National Inquiry into Missing and Murdered Indigenous Women and Girls

Truth-Gathering Process - Closing Oral Submissions

Sheraton Eau Claire
Calgary, Alberta

Wednesday November 28, 2018
Oral Submissions - Volume 3

Saskatchewan Association of Chiefs of Police
First Nations Health Council
Vancouver Rape Relief & Women’s Shelter
Downtown Eastside Women’s Centre
Awo Taan Healing Lodge Society

Heard by Commissioners Michèle Audette, Brian Eyolfson & Qajaq Robinson

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Second Chairs: Shelby Thomas & Thomas Barnett (Commission Counsel)

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--- Upon commencing on Tuesday, November 28th, 2018 at 9:08 a.m.

**MS. CHRISTINE SIMARD-CHICAGO:** We’re about to start. I hope everyone had a good rest and feels wonderful today. We have another full day of Commission submissions, et cetera, today. But first off, we’re going to start our morning off in a good way, so I’m going to ask Alvine and Spike to come up and do our morning prayer.

**MS. ALVIVE WOLFLEG:** I’ll just (Indiscernible). (Speaking Native Language). Just to share, we apologize for not being here for the closing. But what happened was we went to get a tune-up at a doctor. Like my father would say when we -- I -- I took him to see a doctor, he said, “Oh, I just got a tune-up.” So I’m glad to see all this morning.

**MS. CHRISTINE SIMARD-CHICAGO:** Now, I’d like to ask Spike Junior and Clarence Wolfleg Junior to come up and they do an honour song for us this morning.

**MS. CHRISTINE SIMARD-CHICAGO:** Migwetch. Migwetch. And I’ll ask Myna to do her opening with lighting of the Qulliq.
--- LIGHTING OF THE QULLIQ

MS. MYNA MANNIAPIK: (Speaking Inuktitut).

Oh, it’s -- it’s me. (Speaking Inuktitut). I wanted to say something about -- well, it has to do with the Qulliq in a way. One of my -- my very best memories was -- as a child with my late parents before we were moved from our camp. I was very fortunate to live that part of my life, and my very best memories are from that time under the care of my very capable parents, besides the time I had my beautiful daughters. In those days, first thing when I wake up in the morning was beside my mother and watching her spreading the flames to start off the day. I’d be lying on my tummy watching her spreading that one flame that was on all night, and that’s how we started our day. And then, after that, we had -- we had to go outside and -- or just stick our head outside to take a fresh breath of air to start, so we can have a good day. And that’s how we were brought up. It’s called (Speaking Inuktitut). Inuit believe it was necessary, so we can live a life without facing too -- too many obstacles.

Then that, amongst many traditional practices, were interrupted. And years have -- decades have passed since. Some of us are still around who were fortunate enough to actually live the peaceful, and yet it can be harsh at times. But that is why we are resilient
people. And we are going to take it back. Maybe not
everything, but as long as we take back our tools of life,
we’ll be okay. It is important to look ahead without too
much of dwelling in the past and move on. Thank you.

**MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.

Now, I’ll --

**UNIDENTIFIED SPEAKER:** (Indiscernible)

start?

**MS. CHRISTINE SIMARD-CHICAGO:** We’re going
to be starting right way, so I’m -- oh, prior to that, we
have a Elders’ Room, for those that need assistance, and
the Health Room. We have health -- health staff -- staff
available that are wearing purple shirts or purple
lanyards. And we also have Healing through Beading with --
- with Gerry (phonetic) and Cora Lee (phonetic) in the
Elders’ Room as well. So I’ll hand the mic over to
Christa now. Have a good day.

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

Christine. Bon matin, Commissaire Audette. Good morning,
Commissioner Robinson, Commissioner Eyolfson. I’m Christa
Big Canoe. I’m Commission counsel. Sitting beside me is
Associate Commission counsel, Ms. Shelby Thomas. She’ll
be assisting me in inviting the Parties with Standing up
to the podium, so that they may make their closing
submissions before you.
Our -- our first Party with Standing that will be making submissions is the Saskatchewan Association of Chiefs of Police. They are represented by counsel, Ms. Katrina Swan, who agreed to start early if we could.

--- SUBMISSIONS BY MS. KATRINA SWAN:

MS. KATRINA SWAN: Thank you. Good morning. Good morning, Elders, Commissioners, members of the National Family Advisory Circle. And before I begin my submissions this morning, I would like to thank and acknowledge the people of Treaty 7 territory and the Métis Region 3 for once again welcoming us to their homeland. And, Commissioner Audette, just so you know, I do have with me the translation, so if it comes to a point where you have questions for me, I will be prepared.

As mentioned, my name is Katrina Swan, and I am legal counsel to the Saskatchewan Association of Chiefs of Police, or as I’ll refer to them for the remainder of my submissions, the SACP. And I’m not here necessarily representing the body, the SACP, but rather the member organizations that make it up. Those are the 12 municipal police services that exist in Saskatchewan. Although, the RCMP are part of the SACP, for the purposes of my submissions, and my representation during the National Inquiry, I’m not representing the RCMP ‘F’ Division.
You may not recognize me, as this is only
the second time that I’ve had the privilege of appearing
before you, having cross-examined only one witness during
Part 2 and 3 hearings. But I can say that I have been
present. I’ve been at six of the nine Part 2 and 3
hearings, and I was present for the community hearings in
Saskatoon. I’ve been present, and I’ve been listening,
and I’ve been taking back the important lessons I’ve been
learning to my clients in the hopes of -- of helping them
and assisting them in their continuous efforts at
improvement of police in Saskatchewan.

I’m both honoured and somewhat apprehensive
to be standing before you today. I’m honoured because the
SACP truly supports this National Inquiry and its mandate.
And it’s shown its commitment to the process by
participating in these hearings. Clive Weighill testified
on behalf of the SACP, and we entered many exhibits to be
sure that the Commissioners have valuable information
needed to come up with beneficial recommendations. I am
proud to stand before you making submissions on behalf of
a client group I believe works hard every single day to
provide valuable, responsive, and respectful police
services to the citizens of Saskatchewan.

I believe positive changes have happened,
and they continue to happen in Saskatchewan. And I’m
proud to be able to share those with you today. I’m apprehensive, however. Because having sat through these hearings, I know that all over Canada, including in Saskatchewan, police have not always met the needs of their community. I know from the pre-inquiry design process, from your Interim Report, our women and girls are sacred. And from the testimony heard throughout, that interactions with police services have been highlighted as among the most critical aspect for consideration by this Inquiry.

From the consultations held in Saskatchewan, I know the following were highlighted as concerns: Police accountability, specifically, related to how reports of missing and murdered women and girls are handled; racism, cultural ignorance, and discrimination in accessing services; improvements in police communication with families about ongoing investigations; recruitment and training of police officers, specifically, as it relates to knowledge and understanding of Indigenous people; and finally, investigative practices.

I’ve heard multiple examples of how police are perceived to have failed and, in many cases, continue to fail Indigenous people in this country. I heard this loud and clear throughout all parts of the Inquiry, including this week during the closing submissions, the
very powerful submissions that I’ve heard. I am the first of only a few Parties with Standing representing police in this National Inquiry to be providing closing submissions. And there are many parties who will follow me, who may offer a different perspective or more even -- excuse me, may even take exception to some of the submissions that I make. And I don’t want to say the wrong thing, and I don’t want to cause any trauma or grief for anyone. But I hope to be able to demonstrate the ongoing work and commitment to improving police relations in Saskatchewan, and commitment to solving the crisis of missing and murdered Indigenous women and girls and LGBTQ2S people.

We understand that one of the most crinable (phonetic) -- critical components of community safety is trust in the police. If I can sum-up my presentation in a very simplistic way for you today, although ...there are challenges in Saskatchewan and the police may not always get it right, there are also some very good things happening.

If the national enquiry had been given more time, I would very strongly have advocated for you to hear more from the Saskatchewan witnesses then just Chief Clive Weighill. He’s an excellent ambassador for policing in Saskatchewan and he was unanimously selected by the SACP to be the voice for the purposes of this enquiry.
But having the opportunity to hear from individuals such as Chief Troy Cooper and Chief Evan Bray from Regina would have been very valuable for the Commissioners.

These are the chiefs of police of the two largest police services in Saskatchewan and they’re people who are passionate about policing as a profession, but they’re equally passionate about the communities they serve and they’re working hard to change how police perceive members of the community they serve and also working to change the perception of the public about police.

Chief Cooper has been repeatedly recognized and awarded for his commitment to the Indigenous community. Particularly his work building relationships. Two times this year he was recognized by the Prince Albert Grand Council. Once for his work on missing and murdered Indigenous women and girls, and once for his work with the broader Indigenous community.

Chief Evan Bray is very quickly being recognized in and around Regina as a dynamic speaker and community leader who has important lessons to offer related to the police’s role in reconciliation. He is regularly called upon by local Indigenous leaders to participate, often prominently in local events.
Why are these things important? Because leadership starts at the top and these two gentlemen demonstrate outward commitment to being better, to offering enhanced services to ensure greater community safety and for -- community safety for all and an enhanced level of understanding about Indigenous communities.

Before I get into the meat of my submissions, I would like to provide you with some statistical -- I've been practicing that word and I can't get it. Statistical and historical context for policing in Saskatchewan.

In Canada, there are 69,072 police officers. My clients represent 1,076 of those. The majority of those 1,076 - 951 individuals - work in 3 of the municipalities in Saskatchewan: Prince Albert, Regina and Saskatoon.

Although there is a tendency to paint police with a single brush, police services across Canada are not all the same. There are many differences in priorities, resources and attitudes in every region across this country. This became clear to me throughout the course of the evidence heard.

The way things are done in Saskatchewan is not always the same as other provinces. And although I do not wish to dwell today on the negatives, it's impossible
for me to stand before you without acknowledging the dark history of police in Saskatchewan. It’s a well-known history and its been highlighted by numerous witnesses and Commissioner Audette in particular on more than one occasion.

I’m of course speaking of the controversial history of the Saskatoon police service with respect to starlight tours. Although Saskatoon is synonymous with the phrase, similar allegations have been made about police services across Saskatchewan.

Starlight tours refer to situations in which police were alleged to pick up intoxicated people, often Indigenous, and drop them off at a location near the outskirts of the city. They were said to be walking home with a stated intention of sobering up. In a province like Saskatchewan with extremely cold temperatures in the winter, this was a dangerous and potentially fatal practice.

During the early 2000’s, police and Indigenous relations in Saskatchewan reached a critical point. Tensions ran especially high after two members of the Saskatoon police service arrested Darrell Knight, an Indigenous male, and transported him to the edge of the city on a cold February night, leaving him there to find his own way home.
Fortunately, Mr. Knight survived the encounter and the two members were ultimately convicted of forceful confinement and assault and were subsequently dismissed by the Saskatoon police service.

Around the same time there were four other Indigenous men who died in suspicious circumstances, similar to those alleged by Mr. Knight. This prompted the Saskatoon police service to ask the RCMP to conduct a full-scale review of those four cases and one historical case from 1990.

Each of the above incidents led to what I would suggest was a well-founded loss of public trust of police in Saskatchewan, particularly in Saskatoon.

The situation resulted in protests across the province. It drew international condemnation from Amnesty International and in response the Federation of Saskatchewan Indian Nations, as they were then called, established their own special investigations unit to review allegations of police misconduct.

Shortly after its creation, this special investigations’ unit had received thousands of calls from Indigenous people across the province alleging police mistreatment.

Upon completion of the investigation by the RCMP and inquests into four of the five cases, the
Saskatoon police services was not tied to the deaths of four of the gentlemen.

However, the investigation into the 1990 death of Indigenous teen Neil Stonechild resulted in the calling of a provincial enquiry.

After a lengthy enquiry, approximately 10 weeks of hearings, over the course of 9 months, with 64 witnesses, on October 26th, 2004, Commissioner Mr. Justice David Wright released his final report.

The findings and recommendations made by Mr. Justice Wright became the impetus for wholesale review and sweeping changes in Saskatchewan. I will cover what those were in more detail in my written submissions.

Saskatchewan is small and at the conclusion of the Stonechild enquiry, police and Indigenous relations were strained across the province. However, the impact of the Stonechild enquiry has been described as a turning point in Saskatchewan’s history.

You heard Chief Weighill say proudly that Saskatchewan police responded positively to the recommendations of Mr. Justice Wright, implementing every one.

Since the Stonechild enquiry, the SACP and its member organisations have worked hard to rebuild the trust lost during that time. They’ve undertaken many more
far reaching initiatives that have helped improve
relations in Saskatchewan. And this work continues today.

Some additional context which shows how far
Saskatchewan police have come since Stonechild, is found
in Exhibit from the Regina hearings; the CV of police
chief Clive Weighill.

When Chief Weighill was sworn in to the
Saskatoon police service in 2007, trust in the Saskatoon
police service was at an all time low.

In particular, of the people surveyed, only
38 percent of the Indigenous community had trust in the
Saskatoon police service and 53 percent of the broader
community had that same trust. This information was
measured based on community satisfaction surveys conducted
by outside agencies.

But upon Chief Weighill’s retirement in
2017 those numbers had increased dramatically. Eighty-six
(86) percent of Indigenous people surveyed had
satisfaction with the Saskatoon police service and 93
percent of overall respondents surveyed had that same
trust.

It’s respectfully submitted that this
information is relevant to the Commissioners, because it
demonstrates the origins of current practices and policies
in Saskatchewan.
Although there were many dark years, the Stonechild enquiry was the catalyst for recognition by municipal police services that there’s importance in relationship building and understanding Indigenous history and in cultural relations.

It may seem like I am taking the easy road out in this hearing, because I’m not bringing any new recommendations to the Commissioners today, but I certainly do strongly support several pre-existing recommendations and that’s where I’ll spend the remainder of my time with you this morning.

Although my focus is on the police related recommendations, the most critical recommendation is obviously the root causes of why Indigenous women and girls are missing or murdered. This is at the core of your mandate.

In Saskatchewan as you heard during the testimony of Chief Weighill, police are involved in a number of initiatives designed to address the root causes of vulnerability and marginalisation of Indigenous women and girls.

Police services in Saskatchewan are becoming more and more involved in restorative justice efforts and are working collaboratively with community partners to ensure better linkages for individuals to wrap
around care and support services.

You heard evidence of many multi-agency initiatives designed to proactively address situations or individuals before they’re in crisis. We heard about Hubs in Saskatchewan, which is a multi-agency approach. You heard about our Police and Crisis Teams, which is a partnership with the Saskatchewan Health Authority targeting individuals with mental health related issues and helping them find services before reaching crisis. You heard about The Regina intersectoral Partnership, or TRiP, and Saskatoon’s Strengthening Families. These are targeted towards youth and their families.

Chief Weighill provided evidence about the high number of missing youth, in particular, how the majority of the young who go missing are running from group homes or are habitual runaways. Most recent numbers in Saskatoon show that of the 867 instances of female youth being reported missing, 810 are habitual runaways. It’s easy to draw the correlation between these missing youth and their increased vulnerability. Programs such as Operation Runaway in Saskatoon are working to address this concern, and similar to the programs described above, illustrates the importance of wrap-around services.

I’d like to commend to you for your review, a number of documents that have been put in evidence
already. These documents provide a very robust discussion about the initiatives in Saskatchewan, many of which I will be speaking of today and, obviously, due to time limits, I will not have the chance to walk through in great detail. But, in particular, I commend you to Exhibits 28, 29, and 30 from the Toronto hearings on racism, documents that were put in through Ms. Farida Deif from Human Rights Watch. Those are the detailed responses from the Regina, Saskatoon, and Prince Albert Police Services to the questions that were posed by Human Rights Watch. And also, Exhibit 75, put in through Chief Weighill at the Regina hearings on policing practices and policies. This is the representative workforce reports from Regina and Saskatoon. I will reference these throughout my submissions, both in -- in my oral submissions and writing. And, in addition, a review of the testimony of Chief Weighill will provide you with excellent context.

With respect to policing, there are five specific recommendations that the SACP strongly agrees with. And in the limited time I have left to present, I will necessarily have to be brief. But I will address them, as I say, in my written submissions. The five recommendations are: More representative police services; cultural competency for all police officers, with an
ongoing requirement for training; strong community relationships and partnerships with Indigenous communities; Indigenous liaison positions and victim services; and transparent and accountable policing, and with this, comes the importance of oversight.

There’s always room for improvement, but I would like to highlight that the SACP is already doing several things in response to these five recommendations. First, for representative workforces and Indigenous recruiting. Throughout the many hearings held, the National Inquiry has -- and -- and including in your Interim Report, our women and girls are sacred. One of the consistent messages heard by the Commissioners is the importance of having more representative police services and the hiring of more Indigenous police officers. According to Statistics Canada, in 2016, Indigenous people made up 15.6 percent of the population in Saskatchewan. Obviously, population is not consistent across the province, which is why representative workforce means something different in every municipality.

During the testimony of Chief Weighill, we entered Exhibit 75, and it contains information about employment equity plans that the Saskatoon Police Service and the Regina Police Service have entered into with the Saskatchewan Human Rights Commission. This exhibit
details the statistical breakdown and describes in detail
the initiatives being undertaken. Very briefly, in Regina
and Saskatoon, the target of a representative workforce is
14 percent. In Regina, there are 10.3 percent of our
sworn officers is Indigenous, and in Saskatoon, there’s
9.8. The number is higher in Prince Albert, where the
total Indigenous population is higher. The goal of
representative workforce in Prince Albert is 35 percent,
and the total number of Indigenous police officers is 30
percent.

As set out in the evidence of Chief
Weighill, recruitment of Indigenous people into policing
has been, and continues to be, a priority for municipal
police services, and there are many initiatives in place
to improve recruiting. By quick way of highlight, in
Regina, Saskatoon, and police -- or in Prince Albert,
there is a dedicated Indigenous recruitment officer.
There are mentorship programs; the Treaty 4 Citizens
Police Academy, they attend career fairs across
Saskatchewan, including in Indigenous and remote
communities; and there’s a partnership with the Aboriginal
Policing Preparation Program at the Saskatchewan
Polytechnic -- I guess, it’s like -- like university.
It’s a polytechnical institute. All of these focus on
mentorship, recruitment, and are aimed at ensuring the
success of Indigenous people in application, training, and
employment in policing.

Another important item highlighted
repeatedly in evidence in Parts 1, 2, and 3 as well as in
the Interim Report, is improved training in cultural
competency. The Commissioners will recall that Chief
Weighill, during his testimony, advanced this as one of
his recommendations as well. And the SACP agrees that
this is critical to community safety, to reconciliation,
and to changing the attitudes of police towards Indigenous
people. As such, the SACP very strongly endorses this
recommendation. In Saskatchewan, at various stages of a
police officer’s career, there is cultural training. It
happens on a mandatory basis during recruitment training,
and there are a number of mandatory courses that are
mandated through the municipal training regulations that
include cultural components.

But it’s the individual police services
that also bear responsibility to ensure training. And in
Regina, there is mandatory training for all sworn and
civilian staffs that occur -- staff that occurs annually.
Every second year, this includes cultural components. In
2014, a member of our Community Diversity Unit provided
training on the importance of traditional teachings. In
2016, three Elders from the Chiefs Advisory Council
provided education about the Truth and Reconciliation Commission, putting it into real terms and context by offering their own lived experiences. And in 2018, Merelda Fiddler-Potter, a professor at the -- First Nations University of Canada, provided four hours of education about Indigenous history from colonization to present. This included an interactive component, during which time, all members were assigned one of the justice related calls to action and were asked to discuss strategies for implementation. In 2018, the senior executive members of the Regina Police Services participated in the KAIROS Blanket exercise, and this will be rolled out to the remainder of the police service in 2019.

Our Cultural and Diversity Unit has also been asked by the Elders of the Regina Police Service to write down traditional teachings and have them available on the Regina Police Service’s internet site to help people understand the traditional teachings. In Moose Jaw, the members have participated in mandatory Treaty training and have also participated in the KAIROS Blanket Exercise. In Prince Albert, cultural awareness is one of their core values. There are regular training and learning opportunities provided by their Elder, and information about community events and training
opportunities are circulated to the entire service.

After the Stonechild Inquiry, all members of the Saskatoon Police Service were required to take mandatory training that included colonialism, residential schools, The White Paper, Sixties Scoop, and contemporary issues. Since then, all members of the police service have been required to take the 32-hour diversity training offered by the Saskatchewan Police College. In addition, Elders teachings are provided regularly, and they are currently working on an Indigenous engagement strategy. This includes researching options for improved cultural competency training. Although, the police services are making the requests to have this training provided, it is Indigenous curated, and it is Indigenous led. It is this type of training that will help transform police services to be more aware of responsible -- responsive to the Indigenous culture and teachings.

My third point is community relationship building. In the National Inquiry’s Interim Report, the Commissioners highlighted the need for improving relationships between police services and the Indigenous community. And the SACP agrees, this is a critical component for addressing much of the existing mistrust of police by members of the indigenous community. As I said earlier, a key component to community safety is trust in
the police.

In Saskatchewan, SACP members are always working on partnerships with indigenous leaders, Elders and organizations.

It is respectfully submitted that in 2018, positive relationships are the norm and building and growing new relationships is always a priority.

One of the key reasons that the SACP was most disappointed with the Human Rights Watch submission to the Government of Canada on police abuse of indigenous women in Saskatchewan and the failure to protect indigenous women from violence is with the generalization of the relationship between the police and indigenous community as being, and I quote, deeply fractured.

To be clear, the SACP is not disputing the lived experience of the women who shared their stories with the Human Rights Watch but, rather, the issue was with the lack of inclusion of the SACP side of the story and the submission.

The SACP fully participated in the research and was disappointed that the final submission failed to recognize or include any acknowledgement of the detailed information provided in response to 48 comprehensive questions. The response to those question is before you. It is Exhibits 28, 29 and 30 and, as I said earlier, I do
commend that you review those.

For agencies who work hard to build and maintain relationships and who acknowledge the importance of indigenous culture and traditions, this report was frustrating, and I will address more of this in my written submissions. But it is against that backdrop that I ask the Commissioners to consider the efforts the Chiefs of Police in Saskatchewan of the municipal police service are making at building better relationships.

For the purposes of this submission, I'm going to give you some very high points. It's limited and not exclusive, but one of the most important partnerships that the Regina Police Service has built is a cooperative and community safety protocol signed with the File Hills Qu'Appelle Tribal Council and their urban service delivery arm, the Regina Treaty and Status Indian Services.

The goal of the protocol is to ensure communication, resolution of conflict and early identification of community disputes. Obviously we can't speak for RTSIS or the File Hills Qu'Appelle Tribal Council, but from Chief Evan Bray's perspective this protocol ensures increased accountability and it creates dialogue. It seeks input to ensure that police are better able to serve the community.

Prince Albert has a similarly strong
relationship with the Prince Alberta Grand Council working
together on community initiatives. Saskatoon has a close
partnership with Saskatoon Tribal Council working on
initiatives, including as an example the unveiling of the
missing and murdered indigenous women and girls monument
before the Saskatoon Police Service headquarters.

Moosejaw works with the Wakama Aboriginal
Community Association. The services regularly utilize
Elders in the form of advisory committees, and culture and
ceremony are regularly highlighted. All members are
encouraged to attend and participate where possible.

For the SACP, relationships and
partnerships with the indigenous community are not in name
or on paper only. These are critical and valued
partnerships that ensure that ongoing community safety and
trust.

The next recommendation I wish to highlight
is the importance of culturally appropriate victim
services. Criminal investigations are, by their very
nature, challenging. The circumstances that bring victims
and their families into contact with the police are never
positive. Efforts to ensure positive interactions with
police during the most difficult time in people's lives
must always be made.

Historically, families of missing and
murdered indigenous women and girls have often reported
being less than satisfied with the police response, and
many have actively voiced dissatisfaction and
disappointment.

It is submitted in Saskatchewan police
services are working harder on their initial investigative
responses. They work collaboratively with the community
partners to ensure individuals are linked with wrap-around
support services. This is true of victims, families and
individuals who come into contact with the police for
reasons that may not be totally linked to crime.

In your interim report, you did acknowledge
and highlight that in Saskatchewan we do provide the
services -- indigenous services, specifically missing
persons liaisons, an Aboriginal liaison resource program
recently renamed Indigenous Resource Officers, so I won't
-- you've acknowledged that they exist, and in the
interests of time I think I might have to skip over those,
but I will discuss them in greater detail.

I will highlight, however, that the missing
persons liaison, which was created in 2011, exists in
Saskatoon, Regina, and Prince Albert. And these
individuals work with the police to support families of
missing persons.

They work to identify best practices, to
develop training materials and to provide expertise, advice and training to the victim services units throughout Saskatchewan.

It is this missing persons liaison group that created the family tool kit and support guide, which has been entered into evidence on several occasions during the course of this inquiry and was mentioned by my friend, Ms. Mysko, yesterday in her submissions on behalf of the Government of Saskatchewan.

Contact with the family is a critical part of the investigative process. I would love to stand before you today and say, "We get it right all of the time", but as you've heard, as often as we get it right or think we get it right, we're being told that we missed the mark.

This is not something that can be a single solution, and not all families want the same thing. But families should be told that they are free to contact the investigators and that they can dictate the level of contact they wish to have.

I do acknowledge, however, that it's not on the families to make those efforts, that the police do need to work harder at ensuring there is an open relationship and communication between the parties.

The fifth recommendation that was
highlighted by you in "Our Women and Girls Are Sacred", and it is endorsed by the SACP, is the importance of civilian oversight.

Chief Weighill, in his testimony during cross-examination, in Part 2, Volume 8, page 300, said that you would not find any Chief of Police in Canada that would argue that there's not a need for civilian oversight. Although this is often a source of criticism for Saskatchewan, there are three different levels of civilian oversight, all of them mandated by the Police Act 1990.

First we have local Boards of Police Commissioners, who are responsible for the delivery of policing services within the municipalities and for providing general direction, policy and priorities and developing long-term plans for a police service.

Each Board of Police Commissioners is established by a by-law, and each operates with their own rules and procedures. In Regina, the by-law requires that at least one member be indigenous, and in Saskatoon and Prince Albert, the Chairs of the Board of Police Commissioners are indigenous.

The second level of oversight is the Public Complaints Commission. This was also discussed by Ms. Mysko yesterday in her submissions.
But the PCC was established pursuant to section 16 of the Police Act in 2006. The PCC maintains total jurisdiction over all complaints of police misconduct in Saskatchewan. They are a wholly civilian body, and consist of five members, at least one of whom must be of First Nations ancestry and one of whom must be of Métis ancestry.

They are appointed by the government, and upon completion of an investigation, if it is believed a member of a police service has engaged in criminal conduct, the matter is referred to the Crown prosecutor's office, who review and make recommendations as to charges.

The decision of whether or not to criminally charge a police officer is never left to the individual police service involved.

The third level of oversight in Saskatchewan is the Saskatchewan Police Commission, and I could spend a significant amount of time talking about this level of oversight.

They are an independent, statutory corporation established pursuant to section 3 of the Police Act 1990, and they are intended to provide independent oversight of municipal and First Nations police services.

The Commission has very broad jurisdiction,
including administrative, appellate, audit, inquisitorial and legislative authority. The Commission develops province-wide policies which are to be adopted by all municipal... police services. And, in particular, the Commission has a policy manual that is a two-volume document. It’s a very large document. It’s available online on the Government of Saskatchewan’s website, and I will be providing a link to this document in my written submissions. And I also submitted yesterday, pursuant to Rule 33, several policies, which I believe are related to another of the pre-existing recommendations of the Commissioners, which is more immediate, proactive, and thorough investigations of Indigenous women and girls, LBGTQ2S people’s death and disappearances.

The policies passed by the Commission are the minimum standards for policing for the whole province, and each police service is expected to ensure operationalization of the policies. Of note for the National Inquiry are the policies related to: Intimate partner violence, which is Policy 0B40; the missing persons policy; child exploitation; and contact interviews with the public.

In January of 2018, the Saskatchewan Police Commission introduced an amended policy for intimate partner violence. It highlights the importance of trauma-
informed investigations. It requires the determination of a principle aggressor, and it discourages dual charges requiring Crown approval before there can be dual charges. This policy amendment and the steps that have been taken by the SACP members in response to the policy, responses directly to a concern highlighted in the Human Rights Watch submission. Although the policy change is relatively new, it is hoped that it will make a significant change to the reporting and investigation of intimate partner violence as well as the offering of wrap-around support services that -- because that's another part of the policy as well.

Missing Persons Policy 0B70, solidifies policy commitment to timely investigations. The highlight of this policy is that missing persons investigations must be treated with priority. There is no waiting period required before a person can be reported missing, and victims’ families should be informed of the progress and provided with referrals to appropriate services.

The Child Exploitation Policy states explicitly that children involved in the sex trade are being sexually exploited and are victims of child abuse, and shall be protected and supported to ensure their safety.

In June of 2018, the Commission introduced
the Contact Interviews with the Public Policy. This policy is in direct response to what is more commonly known across the country as street-checks. In his testimony in Quebec City, the Honourable Kim Beaudin suggested a policy for street-checks, and it is respectfully submitted that most provinces, including Saskatchewan, have policies for this.

Strong policies are the important foundation for responsible, professional, and well-trained police services. There are strong policies in Saskatchewan, and members are expected to adhere to these policies. Any deviation from policy will be investigated and where appropriate, sanctioned. These policies are the standards upon which members of the public can expect police officers to follow, and they’re the foundation upon which the public can hold police services accountable.

You might be wondering why, as a police service, I haven’t focused my submissions on investigations. I didn’t highlight criminal investigations because my clients were not called upon to provide evidence during Parts 2 and 3. But it is respectfully submitted that members of the SACP are actively involved in a number of the initiatives that the Commissioners have heard during the course of the Inquiry, including Project Northern Spotlight, as identified during
the human trafficking submissions in St. John’s. Our Vice Units work on counter exploitation strategies, and they work to identify and establish relationships with the women who are working in the sex trade.

Restorative justice is becoming more important, and SACP members are working together with -- with the Honourable Kim Beaudin and RTSIS on anti-gang strategies.

While police services in Saskatchewan are not perfect, and there is no way to fully right the historical wrongs, the individual police services who make up the SACP work hard at being good community partners, and they regularly educate their members on the importance of Indigenous culture and teachings. This ensures more responsive organizations and builds trust. The Saskatchewan municipal police services are committed every day to enhancing service and to being better organizations overall, although, there is work to be done. The Commissioners have heard during Part 1 community hearings that police services in Saskatchewan are improving their responses to the missing and murdered Indigenous women and girls. The road may sometimes be hard, but a conscientious effort is being made.

The SACP has been present, we’ve participated. And all the message -- although the
message, as it relates to policing, has been hard to hear, we’ve listened. We’ve addressed some of the short-comings that have been highlighted, and we want to be part of the solution. As I mentioned, I’ll expand upon many of these themes in my written submissions, but I’m happy to provide any clarification that you may require.

MS. CHRISTA BIG CANOE: Thank you. Thank you, counsel.

COMMISSIONER BRIAN EYOLFSON: Me first? Thank you very much for your presentation. I think we each have a -- a question or two for you.

MS. KATRINA SWAN: Okay.

COMMISSIONER BRIAN EYOLFSON: Just to begin with, I have a question of clarification. You were speaking about police accountability.

MS. KATRINA SWAN: M-hm.

COMMISSIONER BRIAN EYOLFSON: Near the end of your presentation, you spoke about three different levels, or -- or bodies. Where do complaints of police misconduct that may not arise to the level of criminal get dealt with? Is that with the --

MS. KATRINA SWAN: That’s with the Public Complaints Commission. They have jurisdiction over all of the -- of public complaints, so they’re the ones who determine who will investigate. They can be investigated
through the Public Complaints Commission, or they can ask
the police services to investigate them as well. It’s
all -- that is all the responsibility of the police -- or
Public Complaints Commission.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank
you.

MS. KATRINA SWAN: Thank you.

COMMISSIONER MICHELE AUDETTE: Okay, merci,
alors, je vais poser mes questions en français. Please
stop the clock, so it’s fair we’re not losing time while
she’s putting - les écouteurs, please.

UNIDENTIFIED SPEAKER: It’s channel 1?

COMMISSIONER MICHELE AUDETTE: I don’t
know.

MR. REGISTRAR: Yeah.

UNIDENTIFIED SPEAKER: Okay. I’ve got you,

COMMISSIONER MICHELE AUDETTE: Merci
beaucoup. Alors oui, on peut recommencer, merci
infiniment.

Encore une fois, comme je l’ai dit à votre
collègue qui a présenté hier, c’est important de
reconnaître qu’il y a des lacunes, c’est important de
reconnaître qu’il y a des choses qu’on peut faire mieux.
Alors, je salue votre courage et la vérité de pour qui
Vous représentez les intérêts, de dire qu’il y a encore de l’espace pour l’amélioration.

Vous avez parlé aussi du rapport de Human Rights Watch sur toute la question de la relation avec les femmes autochtones et la relation policière. Est-ce que vous êtes en mesure de nous dire qu’il va y avoir des changements ou il y a une volonté - oui, il y a une déception, je peux comprendre, mais qu’il va y avoir une réelle volonté pour changer ce qui se passe sur le terrain et ce qu’on a entendu aussi, comme commissaires?

**MS. KATRINA SWAN:** Thank you for that question. I can tell you that there has been, where possible, changes have been made. You know, for example, one of the -- one of things complained about was strip searches, which, for the context of that term legally, included the removal of undergarments. So there -- that -- that policy has been addressed and that is no longer, I think, a matter of course. The problem I think with respect to the searching of the opposite sex, searching is in the smaller -- smaller agencies, and likely more of an RCMP problem. In the larger centres, we do have females that are able to do that, so that was not necessarily something that needed to be addressed. But it is certainly something that we have been working to address. And, like I said, we -- we were upset with the
classification of how we treat our community partners, but certainly we took the information and are working to improve, for sure.

COMMISSIONER MICHÈLE AUDETTE: Et brièvement, pour laisser la chance à ma collègue, la commissaire Robinson, vous avez aussi mentionné, dans certains endroits où il y a place à l’amélioration, la formation, une personne pour la liaison autochtone et un endroit où on peut surveiller le travail et la façon dont les policiers font leur travail auprès des femmes autochtones.

Est-ce que j’ai bien compris que ça peut devenir aussi, de la part des commissaires, une recommandation pour vous dire qu’il faut mettre en place un système indépendant pour qu’on puisse, nous, …comme victimes ou comme membres d’une famille aller chercher cette confiance dans cette entité indépendante pour qu’un révise ou on revoit comment la police elle fait son travail.

MS. KATRINA SWAN: I don’t know how to answer that question for you. I’m sorry, Commissioner.

I think that there is room for you to do that. You know, how welcome would it be? You know, we’re 12 police services of 141, plus the RCMP across Canada, but certainly as I mentioned, there is a willingness for
civilian oversight. We want the communities to trust us. We want to be responsive. And so, I think that it would be within your jurisdiction to make such a recommendation.

**COMMISSIONER MICHELE AUDETTE:** So again, thank you so much for being honest, that there is space for improvement and for the healing process it is very important and now we will be working to make sure that those words become real action and I’m sure you do. So thank you so much.

**MS. KATRINA SWAN:** Thank you.

**COMMISSIONER MICHELE AUDETTE:** Voilà, Commissaire.

**COMMISSIONER QAJAQ ROBINSON:** I’m not done.

(LAUGHTER/RIRES)

**COMMISSIONER QAJAQ ROBINSON:** Kidding. Teasing. I have a question with respect to the application of the Police Act.

**MS. KATRINA SWAN:** M’hm.

**COMMISSIONER QAJAQ ROBINSON:** Provincial police legislation, as well as the jurisdiction of the Saskatchewan Police Commission and the other layers of oversight.

First, in terms of the standards set by the Police Act and the standards – minimum standards – set by the Commission through policies, do these apply to RCMP
within Saskatchewan and Indigenous Police Forces
established under the First Nations’ policing program. I
believe File Hills --

**MS. KATRINA SWAN:** File Hills.

**COMMISSIONER QAJAQ ROBINSON:** -- is one
such force within Saskatchewan. Do the policies, minimum
standards and Police Act apply to those institutions?

**MS KATRINA SWAN:** I know that it applies to
the File Hills Police Service. I’m not sure whether it
does apply to the RCMP. I’m sorry I can’t answer that.

**COMMISSIONER QAJAQ ROBINSON:** Thank you.
In terms of the oversight at the Board’s – the PPC and
then the Saskatchewan Police Commission, are these the
same mechanisms if individuals have complaints against the
RCMP or File Hills?

**MS. KATRINA SWAN:** For File Hills it is. I
believe the RCMP has their own external -- I forget what
it’s called. The civilian external review commission and
so complaints related to the RCMP would go to those.

    I think that it’s possible for the PCC to
take those complaints, but they would not have any
involvement in investigation.

**COMMISSIONER QAJAQ ROBINSON:** Okay.
Wonderful. Those are all my questions. Did you want to
say some final words?
COMMISSIONER BRIAN EYOLFSON: Sorry, just

want to say thank you very much for your submissions and

we look forward to reading your written submissions.

MS. KATRINA SWAN: Thank you very much.

MS. CHRISTA BIG CANOE: Commissioners, at

this time we have scheduled a break, so I would kindly ask

for a 20 minutes break, please.

COMMISSIONER BRIAN EYOLFSON: Okay, let’s

take a 20 minutes break. Thank you very much, counsel.

MS. CHRISTA BIG CANOE: The previous time.

Just at around 10:30.

COMMISSIONER BRIAN EYOLFSON: Ten-thirty

(10:30), thank you.

--- Upon recessing at 10:08 a.m.

--- Upon resuming at 10:31 a.m.

MS. SHELBY THOMAS: Commission Counsel

would like to call Ms. Charlene Belleau, who will be

providing the oral closing submissions for First Nations

Health Council. She will have 40 minutes.

--- SUBMISSIONS BY MS. CHARLENE BELLEAU:

MS. CHARLENE BELLEAU: Good morning. I’d

to thank the Elders for the opening prayer this morning.

And the lighting of the (NATIVE LANGUAGE). Thank you.

And thank you to the Commissioners, to the staff.

I’d like to acknowledge the families that
are here today. The ones that have taken time to tell
their stories and put your trust in a process that should
bring change for our families and for our communities.

I have a power point presentation. If you
get the first slide up, please? This presentation is done
on behalf of the First Nations Health Council. It’s
testimony to the National Enquiry on Missing and Murdered
Indigenous Women and Girls.

Next slide. I’d like to cover a brief
overview of the presentation that we’ll go through this
morning. I’ll share with you the shared vision and
overview of the B.C. First Nations’ Health Governance
Structure, our calls to action on trauma informed care, a
new mental health funding agreement, our commitments to
take initiative, and our culture’s awareness as well as
recommendations, and available for any questions once we
complete the process.

Next slide. I’d like to take this
opportunity to acknowledge the traditional people of the
Treaty 7 Territory. Thank you for allowing us into your
homelands to do this important work. The City of Calgary
is also home to the Métis Nation of Alberta Region Number
3.

I’m supported today with my colleague
Trevor from Communications with the First Nations Health
Authority. My name is Charlene Belleau. I’m the former Chief of Esketemc First Nation, also known as Alkali Lake in British Columbia.

I served as three terms as Chief of my community and several other terms as a Council member. I’m also a First Nation’s Health Council Interior Regional Representative of the interior region.

In some of my work with the community from Alkali Lake, our community had a vision that we strived for while I was the Chief of the community. The Esketemc vision is that we strive to stand with dignity before our Elders and our children. That we will not allow another generation of our women and children to fall victim to a cycle of violence and abuse.

Next slide. The B.C. First Nations health governance structure in the small print we have where the First Nations Health Governance Structure in British Columbia includes four components. The First Nations Health Authority is responsible for planning, management, service delivery and funding of health programs previously provided by Health Canada’s First Nations Inuit Health Branch, pacific region.

The First Nations Health Council advocates for the First Nations health and wellness priorities, supports health systems’ transformation and builds
partnerships to make progress on the social determinants of health.

The First Nations Health Council has made significant progress on the social determinants of health and recently signed a tri-partied partnership to improve mental health and wellness services and make progress on the social determinants of health and wellness. That was signed off in July of 2018.

The First Nations Health Directors is a part of this governance structure. It’s composed of health directors and managers working within First Nations communities within our province. It supports the professional development for health directors and managers, and acts as a technical advisory body to the First Nations health Council and the First Nations Health Authority on research, policy, program, and design, as well as the implementation of those health plans.

The tri-partied comity on First Nations’ health is the forum for the coordinating and aligning of programming and planning efforts between the First Nations Health Authority, B.C. Regional and Provincial Health authorities, and the B.C. Ministry of Health and Health Canada partners.
The First Nations Health Council, the Health Authority and the Health Directors have a shared vision of healthy self-determining and vibrant B.C. First Nations children families and communities.

Next slide. Gathering Wisdom for a Shared Journey IX featured several powerful calls to action, compelling First Nations leaders to be the solution to issues within our communities.

These included calls to action on the opioid crisis that we’re currently facing. Calling for a response to many people self-medicating and at high risk of dying of Fentanyl poisoning, sexual abuse, family violence, incest and assaults on women and children, to be self-determining and engage in healing and nation building.

Every 18 months the First Nation Health Council hosts Gathering Wisdom for a Shared Journey. This coming year we’ll celebrate our 10th anniversary.

Gathering Wisdom is an opportunity to provide annual reports to our leadership and receive direction on health. It’s an opportunity for leaders and health leads to engage in a dialog with federal, provincial and health, as well as other health systems on the social determinants of health, promising practices, discuss the role of mental health, and healing in nation
building and discuss new opportunities to improve the mental health and social determinants of health of our people.

Our leadership, again, have taken initiative on several calls to action through these Gathering Wisdom initiatives every year.

Next slide. Trauma informed care. A common theme throughout the calls to action is addressing intergenerational trauma. Trauma causes people to self-medicate with drugs and alcohol. Many leaders are dealing with their own struggles and coping with their own traumas.

Exposure to traumatic events can significantly impact health outcomes later in life. At our sessions, leaders have stood up and expressed a need for support in dealing with trauma and to help their communities heal.

It’s been important for our leaders to acknowledge their own pain and their own trauma as leaders in order for them to provide leadership within their families and within their communities.

Creating safe space for conversation about trauma can open the door to a larger conversation about healing at an individual, family and community level.

Next slide. The new mental health funding
that’s been available to the B.C. First Nations. The First Nations Health Council, Canada and B.C. signed the tri-party partnership to improve mental health and wellness services, and make progress on the social determinants of health and wellness on July 22nd, 2018.

The MOU provides a $30 million grant over 2 years for planning and services. Planning and service delivery for mental health and wellness. The MOU also commits the parties to develop a tri-party plan to build, renovate, replace and expand treatment centers. The funding is separate from the 30 million.

The First Nations Health Council and its partners have three months to complete an implementation plan. This implementation plan will outline the process for disbursing funds to the communities and nations. As part of this, the implementation plan will need the mechanism for assessing community readiness and intake process for onboarding new communities.

Again, the MOU signed between the Health Council and partners outlines two major funding commitments. One is a new approach to funding mental health and wellness services in B.C. First Nations communities.

In the fall we will work towards a plan to renovate, replace and build treatment centers in B.C.
It’s important I think to note that the $30 million fund is over a 2-year period. It represents an initial investment for planning for long term funding and demonstration sites for enhanced and mental health and wellness service delivery models.

The implementation plan outlines how the partners will operationalize the $30 million fund including the principals, criteria and mechanisms for flowing funding. The First Nations Health Council and B.C. will work together with B.C. First Nations to secure long term planning.

Next slide. This Commitment Stick initiative -- the Commitment Stick initiative challenge is meant to end violence against women and girls. It represents a personal commitment to change. It originated in Esketemc and has expanded across the province. From the Province of B.C. there’s been an interest in expanding this into Ontario.

The First Nations Health Council has championed this work through the regional caucus sessions and at Gathering Wisdom. The First Nations Health Authority has begun to disburse grants to support communities in tackling this issue.

The Commitment Sticks are a gift from the Esketemc community who are honoured to have hereditary
Chiefs, Chiefs and frontline workers take up the Commitment Sticks.

It’s important that when they pick up the Commitment Sticks – and all of you will get a copy and a gift of this from us – one is to live violent free. Stopping violence and abuse starts with me. It starts with me as a Chief, it starts with me as a frontline worker, it starts with me as a mom, it starts with me as a grandma.

The second part is we commit ourselves that we’ll do whatever we can, whether it’s in our families, within our workplace, wherever we are, to stop violence against Indigenous women and girls.

The First Nations Health Council and the First Nations Health Authority joined together to develop the Commitment Stick initiative for all communities.

To assist, a kit was prepared that provided an overview on the initiative and an event promotion guide for the families, communities and partners to help with planning and raising awareness.

The First Nations Health Authority also provided all First Nations communities in B.C. with an eligible grant of $1,000 towards hosting an event or ceremony focused on committing to help eliminate violence against women and girls. We all agree that the cycle of
intergenerational trauma and violence has to stop with us.

Next slide. This is Kukpi Ryan Day from the Bonaparte First Nation, proudly showing his Commitment Stick. He picked up a Commitment Stick at Gathering Wisdom with all other Chiefs.

At Gathering Wisdom in 2015, over 120 Chiefs and leaders, along with frontline workers, held the sticks high and committed to live violent free and to collectively work together to stop violence against Indigenous women and girls.

They acknowledge that honouring our women, our grandmothers, our mothers, our sisters, our daughters, our wives, our partners, our nieces, we will bring balance into our lives and ensure healthy and strong families and communities into the future.

This was an emotional time for the Indigenous women and girls in attendance at Gathering Wisdom. It was emotional for them to have their leaders stand up for them and stand up to commit that they will live violent free and that they will stop violence against women. That support by our frontline workers, by our leaders and by our hereditary Chiefs, is so critical to the healing of our families and of our communities.

The women sang an honour song for our men when they picked up the Commitment Sticks. It was a very
positive and empowering time for our women at that
gathering. The colours of the Commitment Stick represent
the need for the four races to work together to stop
violence against Indigenous women and girls, with the
understanding that we’re all equally valuable.

With the red we honour and mourn our
murdered and missing Indigenous women and girls, with the
yellow we honour our breath of life, with the black we
honor our bodies, and with the white we honour and
acknowledge the wisdom of the Elders.

Next slide. These are two pictures of
taking our Commitment Sticks and putting them into action
within the province and more so, within the interior
region. As the former Kukpi or Chief of Esketemc, our...
...community's very proactive on murdered and missing
indigenous women and girls, and believe that this is also
a community responsibility.

The police services have their roles,
search and rescue have their roles, but they're limited.
Our community's role is key to provide a sense of hope and
optimism, not only that we may find our indigenous women
and girls, but also creates awareness of violence against
indigenous women and girls.

The first poster outlines a search we did
for Caitlin Potts. Caitlin Potts is from Alberta.
Caitlin went missing within our Secwepemc territory. I felt a responsibility as the Chief to be able to look for her if she's in my homeland, so we organized a search for her.

The second poster outlines the search we did for Natasha Montgomery. She's one of four victims convicted -- of convicted killer Cody Legebokoff in Prince George. Her remains have never been found, so that family is still looking for closure.

In neither case we were successful. We had over 80 searches for Caitlin Potts. We had over 50 searches for Natasha Montgomery.

The families were engaged before the search so that they knew we would be out. They joined us and supported us.

We followed protocols within the regions where we were going into another Nation's territory. Our Chiefs and leaders that picked up the commitment sticks came forward to assist in the search, so from picking up the commitment sticks at gathering wisdom, we asked them to now take their sticks and come and join us in the search. The Chiefs responded.

So on the left side with Caitlin Potts there was a schedule of activities that we went through. There was a ceremony that we did in Splatsin and Enderby.
There's a ceremony that we do in the water,
and we pray to the Creator that if Caitlin or Natasha's in
the water that the Creator help us find them.

We went through a press release. We had
our leaders stand up, Kukpi7 Wayne Christian, Grand Chief
Stewart Phillip, Grand Chief Doug Kelly and other leaders
that were there with us to stand up with the families to
let them know that we're going to be here for you.

We went through the search. We had a plan.
We had maps. We had teams. We had supplies, and we were
well organized.

At the end of the day it was important for
us in both searches to be able to debrief, to let the
searchers and the families know how they felt about the
day's activities. It was very difficult for them, a very
emotional day because a lot of the searchers themselves
were saying, "Now we know how the families feel. Now I
know I would be scared, what if I found her".

There was so much fear, but we took time
through ceremony to acknowledge what they were going
through doing the searches.

Next slide.

This is a picture of the search for Natasha
Montgomery in Prince George. Again it's our commitment
sticks in action.
With the support of the RCMP and Search and Rescue, all volunteers worked on the search for Natasha. Again, it was important for us to, while we were going through the search and were able to scan a big area of the land, that if we found anything that could be from Natasha, whether it was clothing or any evidence, that we worked closely with the RCMP so that we could gather any information and not compromise any criminal investigations in either Natasha or Caitlin's case.

So we were well prepared, but when you look at this picture, it's like looking for a needle in a haystack. You know, there's been so many years that have gone by. But these families still have hope for their loved ones.

And for me, as the Chief of my community and all of the leaders that picked up the commitment sticks, we feel a responsibility that we can help these families, that we don't have to wait for the RCMP or police services or Search and Rescue, that we can do things on our own and we should be doing what we can for these families.

Next slide.

This is more pictures of the volunteers.

On the right-hand side we facilitated the ceremony with tobacco and traditional foods.
This is the ceremony I spoke about where we have traditional foods and we were taught by our Elders that if we feel someone is lost in the river, take time to have traditional foods, moose meat, bannock, deer meat, berries. Step into the water and pray to the Creator that if Caitlin's in the water, can you help us find her.

So we take time to do a ceremony in the water during our searches. Drum songs are song appropriate for the ceremony.

We also do a tobacco offering where we put tobacco in a tree and we hold the tree back and we sing a song to release the spirit of the deceased from that place. It gets -- that's one of the other teachings that our Elders taught us. It is very helpful for the families to know that these ceremonies are helping, and it helps them to heal.

Again, the debriefing at the end of these searches is very important to all participants, including the police and including Search and Rescue.

Next slide.

These are some of the families impacted by the loss of their loved ones. The sad reality is that there are many children left behind.

Each provincial child advocate office should investigate like who are these children left
behind. Where are they? Who's caring for them, and are
they succeeding?

In many cases that I've been involved with
with murdered and missing women, whether it was nationally
or within the province, the grandmothers, the grandparents
end up with the children with no support or assistance
from government or MCFD.

In this picture, we have Grand Chief
Stewart Phillip as one of the leaders with us, and one of
the other Chiefs from the Alberta region. But these are
families that are left behind.

Next slide.

This is on the -- on the left side we have
Jackie Bob. She's been missing for years in the
Honeyquiteem (phon) area. She was mushroom picking, got
lost in the bush, and we've never been able to find her.

We went to facilitate ceremony in that area
in the hopes of being able to find her.

On the picture on the right side, this is
Amy Char. Esketemc organized a search for Amy Char.
Again, she was missing within our territory.

The important part of doing the work in our
territories, we know the roads, we know the rivers, we
know the creeks, and we know where we need to go quickly
to be able to be effective.
Amy was Tsilhqot'in, and in MCFD care. She was left on the side of the road by her foster parents.

We trust that our pleas for her to come home, hollering that we loved her, is what brought her home. So while we were searching for her, we knew that she was alongside of the roads and was left there.

Although we physically couldn't find her, while we were walking we would just say, "Amy, wherever you are, we love you. Can you please come home? Amy, we love you. Can you please come home?"

Hopefully us hollering loud enough while we were going up and down the highways and in the bush, she heard us because she returned home that night, and she was okay.

This was the second or third time that she'd run away from home. Does anyone ever check why she's running away from home or why she has to go back to the same home?

It doesn't seem that we do enough to prevent the runaways that we have from the children with MCFD.

Next slide.

Again, this is our commitment sticks in action. When we talked about the $1,000 grant to each community, it may not seem like a lot of money, but for...
communities that can cook up a meal and gather people, drum, pray, and sing, and talk. It’s like a million dollars to them when communities have nothing, or families have nothing.

So this is the Blueberry First Nations’ Director of Community Services, Tammy Baskin, explaining the commitment stick ceremony to participants in a workshop on ending violence against women. On the right side, you have Youth Brenden Nosky, the young guy in the grey hoodie, and Elder May Apsassin. They cut a cake together after a commitment stick ceremony. These are just some of the examples of what communities have done once they’ve taken the commitment sticks.

There’s other stories where Chiefs have taken up a commitment. I think of this one male Chief where he went home after the ceremony, and he called a men’s healing circle, and a lot of the men from his community turned up. He continues to have those men’s healing circles today. You know, and that’s from making his commitment, and putting his commitment stick into action. There was another Chief that I’m aware of where he took the commitment stick and because the victims didn’t feel safe in his community from this one offender, he asked that offender to leave, so that those families could come home to his community. Very important for our
families and for our women to feel safe in our communities. And our Chiefs, we’re making sure that this was the case.

Slide 15, next. The Esk’etemc community celebrated 40 years of sobriety this past year. Our culture is our wellness. Esk’etemc culture protocols for healing. They’re cultural protocols that are developed as alternatives, or in conjunction, with the RCMP or Criminal Justice Branch. The cultural protocols are victim-driven processes for -- for healing of both victim and offender. The Ministry of Children and Family Developed are involved when children are impacted. Multiple circles may go for one circle. Esk’etemc traditions and ceremonies are created -- create safety within the healing circles.

The protocols that we have are signed off at the highest levels within the RCMP within ‘E’ Division, the Deputy Commissioner level, and within the Criminal Justice Branch with the Deputy Attorney General, and other staff within the Attorney General’s office. The protocols are an alternative to the criminal justice system. The victims of violence feel that they lose their voice in the criminal justice system. We wanted to be able to give them a voice through these protocols. Through these protocols, the offenders acknowledge their behaviours, so where there may have been criminal investigations and they
totally deny that anything happened, when we have our healing circles, they do acknowledge the behaviour, and they do acknowledge having perpetrated those crimes.

At the end of healing circles that happen through our protocols, there’s treatment plans that are signed-off by both the victim and offender, so that there’s on-going treatment and support services for them. Again, there may be multiple circles. It’s a lot of work, but it’s worth investing in your families, so that they have a better outcome than the courts. There’s a judge that presided over one case, and at the end of it she commented that these healing circles and this work is more time consuming than court. Not her being critical of it, she was complimenting the community for taking the initiative, getting a better outcome, but that it was a lot of work.

Again, those protocols that we signed off with the RCMP and the Criminal Justice Branch, are outside of policies. So when we look at the historical abuse protocol, it allowed us an opportunity to deal with sexual abuse or violence that may have happened two years ago, five years ago, ten years ago. It provided that opportunity. We had our own complaints against RCMP. We didn’t trust that they couldn’t be investigated themselves, so we had a protocol for that. Also, the
spousal assault protocol that we had, we were able to deal
with incidences immediately, again, outside of RCMP
policy. But they could see that there could be better
results for us with these protocols that we had in place
for them.

This picture’s cute. It’s a picture of Tamika (phonetic) and Electra (phonetic). This is where we want our children to be, able to hold each other, feel safe, feel good, be proud, and for us to be always protecting them.

Next slide, our culture is our wellness.

Esk’etemc has a strong connection to culture and ceremony, over 40 years of sobriety. Our ceremonies provide safe and secure places for healing and reconciliation.

Esk’etemc tradition values our children. Our matriarchs were and are our leaders within our community. The women are strong. We decide that -- who the Hereditary Chiefs would be. We decided who the Hunting Chiefs would be, the Warrior Chiefs, the Ceremonial Chiefs. We’re coming back to that place within our community. We have a territory, we have many Secwepemctsin speakers, we’re reviving our laws. Our children for several generations to come will know who they are, where they’re from, and proud to be Secwepemc.

In May of 2017, all of our Esk’etemc
community members, children to adults, stood up together to issue a declaration of title and rights to our territory. We’re not waiting for the Government of Canada, or the Province of B.C., or anybody else, to say that this is your territory or to acknowledge it.

(APPLAUSE)

**MS. CHARLENE BELLEAU:** We’re doing that work ourselves. There’s a very big difference when you take that power and you exercise that jurisdiction for your people. You don’t need to be victims of government, police, or anybody else. We have the courage and the strength to be able to change our history, and we have that responsibility.

This is a picture of our children. Every year we have a powwow where they make their own regalia, they dance, and they sing. They have their own grand entry. The boys bring in the girls. It’s -- it’s a beautiful sight. We’re really proud of children and the work we do with our children.

Next slide. In terms of recommendations, we need to create spaces and support for our leaders to start conversations in their own communities about mental -- mental health and healing. We need to support a community members through mental health and substance abuses -- substance use challenges. We need to support
the on-going call to action initiatives, such as the commitment stick, to continue to support the new mental health funding for B.C. First Nations.

Through the successful collaboration efforts of the First Nations Health Council, the First Nations Health Authority, and the First Nations Health Directors, we’re providing leadership and governance and advocacy that will improve the health and wellness outcomes for Indigenous women and girls.

Esk’etemc has had the opportunity to collaborate our work on murdered and missing Indigenous women and girls with the First Nations Health Council, Health Authority, and the Health Directors. Together, we can create healthier and safer families and communities. There’ll be further recommendations that will be presented in a written submission to the women from the First Nations Health Council.

In closing, I would like to take time to provide a gift from the Esk’etemc and from the First Nations Health Council, and to share our gift of the commitment sticks. And we would ask you to be able to -- to make a statement with us that will help to do the work that we have to stop violence against women. So I’m going to ask Trevor (phonetic) to assist me to give out the commitment sticks. And then we have a statement that
we’ll make together. We’ll stand together. So if you could just bear with me for a minute, this will be my closing. So we’ll give the commitment sticks out.

MS. CHRISTA BIG CANOE: Can distribute these -- that they can distribute these gifts?

UNIDENTIFIED SPEAKER: Oh, thank you so much. Migwetch.

(DISTRIBUTING COMMITMENT STICKS)

MS. CHARLENE BELLEAU: I apologize if we don’t have enough commitment sticks. We had 70 that we brought with us. We probably should have brought a hundred or two hundred. But the commitment sticks are very easy to make. If you look at the commitment stick, it’s a dowel, and the colours -- feel free to make your own. The other thing that’s happened with the commitment sticks is where a Chief may pick it up, and when he sees some work happening within the community, and he sees a young man that’s willing to stand up and make change, he’s given his stick, and then will come back for another one. So feel free to make more commitment sticks for the people that you need to have commitment sticks.

So if you could all stand with me. We’re just going to close with this -- with this commitment. And if you could repeat after me: We will respect and honour --
MS. CHARLENE BELLEAU: -- our sacred teachings --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- of the unique role --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- of Indigenous women and girls.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: We acknowledge that lateral --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- domestic --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- or any form of violence --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- is not acceptable.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: Stopping violence starts with me.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: I am strong --
MS. CHARLENE BELLEAU: -- resilient --

MS. CHARLENE BELLEAU: -- and courageous.

MS. CHARLENE BELLEAU: I will heal --

MS. CHARLENE BELLEAU: -- and lift my family --

MS. CHARLENE BELLEAU: -- and community up --

MS. CHARLENE BELLEAU: -- and be a strong warrior.

MS. CHARLENE BELLEAU: We acknowledge --

MS. CHARLENE BELLEAU: -- that if we do not stand up --

MS. CHARLENE BELLEAU: -- against violence --

MS. CHARLENE BELLEAU: -- we are condoning
it --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- through our silence --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- and inactions.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: As such --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- we commit to standing up --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- to end violence --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- against --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- Indigenous women and girls.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: And call on all political --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- organizational --

(AUDIENCE REPEATS)
MS. CHARLENE BELLEAU: -- and community leadership --

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: -- everywhere to join us.

(AUDIENCE REPEATS)

MS. CHARLENE BELLEAU: Kukwstsetsemc.

Thank you. I’m available for questions. Thank you.

UNIDENTIFIED SPEAKER: If you could set the clock for ten minutes. We do have some questions for you. We’ll start with Commissioner Eyolfson, as he has a question.

COMMISSIONER BRIAN EYOLFSON: Thank you very much for your presentation, and for the beautiful gift of these sticks, and also for some of the lovely images in your presentation that were up on the screen. I just have one follow-up question. In your -- in your presentation, you -- you suggested a -- a recommendation that each provincial or territorial child advocate should investigate the children who are left behind. I’m wondering if you could just say a little bit more about that. And I don’t know whether or not that exists at all in British Columbia, or -- or if that’s a -- a new idea and proposal.

MS. CHARLENE BELLEAU: It -- I don’t -- I
don’t know that it exists. I guess, for me, it would be a recommendation. There are existing child advocate offices within every province, or the -- the majority of provinces, where it seems that it would be helpful to even know whether any of them have done that work. And if they have not, that they could because there are many children -- I just remember looking at the number of children that were left behind in -- in some of the cases that I was involved in across the country, or within the province, and it’s sad because a lot of them were two years old, five years old, and The Ministry, or nobody was around to even care. Who’s going to care for that child that was left behind? So it would be, you know, beneficial for them. I would think that some of them are nine, ten, fifteen, twenty years old now, you know. That we don’t have a repeat that they go missing, you know. So to be good to -- to do whatever we can to find out where they are, what’s happening with them, and what do we do to support them. Thank you.

COMMISSIONER BRIAN EYOLFSON: Thank you.

COMMISSIONER MICHÈLE AUDETTE: Bonjour.
Merci. I’ll ask my question in English. First of all, thank you very much. The first question, is it possible that I translate this declaration in French and -- and Inuit?
COMMISSIONER MICHELE AUDETTE: Parfait.

Merci beaucoup. And we will do this ceremony, or this incredible commitment, in our meeting that we will have next week in Quebec City. (Speaking Native Language).

You mention also, yes, the power of this commitment stick initiative as an example of the application of this initiative in action. You mention also that the search and rescue that was conducted in the case of Natasha Montgomery, it was done with the -- the collaboration or coordination with the RCMP. Am I -- that’s what I understood?

MS. CHARLENE BELLEAU: Yes.

COMMISSIONER MICHELE AUDETTE: So can you tell us how it happened, that coordination and collaboration? This partnership, I would say.

MS. CHARLENE BELLEAU: Yes. For the most part, it means us reaching out to the RCMP. And in both cases, whether it was Caitlin Potts in Enderby or with Natasha Montgomery in Prince George, we do make a phone call to contact them to let them know that we’re going to do a search. And we let them know what they were going to go and search, and that they can work with us if they want. And they do. I -- I -- I’m not sure what their feelings are about the searches, but what’s more important
is what we’re doing as a community, and as leaders to search for our loved ones.

We know that the limited timeframes that the RCMP, or police services, or search and rescue have for searches is not helpful to a murdered or missing Indigenous woman or girl. There’s specific timeframes that they’ll do searches. There’s -- search and rescue has only so many hours that they would be out on a search. For us, the people will look for their loved ones and hopefully find them. They’ll keep searching and searching and searching until they find them. So, yes, we make contact with them. We can coordinate with them, we can maybe receive basic information about last known location, et cetera, et cetera, but all of the rest of the work is up to us to lay out a map of the area that we're going to search, the roads, creeks, ceremonies, make up the teams.

Each is really good because each team like had a Chief that was actually leading a group of five that went this way, another Chief with a group of five that went this way, another Chief with a group of five that went this way, and then we search an area.

So we did reach out to them, and I think we'll -- you know, we'll need to do so in the future because, again, the possibility of finding evidence or finding information that may be helpful to a criminal
investigation, we feel it's important to include them, again, whether they're there or not. The important part is our leaders are there, our families are there and the community's there helping these families.

**COMMISSIONER MICHELE AUDETTE:** In 30 seconds, if you can, let's say I'm a family member from B.C. but not -- my community don't have all the initiative that you do and I don't live in my community, but we know that my sister and my family are somewhere out there for so many years, but I have information and RCMP, it seems like they don't do something. What would you recommend to that family or to those families that feel that the community has no human resource or -- like you do and there's no response from the RCMP?

**MS. CHARLENE BELLEAU:** Yeah. I think that there needs to be strong advocacy on behalf of those families, so whether that's a role that I end up playing during any of these incidents, it is helpful to the families.

Like when the families do meet with the RCMP, if they would like me to be there, then I will be there with them and get the same information that they do. And I think that it's important.

In the case with Caitlin Potts, when the family came out and they were at the search, the RCMP
asked to meet with them. And it was on the day that they
met with the RCMP there that they knew that this wasn't
just a missing persons case. This was a criminal
investigation.

So why is it that the family has to learn
on that day that this is a criminal investigation? They
perhaps should have known earlier.

I'm not sure whether, again, the search and
the publicity of it and the media attention is what
brought the information forward, but I would hope not.
But again, we need to advocate for those families. They
need somebody to stand with them to make sure that they
are being treated with the respect that they should.

Thank you.

COMMISSIONER QAJAQ ROBINSON: Thank you so
much for your presentation and for having us take this
oath with you. It's so powerful, and I think important
that we be a part of it as well as the country a part of
it today with you.

I also want to thank you for sharing with
us the governance structure of the health -- of the Health
Council.

And we've heard across the country the
importance of self-determination, especially in health and
wellness. And I agree with you completely that you have
the inherent right and jurisdiction as a leader and your people to do this.

And we've heard about a lot of legal obstacles to that within the country, whether it's a lack of recognition of rights or there being existing agencies and bodies that take up that space that's rightfully yours.

Can you share with us your thoughts on this model, the governance model that you've provided, as a mechanism for the assertion of self-determination in health and wellness? Is it meeting your desired -- is it giving you your desired space for self-determination?

**MS. CHARLENE BELLEAU:** Good. Thank you.

I believe that it is. I think that instead of having a government agency operating out of Ottawa or British Columbia in the B.C. region the First Nations Health Authority, the Health Council, the Health Directors working together to make our own plans and priorities for the funding that we receive to improve the health and wellness of our communities is what should be happening.

We have that opportunity to decide our priorities, and if we know that violence against women or dealing with sexual abuse or dealing with opioid crisis is critical, then we can make those calls to action, we can make sure that resources are available and provide support
to our families and communities to make those actions happen.

I don't think that these things would happen if we were still operating with programs and services that were delivered out of Ottawa or out of the B.C. region as it were back then, so it provides us a lot of opportunities, I think, to be proactive, but also to determine, you know, where and how our communities will engage with us within our different regions within the province and how we work collectively on something like the commitment stick initiative on the opioid crisis, on dealing with sexual abuse.

To me, that is really important. We're going to -- it just feels good to have -- to have the ability to make those decisions ourselves instead of anyone else making them for us.

Thank you.

Just in closing, I just want to thank you again for the opportunity to be before you. I know that we had wanted to do these commitment sticks at the Assembly of First Nations assembly in July, and they never made time on the agenda.

We won't stop. We will make sure that somehow our leaders at that level make those commitments with our families and communities.
Thank you.

COMMISSIONER BRIAN EYOLFSON: Thank you as well for your presentation, and we look forward to receiving your written submissions.

MS. CHRISTA BIG CANOE: Thank you.

At this point we would request that we break for lunch until 12:30, and we're on track.

COMMISSIONER BRIAN EYOLFSON: Great.

Okay. Let's break for lunch and we'll be back at 12:30.

--- Upon recessing at 11:23
--- Upon resuming at 12:32

MS. CHRISTA BIG CANOE: Okay. Good afternoon, Commissioners. Good afternoon, Commissioners. We’re going to get started now. Good afternoon, Commissioners. Commission counsel would like to invite up next the Vancouver Rape Relief and Women’s Shelter. On behalf of Vancouver Rape Relief and Women’s Shelter is Hilla Kerner and Mackenzie Jordan (phonetic).

--- SUBMISSIONS BY MS. HILLA KERNER:

MS. HILLA KERNER: Good afternoon, everyone. In 1983 ANDREA DORKING gave a speak where she said: And it is happening for a simple reason. There is nothing complex and difficult about the reason. Men are doing it because of the kind of power the -- that men have
over women. That power is real, concrete, exercised from one body to another body. Exercised by someone who feels he has the right to exercise it. Exercise in public and exercise in private. It is a common substance of women’s oppression. She also said:

   It is an extraordinary thing to try to understand and confront why it is that men believe, and men do believe that they have the right to rape. Men believe they have the right to force sex, which they don’t call rape. And it is an extraordinary thing to try to understand that men really believe that they have the right to hit and to hurt. And it is an equally extraordinary thing to try to understand that men really believe that they have the right to buy a woman’s body for the purpose of having sex. That that is a right.

Vancouver Rape Relief and Women’s Shelter is the longest standing rape crisis centre in Canada. Since opening in 1973, our group responded to 45,285 women seeking our support in their escape of male violence. The accumulation of stories told to us by thousands of women, told us how men use their relative power as men and often the relative power of their race and their class to attack
women. They also told us how girls and women survive, escape, and resist male violence. The members of our collective, historically and currently, have been of different race and different class background, yet our shared life experiences as girls and women, in particular, our common experience of men violence, matches what we learned from our frontline work.

Applying feminist analysis means a critical examination of the power imbalance between men and women, between white people and Aboriginal people, and between the wealthy and the poor. When it comes to violence against Aboriginal women, all forms of oppression, sex, race, and class, are in play. In the mid '80s an Indigenous member of our collective wrote in an article titled, The Truth as We Know It:

That there is overwhelming evidence that men rape within the same class or race and down.

Thirty-five years later, this statement is still very much the truth as we know it. Here in Canada, Aboriginal women who are at the bottom of the race and class hierarchy are victims to all men’s violence.

In preparation for this submission, we looked at more than 1,000 cases of Indigenous women who called us in the last five years. Five hundred and
seventy-seven Indigenous women were assaulted by their husbands, boyfriends, or lovers. And another 83 Indigenous women were attacked by their ex-male partner after they left him. A hundred and seventy-nine Indigenous women were sexually assaulted by someone they knew superficially, often through social circumstances, like party or mutual friends. A hundred and fifty-one Indigenous women were raped by their own fathers or other family members when they were young. Fifty-eight women were raped by men who were complete stranger to them. Out of the 1,000 Indigenous women who called us, 408 women were attacked by Indigenous men, and 3, 51 women were attacked -- 351 women were attacked by white men.

Indigenous women are raped and beaten by their fathers, or domestic partners, and other men in their Aboriginal communities. Outside of their communities, they are raped, beaten, prostituted, and killed by men from every race. Everywhere they go, Aboriginal women are subjected to horrifying and sometimes deadly attack by all men, frequently, by white men.

Since the '70s, transition houses, rape crisis centres, and women’s centres have been providing women with immediate protection for themselves and their children. In 1981, Vancouver Rape Relief and Women’s Shelter opened their own transition house, and since then
we housed 2,897 women and 2,570 children. The women who have been staying in house are battered women who are leaving abusive male partners, women who are exiting prostitution, and sometimes women who were raped by a man that is no longer -- have access to them, so they are safe from him, but they still want to stay in a place where they have the comforting company of other women.

Safety, of course, is the key reason women are turning to transition houses. But what they get is even more than that. Grouping women in our transition house is countering the abuser’s tactics of keeping women silent and isolated. Women in feminist transition house get to be part of a community of women who encourage and reinforce each other in their decision to leave abusive men. They get to be part of a community of women who offer concrete advise and practical mutual aid of cooking, childcare, and search for future housing. They get to speak about their own experience and be heard. And they get to hear other women’s experience and realize that they have been beaten and raped by men not because they did something wrong or made bad choices, but because they are women and because we are living in world that men are entitled to harm women including, and very often especially, women who they claim they love.

The women who live in our transition house
are escaping one particular man. Usually, it’s their
domestic male partner. But as we build our relationships,
many will tell us about other men and other attacks. This
is particularly true to Indigenous women. Most of the
Indigenous women who are living in our transition house
have experienced male violence from a verly (phonetic) --
very early age. The men they are currently escaping is
the last one to attack them, but in no way, he is the
first.

Feminist transition houses and rape crisis
centre have been tactics that developed for women by
women, offering women immediate safety and a place to
group, analyze, strategize, and involving women to demand
from the state the protections they deserve. Based on the
examples and practices, we are calling for the women’s --
sorry, we are calling for women’s services for Indigenous
women that are designed and controlled by Indigenous
women. The services need to be funded by the state, but
independent -- being independent from government, social
services, law enforcement, professionals, institutions,
and bed -- band councils.

Even though Indigenous women are only two
percent of the women in the lower mainland, they
compromise more than 30 percent of the women who are
calling us looking for a safe shelter for themselves and
their children. Since the beginning of the year, 466
women called our crisis line looking for a shelter. A
hundred and thirty were Indigenous women. Approximately
two-third of the Indigenous women who call us are on
income assistance. This basically means, that they are
poor. It has been well established that poverty increases
the vulnerability of women to being attacked in their
homes, on the job on public transit and on the street. It
has also been well established that poverty prevents women
from leaving abusive relationships, that poverty forces
women to stay in poorly paid jobs, where they are
objectified, exploited and harassed, and that poverty is a
key factor for women resorting to prostitution.

Poverty means that women have very few
options, sometimes none. There are plenty of researchers
that show the price of poverty in monetary value, the
financial burden it creates on the healthcare and criminal
justice system is actually higher than the cost of
elevating people from poverty. But even if this was not
the case, poverty is an unacceptable reality.

We live in a wealthy country and equal
share of its wealth would have meant that no one has to go
without nutritious food, adequate housing and all the
other basic needs one is entitled to by virtue of being a
human being.
We support the demand for a dramatic increase of income-assisted rates as a temporary measure of financial support for those in need. But in the long run, we believe we are better off with a profoundly different mechanism that will provide people with their economic needs.

Johnny Tillman, who was a black welfare rights activist in the States wrote in 1972:

“Welfare is like a super sexist marriage. You trade in a man for the man, but you can’t divorce him if he treats you bad. He can divorce you, of course, cut you off anytime he wants. The man, the welfare system controls your money. It tells you what to buy, what not to buy, where to buy it and how much things cost. If things, rent for instance, really cost more than he says they do, it’s just too bad for you. He’s always right.”

The welfare system across Canada has not only kept people entrenched in poverty, but also has stripped them from their dignity. The premise of the welfare system is to provide as little as possible to as few people as possible.
We support the demand for a liveable wage, but we reject the idea that a paid job should be a condition for adequate income. We believe and many researches show that when people have unconditional secured livable income, they use their time to do good by their families and by their communities. The economic model that we support is guaranteed livable income.

In his book *Where Do We Go From Here: Chaos or Community?*, Martin Luther King wrote:

"I am now convinced that the simplest approach will prove to be the most effective. The solution to poverty is to abolish it directly by a now widely discussed measure: the guarantee income. The dignity of the individual will flourish when the decision concerning his life are in his own hands, when he has the assurance that his income is stable and certain and when he knows that he has the means to seek self-improvement."

Although Martin Luther King spoke about a male, surely it’s true for women.

As feminists, the model of guaranteed livable income that we support has a few key principles:
Livable, which means that it needs to be high enough to
meet adequate standards of living; guaranteed, which means
that it needs to be given unconditionally, without a means
test, without a job search requirement and without
limitations and expenditure. It must be given to all
individual adults in household regardless of marital
status and must be enough to provide for a child that an
adult has guardianship over.

We believe that the application of this
concept will ensure that no one, let alone women, and in
this context indigenous women, will be suffering from
economic hardship and poverty.

We believe men can change. Men are not
inherently violent. Men are violent because of the social
construction of masculinity and manhood. We believe men
can change. Men can stop raping and beating women and
children, and men can stop killing women. We believe men
can change, but as a whole, they don’t. And until we will
hold men accountable, they are not going to change.
Otherwise, we wouldn’t have been here today.

There is a great promise in communities
holding men accountable. So far, there are too few
examples for it. Too few communities in the world have
come together to make a collective agreement that the men
in their communities will not harm women and children.
Too few communities have sanctioned men for harming women and children. Men everywhere know that they can rape and beat women and children with impunity.

At the moment, we must rely on the state, on the Canadian state, to uphold its obligation to protect women and children, though so far it has failed, not to say refused to do so.

When women are calling on the police about rape, they know it is going to be an excruciating journey, but they are willing to go through it because they want to protect other women. Alas, more often than not, they will realize that the criminal justice system doesn’t share their commitment to hold rapists accountable.

The high rate of unfounded sexual assault complaints got a lot of attention in the last two years. Statistics Canada is now collecting and publishing the number of unfounded sexual assault cases, and according to recent media reports, police forces in 62 jurisdictions have been reducing the number of sexual assault reports classified as unfounded since the Globe and Mail exposé.

For us, this is not reassuring at all. In all likelihood, the reduced rate means that police forces are now simply cataloguing cases under a different code and not that they are conducting better investigations.

Last year in British Columbia, out of 4,279
complaints about sexual assault and rape that were made to
the police, only a third resulted with police recommending
charges. The problem starts with the initial statement.
The police will not dare to do it in our presence, but
when a woman is going without an advocate, they, from the
get-go, will discourage her by saying that the case is not
going to go anywhere because it’s a “she-says/he-says”
situation, and they’re saying it without even having the
“he-says” version, without even interviewing the accused.

Sometimes when the woman comes with a
feminist advocate, the officers will not let the advocate
to be present while the victim gives her statement.

When I conducted the cross-examination of
Deputy Commissioner Brenda Butterworth-Carr, Commanding
Officer for “E” Division, British Columbia in this
Inquiry, she assured me that the RCMP policy is to enable
a victim of sexual assault to have someone of her choice
with her while she is giving her statement.

Only two weeks ago, my fellow Collective
member, Maria, was not allowed to sit with her caller
while she was giving her video statement, even though the
victim explicitly asked the detective to have her advocate
with her.

Usually after the initial statement it will
take months until the women hear back from the police. It
will take multiple phone calls with weeks in between to
the constable, to the sergeant, to the staff sergeant, for
the women or for us, their advocates, to get any response.
When they do come back, they will say “We are still
investigating” or “The case is still open”, and
eventually, after many more months, they will say that
they are not going to recommend charges because there is
not enough evidence.

However, in many cases that we are familiar
with, they don’t have enough evidence because they didn’t
conduct a proper investigation.

We just got the content of one file after
the determined woman that we are working with made a
Freedom of Information Request. In her case, again, after
months and months of doing nothing, the police closed her
file. It turns out that they closed the file without
collecting the result of the medical exam she had after
the rape, without interviewing the first person whom she
told about the rape, and without interviewing the man she
accused. And this is not a rare exception.

When it comes to the police, we are calling
for a civilian oversight that will include frontline
feminist advocates. We are calling for an open and
ongoing review that will not result with sexual assaults
simply being catalogued under a different code but with
thorough investigation and appropriate charges. Out of the cases that police is recommending charges, the Crown will prosecute only half, which means that approximately 15 percent of the rapes reported to police in British Columbia will go to trial. This is only an estimate based on national data because information on Crown's decision in sexual assault cases in British Columbia is not easily accessible.

My fellow collective member, Louisa Russell, who has been instrumental in gathering the data for frontline work for this submission wrote in an article that published in Canadian women's studies 10-years ago:

"Crown decision to prosecute or not should be recorded and made publicly available. Public confidence in the administration of justice would be bolstered by a system where Crown counsel routinely made strong and public arguments to prosecute sexual violence. By the same token, if the decisions by the Crown not to proceed were made available to the public there would be room for protest and possibly legal action." (As read)

We are still calling for that.
We know from major reports on trial on sexual assault cases across the country, the judges contaminating sexual assault trial with sexual stereotype and victim blaming myths about girls and women who experience sexual assault. Judges are clearly ignorant on sexual assault law, about Parliament intention behind the laws, and the Supreme Court of Canada's applications of the law.

Some pivotal judgements that come -- pivotal judgements that came from the Alberta Court of Appeal ordering the new trial for Bradley Barton, the man who admitted causing the terrible death of Cindy Gladue, offer the sharp observation. They say:

"Despite efforts to thwart them, myths and stereotypes continue to stalk the halls of justice in cases involving sexual offences..."

These persistent presumptions, reducing entitlement of individuals to the equal recognition and protection of the law. This inequality falls most heavily on women since sexual assault has been, and continues to be, largely a gender-based crime. The vast majority of victims are female, and the vast majority of perpetrators are male.

We are calling for a genuine application of
the open court principle, a fundamental concept in a
democratic society as they allow the public to hold judges
accountable. In British Columbia, both in provincial
court and the supreme courts, only written judgements are
available to the public.

When judges give their judgement and
reasoning orally, which is often the case, judgements are
recorded, but not automatically transcribed. One can
order the transcription of a particular judgement, but
they usually costs hundreds or thousands of dollars
depending on the lengths of the transcription. This means
that in reality the public doesn't have access to oral
judgement and reason for convictions and acquittals in
sexual assault trials.

This is a case in relation to British
Columbia, but I believe the situation is similar in other
provinces.

On this issue, we are calling on the
Attorney General of British Columbia and the attorney
generals in other provinces to create a transparent
justice system and to ensure that all judgements in sexual
assault trials, oral and written, are transcribed and
posted online available for public scrutiny.

Only transparency and accountability will
transform how the criminal justice system, the police,
Crown, and judges deal with violence against women in general, and violence against Indigenous women, in particular.

It is a tragic irony that the criminal justice system that have been failing to protect Indigenous women has been extremely diligent in criminalizing and imprisoning them. Although Indigenous women are 4 percent of the women in Canada, they account to 43 percent of female admissions to provincial territorial sentence custody.

99 Federal Steps...Towards an END to Violence Against Women that was adapted by the National Action Committee on the Status of Women in 1993, Lee Lakeman wrote:

"The disproportionate representation of Aboriginal women and women of colour in Canadian jails and courtrooms must be understood to reflect enforced poverty and violence heaped on these women. There must be release and core deferment programs. Even in circumstances of gross inequality, these women hardly pose a threat to the Canadian public." (As read)
We are still calling for that. We want Indigenous women out of prison.

Our collective historically and currently includes women who have exited the sex industry. Our authoritarian understanding of prostitution as sexual exploitation and male violence against women is informed by our own members and by our frontline work with women in prostitution who are calling on us in their effort to escape individual johns and pimps or prostitution all together.

What Indigenous women tell us about the road to prostitution is that it is paved with sexual assault in their childhood, with devastating poverty, with terrible losses, including the apprehension of their children, and with such grief and pain that sometimes can only be subdued with drugs or alcohol. They resorted to prostitution; they didn't choose it.

Achieving safety to women in prostitution is inherently impossible. Men who buy women, and sometimes not even that. Sometimes they will refuse to give her the money or forcefully will take it back. Men who buy women in prostitution are the source of the harm to women.

Screening will not protect women. Women are constantly attacked and harmed by women they knew and
trust. Indoors will not protect women. Most violent acts against women are committed indoors.

The murder of Cindy Gladue refutes the myth that indoor prostitution is safe and that screening will provide security to women in the sex trade. The fact that Cindy Gladue was recruited in a hotel and not on the street, the presence of security camera in the hotel, the fact that Barton was a returning guest at the hotel, or the fact that Cindy Gladue's boyfriend arranged, screened, and negotiated the price for her, did not protect her from violence of death.

I know of course it's our women who define themselves as sex workers, women who say that they choose it. But their individual choice cannot be on the expense of the collective of women, on the expense of the collective of Indigenous women. Legitimizing and legalized prostitution, allowing a man to buy the sexual use of women's bodies normalizes men's entitlement to our bodies, the same entitlement that allows men to rape and beat or kill women.

We do not accept murder, rape, wife battering and incest as inevitable, and we do not accept prostitution as -- I will have to choose another word, even though when I practice, I could say it. Inevitable. Okay. I will say it again for the records properly.
We do not accept murder, rape, wife battering and incest as inevitable, and we do not accept prostitution as inevitable. These are all acts done by men to women in patriarchal world where the relationship between men and women are based on the domination and -- on domination and subordination. We do not accept that this kind of relationship between men and women are inevitable.

And one last thing before I conclude my part. Learning that Indigenous women in free colonial Canada were treated in their nations with respect and honour give us hope. It reinforces our refusal to accept women's oppression as inevitable. Knowing that fairly recently in human history women had social and spiritual roles that were regarded as valuable as the ones men had makes our fight for liberation not only possible but tangible.

Thank you. I will invite MiKenzie Jordan. You have seen her and heard her when she submitted on behalf of Aboriginal Women's Action Network. She is also a member of Rape Relief. And in the last two years, she was leading and carrying a lot of the frontline work that we do in our transition house.

(APPLAUSE/APPLAUDISSEMENTS)...

MS. MIKENZIE JORDAN: Good afternoon. I am
MiKenzie Jordan, a collect member at Vancouver Rape Relief and Women's Shelter. It is a privilege for me to be here today. Attending these hearings has made me think deeper about the work I do as an anti-violence advocate and transition house worker.

As an indigenous woman working with women for a long time, I know that when women are in crisis and transitioning, we may not always speak about what we know, what our opinions and truth are, and I wanted to capture this moment and use this opportunity today to share with you the things I hear in the transition house every single day.

So as we are preparing our closing submissions for the National Inquiry into the Missing and Murdered Indigenous Women, I met with them and asked the indigenous women who are currently staying in our transition house to think about what they would want to recommend to the Commissioners, what they would like to say and what would be their demands at this date.

I hoped for rich conversation about who we are as women, who we are as indigenous women, and what do we see as the important messages to share. I was not disappointed. It was definitely a moment of consciousness raising.

It was so clear that even though these
women may not have been following the inquiry process, they were not watching online and they did not participate in the hearings in Richmond, they did not need to be doing these things in order to understand the topics of the institutional hearings.

Being indigenous women gives us the firsthand experience of being affected by racism, the child welfare system, prostitution, poverty, police discrimination and sexism, lack of services and health care in parts of the provinces and territories.

It led us to talking about the lack of medical care that we receive in hospitals. It allowed the women to share about their families and the experiences that they have had in the health care system.

We heard about the lack of medical care and misdiagnosis which led to the death of their loved on the same day, the prolonging of a prognosis which did not allow her aunt to receive the treatment plan that could have at least added more time to her life expectancy.

A woman shared about having to move a family member to another city hospital where there she received the care she needed to recover that was not initially offered at the hospital in Edmonton.

We know far too well that when women from the downtown east side of Vancouver -- when they're taken
to St. Paul's Hospital, they do not receive a level of
care that would be expected and given to most others. As
a shelter worker, far too often women come back to us in a
few hours saying that nothing was offered except a cab
back, and sometimes not even that.

One resident shared that her sister is one
of the missing women and had not been heard from for 10
years. There have been no answers, no justice for her.

We know that we need to hold the police to
account to do investigations, to arrest the men, to listen
to what women's groups are saying.

She shared about her sister-daughters and a
bit about their lives after their mother disappeared, and
it was a tragic end, as they ended up on the downtown east
side and both overdosed. One of these nieces had a
daughter who was put into the child welfare system, and
they do not know where she is or how to find her. They
grieve this loss.

A few of us women were part of the child
welfare system in the seventies and were wards of the
state. We were foster children and adopted sixties scoop
children.

Each of us found ourselves struggling with
self identity, disconnection, racism, addiction,
prostitution, poverty, self-harm and a knowledge and
acceptance that it was just the way life was for us.

A woman spoke about the correlation between
the residential school system of the past and how child
welfare today is no different. She asked, "What about the
perpetrators, the men and the women who ran these schools?
What happened to them?"

The results of these schools have been
devastating, and children are still being taken from their
families and are experiencing high rates of violence and
mistreatment in foster homes and adopted families.

We make up such a small population of
Canada, yet in so many provinces the number of indigenous
children in care is still high. It is the continuation of
the practice of the residential school systems alive and
well today, just in a different form.

As indigenous women, we all know how we
have been affected by colonialism. It is too often a
daily struggle. But we all agree that we need to still
have hope, the belief that we can change things even
though we may struggle to find the solution most days, but
it is the reason we will continue to fight, to fight for
our children, our sisters, our mothers, our aunties and
nieces.

I know that our conversation is not the
last, and each of us in our own way show a resilience and
strength to fight against the patriarchal ways of the government, and that as we continue to gather as strong indigenous warrior women that we can only gain momentum and find the courage to move forward to end the violence against us that may show in subtle ways, but has had lasting effects.

I am truly grateful for all the opportunities that I have to sit down with women. They are truly an inspiration.

I want to thank them for trusting me. They give me the strength and motivation to do this work.

All my relations.

**MS. CHRISTA BIG CANOE:** Do the Commissioners have any questions?

**COMMISSIONER MICHÈLE AUDETTE:** I wrote it in English, so I'm going to read, okay, because I was going to ask in French, but because I know my friend from B.C. over there, she isn't wearing the translation device.

You know you. Je t'aime beaucoup. So now all Canada knows.

Before I ask my question, I have to say thank you. I don't see you, MiKenzie, but it's also to you. Thank you so much for the work that you do every day for our sisters, for the women, and for reminding us that there is so many voices that needs to be heard or needs to
be here in this important journey.

So I was able to visit informally and formally the community of the downtown east side since day one when we started in 2016, and of course when we met -- and some of the women are here in this room.

When we met with the women, they often mention the community, two-spirit community, and LGBTQIA. Do you have any -- propose any initiative in place to further the right of all the women, including our sister from that community?

**MS. HILLA KERNER:** So I think explicitly you mean transgender women?

**COMMISSIONER MICHELÉ AUDETTE:** Oui. Merci.

**MS. HILLA KERNER:** Okay. So I think there is no debate that transgender women, in particular women in the downtown east side, are suffering terrible level of violence and they deserve safety, security and life free from violence and services and there should not be competition of services. There should be more services for everybody.

Some transition houses and rape crisis centre offering models that works for all women, women who were born female and transgender women, and some -- like ours who based on consciousness raising, some of the services and processes that we do were not fit for people
who were not born and have the experience of being girls and adult -- growing to be adult women. But rape relief and I believe any other service will never let anybody be unsafe, so of course anybody who calls the crisis line some time our women will -- our team will stay up all night until we're making sure that people get safety.

For transgender people who are interested in our model of offering peer counseling, we are happy to teach how we develop those services and how they can be used because our model means that probably services for transgender people are better designed and control and delivered to transgender people by transgender people.

And we're offering support and empathy. We fight for a world that nobody will be discriminated, harmed, and be unsafe. And, of course, it’s true for all people, including people who were not born female but choose to be women.

COMMISSIONER MICHÈLE AUDETTE: And, again, my other question. You mentioned about -- I was listening in French, of course. I guess in English we say unfunded? Unfounded?

You mention about 4,000 women in B.C. but when you have the entire numbers across Canada it’s very concerning. And because I saw those numbers, I started to read about what exists around the world. And one that
really “Huh?” It was the Philadelphia model. Is it something that you think Canada should have also or something similar to that?

**MS. HILLA KERNER:** So the principle of the Philadelphia model are very much worth following but, unfortunately, it’s not a good enough model because even though the women in Philadelphia got access and input about files and investigations, they did not increase charges.

And of course we want victims to be treated better with more respect, but at the end of the day when women going to the police, they want the man who raped them to be held accountable, so that will be the test of genuine transformation and improvement of police work. There are a lot of good principles to import from Philadelphia but they raise the bar not high enough. We want to see also more men being held accountable.

**COMMISSIONER MICHÈLE AUDETTE:** Do you have, like, in your final submission very clear recommendation of how we can achieve that?

**MS. HILLA KERNER:** Yes.

**COMMISSIONER MICHÈLE AUDETTE:** Okay.

**MS. HILLA KERNER:** We’re going to submit a written submission with some concrete steps. And a few times they said, “Research show; research show,” all those
research will be in our written submissions.

**COMMISSIONER MICHÈLE AUDETTE:** Merci beaucoup. Merci beaucoup. And we have here the youngest Commissioner. Maybe she has a question to you.

The two of them are young, you know.

(LAUGHTER/RIRES)

**COMMISSIONER MICHÈLE AUDETTE:** I hate that.

And they’re cute. I hate that.

You too, Bryan.

**COMMISSIONER QAJAQ ROBINSON:** She was definitely paying attention.

I guess to build on a couple of Michèle’s questions, in relation to unfounded -- the stats on cases that are deemed unfounded. And I know different criminal law and legal -- lawyers’ organizations have looked at just the adversarial criminal law system, the burden of proof within it, being just fundamentally flawed. And there's been some discussion about looking at perhaps the civil model more where the burden of proof is different.

Having prosecuted sex assault cases, particularly those involving children, I appreciate the difficulty of the burden of proof beyond a reasonable doubt. So I’m wondering if you have thoughts on an alternative model to the criminal justice system.

**MS. HILLA KERNER:** So surely there are
benefits for civil process that is funded by the state where women can take men to court, to civil court. But I think that we should be very careful for allowing the state and the criminal justice system to get away with not doing their job.

We have few cases where but existing we had diligent police officers who conducted really thorough investigations, really motivated Crowns, and we’ve seen convictions in court.

A woman I worked with who was raped seven years ago and went to the police two years ago, and we just had the trial. She got a conviction. Three sisters from Williams Lake who went to the police in 2011, the police only recommended charges in 2013; pre-trial, 2015; trial in 2017. Finally we got conviction. But those convictions were possible because of really committed police officers, Crown, and informed judges.

So we have few examples that prove to us that police, Crown, and judges can do better. And where there is a will, there is a way.

COMMISSIONER QAJAQ ROBINSON: So no (off mic) ---

MS. HILLA KERNER: No.

COMMISSIONER QAJAQ ROBINSON: --- (off mic).
MS. HILLA KERNER: Just force it. Force it through, transparency and accountability to do better by women.

COMMISSIONER QAJAQ ROBINSON: Thank you.

One final question. You spoke about the road to sexual exploitation and human trafficking and you had identified a number of factors. Mikenzie also identified some factors that we’ve heard from other witnesses that I think are part of the pavement for that road, and that being denial of cultural rights and the denial of sufficient, adequate services, particularly in northern regions.

Would that be something you’d agree that those are part of the path that are paved towards sexual exploitation?

MS. HILLA KERNER: Absolutely, absolutely. Autonomy and safety and security; genuine services that provide women protection and real means to leave will protect women from prostitution, from trafficking, from being exploited by abusive men, absolutely.

And I think this Inquiry did a great service to Canadian by exposing the terrible plight of the women of the north, and there has just been so much need that immediate, immediate reforms and services need to be happening right now. There is no time to wait.
COMMISSIONER QAJAQ ROBINSON: Thank you.
And I also want to thank Mikenzie and you, Hilla, for
asking the tough questions during the hearings. I know
the nerves that were playing, not being lawyers, you
always said, “I’m not sure what the rules are, how to ask
the question, I’m not a lawyer.” But you brought your
knowledge and your wisdom and your heart into this.
(APPLAUSE/APPLAUDISSEMENTS)

COMMISSIONER QAJAQ ROBINSON: And we needed
that. Canada needed that. And we needed it to make sure
this wasn’t just another legal process.

So I raise my hands to you both and express
my gratitude for helping to bring out truth that we all
needed to hear, and I say that on the behalf of my
colleagues and this little one, too.

Thank you.

MS. CHRISTA BIG CANOE: And, sorry,
Commissioners, if I might? I just would like to ask Ms.
Kerner or Ms. Jordan one clarifying question.

You had provided us a document?

UNIDENTIFIED SPEAKER: (off mic)

(inaudible)

MS. CHRISTA BIG CANOE: Okay. I just
wanted to make sure that we hadn’t missed something,
putting something on the record.
MS. HILLA KERNER: Okay, you saw me at midnight, still writing, so...

MS. CHRISTA BIG CANOE: Yeah.

MS. HILLA KERNER: But we will provide 40 pages of our recommendation. I might left a draft somewhere in some room but ---

MS. CHRISTA BIG CANOE: Okay.

MS. HILLA KERNER: --- not formal submission.

(LAUGHTER/RIRES)

MS. CHRISTA BIG CANOE: Thank you for clarifying.

COMMISSIONER QAJAQ ROBINSON: (off mic) submissions, or are we filing it today? Is this the question?

MS. CHRISTA BIG CANOE: No, no. And that’s what I want to clarify ---

COMMISSIONER QAJAQ ROBINSON: Okay.

MS. CHRISTA BIG CANOE: --- with counsel, and so there will be nothing filed on today. But that did actually remind me that we did not file the slide presentation from the First Nation Health Council, and so I would request that we please put that presentation into exhibit.

COMMISSIONER ROBINSON: That will be -- the
PowerPoint presentation by the First Nations Health Council will be Exhibit 4 in these hearings. Correct, 4.

---EXHIBIT 4:---


Submitted by: Chief Charlene Belleau, Representative for First Nations Health Council

MS. CHRISTA BIG CANOE: Thank you.

And with that bit of housekeeping done, I kindly request that we take a 20-minute break and return back here at 1:40.

--- Upon recessing at 1:20 p.m.

--- Upon resuming at 1:45 p.m.

COMMISSIONER ROBINSON: Hi. I’d just like to ask everybody to take a seat. I believe the next party is almost ready to begin.

MS. CHRISTA BIG CANOE: Thank you,

Commissioners. Next, Commission counsel will be inviting the Downtown Eastside Women’s Centre. First speaking will be Reta Blind and then Carol Martin will be speaking as well.

MS. RETA BLIND: (Speaking in native
language) I would like to give thanks for me being here and having the privilege to say a few words.

First of all, I’d like to thank the Treaty 7, and the Blackfoot, and the Métis, and also the sacred people that come and pray for us here. My name is Reta Blind, Kinach (Phonetic). I’m from Saskatchewan and I will let my -- one of my leaders here to take over. I just wanted to introduce -- I mean, I just wanted to give thanks, you know, for being here.

Thank you.

--- SUBMISSIONS BY MS. CAROL MARTIN

MS. CAROL MARTIN: Hello, my name is Carol Martin. I’m from the Downtown Eastside Women’s Centre. And the women behind me who will be also getting up and reading out some of the recommendations are Louisa Starr, Veronica -- oh no, not Veronica. Theresa, Tia Maria Perrault, Elaine Durocher, Marlene Jack, Janice Brown, Sophia Merasty, Robyn Raweater, and Priscilla Tait.

I’m really happy to be here and honoured to be here. I have gotten up and spoken before. The Downtown Eastside Women’s Centre, as you know, is located in the heart of the Vancouver downtown eastside since 1978. The women’s center provides and supports -- oh sorry. Let me rethink that again.

UNIDENTIFIED SPEAKER: Do you want some
water?

**MS. CAROL MARTIN:** Yes, please. I don’t know why I feel really nervous today, but I’m just going to breathe.

Since 1978 the women’s center has provided support to women and children through a drop in and low-barrier emergency night shelter for self identified women who are homeless, at risk of homeless, or at risk of violence. The women’s centre provides basic necessities such as hot meals, laundry, phone -- access to phone, which is set up as long distance for women so that they can make long-distance calls to their families and loved ones. A safe place to take a shower. We have legal advocacy as well as long-term skills development and political advancement.

As you can see behind me, the women have found their voices and they’re able to come through and be part of this. I’m really happy to be part of that.

We also have an Elder’s council, a healing circle, and a social justice group. DEWC has been named by 54 percent of the women in the downtown eastside as a safe place to be. When you think about that, there are about 250 service providers in the downtown eastside and there are only three women only spaces. So 70 percent of the women who access the DEWC identify as Indigenous
women.

As a result, DEWC is a space that has a vast majority of missing and murdered Indigenous women who used to access the women’s centre as far back at 1980. I get really emotional about this because I know a lot of the women who are there, and I worked at the old women’s centre.

Indigenous women and girls in Canada have been murdered or gone missing at a rate of four times higher than the rate of representation of Indigenous women in the population in Canada. I’m praying for guidance as I read this because it’s difficult, because I’m right in the middle of it all, you know? And so many of the women have died and so many in the last two years.

When they weren’t dying and going missing, you know, we were left with so many unspoken and unanswered questions and now in the last two years the fentanyl crisis has taken so many lives down there. So they’re just -- they’re familiar faces that we used to see coming into the women’s centre are now on our memorial table. I hold them very close to my heart.

The gruesome murder -- this -- we started the Feb 14 memorial march in 1992 to honour a woman who lost her life in the downtown eastside. And I’m sure that there were a lot of lost lives way before that, but it was
just how this young girl -- how she was found. And the community pulled together and formed the Feb 14 memorial march.

And you know, and we still have women who have disappeared who have been members of the DEWC, such as Lise Arlene Francis, Angeline Peat, Ashley Machiskinic, and Bruna Simard. And there are more other women who were part of our membership who have died over the years. I find this really difficult to do because it’s heartbreaking.

Understanding the causes of institutional responses to violence against Indigenous women in the downtown eastside requires disrupting the pattern of talking about Indigenous women from the downtown eastside without their expertise and leadership. DEWC’s submission to the National Inquiry on Missing and Murdered Indigenous Women and Girls use a -- English words -- participatory approach where Indigenous women in the downtown eastside are treated as experts of their lives.

I need to reread that again. Okay.

Indigenous women in the downtown eastside require disrupting the pattern of talking about Indigenous women in the downtown eastside without their expertise and leadership. DEWC’s submission to the National Inquiry on Missing and Murdered Indigenous Women and Girls use a
participatory approach, where Indigenous women in the
downtown eastside are treated as experts of their own
lives. Our full submission and 195 recommendations are
based on direct collaboration and input from 112
Indigenous women and in-depth narratives from 30
Indigenous women. Indigenous women in the Downtown
Eastside are stigmatized for high -- high-risk lifestyle
and blamed for violence committed against them when, in
fact, colonial poverty and patriarchy are -- patriarchy
are the highest risk factors in -- in the Indigenous
women’s lives. I don’t know why this is so hard for me to
do. Probably because I’m reading from a transcript. I’m
usually talking from my heart.

I understand a lot of what has contributed
to our Indigenous women, and we talk about, you know,
Indigenous women’s poverty in the Downtown Eastside as one
of the main factors magnifying vulnerability to abusive
relationships, sexual assault, child apprehension,
exploitation, work conditions on safe housing, food
insecurity, poor health, and social isolation. We also
talked about the social assistance and disability benefits
in the -- in the B.C. where it’s very low. And what the --
the increase of rent and how women are having to make
decisions about rent or food. And those are very
difficult choices that people -- that women need to --
it’s a part of their life.

For Indigenous women who are seeking work, the primary barriers is discrimination by employers. In the Downtown Eastside, as you know, a lot of the women have to work or do volunteer work to try and supplement what their -- the -- the meager little amount of money that the government dishes out to them. And, as you know, in Vancouver, the highest rate of rent takes a lot of their money and their food money, so it doesn’t leave them with a lot -- lot of -- lot -- it doesn’t leave with -- them with a lot to live on.

So when you talk about in-force poverty, that means that First Nations women, in particular, are the first to suffer. There’s a lack of housing with the rates of the rental so high that women can’t afford it. In a survey that was done in -- in the Downtown Eastside Women’s Centre, a quarter of the women reported feeling unsafe in -- in their place of residence. As you know, a lot of the women who -- who are living in SROs, so they couldn’t even go to the bathroom without feeling that, you know, their lives were at risk, or going to the washroom, or being able to take a shower, or -- housing is a -- there is a crisis going on in the Vancouver area.

It seems like every woman who comes into
the Women’s Centre have had interaction with the Ministry due to their children being taken away. And I think a high part of that place on -- living in poverty-stricken areas, housing -- poor -- poor housing, not enough money to get food. The different -- the connection between child welfare system and violence against Indigenous -- Indigenous is stark. Indigenous women in B.C. childcare - - child welfare system are four times likely to be victims of sexual violence than non-Indigenous girls. So over 60 percent of child and youth who report sexual violence in government care are -- are Indigenous girls.

I’m sure what your hearing echoes all across Canada in, you know, in the similarities that First Nations women and girls are having to deal with. And downtown in -- in the Downtown Eastside, it seems to be -- there’s a huge stigma on how they deal with the women from the Downtown Eastside, in having to deal with violence and poverty.

And another barrier to ending violence against Indigenous women and girls is the failure of the entire criminal justice system. To take violence against Indigenous women seriously. So many women enter the criminal justice system because of their experience as survivors of violence. And then, as reported in the final
report of the Missing Women’s -- I’m not reading it all
because I’m trying -- I’m aware of time and I have a lot
of women who want to share. The Vancouver Police
Department failed to prevent and protect Indigenous women
from violence and failed to diligently investigate
violence when it occur.

Indigenous women and girls are not only
denied support from the police, Indigenous women are also
subjected to police harassment and brutality. Once women
are arrested, they are most likely to be charged, held in
pre-trial detention, racked up -- with racked up further
charges from violations, where they have to plead guilty
and sentenced to prison. Discrimination against
Indigenous women in the prison system is a serious of
compounding discrimination, where the Indigenous women are
severely disproportionate (phonetic) -- oh, this English
word.

UNIDENTIFIED SPEAKER: Disproportionate.

MS. CAROL MARTIN: Disproportionately -- my
grandfather used to speak only his language to me when I
was a little girl, so -- where were -- where was I? Stop
the clock. No, just kidding.

(LAUGHTER)

MS. CAROL MARTIN: Indigenous women served
as disproportionately more of their sentence behind bars
before a first release. We can go on and on about all
this stuff here, you know, but I -- you guys will get a
report of this. And you -- I did send that in. I’m just
trying to scan this.

Indigenous women health in the Downtown
Eastside is inseparable from the intergenerational trauma
of colonization, overlapping the specific health
challenges that are concentrated in the Downtown Eastside.
And I’m going to say this, and I’ve said it before, that
Downtown Eastside seems to be, like, this -- it’s like a
lab set-up for many different diseases. And cancer is on
the rise. It was on the rise with women. It is on the
rise with men now. Different forms of diseases that women
are -- health issues that our women are constantly having
to deal with.

Indigenous women -- we are the Indigenous
women from the Downtown Eastside. So in conclusion,
Indigenous women’s overrepresentation in statistic on
poverty, homelessness, child apprehension, police checks,
incarceration, opioid overdose -- over -- opioid overdose
fatalities, and health inequities is connected to the --
oh, here I go again, disproportionate (phonetic) --

UNIDENTIFIED SPEAKER: Disproportionate.

MS. CAROL MARTIN: -- violence. Can you
say that for me?
UNIDENTIFIED SPEAKER: Disproportionate.

MS. CAROL MARTIN: Violence that Indigenous women face. I don’t know why. I’ve been in this English world for 58 years. I’m still having trouble saying their English words.

(LAUGHTER)

MS. CAROL MARTIN: Settler colonial state practice. See, I -- it doesn’t work with me reading off something. I can say it from my heart, like, you know. I’ve lived -- I worked in that for 30 years, you know. This is a good one. Settler colonial state practices target Indigenous women for removal from an Indigenous land, tear Indigenous children from their families, and force impoverishment and create the conditions for Indigenous people de-humanization.

So our recommendations are based on women’s leadership, lived experience, and expert use -- sounds like me now. Lived experience and expertise of our membership, who struggle and survive in the Downtown Eastside. They struggle and survive in the Downtown Eastside. So we had, like, 105 or more membership from the community who contributed to this final submission. These are words from the women from downtown. And developed the nine -- a 195 recommendation in this report. So it’ll look -- at the end, it’ll include all those who
contributed and where they’re from.

So over a period of three months and a hundred -- hundreds of hours, it felt like that too, Indigenous women peer facilitator, who we brought here, we hired them to run the groups, so because, you know, they’ve survived so much. They’re survivors of violence. Many are a family members, including families of the heart, missing and murdered Indigenous women and girls of -- from the -- they’re families of the heart, and they’re also family members from missing and murdered Indigenous women and girls. We also have gathered from 15 women who were families of the heart, of -- like, from the Downtown Eastside, who knew the women and, you know, knew their stories, or women who had overdosed and died in the Downtown Eastside.

So the recommendations are based on three core principles. Violence against Indigenous women and girls is a violence of inherent constitutional and internationally protected Indigenous rights. Implementation of the United -- United Nations Declaration ...on the rights of indigenous people at all levels of government. Assertion of indigenous title over lands and jurisdictions over law making and restoration of collective indigenous women’s rights and governance is the only meaningful way to end violence against indigenous
women.

Number 3, increased state enforcement alone cannot eliminate violence against indigenous women and girls because structural violence is connected to individual acts of male violence. A comprehensive plan to end violence against indigenous women must address socio-economic factors, including equitable access and self-determination over land, culture, language, housing, childcare, income security, employment, education and physical, mental and spiritual health.

Indigenous women in the Downtown East Side are not silent victims or stereotypes. Indigenous women and girls in the Downtown East Side come from diverse nations and families and have unique stories and dreams. This is all from the women from downtown. Indigenous women in the Downtown East Side are all leaders who contribute countless hours to the community and will never -- I repeat -- we will never stop fighting. Any policy, services and solutions must be based on Indigenous Women’s Collective input and leadership. Remember this: we are red women rising.

So the first woman who will be coming up will be Sophia. This is Sophia Merasty.

**MS. SOPHIA MERASTY:** These are the
recommendations to end violence against indigenous women in the Downtown East Side.

One, adopt a national-level integrated action plan to eliminate violence against indigenous women and girls that incorporates the specific needs of extremely marginalized communities like the Downtown East Side.


Establish a national database on murdered and missing indigenous women with accurate data collection on rates of violence against indigenous women and girls.

Prioritize a public education campaign in schools, transit systems, media outlets and community centres on indigenous rights and systemic racism that amplifies indigenous women’s voices.

Immediately establish a bus transportation system between each town and city located along the entire length of Highway 16, with a number of safe homes and emergency phone booths along the length of the highway.
Ensure adequate human, technical and financial resources allocated for implementation, monitoring and assessment of such a plan.

All policies at all levels of government impacting indigenous women must meet the requirements set out in the United Nations Declaration on the Rights of Indigenous People. This includes full implementation of indigenous jurisdiction over indigenous lands, justice systems and all areas of law making.

Strengthen and support solutions that restore the roles of indigenous women, girls and two-spirited people as title holders of their lands, traditional knowledge keepers, sacred life givers and matriarchs within extended kinship networks.

All levels of Canadian government, national, Aboriginal organizations and non-profit agencies must ensure the active leadership of indigenous women in the design, implementation and review of programs and policies that are directed to increase the safety of indigenous women.

Remove discrimination from the Indian Act by making women and men equal in the ability to pass on status, repair situations where discrimination against women has disadvantaged those claiming status through the mother’s line, and remove the two-parent rule for
transmitting status and the 6:2 cut-off that withholds status from the children of many women who are unable or unwilling to provide the father’s name.

This is on antiviolence services in the Downtown East Side. At least one multipurpose indigenous women’s centre in the Downtown East Side that is run by and for indigenous women with long-term funding and wraparound supports, including healing support, communal kitchen, childcare facility, Elder accompaniment, artisan training and vending and 24/7 educational, cultural, recreational and empowerment based programming to bring indigenous women together collectively. This would also serve as a single point of access for indigenous women in the Downtown East Side to connect to integrated services.

Fund more 24/7 low-barrier emergency shelters, transition homes and drop-ins for women with long-term funding and full wraparound supports, including culturally, centred in holistic victim services, healing supports, counselling, legal assistance, programming and recreational activities for indigenous survivors of violence.

Fund an indigenous street intervention team that is staffed with counsellors and emergency services and available 24/7 for indigenous women in the Downtown East Side.
And there’s more, but you’ll get a written submission. Thank you.

**MS. MARLENE JACK:** Hi. My name is Marlene Jack. I’m just going to read recommendations to end indigenous women’s displacement from land.

All levels of Canadian government must fully implement the United Nations Declaration on the Rights of Indigenous People and apply its principles, norms and standards, including the right of self-determination and the right to exercise free, prior and informed consent.

Change federal, provincial and municipal policies to uphold Aboriginal title on indigenous jurisdiction over all areas of law making that impact on-reserve and off-reserve nations.

All levels of government must respect and honour historic treaty relationships. All Canadian and Aboriginal governments must ensure that indigenous women are engaged fully and have equitable access to decision making on issues of governance, land, culture, language, housing, childcare, income security, employment, education, health and other areas impacting indigenous women.

Compensation for the disenfranchisement and lack of protections for women and their descendants as a
result of the discriminatory Indian Act and matrimonial real property laws.

Safe, affordable and living housing for every indigenous woman on reserve that is independent of her matrimonial status.

Affordable childcare and licensed daycare options on every reserve.

Cultural sensitivity training for all first responders such as police, healthcare professionals and social workers who directly assist indigenous survivors of violence on reserve.

Implementation of overarching substantive federal legislation to protect the rights of women and children living on reserve in the interim, until First Nation communities can develop their own laws to replace matrimonial property laws. This legislation should include opt-out clauses.

The rest is in the report. Thank you.

**MS. TIA MARIA PERRAULT:** I’m Tia Maria.

Recommendations for indigenous women’s economic security in the Downtown East Side.

Number one, implementing a United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission’s 94 calls to action.

Number two, implement a human rights,
indigenous rights and gender-based analysis in the consumption and implementation of all poverty reduction strategies, policies legislation, and decision-making.

Number 3, all levels of government must coordinate an Indigenous-specific poverty reduction plan within a de-colonizing lens complete with specific goals, targets, timelines, and accountabilities.

Number 4, I'll slow down. Increase the federal Old Age Security, the Guaranteed Income Supplement, Canadian Pension Plan, and B.C. Senior Supplement.

Number 5, provide all residential school survivors with an annual guaranteed livable income.

Number 6, we support existing recommendations from the B.C. Poverty Reduction Coalition for a whole of government poverty reduction strategy. And there's three subtitles. There's a Provincial Income Assistance, I'll read some.

Seven (7), increase income and disability rates to the market base measure.

Eight (8), provide grandparents raising grandchildren and all kinship care providers with incomes and benefits comparable to foster parents. This includes a living wage and a full access to childcare --

(APPLAUSE/APPLAUDISSMENTS)
Ms. Tia Maria Perrault: -- right clap --

respite support.

Nine (9), eliminate barriers to accessing income and disability assistance by reducing unnecessary eligibility criteria and simplifying the application process.

Number 10, restructure the Ministry of Social Development and Poverty Reduction.

Eleven (11), end claw backs on income and disability assistance.

Twelve (12), increase earnings exemptions for those on provincial income and disability assistance. And any claw backs must be incrementally tied to income.

Twelve (12) [sic]. Okay. A few more.

Raise all asset limitations for those on income assistance Fourteen (14), amend income and disability.

Well -- and the other subtitles are going to be in the submitted report. They include universal public services, because we want our security, and legislative protections.

Thank you for your attention.

Ms. Priscilla Tait: (Speaking Indigenous language). I am Priscilla, a devoted Gitxsan Wet'suwet'en mother. Just -- I'll do the same thing, just summarize.

Recommendation for safe and affordable
housing in the Downtown East Side for Indigenous women. I co-facilitated twice in an evening, and what really got to me is when I met an Aboriginal woman with her suitcase, and she was homeless and she cannot leave her belongings at the shelter because she has to bring them with her at all times.

And the other night, I met another Aboriginal lady, who has a room in a SRO, which is a single room occupancy, and she felt that a shelter was more safer than the SRO because of the violence that occurs and the drug use.

And it's all in the package. And I think what the women want is housing, which is a human right across Canada, especially for Indigenous women.

In Vancouver, especially because of the high rent, and now that -- the Vancouver Native Housing Society and Lu'ma Native Housing Society are now taking over B.C. housing, and they are now allowing non-Aboriginal families to move in. And I'm just 1 of 5 because there is so many of our people homeless.

So the rest are in the package. And marsi.

(APPLAUSE/APPLAUDISSEMENTS)

MS. JANICE BROWN: Hi. My name is Janice Brown. I'm Haida Tsimshian. Recommendations to keep Indigenous families together in the Downtown East Side.
Implementation of federal Indigenous child welfare legislation with full funding to ensure that Indigenous
nations resume sole jurisdiction and not simply service
delivery over child welfare for child members of the
nation who are on reserve and off reserve. This is in
accordance with the United Declaration on the Rights of
Indigenous People.

In full partnership with First Nations,
Indigenous and Northern Affairs Canada must immediately
fully redress the inequities and the structural problems
of funding for First Nations children. Support other
funding and policy options proposed by First Nations for a
First Nations' child and family services. Ensure that
formal compliance and reporting program be established,
specifically for a First Nations' child and families
services program.

We applaud the work of Dr. Cindy Blackstock
and the the First Nations Child and Family Caring Society,
and call on all federal government to comply with the
legality binding Order of the Canadian Human Rights
Tribunal to immediately and fully apply Jordan's Principle
to all First Nations children living on and off reserve,
apply Jordan's Principle based on the need of the child
and not limited to a normative standard of care; ensure
that administrative delays do not delay service provision
to respond to most cases within 48-hours.

In order to redress the legacy of the residential school and advance the progress of genuine reconciliation, we reiterate the Truth and Reconciliation Commission's Call To Action on child welfare recommendations, Indigenous resilience, connectedness, and reunification from root causes to root solutions by a special advisor, Grand Chief Ed John, and recommendations in calling forth our future options for exercise of Indigenous people's authority in child welfare by the Union of B.C. Indian Chiefs.

Ending child apprehensions. Establish normal standards of child apprehensions and custody cases and includes principles that affirm the right of Aboriginal governments to establish and maintain their own child welfare agencies; require all welfare agencies and courts to take the residential school legacy into account in their decision-making; establish as an important priority and requirement that placements of Indigenous children into temporary and permanent care be culturally appropriate.

And the rest is in the written submission.

(APPLAUSE/APPLAUDISSEMENTS)

MS. ROBIN RAWEATER: Okay. My name is Robin Raweater. I grew up in Vancouver, B.C. I am
honoured to be here on my traditional territory.

I am here on the Downtown East Centre speaking on behalf of the child welfare system. I have a few recommendations that I would like to put forward to you guys.

Number 1, decision-makers, caregivers, and social workers must be held accountable when children experience abuse in the foster care system.

(APPLAUSE/APPLAUDISSMENTS)

MS. ROBIN RAWEATER:  Number 2, children under the age of 12 should not be in a group home setting. Number 3, there should be no locks on fridges in foster homes. When they are locked, they are holding food against the children.

Number 4, children are placed in foster -- when children are placed in foster care, they do not receive the love and the emotional care that children need. When children are with family members and/or community members, they will get the love and the nurture that they need and want.

Number 5, children should be given a voice and should have their voice heard. Children in care should know the process that they are going through. They should not be kept in the dark and not know what is happening to them.
Number 6, children in foster care should be able to live with whom they choose.

Number 7, we need to have a model in place, the Circle of the Child, where children receive the unique need and strength that they -- are exclusive to the child without the workers ripping the children away from their parents.

Number 8, children need to be given legal representation when they are in foster care. They need a personal lawyer.

Number 9, we need and want a national inquiry for Aboriginal children in foster care that are dying and are being abused. Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CAROL MARTIN: The last two recommendations we won't have time to read parts of it, but it is part of the packets that Myrna will be handing to you. And I think we've sent you guys a copy of it.

So I want to call up one of our Elders, Louisa Starr. She's - volunteers in the Downtown Eastside. Feeds women in the Downtown Eastside, does workshops, beadings, she does all -- she takes care of us.

(LAUGHTER/RIRES)

MS. LOUISA STARR: Good afternoon, everyone. My name is Louisa Starr and I am here today to
To honour my sisters -- where am I?

**MS. CAROL MARTIN:** You’re in Calgary.

(LAUGHTER/RIRES)

**MS. CAROL MARTIN:** My sisters and special coordinator.

**MS. LOUISA STARR:** And especially to our coordinator Hersa(Ph) P-O-W. I’m from Kitasoo Nation and I have been living in Vancouver for 43 years. Since I survived that for 30 years on my own will-power I have seen a lot what has been happening with --

**MS. CAROL MARTIN:** With First Nations.

**MS. LOUISA STARR:** -- with First Nations.

**MS. CAROL MARTIN:** And how they’re being treated.

**MS. LOUISA STARR:** And how they’re being treated. Why do the police treat our people so bad? They push them off the street, out of parks. White people on the streets setup their tents when our people being pushed through.

**MS. CAROL MARTIN:** Okay. That was a question she wanted to ask. Where are our people being pushed to when they’re being targeted on the streets or pushed out of parks? They’re homeless, they have no home to go to, they can’t go back to the reserves, so where are
they being pushed to? What are we gonna -- what can be
done about it?

Oh, I’m sorry.

**MS. ELAINE DUROCHER:** Hi, everybody. I
didn’t realize how time flies. My name is Elaine
Durocher. I’m a Métis from Saskatchewan. I resided in
Vancouver for the last 40 years.

I’m going to do -- there’s four subtitles
and one of them I’m just going to say: “Recommendations to
end criminalization of Indigenous women in the downtown
east side”.

All levels of government must recognize the
inherited and constitutionally protected right of
Indigenous people to establish and control Indigenous
justice systems.

All levels of government must also fund and
establish of -- Indigenous law institutes to support the
restoration and advancement of Indigenous legal systems.

I’m just going to go to the next; policing.

In our -- in other -- oh my words.

(LAUGHTER/RIRES)

**MS. ELAINE DUROCHER:** I can’t even read
this. Anyways, I’m going to just keep on -- my heart -- I
wish I could speak from my heart and I think I’m just
going to.
MS. CAROL MARTIN: Yeah.

MS. ELAINE DUROCHER: I’ve lived enough in the downtown east side to know that Native people are treated worse than other -- oh, my heart. My heart. Hang on.

I just want people to understand that we need -- we have a right to live. Our rights to human -- to homes, to food, to proper clothing, for our children to be taken care of when in care. My passion is that the government will just help us Native people.

We’re not the ones laying on the beach slathering ourselves with sunscreen to look my colour, so something’s gotta be good about us. You guys want to be spiritual and know how to smudge, how to handle our sweet grass, and I think that if it’s so good that you’re going to tan to look like us and you want to learn about our medicines and our -- I think that maybe you should put as at the top of the ladder.

(APPLAUSE/APPLAUDISSEMENTS)

MS. ELAINE DUROCHER: And I don’t know -- and I also -- thanks. And I also don’t know why you call us First Nations if we’re always last in line. That is my late cousin Edna Brass’ saying.

(LAUGHTER/RIRES)

MS. ELAINE DUROCHER: So I just want you to
know that. And I want to raise my hands to all of you Commissioners and everybody for listening to us and I love yous, all my relations.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CAROL MARTIN: I just want to -- just to remind people about who we are as First Nations women and I’m going to call -- I want Canada to pay really close attention, because we are red women rising. We have found our voices. We’ve created a platform that is stable enough to hold us.

So I want to call up Reta Blind. She’s Cree from Saskatchewan; Louisa Starr from Kitasoo; Veronica Butler, a Nishnawbe from Ontario; Tia Maria from Garden River, a Nishnawbe; Mirna Kramer(Ph) who’s being shy in the corner over there; Elaine Durocher, Métis from Saskatchewan; Marlene Jack from Cheslatta Carrier; Janice Brown, Haida Gwaii; Sophie Merasty from ---


MS. CAROL MARTIN: Sorry, can you come say that, please? I’m sorry. I’m ---

MS. SOPHIE MERASTY: I’m from Treaty 10, Denesuline and Cree.

MS. CAROL MARTIN: Robin Raweater, Blackfoot, Siksika. That’s -- in Native I kind of have a
hard time. And Priscillia Tait, Gitskan and Wet’suwet’en.

Canada, I want you to pay attention to these women. They are First Nations women. They are mothers, grandmothers, daughters, sisters, aunties, nieces. We belong somewhere.

We have a mason. We have a house clan. We are connected to uncles and brothers, sisters, relatives. And I want all the Native women to rise, because Canada has done so much damage to our image as First Nations women. We want them to correct it. We -- this smear campaign against our First Nation women has to stop.

These are our First Nations women of Canada. This occupied land they call Canada. We have names. I want everybody to yell out your names because I want Canada to remember we are human beings. We have a name. We are from somewhere. We have family, we have children, we have grandmothers, we are family. Do not sit down. I want you to all say your name.

(LAUGHTER/RIRES)

**MS. CAROL MARTIN:** And Canada needs to pay attention to us, because we are human beings. We are individuals. We like cooking, we like eating, we like our men. We love our men, we love our land.

(LAUGHTER/RIRES)

**MS. CAROL MARTIN:** We’re connected to the
land. We have so many things about us and who we are and
the media has to watch how they portray us in the
communities.

You know, even Hollywood. Hollywood get
out of our cities, because you know what? Our lives
matter. We’re not Hollywood stars. We are human beings.

We are First Nations women. We come from
all across Turtle Island and that’s how I want to be
presented. We are not prostitutes. I don’t want to be --
us to be labelled as that. We are -- I am First Nations.
My name is Carol Martin. I am Gitanyow-Nisgaa. My father
is -- comes from Alaska. I have family. This is my
family of the heart and I want you all to say your name as
loud as you can because this is who we are Canada. One,
two, three. Carol Martin!

(AUDIENCE YELLS)

UNKNOWN: Now women (inaudible) warrior
song. Everybody, go. Here we go.

(SINGING)

MS. CAROL MARTIN: So, the attitude and the
beliefs has to change effective today. Now. How you talk
to us, how you respect us, how you honour us, how you
protect us. We all took an oath to end violence.

MS. CHRISTA BIG CANOE: Thank you, Carol.
Carol, actually, if you could maybe wait one moment? The
Commissioners may have questions. But, if I can just clarify, you’ve referred throughout your presentation about a package that is before the Commissioners. Can we please put that as an exhibit on the record?

**MS. CAROL MARTIN:** Okay. It’s going around.

**MS. CHRISTA BIG CANOE:** Can we make sure that that gets put right on the record so other people can see it? Wonderful. I kindly ask the Commissioners if we could please exhibit the Downtown Eastside Women’s Centre Executive Summary and Recommendations for the Downtown Eastside Women’s Centre?

**COMMISSIONER QAJAQ ROBINSON:** We received two documents. One was a, I think, three-page executive summary, and then a second one was an executive summary with the recommendations. Are we just going to file the comprehensive 40-page one?

**MS. CHRISTA BIG CANOE:** Yes, please.

**COMMISSIONER QAJAQ ROBINSON:** Okay.

**MS. CHRISTA BIG CANOE:** The comprehensive, and yes, it’s 44 pages.

**COMMISSIONER QAJAQ ROBINSON:** Okay.

**MS. CHRISTA BIG CANOE:** It includes the list of the women who contributed to the recommendations.

**COMMISSIONER QAJAQ ROBINSON:** Perfect. So,
for the record, the executive summary and recommendations
for the Downtown Eastside Women’s Centre presented here
today is filed as Exhibit 5. Thank you.

---EXHIBIT 5: “Executive summary & Recommendations
for the Downtown Eastside Women’s
Centre” (45 pages)
Submitted by: Carol Martin,
Representative for Downtown Eastside
Women’s Centre

COMMISSIONER QAJAQ ROBINSON: I don’t have
any questions. I was happy to put our time to finish
hearing from you and to hear that song. It woke her up.
I hope it woke up Canada.

I want to thank you all very much for the
teachings you’ve provided us today, but also along this
journey. We’ve met before, and I am grateful for what
you’ve taught me and what you’ve taught all of us. And, I
know that when people weren’t listening, you were looking
in dark alleys. You were looking in dumpsters. You were
doing what others wouldn’t. You were doing and believing
what others wouldn’t, and I want to raise my hands to you
and acknowledge that.

You and many other women that we’ve met in
Vancouver, in B.C. and across this country. And, Reta and
Louise, what you’ve done as well as elders to your
community, transferring and sharing teachings throughout
when others tried to deny your ability to do that. That
has been powerful even for me to receive, and I want to
acknowledge that and thank you. Thank you.

**COMMISSIONER BRIAN EYOLFSON:** I also would
like to just take a moment to thank each and every one of
you for this beautiful presentation this afternoon. The
document that you referred to with all the recommendations
was in front of it, and I had been reviewing it last night
and this morning. And, Carol, I think you said there were
something like 112 women that contributed, you know, and I
imagine a lot of these women have so many other things
they’re dealing with in their lives. Yet, they took the
time to contribute to this document and it’s, you know,
195 recommendations. So, I just want to thank you for
that, all of the women for that beautiful gift of sharing
that, not just with us but with everyone. So, thank you.
Chi migwetch.

**MS. CAROL MARTIN:** I want to thank the
National Inquiry for the opportunity for the women from
the Downtown Eastside to put their voices forward. It was
on behalf of you and what you offered us. Thank you.
Can I just say two things or a couple of
things?

**MS. CHRISTA BIG CANOE:** Sorry ---
MS. CAROL MARTIN: We have incredible, grassroots women from the Elders Council and from our community. When we almost lost the Women’s Centre, we were the ones that took over the Women’s Centre and we saved the Women’s Centre, and that’s why it’s still existing to this day. And, when our women were dying and going missing, and they couldn’t get into shelters because of stigmatization and stereotypes, we, again, took over the Women’s Centre and now we have a shelter. Now they’re just building it. Now it’s going to become -- they’re renovating and it’s going to become a 24/7.

And, again, when the police -- a lot of inaction from the police from the Feb. 14 memorial march and the First Nations women from the community, we tried to take over the police station, but then we got this thing called Sister Watch where we sit at the table with the Chief of Police.

So, you know when Indigenous women rise, I say “watch out”. We can do things where we don’t have to rely on being told what to do. We have to move outside that box. Like I say, we work as a circle, the Circle of Life. The white system works within the square system. We can’t fit into that. So, we can make a difference. So, give yourself a hand.

MS. CHRISTA BIG CANOE: Thank you, Carol.
**MS. CAROL MARTIN:** Thank you.

**MS. CHRISTA BIG CANOE:** Thank you, Carol.

If everyone can just patiently wait? Thank you. And, you guys, you are free to please sit down. I’m going to call up the next party, thanks, because we have another party that will be making submissions today, but I’m going to ask everyone just to be patient for about two minutes while we set up the space for the next party to come up, and then I will be inviting Mr. Darrin Blain on behalf of Awo Taan Healing Lodge Society here in Calgary. So, just bear with us for a couple of minutes.

--- Upon recessing at 14:41

--- Upon resuming at 14:46

**MS. CHRISTA BIG CANOE:** Commissioners, I would like to introduce the next party that will be making closing submissions. Awo Taan Healing Lodge Society will be actually coming in, and they have special guests with them that I’m sure Mr. Blain will tell us about.

--- Group enters

**MR. DARRIN BLAIN:** Ladies and gentlemen, from the Siksika Nation, may I introduce to you Alex Scalplock.

**MR. ALEX SCALPLOCK:** Good afternoon, ladies and gentlemen. It’s a great honour for Darrin Blain to invite us to come and showcase our dancers from
Chief Crowfoot School. We're here to sing some healing songs, and we're going to sing some songs for the dancers here that -- we have Fancy Dancers, and of course, the Ojibwe Jingle Dress, that's the healing component of this -- that's how we're going to end this -- the performance here.

Also too, I want to introduce our ambassador, our princess, Ms. Letitia Youngman from Chief Crowfoot School. She's going to start off with a prayer, the blessing of this powerful gathering we're having here today. So if everybody rise at this time, and if you have hats, please remove them.

**MS. LETITIA YOUNGMAN:** This is our prayer we say each and every morning.

(PRAYER)

**MR. ALEX SCALPLOCK:** Everybody touch your heart.

Thank you very much, Letitia. You can have a -- stand over here.

Okay. At this time, ladies and gentlemen, I just want to introduce our drummers. This is the Chief Crowfoot School Warriors. This is our drum group that's going to be singing for our dancers.

So we're going to call upon our first dancers, which are going to be the Fancy Dancers. This
dance originated with the Southern Tribes of North America around the Oklahoma area. So we're going to give them two starts to a straight song.

The second song, we're going to give them a crow hop. A crow hop has come from -- it comes from the Crow Tribe around Southern Montana in the United States. So enjoy.

(DRUMMING AND DANCING)

MR. ALEX SCALPLOCK: Thank you very much there, dancers.

Okay. At this time, we're going to be calling up on the Jingle Dress Dancers. We're going to give them two starts to a straight song. Come out there Jingle Dress Dancers. This is Harmony Drunken Chief, and Tia Calf Robe. I'll introduce the other dancers. Sorry about that.

(DRUMMING AND DANCING)

MR. ALEX SCALPLOCK: This next song that my dancers are going to perform to you is a side step. It's actually from -- it comes from a tribe, the Ojibwe Tribe. This is the Healing Dance. So is the special dance that is going out to all the Indigenous women, murdered and missing women and girls, and this is the song that's going to -- that's for the healing and the dancing.

(DRUMMING AND DANCING)
MR. DARRIN BLAIN: Alex, thank you. And what about another round of applause for the people of the Siksika Nation and these beautiful children.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: I'm just going to give it a second or two here for Alex and the kids to get back to their bus. Today is parent/teacher interviews. So thank you very much.

(APPLAUSE/APPLAUDISSEMENTS)

COMMISSIONER QAJAQ ROBINSON: I just want to thank the kids. I know they don’t hear us, but thank you so much. As you walk out the door, you’re amazing. Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DARRIN BLAIN:

MR. DARRIN BLAIN: And those are my submissions.

(LAUGHTER/RIRES)

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: And they are from Siksika Nation, part of Treaty 7 Territory, upon which we stand, of course, the signatories to Treaty 7 being the Siksika Nation, Kanai, Piikani Nation, Tsuu T’ina Nation, and the people of the Stoney-Nakoda Nations, of course Treaty 7 being signed about an hour east of here at
Siksika Nation, the great Chief Crowfoot -- the colourful Chief Crowfoot buried there at the Blackfoot Crossing. We’re honoured to be here.

And I’m honoured to be representing Awo Taan Healing Lodge Society. We have our board members here. We have our staff members here. Notably, you’ve heard from Josie Nepinak. She’s here. Where are you, Josie? Good afternoon, Josie. She’s here along with our board members. Victoria and Christine are here as well, and a number of staff members and people who work their magic every day at Awo Taan.

Parties with standing, Commission counsel, Commissioners, staff, health supports, and for the Commissioners that aren’t here today, I start my submissions by offering condolences to the murdered and missing in this country. I’m reminded that just recently there was another young lady murdered along the Highway of Tears that we’ve heard about that you good folks have been to. Her family very recently taking the painful drive up that highway to take her remains to her final resting place in Smithers, B.C.

I wonder, before I launch into some brief submissions, if the room would join me in a moment of silence so that we can prepare our spirits for what I’m about to say and for what you’re about to hear. I wonder
if we could take 30 seconds or so of my time just to quiet our hearts. You can remain seated. Would you take 30 seconds to quiet your heart and prepare yourself and in honour of those that are murdered and missing.

(MOMENT OF SILENCE/MOMENT DE SILENCE)

MR. DARRIN BLAIN: What I would like to do today is speak briefly and sometimes quickly about sheltering in this country. I’ll talk about, I hope, the police, the justice system, the implementation that you Commissioners need to put your signatures to, and I’ll talk about child welfare. Although with the time remaining, I may just get into some recommendations of ours on some of those topics.

We will be submitting, by way of housekeeping, our final report. Our goal is to have it in by December 7th. We have not submitted recommendations yet. We haven’t submitted any of the preliminaries yet. Everything will be submitted in our final report. We’ve got some of the best lawyers in the country helping us pull that together, all female lawyers, incidentally. Not a hard thing to get lawyers to help on this file.

When a woman leaves her house to go to a shelter, in the words of Josie Nepinak, “Someone is about to get killed.” We’ve heard Josie give sworn testimony in this room about people showing up at her shelter with
broken bones, showing up at that fortified steel door,
looking around, going, “Oh my God, how many of my kids did
I manage to grab? Thank God they’re all with me. I’ve
got them all.” She probably fought for transportation to
this city. She probably fought for a ride or hitched a
ride. When she gets to the shelter -- and this is the
story that we hear from my client -- this is also the
story that we hear from Sandra Montour, a lady named
Nakuset, and other professionals, and the heart-wrenching
story of Tracy Denniston about life in the north for women
in this very situation.

When a woman goes to a shelter, an
Indigenous-run shelter, all of a sudden she is essentially
triaged, and what happens is they assess her needs. Is
there an immediate physical need? What are her
psychological needs? What are her spiritual needs?
Where’s her kids? What have we got for kids? You can
imagine what happens in the lobby of these places.

And if Amy Bombay was standing beside me,
Dr. Bombay would say this, that the psychological,
spiritual, cultural needs of that woman and her kids are
acute and they’re significant. They are remarkable. We
are talking about some of the most significant trauma and
PTSD. This woman is worried. She’s scared. She may even
be feeling shameful for leaving the reserve, leaving her
family. She may be feeling guilty for what she’s done to
the kids, even though she’s done nothing to the kids but
protect them. And in any event, what happens is you’ve
got a great need of services, and as her time goes on in
the shelter, you need Elder services, psychological
services, court services. You might need a child
psychologist. You need all these experts to come in and
help. So beyond the nice warm meal, the nice hot tea, the
new fresh clothing, you need all these services for women
that have made the decision to leave him to seek shelter.

The sad part of the story among Awo Taan
operations and those like it is that there’s no funding.
I want to tell you some things today that I hope -- I
believe will make you squirm and say, “You must be kidding
me, Darrin?” Things like there’s no funding for Elder
services. There’s no funding for fresh clothing for this
woman. There’s no funding for the things that a woman
would want in a situation like that that would make her
feel comfortable and that would make her feel dignified.

Can you believe Josie has been fundraising
with her people for 25 years for the basic necessities of
life? And when was the last time anybody in this room
went into a government office and they said, “I’m sorry
about the desks, we’re fundraising for new desks. We have
a taco sale downstairs for our new computers.” And I’m
not trying to be sassy by asking the whole room that
because I know it’s never happened, but it’s day to day to
day at Awo Taan.

And we’re here to say that enough is
enough. We’re here to say that women deserve dignity that
go to an Indigenous women’s shelter, and they deserve the
dignity now and so do those kids deserve that dignity.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: You know what an
Indigenous woman needs when she goes into a shelter? She
needs a beading room. She needs to go and speak to an
Elder. She needs to know that she made the right choice.
She doesn’t need to be processed by an outdated risk
assessment. She doesn’t need forms. She needs to be
loved and cherished, told that she’s wanted, respected and
important. Will she get that in a non-Indigenous setting?
Probably not. I can tell you she sure won’t get any
cultural work.

We need wraparound services for these dear
women and we need them right now.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: If you go on Awo Taan’s
website, something else will shock you. That they’re
doing fund raising and taking donations for clothes. Are
you kidding me? Clothing. Think about this.
This woman is running for her life, literally, like my mother did when I got thrown into the back of a police car as a five years old boy. Running for her life, and the people at the shelter have to tell these women, “Sorry, maybe one of our staff could take you to the courthouse, but we don’t have a court worker. Yeah, maybe the receptionist can be your court worker.” “Maybe, yeah, we’ve got leaky plumbing, maybe the receptionist’s husband can come in and help us with the leaky plumbing.”

Goodness gracious. Commissioner Robinson, really?

And then they leave the shelter and they say enough is enough, is enough, like my mum did. “I need to go into transitional housing. I want to start my new life. I’m going to leave him on his own, he’s going to get his programming or he’s going to go in -- he’ll be in prison for while” whatever the case may be. And I need transitional housing.

Guess what, Commissioner Eyolfson? There is no money. These women have been saying that, Commissioner Eyolfson, for 25 years. There’s no money. Will money solve Indigenous issues in this country? Absolutely not. Will UNDRIP solve it? No. Will UNDRIP be the guiding star that marches us to Bethlehem? Absolutely not.

What we need to do is we need to break down
the veil that separates provincial governments and federal governments. And I’m going to get into our specific recommendations now. These are the most important recommendations that you’re going to hear out of my presentation. They’re the actual recommendations that you’ll find in our final report.

Indigenous women’s shelter recommendations on behalf of Awo Taan Healing Lodge Society and the women that go there and the children that go with the women.

That Indigenous women’s shelters funding models, those are the two key words, funding models -- be reconceived to bring funding levels into parity with non-Indigenous women’s shelter’s level of funding. Because one of the things the Province of Alberta likes to do is they like to say, “This is a federal responsibility and you, blanketly-blank, get everything free from the federal government.” That’s got to stop.

The federal government says this is a homeless issue, you can get your money from the homeless division of the -- or a pot of the provincial government coffers. We’re fine, you’re in the city in this case, or you’re on reserve, your funding is taken care of elsewhere. So you’ve got two entities looking at each other trying to manage what they conceive is a hot potato. Enough is enough. We need to fix this.
That is our overarching, number one recommendation in our entire representation at this Commission. We’ve got to fix this funding issue. We’re not talking about installing gold taps in the bathrooms. We’re talking about giving a woman integrity, dignity.

And you know what? Sometimes that woman is going to say, Ms. Big Canoe, sometimes that woman is going to say, “I need a break from these kids because they’re driving me up the freaking wall.” They’re going to say, “I need a break.” And Josie has said, “Well, we might have a babysitter.” We need proper funding. We need proper management of this, because she does need a break from her kids, because she’s got her trauma. They’ve got their trauma, and the federal -- pardon me, the provincial government -- and it’s not just the NDPs, it’s the provincial government. “We’ve got no money for that.”

And I’m going to ask you and everyone else in the room, Commissioner Robinson, are these dancers important to you? Because they’re important to me. Commissioner Eyolfson, what about these handsome little drummers? Man to man, I can tell you that I’m pretty sure we’d both agree they’re a pretty awesome group of kids, and they’re both important to you and to me. And enough is enough. And I’m sick of hearing these stories and so is Josie.
And here’s what else happens at shelters, because Alberta government has an apprehend first policy in Child Welfare, folks, the kids have gotten apprehended. The woman comes to Josie and says, “Oh, I don’t have my kids. I guess I’ll just kill myself.” Last night on the phone Josie told me that. I said, “Josie, what happened to her?” Silence. “Darrin, she killed herself.” Right? Why is the President of ITK here yesterday, Commissioner Robinson? Because he’s sick and tired of putting women in caskets. So am I. So is Josie.

And when I asked about whether women fall through the cracks because of the absence of funding, I said, “Let’s get real, are women dying because of this?” Well, they fall through the cracks. They don’t get the services. They don’t get the support despite the valiant efforts of these good women. They get into trouble, they get into something, and next thing you know we’re planning a funeral. That’s why ITK -- that’s why he’s here yesterday. He’s sick and tired of burying women in the north. And Josie is sick and tired of it too. Awo Taan is sick and tired of it.

So we need to resolve this and we need to resolve this right now. And we’re asking for your signatures on these submissions and these recommendations.

That the current funding framework for
Indigenous women’s shelters be revisited completely to eliminate jurisdictional barriers. That’s that curtain I was talking about between the feds and the province, which have prevented adequate funding and thus, needed services from reaching Indigenous women’s shelters.

And that the danger assessment tools being used by police, shelters, medical and social services, be modified where needed to reflect the historical, and contemporary lived experiences by Indigenous women, developed in consultation with Indigenous women’s shelter professionals, provincial government, and territorial governments. We’re tired of you telling us what our polices are and we want a place in the policy because Nakuset said it best, we are the experts.

That Indigenous Elders be recognized as essential services, and I’m speaking to the row behind the Commissioners, and you are essential. The Elder’s advisory committee, you are essential with the qulliq. Thank you. That Elders be recognized as essential service providers in the sheltering context, and that funding be provided for their services such as a mainstream health professional would. There’s an idea. That a national Indigenous women’s shelter advocacy organization be struck and be Indigenous led.

That funding be provided for the creation
and maintenance of a national database that would provide
statistical analysis on the women and children accessing
the services of an Indigenous women’s shelter. And that
they can share information like the police do,
intelligence, and ideas, and have a voice, and be
intervenors on lawsuits, and be intervenors and have a say
in class action proceedings. And just have some muscle
and some horsepower here.

That -- Commissioner Robinson, this will
interest you, I am certain -- funding be provided for the
construction and operation across this land in the north,
of new Indigenous women’s shelters in urban and rural
Indigenous communities across Canada that represent the
greatest urgent need. That’s why ITK stood right here
yesterday, looked you in the eye and talked about this
because women are dying in the North too, because they
can't get to a shelter. And I don't want to steal the
thunder of another great lawyer by the name of Elizabeth
Zarpa, but I'll tell you that we need help in the North
too. We hear that.

And Awo Taan is not saying the only place
that help is needed is in the City of Calgary, that's not
true. It's on reserves, it's across this land, from sea
to shining sea to shining sea to the 49th Parallel, and
everywhere in-between, and into the North. We're tired of
putting women in caskets.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: Those are our recommendations in Indigenous women shelters.

I am going to just summarize by saying we need wraparound services. Commissioner Eyolfson, if you go to the emergency room sometime or you've been there, you've seen what happens. It's a triage, and it's fancy equipment, and it's a total wraparound system. X-rays, MRIs, and specialists.

We're not asking for gold taps in the bathrooms. We're asking for our women, like my mom, to have some dignity. Can we do something for these women shelters in this country? All we want to do is be operating at the same level as the Non-Indigenous women shelters, and our funding issue to be resolved.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: All we want is for these places to not have to fundraise for the basics. That's the most insulting racist thing I've ever heard of in the context of an Indigenous women's shelter. And I wonder if we might hear from the Province of Alberta in that regard.

Where is Rachel Notley, I've heard.

I want to -- if you've ever taken a smooth rock and thrown it across a glassy lake to see how far it
would skip -- Commissioner Eyolfson, I see you smiling. You could probably throw one further than me, but your smile tells me that we've both done it. It's so much fun to do that.

That's what I'm going to do now with the rest of my submissions. I'm just going to -- along the rest of my submissions.

Child welfare. Our number one submission is that the test for best interests of the child needs to be reformed, and that child welfare needs to be given back to Indigenous communities across this land.

(APPLAUSE/APPLAUDISSEMENTS)

**MR. DARRIN BLAIN:** Professor Mary Ellen Turpel looked at you in Winnipeg and said to you and your two sisters that this is a humanitarian crisis. You say, oh, Professor Turpel, she spent too much time working in B.C. on this. Well, how about the rapporteur to the United Nations, Canada's representative there? This is a humanitarian crisis.

And Dr. Cindy Blackstock. You could spend a day analyzing her evidence. Her evidence is fulsome and great. And I don't know about you, Ms. Big Canoe, but I remember when she said this:

"If we don't fix this child welfare issue, we're going to be having
another inquiry." (As read)

And we don't want another -- we don't want an inquiry on child welfare. We need to fix this right now. The homes are overflowing. Ten thousand kids a province. Are you honestly kidding me?

The police. Our number one recommendation with respect to the police and comment is they are racist and dismissive in relation to Indigenous women across this country. You may recall, when I stood here in May, I got a phone call on my cell phone. A Calgary police officer had shot and killed an Indigenous women, shooting her seven times in front of her boy in May. And that family phoned me.

The police are racist and the police are dismissive in regards to Indigenous women. I won't stand here and say all police are bad, and I won't stand here and say that this is the entire police force because we've heard some great evidence from Winnipeg Police Force, Nishnawbe-Aski Police Force up in Northern Ontario. Some great police work being done in this country.

But we need to do something about the bad apples. And by bad apples, I mean the bad police forces. In our case, we need to start with the Calgary Police Force.

So all police need to have cultural
sensitivity training. And I'm not talking about going home and watching a YouTube video in your pajamas. I am talking about meeting with an Elder who can look a police officer in the eye and talk about the issues that our people are having and have had. And let's talk about the last 150-years. And let's talk about the police's role in residential schools, and how the policeman stood at the door when the woman had to give her kids up. Let's talk about some history, Mr. Officer, or Mrs. Officer.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: That's the kind of cultural sensitivity training we need.

The justice system. Our overarching recommendation with regard to the justice system -- just bear with me. Pardon me. You'll recall I had a conversation with Prosecutor Phelps, Ms. Thomas. John Phelps and I were talking. I don't know if you remembered that. But he's a big prosecutor in the North. I know that some of my Northern colleagues would remember him.

But every question I asked him, he said yes to, and this is a person that cross-examines people for a living. Very senior prosecutor.

Do we need more Indigenous judges? Yes. Do we need more Indigenous lawyers? Yes. Do we need more Indigenous child welfare? Yes. Do we need more
Indigenous legal aid? Yes. Do we need more Indigenous courts? Yes. Do we need to redo the legal aid system in this country? Yes. Do we need to redo the legal system in this country? Yes. Do we need to start our new courts on our own? Yes. Do we need to make peacemaker courts? Yes. Do we need to have diversionary programs? Yes, we do.

(APPLAUSE/APPLAUDISSEMENTS)

MR. DARRIN BLAIN: And we call on the Canadian Judicial Council to start appointing Indigenous judges. And we call upon the provinces of this country and the territories of this country to start putting Indigenous people in positions of power, including judges, clerks of the court, probation officers, people who can and will make a difference to the litigant standing in front of them, whether they be First Nation or not.

Are we asking for a handout and are we asking for special treatment? Absolutely not. We're just asking to be treated for what we are and who we are, and to be treated fairly, and to have somebody on the bench, like Commissioner Robinson, looking at me, saying, yes, Your Honour, yes, Your Honour.

And I'm happy to report the last three Indigenous judge appointments that I've heard about have been Indigenous women.
MR. DARRIN BLAIN: Matter of fact, I called Michelle Brass on the weekend, and there was party music in the background.

MR. DARRIN BLAIN: I said, Your Honour.

Oh, it's a great day when an Indigenous judge -- person gets appointed to be an Indigenous judge. We need more of that.

Let's talk finally in the last minute-and-a-half about implementation. There's been a lot of talk about this Inquiry as to a waste of time, waste of money, waste of resources because we've got 233 pages of previous commissioner -- Commission recommendations in the country, not a lot of which have been acted on.

So people have asked me, Darrin, what's different now? Commissioner Eyolfson, I'll tell you what's different now. We've got UNDRIP in our back pocket. We've got Mikisew I in our back pocket, these are Supreme Court cases. We've got Ewert in our back pocket, and we've got some nice litigation coming out of the courts and our back pocket. So, I would suggest that Indigenous issues and folks are on a roll when it comes to some major litigation.

UNDRIP is something that you’ve heard a lot
about here, and 262. Will it be the guiding star that leads us to Bethlehem, Ms. Big Canoe? I don’t know, because there’s going to be a lot of talk about it, and I hope that we hear from lawyers like you and Ms. Thomas when UNDRIP hits the ground here in the spring-ish. Who knows when.

But, with regard to implementation, these are my final comments, that an Indigenous-led oversight body be formed to track and monitor the implementation of the recommendations of this Inquiry, and to report on compliance and implementation. You say, “Darrin, you’re being too hopeful.” Well, that’s me and Dr. Turpel-Lafond talking. That’s not just me, and that’s Josie’s wish as well.

We can’t make a report and say, here you go, Canadians. Here you go, Mr. and Mrs. Government, and hope it all goes well. We’ve been doing that for 150 years. We’ve been hoping that things have gone well, and things haven’t been going great, have they? So, we need to track and monitor and we’re thinking about Indigenous bigwigs on top of this thing. That’s what we’re talking about.

I am respectful of time, always. I will hear from you as to questions.

COMMISSIONER BRIAN EYOLFSON: First of all,
Mr. Blain, thank you very much.

**MR. DARRIN BLAIN:** You’re very welcome, sir.

**COMMISSIONER BRIAN EYOLFSON:** I really appreciate you giving us some of the highlights, a taste of what your final submissions will contain, and I really look forward to reading the complete final submissions that you have, that you will be providing.

I’m really interested, in particular, in the last topic that you addressed, and that’s the implementation of the recommendations that we put forward, because we have so many wonderful recommendations suggested to us, and you’ve told us one idea for implementation, but I’m just wondering if you could perhaps talk a little bit more about implementation or any ideas you may have around implementation recommendations with the limited time we have remaining with our question? That’s the only question we have.

**MR. DARRIN BLAIN:** Yes, sir, and yes, ma’am. I started out by talking about how women are falling through the cracks, and we’ve heard a lot of evidence about how women are getting murdered in this country and going missing. And, I think -- and Cindy Blackstock is in my back pocket when I say this, that we need to really prioritize the recommendations. I can’t
imagine being in your shoes as to recommendations. There are so many recommendations along so many parts of this country.

I would encourage you to prioritize, and I’m not trying to be in any manner insulting, but I would encourage you to prioritize your recommendations as to those that will have the greatest value, and those that will have the greatest impact on the lives of our people, and those that would have the least roadblock and cost to getting into place, such as amending legislation where there might be an in-road already, that sort of thing.

Building Indigenous women’s shelters all across the country, we won’t see that by summertime. We’d love to, but some things would just logistically have a precedence and a priority to others. I might say that my client’s recommendations are more important. You might hear from Carly Teillet, another great lawyer in this process, say, well, her clients, or so-and-so’s clients. We all think that we have really important issues.

If I might draw your attention to what other countries are doing? I don’t have any concrete examples off the top of my head, but the one thing I can offer in that regard is what’s happening with the Truth and Reconciliation Commission. I talked about Indigenous people with some real horsepower. I think that you have
to have the right people doing the implementation, and I really think you’ve got to lean on your legal team as to researching what kind of implementation has worked best on some of this, not necessarily just in Canada but around the world there’s been inquiries. You might look at the United Nations and what they might have to say about implementation.

But, at that same time, you’ve had the best lawyers in the country stand in front of you and say what I just said about tracking and monitoring and I don’t think there’s any magic to what we’re trying to do here. There’s a priority sequence and then there’s having the right horsepower.

Now, the other thing is politics. Every time I talk to people, they’re talking about a change in government, change in provincial government. This is all fine and dandy. What if the government changes and goes like this? Oh, nice report. We’re not going to -- we’re not worried about that because we’re worried about marijuana and pipelines.

What I would suggest -- what I would suggest to try and make it political-proof in that regard is to get as much public buy-in as you can. We’ve heard about public buy-in, and I think you need that. So, using a very strong media presence when the report is released.
You need Jo and Jane Public to latch onto this so that it can be party proof, would be another suggestion, sir.

COMMISSIONER QAJAQ ROBINSON: Thank you.

On the point of an oversight body, we heard from a party yesterday, I believe it was West Coast LEAF, their proposal when it comes to oversight, and of implementation and reporting was seeking, I believe, Orders-in-Councils from all the provinces and territories, and the federal government empowering this body.

Would that be, from a legal perspective, something that you would -- and you don’t need to answer this now. If you wish to see their submissions and the details they give, it was an interesting discourse we had with them, and that multi-jurisdictional force that this body would have was something that they identified as being key, and I’m wondering if you share that view?

MR. DARRIN BLAIN: Yes, ma’am. We wouldn’t say that that would be a bad idea. The only thing that comes to mind is the somewhat cumbersome nature of that, and we wouldn’t want this to be held up if the process for doing that were cumbersome. And, if parties are changing in provinces, we wouldn’t see that, I don’t think, as an ideal way to do it. But, certainly one that you and your staff and lawyers can consider. I don’t think it’s the most ideal, streamlined way to do it, and that’s the other
thing. We need to get going on some of this. So, the
more streamlining we can do, the better, and if that would
be cumbersome, it might not be a good idea. If it can be
done in a streamlined fashion, well, then, let’s do it.

COMMISSIONER QAJAQ ROBINSON: I don’t have
any more questions. I and Commissioner Eyolfson want to
thank you for your submissions today. I look forward to
reading your final submissions. I want to thank you for
your questions and engagement throughout the hearings, and
I really hope I get to call you, “Your Honour”, one day.

MR. DARRIN BLAIN: Yes, ma’am. Thank you
very much.

MS. CHRISTA BIG CANOE: Commissioners, that
concludes the submissions that will be made by parties
today. The schedule for tomorrow shows a 9:00 a.m. start
for opening remarks, and we will -- if we can start
immediately after opening remarks, we would suggest that
we do that. So, if we could adjourn until tomorrow
morning at 9:00 a.m., we would appreciate it.

COMMISSIONER BRIAN EYOLFSON: Let’s adjourn
until 9:00 a.m. tomorrow morning. Thank you.

MS. CHRISTA BIG CANOE: Thank you. And, we
will have -- I understand we will have a closing prayer
and the closing of the qulliq.

I understand that my good colleague
Christine, who has been an amazing emcee this week so far, is in the middle of assisting some individuals, as often our community health teams will do. So, I’m just going to step in temporarily for today and I’m sure I can’t replace her wonderful emcee skills, but one of the things we’ve been doing all week is we -- just if you will ask them up first for the honour, and then we’ll have you do the prayer, Alvine?

Okay. So, what we’ve been doing all week long is we have been inviting up the parties with standing to -- for the purposes of an Honour Song, and the Honour Song is actually to honour the parties with standing for their participation and for the submissions they’ve made. We’ve been doing this every day, because parties are coming and going, and because each day we’re having a number of parties make submissions.

But, we invite all parties up to please join the circle, or anyone who also wants to honour along with, you know, whether it’s public, or staff, please come join the circle so that we can take the time to honour the parties that have made their submissions today or in the last few days, and for their participation.

And, following the song, we will have Alvine and her husband do our closing prayer, as well as the elders to close the qulliq.
--- Closing Song and Prayer

**MS. ALVINE WOLFLEG:** I just want to remind you that all these three days I’ve been here, I never heard anybody say, “ogi” in Blackfoot. Three letter word, not four. Three. And, I haven’t heard anybody greet in Blackfoot, and this is my territory. So, I would appreciate it that you start saying “ogi” not “oki”. The “K” is a “G” sound. Ogi. You look at somebody else’s mouth when you say “ogi”, they smile automatically. That’s why it’s just a three-letter word.

I’m very, very moved, because I, too, went to a shelter with my children for safety. I was denied. When I did go again, I had to be moved from my room because the non-Native woman needed a room. So, I slept with my children in the hallway. So, I know how it feels to be disrespected in my homeland. So, I do feel for a lot of women here.

But, I worked up to where I am today, and you know what? The biggest thing I used, the most important thing I used is prayer and elders. Those are what got me to where I am today. I’m not healed. I’m also a residential school survivor. At six-years-old I was taken away. So, I just want to say that — my husband asked me to pray. He said, “These are women. They need your prayers. They need your prayers today.”
I sit there, and I listen, and I hurt. I am in pain, too. Just like every one of you. Even my husband is in pain of what has happened to the most beautiful creatures on the face of the earth, which is the women. We bring life into this world, into this circle. And how we’re treated, I don’t know. I don’t know where that came from.

So I’m going to say my prayer in Blackfoot, and I hope you all have a restful sleep. I have society members back home that I have asked to pray for us every day. Every morning, as soon as the sun comes up, they’ve lit their smudge and their prayers. Before we go to sleep today, they’ll do the same. That’s why I know I have a lot of backup with my prayers.

(Speaking in Aboriginal language).

**MS. CHRISTA BIG CANOE:** And also, if we can just wait a moment so that we can also close out the quliq.

**MS. MYNA MANNIAPIK:** Thank you. It’s that time of the day again. It’s been an incredible day again. It is so important that women are treated fairly. As she said, we give life to the men of any race, just like she said. Why? Because before we were moved to a bigger camp, bigger community, I had never seen any abuse when I was a child. Where did that come from? It’s
from greed. That’s where it comes from.

    I have also been taken to a shelter. Of course, I felt ashamed. They made me feel like it was my fault, and I was ashamed to tell people. But like everybody says, there should be a better system, just like it should be in our own traditional and cultural way.

    Western style of running things doesn’t work on us. It hasn’t and it will never work on us.

    I am grateful to be here because I have been given chances in this life over and over. I’ve gone through two cancers, and I survived them. I’m six years cancer free.

    I saw the beginning of genocide. I saw our dogs being shot when the federal government started moving us from our traditional ways and culture. I saw it all, but I’m still here. So are you.

    Have a good night.

    MS. CHRISTA BIG CANOE: Thank you.

    MS. MYNA MANNIAPIK: Now I smell like burnt oil.

    MS. CHRISTA BIG CANOE: Until 9:00 a.m. tomorrow. Good night.

--- Upon adjourning at 3:54 p.m./L’audience est levée à 15h54
LEGAL DICTA-TYPIST’S CERTIFICATE

I, Félix Larose-Chevalier, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.

Félix Larose-Chevalier

Nov 28, 2018