
4       violence. Truly collaborative efforts, relationships,  
5       provide the necessary climate to educate those working in  
6       the public service to lead systemic change from within.  
7       Collaboration and education are mutually reinforcing and  
8       result in an exchange of ideas and greater understanding  
9       among cultures, traditions, and lived experiences.

10               We understand that our government is  
11       enhanced through the contributions of Indigenous people.  
12       We understand Indigenous people in Saskatchewan are the  
13       fastest growing demographic of the working age population.  
14       In order for us to be responsive to the needs of our  
15       population, the government must be an attractive  
16       employment option for Indigenous people, from policy  
17       development to service delivery, to senior management.  
18       Many Indigenous people unfortunately -- not all -- know  
19       government through encounters with child welfare and  
20       corrections. Government officials are making now a  
21       concerted effort to create positive encounters with  
22       Indigenous people and to build trust.

23               Including Indigenous voices within  
24       government enhances the quality and responsiveness of the  
25       services that our province delivers to its citizens. To

1 that end, our public service commission has entered into a  
2 contract to ensure that all provincial government staff  
3 receive Aboriginal awareness training. Saskatchewan hopes  
4 that by providing government wide education about the  
5 lived experiences of Indigenous people, that Indigenous  
6 staff members will benefit from an enhance sense of  
7 belonging in the public service.

8           Several ministries, many of which will go  
9 unnamed here today because of time, also have internal  
10 training programs specific to the services delivered by  
11 that ministry. For example, and this is highlighted in  
12 our latest submission that was filed under Rule 33 in  
13 November in some detail, the Ministry of Social Services  
14 provides five types of cultural awareness training  
15 delivered by Indigenous consultants for its Child and  
16 Family Program staff. And I had the benefit of learning  
17 more about this programming in the course of this Inquiry,  
18 and it's truly inspiring. This training, which includes  
19 education on the calls to action of the TRC, is an  
20 important part of ensuring that Child and Family Services  
21 staff are providing services that are culturally  
22 appropriate and respectful.

23           Saskatchewan's Indigenous population is  
24 also young. As of 2016, 42.5 percent of the total  
25 Saskatchewan, as defined as, Aboriginal population was

1 under the age of 19. It's important for all of us that  
2 young Indigenous people have opportunities to thrive.  
3 Corey O'Soup said in his evidence that:

4 I believe that we have to invest in our  
5 children. We have to invest in them early  
6 and often.

7 This Commission itself has identified as one of the  
8 systemic causes, the existing gap in education skills and  
9 employment training between Indigenous and non-Indigenous  
10 people. The Commission has called on all governments to  
11 bridge these gaps. To address the gap in education,  
12 specifically, Saskatchewan's carefully working to ensure  
13 that Indigenous people feel a sense of belonging in the  
14 provincial education system.

15 In the meantime, the achievements of  
16 Indigenous people must not be overlooked. For self-  
17 identified First Nations and Métis students, the five and  
18 three-year high school graduation rates have risen to a  
19 notable extent. In the past ten years, among adults aged  
20 15 years and older, there was a 48 percent increase in the  
21 number of First Nations and Métis graduates in  
22 Saskatchewan who had a post-secondary certificate, diploma  
23 or degree. Enrollments of Indigenous students in the  
24 three Indigenous post-secondary institutions is high, over  
25 80 percent in all three of them. Enrollments in the other

1 post-secondary institutions are increasing year by year.

2 We are cognizant of the strong positive  
3 correlation between increased educational attainment and  
4 higher earnings over a lifetime, better health outcomes,  
5 and lower criminal activity. Furthermore, the TRC calls  
6 to action highlight the importance of incorporating  
7 Indigenous issues into provincial curriculum. We created  
8 an action plan in response to the TRC, and it's - are  
9 ...committed to incorporating indigenous ways of knowing  
10 into the provincial curriculum.

11 Just a few examples and, again, I commend  
12 the earlier submissions to the Commissioners on this point  
13 that outline these efforts in significant detail.

14 For one, 2007 -- since 2007, we've had  
15 mandatory treaty education in the provincial curriculum.  
16 In 2009, the Ministry of Education released "Inspiring  
17 Success", a policy framework guiding the development of  
18 First Nations and Métis education plans at all levels.

19 First Nations and Métis Elders from across  
20 the province have vetted the provincial high school  
21 Catholic studies curricula in which truth and  
22 reconciliation is directly addressed. The history of  
23 residential schools is taught in social studies in four  
24 separate grades. And "Following Their Voices" is a very  
25 inspiring initiative designed indigenous student outcomes.

1           In developing this initiative, Saskatchewan  
2 engaged with Elders and knowledge keepers as well as First  
3 Nations and Métis students, their parents and caregivers,  
4 teachers and administrators to further improve the  
5 capacity of teachers to create a sense of belonging for  
6 indigenous students.

7           First Nations and Métis education is a  
8 Ministry-wide undertaking, and there is a First Nations  
9 and Métis advisor in the Deputy Minister's office of the  
10 Ministry of Education.

11           Again, this is only a brief overview, so we  
12 encourage the Commissioners and the parties with standing  
13 to review our submissions.

14           According to this Commission's interim  
15 report, indigenous women and girls continue to be  
16 marginalized in socioeconomic ways. We're committed to  
17 closing the poverty gap for indigenous people not only  
18 through measures related to improving education outcomes  
19 and labour market access, but also in relation to greater  
20 access to affordable housing and improved health care.

21           Cindy Blackstock said in her evidence, "We  
22 need to empower indigenous women through education and  
23 financial independence."

24           Saskatchewan understands that engaging  
25 indigenous people in the labour force is important. For

1 the 2017-18 fiscal year, the Ministry of Economy committed  
2 \$27.8 million for skills training and employment  
3 initiatives targeted at First Nations and Métis people.

4 We have heard about connections between  
5 safe, affordable housing and the vulnerability of women  
6 and children. In our province, it's the Saskatchewan  
7 Housing Corporation that provides adequate housing options  
8 and increases affordability of housing for those in need.

9 One thousand, three hundred and seventy-  
10 nine (1,379) of those units are located in the north and  
11 play a prominent role in northern housing markets.

12 We know that there is an under-  
13 representation of indigenous people in Saskatchewan  
14 Housing Corporation's own social housing in southern  
15 communities, so it is through program reviews and ongoing  
16 engagement with housing authorities and indigenous  
17 agencies that the corporation is working to understand  
18 this and to better serve off-reserve indigenous  
19 households.

20 We further recognize that there's a gap in  
21 the health status of indigenous people and the general  
22 population, and a priority for the new provincial Health  
23 Authority is to work in partnership to address the health  
24 disparities of the indigenous population. The new Health  
25 Authority structures includes indigenous representation at

1 the Board and executive levels.

2 A working group was formed for the months  
3 leading up to the transition of the single Health  
4 Authority, and the mandate of that group was to engage  
5 indigenous communities, both rural and urban, to inform  
6 the new Authority on how best to address the health needs  
7 of indigenous people. And it was based on these  
8 discussions that a vision of health care should include  
9 holistic and traditional care and collaboration with  
10 western medicine, respectful care for all people free from  
11 racism, harm and discrimination, and a commitment to work  
12 together for the betterment of people and communities.

13 Child welfare.

14 Saskatchewan acknowledges a significant  
15 over-representation of indigenous families in the child  
16 welfare system. At the heart of those families are women  
17 and children who are often shaped by or exposed to  
18 generational poverty, violence, addictions and the legacy  
19 of residential schools.

20 Cultural identity and community connection  
21 are critical components to strengthening families.

22 Saskatchewan has built on initiatives  
23 already under way and incorporated the principles of  
24 reconciliation into existing programs. Social services  
25 reports on the number of children in care and updates



1 their actions taken in response to the TRC.

2 We acknowledge the testimony of Ms. Turpel-  
3 Lafond in which she stated:

4 "First of all, I think there should be  
5 a priority on where First Nations  
6 children, in particular, are placed.  
7 They should be placed with community,  
8 if not with -- or with family  
9 [rather], if not within family, within  
10 kinship community inside their own  
11 Nation."

12 We'd like to tell the Commission since the  
13 beginning of 2015, the percentage of children placed with  
14 extended family in Saskatchewan has increased by 15  
15 percent. First Nations Child and Family Services Agencies  
16 have played a key role in support this effort.

17 Saskatchewan utilizes the child rights  
18 impact assessment when making changes to policy, ensuring  
19 that child and family practices, programs and services  
20 have a rights-based lens.

21 While the CRIA focuses on safety and well-  
22 being for children, there's also a balance in the  
23 decision-making process. Child protection workers must  
24 ensure child safety while preserving the family and  
25 promoting the rights of the child to have access to their

1 community and culture.

2 In circumstances where, as a last resort,  
3 children have to be removed from their parents due to  
4 safety, Saskatchewan does work hard to keep children with  
5 extended family and/or within the community.

6 We are entering into partnerships with  
7 community-based programs to build capacity for parenting  
8 within the family home. There are many of these which  
9 we've outlined again in detail in the submissions which I  
10 refer to the Commissioners.

11 One which I'll mention is called "Keeping  
12 Families Together". It's a pilot. We've heard the  
13 comments on pilots.

14 It provides what is referred to as  
15 integrated services, so social housing for Regina families  
16 who currently have children in care and who face a housing  
17 barrier to reunifying.

18 Saskatchewan heard Ms. Turpel-Lafond also  
19 when she said, and this is important:

20 "I lift them up with the  
21 accomplishment. Some of them are  
22 grandparents in their eighties and  
23 they're still raising children support  
24 with no support from any system.  
25 So that gives me a lot of hope and it

1 gives me a lot of examples of positive  
2 change. That is remarkable  
3 resilience. "

4 We heard Ms. Turpel-Lafond, and we wish to  
5 acknowledge significant compassionate caregiving that has  
6 been and continues to be provided by indigenous families,  
7 commonly by grandmothers. There is power in capacity-  
8 building with indigenous caregivers, and Saskatchewan  
9 welcomes opportunities to work with indigenous families to  
10 continue to leverage those strengths.

11 Mary Ellen Turpel-Lafond also said that  
12 there's no children's law program in most provinces. We  
13 acknowledge the concern around the availability of  
14 children's advocacy programs and we do wish to point to  
15 Saskatchewan's recently-developed Council for Children  
16 program as a potential high point.

17 We also support the Aboriginal Family Court  
18 Worker program in three urban centres. Family Court  
19 Workers serve as a bridge between indigenous parents,  
20 families, legal counsel or children protection  
21 authorities.

22 To further strengthen families,  
23 Saskatchewan has also recently developed a program of free  
24 legal advice for survivors of sexual violence called the  
25 "Listen Project".

1 Saskatchewan has programs to assist  
2 children and youth who have witnessed or experienced  
3 interpersonal violence or abuse with a goal of preventing  
4 them from becoming victims or perpetrators of violence and  
5 abuse in their future.

6 Justice system.

7 Saskatchewan recognizes, again, that there  
8 is significant over-representation of indigenous people in  
9 the justice and corrections systems in our province. It  
10 is also true that since the 1980s, a focus for our  
11 province has been to engage directly with First Nations  
12 and Métis groups to improve justice services for  
13 indigenous people in the province.

14 The Ministry has sought to involve  
15 indigenous organizations and communities to inform, lead  
16 and partner with the Ministry of Justice and Corrections  
17 to be more responsive to the needs of indigenous people  
18 and their communities.

19 This dual reality, the existing over-  
20 representation and Saskatchewan's history of  
21 collaboration, is a crucial point to understand. We have  
22 provided detailed information of this history again in our  
23 submissions.

24 Just some high points. In 1993, to  
25 respond to the reports of the Saskatchewan Indian Justice

1 Review Committee and the Saskatchewan Métis Justice Review  
2 Committee, Saskatchewan Justice developed and implemented  
3 an Aboriginal justice strategy to focus on crime  
4 prevention and reduction, building bridges, employment  
5 equity and race relations, and self-determination issues.  
6 This strategy is the foundation for the Ministry's efforts  
7 to engage Indigenous groups, supporting the development of  
8 a community-based justice approach in response to concerns  
9 about cases such as Neil Stonechild.

10 The province worked collaboratively  
11 with First Nations and Métis groups, and police services  
12 leading to the establishment of the Commission on First  
13 Nations and Métis Peoples and Justice Reform. The  
14 Commission was mandated to identify efficient, effective  
15 and financially responsible reforms to the justice system.

16 This report did not simply sit on a  
17 shelf to gather dust. Saskatchewan, in fact, implemented  
18 many of the recommendations, including the establishment  
19 of the Public Complaints Commission, the redesign of the  
20 Coroner's Program, the establishment of the Missing  
21 Persons Task Force, province-wide expansion of Victim  
22 Services, creation of victim programs to respond to the  
23 needs of children, seven therapeutic courts and  
24 enhancements to community justice and alternative measures  
25 program.

1                   Other notable efforts to improve the  
2                   experience with the justice system include, in 1995, the  
3                   Aboriginal Court Worker Program being re-established; the  
4                   Cree Court was established to provide culturally-  
5                   appropriate court services; the seven therapeutic courts.  
6                   Specifically in relation to the drug treatment courts. We  
7                   now have access to safe housing at Kate's Place. This is  
8                   the only housing for women offered by a drug treatment  
9                   court in Canada, and it has been shown to result in  
10                  significant reductions in reoffending.

11                  In 2006, the Public Complaints  
12                  Commission was established. It's a five-person civilian  
13                  oversight body which continuously includes at least one  
14                  Métis person and one First Nations person, as per Section  
15                  16 of the *Police Act*.

16                  There are too many initiatives to go  
17                  through, but again, I commend the earlier submissions to  
18                  the Commissioners. In particular, I would like to  
19                  highlight the Northern Transportation Safety Initiative,  
20                  which recognizes the impact. There are no shelters north  
21                  of La Ronge in Saskatchewan, and the need for access to  
22                  transportation is high. This tries to provide a flexible  
23                  option for women fleeing violence and abuse in their  
24                  communities.

25                  There's one initiative that should

1 absolutely not be overlooked, and that's the Elder's  
2 Advisory Committee. In 2004 and 2005, the Ministries of  
3 Justice and Corrections and Public Safety established a  
4 traditional Elder's Ministerial Advisory Committee to  
5 provide advice to the provincial government on a broad  
6 range of justice related issues. It was later recast and  
7 called the Ministry of Justice Elder's Forum. Countless  
8 initiatives have benefitted from the advice of elders,  
9 including the implementation of the recommendations of the  
10 Commission on First Nations, Métis People and Justice  
11 Reform, the establishment of the Public Complaints  
12 Committee, the redesign of the Coroner's office, the  
13 establishment of the Safer Communities and Neighbourhoods  
14 Initiative, advice regarding the Saskatchewan Provincial  
15 Court jury selection, and involvement of elders in family  
16 justice matters.

17 I'll speak briefly to prosecutions.  
18 It's really difficult to address anything in any sort of  
19 exhaustive manner, but we would like to speak to some of  
20 the evidence that we've heard through this process in  
21 which families who have been calling for assurance of  
22 perpetrators of violence be brought to justice. Families  
23 have also said the system must be sensitive to the  
24 circumstances of women and girls in conflict with the law  
25 and demand a determined prosecution of violent crimes.

1 Prosecutors, as we know, are bound to  
2 observe their role in the justice system, which is not to  
3 obtain a conviction, but to lay before a jury or a judge  
4 what it considers to be credible evidence of a crime. The  
5 courts have told us repeatedly that the role of a  
6 prosecutor excludes any notion of winning or losing. And,  
7 for this reason, public prosecutions policy insists on an  
8 initial and ongoing assessment of whether each case meets  
9 the prosecution's standard.

10 Other policies encourage just  
11 resolution short of trial where appropriate. Prosecutions  
12 refers matters down alternative and restorative justice  
13 paths, and is a driving force behind the seven therapeutic  
14 courts in the province. It supports and participates in  
15 the use of video conferencing, the Cree Court, and works  
16 closely with Victim Services and Aboriginal court workers.

17 Where cases should go to trial, they  
18 are prosecuted vigorously and with care. Come sentencing,  
19 prosecutors are familiar with Gladue issues, and try to  
20 address them in the courts. At the same time, prosecutors  
21 draw attention to the need for sentences that consider the  
22 victim's situation, and as appropriate, the communities.  
23 Sometimes that means an extensive jail term, and sometimes  
24 it means a community-based sentence. Canada's justice  
25 system rests in no small part on incarceration only where



1 necessary.

2 Prosecutions remains committed to  
3 providing ongoing guidance to prosecutors regarding Gladue  
4 and other matters to help prosecutors better understand  
5 the unique circumstances and perspective of Indigenous  
6 people. The intent is to find just conclusions, but also  
7 to help complainants, witnesses and victims participate in  
8 the search for truth and proper resolution. Further,  
9 Prosecutions has established a committee to review the  
10 calls to action issued by the TRC.

11 We have spoke to community justice,  
12 restorative justice, the importance and the integration,  
13 incorporation of culturally-sensitive programming in  
14 Corrections institutions. Again, as I note my time is  
15 running low, I, too, refer the Commissioners to our  
16 submissions on those points. We have provided some detail  
17 about the extent of collaboration with community-based  
18 organizations in the context of restorative justice  
19 programs, as well as the incorporation of Indigenous  
20 perspectives in culturally-sensitive programming within  
21 Corrections institutions.

22 Betty Ann Potruff, in her testimony at  
23 the Government Services hearing, spoke on the important  
24 work of the Provincial Partnership Committee on Missing  
25 Persons, which is a similarly collaborative approach, a

1 strategy for addressing the challenges of preventing and  
2 responding to cases of missing persons.

3 We heard her evidence about the  
4 sessions with families of missing persons as a means of  
5 conducting research, and the recommendations that were  
6 made, the vast majority of which had been implemented,  
7 some of which include, just very high level, legislative  
8 reform, creating resources to support families of missing  
9 persons, establishing missing persons liaisons, launching  
10 public awareness activities, initiating community based  
11 programming.

12 Particular attention in the evidence  
13 has been paid to the toolkits for families developed by  
14 the PPCMP, as was explained by former Chief Weighill in  
15 his evidence. The toolkits walk families through a  
16 missing persons checklist, a communications log, what they  
17 can expect from police, what the police are going to  
18 expect from the family, et cetera.

19 Saskatchewan met with the families in  
20 another time in 2009 and heard that they were pleased with  
21 the activity, but recommended that more was to be done.  
22 The PPCMP listened to the families and led work on  
23 improving interjurisdictional collaboration, improving  
24 public awareness, and providing seminars on ambiguous  
25 laws. While all of these initiatives are important,

1 Saskatchewan remains committed to doing more.

2 It is also within the Terms of  
3 Reference that the Commissioners make recommendations on  
4 ways to honour and commemorate the missing and murdered  
5 Indigenous women and girls in Canada. And, again, I  
6 commend to the Commissioners our evidence from Betty Ann  
7 Potruff on this point. I think it's -- she makes some  
8 really astute observations about the different experiences  
9 based on her work and her experience on the PPCMP between  
10 families of the murdered and families of the missing.

11 These are, I think, good lessons to  
12 draw on in determining what commemorative approaches are  
13 appropriate in given circumstances. Saskatchewan asks  
14 that the Commissioners take this evidence into  
15 consideration in recommending ways of honouring and  
16 commemorating the missing and murdered Indigenous women  
17 and girls in Canada.

18 Finally, I'd like to end, again, with  
19 the words of Betty Ann, and it has to do with her  
20 description of having planted an oak tree in Wascana Park  
21 in 2014. I think it's possibly one of her more important  
22 points. And, she says, "We also planted an oak tree in  
23 Wascana Park in 2014 because this is a tree that will grow  
24 tall and strong and live a long time and protect a lot of  
25 area. That's what we want for our That's what we want for

1       our families. We want our communities to grow tall and  
2       strong and protect each other. That's what we want for  
3       our families. We want our communities to grow tall and  
4       strong and protect each other. " Thank you,  
5       Commissioners.

6                   **MR. THOMAS BARNETT:** If we could reset the  
7       clock to 10 minutes?

8                   **COMMISSIONER QAJAQ ROBINSON:** I have a  
9       quick question. First, I'd like to thank you for your  
10      oral submissions and I'm not sure if you were here  
11      yesterday, but the Government of Yukon, following their  
12      submissions, I asked a very similar question. As a  
13      government that will be receiving our report in accordance  
14      with the OIC, it's important to us, and I think that I'd  
15      like to give you the same opportunity I gave them, or the  
16      Yukon government, an opportunity to talk about steps that  
17      your client may be willing to take or mechanisms that you  
18      may have thought of with respect to implementation and the  
19      oversight of implementation of recommendations following  
20      the release of the report, recognizing, as you have  
21      reiterated, this concern about reports collecting dust.  
22      So, I'm wondering if you have ideas on how to give it  
23      teeth?

24                   **MS. BARBARA MYSKO:** Thank you for your  
25      question, and I did hear the question yesterday, and it

1 gave me some to think about it, so I appreciate the head's  
2 up.

3 I think at the risk of binding my client,  
4 and of course, that's always a risk in these types of  
5 situations as a lone representative standing here before  
6 you, what I could tell you is this, and it's just to refer  
7 back to my submissions about the official's group that we  
8 have that represents many, many ministries all across  
9 government in Saskatchewan, many of whom are probably back  
10 home watching this at this current time and who have been  
11 monitoring the proceedings since Day One. I expect that  
12 we will probably continue our efforts on that group. And,  
13 certainly, we will take your question back and talk about  
14 ways that we can carefully look at the recommendations.

15 **COMMISSIONER MICHÈLE AUDETTE:** Okay, merci  
16 beaucoup. Est-ce qu'ils vous ont donné la...

17 **MS. BARBARA MYSKO:** Oui.

18 **COMMISSIONER MICHÈLE AUDETTE:** Okay, merci  
19 beaucoup. J'ai mon brain grill!

20 **MS. BARBARA MYSKO:** I'll try to understand  
21 you in French.

22 **COMMISSIONER MICHÈLE AUDETTE:** Okay, super  
23 Sean! Tout d'abord, à cause du temps, I want to say thank  
24 you very much. I don't know if you remember in my opening  
25 remarks, I said that I was reading from some submission,

1 and coming from a government perspective or response, and  
2 that some of the initiatives or programs or services don't  
3 exist in Quebec. So, it was about your submission.

4 **MS. BARBARA MYSKO:** Thank you.

5 **COMMISSIONER MICHÈLE AUDETTE:** There's a  
6 lot of information, more than I thought. I have to be  
7 frank. So, merci beaucoup. And, also, very interesting  
8 approach where the elders are involved. They will advise  
9 les personnes avec... comment on dit ça... haut places dans le  
10 gouvernement, so --and I think we met also with them when  
11 we started this journey.

12 **MS. BARBARA MYSKO:** Yes.

13 **COMMISSIONER MICHÈLE AUDETTE:** Very early.  
14 So, we saw that they are very strong and very vocal and  
15 very passionate and very grassroots. So, it was good to  
16 see that.

17 And, we know also that there's strong  
18 Indigenous women coming from Saskatchewan, the regions.  
19 One of them is a Senator, Madame Dyck, who presented to us  
20 informally her bill our proposition. And so, you have so  
21 many people, Mary Ellen Turpel-Lafond also. So, there's a  
22 beautiful list that makes me feel comfortable that you  
23 will -- mais oui, my big chief here. Sorry. I adopted  
24 her in my region, so...

25 So, we know that after this Inquiry, these

1 women will make sure that you and your government do  
2 implement some or many of the recommendations.

3 **MS. BARBARA MYSKO:** Thank you.

4 **COMMISSIONER MICHÈLE AUDETTE:** Merci. I'll  
5 switch in French. Je veux juste vous dire, à la lumière de  
6 votre document, de plusieurs documents, pardon, vous  
7 démontrez que vous travaillez avec les Premières Nations,  
8 avec les Métis. Mais en même temps, on voit que des  
9 groupes vont dénoncer, comme dans chaque province et  
10 territoire, des politiques, des programmes et ainsi de  
11 suite.

12 Ce que j'ai apprécié dans votre  
13 présentation, souvent, vous avez dit : « Nous  
14 reconnaissons que nous ne faisons pas assez. » Est-ce que  
15 reconnaître, pour les peuples autochtones de la  
16 Saskatchewan, c'est assez pour eux autres ou il faut faire  
17 autre chose que juste reconnaître?

18 You can answer in English.

19 **MS. BARBARA MYSKO:** Sure. Thank you.  
20 Certainly, recognizing is what I can do in this forum.  
21 And so, what I can do in this forum is limited, and I can  
22 -- that's the least that I can do. But, I think some of  
23 the efforts and programs and services that we've put in  
24 place show that it goes beyond recognition, that it's more  
25 than recognition. We try to listen to our elders on the

1 advisory forum, and take their concerns seriously, and are  
2 trying to implement programs across government.

3 So, certainly, it goes beyond affirmation  
4 of the challenges. Yes. I hope I understood the question  
5 correctly.

6 **COMMISSIONER MICHÈLE AUDETTE:** Yes, you  
7 did. You did. For us Indigenous women, it's very  
8 important. Yes, there is a recognition, but the action  
9 also that goes with that recognition to see a real change.  
10 So, we will follow this very proche, là, en espérant qu'on  
11 puisse voir des recommandations aussi dans notre rapport  
12 final qui vont être appliquées de votre côté comme  
13 gouvernement.

14 Merci beaucoup beaucoup!

15 **MS. BARBARA MYSKO:** Right.

16 **COMMISSIONER MICHÈLE AUDETTE:** Et pour une  
17 femme nerveuse, ça n'a pas paru! Bravo!

18 **MS. BARBARA MYSKO:** Merci.

19 **CHIEF COMMISSIONER MARION BULLER:** Thank  
20 you. I just have a couple of questions about Kate's Place  
21 from your materials. I'm assuming that it's not required  
22 that women who are in the drug treatment court have to  
23 stay at Kate's Place? It's optional?

24 **MS. BARBARA MYSKO:** I hate to make myself  
25 out to be an expert on Kate's Place, but what I would like



1 to propose is that I take the questions and try to answer  
2 them at a later date, if possible? And -- I don't -- I  
3 would be guessing to say whether it's optional or  
4 mandatory.

5 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
6 Optional or mandatory; number of beds; graduation rates;  
7 and numbers of Indigenous women who have gone through  
8 Kate's Place and the Regina Drug Treatment Court.

9 **MS. BARBARA MYSKO:** Thank you.

10 **CHIEF COMMISSIONER MARION BULLER:** And,  
11 anything else you think I might need to pass on to my  
12 colleagues. Thank you.

13 **MS. BARBARA MYSKO:** Thank you.

14 **CHIEF COMMISSIONER MARION BULLER:** Those  
15 are my questions. So, thank you very much. This has been  
16 a wonderful walk through your written submissions. Thank  
17 you. You have been very thorough and we appreciate your  
18 passion. Thank you.

19 **MS. BARBARA MYSKO:** Thank you.

20 **COMMISSIONER MICHÈLE AUDETTE:** Merci  
21 beaucoup.

22 **MR. THOMAS BARNETT:** Thank you, counsel.  
23 Next, we have West Coast LEAF. They are represented by  
24 counsel Kasari Govender.

25 **---SUBMISSIONS BY KASARI GOVENDER**

1                   **MS. KASARI GOVENDER:** Good afternoon, Chief  
2 Commissioner, Commissioners, elders, community members,  
3 familyvmembers and colleagues. I want to recognize that  
4 we are here today on the traditional homelands of the  
5 people of the Treaty 7 region and of the Métis Nation of  
6 Alberta.

7                   I stand here on this land with humility and  
8 gratitude to make these submissions on behalf of Westcoast  
9 LEAF.

10                   Westcoast LEAF's mandate -- I'll pause for  
11 a second. There we go.

12                   Westcoast LEAF's mandate is to use the law  
13 to create an equal and just society for all women and  
14 people who experience gender-based discrimination in B.C.  
15 In collaboration with community, we aim to transform  
16 society by achieving access to health care, access to  
17 justice, economic security, freedom from gender-based  
18 violence, justice for those who are criminalized and the  
19 right to parent.

20                   We use litigation, law reform and public  
21 education as tools to make change.

22                   As an organization, we are committed to an  
23 intersectional vision of gender equality and attentive to  
24 the continuing colonization and oppression of indigenous  
25 peoples. Our office is located on the unceded and

1 traditional homelands of the Coast Salish people presently  
2 known as Vancouver.

3 We are grateful for this opportunity to the  
4 long-awaited and vital work of the National Inquiry. This  
5 submission is offered respectfully in acknowledgement of  
6 the women and girls who have been disappeared and  
7 murdered, and to the families and communities who have  
8 lost them.

9 There is no question that the work of the  
10 Inquiry, as you've heard repeatedly, must be rooted in the  
11 experiences and collective wisdom of First Nations, Inuit  
12 and Métis women, girls and two-spirit persons from diverse  
13 communities across these lands. The recommendations  
14 cannot be imposed from outside or from above.

15 Indigenous women are not objects or bundles  
16 of risks. They are leaders, experts and agents of change.

17 The National Inquiry, you heard ample  
18 evidence of indigenous women's strength, creativity,  
19 resilience and resistance. Their knowledge and experience  
20 is the key source of power in addressing all forms of  
21 violence experienced by indigenous women wherever it takes  
22 place, so the experts have spoken.

23 The challenge before you now is daunting.  
24 You must bring together all the experiences, information  
25 and analysis that you've heard and offer a meaningful and

1       accountable path forward.

2                   Westcoast LEAF use our role in this Inquiry  
3       as a conduit for translating the experiences and expertise  
4       shared by indigenous women and communities both in the  
5       Inquiry and more generally into changes to law, policy and  
6       institutional or state practice. Our submissions will  
7       focus on this aspect of the Inquiry's work.

8                   I want to spend my time here today speaking  
9       first about the lens through which we believe that the  
10      crisis of violence against indigenous women must be  
11      viewed, then thinking through a life cycle approach to  
12      both the problem and some of the solutions with a focus on  
13      the child protection system, and then finally addressing  
14      recommendations.

15                  Interpersonal and systemic violence against  
16      indigenous women is not a women's issue, it is not an  
17      indigenous issue; it is both. It implicates all of us,  
18      settlers and indigenous people alike.

19                  The evidence before the Inquiry establishes  
20      without a doubt that indigenous women, girls and two-  
21      spirit persons' lives are continuously and dynamically  
22      shaped by their experience of the world as women, girls or  
23      two-spirited and as indigenous peoples coming from  
24      distinct communities. They're indivisibly gendered and  
25      racialized.

1                   The intersection of gender and race must  
2 specifically ground the recommendations of the Inquiry. A  
3 gendered analysis must incorporate how various systems of  
4 oppression are recursive and mutually constitutive or  
5 replicative.

6                   As Dr. Cindy Blackstock said in her  
7 testimony:

8                                 "This issue of gender discrimination  
9 is not just distinct to indigenous  
10 women and girls, but certainly it is  
11 amplified in many cases for indigenous  
12 women and girls because it has a  
13 colonial overlay on top of it and it  
14 is also affected by these multi-  
15 generational inequalities that have  
16 often been more pronounced in their  
17 disadvantage for indigenous women and  
18 girls."

19                   For the National Inquiry to look into and  
20 report on the systemic causes of all forms of violence  
21 against indigenous women and girls as required by its  
22 mandate, it cannot shy away from calling out the manifold  
23 ways in which the historical and continuing colonization  
24 of indigenous peoples perpetuates gender violence.

25                   The experience of indigenous women, girls

1 and two-spirit persons are, as heard in the evidence,  
2 indivisible from their colonization and the colonization  
3 of their communities.

4 For example, you heard from Jacqueline  
5 Hansen and Connie Greyeyes about Amnesty International's  
6 "No More Stolen Sisters" report concerning the experiences  
7 of indigenous women around resource development. They  
8 spoke about how, while resource development can be seen as  
9 a boon to indigenous communities by some, the burden is  
10 felt by and on indigenous women's bodies.

11 You also heard from Tracy Denniston about  
12 how the housing shortage in her community has a particular  
13 impact on Inuit women, who are subjected to violence by  
14 their intimate partners and living in poverty because they  
15 have nowhere else to go but their shared home in the one  
16 social housing facility in the community.

17 You heard from Dr. Pertice Moffitt, who  
18 testified that researchers have consistently concluded  
19 that indigenous women are at a greater risk of intimate  
20 partner violence than non-indigenous women and, of course,  
21 women overall are at a much greater risk of serious  
22 domestic violence than men.

23 Your recommendations must account for the  
24 intersectional nature of the problem or they risk failing  
25 to address the crisis. For example, if you recommend

1 training of police or judiciary or other system actors as  
2 you've been called on to do, training on the history of  
3 residential schools will be insufficient without a focus  
4 on how residential schools impacted mothers, grandmothers  
5 and girls in unique and perhaps disproportionate ways.

6 If you address disproportionate  
7 criminalization and imprisonment of indigenous people, you  
8 must specifically address the fact that indigenous women  
9 are the fastest-growing group of people in prisons across  
10 the country.

11 If you recommend improved data collection  
12 by the RCMP or by Statistics Canada, again, as you've been  
13 urged to do, the data must be disaggregated on  
14 intersectional basis, not just by sex and race, but also  
15 by gender identity, indigenous nationhood and mixed-race  
16 identity.

17 One of the key ways to integrate the  
18 intersectional approach is through looking at the colonial  
19 project of "taking the Indian out of the child" through  
20 the eyes of women and girls. As the evidence has shown,  
21 taking children away from their families and their  
22 communities has been a key part of this project which is,  
23 of course, central to the colonial project as a whole.

24 The Inquiry has heard, for example, by Dr.  
25 Amy Bombay, that forcing children into residential schools

1 led into the sixties scoop and the removal of children by  
2 child protection authorities which we know has then led to  
3 the over-incarceration of indigenous people, including  
4 youth.

5 This narrative of colonialism is key to  
6 understanding the current crisis of violence against  
7 indigenous women and girls.

8 Dr. Bombay cited Maria Yellowhorse  
9 Braveheart for this point:

10 "Historical trauma is cumulative,  
11 emotional and psychological wounding  
12 over the life span and across  
13 generations, emanating from massive  
14 group trauma."

15 Today, there are three times more  
16 indigenous children forcibly removed from their parents  
17 and placed into foster care than at the height of the  
18 residential school era. Indigenous children make up 60  
19 percent of the children in care in B.C., yet only about  
20 eight percent of the general population of children and  
21 youth.

22 Indigenous families are being investigated  
23 for neglect at six times the rate of non-indigenous women  
24 -- or non-indigenous families.

25 The B.C. representative for Children and



1 Youth's Office received 200 critical and injury death  
2 reports for kids in care every month.

3 Indigenous families and,  
4 disproportionately, indigenous mothers are regarded as  
5 unsafe. The child welfare system runs on the myth that  
6 indigenous children and youth are vulnerable with their  
7 families and will be protected in state care, be that  
8 residential school or foster home, and yet the evidence  
9 indicates otherwise, but the pipeline of taking children  
10 from their homes and communities and placing them in  
11 culturally-inappropriate and ill-equipped temporary homes  
12 away from family and community is putting women and girls  
13 at much heightened jeopardy.

14 Breaking family and community ties creates  
15 risk rather than inoculating against it. Evidence of this  
16 that you have heard includes evidence from Dr. Mary Ellen  
17 Turpel-Lafond, who highlighted the vulnerability of girls  
18 in state care and how state intervention cannot only fail  
19 to -- not only fails to address the problem, but, in fact,  
20 adds layers of further risk and vulnerability on  
21 indigenous girls.

22 She talked about how a disproportionate  
23 number of children and youth who are subjected to  
24 sexualized violence in government care are Aboriginal  
25 girls. In her report, "Too Many Victims", that she cited

1 in her evidence, she said:

2 "Of the 121 youth who reported being  
3 the victim of sexualized violence  
4 while in government care, a total of  
5 74, or 61 percent, were Aboriginal  
6 girls despite the fact that Aboriginal  
7 girls comprised, on average, only 25  
8 percent of the total children in care  
9 in B.C. during the same time period  
10 covered by this review."

11 In fact, sexualized violence is the most  
12 common type of critical injury involving children and  
13 youth in care, she testified, equalling 21 percent of all  
14 critical injury reports.

15 Dr. Turpel-Lafond talked about Paige's  
16 story in her evidence, and I want to talk a little bit  
17 about that -- Paige's experiences and Paige's life and how  
18 that illustrates the point of the risk of the child  
19 protection system. In our view, Paige's Story illustrates  
20 the depth of the system failure at work here.

21 Paige lived in the Downtown Eastside,  
22 came in and out of the child welfare system, struggled  
23 with drug addiction, was forced to be a drug mule to pay  
24 off drug debts, and lived in shelters where she traded sex  
25 with older men for alcohol. She died of a drug overdose

1 at age 19, shortly after aging out of care. Her mother  
2 died shortly after, also of a drug overdose.

3 The report found that she was treated  
4 with professional indifference at every turn, including by  
5 health, education and justice systems. The report found  
6 "social workers and MCFD as a whole had, by far, the most  
7 and best opportunities to help Paige, as well as a lead  
8 responsibility in law and policy."

9 The Ministry mishandled her file from  
10 the very beginning, failing to adequately assess the risk  
11 to her as an infant, and then continuing to return her to  
12 her mother's care rather than pursue more viable options.  
13 One of the best options, an aunt and uncle who were  
14 actively interested in caring for her, and with whom she  
15 had developed a bond, were inexplicably never seriously  
16 considered as a placement option, even though they could  
17 have offered Paige connection to family, culture and  
18 stability, which are her rights under the child welfare  
19 legislation in B.C.

20 The report concludes that Paige was  
21 left for three years in conditions that no reasonable  
22 person would find acceptable for their own child.  
23 Tolerance of this situation represents an abject failure  
24 of leadership and policies by governments at all levels.

25 The report goes on to find that the

1 findings in the report were different, or rather, Mary  
2 Ellen Turpel-Lafond, in her evidence, testified that, "The  
3 findings in this report were different than other findings  
4 and reports I made, because not only did I find that this  
5 was preventable, but actually, the finding in this report  
6 was that it was predictable."

7 And, that is a very significant  
8 finding, I think, for this -- for a statutory officer to  
9 make, which isn't that we can learn to prevent. Actually,  
10 the system appeared to accelerate her circumstances to the  
11 point where she died, and that's the point I want to  
12 emphasize here: The system itself contributed to her  
13 death.

14 The overall finding is that despite  
15 the absolute predictability of this tragedy, the child  
16 protection system, health care system, social service  
17 agencies, education system and police consistently failed  
18 in their responsibility to this child, and passively  
19 recorded her life's downward spiral.

20 I'm going to talk for a moment about  
21 the evidence of Cora Morgan, the First Nations Children's  
22 Advocate in Manitoba, who characterized child apprehension  
23 as violence against mothers. She testified on how contact  
24 with the child welfare system can lead to mothers' murders  
25 and suicides. She said, "One of the things that I learned

1 earlier on, we had this elder, and the elder said, 'You  
2 know, the most violent act you can commit to a woman is to  
3 steal her child.'" And, it is. When you take away  
4 people's children, it is the most violent act, and it  
5 takes your hope away. It takes your purpose away.

6 Ms. Morgan talked about how difficult  
7 it is for mothers when apprehension of their children  
8 becomes final. Again, she talked about hopelessness, and  
9 she said that these women are losing their lives because  
10 the system is stealing their children.

11 She also spoke about the connection to  
12 domestic violence. She called on the system to stop  
13 penalizing victims of domestic violence by apprehending  
14 their children. "Stop. And, that one is important to  
15 me," she says, "because any woman here in Manitoba or any  
16 under particular urban centres, if you report a domestic  
17 violence, the child welfare system automatically  
18 responds."

19 And so, we know there's an enormous  
20 amount of mothers who aren't reporting violence because  
21 they know that their children will be taken, and I think  
22 that they shouldn't be further penalized from being a  
23 victim of violence to losing their children.

24 Indeed, generations of interference by  
25 the state and Indigenous families often mean that they do

1 not trust authorities in general, and therefore, do not  
2 report violence in part because they fear child  
3 protection, and in part because they may fear the impact  
4 of policing in their communities.

5 In their closing submissions, the  
6 Downtown Eastside Women's Centre says the connection  
7 between the child welfare system and violence against  
8 Indigenous women is stark. Indigenous girls in the B.C.  
9 child welfare system are four times more likely to be  
10 victims of sexual violence than non-Indigenous girls.  
11 Over 60 percent of children and youth who report sexual  
12 violence in government care are Indigenous girls.

13 And, we know that childhood sexual or  
14 physical abuse is statistically linked with a much higher  
15 rate of sexual assault in adulthood. So, the higher  
16 incidents of sexual violence in government care creates  
17 this life cycle of violence in the lives of Indigenous  
18 women and girls, often rooted in the operation of the  
19 child protection system early on.

20 The mainstream paradigm of child  
21 protection does not have to operate the way it does. Of  
22 course, children's safety is and should be paramount for  
23 all of us. But, the very system that is designed to keep  
24 children safe shouldn't be putting them at greater risk  
25 now and in the future.

1                   There are alternatives to the current  
2 approach, including flipping the support apprehension  
3 paradigm on its head. The focus must shift to prevention,  
4 providing Indigenous-led and culturally-relevant services  
5 for pregnant women, families, parents, grandparents and  
6 other kinship carers to improve economic security, address  
7 addiction and mental health issues, and dismantle the  
8 legacy of inter-generational trauma.

9                   You've already heard some really  
10 interesting examples from other jurisdictions so far in  
11 the last couple of days about examples of how this is  
12 being implemented, and I want to draw your attention to a  
13 couple of others. The Chief Ed John Report that was cited  
14 by Dr. Mary Ellen Turpel-Lafond contains some of these  
15 examples.

16                   I want to talk for a moment -- please  
17 forgive me for my pronunciation on this, but the  
18 Nisichawayasihk Cree Nation Intervention and Removal of  
19 Parent Program is a really interesting example of how  
20 innovation is shifting the model of child protection, how  
21 this is possible for us to do.

22                   The approach is to remove children  
23 from the home to help not only the child, but also the  
24 parent, to seek counselling, therapy and understanding of  
25 their responsibilities. It also allows community to

1       assist in -- to assist the family in rediscovering methods  
2       that help them thrive and grow by reconnecting them to  
3       their Indigenous traditions and culture.

4                       Research has shown that it is better  
5       for children to remain in the home. Many children have  
6       feelings of guilt when they are the ones removed from the  
7       situation. The Cree elders say it is the children that  
8       create the home. The house belongs to them and they  
9       should never be forced to leave. In Cree traditional  
10      teachings, raising children is a community responsibility.  
11      And so, this model really goes back to those traditional  
12      values.

13                      Another model I want to speak about in  
14      Chief Ed John's report is the safe babies court team,  
15      which is a U.S. model. This is an inter-disciplinary  
16      team, including a judge, community members and early  
17      childhood educators who work together to provide services  
18      to families and to counter the structural issues in the  
19      child welfare system that prevent families from staying  
20      together and healthy.

21                      The model prioritizes methods of  
22      encouraging family unification and offers individualized  
23      supports to both parents and families. The program  
24      advocates for frequent opportunities for visitation,  
25      because they believe that those opportunities to bond will



1 further increase the chances that family will be  
2 reunified.

3 The local teams are working to provide  
4 parents with the necessary tools to continue their  
5 personal healing journeys, recognizing the need to  
6 interrupt cycles of inter-generational trauma. Services  
7 to parents include support for victims of domestic  
8 violence, programs for individuals struggling with  
9 substance abuse, and assistance to those facing enduring  
10 unemployment. The teams are also undertaking targeted,  
11 unique projects, depending on the needs and ideas of the  
12 communities that they are working directly with.

13 Turning now to our recommendations, we  
14 are now just over three years out from the Truth and  
15 Reconciliation Commission's Calls to Actions being  
16 publicized, and we know that there have been little  
17 implementation of many of the initiatives.

18 Principle 9 of the TRC's Principles of  
19 Reconciliation says, "Reconciliation requires political  
20 will, joint leadership, trust building, accountability and  
21 transparency, as well as a substantial investment of  
22 resources."

23 In this spirit, we urge you to be  
24 realistic about how your recommendations will be used. We  
25 know they aren't binding on anyone, and depend on the

1 creation and mobilization of political will and joint  
2 leadership, as the TRC report said.

3 As you've heard repeatedly over the  
4 last couple of days, any past inquiry or commission  
5 recommendations -- many past inquiry or commission  
6 recommendations have gathered dust on the shelf. Let this  
7 knowledge inform how your recommendations are framed. Now  
8 that we are nearly through the process of the Inquiry  
9 itself, the persuasiveness of your recommendations will be  
10 the most important measure of your Inquiry's success.

11 Your report and recommendations will  
12 be used to set the stage and frame for how action on  
13 violence against Indigenous women and girls will move  
14 forward. For this reason, and you've heard this before,  
15 you need to be big, bold and nuanced, and be grounded in  
16 Indigenous experience and perspective. The scope is only  
17 going to be narrowed going forward, so let's start big at  
18 this stage.

19 You must be intersectional in your  
20 approach. This is not just about racism or misogyny or  
21 economic inequality. It is about how all these factors  
22 interact to put Indigenous women and girls and two-  
23 spirited people in the most vulnerable place in our  
24 society. The temptation of your audience will be to  
25 understand this as a race-problem only, which will

1 inherently limit the solutions going forward.

2 Your report and recommendations will  
3 also be used by advocates to shame and inspire governments  
4 to action and investment. For this reason, we urge you to  
5 be strategic and targeted. Give us recommendations that  
6 speak to the public and will help raise public awareness  
7 about these issues and the solution, which will ultimately  
8 help us raise political will.

9 Your report and recommendations will  
10 also be used as a yardstick to measure progress. For this  
11 reason, we urge you to be specific and action-oriented in  
12 your recommendations. If you give us only generalities or  
13 focus more on the problem than the answers, we will not be  
14 able to use this report to hold governments to account.

15 So, turning, then, to specific  
16 recommendations, we would like to see you highlight  
17 accountability mechanisms that could be established on an  
18 immediate and urgent basis. I'm sure you've looked  
19 extensively at the provincial inquiry report that came out  
20 of B.C., and you may have noted that there were two  
21 immediate recommendations, and that has really helped as  
22 an organization that's done advocacy on these issues, it's  
23 really helped to be able to show some of the priorities  
24 that were assigned to different recommendations. So, I  
25 urge you to take a similar approach.

1                   We want to echo the Inuit Women's  
2                   Organization's recommendation that within 12 months of the  
3                   release of this report, Canada and each provincial and  
4                   territorial government must table population-specific  
5                   action plans, which set out for each recommendation report  
6                   how it intends to address the gap, the money and resources  
7                   that the government will devote, and a timetable to  
8                   complete the work.

9                   These action plans must be rooted in  
10                  the local cultures and communities and developed with  
11                  local Indigenous nations, and they must be publicized.  
12                  The action plan should impose annual departmental  
13                  reporting by government to the public or should  
14                  demonstrate a commitment by governments to do that kind of  
15                  reporting.

16                  Our second recommendation is also  
17                  about accountability. We're calling for the appointment  
18                  of a watchdog for the implementation of the  
19                  recommendations. I notice that there's been some interest  
20                  from the Commissioners about how do we hold governments to  
21                  account? What will those processes look like?

22                  In our view, this watchdog will be  
23                  like -- could be like a children's representative, an  
24                  ombudsperson, but on a national level for state responses  
25                  to violence against Indigenous women, girls and two-spirit

1 people. This office should be set up as an independent  
2 officer of both Parliament and the provincial and  
3 territorial legislatures, holding all governments to  
4 account.

5 Many governments have independent  
6 legislative officers who report directly to the  
7 legislature, although none, as far as I'm aware, have ever  
8 been set up in this intergovernmental manner. And,  
9 certainly, this will pose some political problems. It's  
10 not going to be a simple ask. But, we believe it's  
11 possible and necessary, and perhaps part of what all these  
12 governments have committed to by signing their Orders-in-  
13 Council and committing to this process.

14 The role of the watchdog will be to  
15 hold government to account while having a direct role in  
16 government, which is what sets it apart from civil society  
17 organizations who already act as watchdogs of various  
18 sorts, but don't have the official status or direct  
19 channels of communications and influence that this  
20 independent officer would have.

21 Government simply reporting on its own  
22 progress, while an important mechanism for accountability,  
23 as I've already mentioned, is not sufficient and risks  
24 turning all of the work of the Inquiry into a political  
25 football. We've certainly seen that in B.C. over the

1 years.

2 Independence from processes built into  
3 the legislative framework and mandate of independent  
4 officers, including pegging salary to judicial salaries,  
5 systemic reports investigations and recommendations are  
6 presented directly to legislatures, adequate resources and  
7 the ability to control their own staffing are also key  
8 elements of independence.

9 The office must be culturally  
10 appropriate, and accessible, and welcoming to Indigenous  
11 people and perspectives, and the mandate of the watchdog  
12 should be threefold.

13 First, to ensure accountability and  
14 transparency in the government's implementation of the  
15 Inquiry recommendations.

16 Second, to continue the work of the  
17 Inquiry by engaging in ongoing systemic inquiries and  
18 investigations as matters arise.

19 And, third, to receive complaints  
20 about specific instances of inadequate state responses to  
21 violence against Indigenous women, girls and two-spirit  
22 people, and investigate and report on these complaints as  
23 appropriate.

24 Our third and final recommendation is  
25 focused on child protection. There must be a nation-wide

1 paradigm shift in child protection services. Apprehension  
2 must be the last option after all methods of providing  
3 support for the family -- support for the family are  
4 provided. This would have the following benefits.

5 First, supporting mothers to parent  
6 and maintaining deep bonds with their children, making  
7 mothers less vulnerable to mental illness, suicide and  
8 violence.

9 Two, ensuring that children are able  
10 to maintain essential ties with their families, cultures  
11 and communities.

12 Three, reducing the vulnerability of  
13 children by keeping them out of the foster system, which  
14 we know has high instances of sexual and other violence.

15 And, four, rebuilding communities and  
16 allowing cultural and traditional practises to replenish  
17 after the destruction of colonialism.

18 It is important to remember here that  
19 destroying community and family connections wasn't just an  
20 unfortunate by-product of colonialism, but a key plank of  
21 the colonial philosophy; again, taking the Indian out of  
22 the child. Decolonization or reconciliation necessitates  
23 righting this wrong. So, keeping families and communities  
24 together has both the practical benefits of reducing the  
25 risk of violence for Indigenous women and girls, but also

1 has enormous benefits of restitution with Indigenous  
2 peoples.

3 For all the reasons I've just  
4 discussed, we would like to see a strong recommendation  
5 for a national strategy on child apprehension.  
6 Legislation and attendant funding must support the  
7 jurisdictional transfer and exercise of governmental  
8 powers over child welfare to Indigenous communities as  
9 highlighted in Chief Ed John's report.

10 The strategy must be based on the  
11 following principles, starting first in international law,  
12 and you've heard a bit already and some excellent  
13 submissions yesterday about international law. I won't  
14 repeat those here. Instead, I will focus on a couple of  
15 principles -- a few principles, some on the Convention on  
16 the Rights of the Child.

17 So, in that Convention, Article 7 says  
18 the child shall have, as far as possible, the right to  
19 know and be cared for by his or her parents.

20 Article 30 says in those states in  
21 which ethnic, religious or linguistic minorities or  
22 persons of Indigenous origin exist, a child belonging to  
23 such a minority or who is Indigenous shall not be denied  
24 the right in community with other members of his or her  
25 group to enjoy his or her own culture, to profess or



1 practice his or her own religion, or to use his or her own  
2 language.

3 And, of course, Canada is a signatory  
4 to the Convention on the Rights of the Child.

5 UNDRIP, as well, also has some  
6 relevant provisions. The preamble of UNDRIP says that the  
7 declaration was made recognizing, in particular, the  
8 rights of Indigenous families and communities to retain  
9 shared responsibility for the upbringing, training,  
10 education and well-being of their children, consistent,  
11 again, with the Rights of the Child.

12 Article 7 says Indigenous peoples have  
13 the collective right to live in freedom, peace and  
14 security as distinct peoples, and shall not be subject to  
15 any act of genocide, or any other act of violence,  
16 including forcibly removing children of the group to  
17 another group. So, again, this recognition of the removal  
18 of children is an act of violence in and of itself.

19 In this national strategy, we would  
20 like to see an expanded and -- both expanded and more  
21 specific definition of the best interest of the child,  
22 including a number of very specific aspects that we think  
23 are necessary for the best interests of children to be  
24 respected. So, that's the right of children to be kept in  
25 the home wherever possible, so that a parent or caregiver

1 should be removed before a child is.

2 The right of children to be kept with  
3 their families wherever possible, families should be  
4 defined broadly to include a child's primary attachment  
5 figures, whoever those may be. The right to be raised  
6 according to one's traditional and cultural values and  
7 practises, this includes the right to learn the language  
8 of one's community and be raised within that community as  
9 spoken about in UNDRIP.

10 And, the right to be free from  
11 violence and witnessing violence. Witnessing violence  
12 must be understood as a form of violence itself. Families  
13 must be supported and violence addressed wherever there is  
14 family violence, even if that violence is directed at a  
15 mother rather than a child.

16 We would like to see this national  
17 strategy on child apprehension recognize that the rights  
18 and well-being children are inexplicably bound up with the  
19 rights and well-being of their mothers. Mothers must be  
20 supported to leave abusive relationships, as we heard from  
21 some of the evidence, including the provision of Legal  
22 Aid, housing and social assistance. Mothers should not  
23 have to choose between their children's safety inside an  
24 abusive home and their economic security if they leave  
25 that abuse.

1                   And, finally, the national strategy  
2                   should commit to ending removals of babies from their  
3                   mothers at the hospital. Make all hospitals safe birthing  
4                   zones for mothers.

5                   And, finally, we'd like to see this  
6                   national strategy commit to making innovative and tailor-  
7                   made approaches the norm in child protection. There is no  
8                   one model that will work for every family or every  
9                   community. I've reviewed in these submissions just some  
10                  of the innovative and culturally-specific models for child  
11                  protection that are emerging in many jurisdictions across  
12                  Turtle Island. The dominant paradigm for child protection  
13                  of removing children from their families, homes and  
14                  communities simply isn't working. The national strategy  
15                  must turn this paradigm on its head and reimagine how to  
16                  keep children safe within their extended families and  
17                  within their communities.

18                  And those are my submissions today. Thank  
19                  you.

20                  **COMMISSIONER MICHÈLE AUDETTE:** My whole  
21                  brain is gone. I'll try.

22                  It's just a comment. You want us to be  
23                  bald -- bold, okay, because I was going to say I have  
24                  hair, okay. See, lost in translation.

25                  But yes, we want to -- this is what we want

1 to do, for sure. How? It's something that we have  
2 collectively and we will work with many people in this  
3 organization which is called the National Inquiry, that's  
4 for sure. But you gave us a lot of example where it's  
5 very interesting or very powerful or very obvious this is  
6 where we need to go.

7 So I want to say merci beaucoup, and we'll  
8 try our best. But let's remember -- let's remember, and  
9 help me on this, and for those who will present this week  
10 in Ottawa, we can have the best recommendation or the one  
11 like you mention -- I wrote it in French. What about the  
12 political willingness who -- I'm talking about the  
13 government who will receive those recommendation, the  
14 society, the groups, the private sector and so on and so  
15 on, that, too, as a Commissioner, it makes me nervous how  
16 they will respond to that.

17 I don't know if you had any thought on that  
18 that you could share to us.

19 **MS. KASARI GOVENDER:** Yes, if I could. I  
20 know it's posed as a comment more than question, but  
21 that's what I was trying to get at, was be bold and  
22 innovative, but think big. Not bald.

23 But also be specific and targeted because  
24 that's where I think politicians can see themselves  
25 acting, and also as advocates we can continue to push and

1 use those as real tools.

2 You know, I know from experience of trying  
3 to mobilize other recommendations in other contexts, when  
4 we meet with government there's a couple of things that  
5 come up.

6 One is just sort of this is a bunch of  
7 words and they're nodding and you're not really sure  
8 what's happening on the inside. And the other is, there's  
9 not a lot of public will. So we understand this as  
10 politicians, maybe, but we don't see this as a voting  
11 issue.

12 So that's why we -- I also said speak to  
13 the public as well. Raise the awareness of what's really  
14 happening in there so that the public in general sees this  
15 as important issues that matter to them as Canadians, as  
16 people who live across these lands. And those are some of  
17 the aspects that will help generate the political will  
18 that we know is necessary to actually implementing these.

19 You know, often I think when you're big and  
20 bold, you give us the broad strokes, so I'm saying do  
21 that, but also give us the specifics.

22 **COMMISSIONER MICHÈLE AUDETTE:** Merci  
23 beaucoup, and anxious to read your written submission in  
24 English and the French version also, and most of it, that  
25 part where you're proposing a path to follow on

1 recommendation.

2 Merci. Merci beaucoup.

3 **CHIEF COMMISSIONER MARION BULLER:** I, too,  
4 want to thank you, and I'm very glad we'll have a  
5 transcript because I just can't type that fast.

6 But thank you, to you and to your  
7 organization for some very passionate and helpful  
8 submissions. And we have heard you.

9 We intend to be bold, not bald. Thank you.

10 **MS. CHRISTA BIG CANOE:** Chief Commissioner  
11 and Commissioners, that concludes the closing submissions  
12 by parties for today. However, before we do adjourn, I  
13 note that we will ask that our MC come up because I know  
14 that we'll be having closing or a song again today.

15 And also, I wanted to ask while on the  
16 record and while there's parties with standing in the  
17 room, tomorrow opening remarks start at 9:00, but one of  
18 the things we recognized after this morning is that we may  
19 be done our opening remarks quicker, so what I'm going to  
20 ask is -- and I will touch base with the first party with  
21 standing, too.

22 There may be a possibility that we'll start  
23 immediately following the opening comments, so as opposed  
24 to our schedule clearly states it will start at 9:30, but  
25 I'm going to request that if the closing -- sorry, if the

1 opening prayer and stuff is done in a short amount of time  
2 that we just proceed forward.

3 And I just want to do that more as a  
4 housekeeping and a request, but if it's okay with you,  
5 too.

6 **CHIEF COMMISSIONER MARION BULLER:**

7 Certainly. If everyone's ready to go before 9:30, that's  
8 fine. We're not going to force people, but if they're  
9 ready, that's fine ---

10 **MS. CHRISTA BIG CANOE:** Perfect.

11 **CHIEF COMMISSIONER MARION BULLER:** ---

12 because you know how excited I get about being ahead of  
13 schedule.

14 **MS. CHRISTA BIG CANOE:** Absolutely. And on  
15 that basis, I do know and I see our MC coming up, that we  
16 do have a prayer today, but just for the purposes of the  
17 hearing record if we could adjourn until tomorrow at 9:00  
18 a.m.

19 **CHIEF COMMISSIONER MARION BULLER:** Yes,  
20 we're adjourned until 9:00 a.m. Thank you.

21 **MS. CHRISTINE SIMARD-CHICAGO:** So good  
22 afternoon. We're just waiting for our hand drummers to  
23 come in.

24 Again, for the parties with standing that  
25 are here and the new ones that have joined us, we'll be

1 doing an honour song for you all again. We have Elder  
2 Gerald here, who will do the closing prayer for us for the  
3 day today, so we're just waiting, so just give us a couple  
4 minutes.

5 (SHORT PAUSE/COURTE PAUSE)

6 **MS. CHRISTINE SIMARD-CHICAGO:** Could I ask  
7 the parties with standing to come up, please?

8 **MS. CHRISTINE SIMARD-CHICAGO:** Do we have  
9 everyone up here? So today, we're going to have the  
10 gentlemen come sing -- sing for the -- with the -- for the  
11 Parties with Standing that have contributed a lot to our  
12 process.

13 (SINGING)

14 **MS. CHRISTINE SIMARD-CHICAGO:** *Migwetch.*  
15 I'd ask to ask Elder Gerald Meginnes to come up, please?  
16 You're okay?

17 **MR. GERALD MEGINNIS:** Thank you. When  
18 there's a ceremony like this, especially when you do a  
19 prayer, you always have to have a song. Listening to  
20 these two boys make me feel young again because I was  
21 sitting over there, and my foot went to sleep and just  
22 keeping in tune made me really ambitious, you know. I'm  
23 glad that you know all these songs because without these  
24 songs, we can't do too much, really. Like I say, every  
25 tribe has their own songs, and they're very sacred. And I



1 -- I sure appreciate these two boys doing this.

2 But it's been a -- a long day, the women  
3 that represent, their -- their speeches went through very  
4 smooth, and I could understand the problem that we still  
5 all have, not just one, as a nation. And we try and pray.  
6 Anyway, I do try and pray too. I ask God to help us solve  
7 these problems because it's mostly -- it targets the young  
8 women. Why the young women? That's what I can't  
9 understand. Why is it -- it just targets our young  
10 daughters and mothers. We're very likely that something  
11 like this doesn't -- but I do have -- we do have problems.  
12 And we're -- on my reserve, too. But I share the problem  
13 that you women do have, and I hope the Commission will  
14 come to terms and come to a solution, too. Solve these  
15 problems for these people. So with that, I'll say a short  
16 prayer for everybody.

17 (CLOSING PRAYER)

18 **MR. GERALD MEGINNIS:** Thank you.

19 **MS. CHRISTINE SIMARD-CHICAGO:** And now,  
20 we'll have the extinguishing of our Qulliq with our  
21 Grandmother, Myna.

22 **MS. MYNA MANNIAPIK:** It has been -- can you  
23 hear me?

24 **UNIDENTIFIED SPEAKER:** No.

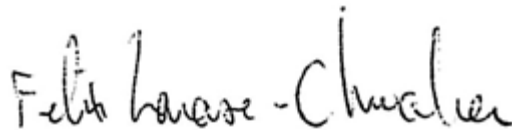
25 **MS. MYNA MANNIAPIK:** It has been -- oh. It

1 has been an incredible two days to listen to the  
2 incredible strong testimonies by very strong woman --  
3 Indigenous woman from coast to coast. I am really  
4 grateful to be here at -- to sit at this hot seat of the  
5 house. Well, I'm looking forward to tomorrow. Have a  
6 good night. Yeah.

7 **MS. CHRISTINE SIMARD-CHICAGO:** So with  
8 that, I wish you all a good night, and we re-convene  
9 tomorrow at 9 a.m. Have a good one.  
10 --- Upon adjourning at 3:12 p.m./L'audience est ajournée à  
11 15h12

12  
13 **LEGAL DICTA-TYPIST'S CERTIFICATE**

14  
15 I, Félix Larose-Chevalier, Court Transcriber, hereby  
16 certify that I have transcribed the foregoing and it is a  
17 true and accurate transcript of the digital audio provided  
18 in this matter.

19  
20  
21   
22

23 Félix Larose-Chevalier

24 Nov 27, 2018  
25