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LIARD ABORIGINAL WOMENS SOCIETY WRITTEN SUBMISSIONS
to
National Inquiry into the Murdered and Missing Indigenous Women and Girls

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I. INTRODUCTION

1. We are honoured to present these written submissions to the National Inquiry into Murdered and Missing Indigenous Women and Girls. We carry with us the voices of our sisters in the Yukon. Yukon Indigenous women take up this work very seriously, we desperately need to end the violence against our Indigenous women and girls. It is evident from the stories and the evidence shared with this National Inquiry that Indigenous women and girls have felt the brunt of colonization.

II. INDIGENOUS WOMEN OF THE YUKON AND THE LIARD ABORIGINAL WOMENS' SOCIETY

2. The Liard Aboriginal Women's Society ["LAWS"] came together with the Whitehorse Aboriginal Women's Circle, Victoria Faulkner Women's Centre, Yukon Aboriginal Women's Council, Yukon Women's Coalition, and Yukon Status of Women Council on behalf of all Indigenous Women in the Yukon in an inclusive process. LAWS as party with standing in the National Inquiry into Murdered and Missing Indigenous Women and Girls ["National Inquiry"] together with our sisters in the North call for action on behalf of all Indigenous women in the Yukon and northern British Columbia.
3. LAWS is a non-profit, community-based Aboriginal organization. Established by a small group of passionate Kaska women in 1999. LAWS provides social development services to the Kaska Nation whose territory is in the southern Yukon and northern British Columbia. LAWS was founded to implement a comprehensive healing strategy to address the physical and sexual abuse of the residential schools. LAWS has grown to address healing needed for individuals who were victims of family violence, or unhealthy, toxic relationships and advocates for the right of Indigenous women across the Yukon.
4. Some of the key achievements and partnerships of LAWS includes a three year *Youth for Safety and Justice* Program that engaged and empowered Indigenous youth; *Hearing our Voices* a project that empowered Kaska women to lead the development of the Kaska

National Constitutional process; and *Together for Justice* a two year Response-Based training journey and bridging the cultural gap between the community and the Royal Canadian Mounted Police [“RCMP”] that lead to signing a *Together for Justice* protocol with the RCMP detachment in Watson Lake. LAWS has been recognized nationally and internationally for its ability to create ‘trail breaking’ social development programming.¹

5. In 2014 Statistics Canada reported that Indigenous people² experienced violence at more than double the rate of the non-Indigenous populations.³ The rates of violence against Indigenous women is more than 2.7 times higher than that of non-Indigenous women.⁴ In 2013 the Yukon had a rate 3.5 times higher than provincial averages of sexual offences against women,⁵ this is an increase from the rate of 2 to 3 times higher in 2009.⁶ First Nations women account for 24% of the population of the Yukon in 2014/15 and 82% of admissions to sentenced custody.⁷ The 2017 Criminal Justice Report Card issued by the Macdonald-Laurier Institute examined key areas of public safety, support for victims, cost and resources, fairness, access and efficiency and ranked the Yukon last of all territories and provinces.⁸
6. The statistics while staggering, only reflect part of the crisis of violence in the Yukon. It is important to situate the statistics in their broader context. Yukon communities have smaller populations, which means that these elevated rates of violence have a significant and immediately felt impact on a greater number of people. Violence against women within

¹ Liard Aboriginal Women’s Society online:< <http://www.liardaboriginalwomen.ca/index.php>>; International Association for Public Participation: “2017 Core Values, Awards Showcase” <online: https://www.iap2canada.ca/resources/Documents/FEDERATION%20DOCUMENTS/2017_Core_Values_Awards_Showcase.pdf>; Report of the Working Group on the issue of discrimination against women in law and in practice”, United Nations General Assembly 19 April 2017, A/HRC/35/29.

² Indigenous includes: First Nations, Inuit and Métis

³ Tina Hotton Mahony, Joanna Jacob & Heather Hobson, Statistic Canada report: *Women in Canada: A Gender-based Statistical Report Women and the Criminal Justice System* (June 6, 2017) <online <https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14785-eng.pdf?st=AAAdHdS4U>> at 7

⁴ *supra* note 3 at pg. 8

⁵ Canadian Centre for Justice, Statistics Canada, ed. Maire Sinha “*Juristat* Article Measuring violence against women: Statistical trends” (February 2013) online: < http://publications.gc.ca/collections/collection_2013/statcan/CS85-570-2013-eng.pdf> at 30

⁶ Yukon, Yukon Health and Social Services,. *Yukon Health Status Report* (2009) <online: http://www.hss.gov.yk.ca/pdf/health_status_report_2009.pdf> at 14

⁷ *supra* note 3 at 40

⁸ Benjamin Perrin & Richard Audas, *Report Card On The Criminal Justice System*(Macdonald-Laurier Institute: 2018) <online: https://macdonaldlaurier.ca/files/pdf/MLI_JusticeReportCard_Final_web2.pdf> at 4, 11 and 12

isolated northern Indigenous communities is pervasive and diffuse, with wide-reaching effects. Within each point of statistical date exists a person, a family, a community who have experienced unacceptable violence. A person, family and community who have resisted violence.

7. LAWS is uniquely positioned to provide insight into communities that are often overlooked or ignored by the colonial state in what we now call Canada. As remote, rural, northern Indigenous communities, the Kaska nation shares many of the challenges of other similarly situated Indigenous communities, most notably isolation and exclusion or erasure from social and political policies. That said, the Kaska Nation faces several unique challenges as a Nation that bridges a territorial/provincial border, which has created different rules for Kaskas on each side of the border.
8. Isolation is a defining characteristic of many remote northern Indigenous communities, including those served by LAWS. Isolation within our communities is not solely the result of geographical distance, but also social barriers. Despite being linked by boat, plane or road, small northern communities are often invisible in terms of centralized policies, legislation, resources and services. Invisibility and isolation combine to limit resources, further it fosters internal oppression, polarization and community fragmentation. These factors operate to create barriers between prevention and violence, keeping away prevention while protecting violence. Isolation tends to compress social issues and any attempts to resolve them, creating an intensity not present in less remote communities where there is more social space.⁹ Isolation plays a large role in almost all forms of violence in the North.
9. The Kaska Nation has been directly and negatively impacted by the colonial genocidal residential school program. The Lower Post Residential School, better termed a “prison camp” operated from 1951 to 1975 with between 34 and 187 children in residence each year. In the early 1990 two men were incarcerated, one convicted of 28 counts of sexual abuse.¹⁰

⁹ Liard Aboriginal Women’s Society, *Together for Justice Literature and Contextual Review and Recommendations*, (December 2013)

¹⁰ National Center for Truth and Reconciliation, *Lower Post IRS School Narrative* (03 31 2005) <online: <https://nctr.ca/School%20narratives/BC/LOWER%20POST.pdf>>

10. The Royal Canadian Mounted Police continues to operate in the Yukon as the enforcement tool of the colonial state. They relocated individual from traditional communities, assisted in the destruction of traditional family structures, forcibly removed children to residential schools and into foster care and restricted Indigenous rights.

11. The Canadian state continues to facilitate and perpetrate violence against Indigenous people, in particular women girls and 2SLGBTQ folk in what is now the Yukon. Ongoing colonial violence in wide spread and includes:

- ignoring and failing to remedy poverty in Indigenous communities including: food insecurity, and inadequate or lacking housing;
- disrespecting and disregarding inherent Indigenous rights and treaties;
- systemic underfunding of services for Indigenous peoples and communities;
- imposition of short term cyclical project based funding models;
- failing to protect victims of violence;
- men in authority directly perpetrating violence;
- blaming Indigenous women and girls for male violence;
- destruction of Indigenous lands, waters and environment;
- theft and exploitation of resources; and
- generations of stolen children.

12. Violence against Indigenous women and girls is not only perpetrated by the state it is also further exacerbated by actions of the state including:

- failing to hold offenders accountable for their violations;
- blaming, pathologizing and criminalizing of victims;
- provision of services that are inherently racist, sexist and colonial; and
- the erasure of state complicity in violence.

13. Existing community-focused resources may not be able to effectively address colonial violence as they are often fragmented with insufficient resources. Further, community resources suffer from a range of issues including staff turnover and that they may not have

the trust of the community. Citizens, particularly Indigenous women and girls are more likely to experience well-being in their community when violence is addressed swiftly and effectively by authorities.

14. Responses to state violence must recognize the deliberate and unilateral nature of violence and acknowledge the resistance of victims. Further, they must acknowledge the intersecting power dynamics of misogynistic, racialized, and colonial violence against Indigenous women and girls. To effectively address colonial violence all responses require financial and institutional support as well as the involvement of groups of women who experience intersectional oppression.
15. We call on the Canadian Government, all provincial and territorial governments, Indigenous governments, industry, police forces and all Canadians to come together to end the violence against Indigenous women and girls. You have a duty to take up our all calls to action, together we must do better.

III. FUNDAMENTAL CONCEPTS

16. There are two key concepts that need to be incorporated into the recommendations and report of the National Inquiry as well as any and all steps taken in implementation. To be effective the report and recommendations of the National Inquiry must call for a shift in the current paradigm that mutualizes and mitigates violence. Further, the National Inquiry must acknowledge that state violence manifests in the drastic under funding and under resourcing all aspects of Indigenous women and girls lives. For the recommendations and report of the National Inquiry to be effective they must call for the colonial funding models to be replaced with long term adequate sustainable funding.

Stop Mutualizing and Mitigating Violence

17. The language used by the legal system and service providers frequently conceals and minimizes violence. In Response-Based practice, the term “mutualizing language” is used

to refer to language that inaccurately frames the victim as attracting, participating in, or consenting to the violence inflicted against them.¹¹

18. The legal system and government services commonly use language wrongly considered passive or neutral when discussing violence. An analysis of language used by legal professionals by Dr. Wade and Linda Coates indicated that legal professionals including judges frequently mischaracterize sexualized violence as erotic, affectionate or romantic, rather than inherently violent.¹² In order to appropriately categorize the unilateral nature of violence, response-based practitioners use the term “sexualized” to accurately convey that this type of violence is unilaterally deployed, while still capturing the unique nature of this violence.
19. Legal professionals are particularly prone to mischaracterizing sexualized violence as mutual. “Sexual assault” is used to describe actions such as rape and forced genital touching. This term is a misnomer as “assault” is a unilateral action, taken without the victim’s consent. In contrast, “sex” is a mutual activity, requiring the consent and mutual engagement of both parties. Sexual assault is an inaccurate and inappropriate term for sexualized violence as it denotes a level of consent to unilateral violent acts.
20. Likewise service providers may refer to a woman who is beaten by her partner as being in an “abusive relationship.” This is an inaccurate and harmful characterization of violence. A relationship is a mutual reciprocal dynamic requiring the active involvement of two parties. Whereas, violence is perpetrated unilaterally; one party acts deliberately against another person, the person responds and resists the violence. Using the term “abusive relationship” hides the deliberate acts of violence, the resistance to that violence, and suggests the victim participated or contributed to their assault.

¹¹ “Centre for Response-Based Practice – BC – Home”, online: *Cent Response-Based Pract* <<https://www.responsebasedpractice.com/>>. ; Linda Coates & Allan Wade, “Language and Violence: Analysis of Four Discursive Operations” (2007) 22:7 J Fam Violence 511.

¹² Linda Coates and Allan Wade, “Telling it Like Isn’t”, 2004, pg. 501

21. The State's use of language that obscures the violence of an act, mutualizes the violence and implies consent is pervasive and must stop. Examples including: "kissed," "fondled," "oral sex," or "intercourse," rather than more accurate and appropriate descriptions like "forced his tongue into her mouth," "forced oral penetration," "forced vaginal penetration," or "rape." This terminology perpetuates rape-myths and blames the victims. This includes perpetuating the myth that victims secretly "wanted it," or that a women's actions or her appearances "ask" for rape.¹³
22. Sexualized violence minimized through language that also serves to blame the victim has many consequences including in the justice system and in social responses. By using inappropriate descriptions of violence the harm the victim experienced and their resistance is erased and the perpetrator responsibility is minimized. How an act is described can serve to alter perceptions of the violent act by reducing the harm attributed to the victim and lessening the responsibility to the perpetrator. Dr. Wade and L. Coates report that judges who accurately portray the perpetrator as active agents are significantly more likely to order longer sentences.¹⁴
23. Societies response to a victim of violence is directly linked to how the act is described. When the violent act is minimized or mutualized through inappropriate language the victim is often negatively treated: they are devalued, disrespected and their resistance erased. When language used to describe the act of violence is inaccurate and suggests that the act was mutual and not unilateral the victim and perpetrator can be misidentified. When responsibility for violence is misattributed to the victim, victims are criminalized.
24. Legal professionals, service providers and all Canadians need to shift how they respond to and describe acts of violence. Victims of sexualized violence must be believed and supported in their resistance to violence. Accurately naming the violence and identifying

¹³ For a more thorough analysis of mutualizing language use in Yukon legal system see: Cathy Richardson, "Exploring Justice for Child Survivors of Sexualized Assault by a Male Adult: An Analysis of A Yukon Court Ruling, R v Gilmore", prepared for LAWS September 2016, and Cathy Richardson, "Analysis of a Sentencing Statement: R v Shepherd", prepared for LAWS February 2017.

¹⁴ Coates, L., & Wade, A. (2004). "Telling it like it isn't: Obscuring perpetrator responsibility for violence", *Discourse and Society*, 15, 499–526

the unilateral responsibility of the perpetrators is key to effectively addressing violence against Indigenous women and girls.

Provide Long Term Sustainable Funding

25. All Indigenous women's organizations and community designed and led programs or service must have long term adequate core funding. All funding must be responsive to and meet the needs and levels of funding requested by the organizations.
26. Inequality in funding is one of the means through which the state carries out systemic ongoing colonization, sexism and racism. Indigenous women's organizations receive inadequate unstable funding that is not able to continue successful programs nor are they able to meet the needs of individuals or the community. The funding provided to a tribal counsel and politicians far surpasses the funding made available to Indigenous women's organizations that provide essential services to women, children and the community.
27. The application and reporting process for project based funding is a very time consuming bureaucratic process. Often the process and creation of proposals for appropriate community based, culturally situated services are not funded.
28. The current short-term project based funding of Indigenous women's organizations harms the community, families and individuals. Programs and support services are funded as projects or limited programs. The individuals who participate develop trusting relationships, and access services through the programs. When the program suddenly ends individuals who depended on these services are cut off. Relationships and trust built within themselves, their community and the service providers can be broken, trust lost.
29. For Indigenous communities and organizations that constantly apply for funding there seems to be no logic in how funding is allocated, or why programs are no longer funded or sustained. Successful projects that demonstrate need, still have to re-apply and scramble yearly to secure funding for the next year. An important example is the Women's shelter in Whitehorse. The projects *Together for Justice* and *Dene ā' nezen (Dignity and Respect)*:

Youth for Safety are two further specific examples of successful programs that received limited short term funding and no longer operate despite repeated community requests to secure additional funding.

30. There is one women's shelter in Whitehorse. As of October of 2018, the shelter had no core funding for the next year, the doors would close at the end of December. The organizers were unable to plan for January 2019, and the women and girls who rely on the shelter and its programs would have nowhere to go. Our shelters are desperate for funding as our women are desperate for a place to stay. Inadequate yearly funding models for women's shelters contributes to the violence against all women. It is unacceptable and must stop.
31. *Together for Justice* was an initiative that came in response to a crisis in policing in the Yukon. Two RCMP officers in Yukon were accused of assaulting women in the community,¹⁵ and Raymond Silverfox died tragically in police detention. The coroners inquest/investigation into his death reported that Raymond was intoxicated and choked on his own vomit while the RCMP hurled racist comments at him.¹⁶ Appalled, Yukoners called for a policing review.¹⁷ It was during this time that the Liard Aboriginal Women's Society approached the RCMP in Whitehorse, and suggested a project that would provide training in understanding response based approached to violence and a relationship-building project and submitted a proposal. The project was granted funding by the Status of Women Canada.
32. The *Together for Justice* project, which has served as, a best practice model to bridging the divide that exist between the RCMP and First Nations. The challenges have been the lack of funding to maintain the commitments made to continued training and relationship building.

¹⁵ *HMQ v McLaughlin and Belak* [2010] YKSC 09; "RCMP officers acquitted of sexual assault", (17 March 2010), online: *Yukon News* <<https://www.yukon-news.com/news/rcmp-officers-acquitted-of-sexual-assault/>>.

¹⁶ Civilian Review and Complaints Commission for the RCMP, *Chair's Final Report After Commissioner's Notice: Chair-Initiated Complaint Regarding the In-Custody Death of Mr. Raymond Silverfox | Civilian Review and Complaints Commission for the RCMP*, File Number: 2008-3266 (2014).

¹⁷ CBC News · Posted: Apr 26, 2010 11:42 AM CT | Last Updated: April 26 & 2010, "Yukon police custody death a homicide: family | CBC News", online: *CBC* <<https://www.cbc.ca/news/canada/north/yukon-police-custody-death-a-homicide-family-1.910529>>.

33. As part of the *Together for Justice* program LAWS took the RCMP members out on the land for a week. There was no written agenda or program for them. They were taken up the mountain and down to where our old trails are. Elders told them stories about the animals and the medicines. At night we had campfire talks where we talked about violence against women and residential schools. The RCMP members attended residential school training in Lower Post, they sat in the circle, they listened to stories about the actions of the RCMP. They brought the elders tea.
34. There are many reasons why *Together for Justice* was successful. One factor was the full participation of the commanding officer of the RCMP division in the Yukon, Peter Clark who attended every meeting and session. Many RCMP officers from different divisions and positions joined in the training including now commander of E Division, Brenda Butterworth Car.
35. *Dene ā ' Nezen (Dignity and Respect): Youth for Safety* was a program that trained future leaders, it guided the energy of youth into activism for their communities. This program was an incredible success, earning the International Association for Public Participation Indigenous Engagement award in June 26, 2017¹⁸ The program was funded for only three years, through the Status of Women Canada. The youth built relationships and they then relied on those connections. To have that supportive relationship built and then dropped, could be more harmful to youth than if the relationship was not there in the first instance.
36. With sustainable adequate core funding we will be given the recognition as the experts. It will allow the women to chart their own course. It will help build confidence in the women's organizations and with the women themselves. Project specific funding is restrictive, the services are not allowed the flexibility to respond to the needs of the community or participants of the program. It is tiring to be forced to move from project to project, in our work to heal the community. Nothing gets sustained, it is racist.

¹⁸ International Association for Public Participation: "2017 Core Values, Awards Showcase" online:<
https://www.iap2canada.ca/resources/Documents/FEDERATION%20DOCUMENTS/2017_Core_Values_Awards_Showcase.pdf> at 47

37. We need core funding, sustained funding in order to make long term plans for services and support to provide for our families and communities. It is the only way to address the past harms, the only way to address colonization is through our culture. This cannot be done in little separate pieces.

IV. CALLS TO ACTION

38. The Liard Aboriginal Women's Society together with the Whitehorse Aboriginal Women's Circle, Victoria Faulkner Women's Centre, Yuion Women's Coalition, Yukon Aboriginal Women's Council, and Yukon Status of Women Council call for action on behalf of all Indigenous Women in the Yukon and northern British Columbia.

39. Indigenous women of the Yukon call for the recognition of ongoing colonization. Action must be taken to stop the murders and disappearances of Indigenous women and girls. Action must be taken to promote healing and thriving Indigenous children, families, communities and nations. We call on specific governments, service providers, police forces, the media and industry to take up the calls to action and reconcile their role in creating the crisis of murdered and missing Indigenous women and girls. Decolonizing, stopping violence and healing can not be accomplished by actions taken in silos.

40. First Nation's women of the Yukon identified several key themes or areas where there needs to be change as well as that must inform all actions. First we discuss steps that can be taken immediately to improve the safety and healing for indigenous women and girls. We then discuss children and families, policing and justice, education and implementation.



We Call For Immediate Action

1. We call on the Governments of the Yukon and British Columbia and the Government of Canada to acknowledge that the systemic cyclical short term underfunding of Indigenous women's organizations has directly contributed to the Murdered and Missing Indigenous Women and Girls.

We call on the Governments of the Yukon and British Columbia and the Government of Canada to **immediately** provide long-term sustainable core funding to Indigenous women's organizations and shelters.¹⁹

41. We are a strong force of women. Our journey over the last twenty years has proven that Indigenous women's organizations such as LAWS have repeatedly developed and run successful community based programs. We have proven over and over that we are accountable for all funding we receive and to our lands, to our communities and to our culture. We are the experts and we know what works when it comes to helping our community. Indigenous Women's organizations provide essential services and programs for the healing and safety of Indigenous women, girls, children and families. Forced to follow the priorities of governments, priorities of their individual pots of funding perpetuates colonial violence. We must allow our women to set the direction of their journey.

42. An Indigenized funding model is mindful that all work, programs and services need to plan for generations to follow or yet to come. As well as be guided by the generations that have come before, the teachings of the ancestors and elders. With sustainable adequate core funding that is responsive to community needs LAWS and other Indigenous women's organizations could act. LAWS would implement our strategic plan, build a women's center, develop an on the land treatment program, develop a program on the land for men who want to end being perpetrators of violence. LAWS would have our elders teach about our medicines, we would continue to sew regalia for our youth, we would offer regular programs at the schools with our youth.

2. We call on the Government of the Yukon and the Government of Canada to **immediately** fund the development and sustainability of on the land cultural treatment centers and centers in all communities in the Yukon.

43. Every First Nations community in the Yukon recognizes the power of culture to heal and have been asking for years for treatment centers on the land. The elders want to take care of

¹⁹ This recommendation joins recommendations made by institutional, expert and knowledge keepers witnesses in part II Hearings: Elisapi Davidee Aningmiuq (Iqaluit); Chief of Winnipeg Police & Shelters (St. John's); Shelters hearings (Calgary); family hearings Dr. Turpel-Lafond (Winnipeg)

their children and support their families. Support that come from the land, from their teachings and from their language. Elders have asked the Yukon Government for over two decades to fund services by and for Indigenous families in their community, on their lands. They report: “we haven’t been heard,” the result, two decades of inaction. The Yukon government is failing to address the health of Indigenous children and families in the Yukon.

44. From 2008 to 2010 LAWS partnered with the Liard First Nation to develop a community based treatment plan. Over 400 community members and youth were involved in developing our 10-year treatment plan. We have lobbied the Yukon government, Federal government and mining industry for funding to implement and run our community designed treatment plan for 10 years, but not one is willing to fund something that will work.

45. A Kaska elder, a Kaska grandmother shared a story about how the child of a family member was taken into care and subsequently medicated for behavioral issues. She expressed how when the child came home to visit, she took the child out on the land. She noted that out on the land, with family the child was well behaved, not anxious, not hyperactive. She said “he slept so well on our land, he needed to learn from his elders and learn from the lands.” The land, the territory, the air, the elder and family were medicine for the child.

3. We call on the Government of the Yukon, Government of British Columbia and the Government of Canada to **immediately** fund the development and running of youth and women safe spaces in all communities in the Yukon.²⁰

46. Indigenous youth need to be empowered and supported to create the safe spaces they need in our communities. The *Dene ā’nezen (Dignity and Respect): Youth for Safety* program brought youth together nurturing their confidence, supporting them to think about themselves and their communities. The program and provided them with tools to advocate for themselves, their communities and an end to violence against Indigenous women and girls. We must listen to the voices of our youth, as they advocate for their futures and the children yet to come. The youth have asked for cultural spaces, spaces where they are taught and supported by their elders. The youth have asked to be on the land, on their territory.

²⁰ Supported by many including: Dr. Turpel-Lafond (Winnipeg), Chief of Winnipeg Police (St. John’s), TJ and Jasmin (Iqaluit).

47. LAWS has a camp out on the land in the Kaska territory where women can have conversations with each other. The women can learn how to share, learn their culture as they are surrounded and supported by Elders. Women want a space in the community.
48. Youth and Indigenous women also need spaces in their communities where they are safe from violence. An Elder shared that when there is violence, a crisis in their community, there is a rush at two in the morning. Phone calls are made to certain people in the community. There is a scramble to find a safe place for the woman and her children to go. The lack of housing in most Indigenous communities in the Yukon and northern British Columbia means that there are few options for a woman and her children who wants to escape or flee from violence. We need safe spaces for Indigenous women and children in all communities and these spaces need to be separate and out of the control of the First Nations governments.
4. We call on the Government of the Yukon and the Government of Canada to **immediately** fund Indigenous organizations to provide “safe rides” for youth and elders.
 5. We call on the Government of the Yukon and the Government of Canada to provide long term sustainable core funding to Indigenous Organizations so that they can provide support and resources for Elders in the community.
49. In Whitehorse, service providers report men in vehicles lurking around buildings and doors where there are programs for youth. They report that predators know the locations of the youth foster homes, group homes. The predators know the time that youth programs end for the day, and they are outside waiting. When the youth leave the program for the evening, walk out the door there are predators waiting for them. We need safe rides for our youth.
50. Elders are the teachers and guides for our organizations our communities and our youth. The Elders hold the language, teachings of the lands, they hold an important responsibility to teach and care for the next generations. They are called upon to participate in meetings, ceremonies and cultural gathering. Yet many Elders live in poverty. As Dr. Cindy Blackstock stated:

if you are a young person and you look out and you see elders of your community being able to make choices, that means that you can then make choices as a child and young person. It gives you more of an expanded sense of possibility.²¹

Elders need to be recognized as experts and fully supported in their work and role in our communities.



We call for support of Indigenous Women's Organizations

6. We call on the Yukon Forum to acknowledge the exclusion of Indigenous women's organizations and the lack of support has contributed to the Murdered and Missing Indigenous Women and Girls.²²

We call on First Nations leaders, and the Yukon Forum to develop a plan of action in partnership with Indigenous Women's organizations to bring life to the commitments made in the Yukon Regional Roundtable on Missing and Murdered Indigenous Women and Girls Declaration made on February 12, 2016.

51. The Yukon government meets regularly with chiefs of Yukon First Nations, Indigenous women's organizations are not invited to these tables. Governments use terms of reconciliation, collaboration and partnership yet they exclude Indigenous women's groups. There cannot be reconciliation when Indigenous women are excluded. Sincere and effective reconciliation requires recognition of the expertise and the important role of Indigenous women. Further, reconciliation requires partnerships, ongoing relationships between Indigenous women and governments. We must be at that decision making table. Our women's organizations would ensure that our families, violence against Indigenous women, and issues of child protection would be actively addressed at that table.
52. In February 2016 at the Yukon Regional Round Table for missing and murdered Indigenous women and girls, the Yukon Government, First Nations Chiefs and Indigenous women's organization signed a Declaration for missing and murdered Indigenous women and girls in

²¹ Transcript Dr. Cindy Blackstock "Child & Family Welfare" Winnipeg, Mixed part II & III volume XII at 99

²² Supported by the Winnipeg Chief of Police (St. John's)

the Yukon. There needs to be an action plan to bring to life to the commitments made by leaders at that table. We call for action.



We Call For Thriving Indigenous Children And Families

7. We call on the Government of the Yukon and the Government of British Columbia to recognize that the child protection systems are continuing the forcible removal of Indigenous children that began at contact, and has directly contributed to the murdered and missing Indigenous Women and Girls.

We call on the Government of the Yukon to provide long term sustainable core funding for an independent First Nations Indigenous women's authority to develop and implement solutions for the care and protection of our children and families.

53. The colonial state is actively stealing Indigenous children and destroying Indigenous families in the Yukon and northern British Columbia. In 2016 Statistics Canada reported that in the Yukon 7.7% of all children aged zero to four were Indigenous, yet they accounted for more than half, or 51.2% of all children in foster care private homes. Dramatically overrepresented, the statistics for Indigenous children in care are likely more startling as it seems that these statistics do not take into consideration the number of children placed in group homes or institutions.²³
54. In 2016/17 the numbers of families identified by Yukon Family and Children Services with child protection concerns was 625.²⁴ The number of families receiving preventative support was 154.²⁵ There were 94 children in continuing custody, and 64 in temporary in care, with no differentiation of how many of those children are Indigenous.²⁶
55. The 2014 Report of the Auditor General of Canada to the Yukon Legislative Assembly reviewed 49 child protection files. Of these files, 37 (76%) involved First Nations children and families. Of the 49 files, substance abuse was identified as a key factor in almost 90% of cases. At least 65% of files reviewed pertained to First Nations children and families and

²³ Statistic Canada, *Census in Brief: Diverse family characteristics of Aboriginal children aged 0 to 4 Census of Population, 2016*. (Release date: October 25, 2017.) <online: <https://www12.statcan.gc.ca/census-recensement/2016/as-sa/98-200-x/2016020/98-200-x2016020-eng.pdf>> at 5

²⁴ Yukon, Yukon Family and Children's Services, *Child and Family Services Act 2016-17 Annual Report*, (June 2018) <online: <http://www.hss.gov.yk.ca/pdf/CFSAAnnualReport2016-2017.pdf>> at 6

²⁵ *supra* note 24 at 7

²⁶ *supra* note 24 at 9

had substance abuse as a key factor. The report also highlights that the Child and Family Services department does not meet all of the standard requirements such as annual reviews of foster homes and transitional plans for Youth.²⁷ Data from the 2018 *Whitehorse Point-in-Time Homelessness Count* highlights that 47% of the homeless population in Whitehorse have a history of foster care or group home care.²⁸

8. We call on the Government of the Yukon and the Government of Canada to immediately review the files of all children in care or in the Whitehorse Correctional Centre in the Yukon and provide to all Yukon First Nations and Indigenous Women's Organizations in the Yukon the number of children of each nation in care, the number of children placed in non- Indigenous homes (foster and group), where the children are placed and the amount and types of medications the children are prescribed.

56. LAWS has repeatedly requested the Yukon Government provide the community with data about their children taken by the state under child protection legislation, only to be informed that the information requested is not collected. The Elders stress the need to understand what is currently happening with their children right now so they best understand and plan how to move forward.

57. Yukon First Nations Women want answers, they want to know:

- how many children from each Indigenous community in the Yukon and northern British Columbia are in care and where are they being placed?
- have the children been taken from Watson lake or another community to Whitehorse?
- are the children placed with non-Indigenous families?
- are the children with families from a different Indigenous Nation? and
- how much precisely are foster parents being paid to care for Indigenous children?

58. A Kaska Elder shared that at one time she was a foster parent for young sisters in the community. She explained that she tried to keep the sisters together, despite her efforts

²⁷ Office of the Auditor General of Canada Government of Canada, *Report of the Auditor General of Canada to the Yukon Legislative Assembly - 2014 : Yukon Family and Children's Services - Department of Health and Social Services* (Office of the Auditor General of Canada, 2014) at 5

²⁸ Kate Mehan, Yukon Anti-Poverty Coalition, *Whitehorse Point-in-Time Homelessness Count* (2018), online < <https://cyfn.ca/wp-content/uploads/2018/08/PiT-Count-2018-FINAL.pdf>> at 18; Liard Aboriginal Women's Society, *Calling our Spirits Back: Kaska Health Profile* (September 27, 2018) at 7

she was not successful. The children were separated and one sister was sent away out of this Elders home. The Elder reported the sister who was removed, pulled away, became depressed, was diagnosed, labeled and heavily medicated. The Elders want to know how many Indigenous children in care are being medicated and what kinds of medications.

59. Kaska Elders were asked: “when you make your little ones beaded mitts or moccasins, do you know if the children get to take that with them when they are removed and taken out of the community?” The Elders answered in one voice “we don’t know” and then one Elder said “when they are gone, they are gone.”

60. Indigenous mothers, grandmothers, aunties, great grandmothers in the Yukon and northern British Columbia would like to know where their children are and how they are doing, so that they can support them at the vulnerable time when they age out. They want to know if their children are being over medicated, or going to need assistance accessing medication they need, counseling etc. They want their children to know who they are as Indigenous people and where they are from. They want their children to always know that they are loved, wanted and can come home to their traditional territory. This is not something they can plan for and share with the child if they don’t know where the children are, if there is no information shared.

61. Dr. Turpel-Lafond, noted that during her time as the Child and Youth Representative in British Columbia there is often inadequate information collected about children in government care. She noted how simply paying attention to something, gathering information or tracking could improve outcomes for the children. Dr. Turpel-Lafond noted that her office struggled to get information from the Ministry of Child and Family Services and addressed several recommendations about gathering information in her report When Talk Trumped Silence.²⁹ With respect to the path forward she stated:

I think if we’re looking at some kind of federal resetting of this area, particularly for some legal reform, expressing the right of Indigenous governance. To know about their children, so that they can have the right

²⁹ Report “When Talk Trumped Service: A Decade of Lost Opportunity for Aboriginal Children and Youth in B.C.,” by Mary Ellen Turpel-Lafond, Representative for Children and Youth, November 2018 Exhibit 38 (P02-03P03P0401) Winnipeg, October 04, 2018 Parts II-III Volume XIII Special at 62, see recommendation 5

-- children can have the right to know their families, and the community has a right to keep them connected.³⁰

9. We call on the Government of the Yukon and the Government of Canada to make resources and support currently provided to foster parents for an indigenous child in care directly available to the indigenous child, parents and family prior to the child being removed.

We call on the Government of the Yukon and the Government of Canada to make resources and support fully and directly available to Indigenous children, parents and families prior to the child being removed, and that every attempt is made to avoid the removal of children.

62. Kaska Elders shared that traditionally Kaska parents raised their children in the early years, and later it was the responsibility of the aunties and uncles to teach the children. In the Yukon and Northern British Columbia grandmothers are now looking after their grandchildren and great grandchildren with no resources and no support. Indigenous languages are key for understanding, learning and revitalizing healthy Indigenous families. In their Kaska language, the elders shared that there is no term for sister or brother; Kaska family terms are very specific. Kaska family terms set out relationships between family members so that when a child is taught their language they can situate themselves on the land within the family, their sibling group as well as the responsibilities that each has to each other. With their Indigenous language children know who they are.

63. The Yukon *Child And Family Services Act* came into effect in April 2010.³¹ The Act recognizes that First Nations should be involved in the planning and delivery of programs and services to their citizens.³² Eight years later Yukon First Nations Women are still eager and waiting to become involved. In the meantime addictions escalate as more children are stolen.

10. We call on the Government of the Yukon, Government of British Columbia and the Government of Canada to fund Indigenous Organizations in the creation of an advocate

³⁰ Transcripts cross examination, Dr. Turpel-Lafond, "Child & Family Welfare" Winnipeg, mixed part II & III Volume XIII at 262

³¹ *Child And Family Services Act* SY 2008, c.1

³² Referred to as cooperative planning through out the Act.

that can help Indigenous peoples, families and Individuals understand the legal process for the removal of indigenous children.

11. We call on the Government of the Yukon, Government of British Columbia and the Government of Canada to fund the creation and running of an independent First Nations Child Advisory Body that will participate in changes to legislation, policy, education, and review the success of changes.
 12. We call on the Government of the Yukon and the Government of British Columbia to amend all relevant laws so that no Indigenous child be found in need of protection and removed from their family due to poverty.
 13. We call on the Government of the Yukon and the Government of British Columbia to work with Indigenous Women's Organizations to remove barriers for communities and families to look after their own citizens, families and children.
64. In 2018 Dr. Shelly Bonnah and the Center for Response Based Practice undertook a review of the child protection legislation in the Yukon.³³ The primary recommendation of their review was to call for a comprehensive, partnership review of the Act that is inclusive of Indigenous communities, service users, service providers, government employees and foster parents.³⁴
65. In May of 2018 the Yukon Government called for a review of child protection services in the Yukon.³⁵ As noted in the analysis of Dr. Bonnah this review is urgently needed. We call on the Government of the Yukon to immediately take up our Call to Action # 10 the creation of a First Nations Child Advisory Body to participate fully in this review and subsequent policy and legislative changes that are urgently needed. This body could develop traditional custom adoption, advocate on behalf of parents, review child protection legislation, and collaborate with child protection services for the best interest of the child and family.
66. Indigenous families know how to care for their children. Indigenous families need to be adequately resourced, supported and funded. There are many young families as well as grandparents and great grandparents who would like to open their homes to children that

³³ Shelly Bonnah & Linda Coates, *Review of the Yukon's Child and Family Services Act* (Center for Response Based Practice, 2018).

³⁴ *supra* note 33 at 18

³⁵ Government of Yukon, *Panel appointed to review Child and Family Services Act*, News release 18–121 (2018).

need care, safety and protection. Services and support needs to be provided to these families so they provide homes for children of their community. Barriers to becoming a foster parent need to be reexamined, and programs and supports need to be offered for willing families to overcome barriers.

14. We call on the Government of the Yukon, the Government of British Columbia and the Government of Canada to review and amend the Criminal Code of Canada to accurately reflect the true nature of violent crimes against women and children.

67. All too often, when an Indigenous women reports violence to the authorities or service providers her life falls apart. She is faced with the violence of negative social responses from the RCMP, health care providers, legal professionals and the court. She is faced with a community who blamed her, who ask: “does she not leave? or, what’s wrong with her?” They continually put the blame for the violence in the women’s head by saying: “she was at fault for what she wore, what she said. She needs better boundaries and she has low self esteem etc.” For disclosing the violence she experienced, she risks losing her children under failure to protect sections of child protection legislation. The family violence model is outdated as it does not consider the context in which the violence happens.³⁶ The violence of language used by the legal profession, government and service providers has been discussed at length above.

68. Language used in *Criminal Code Of Canada* [“Code”] obscures perpetrator responsibility for violent crimes in particular against children. Like with the term “sexual assault” discussed above, there are sections of the *Code* that mutualize violent acts including s. 151 sexual interference, s. 152 invitation to sexual touching, and s. 153(1) sexual exploitation. These sections wrongly refer to “sex with children.” To be clear it is assault of a child, not sex. In his analysis of the minimalizing and mutualizing language of violence, Dr. Wade remarked: “when you a rob a bank it is not a financial transaction. And, if you hit someone on the head with a frying pan you don’t call it cooking.”³⁷

³⁶ Transcript, Dr. Allan Wade “Child & Family Welfare”, Mixed Part II & III Volume XIV, Winnipeg at 50

³⁷ Check transcripts or cite to a meeting or presentation where he may have said this.

15. We call on the Government of the Yukon, Government of British Columbia and the Government of Canada to immediately and fully implement Jordan's Principle. Funding and resources need to be made available for thriving healthy Indigenous children.

69. Mothers and grandmothers in the Yukon report that it is only extreme health concerns that are currently addressed immediately through Jordan's principle. To access health care that is necessary for thriving happy children incredible bureaucratic hurdles still exist. Institutional procedural hurdles create barriers for the care of thriving children.



We Call For Justice And Safety

16. We call on the Government of the Yukon and the RCMP to apologize for their role in ongoing colonization of Indigenous people and their failure to protect indigenous women and girls directly contributed to the Murdered and Missing Indigenous Women and Girls.

We call on the Government of the Yukon and the RCMP to fund the development and implementation and running of Yukon wide *Together for Justice Safety RCMP Divisional Protocol*. This will be an ongoing relationship between the RCMP, the government and Indigenous Women's Organizations.

17. We call on the Government of the Yukon, RCMP and Government of Canada to immediately fund the Liard Aboriginal Women's Society for a dedicated community liaison position to implement and oversee the *Together for Justice Safety Protocol*.

70. *Together for Justice* was a 2011 initiative of the Kaska women of LAWS designed to develop mutual understanding between the RCMP, women and community agencies. The goal was to foster just and effective responses to violence against women.

71. LAWS and the RCMP organized a series of gatherings over the course of a year to promote dialogue and improve relationships. At the gathering the participants reviewed information on the nature of violence and resistance, the role of social responses, the power of language, safety and justice. During and between the *Together for Justice* gatherings, participants shared new understandings, worked toward common goals and identified specific changes in outlook and practice. In 2013 the project's final evaluation indicated an overwhelmingly positive responses from RCMP, community members and service providers. All responses

reported improved RCMP responses to violence, responses that are grounded in greater openness, understanding and trust.³⁸

72. One concrete outcome of the *Together for Justice* initiative was a *Together for Justice Safety Protocol*, signed between LAWS and the RCMP Watson Lake detachment and the *Together for Safety Protocol* between the Whitehorse RCMP detachment and the Yukon Women's Coalition. These protocols confirmed a shared vision and common guiding principles, clearly defined objectives for collaboration, and delineated corresponding commitments for women and the RCMP. These commitments include concrete expectations for communication, clarity on information-sharing, and responsibility for roles in assisting women and their children to be safe in their community.
73. In Watson Lake, the lasting success of the *Together for Justice Safety Protocol* has not been as deeply rooted as initially hoped. Due to the RCMP policies of limited duration posts in isolated communities, all RCMP members who were actively involved in the *Together for Justice* workshops and conversations have transferred out of Watson Lake. With these moves, the community lost the trusting relationships built between specific officers and community members. In addition the community lost their investment in the RCMP, the time, energy and expertise that our elders, leaders and community members invested in sharing cultural and community-specific knowledge with those officers.
74. LAWS continues to operate without stable, adequate core funding which limits the organizations capacity to consistently engage in collaborative projects. Despite RCMP recognition of the significant value of these workshops and training, they will not provide funding to LAWS or other community members to provide ongoing cultural training. As a result, LAWS as a small non-profit organization is expected to find their own resources to train and improve the RCMP. It is inappropriate and unjust for underfunded and under-resourced communities and Indigenous women's organizations who continue to resist ongoing colonization to be made to bare the cost and responsibility for fundamentally

³⁸ Kita Billington, "Together for Justice Final Evaluation", prepared for the Liard Aboriginal Women's Society, March 2013.

changing State institutions like the RCMP. The RCMP and government must acknowledge their ongoing role in colonization and take responsibility and initiative for internal change.

75. Despite these limitations, *Together for Justice* remains a promising model for effectively improving violence prevention and response. The success of *Together for Justice* in building meaningful relationships between RCMP, community members, and other service providers has been recognized internationally. In 2017, the initiative was featured as one of four international examples of good practices in ending discrimination against women in a report to the United Nations Human Rights Council by the Working Group on the issue of discrimination against women in law and in practice.³⁹ This Working Group recognized that women’s safety and equality cannot be achieved or understood merely through legal and policy frameworks, but “must be analysed in context, including tangible outcomes in lived reality” (p 5).

76. The lessons learned from *Together for Justice* would be valuable in other communities to improve coordinated responses to violence by police, service providers and Indigenous people. *Together for Justice* provides a positive example of a collaborative model of violence-prevention, centered around creating a circle of response-based practice.

77. The UN Human Rights Council Working Group identified the following lessons from LAWS’ *Together for Justice* initiative:

- a. Legal frameworks and partnership protocols that formalize the collaboration and participation of citizen or civil society organizations or autonomous women’s rights organizations in developing, monitoring and implementing the law, can help to address power imbalances on the basis of historical discrimination and can lead to meaningful change.
- b. Measures involving groups of women who experience intersectional discrimination, such as Indigenous women, must be developed in accordance with an intersectional, gender-sensitive human rights perspective and engage with women as stakeholders.

³⁹ Report of the Working Group on the issue of discrimination against women in law and in practice”, United Nations General Assembly 19 April 2017, A/HRC/35/29.

- c. Financial and institutional support for promising and good practices must be maintained to ensure ongoing impact of results.

78. LAWS completed a literature review and analysis that produced a list of valuable lessons on meaningful anti-violence prevention and response attached as Appendix 1.⁴⁰

18. We call on the RCMP to fund, resource and support for Individuals who are participating in a mechanism to hold police accountable for misconduct, actions, violence etc. Support provided to an officer who is being investigated (counseling, extended health coverage, paid leave) should be provided to the person asserting police misconduct.

19. We call on the Government of the Yukon, Government of British Columbia, RCMP and Government of Canada to fund an RCMP – Indigenous Women’s Organization community liaison position. The person in this role will build relationships with Indigenous women’s organizations and individual women. Indigenous women’s organizations will participate in the selection and training of this individual.

79. Indigenous women experience a disproportionately large amount of violence particularly in the Yukon. This violence is at times directly perpetrated by men in positions of power. The relationship between the RCMP and Indigenous women was deeply fractured in 2010, with two officers in the Yukon being charged and acquitted of assaulting a woman. The work that began with *Together for Justice* needs to continue to build trusting relationships. All people, including Indigenous women in the Yukon need to be lifted up and supported to facilitate full equal participation in police complaint or accountability mechanisms.

20. We call on the Government of the Yukon, Government of British Columbia and the Government of Canada to completely revise supports for victims of violence, including lawyers provided for the victims of violent crimes, and a mechanism for the court to better situate the violent act in a persons life and better understand the impact of the act, Gladue Report for the victims of violence.

80. Victims of sexualized assault must have a lawyer to advocate on behalf of their story, and their desire for justice. A lawyer representing a victim of sexualized violence would be instrumental in the reporting, investigation and prosecution of sexualized violence. A major barrier to reporting violence is the fear of a negative social response from legal professionals including the fear of not being believed. A victim’s lawyer tasked with representing their

⁴⁰ See Appendix 1, pages 24-27

story and truth through out the process would ensure that their story and resistance were advanced in legal proceedings. Furthermore, unlike crown counsel who has an ongoing quasi-judicial duty to act in the public interest by considering the likelihood of conviction, counsel for a victim would act to advance their clients interest in justice.

81. A violent act perpetrated against Indigenous women and girls needs to be situated within the larger story of the individual victim’s life, their family, community and Nation. Further, the impact of the deliberate unilateral violent act of the perpetrator on the victim must be understood as occurring within the context of ongoing colonial violence. It is important for the court to understand how structures and systems of colonization shaped how the person resisted the violent act. Additionally the court must consider how ongoing colonial violence creates barriers for the victim access services, health cares, traditional knowledge etc.



We call for Industry investment

21. We call on all the mining companies in the Yukon to develop a safety plan for indigenous women in partnership with Indigenous women’s organization. Further that these mining companies develop policies of zero tolerance for violence against indigenous women and racism towards indigenous people.

82. There is a direct correlation between resource extraction and development, the “raping of our land” and violence against Indigenous women and girls.⁴¹ LAWS is aware of women who have been murdered and raped by men who have worked in the mining industry. Elders before us shared stories of our women being raped and murdered when the army was building the highway.



We Call For Education And Training

⁴¹ “No More Stolen Sisters: The Need for a Comprehensive Response to Discrimination and Violence Against Indigenous Women in Canada,” Amnesty International Publications, 2009, Index: AMR 20/012/2009, Exhibit 17 (P02-03P02P0201), Mixed Part II-III VOLUME VI

22. We call on the Government of the Yukon, the Government of Canada, and the RCMP to work with Indigenous Women's Organizations to develop and run a Northern Centre for Excellence in the Yukon, that focuses on Response-Based based training, dignity, cultural competency and relationship building.
83. Utilizing Response-Based training, dignity, cultural competency and relationship building
LAWS has created many successful community designed and led programs. We need to shift how service providers, governments and the police think about the north. Our projects can serve as the foundation for a Northern Centre for Excellence in the Yukon. This center would create both northern specific training and programs as well as offer internationally recognized response-based training for individuals who want to take our models back into their communities.
84. Victims of violence need service providers to prevent and respond to violence. LAWS and the Center for Response-Based Practice identified themes in the research on prevention and response to violence. Researcher consistently identified the themes discussed below as effective strategies for increasing victims' wellbeing and sense of safety. These requirements must be deeply embedded at every level in policies and procedures, as well as consistently reflected in the actual practice of service providers working on the ground.
85. First, institutions and service providers must listen to and believe victims. Victims have consistently indicated that they need to know that they will be believed in order to confide about the violence they have experienced. Lack of trust in institutions and processes is often cited as one barrier to effective violence prevention; this barrier is not located in the minds of victims who do not trust, but in the actions of institutions and service providers who have repeatedly demonstrated that they are untrustworthy. In order for institutions to help create safety, they must earn the trust of marginalized Indigenous women and victims.
86. Second, institutions and service providers must recognize, explicitly acknowledge, and honour victims' resistance and responses. Recognizing women's resistance to violence is a process that begins by listening, but must be continued by acknowledging the strength, resourcefulness, and creativity of victims who are constantly resisting violence. Many

ways that women respond to violence are not traditionally recognized as resistance; reframing them as such can help victims reclaim their sense of power and agency. Talk of “resilience” is not enough because it does not elaborate on the skills and particular, contextual action of the woman; nor does it offer any challenge to the status quo.

87. Third, institutions and service providers must identify the ways in which violence is unilateral and deliberate. By moving away from mutualizing language, and accurately naming and describing violence, service providers will be better equipped to conceptualize and describe how offenders use power and control to pre-empt and overpower victims’ resistance. This accurately allocates responsibility, and results in increased accountability for the offender.

23. We call on the Government of the Yukon and the Government of Canada to fund Indigenous Women’s Organizations to host and facilitate education about rights, violence and positive physical touch and sexuality.

88. We need to change the way we think about physical touch. Physical touch is not inherently negative and we need to educate our children and communities about consent and bodily autonomy as well as the fundamental difference between positive physical touch and assault. An Elder shared: “We need to stand up and be who we are and change our way of thinking. After residential schools, 60 scoop, foster care everyone is afraid to touch children.” We need to remind ourselves to cherish our children, to hug them, to tell them we love them.

24. We call on all news organizations and media to implement a zero tolerance policy for racists, violent and colonial comments on all Indigenous content. Remove the platform by disabling the ability to comments on stories with Indigenous content, subjects or issues.

89. Language is an important tool through which we express our worldview. Language tells a story about what is important, what should be erased and ignored. News organizations in reporting on activities of the colonial state, resource extraction by industry or violence against Indigenous women and girls actively construct narratives with specific terms and images. We call on the media to deliberately and consciously examine the language and story they tell, what they choose to report on and all their Indigenous content. The media

can act as a tool of colonial violence by perpetuating racists, sexist stereotypes, participate in victim blaming as well as erasing and devaluing Indigenous lives and experiences by failing to publish or report Indigenous news or content. We call for a fundamental shift in how Canadian society, governments, service providers, legal profession and police forces construct and discuss Indigenous realities through inappropriate language. There must be zero tolerance for hatred, racism, sexism, and violent colonial concepts in the media or on any platform in response to a news piece.

25. We call on the Government of the Yukon and the Government of Canada to fund a yearly commemorative gathering for the Murdered and Missing Indigenous Women and Girls of the Yukon by Indigenous women's organizations. This gathering will bring together survivors, family members and community creating a network or support and provide cultural support. A monument and ceremony are essential parts of ongoing education about colonization, and the value of Indigenous women's lives.

90. As a community we need to reject the concept of unresolved grief. What is there to resolve? You carry the spirit of your love ones with you always. The concept of unresolved grief suggests to a survivor, a family member that they are not doing enough to heal, to move on. This is not the Kaska way of understanding relationships, family or valuing life. We understand that the spirits of our loved ones are carried with us and are with us as we walk forward. We call for a yearly gathering to bring together survivors, family members and community creating a network or support and provide cultural support.

91. The incredible advocacy of families and Indigenous women's organizations that pushed for action on the crisis of murdered and missing Indigenous women and girls created a strong community that said NO MORE. This National Inquiry has been a forum through which survivors and family members have been able to engage and come together. Survivors and family members gathering at times for the first time over this issue have created networks of support. Support of people who understand the violence, and the incredibly important task of honouring the lives and truths of our stolen sisters, mothers, daughters, aunts, cousins, grandmothers. Honouring our stolen sisters and celebrating Indigenous women and girls must not end with this National Inquiry.

V. IMPLEMENTATION

26. We call on the public to acknowledge that ignoring the voices and truths of Indigenous women and girls has directly contributed to murdered and missing Indigenous women and girls.

We call on all governments, police forces, industry to provide an action plan and annual progress reports on the implementation of the calls to action of the Yukon Indigenous women and the recommendations of the National Inquiry into Murdered and Missing Women and Girls.

27. We call for the creation of an independent body to prepare a yearly report on the progress of colonial institutions, industry and First Nations governments with the implementation of the calls to action Yukon Indigenous women and the recommendations of the National Inquiry into Murdered and Missing Indigenous Women and Girls.

28. We call on the Government of the Yukon, RCMP, Industry and Government of Canada to fund a northern conference that brings together the Yukon, North West Territories and Nunavut First Nations and Inuit to discuss the implementation of the calls to action of the Yukon Indigenous women and the recommendation of the National Inquiry into the Murdered and Missing Indigenous Women and Girls.

VI. CONCLUSION

92. There is nothing wrong with Indigenous women and girls. We carry within us and within all generation to follow our culture, our language our inherent rights.

93. We call on everyone to act. We call on you to take up our calls to action and end the deliberate violence against Indigenous women and girls.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

This 14th day of December, 2018

Ann Maje Raider
Executive Director, Liard Aboriginal Women's Society

VII. APPENDICES

Appendix 1: Liard Aboriginal Women's Society, "Together for Justice: Literature and Contextual Review and Recommendations", December 2013

Appendix 2: Linda Coates and Allan Wade, "Language and Violence: Analysis of Four Discursive Operations", *Journal of Family Violence* 26 July 2007 22:511-522.

Appendix 3: Lois Moorcroft, "If My Life Depended on It: Yukon Women and the RCMP", Submission to Review of Yukon's Police Force 2010, January 2011.

Appendix 4: Simone Arnold, Peter Clark & Dennis Cooley, *Sharing Common Ground: Report on the Review of Yukon's Police Force* Executive Summary, 2011.

Appendix 5: Liard Aboriginal Women's Society, "*Together for Justice* Bridging the Gap: a Cross-Cultural Conversation between Aboriginal Women, RCMP, Yukon Women's Groups, First Nations and Front-Line Service Agencies", 2011.

Appendix 6: Yukon Advisory Council on Women's Issues, "Gaps Needs and Options: Legal Advocacy for Yukon Women", 2013.

Appendix 7: Whitehorse Aboriginal Women's Circle, "Working Together for Change: An Analysis of Barriers and Challenges Facing Whitehorse Aboriginal Women", 2011.

Appendix 8: Whitehorse Aboriginal Women's Circle, "Connecting Our Spirits: 2015 Family Gathering of Missing and Murdered indigenous Women and Girls Executive Summary", 2015.

Appendix 9: Cathy Richardson, "Exploring Justice for Child Survivors of Sexualized Assault by a Male Adult: An Analysis of A Yukon Court Ruling, *R v Gilmore*", prepared for LAWS September 2016.

Appendix 10: Cathy Richardson, "Analysis of a Sentencing Statement: *R v Shepherd*", prepared for LAWS February 2017.

Appendix 11: *Together for Justice Safety Protocol*, signed by the Liard Aboriginal Women's Society and RCMP Watson Lake Detachment, March 5 2013.

Appendix 12: Liard Aboriginal Women's Society, "Together for Justice: Literature and Contextual Review and Recommendations", December 2013: