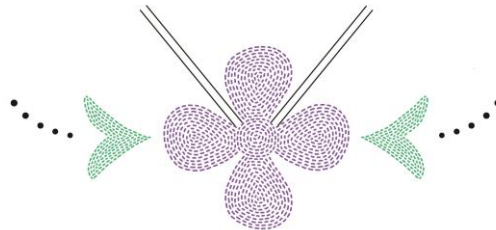


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

**National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-Gathering Process
Part IV - Closing Oral Submissions
The Westin Ottawa
Ottawa, Ontario**



PUBLIC

**Wednesday December 12, 2018
Oral Submissions - Volume 7**

**Aboriginal Legal Services
Native Women's Association of Canada
Battered Women's Support Services
Winnipeg Police Services
Federation of Sovereign Indigenous Nations
Regina Treaty Status Indian Services, Inc.
Sioux Lookout Collective**

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Second Chairs: Violet Ford, Meredith Porter and Shelby
Thomas (Commission Counsel)

Heard by Chief Commissioner Marion Buller and Commissioners
Brian Eyolfson & Qajaq Robinson

Grandmothers, Elders, Knowledge-keepers & National Family
Advisory Circle (NFAC) members: Vincent Kicknosway, Elaine
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Leslie Spillett, Louise Haulli, Pénélope Guay, Kathy Louis,
CeeJai Julian, Myrna Laplante, Gladys Radek, Charlotte
Wolfrey, Micah Arreak, Norma Jacobs, Barbara Manitowabi,
Sarah Nowrakudluk

Eagle River Drummers: Yancy Thusky, Awema Tendesi, Jordan
Jacko

Clerks: Bryana Bouchir & Maryiam Khoury

Registrar: Bryan Zandberg

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1 Ottawa, Ontario

2 --- Upon commencing at 8:33 a.m./L'audience débute à 8h33

3 **MS. CHRISTINE SIMARD-CHICAGO:** Good

4 morning, good morning, good morning. How is everybody

5 this morning? The sun is shining. It's not snowing.

6 It's going to be a beautiful day.

7 My name is Christine Simard-Chicago and I'm

8 going to be your MC for the rest of the week. And I have

9 my colleague here.

10 **M. CHRISTIAN ROCK:** Christian. Bonjour à

11 tout le monde. Moi et Christine nous serons vos maîtres

12 de cérémonie pour la semaine.

13 Donc on va commencer aujourd'hui avec les

14 prières d'ouverture qui nous seront offert... en fait, avec

15 les joueurs de tambours qui sont... qui vont être performés

16 par le groupe Eagle River.

17 **MS. CHRISTINE SIMARD-CHICAGO:** So right now

18 we're going to start our day in a good way as we usually

19 do. So I'm going to ask our elders to come up, Vince,

20 Elaine, and Reta.

21 I almost feel like we can do Sonny and Cher

22 here.

23 **(LAUGHTER/RIRES)**

24 **(OPENING PRAYERS/PRIÈRES D'OUVERTURE)**

25 **ELDER RETA GORDON:** Good morning, everyone,

1 and I want to say hello to Thelan (phonetic) and welcome
2 him to the drums, the drummers.

3 Last week I was cleaning out my desk drawer
4 because things were falling out, and I came across a poem
5 and I thought how à propos this would be, so I'm going to
6 read it.

7 "Oh sisters, where are you? We have
8 searched and we cannot find you.
9 Your spirits cry out and echo in the
10 empty spaces you once filled. You
11 have drifted, unnoticed into the
12 shadows of death.
13 Your bones lie scattered in profaned
14 places, your absence, your tears, and
15 your terror all ignored in a
16 mainstream culture that considers you
17 of no account.
18 Beat the drums of mourning and memory,
19 sound them louder and louder til they
20 become your voices, heeded by us all.
21 May they raise in our hearts and
22 compassion a pulse that pounds out the
23 need to claim justice for each woman
24 who has been forgotten and to remember
25 her with honour and respect.

1 Let us heed the Great Spirit who calls
2 us to protect and treasure all our
3 sisters.

4 Please everyone, be the eyes that look
5 to see that our sisters need us if
6 they're in trouble and listen to their
7 cries."

8 Thank you.

9 **ELDER ELAINE KICKNOSWAY:** So boozhoo.

10 (Speaking in Indigenous language) to the Commissioners,
11 the grandmothers, and the families and the helpers. We
12 give thanks for today and watch over and the medicine that
13 we carry but also the medicine that is being asked to be
14 spoken of. We give thanks for that bundle. We give
15 thanks for that *ki giizis*, the rising of the sun and that
16 breath of life.

17 We give thanks for all those that we speak
18 to and that love that is shared and the gracefulness that
19 comes with that love and the original teaching of the
20 first stepping stone that we're all to receive and that we
21 continue to carry.

22 Watch over our missing and murdered and our
23 families and those places that we speak about so that we
24 continue to carry forward the message of live, message of
25 justice, message of answers in a good way. *Miigwetch*.

1 Have a good day. (Native word).

2 **ELDER VINCENT KICKNOSWAY:** Boozhoo.

3 Ahneen.

4 (Speaking in Indigenous language). We give
5 greetings and thanksgivings to this Algonquin territory
6 that we stand upon and that we are acknowledged and have
7 received the warmth, the sunlight of our grandfather, who
8 has risen in that eastern doorway. We are so grateful.

9 We ask at this time to acknowledge the
10 words of our grandmothers and to our grandfathers, *kokum*
11 and *mooshums*, to acknowledge this gathering, that we may
12 acknowledge the use of our abilities throughout this day
13 for what we will see here, smell, speak, taste, and feel.

14 To those who work so diligently in
15 utilizing those abilities to hear and to those who speak
16 their ways of life, we are so grateful that the
17 resolutions of this gathering will come within the
18 guidance of our spirit helpers, our ancestors. I
19 acknowledge and give thanks to those who are ancestors.

20 I am so grateful for the voices of these
21 young men who sing their songs, our way of life, to bring
22 the joy within our hearts, to fulfill those ways of life
23 that we, as Anishinaabeg, Métis, Inuit live. We ask to
24 offer those prayers and guidance and love throughout this
25 day. We are so grateful. We say to those four directions

1 that all the people that attend this gathering, from the
2 east, the south, the west, and the north, we are so
3 grateful. (Speaking Indigenous language.)

4 I've been -- we are very fortunate as a
5 husband and a wife, mother and a father to have our son.
6 He sang his songs with us in the recognition and shared
7 that rattle also. We are so grateful for us as a family
8 unit, and we ask and give thanks to this Commission, this
9 gathering for this opportunity to share who we are and
10 what we believe in to all of life's creations. Meegwetch.

11 **MS. CHRISTINE SIMARD-CHICAGO:** Meegwetch.
12 Thank you for that.

13 Now, we'll have our opening drum song with
14 the Eagle River Drummers.

15 **M. CHRISTIAN ROCK:** Merci à nos aînés pour
16 la prière d'ouverture. Nous allons maintenant procéder
17 avec la chanson d'ouverture avec le groupe Eagle River.
18 Merci.

19 (SINGING AND DRUMMING/CHANTER ET TAMBOURIN)

20 **MS. CHRISTINE SIMARD-CHICAGO:** Meegwetch.
21 Now, we'll have the lighting of the Qulliq with our Elder,
22 Eelee, and we'll have my friend, Louise, translate for
23 her.

24 **M. CHRISTIAN ROCK:** Merci. Merci aux
25 joueurs de drums. On va maintenant procéder avec

1 l'allumage du qulliq et l'allumage sera fait par Madame
2 Eelee Higgins, accompagnée par Louise.

3 **ELDER EELEE HIGGINS:** (Speaking Inuktitut)
4 As I was unavailable at the end of the day yesterday, I'd
5 like to express my thanks for Louise to take on the duty
6 of extinguishing the Qulliq yesterday and to do the
7 prayer. Qujannamiik.

8 **ELDER LOUISE HAULLI:** Eelee's brother-
9 in-law, her husband's older brother, had a heart attack
10 yesterday, but he's improving as of now so she's grateful
11 for that.

12 **ELDER EELEE HIGGINS:** Thank you to the
13 Algonquins for allowing us to be on their unceded
14 territory and for the Commissioners for granting us to be
15 here. This morning, I will share half of the Inuit
16 traditional knowledge as I was once a principal of Joamie
17 School in Iqaluit.

18 The first one I'll share is respect amongst
19 one another and with relationships and caring for one
20 another. Respect has a lot value for each and every one
21 of us, and in my presence amongst all of you, I felt that
22 respect with the call of duty I am here for.

23 The other one is fostering good spirits by
24 being open, welcoming, and inclusive. Upon my entry into
25 this room, I feel the welcome from everyone that's in

1 here.

2 **MS. LOOEE OKALIK:** And it's warming to her
3 heart.

4 **ELDER EELEE HIGGINS:** Even upon one giving
5 you a smile, you see the warmth of that (Native words).

6 The third one is serving and providing for
7 family and community, or both.

8 Serving one another is very common in
9 communities, even though you may be volunteering;
10 therefore, that adds to the wealth of the community
11 spirit. We learnt this value from our parents and from
12 our ancestors.

13 The fourth one I'm sharing is decision-
14 making through discussions and consensus. This value has
15 proved to be very valuable at this venue because
16 discussions and consensus are reached through dialogues
17 and communication.

18 Thank you very much.

19 **LOOEE:** And it's taking longer to light the
20 qulliq but it's getting there.

21 **ELDER EELEE HIGGINS:** It'll get there.

22 **LOOEE:** Yeah.

23 (LAUGHTER/RIRES)

24 **ELDER EELEE HIGGINS:** I'll make sure it'll
25 get there.

1 **LOOEE:** It's valuable that Eelee shared
2 this as we all face the north at the current time sharing
3 these Innu traditional knowledge values.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 **ELDER EELEE HIGGINS:** Thank you.

6 **MS. CHRISTINE SIMARD-CHICAGO:** All right.
7 Thank you so much for that.

8 Right now we'll take a couple of minutes
9 just to -- a couple minute break, two-minute break, and
10 then we'll let legal take over from here.

11 So everyone have a good day today.

12 Migwetch.

13 **M. CHRISTIAN ROCK:** Donc merci à tous. On
14 va prendre quelques minutes pour réorganiser l'avant de la
15 scène, puis on va... en fait, deux minutes pour permettre à
16 l'équipe légale de prendre place et de pouvoir commencer
17 les travaux. Vous pouvez trouver les équipements de
18 traduction simultanée à l'arrière de la pièce et on va
19 commencer dans les prochaines secondes.

20 --- Upon recessing at 8:53 a.m./L'audience est suspendue à
21 8h53

22 --- Upon resuming at 9:01 a.m./L'audience est reprise à
23 9h01

24 **MS. MEREDITH PORTER:** Good morning, Chief
25 Commissioner Buller, Commissioner Eyolfson, and

1 Commissioner Robinson.

2 We are reconvening with submissions from
3 the parties with standing. And the first party I'd like
4 to invite up to the podium this morning is from Aboriginal
5 Legal Services, Ms. Emily Hill and Mr. Jonathan Rudin.

6 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. EMILY HILL:**

7 **MS. EMILY HILL:** Good morning,
8 Commissioners.

9 My name is Emily Hill and I'm here with my
10 colleague, Jonathan Rudin, to speak with you on behalf of
11 Aboriginal Legal Services. Our Anishinaabemowin name
12 means All Those Who Speak the Truth.

13 I want to acknowledge that the land we're
14 meeting on today is the traditional territory of the
15 Algonquin people, and we are grateful to be here.

16 Jonathan and I will take turns addressing
17 you on six points today. I will speak to you about the
18 *Indian Act*. Jonathan will then discuss the police and
19 criminal justice system. I will talk about healthcare and
20 the child welfare systems, and Jonathan will address
21 community-based solutions.

22 I first want to speak with you about how we
23 know what we know.

24 Aboriginal Legal Services has the benefit
25 of working both frontline and at a strategic level for

1 more than 25 years. Because we're based in downtown
2 Toronto and have offices in 10 other Ontario centres, we
3 get to work with diverse Indigenous communities, including
4 First Nations, Métis, and Inuit people from right across
5 Canada. Our clients are women, men, Trans, and two-
6 spirited people, Elders, and young people.

7 We learn from them every day as we work
8 with them, not only in the criminal justice system but
9 also on what are called poverty loss services. Things
10 like housing and Social Assistance.

11 And because we are also who family members
12 call when police don't take their concerns about a missing
13 family member seriously, or when they face discrimination
14 in a hospital, we learn from this advocacy as well. And
15 we take what we learn and we share it with others.

16 Aboriginal Legal Services has appeared at
17 every level of court in Ontario, at courts in Saskatchewan
18 and Quebec, and at inquiries and inquests in British
19 Columbia, Manitoba, and Ontario.

20 We speak to House and Senate sub-
21 committees, and we have appeared before the Supreme Court
22 more than 20 times, most recently in the *Barton* case
23 dealing with the brutal death of Cindy Gladue.

24 And so our submissions today reflect what
25 we have learned from working very closely with Indigenous

1 community members who are those who are most effected by
2 the epidemic of violence against women, girls, Trans, and
3 two-spirited people. But also from what we've learned
4 working very closely with the institutions that promise,
5 but consistently fail, to protect them.

6 We hope that you will hear in our
7 criticisms of these systems not cynicism but an informed
8 caution about the ability of these institutions to change.
9 And, conversely, we urge you to share in our optimism and
10 trust in Indigenous community organizations to keep people
11 safe because this, too, is based on our firsthand
12 experience.

13 And so I would like to now begin at the
14 beginning, and for the beginning of missing and murdered
15 Indigenous women and girls, it is colonialism, and one of
16 the longest, most effective tools of colonialism is the
17 *Indian Act*.

18 In our written submission we spend more
19 time discussing the history of the Act but today I will
20 simply say that the *Indian Act* reflects the pure racism of
21 an underlying assumption that Indigenous people should be
22 eradicated, combined with Victorian patriarchal ideas; a
23 combination that has proved deadly for Indigenous women.

24 As a result of the *Indian Act*, women lost
25 access to traditional roles of political power, and their

1 status became tied to their husband's.

2 The Act first came into being in 1876.
3 Since then there have been amendments to the Act to try to
4 address the loss of legal and cultural identity when women
5 were stripped of their status when they married out.

6 One such attempt was Bill C-31, which was
7 passed in 1985 and returned status to more than 100,000
8 people. However, the passage of the Bill contributed
9 significantly to the poverty and dislocation at the root
10 of much of the violence experienced by Indigenous women
11 today.

12 At the time the Bill passed, the government
13 promised additional funding to help First Nation
14 governments to meet the needs of their newly registered
15 community members, many of whom returned home. But the
16 government underestimated that number with the result that
17 communities were woefully underfunded. They never made up
18 that difference and the ensuing rifts have divided
19 families and communities. And even after further
20 amendments, the Act continues to discriminate and affect
21 and cause harm to women and children. The National
22 Inquiry is uniquely placed to make recommendations to end
23 that discrimination.

24 It is our submission that the Inquiry must
25 make that recommendation because every time Indigenous

1 women have challenged the Act -- and these are names you
2 know, Ginette Corbier Laval (phonetic), Yvonne Bedard,
3 Sandra Lovelace, Sharon MacIver, Lynnee Gayle (phonetic) -
4 - the adversary they met was the Canadian government.
5 Whatever else the government may say about their
6 commitment to end discrimination against Indigenous women,
7 when it comes to the *Indian Act*, their lawyers fight every
8 application in every court and lawmakers only make changes
9 when the courts say they must.

10 So the Inquiry has an important role to
11 play. We've been led to believe that the government will
12 listen to you. We urge you to recommend that the *Indian*
13 *Act* be reformed to eliminate the hierarchy created by the
14 second generation cut off rule. The Act currently
15 provides that after two generations of a status parent
16 having children with a non-status parent, their
17 descendants lose status. The first generation receives
18 6(1) status with the following generation being bumped
19 down to 6(2) and finally, the third generation loses
20 access to registration entirely.

21 This hierarchy continues to perpetuate the
22 consequences of the historical gender discrimination
23 within the Act.

24 We ask for a recommendation that the *Indian*
25 *Act* be amended to extend full section 6(1)(a) status to

1 all First Nations and women and their children who've been
2 discriminated against by the exclusionary provisions of
3 the Act. This is known as the "6(1)(a) all the way"
4 proposal.

5 And we also ask that the Inquiry not only
6 recommend the government adopt 6(1)(a) all the way, but
7 also that you recommend that changes must be accompanied
8 by increased funding for First Nations. It is essential
9 that the federal government adequately fund First Nations
10 to ensure that they can meet the needs of their newly-
11 recognized community members. This will ensure that women
12 and their families who are newly registered have the
13 opportunity to truly benefit from that registration. It
14 will also ensure that communities are not divided the way
15 they were after Bill C-31.

16 These changes are an essential stepping
17 stone on the path to safety for Indigenous women and their
18 families.

19 I'm now going to pass the microphone to
20 Jonathan.

21 **MR. JONATHAN RUDIN:** Good morning,
22 Commissioners.

23 During this Inquiry, 18 of the 83 expert
24 and institutional witnesses this Commission called worked
25 for police forces. We are concerned that much of the

1 evidence you have heard has focused on the police as the
2 solution to the problem of missing and murdered Indigenous
3 women and girls rather than as part of the problem.

4 We are also concerned about recommendations
5 aimed at directing resources to police rather than the
6 agencies that work directly with Indigenous communities.

7 Families of Indigenous women and girls are
8 often rightly sceptical and fearful of the police, based
9 on the role they have played in their communities. This
10 reality can give rise to a generalized distrust of police,
11 which can mean that families are often reluctant to report
12 people missing.

13 For non-Indigenous people, particularly
14 White people, the police are there to serve and protect.
15 They're the ones to call when you are in need or someone
16 has gone missing. But for Indigenous people, that is not
17 the case, and it's not because Indigenous people are
18 paranoid or irrational. It's because their concerns and
19 fears are well founded. They are based in history, in
20 lived experience, and in day-to-day interactions with the
21 police.

22 Indigenous women and girls are often not
23 believed when they report violence, especially those who
24 are engaged in sex work, and this is because, as previous
25 inquiries have shown, the lives of Indigenous street-based

1 sex workers are simply not seen by police as worthy of
2 concern.

3 Now, to their credit, some police forces
4 are taking responsibility for their negligence, their
5 disinterest, and their racism. Over the past few years,
6 police forces such as the RCMP, Vancouver Police, and the
7 Winnipeg Police at this Inquiry have acknowledged their
8 shortcomings, have apologized for their inaction, and have
9 promised to do better. And we very much hope that they do
10 do better because lives depend on it.

11 But at the same time, many of these police
12 forces insist that to do better, they need more resources,
13 which means more money. And that money is often sought
14 from funds that are tied to initiatives such as addressing
15 the crisis of murdered Indigenous women and girls.

16 We believe the police forces should not get
17 money that is better directed to Indigenous organizations
18 in order to do their job properly.

19 In its response, the Inquiry's interim
20 report, the federal government announced funding of \$9.6
21 million to the RCMP's new National Investigative Standards
22 and Practices Unit and 1.25 million to organizations with
23 expertise in law enforcement and policing to lead a review
24 of police policies and practices with regard to their
25 relations with the Indigenous peoples they serve.

1 We should expect police forces to use the
2 funds that they have for their core operations to ensure
3 that they serve all of those within their jurisdiction
4 fairly and equally. Meeting the needs of Indigenous
5 victims and families who have lost loved ones must be part
6 of the core business of the police. Requiring additional
7 funds to better be able to respond to the needs of
8 Indigenous people sends the message that it takes a
9 special effort to provide policing services to Indigenous
10 people. It shouldn't.

11 If the police can use their existing
12 resources to find missing non-Indigenous women and girls,
13 they can use those resources to find missing Indigenous
14 women and girls.

15 If the police need better training to do
16 their jobs, then it should come from their training
17 budget, not from special grants from one or another level
18 of government, grants that would be better placed allowing
19 Indigenous organizations to do the work they do best with
20 the people they know best.

21 I want to turn my attention now to the
22 criminal justice system because the Canadian criminal
23 justice system has caused a great deal of harm to
24 Indigenous people and Indigenous communities. It has been
25 repeatedly identified as a system which discriminates

1 against Indigenous people and from which Indigenous people
2 are estranged.

3 The criminal justice system likes to divide
4 people into two categories, victims and offenders. And
5 this view fails to take into account the experiences of
6 Indigenous people who have been subjected to pervasive
7 systemic and direct violence at institutions such as
8 residential schools and foster homes.

9 The scars caused by this violence often
10 result in victims causing violence to others. In this
11 way, victims become offenders and terrible cycles of
12 violence are perpetuated. Some victims of violence and
13 abuse turn to alcohol or drugs to numb the pain. This
14 self-medication can also lead to coming into conflict with
15 the criminal justice system.

16 And the *Criminal Code* itself contributes to
17 the crisis of murdered and missing Indigenous women and
18 girls. While the purpose of particular sections of the
19 Code might not be explicitly to further endanger
20 Indigenous women and girls, trans and two-spirited people,
21 the reality is, this is exactly what they do.

22 The continued presence of many mandatory
23 minimum sentences is one area that urgently requires
24 reform. We know that mandatory minimums have a particular
25 impact on Indigenous women and the federal government

1 knows that too. The Minister of Justice herself has
2 acknowledged that mandatory minimums contribute to the
3 over-representation of Indigenous women in prison.

4 Mandatory minimums put women who should not
5 be in jail in jail. These women then become further
6 enmeshed in the criminal justice system, and once they are
7 released, they're even more marginalized, their lives more
8 precarious, their abilities to overcome the challenges
9 they face even more difficult. Mandatory minimums make
10 the lives of Indigenous women harder.

11 And mandatory minimums have an impact in
12 another way. They can prevent communities from healing
13 and from addressing the impacts of trauma. There are
14 communities that want to deal with the impact of historic
15 and current sexual abuse, but one of the reasons that
16 people are reluctant to report such abuse is that what
17 they want is community healing, not jail for the
18 perpetrators.

19 If there are no options other than jail for
20 perpetrators of abuse, then matters will often continue to
21 stay in the shadows and never be addressed.

22 We must realize that there are
23 circumstances where the threat of jail silences people
24 rather than encourages them to come forward.

25 Now, to be clear, we're not saying that no

1 one should ever be jailed for crimes of sexual abuse, but
2 we have to acknowledge that the proliferation of mandatory
3 minimum sentences has not had any measurable impact on
4 making communities safer and preventing the abuse of
5 Indigenous women and girls. We need to be able to have
6 serious discussions about options in the criminal justice
7 system and we need to recognize that mandatory minimums
8 get in the way of community healing.

9 Assuming that in every situation a
10 mandatory minimum sentence has to be the response to
11 particular forms of offending is simply counter-productive
12 and means that jail must be imposed, even if the victim
13 and the community are eager to help craft the sentence
14 that will better meet their needs.

15 We recommend that this Inquiry add its
16 voice to that of the TRC in Call to Action 32 and that the
17 federal government repeal mandatory minimum sentences.

18 There are also those laws that are
19 ostensibly passed to protect women but have the opposite
20 impact. For example, the criminalization of activities
21 related to sex work increases rather than decreases risks
22 to safety. This is a case even where the laws are
23 intended to help, such as the criminalization of the
24 purchase of sex or of those who exploit vulnerable young
25 peoples' pimps or traffickers. Unfortunately, increasing

1 policing and prosecution without steps to also address the
2 forces that make those survival tactics necessary only
3 makes these problems worse.

4 You've heard during this Inquiry of the
5 phenomenon of dual charging, which occurs when a man
6 charged with domestic assault insists that his partner
7 started it and should be charged. Dual charging leads to
8 more and more women becoming enmeshed in the criminal
9 justice system. Police policies that grant no discretion
10 to officers and require arrest whenever domestic violence
11 is alleged are a big part of the problem. A one size fits
12 all approach to this issue makes the problem worse.

13 But the criminal justice system does not
14 just consist of the laws found in the Criminal Code. It
15 also includes the way in which people are treated by the
16 major actors in the criminal justice system, judges,
17 lawyers, victim service workers, et cetera. We know that
18 the criminal justice system systemically discriminates
19 against Indigenous women and girls who are the victims and
20 survivors of violence.

21 The most recent public example of this
22 discrimination is the case of Cindy Gladue. This case was
23 argued just a few months ago at the Supreme Court of
24 Canada and we hope the Court addresses the stereotypes and
25 racism that saw her consistently referred to as Native and

1 a prostitute rather than by her name throughout the jury
2 trial which ultimately resulted in an acquittal for the
3 man who caused her death.

4 In 2015 there was a justifiable outcry when
5 an Indigenous woman in Alberta known by the pseudonym of
6 Angela Cardinal was jailed because it was assumed by the
7 police and judicial authorities that she would not attend
8 court to testify against her abuser. An examination of
9 the case found she was treated as a criminal rather than
10 as a victim.

11 At that time, government and court
12 officials were extremely contrite and news articles spoke
13 of the uniqueness of the situation. But these situations
14 are not unique. Indigenous women are often held in
15 custody on material witness warrants because they are not
16 perceived as willing to testify against their accuser or
17 as seen as likely not to attend court. While it should go
18 without saying that Indigenous women who are victims of
19 violence, physical or sexual, should not be jailed because
20 the Crown or judge does not think they're likely to
21 testify, it does need to be said, and not only does it
22 need to be said, the practice needs to stop.

23 And even those institutions set up
24 expressly to assist victims in the court system
25 continually failed them. The role of victim witness

1 advocates is often to act as an adjunct to the Crown's
2 office. Their role is to prepare the Indigenous woman or
3 girl for trial with the result of the support offered is
4 not victim centered but prosecution centered. This can
5 mean the needs of the victim are secondary and after a
6 trial or sentencing is complete a victim is left on their
7 own with no resources for further assistance.

8 The other problem with victim witness
9 advocates is that they really are not there to advocate
10 for the needs and interests of victims. The attitude that
11 they often take is that victims are not capable of making
12 up their own minds about how matters should proceed
13 through court, and any victim who's not prepared to see
14 the matter through to trial is somehow letting down the
15 side. This paternalistic attitude prevents the voices of
16 Indigenous women and girls from being heard and
17 discourages them from using these services.

18 The system needs to change so that it asks
19 victims what they need to be safe and how they can be
20 supported when they want to make changes in their
21 relationships and life rather than imposing solutions on
22 them.

23 ALS has had the experience of Crown
24 attorneys and victim witness workers expressing
25 frustration about Indigenous victims because their actions

1 did not fit with what they thought was best for the
2 victim, without acknowledging that Indigenous women do not
3 need to be saved but instead to be supported. We have had
4 to advocate for victims to ensure that their goals are
5 understood rather than ignored.

6 I'll turn matters back to my colleague.

7 **MS. EMILY HILL:** I'm now going to address
8 the healthcare and child welfare systems.

9 I cannot imagine the truths which have been
10 shared with you over the last two years about the battered
11 bodies of Indigenous women, girls, trans, and two-spirited
12 people. I know you have heard about cuts and bruises,
13 broken bones and the injuries caused by knives, guns, and
14 violent sexual assaults, and I know that you've heard even
15 more testimony about the impact that violence has on the
16 mental health of those who suffer it.

17 Indigenous victims need the healthcare
18 system, doctors, nurses, bandages, beds, x-rays,
19 medication, just like every victim does, but too often
20 they don't have access to the services and supports they
21 need, or if they can access healthcare it is a place where
22 they experience the direct and systemic racism that
23 exemplifies life in Canada for Indigenous people.

24 And once again these institutions are
25 acting as they have always acted against Indigenous

1 people. In the 1940s and '50s for the Inuit medicine
2 meant that often people were taken from their home
3 communities to TB sanatoriums from which many never
4 returned. Indian hospitals were used to segregate
5 patients so they didn't infect white patients. Students
6 of residential school were subjected to medical
7 experiments in the name of nutrition research. And
8 Indigenous women were the main targets of forced
9 sterilization, a practice that operated within the scope
10 of the law from the 1920s to the 1970s and outside formal
11 legislation after that.

12 How can we expect Indigenous victims
13 fleeing violence to be comfortable seeking assistance from
14 the medical community when their experience of that
15 community is grounded on hurts and injuries inflicted at
16 the hands of doctors and nurses, and especially when those
17 hurts and injuries continue.

18 Systemic racism is deeply engrained in many
19 healthcare facilities. The fact that many hospitals do
20 not recognize traditional healers and make it difficult,
21 if not impossible, for people to smudge and practice their
22 traditions in the hospital, keeps people away.

23 The stereotypes that medical professionals
24 have of Indigenous people, also keeps people away. Dr.
25 Janet Smylie, who testified as an expert witness in these

1 proceedings, has written about research that shows that
2 racism against Indigenous people in the healthcare system
3 is so pervasive that people strategize about anticipated
4 racism before visiting an emergency department, or in some
5 cases avoid attending for care all together.

6 And the problems with medical services for
7 Indigenous victims, is not restricted to healthcare
8 facilities in urban centers. The lack of adequate
9 healthcare on reserves is a national shame. According to
10 a spring 2015 Auditor General's report about the
11 healthcare in remote communities in Manitoba and Ontario
12 Health Canada did not have reasonable assurance that
13 eligible First Nations individuals had access to clinical
14 and client care services and medical transportation
15 benefits.

16 Echoing our concern that government
17 agencies often do not concern themselves with what
18 Indigenous people and communities say they need, that
19 report concluded that Health Canada did not take into
20 account the health needs of remote First Nation
21 communities when allocating resources.

22 In the specific context of violence against
23 Indigenous women and girls, it is shocking that many
24 nursing stations on reserves do not have sexual assault
25 kits. The reason given for this gap in services is that

1 nurses have not been trained in how to use these kits. As
2 a result, Indigenous women and girls who are sexually
3 assaulted and want the evidence that's in and on their
4 bodies to be used to find and convict the perpetrators may
5 have to wait two or three days to even wash themselves,
6 until after they're transported to an urban center where
7 these kits are available. What sort of message do we send
8 these women and girls when we require this of them? Non-
9 Indigenous Canadians would never tolerate such neglect
10 because nobody should have to.

11 Central to the recommendations we will
12 point to in our written submissions is the need to
13 implement Truth and Reconciliation Commission Call to
14 Action 23 to increase the number of Indigenous healthcare
15 professionals, but we also ask for a recommendation to
16 turn to Indigenous healthcare leaders, both those trained
17 in western medicine and in traditional healing, to provide
18 guidance and direction about the way forward.

19 And this leads me to the topic of child
20 welfare. Aboriginal Legal Services runs an Indigenous
21 alternative dispute resolution program called Giiwedin
22 Anang or North Star. We help families come together with
23 the support of traditional knowledge holders, Elders,
24 volunteer community grandmothers, aunties and uncles, to
25 come up with solutions that keep children safe and keep

1 them with their families.

2 An essential takeaway from this program is
3 that Indigenous people know best how to care for, nurture,
4 and support their children, and of course that is true,
5 for thousands of years Indigenous communities successfully
6 used traditional systems of care to ensure their
7 children's safety.

8 But child welfare picked up where
9 residential schools left off. Child welfare was an
10 effective tool to disrupt Indigenous ways of knowing and
11 to devastate Indigenous families. During the Sixties
12 Scoop child welfare agencies were used to impose European
13 ideas about families and the role of children and treated
14 these ways as inherently superior to Indigenous practices,
15 even though the imposition on these Indigenous children
16 was having a devastating effect.

17 The intergenerational consequences of the
18 Sixties Scoop continue today and child welfare agencies
19 continue to cause direct harm by removing children.

20 But often the root causes of Indigenous
21 children ending up in the child welfare system are rooted
22 in the poverty faced by Indigenous families and
23 communities, and not abuse or neglect. The consequences
24 of Indigenous communities being forced on to smaller and
25 less productive land within their traditional territories

1 through the reserve system, and of chronic underfunding
2 exacerbated by broken promises of Bill C-31, have left
3 First Nation communities with housing crises, with water
4 crises, with barriers to food, medical care, and schools.
5 These barriers, direct consequences of colonialism, are
6 then reframed as neglectful parenting requiring the
7 removal of children.

8 The unceasing work of Cindy Blackstock, an
9 expert witness called twice by this Inquiry, has shown
10 that the crisis of overrepresentation of Indigenous
11 children in the child welfare system stems from chronic
12 underfunding of services for First Nations children on
13 reserve, but also from a mindset that sees child welfare
14 authorities look at Indigenous parents and see neglect.

15 In urban centres, dislocation and barriers
16 to access traditional practices can make it hard for
17 families to get the help they need. Parents can find
18 themselves torn when the only way to get help for a child
19 with special needs or for a parent struggling with a
20 mental health problem or addiction is to call child
21 welfare, but their experience is that just such a call
22 will result in an apprehension. This legitimate concern
23 can lead to further isolation and secrecy, rather than
24 help for the family that needs it. And even in cases
25 where there are legitimate child protection concerns,

1 agencies fail to recognize the impact the removal of a
2 child has on all members of a family.

3 In our experience the crisis and grief that
4 the removal of a child can cause for a family is intense
5 and cannot be resolved without a great deal of
6 non-judgmental support and time to recover. But too
7 often, rather than allowing space and time for this,
8 parents are penalized for being unable to respond
9 immediately in the midst of that crisis, and they aren't
10 offered the supports they need.

11 The legal system, which supports child
12 apprehension, marches on leaving the family reeling. The
13 cycle often continues into the next generation, and often
14 pushes children into the youth criminal justice system.

15 Tina Fontaine is the most well-known
16 example of a young girl being removed from a community
17 because she was identified as being at risk and being
18 moved into a situation she was -- where she was more
19 vulnerable to violence and was eventually murdered. But
20 there are many more examples and there is a direct
21 relationship between girls being taken into care and
22 either going missing or being murdered.

23 The federal government has recently
24 acknowledged that there are serious institutional problems
25 with the way child welfare services are imposed on

1 Indigenous families. On November 30th, Indigenous
2 Services Minister Jane Philpott announced that the federal
3 government will be proposing legislation that would make
4 the apprehension of Indigenous children a last resort and
5 would stop apprehensions where the root causes of the
6 problem are poverty.

7 While the Minister deserves credit for
8 finally acknowledging the scope of the problem and for
9 proposing steps to address the issue, we remain skeptical.
10 The reality is that as of this moment there is no
11 legislation before the House of Commons, and given that
12 there will be an election called in the fall of 2019,
13 there is a good chance that this legislation will not be
14 passed.

15 There is also the not insignificant issue
16 of the ability of the federal government to do anything
17 substantive in this area. Child welfare is a provincial
18 and territorial responsibility, and while the federal
19 government is responsible for services on reserves, it has
20 always delegated that work to others. We need more
21 concrete information about how this new legislation will
22 see them take on that responsibility to ensure that this
23 proposal is more than lip service.

24 There is an urgent need for child advocates
25 to be in place for Indigenous children in care. These

1 advocates can be there to assist Indigenous children whose
2 voices cannot be heard. They can also be there to examine
3 those cases where tragically an Indigenous child in care
4 is seriously harmed or dies. This work is essential.

5 It's also essential that people learn about
6 why children suffer harm while in care. This is why we
7 submit that the Commission should recommend that all child
8 advocates be able to release their reports to the public
9 with necessary reductions, a practice that is currently
10 not permitted in some parts of the country.

11 Recently, the Ontario Provincial Government
12 in the name of cost savings, abolished the Child Advocates
13 Office. While ALS disagrees with this decision, we do not
14 think the answer is to necessarily simply resurrect the
15 Child Advocates Office. Rather, we think it's necessary
16 to reconstitute these offices so that there are
17 Indigenous-specific children's advocates at both the
18 provincial and the federal level.

19 It is true that in some of the provinces a
20 child advocate with sole responsibility for looking after
21 Indigenous children in care would mean that there would be
22 little or no work for the non-Indigenous child advocates
23 since virtually all children in care are Indigenous. This
24 might make obvious the crisis we are speaking of to those
25 who wish to ignore it.

1 The reform of the child welfare system
2 needs to be of paramount concern for this Inquiry. We ask
3 the Inquiry to recommend the funding of more initiatives
4 like the alternative dispute resolution process that we
5 offer and that others provide in Ontario and British
6 Columbia. This will ensure a return to a system where
7 Indigenous communities are able to once again use their
8 own knowledge and practices to keep their children safe.

9 Jonathan will now address other community-
10 based solutions.

11 **MR. JONATHAN RUDIN:** In our experience, the
12 line between someone being safe and someone being exposed
13 to violence is not black and white. There are shades of
14 grey which a person may experience and move between. And
15 some factors which are protective include connection to
16 culture and a sense of community, and by having agency in
17 the choices they make, even when those choices are
18 perceived as risky by others.

19 For example, a young woman might choose to
20 stay with a male friend who offers some protection in
21 exchange for money she generates from engaging in sex
22 work. She may face some risk in that relationship, but
23 she may assess that risk as less than the risks she would
24 face without that protection.

25 Children may be exposed to violence in the

1 home or the community, but because they know their family
2 and their community, they may have developed coping
3 strategies and ways of avoiding some of the harm that
4 might befall them. When they are taken away from that
5 home and placed with strangers in a strange community in
6 order to be "safer" they are also immediately made more
7 vulnerable because they don't have the kinship web and
8 community knowledge to protect them.

9 And there are also shades of grey for those
10 who commit violence. Many are victims of violence
11 themselves, often physical and sexual violence, which are
12 the legacies of the abuse suffered by many survivors of
13 residential school. And as I discussed earlier, sometimes
14 offenders want to acknowledge the harm they've caused and
15 seek treatment, but the threat of criminal prosecution,
16 even if this is not what the victim wants, prevents such
17 an opportunity for accountability and healing.

18 And all of this means that when we speak of
19 creating environments that are safer for Indigenous women
20 and girls, we are talking about recognizing that safety is
21 not an absolute but is found on a scale. It also means
22 allowing Indigenous women and girls to have agency in
23 their lives to make choices for themselves, which might
24 sometimes include choices we may not like.

25 We know what actually makes people safer

1 does not always involve the police or the justice system
2 or child welfare. It comes from creating the necessary
3 infrastructure to allow people to live their lives in a
4 safer environment.

5 What does that mean in concrete terms? I'd
6 like to initiatives in three areas: transportation,
7 addiction services, and shelter.

8 To start with, transportation: You know
9 better than most of the tragic stories around the Highway
10 of Tears in British Columbia. One of the reasons that we
11 continue to hear about Indigenous women and girls going
12 missing there is because there is no public or affordable
13 transit. People living in rural and First Nations
14 communities need and want to be able to leave their
15 communities for all sorts of reasons, and they have a
16 perfect right to do so. The answer to the problem is not
17 to warn women and girls not to hitchhike, to tell them to
18 stay in their place, but rather to provide them with safer
19 options that they need.

20 The closing of Greyhound bus routes across
21 the country is going to exacerbate this problem. Uber is
22 not coming to the Res any time soon. Governments,
23 federal, provincial, municipal, and Indigenous must either
24 deliver these services themselves or provide meaningful
25 subsidies to companies who want to provide these services.

1 If we don't this, then no amount of warning signs and
2 cautionary tales will prevent more women from going
3 missing or being murdered.

4 With respect to addictions: We know that
5 the causes of addictions in the Indigenous community stem
6 from the continued impacts of colonialism. We also know
7 that the opioid crisis is having a particular impact on
8 the community. Whether an Indigenous women dies at the
9 hands of a killer, such as Robert Pickton, or from an
10 opioid overdose, it is just as much of a loss and it is
11 just as senseless a loss. We need to ensure that there
12 are programs to assist Indigenous women and girls with
13 their addictions.

14 Harm reduction: Including the use of safe
15 injection sites is essential to stem the tide of opioid
16 deaths. These sites can and do encourage Indigenous women
17 to participate in more long-term addictions programming.
18 There is a need for these programs to actually be
19 available across the country. There is also a need for
20 long-term treatment options in urban areas and on reserve.
21 And we need to recognise that treatment can take many
22 forms. While group work may work for some, it will not
23 work for all, and we can't restrict access to treatment to
24 just one particular model.

25 One of the real problems with residential

1 treatment is that women often have to find care for their
2 children in order to enter such programs. For mothers
3 without a lot of community support, that may mean placing
4 their children with Child Welfare authorities for a period
5 of time. And as Emily pointed out, it's easy to
6 understand why many women are unwilling to do so.

7 If day programs in urban areas were more
8 available, then we would not have to ask women to make
9 these impossible choices.

10 And shelter. It's hard to feel safe if we
11 don't have a home. And lack of shelter is a huge
12 contributor to the dangers that Indigenous women and girls
13 face.

14 In terms of permanent shelter, the federal
15 government needs to commit to truly addressing the housing
16 crisis on reserve. In urban areas as well there is a need
17 for housing. There are many Indigenous housing providers
18 in urban centres who are ready and eager to address this
19 housing need, but they need the funds to be able to do so.
20 Those funds have to come from all levels of government.

21 It is also important to recognise, as the
22 Mental Health Commission of Canada did, that in developing
23 housing projects, the focus has to be on housing first.
24 Study after study has shown that, once housed, people are
25 better able to deal with the other issues in their lives,

1 like addictions and mental health. And really, why should
2 that be a surprise to anyone?

3 There is also a need for temporary shelter
4 solutions. Temporary shelters are necessary for
5 Indigenous women fleeing violence and also seeking a place
6 to stay as they take the steps to pull their lives
7 together.

8 As has been pointed out repeatedly,
9 Indigenous women living on reserve or in rural and remote
10 communities who are victims of domestic violence have very
11 little access to shelters. Often these shelters are
12 located some distance from their community and require
13 them to leave. For many women, leaving their community,
14 their supports and all their children know make it
15 difficult to make that choice.

16 One option is to make sure there are safe
17 houses or spaces on reserves, although given the housing
18 crisis that exists on reserves that may not always be
19 possible.

20 Another approach is to make sure that
21 victims of violence have the option of staying in their
22 homes and it's the abuser who leaves, not necessarily the
23 community, because that may not be what the woman wants,
24 but he certainly should have to leave the home, and First
25 Nations should be at the forefront of developing these

1 initiatives.

2 In urban areas there is a need for
3 Indigenous-specific shelters for women, both those leaving
4 abusive situations and those seeking temporary shelter.
5 But here too there need to be options, and particularly
6 options for those who are still dealing with addictions.

7 Harm reduction is not just a model that
8 should be used in addictions' treatment. It also needs to
9 be incorporated in shelter services.

10 Inquests and inquiries have shown that many
11 of the problems associated with homelessness and
12 addictions are worsened by shelter policies that prevent
13 people from consuming alcohol in the shelter. Shelters
14 that allow alcohol consumption, wet shelters, are often
15 very successful in reducing the harms caused by and faced
16 by their residents. This is a model that must be taken up
17 across the country.

18 Commissioners, you have a big task ahead of
19 you, but you also have the example of many Commissions and
20 inquiries that have preceded your work. Now, some people
21 have said that the work of this Inquiry is not needed,
22 that all the solutions have already been set out by RCAP,
23 by the TRC, and the many other inquiries that have looked
24 at Indigenous people and the justice system. But despite
25 all that work, all that good work, change has been slow,

1 if it has occurred at all. There is nothing wrong with
2 you deciding to echo some of the crucial recommendations
3 and calls to action from previous Commissions.

4 RCAP recommended significant changes to the
5 relationship between Indigenous nations and federal and
6 provincial governments. It has been over 20 years since
7 RCAP reported. If you find their recommendations
8 relevant, and we certainly do, then you should say so in
9 your report. There is nothing wrong with repetition. It
10 often takes people some time to hear a message and you'll
11 be doing all of Canada a great service if you reinforce
12 the conclusions that RCAP arrived at.

13 One of the crucial differences between RCAP
14 and the TRC, and a difference we suggest that you keep top
15 of mind, is that RCAP focussed all its efforts on
16 recommending changes to be undertaken by the federal,
17 provincial and territorial governments. The TRC, on the
18 other hand, while they directed many of their calls to
19 action to government, also set out things that non-
20 government actors, universities, school boards,
21 corporations, sporting organisations and individuals could
22 do as well.

23 We commend this approach to you.
24 Governments change, their commitment to issues waxes and
25 wanes. We have seen, however, that many Canadians are

1 genuinely concerned with the crisis of murdered and
2 missing Indigenous women and girls. Media outlets have
3 changed the way they report on these issues. Non-
4 Indigenous Canadians understand that this crisis is a
5 stain on the country that they want to help erase. You
6 can help them to do that by making recommendations or
7 calls to action, or whatever term you want to use, that
8 energises people in and outside of government.

9 We hope our submissions today and our
10 written submissions that will follow will help you in your
11 work. Miigwech.

12 (APPLAUSE)

13 **MS. MEREDITH PORTER:** Thank you, Mr. Rudin,
14 and thank you, Ms. Hill.

15 Chief Commissioner and Commissioners, do
16 you have any questions for the party?

17 **COMMISSIONER QAJAQ ROBINSON:** Good morning
18 and thank you both for your submissions.

19 With respect to policing and the funding,
20 additional funds to police, you spoke of police broadly
21 and I wanted to know whether or not your position on
22 funding police forces includes Indigenous or First Nations
23 self-administered police forces.

24 As you may recall, we've heard in Regina,
25 as well as in the submissions of the First Nations

1 Institute on Police Governance, I believe -- I'm not good
2 with acronyms -- but that there is chronic underfunding,
3 under supporting and the tripartite agreements don't even
4 bring up to par, so I'm wondering if your statement
5 applies to those police forces as well.

6 **MR. JONATHAN RUDIN:** Certainly that's --
7 thank you for the question. Certainly we do think that it
8 is vital that the tripartite arrangements stop being
9 temporary and be subject to negotiations to become
10 permanent, and also that Indigenous police forces have the
11 opportunity to have the same level of service that the
12 police offer.

13 But I think also, as was stated yesterday,
14 those forces also need the ability to move beyond doing
15 policing as the police see them. And so one of the
16 challenges for Indigenous police forces is are they a
17 police force that is staffed by Indigenous people, or are
18 they an Indigenous police force and be able to engage in
19 Indigenous policing. And sometimes the problem with the
20 funding issue is that it is tied only to performing
21 policing roles that mainstream policing services want
22 performed.

23 **COMMISSIONER QAJAQ ROBINSON:** Thank you. I
24 don't have any other questions. I look forward to reading
25 your final submissions.

1 **COMMISSIONER BRIAN EYOLFSON:** Just to
2 follow up on the question that my colleague just asked.
3 In terms of resource allocation on policing, you spoke of
4 resources perhaps going to other agencies. So I'm
5 wondering if you -- perhaps it's in your written
6 submissions, but I'm wondering if you can add anything or
7 expand upon that, where you see resources being better
8 directed.

9 **MR. JONATHAN RUDIN:** Well, one example is,
10 you know, when police are asked how do we better reach out
11 into the community. Maybe it's not the role of the police
12 to better reach out in the community. Maybe the community
13 knows better how to reach out in the community. So it's
14 those sorts of things that often activities that the
15 police sort of take onto themselves and say, "We're the
16 ones who should do this." There needs to be a better
17 discussion about what those roles are and who is in best
18 position to do that.

19 Frankly, even keeping track of who are
20 murdered and missing Indigenous people. That has been
21 sort of left to the RCMP and others. It's not clear that
22 they have any better approach. When I hear that, you
23 know, NWAC and Stolen Sisters and all that work come up
24 with different numbers, I'm not always -- I don't assume
25 that the police have the right numbers. So I think just

1 that decision to sort of locate that important work with
2 police is one that I think needs to be questioned and
3 looked at. And to assume that they're the ones who should
4 do it I just -- there's no (sic) necessarily any validity
5 to that.

6 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
7 you. Thank you very much for your submissions. I look
8 forward to your written submissions.

9 **CHIEF COMMISSIONER MARION BULLER:** So, Mr.
10 Rudin, your advocating for a complete paradigm shift in
11 policing and the assumptions that are made, not only by
12 police forces but also by Indigenous communities.

13 **MR. JONATHAN RUDIN:** Well, I would like to
14 say I'm not the only one advocating that. I think what I
15 am doing is echoing what has been said over and over and
16 over again.

17 If we don't have a paradigm shift, we are
18 not going to have change. I mean, it's that simple. And
19 it may not seem simple but if we don't do things
20 differently then we are going to keep doing them the same.
21 We may be more culturally aware as we do things the same,
22 but things will be done the same.

23 So I think you had an opportunity. You
24 heard examples and you've heard witnesses talk about what
25 that means and I think we need some more concrete examples

1 because if we don't, then we're not going to be further
2 enough ahead.

3 **CHIEF COMMISSIONER MARION BULLER:** Well,
4 here's a question for both of you then. Is it an
5 either/or choice? A paradigm shift or as what some people
6 say, "brown- or red-facing the existing system"?

7 MS. EMILY HILL: We can't ask Indigenous
8 communities to build their own hospitals and to replicate
9 expertise that is in existing institutions that we all
10 rely on. And so I think that we need to acknowledge that
11 there will always be improvements that can be made within
12 institutions to provide services. But I think what we're
13 advocating is to acknowledge that it is the responsibility
14 of those institutions to meet the needs of every community
15 member that they serve and they have been doing a terrible
16 job when it comes to Indigenous community members.

17 And so that responsibility is placed on
18 them to step up, but that we have to be very careful at
19 drawing the lines of what is expected of those
20 institutions in terms of meeting other needs that
21 Indigenous communities are better set to meet.

22 So as Jonathan said, you know, that we
23 heard a lot in the Regina hearings about community
24 initiatives to do crime prevention through engaging youth
25 in First Nations communities, for example, that often rest

1 with the police and that does not need to be a core
2 policing role. That needs to be a community role and
3 there needs to be opportunities within the community to
4 support youth and do the kind of engagement that does
5 prevent crime.

6 So I think right now Indigenous people in
7 Indigenous communities, for example, in health care are
8 ill-served when they come to the hospital and they are
9 ill-served because they can't access traditional health
10 care or health care expertise within their own community.

11 So we need to improve both but we have to
12 put the responsibility and the funding decisions about
13 that into the right pots, because right now the concern we
14 hear is that there are Parties in this Commission who are
15 asking to be given access to additional funds to
16 essentially do what they should already be doing.

17 **COMMISSIONER QAJAQ ROBINSON:** But to follow
18 up on that, you just said ---

19 **MR. JONATHAN RUDIN:** I just wanted to echo
20 one thing. When RCAP issued their report, for example, on
21 justice, they talked about the need for two tracks. But
22 it's not an either/or; there are two tracks. There are
23 reforms to the current system but there is a need for
24 Indigenous systems.

25 The problem with the two-track approach has

1 been that no one wants to do anything on the Indigenous
2 track and so it's not an either/or question. But in fact,
3 resources only go to one track. And so if it's got to be
4 either/or, then the "or" should be the Indigenous track.
5 And maybe that will get people thinking about where change
6 needs to come.

7 **CHIEF COMMISSIONER MARION BULLER:** And the
8 last question, I promise.

9 Some people say it isn't just about money;
10 it's about authority, moving away from funding programs to
11 acknowledging permanent funding of human rights. What is
12 your take on that?

13 **MS. EMILY HILL:** I think that's right. I
14 think when institutions fall short, we need to look to who
15 is the best to hold people accountable? Who is the best
16 to challenge and to name the problems that communities and
17 individuals are facing, and to insist on equal or
18 equitable treatment, and to see that through?

19 And our experience -- because we do work in
20 human rights fields and in the world of police complaints
21 and in all of those areas where we try to speak up on
22 behalf of our clients and say, "This institution is
23 failing and we expect more, and we expect remedies." It
24 is our clients in the communities that we serve that can
25 best tell us how to do that.

1 So I think that that's a very good point,
2 that along with those two tracks, that one of the things
3 that needs to happen within the Indigenous track is
4 building in systems of accountability that allow the power
5 to both provide accolades but also to provide criticisms
6 to those who are serving the Indigenous communities so
7 that if there's a problem with health care in the system,
8 the community itself and community leadership can say, "We
9 have a problem with health care in our system and here's
10 how we need to address it" through perhaps bringing a
11 human rights application, perhaps being at the table when
12 funding agreements and hiring decisions are being made,
13 all of those places where power rests.

14 We need to ensure that the accountability
15 piece lands within individual Indigenous people and
16 communities.

17 **CHIEF COMMISSIONER MARION BULLER:** Okay.
18 Thank you both very much. Very inspiring submissions.
19 Thank you.

20 **MS. CHRISTINE SIMARD-CHICAGO:** Thank you,
21 counsel.

22 Just before we invite up the next Party
23 with Standing which will be the Native Women's Association
24 of Canada, we just need a moment to arrange chairs. But I
25 also just wanted, for the purpose of the record, to

1 explain that this Party will be starting with an honour
2 song so Madam Clerk, if you can not start the time until
3 that is completed, that would be appreciated.

4 And on that basis I will invite the Party
5 to make their way up. They are represented by counsel,
6 Ms. Virginia Lomax.

7 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. VIRGINIA LOMAX:**

8 **MS. VIRGINIA LOMAX:** Good morning. I would
9 like to introduce our elder, Roseanne Martin who will be
10 starting us off in a good way today with an honour song.

11 **MS. ROSEANNE MARTIN:** (Speaking Indigenous
12 language)

13 Good morning, Commissioners. Good morning,
14 everyone. (Speaking Indigenous language). Bonjour tout
15 le monde.

16 I usually start off my prayer in my
17 language to acknowledge the ancestors where we're standing
18 on unceded Algonquin territory. I'm very honoured to be
19 able to open up with a prayer to honour all the missing
20 and murdered Indigenous women and girls. And I will say
21 the prayer in my language.

22 **(PRAYER/PRIÈRE)**

23 **(HONOUR SONG/CHANT D'HONNEUR)**

24 **MS. LYNNEE GROULX:** (Speaking in Indigenous
25 language). Bonjour. Good morning. My name is Lynne

1 Groulx. I am the Executive Director of the Native Women's
2 Association of Canada, also known as NWAC.

3 I acknowledge the families, survivors, who
4 are here with us today and who are watching, because we
5 also are here to celebrate their strength and their
6 resiliency.

7 I thank you, Commissioners, from the bottom
8 of my heart for your work with this Inquiry and for what
9 you continue to do to fight for justice and for change and
10 for our human rights.

11 NWAC is an aggregate of Native women's
12 organizations from coast to coast to coast. We represent
13 First Nations, Métis, and Inuit.

14 Much like a grandmothers' lodge, we as
15 aunties, mothers, grandmothers, sisters, brothers, and
16 relatives, collectively recognize, respect, promote,
17 defend, and enhance our ancestral laws, spiritual beliefs,
18 language, and traditions given to us by the Creator.

19 NWAC's foundational research, Sisters in
20 Spirit, was one of the first, if not the first coordinated
21 research effort to thoroughly and respectfully document
22 cases of missing and murdered Indigenous women and girls
23 in Canada.

24 We worked closely with families to gather the truths of
25 our stolen sisters in order to support the call for action

1 on the national epidemic of violence against Indigenous
2 women and girls.

3 NWAC recognizes the families, grassroots
4 Indigenous activists, and organization and allied
5 activists, and organizations who have fought tirelessly
6 for an end to the catastrophically high numbers of
7 violence against Indigenous women and girls and gender-
8 diverse people. We honour the spirits of our stolen
9 sisters and their voices of their families and their
10 tireless fight for justice.

11 NWAC's submissions today will take a human-
12 rights based approach to the many recommendations we will
13 make to the Commission. We firmly believe that the
14 answers to end violence and discrimination rest in the
15 actual meaningful respect and protection of human rights.

16 NWAC believes in resilience of Indigenous
17 women and girls and gender-diverse people, but the
18 systemic and continuous violation of their human rights
19 must come to an immediate end. NWAC firmly believes that
20 human rights are indivisible from gender-based rights.
21 Not only are all human rights equally inherent to all
22 genders, specific rights may take on different meanings
23 and different applications when analyzed through a gender-
24 based lens. This is the foundation of NWAC's submissions
25 today.

1 Our women and girls and gender-diverse
2 people are valuable. They are resilient. They deserve
3 safe spaces for healing such as the new healing and
4 resiliency centre that NWAC is presently building and
5 opening in 2019.

6 One of the NWAC elders spoke of such a
7 healing centre back in the 1980s. This centre will
8 finally be built. It will offer Indigenous women living
9 in the National Capital area navigating services, elder
10 services, counselling, grief counselling, and much more.
11 It will be a safe space offering culturally-appropriate
12 healing by Indigenous women for Indigenous women.

13 But we need many more of these centres.
14 This is only one. This is only the beginning. We need
15 these centres all across Canada, in every province and
16 many communities. And this centre, the model of it, must
17 be an Indigenous track. So as I heard my colleague speak
18 just a few moments ago, how will all this actually
19 materialize and operationalize, it must be done through an
20 Indigenous stream, which means that transfer payments need
21 to be done. These centres and this work cannot be
22 micromanaged by the government. They're not -- as you
23 said, Commissioner, they are not a program or a project;
24 right? These are programs that are long-terms and they're
25 human rights-based programs.

1 Indigenous women and girls have inherent
2 human rights that cannot be taken away from them and must
3 be respected. They have a right to safety and security
4 and to live their lives free of violence. They have a
5 right to special programs and healing programs that are
6 human rights-based.

7 It is imperative that the outcome of the
8 National Inquiry uphold the human and gender rights of
9 Indigenous women and girls and gender diverse people and
10 make it clear that we will not tolerate discrimination and
11 violation of our inherent rights. We will defend our
12 rights and we will not give up.

13 We thank you, Chief Commissioner, and
14 Commissioners for your thoughtful reflection when
15 preparing the necessary recommendations for our final --
16 your final report.

17 Nous vous remercions, Madame la Commissaire
18 en-chef, ainsi que les autres commissaires, pour votre
19 mûre réflexion dans la préparation des recommandations
20 nécessaires à la rédaction de votre rapport final. Merci.
21 Meegwetch. Thank you.

22 (APPLAUSE/APPLAUDISSEMENTS)

23 **MS. VIRGINIA LOMAX:** Thank you to Roseanne,
24 to Lynne, to my colleagues.

25 My name is Virginia Lomax. I'm legal

1 counsel to the Native Women's Association of Canada. I
2 have the privilege today to be joined by these beautiful
3 souls that you met and who are also behind me. Members of
4 NWAC, I don't know what I would do without their support
5 and their wisdom and their counsel.

6 I want to thank the Elders this morning for
7 their prayers, and I acknowledge the sacred medicines and
8 items in the room here with us today to remind us to do
9 our work in a good way.

10 Chief Commissioner and Commissioners, I
11 want to thank you for your attention and for your
12 listening, not just today but throughout this process. I
13 hope that what we bring to you today will help to shape
14 meaningful and actionable recommendations that will oblige
15 the Canadian State to act.

16 I also want to thank Commission counsel and
17 Commission staff for all of the work they've done and the
18 hard work that they must continue to do. And I thank the
19 health supports in this room for taking good care of us
20 this week and throughout this process.

21 And finally, I want to thank my colleagues
22 of the family coalitions and those Parties with Standing
23 who are here today and those who are not, who have such
24 valuable insight and experience and information to bring
25 to this process. Your passion and your -- and your

1 resolve for justice will continue to inspire me into the
2 future, and it has been nothing short of an honour to walk
3 so closely with you all on this long and difficult
4 journey.

5 And so Chief Commissioner and
6 Commissioners, in some ways this feels like we're coming
7 to the end of a marathon, but we're not. I think we're in
8 the middle of this marathon.

9 And I want to begin today by speaking to
10 you about where this marathon started. And the starting
11 line, it was not at the beginning of this Inquiry, it is
12 not when the Inquiry was called. It had nothing to do
13 with any election. This marathon began with colonialism
14 and genocide. But it will not end there. Not if we have
15 anything to do with it.

16 We've heard so much evidence on the
17 colonial violence and the harm that it has caused to
18 Indigenous women, girls, and gender diverse people. And
19 every institution in Canada is predicated on colonialism,
20 on genocide, on patriarchy, and on racism against First
21 Nations, Métis, and Inuit people.

22 And the Inquiry has witnessed the evidence
23 of these impacts of colonial violence on numerous state
24 institutions, including the child and family services,
25 policing, healthcare, education, law, and justice, and

1 corrections, and government in all jurisdictions.

2 And when a state is built on genocide and
3 colonialism all of its institutions will uphold racist,
4 patriarchal, colonial perspectives and motives, and
5 achieve those outcomes. And so when state institutions
6 themselves are violent towards Indigenous women, girls,
7 and gender diverse people, it is no surprise that these
8 institutions not only condone violence but they dictate
9 the public narrative in the broader society.

10 And so this is a marathon that we have been
11 running for a very long time. Maybe even 150 years or
12 more.

13 We have to offer our gratitude, and our
14 honour, and our unwavering respect and support to
15 survivors of violence and to the families of missing and
16 murdered Indigenous women and girls, who have spoken truth
17 from experience, who have been exposed and re-exposed to
18 trauma throughout this process, to identify exactly where
19 this marathon began and what must change within these
20 violent systems to find an end to violence against
21 Indigenous women and girls and gender diverse people.

22 And NWAC firmly believes that the process
23 to get there must put families first. And this means that
24 the Canadian State must recognize its systemic and
25 institutional role in perpetuating and condoning violence

1 against Indigenous women, girls, and gender diverse
2 people, and that puts the Canadian State in debt to
3 survivors and to families.

4 So first and foremost, NWAC calls for a
5 reparation fund to be established for survivors of
6 violence and for families of missing and murdered
7 Indigenous women and girls. And beyond this reparation
8 fund, aftercare costs, travel costs, and all costs
9 associated with participation in this Inquiry must be
10 fully reimbursed.

11 And I want to put a major emphasis on
12 aftercare because we have heard from families just within
13 the last few days that they are still waiting for
14 aftercare, and that must be provided to them.

15 But NWAC also acknowledges those families
16 and survivors who have not participated in this process,
17 either by choice or because they could not access the
18 process or were left behind. Participation in this
19 Inquiry must not be a pre-requisite to receive
20 reparations.

21 The Canadian State's debt can never be paid
22 in full, but that does not mean that they should not try
23 or that they do not have an obligation to do so. The
24 Canadian State started this marathon, and they must now
25 address their role as we look toward the finish line.

1 So where are we now? Are we in the middle?
2 I want to believe that we're past the halfway mark. I
3 want to believe that we're closer to the end than we are
4 to the beginning.

5 And I believe this because of the work of
6 grassroots Indigenous women, the activists and
7 organizations who have done so much work to raise
8 conscious awareness of the epidemic of violence against
9 Indigenous women, and girls, and gender diverse people.
10 And it is because of their work that we can even be here
11 to give recommendations to a National Inquiry today.

12 And so in its final written submissions,
13 NWAC provides the National Inquiry with 61 recommendations
14 to address the epidemic of violations, and I will discuss
15 these recommendations today more briefly in the context of
16 institutions predicated on racism, patriarchy, and
17 colonialism.

18 I will first turn to a recommendation
19 directly to the Commissioners. Throughout this process,
20 NWAC has argued for a National Inquiry that puts families
21 first, and this includes the conceptualization of the
22 drafting of your recommendations in your final report.
23 NWAC recommends that the National Inquiry place an
24 emphasis on recommendations given by families and
25 survivors in the course of their truth-telling, and

1 furthermore, the Canadian State must pursue and fully
2 implement recommendations given by families and survivors
3 in the course of their truth-telling.

4 And I'll now turn your attention to
5 recommendations regarding child and family services. NWAC
6 recommends that the National Inquiry emphasize
7 recommendations that favour Indigenous and community-led
8 child and family support services that provide supports to
9 strengthen families and keep them together and move away
10 from colonial, state-led child apprehension. And further,
11 an emphasis must be put on the important role of extended
12 families in keeping families strong and keeping families
13 together.

14 NWAC recommends that the Canadian State's
15 renewed role in child and family services is one of
16 support through stable and adequate funding. And only
17 through funding that is stable and adequate for Indigenous
18 communities will self-government be truly supported and
19 empowered.

20 NWAC further recommends that Indigenous and
21 Two-Spirit, LGBTQ+ youth must be engaged in community-led
22 development of clearly identified safehouses. NWAC calls
23 for a full investigation into the deaths of Indigenous and
24 two-spirit LGBTQ plus youth in foster care, state care,
25 and group homes.

1 I now want to turn your attention to mental
2 health supports and addiction supports.

3 NWAC recommends that the National Inquiry
4 draft recommendations on health services that are
5 consistent with Indigenous self-governance. Stable and
6 adequate funding promotes Indigenous and community
7 developed and led supports that address individualized and
8 unique needs of each community, and this is particularly
9 true for northern rural and remote communities.

10 NWAC recommends stable and adequate funding
11 for Indigenous and community developed healing centres,
12 and these centres must provide a holistic wraparound
13 approach to healing that is accessible at all times to
14 community members, and this includes mental health,
15 physical health, addiction support, employment, and family
16 strengthening programs.

17 I want to emphasize that communities may
18 need support but they have the knowledge keepers, they
19 have the wisdom, they are the experts in their own
20 experience to develop these centres, and the role of the
21 government is one of support and standing behind
22 communities rather than being the brick wall in their way.

23 Recognizing that Indigenous people will
24 also need to access public hospitals there must be funding
25 and safe space created for traditional healing and for

1 Elders in public hospitals.

2 And now I want to discuss necessary
3 legislative and institutional changes.

4 Although we go into more detail in our
5 written submission, NWAC recommends extensive changes to
6 colonial legislation and institutions that shift
7 governance focus to Indigenous self-governance.

8 In particular, NWAC recommends changes to
9 policing and justice institutions that promote the safety
10 and well-being of Indigenous women, girls, and gender
11 diverse people.

12 And it is also imperative to seek closure
13 and justice for families of missing and murdered
14 Indigenous women, girls, and gender diverse people.

15 NWAC further recommends external and
16 Indigenous and community-led oversight of all settler and
17 colonial institutions that will provide any of these
18 services or that will interact with Indigenous women,
19 girls, gender diverse people, their communities and their
20 families.

21 And now I want to address a gap that we
22 have noticed in the evidence gathering process of this
23 Inquiry, as there has been a distinct lack of inclusion of
24 incarcerated Indigenous women, girls, and gender diverse
25 people. This is particularly important because of the

1 severe overrepresentation of Indigenous women, girls, and
2 gender diverse people in prisons and also the high levels
3 of abuse survivors in prisons.

4 Specifically, NWAC recommends that
5 Correctional Services Canada immediately cease all use of
6 solitary confinement and administrative segregation.
7 We've noticed a tactic that they will say that they are
8 going to change this practice and then just call it
9 something different, but the practice of solitary
10 confinement, by whatever name CSC chooses to call it, must
11 immediately cease.

12 And further, NWAC calls for an end to
13 routine strip searches, a clear violation of human rights
14 with devastating impacts on survivors of abuse.

15 NWAC further recommends the Canadian state
16 fund Indigenous-led and community autonomy over the use of
17 Section 81 agreements in the *Corrections and Conditional*
18 *Release Act*. Indigenous communities must be able to non-
19 institutionally manage corrections and criminal justice
20 responses in a manner that respects the rights set out for
21 them in the United Nations Declaration on the Rights of
22 Indigenous People and the Charter. This must not be
23 imposed on communities by people external to their
24 communities.

25 NWAC recommends that the Canadian state

1 provide stable and adequate funding to Indigenous women's
2 groups in their communities so that Indigenous women,
3 girls, and gender diverse people with their chosen
4 representatives in their communities will lead specific
5 and individualized resources for the reintegration of
6 Indigenous women, girls, and gender diverse people
7 released from prisons.

8 I will now speak about education and
9 educational systems.

10 NWAC recommends that all schools in all
11 jurisdictions at all levels develop, design, and implement
12 curriculum that is accurate, ongoing, and meaningful in
13 addressing racism and sexism and discrimination against
14 Indigenous women and girls and gender diverse people, and
15 in order to do this properly there must be an equal
16 partnership with Indigenous women and girls and gender
17 diverse people.

18 Canada is the only circumpolar country
19 without a university serving northern residents. This
20 must change, and these institutions must be developed by
21 the communities in the territories on which they will
22 exist.

23 And these recommendations are aimed at
24 increasing the numbers of Indigenous women, girls, and
25 gender diverse people in educational systems, and in order

1 to do that these educational efforts must include
2 Indigenous and community-led initiatives to combat racism,
3 sexism, and sexual violence in educational institutions,
4 because if we are going to increase the number of women in
5 educational institutions those places must be safe for
6 them.

7 I will now discuss a bit more of some of
8 NWAC's recommendations for stable and adequate funding.

9 NWAC argues that all recommendations to do
10 with funding programs and services and other initiatives
11 for Indigenous women, girls, and gender diverse people
12 must be stable and adequate and led by Indigenous women,
13 girls, and gender diverse people.

14 Funding that supports true self-government
15 does not follow the current top down colonial models that
16 require Indigenous women, girls, and gender diverse people
17 to prove that their lives are worth research and funding.
18 This new model cannot pit Indigenous communities and
19 organizations against one another for the same allotted
20 funding. We see this as a divide and conquer strategy
21 that keeps hegemonic colonial power in place. Funding
22 must be given in a way that gives total discretion to
23 Indigenous communities and organizations in partnership
24 with the women, girls, and gender diverse people of many
25 nations.

1 I will now turn my attention to specific
2 recommendations to respond to two-spirit LGBTQ and gender
3 diverse peoples' safety.

4 As an organization that applies a gender-
5 based and culturally relevant and intersectional lens to
6 its research, its policy development, and its advocacy,
7 NWAC recognizes that Indigenous two-spirit and LGBTQ+
8 people are distinctly impacted by systemic discrimination.

9 NWAC makes numerous recommendations to
10 enhance the safety and equality of two-spirit, LGBTQ+
11 individuals, including gender diversity, education
12 initiatives, inclusive programs, and interventions that
13 will combat isolation and stigma.

14 NWAC recommends effective policing
15 strategies in partnership with Indigenous women, girls,
16 and gender diverse people, and two-spirit, LGBTQ people to
17 combat human trafficking and sexual exploitation.

18 NWAC recommends the collection of
19 disaggregated data, because responses based on data that
20 does not account for the distinct and unique experiences
21 of different groups cannot hope to account for the safety
22 of those groups.

23 NWAC recommends appropriate and safe
24 shelters for two-spirit, LGBTQ youth in rural, remote, and
25 northern communities.

1 And NWAC recommends that the Canadian state
2 adopt intentional and mandatory measures within their own
3 institutions to show respect for proper and chosen pronoun
4 use.

5 And finally, NWAC calls for a coroner's
6 inquest into the deaths of Indigenous two-spirit and LGBTQ
7 people, particularly those in foster or state care.

8 And it is of deep importance for the
9 Commission to consider the recommendations for
10 implementing UNDRIP. I will now discuss those.

11 NWAC recommends that all of your
12 recommendations that you draft for this final report be
13 drafted through an UNDRIP-based lens, and this means that
14 all recommendations must respect the inherent rights
15 contained in UNDRIP and the indivisibility of those rights
16 from gender-based human rights.

17 There is a legal obligation on the Canadian
18 state to adhere to inherent rights contained in UNDRIP and
19 the Charter when considering any and all legislation and
20 programs that will impact the rights and lives of First
21 Nations, Métis, and Inuit people.

22 The Canadian state cannot ignore this
23 obligation to uphold human rights, and that is
24 particularly true when they're drafting, reviewing, and
25 implementing legislation.

1 And so now I want to bring you back to the
2 marathon analogy. How do we get to the end of this
3 marathon?

4 I think that a lot of people already know and will tell
5 you that no matter where or when the finish line is,
6 UNDRIP is the map that we must follow.

7 And so I'm asking you today, Chief
8 Commissioner and Commissioners, use this map. The
9 recommendations you draft must reflect the rights in
10 UNDRIP, the rights to self-determination, the rights to
11 self-government, the right to participation in decision-
12 making processes that influence and impact the lives of
13 First Nations, Métis, and Inuit people, and the
14 indivisibility and the inalienability of those rights,
15 from gender-based rights, the rights of Indigenous women,
16 girls, and gender-diverse people, to participate in
17 decision-making processes through their chosen
18 representatives.

19 It is also necessary that through the
20 recommendations you help to bring about this renewed
21 relationship between Indigenous Nations and the Canadian
22 state that must recognize that self-government is key. We
23 recommend that all existing legislation and policies be
24 reviewed through both an UNDRIP-based lens and a gender-
25 based lens.

1 This means that all programs and all
2 services for Indigenous peoples must be led by Indigenous
3 peoples. The time for the Canadian state leading is over.
4 Anything less is the by-product of a colonial mind.

5 NWAC argues that the government's role is
6 one of support through funding and that the government
7 cannot tell Indigenous people how to spend this funding.
8 I want you to imagine for a moment a situation in which a
9 defendant has caused catastrophic harm to a plaintiff, and
10 the evidence has demonstrated a link between the harm and
11 the action or the omission, a causal link, if you will,
12 and the defendant is found to owe damages.

13 This is a common principle, not just in
14 Canadian law; I would argue that this is a common
15 principle to most legal orders. It's trite law to say
16 that you must put a plaintiff back in the position that
17 they were in as much as damages are able.

18 But I cannot imagine a legal order in which
19 it would be considered just for a plaintiff to have to
20 enter into a contract with the defendant where the
21 defendant determines and dictates how the plaintiff may
22 use damages. But yet, the Canadian state sees this as
23 justice for Indigenous women, girls, and gender-diverse
24 people. That is unconscionable.

25 The Canadian state is directly benefiting

1 from resources on stolen land, and then they are
2 contracting that benefit back to Indigenous people under
3 strict terms for how the Canadian state wants it used. In
4 no uncertain terms, this is not self-government. This is
5 colonialism unfolding today.

6 This Inquiry has seen mountains of evidence
7 of the direct impacts of colonial actions and omissions on
8 the diminished safety of Indigenous women, girls, and
9 gender-diverse people. And the Canadian state owes
10 reparations to Indigenous women, girls, and gender-diverse
11 people and their Nations. And it is not up to Canada to
12 dictate how those reparations are spent.

13 And this is especially true for Indigenous
14 women, girls, and gender-diverse people because the
15 Canadian state is not only benefiting from stolen land;
16 they are benefiting from stolen and displaced power. The
17 Canadian state is benefiting from the displacement of
18 Indigenous women, girls, and gender-diverse people from
19 positions of power and respect in their communities.

20 The Canadian state's colonial history
21 displaced Indigenous women, girls, and gender-diverse
22 people from representation in the decisions that affect
23 their own lives and now the Canadian state cannot dictate
24 who represents Indigenous women, girls, and gender-diverse
25 people in their own reclamation of power.

1 And so in conclusion, NWAC firmly believes
2 that Indigenous women, girls, and gender-diverse people,
3 with the support of their families, the communities, their
4 organizations, their Nations, and their allies, and this
5 Commission, they will not just finish this marathon, it
6 will be won.

7 And what I have said in these oral
8 submissions is simply a glimpse and a more detailed
9 recommendation set that NWAC has provided in its written
10 submissions, but it is important to focus on the
11 overarching theme today. How do we get these
12 recommendations to a point that they are meaningful and
13 that they are actionable, and that the Canadian state
14 meets its obligations?

15 We recommend that all of the
16 recommendations contained in your final report set out
17 clear, actionable, achievable goals that can be reported
18 on and tracked independently through an Indigenous-led
19 tracking system.

20 These recommendations must remind the
21 Canadian state with each and every recommendation that
22 they have obliged themselves to true self-governance as
23 protected through UNDRIP and also as adopted through Bill
24 C-262.

25 We remind the Canadian state through these

1 recommendations that there isn't just one legal authority
2 on this land; there are many, and a true Nation-to-Nation
3 framework respects legal pluralism on this land. A true
4 Nation-to-Nation framework respects the international
5 nature of a Nation-to-Nation relationship that the
6 Canadian state claims to want with Indigenous people.

7 And we tirelessly remind the Canadian state
8 through these recommendations of its direct influence in
9 displacing Indigenous women, girls, and gender-diverse
10 people from their places of power in their Nations, and
11 that this reclamation of power can only come from
12 Indigenous women, girls, and gender-diverse people.

13 And we tirelessly remind the Canadian state
14 through these recommendations that it is their obligation
15 to review existing legislation and policies and draft
16 future legislation and policies through an UNDRIP- and
17 gender-based lens, recognizing legal pluralism on this
18 land.

19 And we remind them through every single
20 recommendation of all of these things, and we gear up to
21 hold them accountable.

22 So NWAC calls on you, Chief Commissioner
23 and Commissioners, to draft all of your recommendations
24 with the finish line in mind, self-government in equal
25 partnership with Indigenous women, girls, and gender-

1 diverse people properly returned to their roles of power
2 and respect in their Nations.

3 *Chi-miigwetch.*

4 **(APPLAUSE/APPLAUDISSEMENTS)**

5 **MS. MEREDITH PORTER:** Thank you, Ms. Lomax,
6 and thank you, Ms. Groulx.

7 Ms. Lomax, I understand that you have
8 provided the Commission with a two-page summary of the
9 recommendations on behalf of NWAC. I'm going to ask at
10 this time if you'd like to make that two-page summary an
11 exhibit?

12 **MS. VIRGINIA LOMAX:** Certainly. Thank you.

13 **CHIEF COMMISSIONER MARION BULLER:** So the
14 two-page summary will be Exhibit 8, please.

15 **MS. MEREDITH PORTER:** Thank you. Thank
16 you, Chief Commissioner.

17 **--- EXHIBIT NO./PIÈCE NO. 8:**

18 Summary of recommendations provided by
19 Native Women's Association of Canada
20 (three pages)
21 Submitted by: Virginia Lomax, Counsel
22 for Native Women's Association of
23 Canada

24 **MS. MEREDITH PORTER:** At this time, I'd
25 like to ask if Chief Commissioner or Commissioners, if you

1 have any questions for the Party?

2 **COMMISSIONER QAJAQ ROBINSON:** Good morning.

3 **MS. VIRGINIA LOMAX:** Good morning.

4 **COMMISSIONER QAJAQ ROBINSON:** Good morning
5 to your colleagues and thank you for being here.

6 I have so many questions, but I want to
7 stick to one, being mindful of my time, and I'll trust
8 that your written submissions will be comprehensive.

9 In terms of an examination of all laws,
10 policies through an UNDRIP lens and through a gender-based
11 lens, with the finish line being self-governance, self-
12 determination, and a return to power and place, I can't --
13 I want to know if we were talking all laws you include the
14 Canadian Constitution in that?

15 **MS. VIRGINIA LOMAX:** Yes, I would say that
16 this means any law, any law that would impact the lives of
17 Indigenous people, Indigenous women, girls, and gender-
18 diverse people.

19 **COMMISSIONER QAJAQ ROBINSON:** And the
20 Constitution, particularly the division of powers, being
21 so fundamental in defining who has power and place in this
22 country that UNDRIP and a gender-base analysis and for the
23 finish line again to be actualized, constitutional reform
24 would be an imperative?

25 **MS. VIRGINIA LOMAX:** Yes, it would be an

1 imperative and that is because only two forms of
2 government are formally recognized in the Constitution.
3 There must be third-order government or more.

4 **COMMISSIONER QAJAC ROBINSON:** And in your
5 mind, at this point, does section 35 sufficiently
6 recognize that and protect it?

7 **MS. VIRGINIA LOMAX:** No, I think if it did
8 sufficiently recognize and protect it, we would have it,
9 but we don't.

10 **COMMISSIONER QAJAQ ROBINSON:** Those are my
11 questions, and I very much look forward to your
12 submissions. Meegwetch.

13 **COMMISSIONER BRIAN EYOLFSON:** I don't have
14 any additional questions. I just want to thank you very
15 much for your very powerful submissions, and also for your
16 -- all of your contributions throughout the hearing
17 process and your thoughtful questions. I also want to
18 recognize your colleagues and thank you for the song as
19 well. Chi-meegwetch.

20 **CHIEF COMMISSIONER MARION BULLER:**
21 Ms. Lomax, I don't have any questions, but I certainly
22 look forward to reading perhaps more than one time your
23 written submissions. So thank you.

24 Ms. Groulx, thank you, and to your
25 colleagues, thank you as well for coming today and

1 enriching our process.

2 Ms. Lomax, it's been a pleasure working
3 with you. You are nothing less than an inspirational
4 advocate. Thank you.

5 **MS. VIRGINIA LOMAX:** Thank you.

6 (APPLAUSE/APPLAUDISSEMENTS)

7 **MS. MEREDITH PORTER:** Thank you.

8 Chief Commissioner, we're scheduled now to
9 have a morning break. I will take your direction on how
10 long you would like us to take. We are scheduled back at
11 11:00 a.m., which would at this point give us about a
12 23-minute break.

13 **CHIEF COMMISSIONER MARION BULLER:** Twenty-
14 three (23) minutes please.

15 **MS. MEREDITH PORTER:** Perfect. Thank you
16 so much.

17 --- Upon recessing at 10:37 a.m./La séance est suspendue à
18 10h37

19 --- Upon resuming at a.m./La séance est reprise à 11h00

20 **MS. MEREDITH PORTER:** Thank you. Chief
21 Commissioner and Commissioners, the next party I'd like to
22 invite to the podium is from the Battered Women's Support
23 Services. And making submissions on behalf of the
24 Battered Women's Support Services will be Summer-Rain and
25 Jennifer Mackie.

1 **--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR**
2 **BATTERED WOMEN'S SUPPORT SERVICES:**

3 **MS. SUMMER-RAIN BENTHAM:** So I'd like to
4 start by acknowledging that we are gathered here today on
5 the unceded territories of the Algonquin people and to
6 express my gratitude for being allowed to gather here
7 today on this territory for the purpose of the closing
8 submissions for the National Inquiry into the Missing and
9 Murdered Indigenous Women and Girls.

10 I would like to acknowledge the sacred
11 items placed before me, the Elders who opened the day, the
12 Commission and the Commissioners for allowing me to be
13 here today to speak, and to all of the family members and
14 survivors who have participated and shared their truths
15 with this Inquiry.

16 Battered Women's Support Services was
17 established in 1979. We have taken action to end violence
18 against women and girls. This action includes direct
19 services for survivors, systemic, and institutional
20 advocacy, and law reform.

21 Our approach is proactively de-colonial
22 from the understanding that if we want to understand
23 violence against women in Canada, we understand the role
24 of colonization, colonization both here in Canada and
25 extending to all the regions of Mother Earth. Because

1 from the 1400s to the 1900s, 85 percent of the world land
2 mass was colonized by European power through which
3 ideologies and actions, specifically, delineated a gender
4 binary, subjected women and girls, while stratifying a one
5 race and class.

6 Battered Women's Support Services is not a
7 single issue feminist organization. Our work extends to
8 redress social inequalities and social constructions in
9 subjugate. Battered Women's Support Services responds to
10 over 11,000 requests for services annually, and for
11 15 years we've had a Indigenous women's program developed
12 and delivered by and for Indigenous women.

13 Based in Vancouver, with the shared
14 territories of the Musqueam, Squamish, and Tsleil-Waututh
15 Nations, Battered Women's Support Services takes actions
16 in all ways where colonization grinds down in the lives of
17 women and girls.

18 I would like to at this time hand it over
19 to my colleague, a member of our board of directors,
20 Jennifer Mackie.

21 **MS. JENNIFER MACKIE:** Good morning. My
22 name is Jennifer Mackie. I'm from the Frog Clan of the
23 Carrier Nation on my mother's side, and Scot on my
24 father's side.

25 My family is from Fort St. James, which is

1 located in the north central of British Columbia, and our
2 family's traditional territory is located north on Chuchi
3 Lake, which is located in the Arctic Headwaters.

4 I would like to acknowledge that I'm an
5 uninvited guest here on these lands of the Algonquin
6 peoples. I refer to myself as uninvited because as an
7 Indigenous person I acknowledge that there are protocols
8 to follow when entering someone else's territory. I did
9 not engage in these protocols, so I thank the Algonquin
10 peoples for tolerating my presence while I am here. I
11 promise to walk gently.

12 I live in the unceded and traditional
13 territories of the Musqueam, Tsleil-Waututh, and Squamish
14 peoples. I am also currently a second year law student at
15 the University of British Columbia.

16 I was invited to present to you today,
17 along with my friend and colleague, Summer-Rain, as a
18 member of the Board of Directors for the Battered Women's
19 Support Services, and I'm grateful for the opportunity to
20 speak to you today. I thank you for your time.

21 BWSS prepared several recommendations as
22 part of their final submissions, but for today I would
23 like to focus on one, that of what I see is the erasure of
24 Indigenous women by the Canadian State.

25 I come from a matrilineal society where

1 women were the owners of our traditional territories.
2 Land was passed from mother to daughter, aunties, cousins,
3 mothers, we all had land within RKO (ph). And so the
4 success of the Canadian State could only be realized
5 through the subjugation of Indigenous women.

6 Laws passed by the Canadian State
7 facilitated those disruptions of our relationships within
8 and between our families, our clans, and our nations, but
9 most significantly, these laws disrupted our relationships
10 to our lands and territories. Residential schools, the
11 creation of Indian reserves, the inability to hire a
12 lawyer to protect our land interests, and so on, these
13 were all created by the Canadian State in order to sever
14 the ways in which we are interconnected, the ways we
15 related to one another.

16 But the Canadian State has not been
17 successful; however, it is persistent. In Ontologies of
18 Indigeneity, Kwakwaka'wakw scholar, Sarah Hunt, turns to
19 the work of Dene scholar, Glen Coulthard, who describes
20 these politics of recognitions in which recognition, like
21 assimilation, serves to reinforce the dominance of
22 colonial power, and as such, is not a viable way to
23 transform the colonial relationship between Indigenous
24 peoples in Canada. From this I wonder whether the
25 Canadian State along with its various agents and actors in

1 recognition of its role in colonial violence against
2 Indigenous peoples will result in any significant change.

3 We hear the rhetoric of a new relationship,
4 or the rights recognition framework from various faces in
5 the political realm, and yet I think about my friend,
6 Warner Naziel, hereditary chief of the Wet'suwet'en
7 Nation, who, along with his partner, Freda Huson, seek to
8 regenerate their Indigenous laws and relationships within
9 the land in which they live, regenerate their Indigenous
10 laws and relationships in the Unist'ot'en Camp in Northern
11 B.C. They were recently served by the energy company,
12 TransCanada, who is attempting to build a pipeline through
13 their traditional unceded territory.

14 I also think about Mayuk Manuel, a
15 Secwepemc woman arrested in a consultation event for the
16 federally owned Trans Mountain Pipeline. She and others
17 were detained for disrupting these closed door meetings.
18 Upon her arrest, she stated, "I am not mischief, I am
19 Secwepemc".

20 These and other acts of resistance continue
21 to be criminalized by the Canadian State. Indigenous
22 peoples continue to resist is contemporary acts of
23 colonialism to prevent the further erasure of our legal
24 traditions or systems of governance which form the
25 foundation, and guide how we relate to one another, and

1 are rooted in the land.

2 Leanne Simpson describes these, and other
3 acts of resistance, as a physical disruption of settler
4 colonial commodification in ownership of the land through
5 the implicit assumption that they are supposed to be
6 there. She adds that this is a necessarily -- necessary
7 and critical intervention in the hyper-individualism that
8 we are exposed to in western educational contexts which
9 are designed to negate our inherent relationality. By
10 rebelling against the permanence of settler colonial
11 reality, she writes, one no longer just dreams alternate
12 realities, but actively creates them on the ground, in the
13 physical world, in spite of being occupied. This is about
14 land. The land is the source of our songs, our dances,
15 our stories, our languages, and our bodies. Without the
16 forceable removeable of our bodies from the land, the
17 legitimacy of the Canadian state is placed into question.
18 Without the forceable removable of Indigenous bodies from
19 the land, there can be no access to land, water, and
20 settlement.

21 I grew up along Highway 16. I'm connected
22 through friendship and nationhood to persons who lost
23 loved ones, family members, from the communities along
24 this road. Indigenous people spoke out about women who
25 were going missing and were met with little to no

1 response. These disappearances are one example of the
2 erasure of Indigenous women from our lived realities.

3 Eve Tuck and Wayne Yang write in their
4 article, *Decolonization is Not a Metaphor*, how settler
5 colonialism requires the destruction and disappearance of
6 Indigenous peoples. We must be erased. We must be made
7 into ghosts. One of the less overt ways in which this
8 happens is through our codification representation in
9 research. We are, as Indigenous peoples, codified as at
10 risk, or asterisks peoples. In that, as at risk, we are
11 described as being on the verge of extinction, culturally
12 and economically bereft, engaged or seem to be engaged in
13 self-destructive behaviours, which can be -- which can
14 interrupt our school careers and seamless absorption into
15 this economy. As asterisks peoples, we are represented by
16 an asterisk in large and crucial data sets, many of which
17 are conducted to inform public policy that impacts our
18 lives. As peoples, we may make up four percent of the
19 population of this country, yet we are lumped into single
20 categories, erasing our unique identities due to the
21 unavailability of health and education statistics for
22 various reasons.

23 The lack of information about who we are
24 and where we come from represents a form of denial of our
25 existence. In the criminal justice system, police do not

1 ask for this information. Perhaps, when someone is
2 visibly Aboriginal, they may make a note. Detailed
3 information is not requested at this early stage. At the
4 sentencing of an Indigenous offender, identity matters.

5 The over representation of Indigenous women
6 in federal penitentiaries represents a more recent form of
7 erasure I would argue. The number of women who end up
8 prisons has more than doubled in the past ten years. This
9 is a new and improved form of forceable -- forceable
10 removal of Indigenous women from their traditional
11 territories. According to Senator Kim Pate and the work
12 of the Elizabeth Fry Society, many of these women in
13 particular plead out, so there is no trial. Many are also
14 dealing with complex health issues intersecting concurrent
15 issues that the prison isn't be -- incapable of
16 supporting. This denial, this invalidation of the lived
17 experiences, the injustice this erasure -- or erasure --
18 my erasure.

19 Tuck and Yang explain that decolonization
20 as a metaphor allows people to equivocate those -- these
21 contrary -- contradictory decolonial desires because it
22 turns decolonization into an empty signifier to be filled
23 by any track towards liberation. In reality, the tracks
24 walk all over the land and the people in settler contexts.
25 Decolonization in the settler colonial context must

1 involve the repatriation of land simultaneous to the
2 recognition of how land and relations to land have always
3 been differently understood and enacted.

4 As your work comes to a -- a close, and I
5 thank you for the opportunity, I hope that there is a
6 shift in these conversations about who we are as peoples,
7 as women, and that there is a significant shift in power
8 in understanding who we are as peoples, that there's a
9 regeneration of our loss, there's regeneration of our
10 identities, and there's a regeneration and restructuring
11 of those relationships with each other. Thank you.

12 **MS. SUMMER-RAIN BENTHAM:** So my name is
13 Summer-Rain, and I am Gitxsan, meaning people of the misty
14 river. I am from the house of the raven and the Raven
15 Clan from Kitwanga on my mother's side, and I am Coast
16 Salish from the Squamish Nation on my father's side. I
17 live and work on the unceded Coast Salish territories of
18 the Squamish, Musqueam, and Tsleil-Waututh Nations. I am
19 currently the Manager of Indigenous Women's Programming at
20 Battered Women's Support Services, where I have the honour
21 and privilege of working with Indigenous women and girls
22 who have experienced all forms of gender-based violence,
23 and the impacts of colonization at many different levels
24 and at many different times in their lives.

25 Sorry. I'm here to speak in relation to

1 the gender-based violence, racism, hatred, and continued
2 colonization that Indigenous women and girls face
3 continuously every single day while the Canadian state
4 passively stands by and perpetuates their failure to
5 respond to the safety of Indigenous women and girls, thus
6 making Canada, in whole, aiding in the deaths, murders,
7 and disappearances of Indigenous women and girls.

8 The ideology of Indigenous women and girls'
9 bodies as rapeable is brutally evident in the thousands of
10 missing and murdered Indigenous women and girls in Canada.
11 This attitude or belief is entrenched by Canada's policing
12 agencies and systems which have historically and currently
13 been a brutal force of oppression and perpetration of
14 violence against Indigenous women and girls. Furthermore,
15 the general response of the police to the murders and
16 disappearances of our women and girls is to blame the
17 victims by arguing that they are -- they are or were sex
18 workers, and hence inherently rapeable, often referring to
19 the fact that they are willingly choosing a high-risk
20 lifestyle.

21 The concept that women are not worth more
22 than their bodies is entrenched into our society, even in
23 our justice system. This leads to an attitude or belief
24 that men who inherently have a position in society that
25 allows them access to women, power, and access to

1 resources, people, and influence to do or effect what they
2 want. Men, as individuals and as a group, hold varying
3 degrees of physical, economic, and political power over
4 women and, in particular, Indigenous women and girls.
5 Sexual assaults and rape is a way that men enact unequal
6 power. Ending the demand or entitlement of men to the
7 sexual access of the bodies of Indigenous women and girls
8 and placing full responsibility on the men can and will
9 interfere with their sense of entitlement and access to
10 Indigenous women and girls' bodies.

11 Indigenous women and girls are forced to
12 leave their reserves and migrate into more urban settings
13 to escape extreme poverty and violence in their homes and
14 on their homelands. Indigenous women and girls face a
15 particular form of misogynist racism. Indigenous women
16 are forced to leave -- live in dangerous intersections of
17 gender and race. Indigenous people have become marked as
18 inherently at risk of violation through the ongoing
19 process of sexual colonization. By extension, their lands
20 and territories have become marked as a way to violate as
21 well.

22 The connection between the colonization of
23 Indigenous people's bodies, particularly the bodies of
24 Indigenous women and girls, in Indigenous lands is not
25 simply metaphorical. We are adamant that there is a

1 connection between patriarchy's disregard for nature,
2 Indigenous peoples and women, and the colonial patriarch
3 combine that seeks to control and dominate. In fact, this
4 is proven in the fact that Indigenous women and girls are
5 going missing and being murdered right here where we stand
6 today, all across the country, and even across the world.

7 And what is Canada doing about it? What is
8 preventing Canada to follow through on any of the hundreds
9 of recommendations they have already received or on the
10 promises they have already made to Indigenous women and
11 girls to Indigenous communities. That would mean that
12 Canada as a state would have to take responsibility for
13 the racism, patriarchy, misogyny, and violence that is
14 committed. They would have to take responsibility for the
15 impunity they have created for men, predominately white
16 men, to view and treat Indigenous women and girls as
17 disposable and as not worthy of life.

18 The child welfare system, originally
19 referred to as residential schools and day schools,
20 primary role for education of Indigenous girls was to
21 inoculate patriarchal norms into Indigenous communities,
22 to disrupt our matriarchal systems to interfere with and
23 destroy women's power, roles, and agency; this continues
24 to happen.

25 Canada's current child welfare system

1 continues to cause great harm to Indigenous women and
2 girls. They issue birth alerts and flag our children at
3 birth for removal and place with non-Indigenous families,
4 depriving and stripping our children of their culture and
5 identity and as Indigenous peoples.

6 Our girls' encounters with child welfare
7 system too often result in an increased lack of safety
8 which escalates to experiences of violence, sexual
9 assault, exploitation, disappearances, and deaths while in
10 the so-called care of our child welfare system.

11 Our Indigenous girls are grossly
12 overrepresented in the child welfare system; in foster
13 homes, group homes, shelters and single-room occupancies,
14 and on the street.

15 Indigenous women and girls are classified
16 as high risk, or living a high-risk lifestyle, yet the
17 only true high-risk lifestyle any one of us lived or lives
18 is that of being a girl or a woman and that of being a
19 First Nations, Métis, or Inuit girl or woman.

20 As Indigenous girls and women we are taught
21 and trained at birth by our mothers, our aunties, our
22 grandmothers, that we will be targeted and attacked by
23 men, not only because we are women and girls but because
24 we are Indigenous women and girls. And yet the state
25 continues to perpetuate and/or ignore the violence,

1 poverty, and unsafe conditions of Indigenous women and
2 girls. The state continues to remain silent, leaving
3 ourselves, our sisters, our aunties, and our daughters to
4 face these men who choose to attack us because we are
5 Indigenous women and girls alone in the fight for our
6 lives.

7 Indigenous women and girls have a long
8 multi-generational history of colonization,
9 marginalization, and displacement from our traditional
10 homelands, languages, food, culture, and history. All of
11 these things have been stolen from us and replaced with
12 Western world traditions of poverty, violence, abuse, and
13 addictions, leaving Indigenous peoples, especially
14 Indigenous women and girls, extremely vulnerable to male
15 violence.

16 This continues to be perpetuated with
17 Canada's failure to address the sexism and gender
18 discrimination to women and girls in the *Indian Act*, which
19 only furthers the colonial and patriarchal constructs that
20 have consistently fueled the exclusion of Indigenous
21 women's voices since the creation of the *Indian Act*.

22 I myself, not like -- not unlike many
23 Indigenous women and girls, were born into poverty and
24 violence. I was a product and a part of the child welfare
25 system my whole life, a system where I was nothing more

1 than a file lost on someone's desk.

2 I was born in a very small community up
3 north. When I was little, my Mum and my grandmother that
4 I had these bright blue eyes and fair skin; they truly
5 believed I wouldn't experience the heinous acts of
6 violence that both of them had experienced.

7 My grandmother was a residential school
8 survivor. My mother was part of the sixties group and
9 struggled with addictions and mental health.

10 They were wrong. I was targeted by men
11 since the age of two and experienced violence from almost
12 every man who came into my life, because to these men, and
13 to the state, I was an Indigenous child. No matter how
14 light my skin might be or how blue my eyes are. Because
15 these men -- and I want to be clear, the men I refer to
16 were mostly White men -- they knew there would be no
17 consequences for the harm done.

18 I was bounced around from home to home
19 across the north and the lower mainland. I left the last
20 group home I was placed in in Vancouver when I was nine
21 years old. I spent a chunk of my life, 14 years, on the
22 streets of the downtown eastside, trying to find where I
23 belong, where I would be accepted. Because of
24 colonization I wasn't Native enough for my Mum's family
25 and I was too Native for any White family.

1 Eventually, I found my own and I had
2 amazing, strong Indigenous women warriors in my life who
3 taught me who I was, where I come from, and how important
4 my voice is.

5 This is why I am alive today and why I am
6 able to do the work I do today. This is why I speak, not
7 only as a frontline antiviolence worker but as a family
8 member and as a survivor.

9 I was taught as a young child that our way
10 of sharing, of teaching was through storytelling, and that
11 is why I have chosen to intertwine my personal truth with
12 my political message as the two are inseparable for me.

13 I know you have heard throughout these
14 hearings and in Calgary hearing, that it is mostly
15 Indigenous men who are committing the violence against our
16 Indigenous women and girls. From my 15 years of frontline
17 experience and my 35 years of life, I would strongly
18 disagree with this statement. I would go so far as to say
19 it is a grossly unfair reading of history to blame
20 Indigenous communities alone for the state of crisis
21 across this country.

22 This is not an Indian problem. This is a
23 state -- a Canadian state problem as the deaths and
24 disappearances of Indigenous women and girls continue to
25 rise and largely remain unsolved on reserves, in cities,

1 towns, and communities across Canada.

2 To say it is our problem alone makes it
3 easier for the White colonial state to say it's our
4 problem, and for the rest of society to accept this
5 answer. I refuse to, and I ask you to refuse to.

6 Over the past 55 years approximately 4,000
7 Indigenous women and girls have gone missing or were
8 murdered in communities across Canada, yet the government,
9 the media, and the Canadian society continues to remain
10 ignorant; a refusal to recognize the names and families
11 who have lost someone.

12 The RCMP list a mere 1,200, yet the
13 Indigenous women on the ground, the women walking across
14 Canada, the women who walk the streets every night, they
15 have 4,000 names.

16 If there were 1,200 White men went missing
17 in the last 55 years, it would be the front page of every
18 paper, the headline on every news outlet. We would all
19 have the images, faces, and names of these men drilled
20 into our heads; the government would not let us forget
21 these men. And I can only imagine if 4,000 White men were
22 missing; the world would come to a halt until we found out
23 what happened to these men. Yet when it's 4,000
24 Indigenous women and girls, their names remain silent;
25 their families remain uninformed; their pictures shown on

1 posters or in media are that of a mugshot because, once
2 again, Canada's message to Indigenous women and girls, and
3 to the rest of society, is that of disvalue, of
4 disposable, of good riddance.

5 During this Inquiry, the team at Battered
6 Women's Support Services had the opportunity to walk the
7 Highway 16 from Prince Rupert to Smithers in memory of
8 Tamara Lynne Chipman, a young Indigenous woman who went
9 missing from this stretch of highway. This highway, which
10 now known as the Highway of Tears, where families have
11 recorded over 32 Indigenous women and girls who have gone
12 missing.

13 This stretch of highway that I was born on
14 in the middle of nowhere is a stretch of road that runs
15 from Rupert to Prince George. Indigenous girls and young
16 women were going to missing along this stretch of highway,
17 barely causing a ripple in the media until a young White
18 woman went missing from the same stretch of road, and then
19 her disappearance was all over the media while our young
20 girls were ignored.

21 The whole community came out to search for
22 Nicole; billboards were put up with her picture, posters
23 were made and distributed, media interviews were
24 conducted, yet Indigenous warrior women in the community
25 were fighting to have pictures and billboards of their

1 loved ones put up. They were met with resistance,
2 disrespect, and a level of hatred.

3 I walked this road for five days. It was
4 dark and silent and heavy; I could feel the weight of the
5 girls on me as I walked. I could hear their cries. It
6 was one of the first times in a long time I realized just
7 how alone I was in this world. And I wondered, yet again
8 in my life, that if I went missing right here, right now
9 from this road, would it matter?

10 In Vancouver, more than 50 women went
11 missing from the city's downtown eastside. Sixty (60)
12 percent of these women and girls were Indigenous, and most
13 were young. These are women living in extreme poverty.
14 Some, if not all, struggled with drugs and alcohol, and
15 many were victims of childhood sexual abuse. Every one of
16 them grew up in foster homes.

17 In other words, their lives were all the
18 markings of the violence and victimization of
19 colonization.

20 There is a growing list of missing and
21 murdered Indigenous women in B.C. The February 14th
22 memorial march has over 550 names of women and girls on
23 their memorial list. Many of these women lived what many
24 would classify as that high-risk lifestyle, which is a
25 polite way of saying the police, the state, and the

1 community saw these women as disposable and not worthy,
2 yet at no fault of their own. They were poor, homeless,
3 struggled with addictions, maybe in sex work. Most
4 importantly, they were brown women and girls so the state
5 and the justice system could look the other way.

6 Too many of our women are currently left in
7 highly dangerous and increasingly more dangerous
8 situations. These reasons cannot be used to abandon our
9 Indigenous women and girls to gender-based and often hate-
10 fuelled violence anymore.

11 The torment of waiting for answers by
12 families is only deepened every time a White woman's
13 disappearance triggers a flurry of national media coverage
14 and attention.

15 Grim statistics and anecdotal evidence
16 compiled by the Canadian press suggests public apathy has
17 allowed predators to target Indigenous women and girls
18 with near impunity for as long as the colonial state has
19 been in existence.

20 The record also points to the ugly truth
21 behind the political and legal lethargy which is racism.

22 The police departments and RCMP stand
23 accused of ignoring the disappearances of our most
24 valuable young Indigenous women and girls who go missing
25 across Canada in numbers so large, only to be forsaken by

1 a jaded justice system and neglectful media.

2 I know this to be true. From 9 to 24, I
3 was reported as a missing child, youth, and adult 23
4 times. The police left me in unsafe conditions with adult
5 men and on the streets to fend for myself. When I
6 received my MCFD file a few years back there were 18 out
7 of the 23 missing persons reports were still unclosed, so
8 somewhere I'm still listed as missing.

9 I'm not sure, in my opinion, if it was ever
10 -- if I was ever found by them or if it was easier for
11 them to leave me unfound.

12 Battered Women's Support Services receives
13 11,000 calls a year from self-identified women and girls,
14 and I have come to learn that not only are the police
15 responding inadequately to cases of male violence against
16 women entirely, but their lack of effective response
17 allows for the violence women experience to continue
18 happening.

19 More recently, in Vancouver, Ottawa, and
20 Montreal, we have been dealing with Martin Tremblay, a
21 White man who targeted and recruited young Indigenous
22 girls out of group homes, youth shelters, and the streets.
23 He would look for young vulnerable Indigenous girls and
24 offer them drugs and alcohol, a place to party, or a place
25 to stay if they did not have one.

1 He would load them into a car, drive them
2 to a new house or location not close to transit, feed them
3 drugs and alcohol. He would mix drugs in their drinks,
4 making a noxious substance, and when they would pass out,
5 he would sexually assault or rape them, while videotaping
6 the attack.

7 In all, we know of 103 young Indigenous
8 women attacked by this man and his comrades.

9 He is currently in jail waiting for his
10 dangerous offender hearing, but how many lives and how
11 many young Indigenous girls had to be attacked by this
12 White man before this happened? A hundred and three
13 (103).

14 When Indigenous women's lives are
15 considered dispensable, then the likes of Gilbert Paul
16 Jordan, Robert William Pickton, (Inaudible) and Martin
17 Tremblay, and many, many more men come out and attack
18 without fear of any consequences and with impunity.

19 Right now, there are hundreds if not
20 thousands of Indigenous girls caught up in a racially-
21 polarized world. What has and is happening to Indigenous
22 women and girls in this country by the conscious act of
23 the Canadian state is appalling. It is no longer our
24 crisis; it's Canada's crisis and Canada should be
25 embarrassed because I no longer have the time to spend

1 being embarrassed. It takes every minute of my energy to
2 stay a proud Indigenous warrior fighting to stay alive in
3 this world that insists on hating me.

4 I am here to say that no Indigenous woman
5 or girl is disposable. I am not disposable. No one in
6 this room is disposable. My life matters along with the
7 life of every single person in this room. I will not be
8 silenced any more and you cannot be silenced any more.

9 As Indigenous women, we are resilient. We
10 are rising up. We are fighting back against the continued
11 genocide of our women and girls. We will rise stronger.
12 Our women and girls are the future and this genocide is
13 for the purpose of ecocide and it needs to end, to clear
14 the land and gain full access to the resources by any
15 means necessary.

16 As we gather here today on occupied
17 Indigenous territory, I invite you all to reflect back on
18 all the conditions of colonization that affect our young
19 Indigenous women in our lives today. I am calling on all
20 the women in this room to stand and fight with me, to
21 realize that none of us are free until all of us are free.
22 This means that no White woman is free until all
23 Indigenous women and girls are free to live a life without
24 racism, violence, death, and the threat of our
25 disappearance. (Native words).

1 **(APPLAUSE/APPLAUDISSEMENTS)**

2 **MS. MEREDITH PORTER:** Thank you. Thank
3 you, Ms. Rain, and thank you, Ms. Mackie.

4 Chief Commissioner, Commissioners, do you
5 have any questions for the party?

6 **COMMISSIONER QAJAC ROBINSON:** Thank you for
7 today, for your submissions, for the many times you have
8 stood at the podium and asked questions as well through
9 this process, and helping us understand what we're
10 hearing, helping us learn what it is we need to learn, but
11 also what the rest of the country needs to learn. I raise
12 my hands to you and thank you, both of you.

13 **COMMISSIONER BRIAN EYOLFSON:** I don't have
14 any questions. I just want to say thank you very much.
15 Thank you, both of you for your submissions, and Summer,
16 thank you for your sharing and your very powerful story
17 and submissions and for all your work contributing to the
18 Inquiry. Thank you very much.

19 **CHIEF COMMISSIONER MARION BULLER:** You can
20 tell when we're moved because we don't talk much.
21 Ordinarily we talk more. It's because Summer, once again,
22 you've moved us and reminded us of what's important.

23 Ms. Mackie, thank you so much for your
24 submissions today as well. It's important to put this in
25 the context of your work as well.

1 So thank you both for moving us beyond
2 words. Thank you.

3 **MS. SUMMER-RAIN BENTHAM:** (Native word).

4 **(APPLAUSE/APPLAUDISSEMENTS)**

5 **MS. MEREDITH PORTER:** The next party I'd
6 like to invite to the podium to make their submission is
7 Ms. Kimberly Carswell. And Ms. Carswell is making
8 submissions on behalf of the Winnipeg Police Service.

9 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. KIMBERLY**

10 **CARSWELL:**

11 **MS. KIMBERLY CARSWELL:** Good morning, Chief
12 Commissioner, Commissioner Eyolfson, Commissioner
13 Robinson. As has just been indicated, my name is Kimberly
14 Carswell and I am pleased to appear before you on behalf
15 of the Winnipeg Police Service.

16 Before I begin, I want to acknowledge that
17 we are on the traditional unceded territory of the
18 Algonquin people, and I thank them for their stewardship
19 of this land long before the coming of the settler
20 populations.

21 I'd also like to acknowledge, given this
22 will be my last opportunity, the Métis, Inuit, and other
23 Indigenous peoples of Canada for their contributions to
24 the country we now know as Canada.

25 I acknowledge the spirits of the murdered

1 and missing women, girls, and the families, also the
2 grandmothers, elders, prayers, and songs, the lighting of
3 the *quilliq*, and the sacred items in the room.

4 I'd like to acknowledge the assistance of
5 NFAC and the health supports as well as all the Commission
6 staff throughout this process who have made my job and
7 others, Parties with Standings jobs much easier as we've
8 gone through this journey together.

9 As the Commission knows, the Winnipeg
10 Police Service sought standing and obtained regional
11 standing in all three phases of the Inquiry. The Service
12 believed that having a large urban Indigenous population
13 and with the city with the reputation of being referred to
14 as "Ground Zero for murdered and missing women" that it
15 was important that we take every opportunity to
16 participate in the essential work of this Inquiry.

17 Although we did not take an active role in
18 the examination of witnesses, preferring to leave the time
19 for grassroots questions and listening to the answers, we
20 were present at eight of the nine hearings, only missing
21 the hearing in Iqaluit in parts 2 and 3.

22 In addition, we had a team of
23 representatives available in Winnipeg and we attended
24 almost every truth telling in the city. We would like to
25 acknowledge all of the evidence that's presented by the

1 expert, knowledge keepers, institutional witnesses and, in
2 particular, the families and survivors who attended and
3 provided their truths to the Inquiry.

4 We recognize it took tremendous courage for
5 those witnesses to come forward and share their
6 experiences not only with the Commission, but with all of
7 Canada.

8 We have listened very carefully to the
9 concerns raised and the evidence related to best
10 practices, and I can tell you that after each hearing, I
11 have taken that information back and briefed the police
12 executive, and my client has been very interested and has
13 begun to review a number of its practices and policies in
14 response to what it has heard, and in some cases we have
15 even completed some of the changes, such as the
16 implementation of a family contact forum that will be
17 rolled out in the community shortly.

18 That being said, we recognize that there is
19 still much work to do, but we believe that we have
20 embarked on the right path.

21 We want to make it clear that none of what
22 I will say takes any issue with the lived experience that
23 has been shared by survivors and families throughout this
24 process in the Inquiry. However, we would ask that the
25 Inquiry consider those truths within the context of the

1 time of the incident in which they're being related.

2 As you may recall from the evidence in both
3 Calgary and St. John's, the Winnipeg Police Service is not
4 the same police service it once was, and it is making
5 improvements in a number of areas to be more responsive
6 and respectful to the indigenous population that it has
7 jurisdiction.

8 Policing, like all government institutions
9 and all -- in fact, all non-government institutions,
10 evolve, and we believe that we are now moving in good
11 direction.

12 The Commission, and we, have heard many
13 truths that did not reflect on positive experiences with
14 police. And although we accept those and the Chief
15 acknowledged them in St. John's, we ask you to keep in
16 mind that there are also many police officers who have
17 treated indigenous women and girls with respect and been
18 responsive to their needs. Not all members can be
19 addressed with the same condition.

20 Finally, I want to thank the Commission for
21 giving the Winnipeg Police Service the opportunity to
22 participate with Ma Mawi at the hearing in St. John's
23 focus on what we believe is promising practice that we've
24 embarked on.

25 We recognize that the time afforded you to

1 study the many important issues was limited, and we are
2 honoured to have been allowed to present evidence to you
3 of one of our practices.

4 In my submission today, I want to very
5 briefly, because of time limits, place Winnipeg and the
6 Winnipeg Police Service in a historical context and
7 discuss some of the key policing themes that have been the
8 focus of your interest as demonstrated through the panel
9 topics that you've chosen to hear evidence on.

10 Many of the areas I will touch on have been
11 dealt with in greater depth in our written submission that
12 was filed earlier this week.

13 We believe it is important to recognize
14 that all police services are not the same. Issues can be
15 faced by them that are vastly different. Geography,
16 available resources, the mandates that they have,
17 community differences all impact on the type of services
18 that are required and may be available.

19 The Commission has heard much evidence from
20 people all over this country that there are different
21 circumstances, concerns, interests and forms of
22 relationship that indigenous communities have with
23 government institutions, and we believe that the status of
24 those relationships also affect the service's ability to
25 perform for their community.

1 There have also been presented a variety of
2 options on what are the key solutions and some of the
3 issues that Canada and various institutions face in its
4 relationship with indigenous individuals and communities.

5 We believe that there's no absolute
6 standard policing solution, and we ask you to consider
7 that your recommendations be framed in a way to not be
8 overly prescriptive to police agencies and provide them
9 with flexibility to implement them in a way that works
10 best for their community. And as Ms. Redsky pointed out
11 in her evidence in October in St. John's, she noted best
12 practices taking place, and I quote:

13 "Out there like in Manitoba, like in
14 British Columbia, and there are
15 strategies that are in place. Just
16 copy them, just use what -- tweak it
17 to make it work for your region." (As
18 read)

19 And we suggest to you that there are going
20 to be differences that are necessary just by virtue of
21 geography and the other factors that I've indicated.

22 The Winnipeg Police Service was faced with
23 acknowledging issues earlier than many jurisdictions with
24 its indigenous community through the evidence that was
25 heard in what was then called the Inquiry into the

1 Administration of Justice and Aboriginal Peoples, or the
2 Aboriginal Justice Inquiries that's become known. That
3 was called in 1988, and resulted, as you know, from
4 concerns that related to the death-murder of Helen Betty
5 Osborne in The Pas, Manitoba and the shooting death of
6 J.J. Harper in Winnipeg.

7 As well, there were issues with respect to
8 the Manitoba justice system's treatment of indigenous
9 peoples.

10 The findings of that inquiry, which were
11 issued in 1991, contributed to the improvement of
12 practices around many policing issues, including police-
13 involved incidents, investigations into police misconduct,
14 and it also shed light on racism towards indigenous people
15 by public institutions in Manitoba.

16 Many of the recommendations from the
17 Aboriginal Inquiry were responded to by the Winnipeg
18 Police Service in the aftermath of that report. And some
19 of the notable things were that there was an employment
20 equity plan with targets, dates and remedies that was in
21 place by 1996.

22 There was targets for the numbers of
23 indigenous police officers, and what the service did was
24 set a representational goal that the police service should
25 be reflective of the community and, at the time, 8.4

1 percent of Winnipeg was indigenous and the service reached
2 an 8.8 level with respect to indigenous officers.

3 I will address this later, as it remains an
4 area of concern for us in recruiting and retention of
5 indigenous persons.

6 We developed lateral entry candidate so
7 that police officers from indigenous or RCMP forces could
8 enter the Winnipeg Police Service easily, and that was
9 implemented in the year 2000.

10 The entry examination and assessment of
11 officers was changed to test for racist attitudes, and the
12 focus of background investigation became to, in addition
13 to the other things, uncover racist attitudes, workplace
14 harassment policies, and other policies were instituted to
15 cover racial discrimination, amongst other forms of
16 discrimination.

17 The recommendation was that indigenous
18 officers not be restricted to positions in the core or,
19 quote, indigenous areas of Winnipeg, and that was and is
20 consistent with Winnipeg Police transfer and promotion
21 policies.

22 Indigenous members are allowed to pursue a
23 career in their preferred area of interest and lead from
24 where they are comfortable. Indigenous members today are
25 spread throughout the organization in investigative,

1 administration and community divisions.

2 That report became a catalyst for changes
3 that continued and continue to today, the different speed
4 of implementation throughout that time, but there has been
5 a consistent move forward because of that realization from
6 that report.

7 I'd now like to speak to some specific
8 investigational policies and practices that have been the
9 subject of the Inquiry's interest.

10 First, homicides and fatalities, which are
11 arguably the most serious investigations taken up by
12 police. And I can tell you that officers from those units
13 feel a profound responsibility of those investigations.

14 The unit is made up of very highly-
15 experienced and trained officers, with minimal standards
16 to apply to even do that. They devote themselves to
17 solving cases regardless of the circumstances, the
18 individual's life or death, and we have numerous examples
19 for you in our written submission.

20 The Winnipeg Police Service is very proud
21 of its solvency rate, which sits at 92 percent compared to
22 a 74 percent average nationally, and for indigenous
23 females that rate is 94 percent.

24 The Winnipeg Police Service has had a
25 Historical Homicide Unit in place since 2001, which is now

1 staffed with 3 officers. It's tasked with reviewing
2 historical investigations with fresh eyes to determine new
3 avenues of investigation to pursue and to prevent against
4 tunnel vision in investigations.

5 I know that the Inquiry has heard much
6 about the project Devote in Manitoba, which was
7 implemented in 2009 by the Province of Manitoba, the RCMP
8 and the City of Winnipeg Police Service, with first a
9 taskforce that reviewed 84 investigations that were
10 unsolved, and identified 28 investigations involving
11 exploited persons that were then taken up by an expanded
12 taskforce known as now Project Devote. One of those cases
13 has since been resolved and others are being pursued with
14 some promising avenues. We suggest it is a policing
15 initiative that is a promising practice and might be
16 looked at in other jurisdictions.

17 Our Missing Persons and Counter
18 Exploitation Units you heard of in St. John's through the
19 evidence of Ms. Redsky and Ms. Willan and Chief Smyth.
20 That unit was, as you heard, combined in 2017 to expand
21 the amount of coverage and to work on providing synergy in
22 the connected issues between the Missing Persons and
23 Counter Exploitation. Unfortunately, Winnipeg, as you
24 also heard, has the unenviable reputation of the high
25 number of missing people, over 5,000 a year, and most of

1 those being youth in Child and Family Service's care. And
2 Chief Smyth spoke I think eloquently on those tragic
3 numbers in St. John's.

4 We implemented counter exploitation teams
5 and you heard about those. Those are non-enforcement
6 teams that go out and do community outreach with
7 individuals on the street to provide references to support
8 and resources. And you heard the evidence of them
9 building relationships with exploited women and girls,
10 even when they're not ready to connect with those
11 resources and supports and to identify women who may be
12 being trafficked and assist them.

13 The focus of that unit, as well as others
14 I'll speak about, is on collaboration with grassroots
15 agencies, such as Ma Mawi, Street Reach, Ndinawe, to name
16 but a few. Not only in having the relationship, but in
17 conducting joint projects with them and sharing
18 information to achieve a common goal. And you heard about
19 Project Return in St. John's between the grassroots
20 organisation and police to bring missing children home.

21 Our enforcement has been focussed on
22 exploiters and traffickers since the early 2000s. And you
23 heard that there's regular project work being conducted
24 and continues to be conducted to this day, unlike some of
25 the other jurisdictions where we've heard that it has

1 ceased.

2 Winnipeg Police Service policy reflects
3 that a missing person report can be taken regardless of
4 the jurisdiction the person went missing in. And we
5 looked back to the early 1980s and could find no evidence
6 that our policy ever required a waiting period of any kind
7 before reporting a person missing.

8 The Winnipeg Police Service also has a
9 dedicated Sex Crime Unit. Our unfounded rate is 2 per
10 cent compared to the national average of 19.4 per cent.

11 The Winnipeg Police Service already had
12 systems in place to review reports where there were no
13 charges laid. And members are dedicated to that work to -
14 - again, much like a homicide cold case, to review files
15 to determine whether there are other avenues that could be
16 pursued. That unit also works with hospitals and clinics
17 and has developed protocols for sexual assault
18 investigations, specialised trauma-informed practices for
19 all crimes involving sexual violation.

20 The unit also maintains information on the
21 internet for victims walking through the process of
22 reporting to dispel misinformation about what that will
23 entail and demonstrating visually the steps that reporting
24 will entail and what will happen if an individual chooses
25 to report a sexual offence.

1 Manitoba is the third province in the
2 country to have third party reporting, and that was
3 instituted recently, with reporting being allowed to two
4 Indigenous culturally appropriate agencies, Heart Medicine
5 Lodge and Sage House, as well as clinic.

6 The Commission has heard much evidence on
7 domestic violence and I'd like to speak briefly on that.

8 Manitoba unfortunately had a number of
9 reviews following tragic incidents involving domestic
10 violence, which considered both policing and the
11 administration of justice. The Peddler Review, the MacKay
12 Inquest in 1992, the Lavoie Inquest in 1995 pointed to
13 improvements that could be made by police and justice
14 officials in dealing with domestic violence. And, again,
15 the Winnipeg Police Service responded and changed as a
16 result of those recommendations.

17 Officer training was increased and content
18 changed to properly equip members to recognise the problem
19 of domestic violence and act accordingly. There was, in
20 effect, what is often wrongly called "zero tolerance", but
21 charges were to be laid where *Criminal Code* guidelines
22 were met.

23 The policy required mandatory reporting,
24 even in those cases on domestic incidents where there were
25 no charges filed or no arrests made, for incident tracking

1 purposes so that members would have a complete history of
2 complaints with respect to a family. And other areas of
3 policy were strengthened to provide improved response.

4 Our justice partners created a more rapid
5 and coordinated response to address the issues of the
6 cycle of violence, which included supports offered by
7 other agencies.

8 The Winnipeg Police Service currently has a
9 Domestic Violence Coordinator, whose job is to provide
10 assistance, oversight, training and education, as well as
11 service the Winnipeg Police Services' point of contact for
12 its partnerships in this area. There are specialised
13 domestic violence investigators that are based in our
14 downtown and north end districts to cover complex
15 investigations in the city.

16 And you have heard much evidence on the
17 process or practice of dual arrest and dual charging in
18 domestic violence incidents. Winnipeg Police Service
19 policy does not permit this practice. Members must
20 determine the dominant aggressor and charge that person.
21 Only where members believe grounds exist for dual arrests
22 are they permitted to submit the matter for Crown opinion
23 first before any charge can be laid. That is a practice
24 that has been in place for 14 years at the Winnipeg Police
25 Service.

1 The Winnipeg Police Service, through its
2 other divisions, has continued to foster relationships
3 with various Indigenous communities. We have had a
4 Victim's Service Department in place since 1982. It is
5 now made up of two officers, three civilians, a social
6 worker and dozens of volunteers. They work in
7 collaboration with Manitoba Justice Victim's Services
8 section to provide resources to survivors and families, as
9 well as information, referrals to specialised services,
10 which include culturally appropriate Indigenous healing
11 supports.

12 Federal funding for the Family Liaison Unit
13 worker, who has been embedded in this unit, has been very
14 useful and helped our investigators understand the
15 perspectives of families with MMIWG and to forge better
16 connections with them. The Winnipeg Police Service does
17 not hesitate in saying we would like to see that continue
18 and, in fact, expand through long-term sustainable
19 funding.

20 One of the recommendations that has been a
21 theme at the Inquiry has been the removal of victim's
22 services from policing agencies, and that those services
23 be placed in culturally appropriate victim survivor-led
24 services. We believe that this suggestion should be
25 explored. However, we have to caution that there are

1 going to be access to information issues that are going to
2 have to be overcome in order to make it work, but that
3 shouldn't stop us from examining the practice.

4 We agree that there need to be an
5 examination of federal and provincial privacy legislation
6 to address the information sharing concerns that will
7 result from such action; and further, we believe that such
8 examination should include the families and survivors, as
9 well as police to ensure that the needs of all the parties
10 are met in providing those effective and crucial services
11 to victims and survivors and their families.

12 The Winnipeg Police Services had an
13 Indigenous partnership section since the early 1990s,
14 which acts as a liaison between Indigenous organizations
15 and community members and police as required. They also
16 provide safety presentations to new Indigenous community
17 members. And you heard Chief Smyth speak on that in
18 St. John's briefly. The importance of services like the
19 Eagle Transition Centre to this unit are critical. And
20 again, you heard Chief Smyth recommend the funding of
21 those types of services in a long-term sustainable way to
22 enable to assist us, to assist the community.

23 The outreach section also assists in the
24 recruitment of Indigenous officers, coordinates Indigenous
25 cultural training awareness for recruits. We also have a

1 school education section made up of 10 members and a
2 supervisor who provide visible presence in schools,
3 particularly in high risk areas. They are the ones who
4 present on various topics to our young people to increase
5 awareness and enhance safety, including sexual
6 exploitation and drug awareness.

7 We have a community support unit that
8 provides foot patrol, boots on the street in high risk
9 areas with a community-based relationship approach. And
10 again, we've provided more information on that in our
11 written submission.

12 The Thunder Wing Block-By-Block Initiative
13 is another initiative of the Province of Manitoba and the
14 City of Winnipeg Police with community organizations. In
15 an identified area of the city, we have taken the model
16 from Prince Albert, which originally came from Scotland,
17 and created intensive wraparound resources for family
18 within that area to provide them with the resources they
19 need in the place they are currently at.

20 Our diversity section is currently engaged
21 with the 2SLGBTIAQ community in reassessing our search
22 policy which currently already allows for split searches.
23 They are also engaged in enhancing and changing policy on
24 the interaction with that community who are Two-Spirit and
25 transgender, to ensure officers treat them respectfully,

1 use appropriate names, and proper pronouns.

2 We have also instituted required diversity
3 training to all members with a focus on an experience from
4 a member of that community which is rolling out now to all
5 members of the police service, both civilian and police.

6 We were the first Canadian city to be part
7 of the UN Downtown Safety and UN Safe City Strategy which
8 is aimed at reducing sexual violence against women and
9 girls.

10 In November of 2015, the Government of
11 Manitoba passed the *Restorative Justice Act* and police
12 have been rolling out and working through that legislation
13 with the Province of Manitoba on diverting charges with
14 respect to youth and adults for minor cases. There are
15 established policy guidelines, diversion to culturally
16 appropriate agencies selected by the Province of Manitoba.

17 The Winnipeg Police Service has determined
18 to roll out the initiative slowly to be able to closely
19 monitor and evaluate that project. It is currently
20 available in Division 13, which is the north end of our
21 city, and will be expanding to Division 11, the downtown
22 in 2019.

23 I'd now like to speak about our recruitment
24 and training. As you heard in St. John's the Winnipeg
25 Police Service Strategic Plan is committed to having a

1 service that's reflective of its community. In that
2 recruitment, we have committed with our police board that
3 each class be made up of at least 15 percent of Indigenous
4 persons. That's for officers. The past three recruit
5 classes have exceeded that target and reached 20 percent
6 of Indigenous people in our recruit classes.

7 Recruiting activities are undertaken by
8 partnering with Indigenous community organizations and
9 participating in recruiting fairs outside of the City of
10 Winnipeg in places like Kenora, Sagkeeng First Nation,
11 Black River First Nation, and other specialized events in
12 Winnipeg.

13 We know that there are barriers to
14 recruitment faced by Indigenous people and as a result
15 conducted a number of focus groups with potential
16 applicants to identify those barriers. We then developed
17 a study guide to address the identified barriers and
18 provide in-house orientation to familiarize potential
19 applicants with the entrance exam and also the physical
20 abilities test. And in fact, we permit them to take that
21 test so that they know the standards they have to meet.
22 We have targeted specific groups, particularly, women,
23 Indigenous people, and newcomers in the hopes of bringing
24 higher numbers of those groups into our service.

25 The Winnipeg Police Services had training

1 on Indigene cultural awareness since the mid-1990s. And
2 the Winnipeg Police Service is privileged to have Elders
3 who assist us to teach about ceremonies, teaching and
4 tradition, the history of residential schools in the 1960s
5 Scoop, the Aboriginal Justice Inquiry, and the history of
6 Indigenous people in policing in Manitoba, the challenges
7 of transitioning to an urban environment, and as well, the
8 social and other services available for Indigenous youth
9 and adults.

10 In 2015, the Winnipeg Police Service
11 instituted a required, fair, and impartial policing course
12 for all of its members, both police and civilian. That
13 was training by exposure to bias awareness, confronting
14 our own biasing, and policing our own misperceptions about
15 the people we are exposed to. And I can tell you on a
16 personal note it was eye-opening. This is evidence based
17 training and is discussed in greater detail in our written
18 submission.

19 We've recently instituted changes to our
20 mental health crisis training in two components. The
21 first is to focus on increased verbal de-escalation
22 techniques in our use of force recertification for all
23 members, and the second is specific mental health crisis
24 de-escalation techniques which was developed by pro
25 training with the assistance of the University of Alberta.

1 That training exposes officers to a sensory experience of
2 a psychological break and uses scenario-based training to
3 reinforce appropriate actions.

4 The City of Winnipeg also has mandatory
5 training from the TRC recommendations. Two programs. One
6 for supervisors, one for all other staff, and this
7 training is required as well for all police and civilian
8 staff.

9 The Winnipeg Police Service since 1989 has
10 used the Commission on Law Enforcement Accreditation, a
11 North American agency, as it recognized its policies and
12 practices were not subject to sufficient oversight. There
13 are audits every three years to ensure that service
14 policy, practices, and procedures, as well as recruitment,
15 training, and other standards are up to date and
16 reflective of best practices in North America.

17 COLEA also invites community participation
18 in providing input on police service performance.
19 Winnipeg Police Service is proud that it was re-accredited
20 in 2017 for the seventh consecutive time.

21 In conclusion, I would like to thank you
22 for the opportunity to be here today, but primarily thank
23 you for the opportunity to participate and to listen and
24 learn from the knowledge keepers, experts, families, and
25 survivors, who have given us so graciously of their time

1 and expertise. Some of these stories have been very
2 difficult for police to hear, but we recognize they are
3 important, and further, necessary for us to hear in order
4 for us to continue to improve.

5 As Ms. Redsky said so eloquently in
6 St. John's, "relationships take time", and in Winnipeg, we
7 believe that the results of the work in building these
8 relationships is beginning to show. And we ask you to
9 consider not only the evidence of Ms. Redsky, but
10 Ms. Willan and Ms. Anderson from Calgary regarding the
11 efforts being made by the Winnipeg Police Service to
12 respond and build those relationships with community.

13 We want to ensure you that we know that
14 this doesn't mean we can stop now, and we recognize that
15 the work must continue. And we believe we must work
16 collectively with our Indigenous partners so that we can
17 continue to improve and address the root causes of
18 violence and increase the safety of Indigenous women and
19 girls.

20 We have listened carefully to the concerns
21 raised and suggestions made at this Inquiry, and I can
22 tell you the police executive commits to continue to
23 listen to the voices of the Indigenous people.

24 We look forward to your final report and to
25 study and consider the recommendations that relate to our

1 mandate to allow us to continue to improve and provide
2 better service to our community.

3 Thank you.

4 **(APPLAUSE/APPLAUDISSEMENTS)**

5 **MS. MEREDITH PORTER:** Thank you, Ms.
6 Carswell.

7 Chief Commissioner, Commissioners, do you
8 have any questions for the party?

9 **COMMISSIONER QAJAQ ROBINSON:** I think we're
10 still in the morning. Good morning.

11 **MS. KIMBERLY CARSWELL:** Good morning.

12 **COMMISSIONER QAJAQ ROBINSON:** I don't have
13 any questions. I want to thank you for your presentation.

14 I also want to thank you for assisting and
15 facilitating Commissioner Eyolfson and I going ---

16 **MS. KIMBERLY CARSWELL:** You're quite
17 welcome.

18 **COMMISSIONER QAJAQ ROBINSON:** --- on a
19 ride-along with the Counter-Exploitation Unit following
20 the St. John's hearing, and having an opportunity not only
21 to see the work of the unit but also to see the
22 interactions with Ma Mawi and the community-based groups
23 that are trying to support the community as well.

24 So I want to thank you for that. It was an
25 eye-opening experience for me and I learnt a lot. So

1 thank you.

2 **MS. KIMBERLY CARSWELL:** Thank you for
3 attending that.

4 **COMMISSIONER BRIAN EYOLFSON:** I don't have
5 any questions. I would just like to take this opportunity
6 to thank you very much for your submissions and for your
7 final written submissions, which I've begun to review, and
8 echo the words of my colleague, and I thank you for
9 facilitating our visit with the ride-along. Much
10 appreciated.

11 **MS. KIMBERLY CARSWELL:** It was my pleasure.
12 Thank you.

13 **CHIEF COMMISSIONER MARION BULLER:** Ms.
14 Carswell, thank you. I just want to clarify one thing
15 because I may have misheard you.

16 The mental health crisis training, the de-
17 escalation course.

18 **MS. KIMBERLY CARSWELL:** Yes.

19 **CHIEF COMMISSIONER MARION BULLER:** That's
20 online as well as one full day in person, and then an
21 additional full day for everyone, or is the second full
22 day optional? Maybe you can help me with that.

23 **MS. KIMBERLY CARSWELL:** I don't believe it
24 is optional. I believe it's part of the training as we've
25 laid out in our written submission.

1 So there's the two components, the use of
2 force, that would be separate, and then there's the ---

3 **CHIEF COMMISSIONER MARION BULLER:** Okay,
4 now I've got it. Thank you.

5 **MS. KIMBERLY CARSWELL:** Okay.

6 **CHIEF COMMISSIONER MARION BULLER:** Okay.

7 Ms. Carswell, thank you so much. Thank you
8 for your participation through many, many stages here of
9 our work. It's been a delight to get to know your clients
10 as well.

11 **MS. KIMBERLY CARSWELL:** Thank you.

12 **CHIEF COMMISSIONER MARION BULLER:** So thank
13 you for your ongoing advocacy and very strong
14 representation for your clients. It's much appreciated.

15 **MS. KIMBERLY CARSWELL:** Thank you, Chief
16 Commissioner.

17 **MS. MEREDITH PORTER:** Thank you.

18 Chief Commissioner, we are ahead of
19 schedule. We are, at this point in time, ready -- or
20 scheduled to have lunch but we are, according to the daily
21 schedule, to come back at 1:40.

22 I'll seek your direction but I would take
23 liberty to suggest, perhaps, that we take an hour and a
24 bit and return back at 1:15 as opposed to 1:40.

25 **CHIEF COMMISSIONER MARION BULLER:** Will the

1 parties this afternoon be able to accommodate that change?

2 (SHORT PAUSE/COURTE PAUSE)

3 MS. MEREDITH PORTER: I'm just canvassing
4 the room to see if they're in the room at the time.

5 CHIEF COMMISSIONER MARION BULLER: Yeah.

6 MS. MEREDITH PORTER: We have the
7 Federation of Sovereign Indian Nations and Regina Treaty
8 Status Alliance. Yes? I see. Ms. Beaudin? Okay, so
9 she's not able to move up to the 1:15? Okay, she's not
10 here right now.

11 So perhaps we should stick with the daily
12 schedule and reconvene at 1:40, then.

13 CHIEF COMMISSIONER MARION BULLER: Yes.
14 It'll be a win/win.

15 MS. MEREDITH PORTER: Okay, thank you.

16 CHIEF COMMISSIONER MARION BULLER: We'll
17 reconvene at 1:40, please.

18 MS. MEREDITH PORTER: Okay, thank you.

19 --- Upon recessing at 12:11 p.m./L'audience est suspendue
20 à 12h11

21 --- Upon resuming at 1:41 p.m./L'audience est reprise à
22 13h41

23 MS. MEREDITH PORTER: Could I ask that the
24 doors over here be closed, to limit the sound?

25 Thank you.

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(SHORT PAUSE)

MS. MEREDITH PORTER: Good afternoon, Chief Commissioner and Commissioners.

The next party I would like to invite up to the podium to make submissions is from the Federation of Sovereign Indigenous Nations; Vice-Chief Heather Bear is the representative that will be making submissions on behalf of that party.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR VICE-CHIEF HEATHER BEAR:

VICE-CHIEF HEATHER BEAR: Well, first of all, on behalf of all of us, I give thanks to our Creator; acknowledge our Creator, and to the Elders who rendered the prayers for us today.

Good afternoon, Commissioner Buller and Commissioners of the National Inquiry. I am honoured to be here on behalf of the Federation of Sovereign Indigenous Nations and the Saskatchewan First Nations Women's Commission.

The FSIN represents 74 First Nations in Saskatchewan and is committed to honouring the spirit and intent of treaties entered into more than a century ago between the First Nations and the British Crown.

The Women's Commission exists within the FSIN governance structure and is the recognized political

1 voice for the advancement of First Nations women and
2 children's rights in Saskatchewan.

3 The Women's Commission is comprised of
4 women who are chiefs, tribal chiefs, and members of the
5 FSIN Senate. If we know and understand our traditional
6 values, we know that Indigenous women have special roles
7 as life-givers and keepers of our culture and our
8 traditions.

9 Women are also instrumental in providing
10 guidance to their respective nations, which they did at
11 the time of Treaty negotiations.

12 The Crown entered into Treaties 4, 5, 6, 8,
13 and 10 with the Cree, Sauteaux, Dene, and the Nakoda
14 Nations in the territories that the FSIN and the Women's
15 Commission represent.

16 The oral and written text of Treaties are
17 foundational to the Canadian state and must be implemented
18 in a way that honours their true spirit and intent, which
19 includes the principles that Indigenous women and families
20 would continue their ways of life and prosper.

21 However, as you've heard and as you
22 presented in your interim report, the impacts of
23 colonization and Eurocentric attitudes expressed in Indian
24 policies have worked to denigrate and displace Indigenous
25 women from their esteemed positions.

1 The ongoing effects of colonization and the
2 Indian policy must be directly addressed by the Canadian
3 state, working in concert with Indigenous peoples.
4 Indigenous women must be afforded security and protection
5 as promised in Treaty and stated in the international
6 conventions. Measures must be taken to implement the
7 United Nations CSW57 for the elimination and the
8 prevention of all forms of violence against women and
9 girls.

10 It provides an action plan and breaks it
11 down into four Ps: protection of human rights,
12 prosecution of offenders, prevention of violence, and
13 provision of services to victims and survivors.

14 Protection of human rights. The first
15 pillar is protection of human rights. Women's rights are
16 human rights. The Canadian state is absolutely obligated
17 to uphold the civil liberties and the fundamental human
18 rights of Indigenous women as they do for all Canadians.

19 According to the International Centre for
20 Research on Women's Violence against Women and Girls,
21 violence among -- against women and girls is among the
22 most universal and pervasive human rights violations
23 affecting at least a billion women across the globe.

24 Indigenous women are seven times more
25 likely to be murdered than non-Indigenous Canadian women.

1 As Indigenous peoples, we feel the effects
2 of this rampant violence against women in our homes, in
3 our schools, and in our urban areas. We see the negative
4 effects and the outcomes in the Child Welfare system, in
5 safe shelters, in youth detention facilities, in prisons,
6 and in the high number of our women and girls who are
7 missing or who have been murdered.

8 At this time, I would like to thank the
9 families who have had the strength and the courage to
10 stand up to this injustice despite their tremendous loss
11 and their tremendous grief.

12 It is the families that have been at the
13 front lines organizing searches, marches, and vigils year
14 after year. Collectively, they have been the conscience
15 of the Canadian public and the federal and provincial
16 governments. Their efforts and those of the hundreds of
17 volunteers across the country have been the heart and the
18 soul of this movement that acknowledges, honours, and
19 respects the memories of the mothers, daughters, sisters,
20 aunties, and relatives who left us far too soon, and those
21 they are still searching for.

22 Their efforts brought about this Inquiry.
23 We lift up honour and thank the families for that.

24 Men have left us too, as well as LGBTQ2S
25 individuals, and we mourn their losses as well.

1 We hope for a better future where every
2 human being is respected and honoured and does not live in
3 fear of their fellow citizens.

4 In order to effect change, we must empower
5 women and girls, men and boys, to challenge and change the
6 norms where gender stereotypes, everyday sexism, and rape
7 culture are commonplace; where violence against women is
8 accepted; where Indigenous women are viewed as expendable
9 and are targeted by predators because they are Indigenous
10 and because in Canadian society, the lives of Indigenous
11 women are valued less than other women.

12 But violation of our women doesn't take
13 place only at the individual level. It is also
14 perpetuated by police agencies and the State of Canada.
15 In 2015, Human Rights Watch responded to the calls, to
16 calls from Indigenous women and non-government
17 organizations in Saskatchewan for an investigation into
18 police brutality towards Indigenous women. They undertook
19 research and released a submission to the Government of
20 Canada in June 2017 on police abuse of Indigenous women in
21 Saskatchewan and failures to protect Indigenous women from
22 violence.

23 They documented dozens and dozens of
24 accounts of police neglect when domestic violence was
25 reported, as well as inappropriate and invasive body and

1 strip searches, sexual harassment, and physical assault.

2 Indigenous women reported a deep mistrust
3 of law enforcement and fear that they would face
4 retaliation if they filed a complaint against a police
5 officer.

6 The FSIN and the Women's Commission
7 endorsed the findings and recommendations and formally
8 presented the report to you, Chief Commissioner, in July
9 2017.

10 We noted that it was referenced in your
11 interim report and we thank you for that acknowledgement.

12 Today, we call on you collectively as
13 Commissioners of the National Inquiry to go beyond
14 acknowledgement and ensure your final report includes
15 recommendations directed towards police violence and abuse
16 towards Indigenous women.

17 We support Human Rights Watch in calling
18 for the implementation of all recommendations made to
19 Canada in 2015 under the UN Convention on the elimination
20 of all forms of discrimination against women.

21 This endorsement includes all
22 recommendations that directly implicate the police,
23 including recommendations dealing with data collection,
24 inter-agency and inter-jurisdictional cooperation,
25 increasing the number of female and Indigenous police

1 officers, strengthening police complaints mechanisms,
2 improving access to the justice system, improving victim
3 services, and taking measures to eliminate institutional
4 stereotyping of Indigenous women.

5 We endorse all other recommendations made
6 by Human Rights Watch including establishing an
7 independent special investigation unit at the provincial
8 level for reported incidences of serious police
9 misconduct; establishing detox facilities and alcohol
10 management programs where medical and Social Services
11 personnel care can provide appropriate care in a
12 culturally-sensitive way; ensuring that complaints are
13 protected from police retaliation; ensuring that police
14 forces have knowledge about Indigenous history, the legacy
15 of colonial abuses including policing abuses and human
16 rights policing standards; improving police training and
17 the escalation on de-escalation; ensuring prompt,
18 thorough, and respectful police responses to allegations
19 of violence against Indigenous women; ending body searches
20 of women and girls by male police officers and ensuring
21 that any searches are fully documented and reviewed by
22 supervisors and commanders; prohibiting all strip searches
23 of women and girls by male police officers; ensuring that
24 women in custody are ordered to remove their bras only in
25 exceptional circumstances; ensuring that there is

1 sufficient number of female officers to conduct searches
2 and ensure the safety and security of female detainees; in
3 situations of intimate partner violence, ensuring charges
4 are laid against the dominant aggressor and avoid dual
5 charges against both the victims and perpetrator of
6 violence; and with the guidance of the Indigenous women
7 leaders and in cooperation with Indigenous organizations,
8 establishing ethically-appropriate data collection
9 protocols, to make available to the public accurate and
10 comprehensive race and gender disaggregated data that
11 includes an ethnicity variable on violence against
12 Indigenous women as well as on use of force, police stops,
13 and searches.

14 As noted earlier, violation of our women is
15 also perpetrated by government agencies. In 2015, several
16 Indigenous women in Saskatchewan publicly revealed that
17 they had been forced into having tubal ligation
18 immediately after childbirth.

19 In 2017, the FSIN was invited to
20 participate in a focus group led by Dr. Yvonne Boyer who
21 is a Canadian lawyer recently named to the Senate of
22 Canada. At that time, Dr. Boyer along with Dr. Judith
23 Bartlett was completing an external review on the forced
24 sterilization of Indigenous women in Saskatchewan and
25 called upon representatives from the Indigenous community

1 to participate in the data analysis and guide the findings
2 to be included in their report.

3 It was clear that the women experienced not
4 only racism and discrimination, but also abuse of power,
5 psychological intimidation and physical violence leading
6 to coerced sterilization.

7 The Saskatchewan First Nation Women's
8 Commission met with one of the victims and her legal
9 counsel, and brought a resolution to the FSIN Chiefs
10 Legislative Assembly in May 2018, which passed
11 unanimously.

12 The resolution states in part that the
13 Chiefs and Assembly support efforts to work in concert
14 with the survivors and their legal representatives to put
15 a stop to the forced sterilization of indigenous women.

16 The Women's Commission subsequently brought
17 a similar resolution to the Assembly of First Nations
18 which also passed unanimously by the Chiefs across Canada.
19 A country of Chiefs are behind this.

20 The forced sterilization of indigenous
21 women by medical professionals breaches the free, prior
22 and informed consent standards contained in the United
23 Nations Declaration on the Rights of Indigenous Peoples.
24 The forced sterilization of indigenous women falls under
25 the internationally-accepted definition of genocide. It

1 violates the rights and the sovereignty of women over
2 their own bodies.

3 The FSIN and the Women's Commission
4 supported the survivors and their legal counsel in
5 bringing this egregious act to the attention of the United
6 Nations Committee Against Torture just last month.

7 Last week, the Committee made the following
8 recommendations. That all allegations of forced or
9 coerced sterilization are impartially investigated. That
10 the persons responsible are held accountable. That
11 adequate redress is provided to the victims, and that
12 legislative and policy measures are adopted to prevent and
13 criminalize the forced or coerced sterilization of women.

14 These conclusions confirm that Canada is
15 torturing indigenous women through forced sterilization.

16 Violence against indigenous women is
17 particularly heinous when it falls within the parameters
18 of institutional violence and violence committed by the
19 state.

20 Prosecution of offenders. A second pillar
21 in the United Nations CSW57 of the elimination and
22 prevention of all forms of violence against women and
23 girls is prosecution of offenders.

24 We have two recommendations in this regard.
25 We call on the Commissioners of the National Inquiry to

1 support indigenous peoples, the FSIN and the AFN and other
2 indigenous organizations in calling for changes to the
3 *Criminal Code* to make forced sterilization of women a
4 crime.

5 The state of Canada and its public
6 officials must be held accountable. Two years ago I stood
7 before the Standing Senate Committee on Legal and
8 Constitutional Affairs to express support for Senator
9 Lillian Dick's Bill S-215, an Act to amend the *Criminal*
10 *Code* for sentencing for violent offences against
11 Aboriginal women.

12 In 2016, the Saskatchewan First Nations
13 Women Commission brought a resolution to the FSIN and the
14 AFN Chiefs Legislative Assemblies and gained support for
15 the Bill, which is now before the House of Commons.

16 If passed by Parliament, the *Criminal Code*
17 would be amended and the Courts will be required to
18 consider the fact that when the victim of an assault,
19 sexual assault or murder is an Aboriginal female, this
20 constitutes an aggravating circumstance for the purpose of
21 sentencing the perpetrator.

22 We agree with Senator Dick that this change
23 will send a clear signal that the lives of all women and
24 girls are valued and precious, whether or not they are
25 indigenous.

1 In my presentation to the Standing Senate
2 Committee, I spoke briefly about the relationship between
3 the *Criminal Code* amendments proposed in Bill S-215 and
4 *Gladue* factors.

5 Some might argue that Bill S-215 works
6 against the Supreme Court of Canada's directive in *Gladue*,
7 but I believe it balances the rights and interests of
8 indigenous women and men by ensuring that all -- that the
9 Courts take both into consideration.

10 When indigenous women are victims of crime
11 and only *Gladue* factors are taken into consideration in
12 sentencing, the rights of indigenous women to the full
13 protection of the law are dismissed. Amending the
14 *Criminal Code* through Bill S-215 and requiring a Court to
15 take Aboriginal female identity into account during
16 sentencing will help to ensure there is no bias against
17 the victim that makes their case less serious in nature
18 compared to any other female.

19 With the passage of Bill S-215, when *Gladue*
20 factors are taken into consideration by a Court, the
21 impacts on both the victim and the perpetrator will have
22 to be considered equally.

23 We cannot expect anything less from this
24 justice system.

25 Prevention of violence. A third pillar in

1 the UN CSW57 is prevention of violence.

2 Much of the prevention and awareness begins
3 with educating both indigenous and non-indigenous people,
4 which requires a long-term commitment from governments at
5 all levels.

6 In particular, fostering caring communities
7 from young person to young person is most -- is the most
8 sustainable and meaningful work that each individual and
9 community can take to move forward in a supportive,
10 positive environment where violence is no longer a part of
11 values of masculinity.

12 We need to work on revitalizing our special
13 roles as indigenous women.

14 Prevention and awareness also begins with
15 acknowledging there is a problem, and showing that
16 indigenous women matter.

17 We need to focus on community safety.
18 Communities cannot be expected to deal with crises on
19 their own without any added capacity.

20 Resources need to be adequate and the focus
21 must be on community wellness. All community members
22 should be afforded the opportunities to heal.

23 Decolonizing our Nations needs to take
24 place by supporting the infusion of cultural teachings and
25 language. The protective -- the protective roles of men

1 and boys need to be retaught and enhanced.

2 I reiterate, support for the call to
3 implement all recommendations made to Canada in 2015 under
4 the UN Convention on the Elimination of all Forms of
5 Discrimination Against Women.

6 Recommendations from the CEDA report that
7 must be addressed include the following areas.

8 Measures to significantly improve
9 socioeconomic conditions. National strategies dealing
10 with anti-poverty, food security, housing, education and
11 employment. Measures to increase access to mental health
12 services and treatment for addictions. Addressing the
13 excessively high number of indigenous children in the
14 welfare system. Developing a national action plan in
15 concert with indigenous peoples to address all forms of
16 violence against indigenous women.

17 Ensuring there is sufficient human and
18 financial resources to effectively implement the plan and
19 establishing a mechanism to monitor and evaluate
20 implementation of the plan.

21 Provision of service to victims and
22 survivors.

23 A fourth pillar details -- deals with
24 provision of the -- of services to victims and survivors.

25 You have heard firsthand from families

1 across the country and very likely heard what I am about
2 to present as recommendations from family members.
3 Nevertheless, I feel I would do an injustice to them if I
4 don't include their views in my presentation.

5 Families need practical, long-term and
6 community-driven support focusing on capacity. Programs
7 for addictions, which are major causes of violence and
8 spousal abuse. Additional women's shelters are needed,
9 both rural and urban. A women's help line should be
10 established.

11 Continuous networks of support for families
12 are needed to ensure ongoing and wrap-around support.
13 This might include post-traumatic stress support and
14 victim services specific to First Nations.

15 Ongoing family support and community-based
16 opportunities are needed. There should be annual
17 gatherings that provide peer support, healing through
18 counselling, and ceremony, and activities for the
19 families. In their words, "We need to have a family forum
20 in Saskatchewan. Moms, dads, and siblings should be able
21 to come together to support each other, and children and
22 youth should be included."

23 Healing and financial support through court
24 processes. The court -- the court process can
25 re-traumatize families. Additional counselling support is

1 needed during this time as well as advocate -- advocates
2 for families. Financial support is needed for families
3 who have to travel to attend court. In their words, "We
4 should have our own Victim Services, customized to our
5 needs."

6 Search support. Create a missings persons
7 office for MMIWG to assist and guide families throughout
8 the search for a missing loved one. Funds are needed to
9 bring in search and rescue teams and for accommodation,
10 food and supplies for volunteers who help conduct
11 searches. In their words, "We have to coordinate
12 searches, and we have to be able to pay for the expenses."

13 Ceremonial healing. Traditional ceremonies
14 that support the personal growth of Indigenous women is
15 central to moving forward as Nations. These include rites
16 of passage and the role of women as matriarchs. These
17 important teachings can be balanced with Christian
18 teachings -- teachings, depending on the community.

19 Building communities for the future.
20 Resources should be developed that lead to decolonization
21 and healthy communities. This grass -- this grassroots
22 programming supports cultural education, revitalization of
23 cultural values, land-based sovereignty, language
24 revitalization and strengthen healthy families. Workshops
25 and education focus -- focus on self-awareness, lateral

1 violence, and self-esteem. In their words, "Our languages
2 are very important. Our languages are our sovereignty.
3 Our kids don't know their culture, we have to be able to
4 develop cultural programs and work with Elders."

5 Better communication between police and
6 families. Families said there is a need for quicker
7 action and response time, and that family member
8 suggestions should be taken seriously. There should be a
9 liaison person to keep families updated throughout the
10 searches and investigations, and to share information with
11 families. In cases of missing persons, updates should be
12 given to families and leadership on progress being made or
13 lack of. Police forces should increase cultural awareness
14 and
15 under -- and understand First Nations concerns relating to
16 their investigations of MMIWG. Families also noted that
17 some homicides are wrongly ruled suicides or accidents.
18 This lack of investigation diminishes community confidence
19 in police services. In their words, "Why didn't the
20 police listen when we were called -- when they were
21 called? We started searching ourselves, found some clues,
22 and only then did they get involved. They didn't seem to
23 care. We don't owe -- we don't know if they searched
24 where we -- where we indicated. The RCMP conducted
25 searches and left with no word to the family. There are

1 so many in our community who have been murdered, and
2 nothing has been done. These murders remain unsolved.”

3 Holding families gently at the center.
4 Supports systems and after-care are important to ensure
5 families receive the psychological and emotional support
6 they need. Children who lost their mothers need to access
7 counselling and healing programs. Family members who are
8 raising the children of the women who are missing and
9 murdered need additional support, both financial and
10 psychological. There should be a foundation for the
11 children left behind. In their words, “How are we going
12 to heal the children of missing and murdered Indigenous
13 women? What supports are there?”

14 Create a report card system, an action
15 plan, and an implementation plan. Research has been done
16 and resources should start flowing to communities for
17 programs focused on rebuilding families and dealing with
18 violence. An outcome of the National Inquiry should
19 include a report card system that is frequently reviewed.
20 Public updates should be provided at five-year intervals.
21 An action plan that is First Nations driven is needed. In
22 their words, “Develop an implementation plan that is
23 monitored and evaluated. We have to keep focused. We
24 need something to measure outcomes. Families need to be
25 reassured this will result in action.”

1 Resources are required to support the
2 development of programming, both on and off reserve, in
3 all these areas. One recommendation we received, as
4 recently as two weeks ago, is a request from a family
5 member that the National Inquiry hold a family gathering
6 before your Final Report is released to seek input from
7 family members on the recommendations that you will be
8 presenting. We support this request and encourage you to
9 seek additional resources from Canada for such a
10 gathering.

11 In this part of my presentation, I also
12 bring to your attention the results of research undertaken
13 by the FSIN and the Saskatchewan First Nations Women's
14 Commission. The full report will be submitted later this
15 week, but today, I present highlights and recommendations.

16 The Women's Commission firmly believes that
17 First Nations governments have a critical role to play in
18 alleviating violence against women. To gather the data
19 required for the report, a survey of First Nations
20 government was conducted, followed by more in-depth case
21 studies with First Nations who have assisted members
22 searching for a family member or who is missing or who was
23 murdered. Our staff gathered 50 surveys from 74 First
24 Nations or 68 percent of the -- the First Nations in
25 Saskatchewan. Case studies were conducted with four First

1 Nations. Seventy-six percent of the First Nations
2 surveyed had families affected by the issue of missing and
3 murdered Indigenous women and girls.

4 Ninety percent of the families affected
5 look to their First Nation for support. When contacting
6 their First Nation governments, inquiries were directed to
7 the health and wellness centre, or directly to the elected
8 leaders, including Chief and council. The supports they
9 were seeking mirror what I hear from families, including
10 mental health services and emotional support, support from
11 Elders and for ceremonies, help with search and rescue
12 efforts, immediate financial support, and other supports
13 such as awareness raising, court attendance, funeral
14 arrangements and expenses, and investigative or police
15 liaison support.

16 When community members go missing, 57
17 percent of Nations are asked to support search and rescue
18 efforts. Only 16 percent of these reports report -- only
19 16 percent of these report expertise in this area,
20 including active fire departments, first responders, a
21 trained emergency response or crisis team, a search and
22 rescue team, or experienced trappers and hunters available
23 in the community. As expected, 88 percent of Nations
24 reported a greater need for capacity in this area. Only
25 18 percent had a person trained to intake families of

1 MMIWG. These were largely mental health professionals.

2 Families require mental health and
3 emotional supports provided by Indigenous staff, with
4 appropriate cultural background and language capabilities.
5 That terminology used in the area of mental health include
6 supports for addictions, ambiguous loss, bullying, grief,
7 intergenerational trauma, lateral violence, residential
8 school trauma, and wellness. Other suggestions --
9 suggestions included a whole family or community approach
10 that includes respite care support for mental health
11 workers, community leaders, frontline workers, and
12 volunteers. Another segment of families specifically -- a
13 segment of families specifically require cultural support
14 and support from Elders. In the Indigenous understanding
15 of wholistic wellness, preventative, and wrap-around
16 supports were also suggested, including funding for youth
17 camps, parenting programs, family and community retreats,
18 ongoing support groups, healing, gatherings, and women
19 warriors groups.

20 The tragedy and trauma of MMIWG demands
21 that the nation states, like Canada, address the -- and
22 redress the destructiveness of ongoing colonialism that
23 marginalizes Indigenous women. Through the survey, and
24 case studies, Indigenous nations have clearly and
25 unequivocally demonstrated that Indigenous nationhood

1 include -- including control over wholistic approaches to
2 justice, medicine, and mental health. In addition to the
3 expertise of the best of western therapies, search and
4 rescue, and justice will build strong peoples. First
5 Nations in Saskatchewan provide the best of their cultural
6 and spiritual practice for families of the missing and
7 murdered Indigenous women and girls with that limited
8 human and therapeutic support they have, and piece
9 together a community response of awareness and mourning.

10 Each survey and case study demonstrates
11 this human excellence. What they have also demonstrated
12 is how far reaching the implications of each MMIWG
13 experience is, as family members, volunteers, first
14 responders, frontline workers and leaders find their own
15 mental health depleted while they support their relatives,
16 friends, and citizens.

17 I conclude my presentation with the
18 following recommendations on behalf of the peoples and
19 nations:

20 Number 1, recognize the sovereignty of
21 Indigenous nations as nations-to-nation treaty partners.
22 Indigenous sovereignty means that we as Indigenous nations
23 are in control of our own destinies and reaffirm the
24 appropriate roles that support men, women, transgendered,
25 and intersex individuals, and implement the wholistic

1 understandings of community well-being that ensure the
2 self-actualization of citizens.

3 Number 2, support the development of
4 wraparound emotional support for the entire community.
5 Providing support for families, MMIWG is not the work of
6 one individual in one department. Other families, Elders,
7 frontline workers in several departments and volunteers
8 are involved in offering supports. All these individuals
9 deserve to be acknowledged that their work is never
10 ending, and fundamentally requires respite for their own
11 mental, emotional, physical, and spiritual well-being
12 alongside family and community services in this area.

13 This entails transforming workplace
14 cultures to recognize mental health needs, the provision
15 of ceremonies and Elders for those who offer supports to
16 families, and addressing the irregular timeframes need to
17 support families with time for workers to access
18 emotional, mental, physical, and spiritual recuperation.

19 Number 3, empower departments to be
20 financially flexible and responsive. The jurisdictional
21 shuffle between departments can create stress and
22 uncertainty for families of MMIWG. Nations are forced to
23 take a piecemeal approach to covering as many of the
24 immediate expenses as possible to support their members
25 due to restrictions and funding criteria and often using

1 their own source revenue. Nations require flexibility to
2 use funds to support MMIWG with impunity throughout the
3 lifelong process of healing, including for long distance
4 travel for community members to support events.

5 Number 4, facilitate, train, and sustain
6 search and rescue teams privileging local expertise and
7 knowledge. Develop search and rescue teams, implement
8 sustained funding for existing teams, and offer ongoing
9 training opportunities. These teams will recognize and
10 utilize local expertise and knowledge, including local
11 hunters and trappers.

12 Number 5, ensure capacity exists within
13 health and wellness centres and that Indigenous personnel
14 are available with knowledge of both Indigenous and
15 western therapeutic methods. For appropriate care, many
16 families of MMIWG access mental health supports and health
17 and wellness centres. Their needs are specific as well as
18 long lasting.

19 Mental health supports must be sustainable
20 far into the future, available to all community members
21 and include Indigenous people trained in both western and
22 non-western methods, as well as people who speak local
23 languages. Capacity is needed to ensure professionals are
24 available with expertise in addictions, ambiguous loss,
25 bullying, grief, intergenerational trauma, lateral

1 violence, and residential school trauma. Mental health
2 teams include Elders and are empowered to conduct long
3 lasting group work, home visits as necessary. Their
4 irregular work hours are recognized and they are
5 compensated appropriately.

6 Number 6, promote cultural revitalization
7 for all citizens. Equitable funding is required to
8 acknowledge the elemental role that cultural
9 revitalization plays in community wellness. Children and
10 adults of all ages and genders benefit from multiple
11 opportunities to participate, learn about, and lead
12 cultural and spiritual activities. The fundamental role
13 of culture and the development and sustenance of a nation
14 is nurtured and upheld by all.

15 Number 7, all nations have their own
16 Canadian judicial system navigator. Every facet in the
17 current judicial system provides opportunities to fail
18 Indigenous individuals and families from first response
19 and missed critical incidences, investigations, with penal
20 institutions and throughout court process. To explain
21 this confusing and foreign justice system, each nation's
22 navigator maintains contact between families of MMIWG and
23 current justice system processes.

24 Number 8, nations complete their own
25 judicial processes. Nations process Indigenous offenders

1 and victims through Indigenous system of justice,
2 including Indigenous protective services.

3 Number 9, the Canadian judicial system
4 embraces de-colonization. The Canadian judicial system
5 develops a process in partnership with Indigenous peoples
6 to respond appropriately to First Nations' aspirations and
7 concerns.

8 Police forces are representatives of the
9 communities of they serve and include personnel fluent in
10 Indigenous languages where necessary. Police services
11 undergo anti-bias and empathy training. A third party
12 oversight committee of Indigenous and non-Indigenous
13 people reviews and reports on police and court processes,
14 including the conduct of Crown prosecutors where
15 Indigenous offenders and victims are involved.

16 Number 10, respite centres offer short term
17 and emergency support. Nations acknowledge ongoing cycles
18 of abuse and dysfunction while families to continue to
19 grapple with the long term affects of colonialism. To
20 offer respite from situations nations offer nearby safe
21 sites for overnight stays where citizens access
22 educational information, cultural, emotional, physical,
23 and optional spiritual supports.

24 Researchers, communities, leaders, and
25 frontline workers agree that the violent experiences of

1 Indigenous women on and off reserve will be best prevented
2 and redressed through a greater control over and access to
3 Indigenous approaches to Indigenous justice and health,
4 including the wraparound support of a rich and vibrant
5 culture.

6 In addition to the need to protect and
7 preserve the lives of Indigenous women and girls, federal
8 and provincial governments must respect and support
9 Indigenous governance in ways that will prevent tragedy
10 and uplift those that remain behind. No one understands
11 this better than Indigenous people. Our fundamental
12 belief is that maintaining control over land, policy,
13 health and law, including culture, language, and ceremony,
14 will result in a decrease in vulnerability to violence for
15 Indigenous women and girls.

16 In closing, I want to leave you with a
17 statement that I heard that I never forgot. And a lady
18 who had lost her daughter, Commissioners, she spoke and
19 she said, "I am one of the lucky ones; I got to bury my
20 daughter."

21 Commissioners, thank you for allowing us to
22 share today. Chi-meegwetch, nashiwan (ph).

23 (APPLAUSE/APPLAUDISSEMENTS)

24 **MS. MEREDITH PORTER:** Thank you, Vice
25 Chief Bear.

1 Chief Commissioner, Commissioners, do you
2 have any questions for the party?

3 **COMMISSIONER QAJAQ ROBINSON:** Thank you,
4 Vice Chief Bear. It's wonderful to see you again. I want
5 to thank you for your submissions. Thank you for the work
6 of -- the work and involvement with the Human Rights
7 Watch, and that information has been very helpful for us.
8 So thank you very much. And thank you for your
9 submissions today.

10 **COMMISSIONER BRIAN EYOLFSON:** And, Vice-
11 Chief Bear, I just want to say thank you as well for your
12 submissions and for all of your recommendations and
13 providing us with a list of recommendations, and I look
14 forward to any further written materials as well.
15 Miigwech.

16 **COMMISSIONER MARION BULLER:** Vice-Chief, I
17 just have one question, and that has to do with your 10th
18 recommendation about the respite centres, and I'm not sure
19 I understand the concept. Is this a transition house, or
20 a shelter type of centre, or is it more of an education
21 centre?

22 **VICE-CHIEF HEATHER BEAR:** Well, we're
23 looking at, you know, in terms of respite, you know, we
24 know that many families have suffered for decades,
25 whatever respite is needed. Even with the cycle of trauma

1 it can come up at any time, so emergency, as long as
2 there's respite there no matter how long the lost is lost.

3 **COMMISSIONER MARION BULLER:** Okay. Thank
4 you. Now I have a better understanding. Thank you.

5 I too want to thank you for your very
6 thoughtful and helpful submissions, and I too look forward
7 to reading your final submissions. They'll be I'm sure
8 very helpful. Thank you, Vice-Chief.

9 **VICE-CHIEF HEATHER BEAR:** Thank you.

10 **(APPLAUSE/APPLAUDISSEMENTS)**

11 **MS. MEREDITH PORTER:** Thank you.

12 The next party I'd like to invite to the
13 podium to make submissions is Ms. Erica Beaudin. And Ms.
14 Beaudin will be making submissions on behalf of the Regina
15 Treaty Status Indian Services Incorporated.

16 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. ERICA BEAUDIN:**

17 **MS. ERICA BEAUDIN:** I've gotten to the
18 point where they let me adjust my own microphone now.

19 Good afternoon, Commissioners. I greet you
20 this afternoon with only good thoughts and well wishes as
21 you embark on the final leg of Parts II and III of the
22 National Inquiry's mandate to deliver recommendations to
23 prevent and intervene on the issue of violence in the
24 lives of Indigenous women, girls, and 2SLGBTQIA
25 individuals.

1 I bring all of my thanks to the Elders,
2 knowledge keepers, drummers, singers, the caretakers of
3 the Qulliq, and all of the other sacred items that have
4 guided and assisted us on this journey that we have
5 embarked on together.

6 I acknowledge that we are gathered on the
7 unceded traditional lands of the Algonquin and the
8 homelands of the Métis people. Further, I acknowledge
9 that a large number of the Inuit now call these lands
10 home.

11 We can only do the work we do together when
12 we are prayed for and supported by our ceremonial people.
13 Thank you to the Elders for their ceremonies this week.
14 You are the conduit to the spirits who keep us safe so we
15 may do what we individually and collectively have to.

16 Not one of us would be here without the
17 families who lost their loved ones through this heinous
18 violence. Each one of us who have committed to this
19 National Inquiry feels the responsibility of our
20 participation heavily on our shoulders. Families, I hope
21 our collective effort is able to assure you that your
22 loved one is remembered, honoured, and so worthy of the
23 recognition of their dignity as Indigenous women, girls,
24 2SLGBTQIA.

25 I am also extending my appreciation and

1 thanks to the other parties with standing who have all
2 participated with passion, commitment, and with the
3 purpose of eradicating violence in the lives of our
4 Indigenous women, children, and 2SLGBTQIA individuals.

5 As well, I state that our party concurs
6 with the recommendations that have been brought forward
7 thus far and supports the adoption and implementation of
8 the proposed recommendations.

9 For the record, my name is Erica Beaudin,
10 and for the purposes of this National Inquiry, I am the
11 non-legal advocate for the Regina Treaty Status Indian
12 Services Incorporated, of which I'm also the Executive
13 Director.

14 With me today is Marie-Anne Daywalker-
15 Pelletier, who is the long-serving Chief of the Okanese
16 First Nation -- if Chief Daywalker could stand please --
17 which is a Cree Tribe within southern Saskatchewan. She
18 is also a Board member of RTSIS, which is the acronym that
19 I'll be using during this presentation as well as in our
20 closing submission.

21 Chief Daywalker-Pelletier has been
22 instrumental in supporting and advocating for Indigenous
23 women's voices as well as the elimination of violence in
24 our homes, communities, and nations. I am very thankful
25 for her physical support as I present to you today.

1 It is a bit intimidating for me to follow
2 such a strong advocate and supporter for women and
3 children's rights like Vice-Chief Bear. Vice-Chief Bear
4 is at heart and first and foremost a community woman who
5 walks with all who asks for her help. In Saskatchewan we
6 are very fortunate to have her as an advocate at the
7 highest level of our Indigenous structures.

8 I could not conduct this work in a genuine
9 manner without the guidance of the families as well as the
10 professionals and professionals who support the families.

11 I give special mention to Maxine Goforth,
12 mother of late Kelly Goforth-Wolfe, Delores Stevenson, and
13 to the late Nadine Machiskinic, and Summer Sugar Favel,
14 sister to Tamra Keepness. As well, I acknowledge Dr. Kim
15 McKay-McNabb who has provided group and individual
16 therapies for the families.

17 These women have supported the writing of
18 the final submissions of RTSIS to the National Inquiry.
19 Their knowledge is invaluable, and any movement we do
20 collectively or individually must include the direction
21 and guidance of the families and their lived experiences.

22 It is my honour to present to the National
23 Inquiry Commissioners this week on our recommendations and
24 best practices that we feel will have the best chance at
25 the eradication of violence in the lives of our women,

1 children, and 2SLGBTQIA.

2 Before I get into the heart of our
3 presentation, I feel compelled to comment on the role of
4 the federal government in setting up this National Inquiry
5 to not succeed in the manner that was justifiably expected
6 by the families, Indigenous governments, and the service
7 providers who are in the trenches dealing with this
8 horrific violence.

9 From the very moment the government
10 announced this inquiry and hastily put together the
11 structure as well as the Commissioners they stated to all
12 of us who were affected by this issue, most importantly
13 the families, that a national inquiry would be families
14 first. This was a lie.

15 A national inquiry is a legal process first
16 and foremost and the structure must conform to the Act of
17 which it is based or it is considered to be faulty and
18 contestable in the Canadian court of law.

19 Next, the Commissioners were expected to
20 create an entire high security secretariat with little to
21 no infrastructure or support in the shortest amount of
22 time that any national inquiry has been given in Canadian
23 history.

24 Then the Commissioners had the unenviable
25 task of creating an Indigenous process within a system

1 that saw families as objects rather than the subjects of
2 the outcomes expected.

3 The federal government then gave timelines
4 and financial restraints that even at a glance a person
5 could identify that there would be areas that would not be
6 included or there would not be enough time to properly
7 address root causes.

8 No wonder why family members have been
9 upset.

10 However, it has been fairly easy to point
11 to the people who have to work within this legal structure
12 as the villains in keeping families out of this process.
13 This, my friends, is the very definition of colonial
14 violence.

15 The federal government set up unrealistic
16 expectations and then allowed its Commissioners and staff
17 to take the brunt of the anger in a legal process they had
18 little to no control over. In fact, the Commissioners in
19 their terms of reference are expected to follow the
20 *Inquiries Act* as a chief duty of them taking this post.

21 This is not to say that there hasn't been
22 operational issues that may have been dealt with in a more
23 functional manner. However, even in this area, with the
24 microscopic lens that the National Inquiry has been under,
25 armchair quarterbacks have been able to criticize and

1 voice how the National Inquiry is derailing and/or failing
2 and all with the assistance of mainstream media who
3 perpetuated this colonial violence.

4 This is what all of us who have
5 participated in this National Inquiry have been subjected
6 to. It has been our individual choice in how we
7 understand, process, and address it through our active or
8 passive participation.

9 Part of decolonization is to solemnly and
10 purposely deconstruct what is presented as truth to ensure
11 those who are truly responsible for the state of affairs
12 are held accountable rather than becoming gatekeepers and
13 scapegoating to ensure the colonizer continues the
14 insidious violence that has become so normalized in our
15 lives.

16 It is my hope the Commissioners address the
17 issue of this colonial violence perpetrated by the federal
18 government in their final report.

19 **(APPLAUSE/APPLAUDISSEMENTS)**

20 **MS. ERICA BEAUDIN:** Since this Inquiry
21 began, we have heard many truths, as well as solutions,
22 from the family members, survivors, witnesses, and parties
23 with standing. This has been a journey that has evolved
24 and a common thread has been resiliency and dedication to
25 not only survive but to thrive, as we heard from Jeffrey

1 McNeil-Seymour in Iqaluit.

2 We heard how our women have battled against
3 the systems that were designed to silence, maim, and kill
4 us in spirit, mind, and body. The fact that a National
5 Inquiry had to occur demonstrates that success. The fact
6 that we are all participating in this National Inquiry to
7 battle back demonstrates their failure.

8 Indigenous women have been using whatever
9 power we have to create change in the area of MMIWG2S.
10 Oftentimes, even this effort has been silenced by the
11 state. As well, there has been no acknowledgement from
12 the state or government responses that have been enacted
13 due to Indigenous women who have gone missing and/or
14 murdered.

15 This definitely occurred in Saskatchewan.
16 Between 2004 and '05, one Indigenous girl child went
17 missing and three Indigenous women went missing and was
18 later found murdered. This created a crisis in our
19 communities. This created a state of crisis and emergency
20 for our Indigenous leadership.

21 I present to you Chief Day Walker-
22 Pelletier, who absolutely did not want to be acknowledged
23 for this, but I feel, for the record, it must be
24 acknowledged that it took three of our women to go missing
25 and then murdered, a girl child to go missing, and one of

1 our long-standing women chiefs to advocate with the
2 premier himself -- and I was at that meeting so I can
3 attest to it as a witness -- that he, on behalf of the
4 government, had to do something in order to stop this
5 violence.

6 At that time, then-Premier Calvert had
7 definitely -- had told Chief Day Walker that there would
8 something that would definitely be done. Thus, we had the
9 formation of the Provincial Partnership Committee on
10 Missing Persons. This was a provincial initiative to look
11 at why people went missing in the Province of
12 Saskatchewan.

13 Chief Day Walker-Pelletier, along with
14 other women chiefs, advocated that it be specific to
15 Indigenous women and girls; however, at that time, the
16 province had said, "No, we will look and find -- look at
17 reasons why all people go missing in the Province of
18 Saskatchewan."

19 Ten (10) years later -- and may I say that
20 in 2008, funding was given to support systems with very
21 little to go to community capacity, so many of us worked
22 on that committee in order to have better responses to
23 when a person goes missing. And while it was needed that
24 systems were in fact created or positions were created in
25 order to better respond, the bulk of the money went to the

1 systems in order to support their systems, and very
2 little, if not any, went to the community groups and the
3 First Nations that supported the people who went missing
4 and/or murdered.

5 Ten(10) years later when those of us who
6 advocated on the 10th anniversary that in fact, we should
7 acknowledge that it took our Indigenous women to go
8 missing and then murdered and a girl child to missing that
9 that needed to be acknowledged by the Province of
10 Saskatchewan and that it took our women's leadership in
11 order to have that acknowledged.

12 We were told no, that in fact, that it
13 could not be acknowledged because that was a previous
14 government. So therefore, the ego of the government
15 surpassed the importance of acknowledging the role that
16 our Indigenous women, the loss of their lives, had in
17 creating change, positive change in the Province of
18 Saskatchewan. That, Commissioners, is an example of more
19 colonial violence.

20 The Regina Treaty Status Indian Services
21 Inc. is submitting 34 recommendations; however, I will
22 only be touching on four today regarding service delivery
23 and three regarding the conclusion of the National
24 Inquiry.

25 Search and Rescue, that the National

1 Inquiry Commissioners recommend the federal government
2 support and build capacity in First Nations communities in
3 the creation of sustainability of search and rescue teams.
4 Presently, there are very few First Nation search and
5 rescue teams and they must be certified by the provincial
6 SARSAV umbrella. If there was a provincial and federal
7 Indigenous SARSAV organization, policies and procedures
8 could be created to meet the needs of the First Nations
9 communities.

10 The way that SARSAV is triggered in the
11 Province of Saskatchewan -- and I'm sure it's that way in
12 other provinces -- is the police must call the search and
13 rescue team and they are only there for a specific purpose
14 and to search a certain area. Once that has been
15 completed, their task is completed and they leave the
16 community.

17 So what happens to us? Our families still
18 conduct the search, the leadership still conducts the
19 searches on their own with very little to no money at all.
20 We have the ceremonies; we have the people from
21 neighbouring communities come in to support these
22 searches, and sometimes searches last from anywhere from
23 one to two days to three months.

24 And I know this because I was on one of
25 those searches for three months. It was very difficult

1 for the leadership of the community and to be able to feed
2 up to 100 searchers at a time. And they, in fact, had the
3 grandmothers go to their freezers to grab the wild meat,
4 the country food as it's called in Inuit territory, in
5 order to feed the searchers.

6 Believe me, we had a lot of moose, deer,
7 elk, as well as boiled eggs.

8 We need to have the ability to have First
9 Nations leadership trigger searches and to determine how
10 long they are to last as directed by the families, and
11 there needs to be access to funding for these search
12 efforts.

13 Survivors or victims fund. That the
14 National Inquiry Commissioners recommend the creation of a
15 survivors' or victims' fund for children of MMIW2S. The
16 ability for family members to apply on behalf of children
17 or of the children for their care, apart from the Social
18 Services system, would allow for care files to close or to
19 never be created. Family would then be able to raise the
20 children left behind without involvement of Social
21 Services. This would also create a dignified way for
22 children to be raised as opposed to being wards of the
23 state. Further, survivor children should be eligible for
24 state-sponsored post-secondary education.

25 Third, forever care, that the National

1 Inquiry Commissioner recommend the development of a
2 concept model of forever care, not after care. Survivors
3 of violence, namely the families, will have to access
4 trauma-informed programs to assist in dealing with their
5 lifelong grief. Currently, just in our organization
6 alone, we are now walking with up to three generations of
7 family members or survivors. Support needs to be
8 available through lifetimes.

9 Support existing services, that the
10 National Inquiry Commissioners recommend that existing
11 services that are being provided to families of MMIWG2S,
12 whether they be at the band, tribal council, or off-
13 reserve urban services, are recognized as doing the work
14 for the families and further capacity is built within
15 these structures, and further, that additional positions
16 be created and funded to provided cohesive and coordinated
17 case-managed services that are to the benefit of the
18 family member. This is to be based on a best practices
19 model that encompasses the entire well being of the
20 individual and family.

21 The Regina Treaty Status Indian Services is
22 located in the heart of Treaty 4 territory and is owned by
23 the TFHQ Inc. whose shareholders are the Touchwood Agency
24 Tribal Council and the File Hills Qu'Appelle Tribal
25 Council.

1 We have representation from all but two of
2 the First Nations of southern Saskatchewan on our board of
3 directors. As the urban service delivery arm of the
4 corporation, we are mandated to assist with the transition
5 between on-and-off reserve as well as to provide services
6 to anyone who resides or is visiting the City of Regina.

7 We are very fortunate to be owned by a
8 corporation that also owns the All Nations Healing
9 Hospital; Silver Sage Housing Corporation; the W.I.S.H.
10 and Qu'Appelle Haven Safe Shelter, which are domestic
11 violence shelters; and the Leading Thunderbird Lodge,
12 which is a youth treatment facility for young men.

13 Further, we have partnerships with tribal
14 council companies such as FHQ Dove, which prioritizes
15 employment and training.

16 Our leadership and tribal councils entities
17 have worked diligently to build capacity so that
18 Indigenous people can be independent of the systems that
19 have created generations of dependency. We feel that we
20 have put together a best practices model that could
21 benefit other areas. We call it "Walking with Families to
22 the Road to Independence".

23 We are able to offer, especially -- and I'm
24 going to speak specifically about families of
25 MMIWG2SQLGBTQIA -- that immediately, that they have access

1 to traditional and cultural ceremonies and supports. We
2 have the ability to have western therapy delivered by
3 Indigenous professionals. We also have therapy in a safe
4 place for children of women left behind.

5 One of the biggest issues that seems to
6 happen when we have the families is that they have now
7 been in a state of crisis, which was basically froze --
8 have them frozen sometimes for a month, sometimes for up
9 to 10 years. And it all depends on the services that are
10 available in order for them to walk through their grief
11 and to move to that path of moving beyond that immediately
12 grief.

13 Housing is a huge area, safe housing, for
14 the children left behind as well as the family members.

15 Addiction services is another area that
16 they need the support, whether they are in recovery or
17 they require recovery.

18 Training and employment. Poverty is a huge
19 issue for our families because many have lost their jobs
20 as they go through this grief. And so they feel that they
21 cannot go back to past jobs or they would -- they're now
22 in the position of having to support more people within
23 their family due to raising grandchildren.

24 So training and employment is extremely
25 important to these families.

1 The partnerships with the employment is
2 also equally important because when the families are able
3 to access that employment, it is very difficult for them
4 to walk through that employment with -- as a regular
5 employee where they don't have the ability to get up at
6 8:30 in the morning and work till 4:30 at night most times
7 because there are times when they're so filled with
8 anxiety or grief they can't leave their house or else they
9 have to go home early.

10 So they need to have employment services
11 that are supported by agencies where they are able to have
12 a trauma-informed care to move to the place where they are
13 able to have the employment as expected by greater
14 society.

15 Those are our best practices. We feel that
16 we have had incredible success in walking with families.
17 We have, in fact, been told by families that if it wasn't
18 for all of those aspects that are moving in together and
19 in unison that they would have fallen off in some ways and
20 it would have been hard for them to jump back on.

21 Final conclusions. That the National
22 Inquiry Commissioners ensure processes for the federal and
23 other governments implement the MMIWG2S recommendations.

24 There must be benchmarks and outcomes that
25 are identified that the governments must abide by in terms

1 of receiving recommendations from the MMIWG2S Inquiry.

2 An oversight committee should give a report
3 card on how the governments are doing with the
4 implementation annually for no less than five years.

5 That the National Inquiry Commissioners
6 supports a national gathering for families of MMIWG2S for
7 families to come together to receive support.

8 From this gathering, a network for families
9 must be fully funded and support so that they may be the
10 caretakers of their -- where they want to go within their
11 network.

12 That the National Inquiry Commissioners
13 support a two-day healing gathering, perhaps in
14 conjunction with closing ceremonies in Whitehorse for
15 parties with standing and staff to debrief and share about
16 their experiences in the past two years regarding the
17 vicarious trauma that we have all experienced.

18 This is a cultural teaching as well, for
19 those who started this journey must complete this journey.

20 Such -- situations such as contribution
21 agreements may be extended to occur, and there are always
22 administrative ways to make this happen.

23 In conclusion, it has been my honour to be
24 a part of this process. It has changed my life.

25 There are times that I felt like I couldn't

1 go on, and there are personal sacrifices such as an
2 internal commitment to participate in one of our big
3 lodges for the first time.

4 When I spoke with one of our spiritual
5 people, he explained to me this process was my big lodge.
6 I sacrificed and persevered and fell down and didn't think
7 I could get up, and only by the grace of Creator and
8 ceremony was I able to stand and continue.

9 While this has been difficult, I have
10 emerged a stronger advocate and am more committed to
11 eradicating this violence that our most vulnerable have
12 experienced.

13 I know my experience is not unique, and I
14 raise my hands to all of us who have gone through this
15 spiritual transformation.

16 Thank you for listening, and I give all
17 credit for any contribution my organization or myself may
18 have made to Creator for standing with me and our
19 organization as we did this work.

20 Thank you very much.

21 **(APPLAUSE/APPLAUDISSEMENTS)**

22 **MS. MEREDITH PORTER:** Thank you, Ms.
23 Beaudin.

24 Chief Commissioner, Commissioners, do you
25 have any questions for the party?

1 **CHIEF COMMISSIONER MARION BULLER:** I don't
2 know if any of us can even speak.

3 As I said earlier today, we're not often
4 left speechless, as you know. I'm going to speak on
5 behalf of all of us, not just the Commissioners, but the
6 grandmothers, the Elders, our staff as well to thank you
7 very much for your participation over the kilometres, over
8 the months, over here and now.

9 Your input, your contribution to the work
10 that we're doing has been invaluable. So I want to thank
11 you.

12 I hope you savoured that applause, and I
13 know as we're able to put these transcripts and videos on
14 our web site, I hope you play back that applause regularly
15 as a reminder of your hard work and your commitment
16 because you earned every split second of that applause.

17 So thank you. We look forward to reading
18 your written submissions. We'll read them, I'm sure,
19 several times over.

20 And rest assured that you've made a big
21 difference to our work in a good way. Thank you so much.

22 **MS. MEREDITH PORTER:** Chief Commissioner,
23 we are scheduled now to have a break, and we are again
24 ahead of time. So what I would like to request is that we
25 take a 20-minute now and, prior to the conclusion of that

1 20 minutes, I will update on the availability of the next
2 party, if that's all right, on their -- to go a little bit
3 earlier than scheduled.

4 **CHIEF COMMISSIONER MARION BULLER:** You know
5 I like early.

6 Sure. Let's take a 20-minute break and
7 we'll have an update at the end of that time. Thank you.
8 --- Upon recessing at 2:55 p.m./L'audience est suspendue à
9 14h55
10 --- Upon resuming at 3:20 p.m./L'audience est reprise à
11 15h20

12 **MS. MEREDITH PORTER:** Thank you.

13 Chief Commissioner and Commissioners, the
14 next party that I would like to invite up to the podium
15 for their final submissions is from the Sioux Lookout
16 Collective. The representative for the Sioux Lookout
17 Collective is Ms. Darlene Angeconeb.

18 **---SUBMISSIONS BY/SOUSMISSIONS PAR MS. DARLENE ANGECONEB**

19 **MS. DARLENE ANGECONEB:** Bonjour. Darlene
20 Angeconeb. (Speaking in Native language) My name is
21 Darlene Angeconeb, Caribou Clan, and I come from Lac Seul
22 First Nation, and I live in the town of Sioux Lookout,
23 Ontario.

24 We sent in a PowerPoint. I don't know if
25 it's going to show. Is it? Okay.

1 I would like to acknowledge the territory
2 of the Algonquin people of Kitigan Zibi Anishinabeg First
3 Nation. I would also like to acknowledge the Elders, the
4 Commissioners, and the families of missing and murdered
5 Indigenous women and girls.

6 I will be delivering the presentation on
7 behalf of the Sioux Lookout Collective. Sioux Lookout is
8 a small town located in Northwestern Ontario, five hours
9 north of Thunder Bay. Our Collective consists of
10 Mayor Doug Lawrence from the Municipality of Sioux
11 Lookout; Jennifer Thomas, Executive Director of Nishnawbe-
12 Gamik Friendship Centre; Tana Troniak, Executive Director
13 of the First Step Women's Shelter.

14 We originally applied for standing within
15 the National Inquiry for Missing and Murdered Indigenous
16 Women and Girls under the Sioux Lookout Truth and
17 Reconciliation Committee, which in the process became the
18 Sioux Lookout Collective.

19 Our presentation is a little bit different,
20 and it tells the story of the area and it shows the many
21 changes that occurred in the Town of Sioux Lookout. The
22 presentation will also show you how the recent approaches
23 can help achieve, make, and change for the better recent
24 approaches that have a focus on reconciliation and well
25 hopefully provide a hopeful message to the Inquiry.

1 This presentation will review the
2 geographical and historical setting, healthcare,
3 partnerships and collaboration, economic development,
4 justice and policing, education, and the youth. We also
5 refer to some of the cases of the missing and murdered in
6 our area.

7 Slide 2. Okay. This is the map of the
8 Sioux Lookout area and the remote First Nation in
9 Northwestern Ontario. So you can see there about
10 30-something First Nations, and there are many towns
11 nearby, Dryden, Red Lake, Kenora, Pickle Lake, and Ignace,
12 just to name a few. The land mass covers half of Ontario,
13 so it's a large geographical area.

14 Sioux Lookout is a town with a population
15 of approximately 6,000 people. About half are Indigenous
16 and non-Indigenous. Sioux Lookout is located at the hub
17 of these First Nation communities and provides services
18 for 30,000 people from 30 First Nations. Twenty-five (25)
19 of these communities are remote with fly-in access and are
20 only accessible in the wintertime by winter road systems.

21 The winter roads enable First Nations to
22 transport building materials and other things to their
23 communities. It's cheaper for them in the wintertime.
24 Food is transported by air most of the time and creates a
25 high cost of living for families. There is poverty within

1 the First Nations due to the high cost of living, the lack
2 of employment, and the housing situation.

3 In the early 1900s, Indian residential
4 schools were built in Sioux Lookout, Kenora, Fort Frances,
5 McIntosh, Poplar Hill, and Stirland Lake. This is
6 Slide 3. The legacy of Indian residential schools affects
7 life in the First Nation communities in our area.

8 The two boys on the bottom part of that
9 slide are Charles Ombash, who was 11; and Tom Ombash, who
10 was 12. They went missing from Pelican Lake Indian
11 Residential School on October 5th, 1956. The family is
12 still affected by this. And you can see from the date
13 they went missing, October 5th, 1956, the principal of the
14 school reported the boys missing on November 10th, so
15 that's over a month. So that's just to provide you with a
16 little bit of information, because we felt that the
17 residential schools are a very important part of why
18 things are happening the way they are today.

19 Okay. So Slide 4 now. Over time for Sioux
20 Lookout, there have been many changes. Sioux Lookout is
21 located along the CN line and employed many at the railway
22 and in the timber industry. There was also a military
23 radar base because of the DEW Line mentality that was
24 going on in the fifties and sixties, so they felt that
25 they needed a military radar base there. And -- so that

1 was located between the town and Pelican Lake Indian
2 Residential School.

3 In the 1970s, more First Nations people are
4 beginning to move into Sioux Lookout for the jobs and for
5 the services. This is the beginning of the Friendship
6 Centre in Sioux Lookout. The purpose of the Friendship
7 Centre was to provide programs and to advocate for clients
8 for housing, education, training, employment, and then I
9 guess later on medical.

10 Sioux Lookout in the seventies was a place
11 where racist remarks and attitudes were prevalent towards
12 First Nations people. So the racism was very prevalent.

13 Slide 5. One of the Indigenous women from
14 Whitesand near Armstrong, Ontario, who was living in Sioux
15 Lookout was 19-year old Audrey Anderson. The case of
16 Audrey Anderson was re-opened by the family and police
17 just a little while ago. On October 23rd, there was a
18 press conference and families and supporters turned out
19 for that press conference outside. There was a little bit
20 of snow falling. The status of the case was changed from
21 accidental to undetermined and is being investigated.

22 Slide 6. So there is Audrey. The lack of
23 Audrey's case can, unfortunately, be traced to systemic
24 racism within the justice system. We hope that other
25 similar cases can be re-opened to bring justice and

1 closure to the families of missing, murdered Indigenous
2 women and girls. And there you see the press conference
3 outside.

4 Slide 7. So there continued to be more
5 change with more organizations that were popping up in
6 Sioux Lookout, especially with the tribal councils. There
7 were more programs and services. The Friendship Centre
8 continued to grow and many of the organizations and many
9 First Nations combined their funding and their services to
10 support the people that were starting to live in Sioux
11 Lookout now.

12 Slide 8. In 1985, many thought that the
13 town was dying because the military base was no longer
14 there, the forest industry was declining, as well as CNR,
15 but in reality, the First Nation businesses and
16 organizations were starting to develop and contribute to
17 the economy within the town, which also included the
18 airport and the services. So there was a shift towards
19 more programs and services for the North that was
20 happening in Sioux Lookout. And this is why we call Sioux
21 Lookout the hub because it is still a hub for air travel
22 for many of the northern communities.

23 And there are a number of organizations
24 that deal with education, training, because the
25 residential school is not Pelican Lake Indian Residential

1 School anymore, it's Pelican Falls First Nations High
2 School, and they service -- they educate maybe about 150
3 youth in that high school. So the location is still the
4 same where that school was before, and now it's a high
5 school for First Nations students from the North. As well
6 as a lot of health services that are happening in Sioux
7 Lookout, and I'll explain about that later with the
8 hospital.

9 Slide 9. There continued to be many
10 missing and murdered Indigenous women and girls in
11 Northwestern Ontario. These are only a few.

12 Viola Panacheese, Age 42, went missing in
13 Sioux Lookout on August 19, 1991. She was in the process
14 of getting her family together. She was never found. The
15 family of the late Viola Panacheese experienced further
16 suffering when it became evident that the records and
17 pictures were lost as a result of the physical move by the
18 OPP police station to their current location. So they
19 moved to a different building.

20 So the families of missing and murdered
21 Indigenous women and girls need to be assured that
22 information evidenced and investigations need to be stored
23 properly and handled safely with care and respect. The
24 file, I believe, is being rebuilt and it may be in
25 Orillia. I'm not sure what's happening there, but --

1 okay. The middle one is Cecilia Payash, age 47, and her
2 son, Leo, went missing in Red Lake in July 1st, 1957. The
3 bottom lady there, Sarah Skunk, age 43, of Mishkeegogamang
4 First Nation went missing in January 1995. These are a
5 few cases near Sioux Lookout, and I know there are a lot
6 more. Okay, so we feel for the families, and we realize
7 there are some unfortunate circumstances such as this loss
8 of files, and the -- the investigations. That can -- that
9 can only be attributed to systemic racism within the
10 justice system. We call for this to change.

11 Slide 10. The changes for Sioux Lookout's
12 health care system speaks to a partnership and
13 collaboration of First Nations, the town, and the two
14 levels of government. From the health care system, there
15 was a growth in the types of services being offered to
16 Indigenous, non-Indigenous. There were also economic
17 spin-offs for the town.

18 Slide 11. So with the Four Party
19 Agreement, the Sioux Lookout Meno Ya Win Health Centre was
20 established, in 2010 it was built. And it -- there was
21 also a hostel called the Sioux Lookout First Nations
22 Health Authority Hostel. The whole thing was designed by
23 Indigenous architect, Douglas Cardinal. And the hospital
24 promotes Indigenous culture. You can go to the next
25 slide. And is the only hospital in Canada that serves

1 Indigenous food for their hospital and for the hostel
2 clients. We know they also have cultural competency,
3 cultural sensitivity training for their staff. So -- so
4 health is
5 a -- is a large employer.

6 Slide 13. So what do we do? In Sioux
7 Lookout, you can see then health and social service is a
8 very large part of what the town does, and what the
9 people -- where the people work. And then there's public
10 administration, accommodation, and food services.
11 Sometimes there are not enough hotel rooms for people
12 coming from the north. They have to be driven to Dryden,
13 and I hear even as far as Kenora, to -- to get
14 accommodation for the night, and then they have to drive
15 into Sioux Lookout for their appointment the next day. So
16 we need more hotels, we need -- we have a lot of -- a lot
17 of growth that's happening. And -- okay, so there's a lot
18 of travel that people are doing for -- for health. And to
19 meet the demand, there needs to be more -- there is a lot
20 of partnership, collaboration happening amongst the
21 agencies and the municipality, so everyone is working
22 together.

23 Slide 14. The -- this included the
24 development of the Anti-Racism Committee in the 1990s.
25 Garnet, my cousin, is a key person in starting the racism

1 committee, and he felt like it was needed. And so he's
2 still, kind of, working a little bit here and there. But
3 we need to develop understanding and promote cultural
4 sensitivity, education, and competency within the health
5 care, the social, and the justice systems.

6 Slide 15. So the Friendship Accord is
7 something that the municipality has done. At first, they
8 had four, I think -- I believe they have five First
9 Nations that signed onto this Friendship Accord. Now, the
10 goal of the Friendship Accord is recognition and respect
11 of government culture and the people. It is so the
12 leaders in the area -- in the communities work together
13 and to establish open lines of communication and to
14 encourage First Nation investment in the municipality.

15 Slide 16. So the Chiefs and mayors
16 gathering in the municipality, but also in the First
17 Nations. The municipality is represented by Mayor Doug
18 Lawrance, and he participates in many First Nation
19 conferences, meetings, summits. And it's all to promote
20 partnerships working together and reconciliation.

21 Slide 17. Next one. So the Mayor's
22 Committee for Truth and Reconciliation was enacted in
23 August 2016, and 2017 was proclaimed The Year of
24 Reconciliation in Sioux Lookout. The committee is active
25 and works towards reconciliation. The Truth and

1 Reconciliation Committee is developing areas of
2 reconciliation by splitting the 94 calls to action into
3 four areas of historical, social, political, and business.
4 And then there are subcommittees formed within those four
5 areas. So that's our approach to the TRC recommendations.

6 Next slide. And these are some of the
7 activities that the committee has done. Public education,
8 engagement events, representation at local, provincial,
9 and national events. Ongoing work towards reconciliation
10 -- truth and reconciliation. Work by the local museum and
11 library. There's also a Wawatay monthly municipal radio
12 show, and recently a standing with the Missing and
13 Murdered Indigenous Women and Girls.

14 Slide 19. Now, we need to tell you about
15 Equay-wuk Women's Group. And this is the group that I've
16 been working with for the last 20 years. Where next year,
17 we will be in our 30th year of operation as a incorporated
18 charitable organization. We are an independent women's
19 group, so we don't belong to any provincial group. We
20 don't belong to the national women's groups. We're just,
21 kind of, on our own. We service 31 First Nations
22 communities. And we have different programs, such as --
23 such as the one I work for, which is Building Aboriginal
24 Women's Leadership. It's funded by the Government of
25 Ontario. I also do the acting director role because we

1 don't have any core funding, so we don't -- we can't pay
2 for a director. So anyway, some of the topics that we
3 have are family violence, parenting, the leadership, the
4 youth, the Elder's projects, the addictions. We have an
5 employment skills training program, which runs two or
6 three times a year. And we also have the families of
7 missing and murdered Indigenous women and girls.

8 So we house one of the four FILU location -
9 - locations in Ontario. We are one of the FILU locations.
10 We also have a victim services counselling program. Both
11 programs service the families of the missing and murdered
12 Indigenous women, girls, transgendered, and two-spirited.
13 Both programs are funded by the Government of Ontario, so
14 we have a website there, and it's www.equaywuk.ca. So I
15 would just like to say that the FILU program that works
16 with the family of the late Audrey Anderson, they worked
17 with that family to get that case reopened.

18 Therefore, this should prove to be a
19 recommendation for the federal and provincial governments
20 to provide further funding to support and to continue to
21 work with the families of missing and murdered Indigenous
22 womens and girls. We also need the government to provide
23 funding for Indigenous women's groups, especially those
24 who are working with the families of missing and murdered
25 Indigenous women and girls. And I'm sure you've heard a

1 lot of the other recommendations that fall along those
2 lines.

3 Okay. Slide 20. This slide shows the
4 growing economic development opportunities in Sioux
5 Lookout because of all the growth I was telling you about.

6 Okay. Next slide. Oops. For justice and
7 policing. Here's the current -- the review of the current
8 situation. We have a number of OPP. There are about 55
9 officers who serve in Sioux Lookout, and five -- and five
10 of the surrounding First Nation communities. The other
11 First Nations in the area either have their own police
12 service or they are being served by the Nishnawbe Aski
13 Police Services, or NAPS as they're called. The cost per
14 household is six times the norm for Ontario, and it's
15 higher -- it's a higher rate than many other cities and
16 towns in Ontario. Many of the issues that the police deal
17 with are alcohol related, so you see that with the second
18 bottom, it says, "Liquor Licence Act Charges" and causing
19 the disturbance would be a result of that. And we heard
20 the -- yeah, so anyway.

21 The other thing that we are concerned about
22 are the homeless people on the streets. There are about
23 66 persons who are on the streets of Sioux Lookout. The
24 number could be higher, I was told, okay.

25 So, anyway, the young women in the

1 street suffer sexual assaults, physical assaults, human
2 trafficking. Many of whom are escaping homelessness and
3 poverty, overcrowded housing in their own communities, so
4 sometimes they come to Sioux Lookout and they end up
5 staying there.

6 They are vulnerable to all the dangers
7 in the streets, and there are some who have mental health
8 issues and some who are avoiding the sexual abuse and the
9 assaults that they experience in their communities.

10 This can be traced to what has been
11 termed the legacy of Indian residential schools, and it
12 shows that there has never been a time for a more urgent
13 need for healing initiatives and reconciliation. There
14 needs to be work done to recognize the Indian residential
15 school situation today.

16 Slide 22.

17 So education and youth is another area
18 of growth in Sioux Lookout. There are many youth who take
19 advantage of the training programs and educational
20 opportunities that are available in Sioux Lookout through
21 any of these places that are listed on that slide.

22 Next.

23 A new high school has been built. So
24 outside of school time there are programs for youth in the
25 community.

1 Slide 24.

2 Many of the youth programs are
3 supported by municipalities, tribal councils, schoolboard,
4 and health organizations. The second listed program
5 called WINKS is actually a multi-tribal council
6 initiative, and they've been doing all kind of activities
7 with the youths right after school, on the weekends. You
8 know, they're skinning moose hides, they're going hunting,
9 they're doing all these traditional land activities and
10 it's really great.

11 We also have a poverty reduction
12 strategy, and we're looking at more addictions and
13 treatment centres. Okay.

14 So Sioux Lookout is truly the hub for
15 all these services. Okay.

16 And of course, the airport, like I
17 said, needed to be expanded, and that is currently being
18 worked on. It's almost done.

19 Next.

20 So Slide 27. Okay.

21 The situation table has been in place
22 for the last two years and it's made up of many social
23 services and agencies. Community safety for all is an
24 important aspect of living in Sioux Lookout. Some of the
25 remedies for the challenges we face as a small town

1 include alternative justice and pursuit of a community
2 justice centre.

3 There are too many Indigenous persons
4 represented in jails and prisons. Healing is pursued as a
5 better solution to incarceration.

6 The Town of Sioux Lookout has
7 implemented a three-person Police Services Board since
8 early 2017. It consists of Mayor Doug Lawrance and the
9 other two are First Nations women. I am the Chair, I'm
10 also -- yeah, I'm the Chair of this Police Services Board.

11 So this is an example of one of the
12 changes that needs to take place within our
13 municipalities. We need to involve more First Nations
14 within those governing bodies.

15 The other changes with regard to
16 justice and policing involve further advocacy for the
17 Ontario Provincial Police with the Ministry of Community
18 and Social Services, and that's being done right now.

19 Also, the KDSB, or the Kenora District
20 Services Board is working toward housing initiatives, and
21 they have supportive housing which provides housing for 20
22 people. And they're also looking to have bail beds, a
23 detox, an emergency shelter, and advocating for drug and
24 alcohol treatment centre.

25 So this is the way we're going. We're

1 looking at healing and looking at all these things that
2 are, of course, the result of all the things that have
3 happened; the fallout from the IRS, from the Indian
4 residential schools.

5 So the -- okay. The youth centre;
6 we've covered that.

7 And the Diverse Voices for Change is
8 to get more women involved in governance, whether it's a
9 municipality, the Federation of Canadian Municipalities,
10 there's also FCM Can-Do Distribution Centre which is
11 distributing food to the north, fresh fruits, vegetables,
12 and less costly groceries.

13 So these are just some of the ways
14 that the municipality tries to help and advocate for
15 certain things that are needed in the north.

16 Slide 29. Okay.

17 Yes, we, like other Canadian towns and
18 cities, have challenges that are attributed to the legacy
19 of the Indian residential schools. We need to change
20 this. We need to examine ways to reduce homelessness,
21 addictions, and poverty. We need to continue to develop
22 relevant programs for women, youth, and families.

23 So far the Municipality of Sioux
24 Lookout has created many partnerships with First Nations,
25 as well as local businesses, organizations. Not only does

1 Sioux Lookout advocate for local programs and services, it
2 provides support to First Nations' interests through the
3 many partnerships it maintains.

4 The Municipality realizes the Indian
5 residential school has created many challenges and Mayor
6 Doug Lawrance put the Mayor's Committee for Truth and
7 Reconciliation into place.

8 The goal of the Mayor's Committee is
9 to begin work on the 94 calls to action as recommended by
10 the Truth and Reconciliation. This is why the town is now
11 continually advocating for healing programs and services.

12 Sioux Lookout is promoting
13 reconciliation, and we hope that other towns and
14 municipalities will do the same.

15 Slide 30.

16 So we remember Audrey Anderson and
17 Viola Panacheese and the other many missing and murdered
18 Indigenous women and girls in our area, and we think of
19 their families who have suffered for many years. We hope
20 that sharing our story of change and about the work
21 towards reconciliation will further help the work of the
22 National Inquiry for Missing, Murdered Indigenous Women
23 and Girls.

24 So I thank you, the Commissioners, the
25 families, and the Elders for listening to me. And the

1 Sioux Lookout Collective; it is an honour to be here at
2 the National Inquiry for Missing, Murdered Women and
3 girls.

4 Bless you for the work that you are
5 doing.

6 Chi-miigwech.

7 **(APPLAUSE/APPLAUDISSEMENTS)**

8 **MS. MEREDITH PORTER:** Thank you, Ms.
9 Angeconeb.

10 I wanted to ask at this time if the
11 31-page PowerPoint presentation that you've shared today,
12 if you'd like to make that an exhibit?

13 **MS. DARLENE ANGECONEB:** Say what? Say
14 that again.

15 **MS. MEREDITH PORTER:** If you wanted to
16 add the PowerPoint presentation that you went through
17 today, if you wanted to add it as an exhibit.

18 **MS. DARLENE ANGECONEB:** Yeah, sure.

19 **MS. MEREDITH PORTER:** Okay, thank you.

20 **CHIEF COMMISSIONER MARION BULLER:**

21 Exhibit 9 is the PowerPoint.

22 **--- EXHIBIT NO./PIÈCE No. 9:**

23 PowerPoint presentation 'Sioux Lookout
24 Collective presentation to the
25 National Inquiry into Missing and

1 Murders Indigenous Women and Girls,
2 December 2018 (31 pages)
3 Submitted by: Darlene Angeconeb,
4 Representative for Sioux Lookout
5 Collective

6 **MS. DARLENE ANGECONEB:** Yeah.

7 **CHIEF COMMISSIONER MARION BULLER:**

8 Thank you.

9 **MS. DARLENE ANGECONEB:** So I think,
10 you know, because of the way things are and have been in
11 Sioux Lookout, I'm thinking that other areas, other
12 provinces might be similar. So I don't know if anybody's
13 been telling you that kind of story or taking that kind of
14 approach with -- especially the work that needs to be done
15 in reconciliation.

16 Questions? No?

17 **COMMISSIONER QAJAQ ROBINSON:** I don't
18 have any questions. I can confirm that, yes, we've heard
19 about the challenges of isolation.

20 Being a hub city -- we were in the
21 community of Iqaluit, City of Iqaluit that is the hub city
22 for Nunavut, and the challenges that they faced and the
23 work that needed to be done.

24 **MS. DARLENE ANGECONEB:** Yeah.

25 **COMMISSIONER QAJAQ ROBINSON:** So thank

1 you very much for sharing what you're doing and your
2 knowledge and wisdom.

3 Thank you. Miigwech.

4 **MS. DARLENE ANGECONEB:** Yeah, thank
5 you.

6 **COMMISSIONER BRIAN EYOLFSON:** Yes,
7 thanks, Ms. Angeconeb, for coming here and telling us
8 about some of the things that are happening in Sioux
9 Lookout and the region in northwestern Ontario. Chi-
10 miigwech.

11 **CHIEF COMMISSIONER MARION BULLER:**
12 Thank you.

13 I just have a couple of questions.
14 It's quite an honour to have a Chair of a police board
15 here.

16 What do you see as the priorities for
17 policing in your area?

18 **MS. DARLENE ANGECONEB:** Well, first of
19 all, I mean, when you're talking about the systemic racism
20 that is happening, definitely education of the police,
21 whether it's cultural sensitivity training or something
22 like that, that needs to start there. And, yes, there
23 needs to be more, I think, Aboriginal representation,
24 especially if you have a high population of Aboriginal
25 people within the cities or those towns. That there needs

1 to be representation and there needs to be Aboriginal
2 *...liaison people, you know, working within those police
3 forces. Yes.

4 **CHIEF COMMISSIONER MARION BULLER:** Thank
5 you. And for the high school, I notice that there's also
6 a college attached to it, or is that a separate entity?

7 **MS. DARLENE ANGECONEB:** I'm not sure.

8 **CHIEF COMMISSIONER MARION BULLER:** Oh,
9 okay. It's just, the slide ---

10 **MS. DARLENE ANGECONEB:** Did it say
11 "college" on that slide somewhere?

12 **CHIEF COMMISSIONER MARION BULLER:** Right,
13 yes.

14 **MS. DARLENE ANGECONEB:** Yeah. It's
15 probably -- I know there's a couple of college -- there
16 may be a couple of college programs.

17 **CHIEF COMMISSIONER MARION BULLER:** Yeah,
18 Confederation College?

19 **MS. DARLENE ANGECONEB:** Yeah, yeah. They
20 do have some programs there. They're only like, first
21 year or half a year of something or certificate programs.
22 That's just the very beginnings of some availability of
23 college program for people.

24 **CHIEF COMMISSIONER MARION BULLER:** Yeah.
25 Excellent.

1 And then for the high school as well, I
2 understand from your slide that it's a boarding school as
3 well for children from outlying areas?

4 **MS. DARLENE ANGECONEB:** They have boarding
5 programs but they stay with families within Sioux Lookout
6 so that's how that happens, yeah.

7 **CHIEF COMMISSIONER MARION BULLER:** So it
8 isn't a separate residential ---

9 **MS. DARLENE ANGECONEB:** Not right now.

10 **CHIEF COMMISSIONER MARION BULLER:** ---
11 building for them?

12 **MS. DARLENE ANGECONEB:** Not that I've
13 heard, no.

14 **CHIEF COMMISSIONER MARION BULLER:** Yeah.
15 Excellent, yeah. That's great news. Thank you.

16 Thank you so much for your submissions and
17 your presentation today. This has been a wonderful eye
18 opener for us and great education about what can happen
19 when you want it to happen.

20 **MS. DARLENE ANGECONEB:** Yeah, when you want
21 to work together. I mean, you know, there's First Nations
22 issues and the town is taking them on. And they're
23 involving other people by bringing them in and forming
24 these committees, like the Truth and Reconciliation
25 Committee. And that needs to happen across Canada, you

1 know?

2 **CHIEF COMMISSIONER MARION BULLER:** Yeah.

3 **MS. DARLENE ANGECONEB:** We need to look at
4 these things because we're not going anywhere. We're not
5 going to go away.

6 **(LAUGHTER/RIRES)**

7 **MS. DARLENE ANGECONEB:** We're still going
8 to have all these challenges, you know? We need more
9 housing, we need more programs, yeah.

10 **CHIEF COMMISSIONER MARION BULLER:** Well,
11 thank you again.

12 **MS. DARLENE ANGECONEB:** Yeah. Okay.

13 **CHIEF COMMISSIONER MARION BULLER:** This has
14 been very helpful. Thank you.

15 **MS. DARLENE ANGECONEB:** Yeah, thank you.

16 **(APPLAUSE/APPLAUDISSEMENTS)**

17 **MS. MEREDITH PORTER:** Thank you. Chief
18 Commissioner and Commissioners, that concludes the
19 submissions portions that's scheduled to occur today.
20 I'll seek your direction on adjourning to tomorrow morning
21 at 8:30 when we're scheduled to reconvene with opening
22 remarks.

23 **CHIEF COMMISSIONER MARION BULLER:** Yes,
24 we'll reconvene for submissions tomorrow morning at 8:30.

25 **MS. MEREDITH PORTER:** Thank you.

1 **CHIEF COMMISSIONER MARION BULLER:** We're
2 adjourned for the day.

3 **MS. MEREDITH PORTER:** I see our MCs are
4 here to assist with the daily closing.

5 **MS. CHRISTINE SIMARD-CHICAGO:** Good
6 afternoon, everyone. Thank you for staying the day with
7 us today and listening to all the presentations.

8 I just want to give a quick shout out to
9 Darlene Angeconeb from Sioux Lookout, which is my
10 territory. She is a relative of mine and I'm glad she was
11 here to present on our families from the remote
12 communities.

13 Right now, I'd like to call up Granny
14 Bernie -- wherever she is -- and the Commissioners to
15 start with the commitment sticks.

16 **M. CHRISTIAN ROCK:** Donc merci à tout le
17 monde d'avoir assisté à cette journée. On va se préparer
18 à terminer la journée avec la chanson... en fait, la chanson
19 qui est liée avec les joueurs de tambours et puis bien on
20 va commencer par demander à notre aînée Madame Bernie
21 Williams de partager les bâtons d'engagement, donc Madame
22 Williams.

23 **MS. BERNIE WILLIAMS:** Wow. What an
24 incredible, incredible day and very powerful. And to all
25 of you women, the women warriors, I want to say howa to

1 you for your resilience and your truths today.

2 My traditional name is (Native name) which
3 means Golden Spruce Woman. I'm from the Haida Nation and
4 I want to say *howa* to the people of this beautiful
5 territory.

6 We're going to give the commitment sticks.
7 This actually started in 2015 by an elder from Alkali Lake
8 which is northern B.C., Fred Johnson. And the commitment
9 stick signifies -- I just want to read it just very
10 briefly -- is that,

11 "The commitment stick serves as your
12 personal commitment to live violence
13 free and as a reminder of the value of
14 the lives of all of our Indigenous
15 women and girls."

16 And again, I want to say *howa* to all of you
17 with standing today. It was very powerful and as a family
18 member and as a survivor, I want to say *howa* to the --
19 especially to the women chiefs here who have so
20 courageously took it, you know, just took the bull by the
21 horns and just moved. And I say thank you to you from the
22 bottom of my heart.

23 I don't know many of you know that my
24 mother was murdered in the Downtown East Side. So were
25 three of my sisters. And this really means a lot to me as

1 a family member. Listening to your submissions, I have to
2 believe in possibilities that this is going to be a great
3 -- you know, at the end of this, it's going to be so
4 great.

5 You know, I just can't believe that it's
6 almost over and that, but I just want to say *howa* again
7 to all of you for your hard work, for your -- just like,
8 your whole commitment around this. And we would like to
9 honour you with these commitment sticks, so if you'd just
10 be so kind to be patient with me.

11 The Commissioners would like to acknowledge
12 the Aboriginal Legal Services, Emily Hill and parties, if
13 Emily is here with parties. They had to leave early.
14 Okay.

15 The Commission or the Commissioners would
16 like to acknowledge and honour the Native Women's
17 Association of Canada, Virginia and parties, if you are
18 here.

19 And the Commissioners would like to
20 acknowledge and to recognize the Battered Women's Support
21 Society, Summer Rain.

22 And the Commissioners would like to
23 acknowledge and to recognize the Winnipeg Police Services,
24 Kimberly Carswell, if she's here.

25 And the Commissioners would also like to

1 acknowledge and to honour the Federation of Sovereign
2 Indigenous Nations, Chief Heather Bear and party, if she's
3 here, please.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 **MS. BERNIE WILLIAMS:** And the Commissioners
6 would like to acknowledge and to honour the Regina Treaty
7 Status Indian Services Erica Beaudin and party.

8 **(SHORT PAUSE/COURTE PAUSE)**

9 **MS. ELDER BERNIE WILLIAMS:** And finally,
10 the Commissioners would like to acknowledge Sioux Lookout
11 Collective, Darlene and party.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **MS. BERNIE WILLIAMS:** We'd like to invite
14 Audrey Seagle and Summer Rain -- she's already here -- and
15 the women who would like to come up and drum to do the
16 women's warrior song.

17 Summer Rain, you can't, you've got to stay
18 over there. We're honouring you. Go over there. Go
19 stand in the corner.

20 And Ceejar, if you're here too come on up,
21 we'd like to honour.

22 **MS. AUDREY SIEGL:** This is a song that came
23 to Martina Pierre in a sweat about 30 years ago of the
24 Lil'wat Nation. It's a song that everybody -- almost
25 everybody knows as the Women's Warrior Song. It's a song

1 to be sung for strength, never to be sung for anger. And
2 we know that whatever anger we feel is justified, but it's
3 still our job, our duty, our honour to do something good
4 with it, to not just become it.

5 So we sing, and we sing to honour you, we
6 sing to raise our hands and say hych'ka, miigwech, hay
7 hay, for the good work that you've done, that you're doing
8 here, and that we know you'll continue to do.

9 (SONG/CHANT)

10 **MS. AUDREY SIEGL:** And thank you for those
11 who gave us permission to sing here today.

12 **MS. CHRISTINE SIMARD-CHICAGO:** Beautiful
13 song. Beautiful song.

14 Right now there was another special request
15 for a young man by the name of Theland Kicknosway to come
16 up. And he has a song that he would like to share as well
17 regarding missing and murdered Indigenous women and girls.
18 So we're going to ask Theland to come up.

19 And if you want to stay up here or if we
20 have family members that want to come up and join us in
21 the circle -- Gerry Enfac (phonetic) -- please feel free
22 to come up.

23 **M. CHRISTIAN ROCK:** Donc on va ajouter une...
24 on a un évènement spécial à ce moment-ci. On va ajouter
25 la performance de Monsieur Theland Kicknoysway qui va se

1 joindre à nous pour faire une chanson, accompagné de sa
2 famille et des membres de cercle des familles. Merci.

3 **MR. THELAND KICKNOSWAY:** (Indigenous
4 language spoken)

5 Good afternoon, everyone. My English name
6 is Theland Kicknoysway. I'm Cree and Potawatomi from
7 Walpole First Nation Bkejwanong Territory. I'm part of
8 the Wolf Clan. And I'm 15 years old.

9 I'm going to sing a song today that I
10 composed myself about two years ago, and this song I made
11 for my aunties Laurie Odjick and Bridget Tolley, and this
12 song is for all of our missing and murdered Indigenous
13 women and for the children left behind of them and the
14 families and youth. So I sing this song for them. And so
15 I say miigwech.

16 **(SONG/CHANT)**

17 **MS. CHRISTINE SIMARD-CHICAGO:** Meegwetch.
18 What a powerful song.

19 Maybe if I could ask some of the health
20 supports that are in the room to come up and just support
21 some of the families right now that are having a hard
22 time. Because we know this is about our loved ones, and
23 we need to support our family members that are here with
24 us that have shared their truths and that are going
25 through this process. And this process is still going on

1 and is going to happen after the Inquiry is over as well.
2 I really think, you know, all the support and love that we
3 have to give to our family members that are here in the
4 circle and in the room is needed.

5 **M. CHRISTIAN ROCK:** Donc suite à cette
6 performance de Monsieur Kicknoysway on va demander aux
7 gens de la santé de venir à l'avant pour offrir leur aide
8 aux gens qui pourraient être affectés par l'émotion, qui
9 pourraient être affectés par la performance, qu'a rendu
10 Monsieur Kicknoysway.

11 On va prendre quelques minutes puis on va
12 poursuivre, merci.

13 **MS. CHRISTINE SIMARD-CHICAGO:** So I know
14 we're having a little bit of a difficult time, and we have
15 our traditional folks with us, we have our helpers with
16 us. You know, please use them and please reach out to
17 them. And if you need a hug, I'll give you a hug. I'll
18 support you any way I can. And I know it's difficult, but
19 this is also a healing moment, and with the song that was
20 shared, it's a beautiful thing. And we've got to
21 remember, we're doing this for our loved ones and their
22 spirits to continue on in their journey.

23 I don't know if our Elders want to share
24 anything right now. Reta?

25 **ELDER RETA GORDON:** First of all, to the

1 Kicknosways, I want to thank you for lending us Theland
2 this day. Theland, we're so proud of you. This is our
3 future.

4 (APPLAUSE/APPLAUDISSEMENTS)

5 **ELDER RETA GORDON:** Thank you, Theland.
6 Bless each and every one of you. Bless you. May the
7 creator give you strength.

8 Sisterhood is formed authentically and
9 spiritually between First Nations, Métis, Inuit, and all
10 other women in Canada by acknowledging their differences
11 in historical and current realities. Being a sister means
12 knowing our sisters, acknowledging that they own their
13 stories. It means listening to them and knowing they can
14 tell the stories better than we can. It means speaking
15 with them when their voice is weak from bearing the burden
16 of oppression, speaking for them when they are absent, but
17 find out why they are absent and where are they.

18 Thank you. Meegwetch. Thank you to
19 everyone. Meegwetch. Marsi. Merci. Qujannamiik.

20 And thank you to the drummers and thank you
21 for the lady -- I'm sorry, I don't know her name -- that
22 kept the Qulliq going all day. Eelee. Sorry. Thank you,
23 Eelee.

24 (CLOSING PRAYERS/PRIÈRES DE CLÔTURE)

25 **MR. VINCENT KICKNOSWAY:** Boozhoo, aanii.

1 (Speaking Indigenous language.)

2 Creator, maker of life, we acknowledge this
3 day, this day that we have gathered as we have
4 collectively for the three days that we've come together
5 to hear and utilize the gifts that we have.

6 I wish to acknowledge that first day that
7 young woman, that woman, that female, as I as a man
8 acknowledge how beauty and what the beauty is and what the
9 beauty means for me in terms of the femininity that the
10 Creator made possible. And now, on the third day, my
11 heart is touched with this young one, that young boy who
12 has arrived. It creates within my mind an acknowledgement
13 to what life is meant to be in the future generations to
14 come.

15 I, as a father, along with my wife, are
16 very proud for our son to live and believe in what he does
17 for the cause of MMIWG. It is so wonderful to hear the
18 many peoples that have come forward to use their voice and
19 for the many years, hopefully, to listen and to hear to
20 take into account what needs to be done.

21 We acknowledge and give thanks to Gizos,
22 the sun, who came abroad throughout this day. We are so
23 grateful. We honour the waters, for the women who watch
24 over those waters. We are so grateful for those waters,
25 for they within our own selves allow them to flow freely.

1 We ask that those tears that fall upon
2 Ashkaakamigokwe, Mother Earth, that they too recognize
3 those who have gone missing and those who have had the
4 unfortunancy [sic] of sadness of loss of life. We are so
5 grateful.

6 We give thanks to all of life's creations
7 within today's way of life, and we can only offer our
8 prayers and hopes continually each and every day for that
9 way of life to come back as those two young ones have come
10 to visit us. We give thanks. I say to the four
11 directions, meegwetch. (Speaking Indigenous language.)
12 Meegwetch.

13 **MS. ELAINE KICKNOSWAY:** And so boozhoo,
14 aanii, tansi, kwe kwe, (speaking Indigenous language).

15 I give thanks for today. I give thanks for
16 the sun as it came in the room to remind us of the outside
17 and remind us that in these walls that life still can come
18 in and touch us in that good way, just like the snow
19 yesterday and the crisp cold today, and to remind us the
20 warmth that we can still be provided with with one
21 another.

22 I give thanks for the helpers. I give
23 thanks for the ones that are behind the scenes watching
24 over us. I give thanks for our families as they wait for
25 us to come home.

1 I give thanks for, you know, those that
2 check in on us, check in on our hearts, what they call
3 that odemen(phonetic), that heart berry, and the continued
4 growing of our blood, continued growing of our goodness so
5 that we can reach and come back together again and just
6 give thanks for the gracefulness of your breath today.
7 And I say migwetch.

8 **MS. CHRISTINE SIMARD-CHICAGO:** So we'll ask
9 our drum group to sing us home.

10 **MS. CHRISTINE SIMARD-CHICAGO:** We'll ask
11 our drummers to send us home with a song.

12 **(CEREMONIAL DRUMMING)**

13 **MS. CHRISTINE SIMARD-CHICAGO:** Migwetch.
14 Now we'll go to Eelee with the
15 extinguishing of the qulliq.

16 **ELDER EELEE HIGGINS:** (Speaking Inuktitut)
17 Thank you for a day of abundance.

18 (Speaking in Inuktitut).

19 Thank you to the drummers, and especially
20 to Theland.

21 (Speaking in Inuktitut).

22 I'd like to acknowledge a prestigious
23 individual who was one of the Commissioners for the
24 residential school legacy, Marie Wilson. Thanks for
25 coming to observe and take in all the hearing.

1 (Speaking in Inuktitut)

2 Today we wept together, and as well it was
3 healing on top of the crying.

4 (Speaking in Inuktitut)

5 Thank you from the crown of the earth and
6 then to the heel of the earth. Have a good rest tonight.

7 (Speaking in Inuktitut) Let us pray.

8 (Speaking in Inuktitut).

9 I will now extinguish the qulliq, which is
10 now at peace, lit as it's away from the draft.

11 (Speaking in Inuktitut).

12 Thank you.

13 **MS. CHRISTINE SIMARD-CHICAGO:** Just a quick
14 reminder, tomorrow pipe ceremony's at 7:00 a.m. in the
15 Quebec Room, and opening ceremonies start at 8:30.

16 Have a good night, and remember to drink
17 lots of water and go for a walk to get grounded.
18 Migwetch.

19 --- Upon adjourning at 4:31 p.m./L'audience est ajournée à
20 16h31

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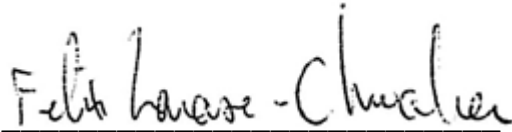
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LEGAL DICTA-TYPIST'S CERTIFICATE

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.

A handwritten signature in cursive script that reads "Félix Larose-Chevalier". The signature is written in black ink and is positioned above a horizontal line.

Félix Larose-Chevalier

Dec 12, 2018