

NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Written Closing Submissions

Animakee Wa Zhing #37
Eagle Lake First Nation
Grassy Narrows First Nation
Obashkaandagaang First Nation
Ojibway Nation of Saugeen

December 14, 2018

National Inquiry into Missing and Murdered Indigenous Women and Girls

Written Closing Submissions

December 14, 2018

INTRODUCTION	1
Overview of Our Position:	1
OVERARCHING RECOMMENDATION	2
Additional and Sustained Resources are Needed	5
POLICE POLICIES AND PROCEDURES.....	5
Police Services Must Form Lasting and Meaningful Relationships with our Communities	5
Police must receive training on the unique cultural, social, economic and historical realities of the First Nation Communities that they Serve.	5
Police services must work with Indigenous communities to develop communication policies with communities they serve and with families with regarding investigations	8
Police Services should develop programs in consultation with Indigenous communities that support creating positive and lasting relationships with the community they serve	10
More Indigenous Police Officers are Needed	13
Police Services must prioritize recruiting and training Indigenous officers, especially female officers	13
Police Officers Need to be Held Accountable for their Conduct	14
Police Services must create culturally appropriate, safe, and accessible ways for Indigenous people, especially women, to report crime and to report police misconduct	14
Discrepancies Between Police Services Need to be Resolved	17
Police Services with overlapping jurisdiction must develop protocols to ensure roles and responsibilities are clear for responding to and investigating incidents involving missing and murdered Indigenous women	17
First Nation Police Services must receive equitable funding and resources	18

THE FAMILY	21
Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded.....	21
Professionals and foster families must receive training to understand the unique historical, socio-economic, and cultural circumstances of the communities they serve.....	26
Funding is needed to establish independent Indigenous child and family advocate positions to support families and children with understanding and navigating the child welfare system.....	27
Indigenous children in care outside of their home-community must remain connected to their community and culture.....	28
Supportive transitional programs are needed to assist youth leaving the child and family service system/aging out of care.....	29
Child and family welfare programs must focus on holistic family support and prevention (not protection/apprehension)	29
 SEXUAL EXPLOITATION, HUMAN TRAFFICKING AND SEXUAL ASSAULT	 32
 Police Services	 38
Police Service Providers need to work together to investigate missing person and human trafficking cases	38
All Police Service should have adequate funding to have specialty training and positions to address human trafficking and sexual exploitation.....	38
 Must Improve Education and Awareness of Sexual Exploitation	 38
Provide increased education for service providers on identifying and respond to human trafficking.....	38
Provide increased education in on reserve schools on what constitutes sexual exploitation/human trafficking, what to do when you suspect someone else is being exploited/trafficked and the resources available to victims	38
 CONCLUSION	 38
SCHEDULE “A”	1
 Summary of Recommendations	 1
POLICE POLICIES AND PROCEDURES.....	1
THE FAMILY.....	5
SEXUAL EXPLOITATION, HUMAN TRAFFICKING AND SEXUAL ASSAULT	7

SCHEDULE "B"	8
Parties with Standing:	8
Animakee Wa Zhing # 37	8
Eagle lake First Nation	11
Grassy Narrows First Nation	11
Obashkaandagaang First Nation	11
Ojibway Nation of Saugeen	11

***For ease of reference, a summary of our recommendations and sub-recommendations
is found at **Schedule "A"*****

INTRODUCTION

Overview of Our Position

1. The National Inquiry into Missing and Murdered Indigenous Women and Girls (the “National Inquiry”) is an important opportunity to honour the truths of our peoples and to develop meaningful and lasting recommendations to stop violence against Indigenous women and girls and to further support our strong and vibrant communities. We appreciate the opportunity to participate in such a significant endeavour to improve the lives of our peoples.

2. During the application process, each of our First Nations applied for independent standing, however, we were granted standing as a single collective party. At **Schedule “B”** you will find a brief overview of our communities.

3. While each of our communities is unique, and faces distinct challenges, we have done our best to compile a list of recommendations which, if implemented would assist in not only addressing some of the systemic causes of violence affecting Indigenous women and girls, but also supporting the overall health and safety of our communities.

4. We face many obstacles to ensuring the health, safety, and wellbeing of our members. This includes responding to systemic causes of violence, including sexual violence, facing Indigenous women and girls – violence that is rooted in underlying economic, institutional, and historical causes. Often, our attempts to improve the lives of our members is frustrated by the existing and restrictive institutional frameworks within which we are forced to operate. As Indigenous people, we are in the best position to determine our needs.

5. Due to limitations in resources and timing of the hearings, we were only able to attend three of the institutional hearings. Therefore, our recommendations are focused on the following topics:

- Police Policies and Procedures
- The Family: Child Welfare, Supports to Family, Domestic Violence
- Sexual Exploitation, Sexual Violence and Human Trafficking

6. Our recommendations have three overarching themes: **AGENCY, SUSTAINED RESOURCES, and UNDERSTANDING**. Agency means having the jurisdiction and control to govern our communities and make decisions reflecting our unique community customs, practices, and traditions. To act on our decisions, and as part of the Treaty relationship, we must have sustained resources to do so. Finally, *all* of Canada must understand our unique histories resulting

from the colonization of what is now called ‘Canada’ – although this is important for everyone, it is *especially* important for anyone providing services to Indigenous peoples on or off reserve.

OVERARCHING RECOMMENDATION

7. While each hearing focused on different topics, there were some clear reoccurring issues affecting the wellbeing of Indigenous women and girls. The failure to provide our communities with equitable resources, services, and access to basic human rights such as safe housing results in ineffective policing, a disproportionate representation of our children in the child welfare systems and puts our women and girls at further risk for sexual exploitation and violence. Given the prevalence of these issues, their impacts on the successful provision of many different services, and their overall impact and the health and safety of our women and girls, these overarching recommendations should be viewed as priority recommendations. The recommendations stemming from these overarching issues are below:

- 1) **RECOMMENDATION: (a) Canada must end all inequalities in federal services provided to Indigenous peoples (education, health, water, child welfare, etc.) and (b) Canada must provide ample and sustained discretionary funding to Indigenous communities to ensure access to safe and non-overcrowded housing**

Sub-Recommendations:

- A major funding injection is required to address housing shortages, housing repairs, and housing-related infrastructure deficits (sewer and water services and access to potable water at home).
- Ample and sustained funding is needed for housing and related sewer and water infrastructure.
- A new funding model is required that ensures Indigenous communities have discretion and control over how funding used to address community priorities.

8. Additional and sustained resources are needed to ensure equal services are provided to Indigenous communities. The existing services in our community are limited and chronically under-funded and restricted by non-discretionary and short-term funding. Further, our members often do not have access to the services they need in their communities – services that are widely available in non-Indigenous communities.

9. Indigenous women and girls must routinely leave their communities to access services that are not available in their community. As a result, they must leave the support of their family and friends, and travel to unfamiliar, urban centres where they are vulnerable to the dangers associated

with these cities.² These services, such as expanded health care and addiction treatment, are needed *in* our communities. Nishnawbe-Aski Police Service (“NAPS”) Detective Constable Alana Morrison strongly highlighted the need for community-based support services:

“...I can't say enough about not having to make a choice between leaving your community and picking up and going and leaving your children. So that would definitely be one of my strongest recommendations for that community-based support.”³

10. Increasing funding for services for Indigenous-led and based mental health and addictions is extremely important. There is a connection between substance abuse and violence. The root causes of addiction are complex, inter-related and are based on both recent and intergenerational trauma.⁴ For example, as heard in evidence at the hearing on human trafficking and sexual exploitation – it is drugs and alcohol that are often used to lure individuals into trafficking and are “used as a mechanism of keeping individuals within trafficking situations.”⁵ Comprehensive community-based approaches addictions are an important response to violence⁶ and should be located in and designed by Indigenous communities.⁷

² Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 254 lines 9-25 & page 255 line 1.

³ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 405 lines 19-25.

⁴ Dr. Pertice Moffitt, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 222 lines 7-25 & page 223 lines 1.

⁵ Jennisha Wilson, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 59 lines 8-13.

⁶ Dr. Pertice Moffitt, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 223 lines 2-6.

⁷ Dr. Pertice Moffitt, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 223 lines 7-12.

11. Increased and equitable services are needed, but Indigenous children, women and girls need substantive equity given the historical collective trauma experienced. There is a higher duty to provide additional services:⁸

“...Historical trauma is cumulative and intergenerational in its impacts, meaning its cumulative effects are passed on. These various sources of trauma that originated from outside the Indigenous communities ...generated a wide range of dysfunctional and hurtful behaviours, such as physical and sexual abuse, which is recycled generation after generation within the community. As a result, we see negative behaviour, such as alcohol abuse, sexual. Physical and emotional abuse, child neglect and violent crime. The link between the effects of past events like these and adverse outcomes in the present have been well-documented.”⁹

12. Together, the lack of integrated healthcare, education, and necessary community infrastructure directly connects to violence in our communities,¹⁰ and also contributes to the over-representation of Indigenous children in care:

Overall, unless the factors of poverty, poor housing and substance misuse linked back to the impacts of residential school are better addressed, and resourced, in ways that are directed by the respective Aboriginal communities, there is little evidence that substantial progress will be made on making meaningful reductions in the over-representation of Aboriginal children in care.¹¹

13. Daniel Bellegarde, Executive Director of the FSIN Treaty Governance Office and Chair of the File Hills First Nation Police Service Board of Police Commissioners spoke about the importance of breaking the current cycles impacting Indigenous women and girls: “the cycle of poverty, the cycle of colonization, the cycle of public policy...”¹²

⁸ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 119 lines 14-25 & page 120 lines 1-8.

⁹ Sarah Clark, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 106 lines 13-24.

¹⁰ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 175 lines 11-17.

¹¹ Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child and Family Welfare” Exhibit 26, page 5.

¹² Daniel Bellegarde, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 194 lines 5-7.

14. Almost every institutional and expert witness referenced poverty and lack of housing as key contributing factors affecting the health, safety, and overall wellbeing of Indigenous women and girls. It is a critical issue.¹³ Long-term, stable housing is needed.¹⁴ Inadequate housing directly impacts on a person’s health, safety and wellbeing. For example, a lack of and inadequate housing impacts children in care to remain in their home communities and their ability to return to their communities.¹⁵

POLICE POLICIES AND PROCEDURES

“You are entitled to nothing less than our best work in your communities. I believe it’s never too late to do the right thing”- Commissioner Brenda Lucki, RCMP

15. Policing in First Nation communities is unlike policing in non-Indigenous communities. The imposition of colonial law and policies has had many long-lasting and harmful effects on our communities: a revolving door of officers and the failure to understand our history and culture has often resulted in poor communication and poor relationships between leadership and community members. The ability of police services to serve our communities is also further hindered by insufficient training and resources. Improving police services requires a multifaceted approach, which incorporates our unique cultures, the social, economic and historical, causes of violence/crime, and our right to self-determine how we are served.

2) **RECOMMENDATION:**

Police must receive training on the unique cultural, social, economic and historical realities of the First Nation Communities that they Serve.

Sub-Recommendations:

- Cultural competency training and education must be mandatory not only for new recruits, but also for established officers as a part of ongoing and yearly block training.
- Ample and sustained funding must be provided to First Nations to develop and provide cultural competency and community orientation training for police officers.

¹³ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 275 line 6.

¹⁴ Diane Redsky, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVIII October 18, 2018 at page 93 lines 21-22.

¹⁵ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 155 lines 15-17.

- Officers must participate in mandatory community orientations that are developed, designed, and provided by the community in which they are serving.
- Police services must develop policies to ensure new officers, and any officer transferred to a new community, shadow officers who have experience working in the community and who are ideally from that community.

16. Strong trusting relationships are critical to improving policing services for all Indigenous peoples. Throughout the hearing on police practices, the evidence was clear that relationships and trust between Indigenous communities and the police need improving. Chief Superintendent Mark Pritchard of the Ontario Provincial Police (“OPP”) stated:

“there’s a long history, a lot of valid reasons for Indigenous people not to trust the police, and that’s why it’s so important for us to make every effort we can to break through those barriers.”⁴⁸

17. An important part of building this relationship and trust is ensuring police officers understand the communities they serve. Commissioner Brenda Lucki of the Royal Canadian Mounted Police (“RCMP”) acknowledged greater understanding about the uniqueness and history of each community is needed.⁴⁹ Retired Chief Clive Weighill said:

“there certainly has to be a huge educational component on the history, the spirituality, what’s happened to the Indigenous people right across Canada. Every police officer should be very, very fluent in what’s happened with residential schools, what’s happened with colonization, The White Paper back in the 70’s, the Sixties Scoop, and contemporary issues and downfalls that are happening right now in our Indigenous community. Every police officer in Canada should be able to just tell you that right off the top of their head.”⁵⁰

18. Anyone employed by a police service, including a First Nation police service, should be educated on cultural sensitivity, even before applying to be an officer.⁵¹ Further, these officers

⁴⁸ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 199 lines 20-23.

⁴⁹ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 15 lines 16-21.

⁵⁰ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 62 lines 9-18.

⁵¹ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 128 lines 12-14.

must have a degree of compassion because victims are sensitive to an officer's demeanour,⁵² education is key.⁵³ Accordingly, cultural competency should be assessed in the officer application process. Individuals who are unwilling to undertake steps to increase their understanding of Indigenous issues as a pre-requisite for applying should not be admitted into police training academies. This early testing, like all educational components should be designed by Indigenous people to ensure that the cultural and historical knowledge being examined is both relevant and accurate. Additionally, prior to admission potential bias and racism should be assessed in all applicants.

19. While increased training and course work at the police college is important for working with Indigenous communities, it is not enough. Officers must understand the history, traditions, and protocols unique to each community in order to effectively work in the community they are serving: "And, it's true, we can learn from books and exercises, but the real cross-cultural training has to come from our communities."⁵⁴

20. This knowledge and understanding comes from consultation and relationship building with a community's leadership, Elders, and other members. This approach was also supported in recommendations from an Ontario Coroner's Inquest:

NAPS was to "consult with community leadership to develop a community policing model that focuses on building positive relationships and trust with Indigenous communities where it provides services." [*The Verdict of the Coroner's Jury in the Inquest into the Death of Romeo Wesley*].⁵⁵

21. Detective Constable Alana Morrison explained the benefits of pairing new officers with respected and more experienced officers. She explained that these new officers are more likely to

⁵² Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 227 lines 18-25 & page 228 line 1.

⁵³ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 228 lines 10-12.

⁵⁴ Sergeant Dee Stewart, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume IX June 28, 2018 at page 66 lines 12-14.

⁵⁵ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Exhibit 90, page 5.

receive the trust of the community they are serving.⁵⁸ Additionally, the new officers have the added benefit of learning the community's history from that officer.⁵⁹ This approach was also supported in recommendations from two Ontario Coroner's Inquests:

“make best efforts to ensure that officers are partnered with appropriately experienced officers in the community, with junior officers being paired with senior officers” [*The Verdict of the Coroner's Jury in the Inquest into the Death of Romeo Wesley*].⁶⁰

“Ensure that all police officers receive training with a senior officer/coach officer in the community in which they will be stationed to ensure that officers are familiar with the community residents, by-laws, policies and practices” [*The Verdict of the Coroner's Jury in the Inquest into the Death of Lena Mary Anderson*].⁶¹

22. This practice would contribute to building trusting relationships and a deeper understanding of the community in which the officers are serving.

3) **RECOMMENDATION**

Police services must work with Indigenous communities to develop communication policies with communities they serve and with families with regarding investigations.

Sub-Recommendations:

- Indigenous communities should receive funding to establish and train a community-police liaison position to facilitate community-police relationships and communication.
- Police services should implement mechanisms with Indigenous communities and families (e.g. a mutually agreed upon written protocol) that ensures how and when information will be shared regarding an investigation.

23. Communication between the police and Indigenous communities they serve is crucial and was a common theme in the police hearings. Deputy Commissioner Brenda Butterworth-Carr of

⁵⁸ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 394 lines 15-23 & page 395 lines 7-11.

⁵⁹ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 395 lines 14-18.

⁶⁰ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 90, page 4.

⁶¹ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 89, page 4-5.

the RCMP stated that: “we hear continuously from our families the necessity of making sure we are communicating properly, we are communicating effectively.”⁶²

24. Chief Superintendent Mark Pritchard also spoke to this, stating that: “the flow of information and the communication is crucial”.⁶³ Full-time community-police liaisons can play a role in bridging communication gaps and ensuring communities and families are updated regarding missing person investigations.⁶⁴ Retired Chief Clive Weighill indicated that community liaisons are one of the “strongest tools” available.⁶⁵

25. Mutually agreed on written communication protocols are another way to improve communication and trust with Indigenous leadership and families.⁶⁶ Protocols are an important tool for ensuring effective and appropriate communication while also fostering trusting relationships. Leadership and family must have input into what, when, how, to whom and in what language information is shared with each respectively.

26. Written communication protocols were recommended by Chief Superintendent Mark Pritchard.⁶⁷ He also recognized the critical role Chief and Council play in investigation.⁶⁸ Written

⁶² Deputy Commissioner Brenda Butterworth-Carr, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 99 lines 306.

⁶³ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 240 lines 9-10.

⁶⁴ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 18 lines 16-25 & page 19 lines 1-10.

⁶⁵ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 19 lines 8-10.

⁶⁶ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 8 lines 17-23.

⁶⁷ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 136 Recommendations.

⁶⁸ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 180 lines 16-25 & page 181 lines 1-15.

communication protocols not only ensure families are informed, but also to the extent possible and appropriate, the community.⁶⁹

4) **RECOMMENDATION:**

Police Services should develop programs in consultation with Indigenous communities that support creating positive and lasting relationships with the community they serve.

Sub-Recommendations:

- Sustained and ample funding should be offered for programs, such as Project Journey, that aim to foster positive relationships between Indigenous youth and the police while also providing educational, cultural, and work/experiential opportunities for youth.
- Funding should be provided to Indigenous communities to develop community-based programs and events that support building positive relationships between community members and the police.

27. First Nation Communities need to be consulted on what services are required because what the police services believe to be important, what the statistics tell them is important, may not be what is important to the community.⁷⁰

28. Part of what our communities need is a shift from reactionary policing to preventative policing. Commissioner Brenda Lucki indicated that successful preventative measures are infinitely better than even the best investigations post crime.⁷¹ Daniel Bellegarde, further stated that in certain circumstances there is only enforcement, the police respond to incidents but don't have the time, training or desire to implement preventative policing.⁷²

29. To facilitate this preventative approach, police services need to be implemented with other resources in mind. Police need to work together with other agencies such as health, education, and

⁶⁹ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume X June 29, 2018 at page 180 lines 16-20.

⁷⁰ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VI June 25, 2018 at page 49 lines 19-23.

⁷¹ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VII June 26, 2018 at page 74 lines 10-17.

⁷² Daniel Bellegarde, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VII June 26, 2018 at page 72 lines 22-25 & page 73 lines 1- page 10 lines.

social services to provide a holistic approach to: “ensuring the safety of women ...and anybody in vulnerable circumstances, whether it’s mental health, addictions, violence.”⁷³

30. Commissioner Brenda Lucki of the RCMP stated that it is very difficult to implement a successful preventative approach to policing when the people they are trying to assist do not even have access to safe housing: “So, we need to look to housing, education, employment, and... as a community, I think we’re stronger if we work together.”⁷⁴

31. Daniel Bellegarde reiterated this sentiment when he said:

“The whole direction of our recommendations is to tie governance of police services with overall governance within the community, and that’s so we can have justice, not only in what we commonly see as justice within the police service or the justice system, but justice in health, justice in economics, justice in education, justice in social programming. That’s justice. I don’t mean laws, I mean justice. And to do that, what the police service has to do is to be governed in such a way that brings together the various elements in our communities to provide that overall approach to caring and sharing and support to those people at risk and to those people who want to continue to develop and to grow as individuals and productive members of the community.”⁷⁵

32. The relationships between our communities and the police are fractured. Police Services must take responsibility and make serious efforts to create meaningful, trusting relationships with Indigenous communities and their members. Improving these relationships is directly connected to providing effective police response to incidents in our communities.

33. Positive relationships are especially important when there is a crisis in our communities. Chief Superintendent Pritchard gave evidence that: “trying to build a relationship of trust during a crisis, it’s too late. You need to build the relationship before that, so that during the time of crisis, that relationship has already been built.”⁷⁶

⁷³ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 16 lines 8-20.

⁷⁴ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 16 lines 8-20.

⁷⁵ Daniel Bellegarde, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VI June 25, 2018 at page 126 lines 14-25 & page 127 lines 24- page 67 lines 1-3.

⁷⁶ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 9 lines 17-23.

34. One way the police can improve this relationship is to work closely, outside the justice system with our communities' members, particularly with the youth. Both Sergeant Dee Stewart, Officer in Charge of "E" Division Indigenous Policing Services of the RCMP⁷⁷ and Chief Superintendent Pritchard spoke highly of the value in police providing community-based activities for youth. Chief Superintendent Pritchard recommended funding and implementing programs such as Project Venture, Project Journey and Project Sunset⁷⁸ and recommended these programs be expanded beyond communities policed by the OPP. He explained the benefit in having officers specifically assigned and dedicated to these relationship-building programs and the need for capacity through ongoing funding.⁷⁹

35. These programs also allow our youth and community members to share their knowledge and culture while also benefitting from building work and educational skills, and cultural opportunities. They have the potential, not only to improve our trust in the police, but provide police officers with a better understanding of our unique cultures and the concerns of the people they serve.

36. Additionally, Indigenous communities must receive funding to support police-community relationship building. Retired Chief Clive Weighill agreed there is not enough funding for Indigenous lead community-based organizations to assist the police in establishing trust with victims of crime and Indigenous families.⁸⁰ The importance of creating lasting relationships between the police and our communities to effective preventative policing cannot be understated. Until the police gain an understanding of our members' needs and our members feel that they can trust the police, our members will continue to be at risk.

⁷⁷ Sergeant Dee Stewart, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018.

⁷⁸ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Exhibit 136 Recommendations.

⁷⁹ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume X June 29, 2018 at page 184 lines 17-25 & page 185 lines 1-13.

⁸⁰ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 280 line 25 & page 281 lines 1-5.

5) **RECOMMENDATION:**

Police Services must prioritize recruiting and training Indigenous officers, especially female officers.

Sub-Recommendations:

- Police Services should establish mentorship programs to facilitate recruiting and enrolling more Indigenous people, especially females, into police training programs.
- Every community should have an officer dedicated to liaising with youth, attending community events, providing informational sessions and assisting community members with applying to the police service.
- Police Services and Police Colleges should hold information sessions in Indigenous communities. Where impossible, funding should be provided to allow participants to travel from their community to the required locations.

37. Police officers who are not from our communities and who are not Indigenous generally do not understand our community's unique policing needs. Officers that have an intimate knowledge of the unique characteristics and circumstances of our communities are important. Indigenous officers, especially those who are members of our community have lived experience that is valuable to serving our communities. Having Indigenous police officers can promote a sense of trust⁹² and comfort – for Indigenous people, especially when the officer can speak the community's language.⁹³ Therefore, increasing the number of Indigenous police officers is important⁹⁴ and has potential to enhance the police response to violence against women in First Nation communities.⁹⁵

38. The objective and benefit for recruiting and retaining more Indigenous police officers is not new. For example, the jury in the Ontario Coroner's Inquest into the death of Romeo Wesley recommended that NAPS: "make best efforts to recruit and retain Indigenous officers so that ... is

⁹² Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 277 lines 23-25 & page 278 line 1.

⁹³ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 127 lines 5-21.

⁹⁴ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume VIII June 27, 2018 at page 278 lines 2-8.

⁹⁵ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Police Policies and Practices" Part II Transcript Volume X June 29, 2018 at page 64 lines 14-19.

staffed by Indigenous officers who are fluent in the language of their assigned community to the greatest extent possible.”⁹⁶

39. Community outreach and mentorship opportunities are an important aspect of recruiting Indigenous officers and delivering police services.⁹⁷ Mentorship opportunities are important because they assist potential applicants in understanding, and reduces possible barriers to their success.⁹⁸

40. Another obstacle preventing Indigenous peoples from becoming police officers is the requirement to travel to attend information sessions, to obtain the necessary training and certifications, and to write the required examinations.⁹⁹ Where possible, information sessions and training/examinations should be held in communities to reduce the travel burden for applicants.¹⁰⁰ Where it is impossible to hold training in the community, the applicant should receive funding to ensure they can travel to and attend training/examinations.

6) **RECOMMENDATION:**

Police Services must create culturally appropriate, safe, and accessible ways for Indigenous people, especially women, to report crime and to report police misconduct.

Sub-Recommendations:

- The complainant should have a mechanism to track their complaint.¹⁰¹
- Reporting mechanisms must not risk the complainant’s safety or privacy.
- Indigenous communities should receive ample and sustained funding to operate a safehouse/shelter that serves as a safe space for women and their children (lack of safe spaces is a barrier to reporting crime).

⁹⁶ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 90, page 5.

⁹⁷ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 108 lines 1-6.

⁹⁸ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VI June 25, 2018 at page 66 lines 17-21 & page 66 lines 24- page 67 line 1.

⁹⁹ Sergeant Dee Stewart, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 page 159 lines 15-25.

¹⁰⁰ Sergeant Dee Stewart, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 page 160 lines 1-23.

¹⁰¹ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 287 lines 19-22.

- In consultation with Indigenous communities, Police Services should develop third party and other reporting approaches to increase reporting and victim safety.
- Reporting mechanisms should be available in Indigenous languages.

Reporting Crime

41. There are privacy and safety barriers for Indigenous women reporting crime.¹⁰² NAPS Detective Constable Alana Morrison explained:

“the barriers to reporting are so horrific in my mind because, first and foremost, when a woman comes forward to police in the community, no matter how small the community or how large, the community gets word.”¹⁰³

She also explained that victims usually remain living in the community with the perpetrator and/or their family.¹⁰⁴ Fear of reprisal from the perpetrator and or their family are real concerns that impact on reporting violence, as well as fear of being judged by other community members.¹⁰⁵

42. The lack of safe spaces in communities is also connected to underreporting.¹⁰⁶ To address this, Indigenous communities need safe places, such as safehouses/shelters where women can go and have the opportunity to contact the police if desired. Police can instead meet with the woman in the safe space, which is less public than the police station or elsewhere in the community.¹⁰⁷

43. To improve reporting options, it is also recommended that police services consult with Indigenous communities to create third-party reporting mechanisms that support victim safety and

¹⁰² Dr. Pertice Moffit, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 226 lines 11-16.

¹⁰³ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 130 lines 15-19.

¹⁰⁴ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 130 lines 23-25 & page 131 line 1.

¹⁰⁵ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 131 lines 7-11.

¹⁰⁶ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 177 lines 17-18.

¹⁰⁷ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 363 lines 19-25 & page 364 lines 1-4.

to offer culturally appropriate ways to allow individuals to share what they have experienced or know.¹⁰⁸

Reporting Police Misconduct

44. It harms our communities and our relationship with police services when officers fail to discharge their duties in a respectful, fair, and culturally appropriate manner. Therefore, the ability to report police misconduct is an important aspect of police accountability and civilian oversight. Commissioner Brenda Lucki supported civilian oversight: “The more transparent we are as a police organization, the better we are¹⁰⁹...we, as a police organization, should not fear complaints. It only makes us better.”¹¹⁰

45. Reporting mechanisms for both crime and police misconduct need to be available in languages spoken by our communities. Language barriers prevent Indigenous people from reporting both officer misconduct and crimes. Indigenous peoples, especially Elders, may face language barriers when communicating with officers that prevent them from reporting crime and/or reporting police misconduct.¹¹¹ Therefore, a more accessible and culturally appropriate complaint process is needed to increase Indigenous oversight over police and to foster positive relationships with the police.¹¹²

¹⁰⁸ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VI June 25, 2018 at page 282 lines 4-6.

¹⁰⁹ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 27 lines 4-6. Also see Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 298 lines 22-24.

¹¹⁰ Commissioner Brenda Lucki, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VI June 25, 2018 at page 280 lines 9-10.

¹¹¹ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 200 lines 9-16.

¹¹² Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 201 lines 1-12.

7) **RECOMMENDATION:**

Police Services with overlapping jurisdiction must develop protocols to ensure roles and responsibilities are clear for responding to and investigating incidents involving missing and murdered Indigenous women.

Sub-Recommendations:

- Clear policies and agreements must be in place between all police services with overlapping jurisdiction that determine policies, procedures, and responsibilities for responding to missing person and homicide incidents where more than one police service is involved.
- There must be measure of accountability built in to these policies and procedures to ensure that a failure to abide has repercussions.
- Police Services in our communities should have an officer delegated to liaising with other police services who may have overlapping jurisdiction.

46. Multiple police services can have overlapping jurisdiction in our communities. For example, in response to a missing person or homicide event, the Treaty #3 Police Service and the OPP may both be involved to provide assistance with response and investigations for a single incident.¹¹³ In our experience, we are concerned this causes jurisdictional confusion and communication gaps that impact the quality and extent of police investigations that may result in poorer quality investigations into missing persons or homicide incidents.

47. Danielle Bellegarde supported the creation of MOUs and having: “accountability factors built into performance appraisals of the police service”¹¹⁴ To address this, we recommend that there are clear agreements in place outlining the policies, procedures, and responsibilities for multiple police services to effectively respond to incidents.

48. Chief Superintendent Pritchard explained there is great value in clear written police procedure policies as they:

“provide clear expectations to officers of what’s expected of them when they’re conducting investigations. It’s to bring consistency from one end of the province to another, so we’re all working off the same page. And also, to provide accountability to ensure these investigations are done properly.”¹¹⁵

¹¹³ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 188 lines 16-25 & page 189 lines 1-9.

¹¹⁴ Daniel Bellegarde, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 67 lines 7-12.

¹¹⁵ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 215 lines 12-18.

49. Although there is a memorandum of understanding between the OPP and NAPS, Chief Superintendent Pritchard was not aware of any other written protocols or policies in place to ensure responsibilities between various police services are clearly delineated in investigations with overlapping jurisdiction.¹¹⁶ Therefore, given the role and importance of written police policies, similar written policies between police services with overlapping jurisdiction should be implemented to ensure police services are effectively communicating, are held accountable, and investigations are conducted in a consistent manner with clearly defined roles and responsibilities.

50. Due to the potential for confusion over responsibilities and ineffective communication in cases with overlapping police jurisdiction, having officers from the police services who typically serve our communities assigned specifically to work with other police forces, such as the OPP, can improve communications on investigating missing persons and homicide investigations.¹¹⁷

8) **RECOMMENDATION**

First Nation Police Services must receive equitable funding and resources.

Sub-Recommendations:

- First Nation Police Services such as the Treaty #3 Police Service and NAPS must have access to the same funding, resources, support, training, and equipment as other Ontario Police Services.
- First Nation Police Services should receive ample and sustainable funding to ensure they are able to have specialized police units.
- First Nation Police Services such as NAPS and the Treaty #3 Police Services should receive ample resources to ensure access to the PowerCase program.

51. Our communities are primarily policed by First Nation Police Services. Unfortunately, self-administered police services are notoriously underfunded and often do not have enough officers to effectively respond to calls for service.¹¹⁸ Every Canadian citizen requires equitable police services and resources available to them.¹¹⁹ To enhance safety and effectiveness in our communities, First

¹¹⁶ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 189 lines 12-19.

¹¹⁷ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 192 lines 11-25 & page 193 lines 1-6.

¹¹⁸ Chief Superintendent Mark Prichard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 176 lines 22-25.

¹¹⁹ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 220 lines 4-7.

Nation Police Services should have equitable resources, tools, training, and opportunities as other police services in Ontario.¹²⁰

52. The limited number of officers impacts the ability of police to respond to calls for service and perform thorough investigations. Ample and sustainable resources are needed to ensure a sufficient number of officers are serving each community.¹²¹ Officers sometimes must bounce quickly from call to call,¹²² which leads to being overworked and fatigued. This ultimately affects the quality of investigations and in turn, the chances a file will be prosecuted.¹²³ Therefore, it is important First Nation Police Services, such as the Treaty #3 Police Service, and NAPS receive the funding required so enough officers are hired to meet the policing needs of each community they serve.¹²⁴

53. A key factor contributing to the inequity is short term funding. First Nation Police Services should receive guaranteed long-term funds like other provincial and federal police forces. People living on a reserve deserve the same quality of police protection received by someone living in an urban location.¹²⁵

54. Additionally, to ensure equitable policing, First Nation Police Services should be provided with funding to establish units specialized in investigating murder and missing persons cases. These specialized units ensure that officers can have specialized training to deal with different types of crime and can become highly skilled at dealing with these types of investigations.

¹²⁰ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 312 lines 18-25 and page 313 line 1.

¹²¹ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 89, page 4.

¹²² Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 140 lines 23-25 & page 141 line 1.

¹²³ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 370 lines 7-25 & page 271 lines 1-2.

¹²⁴ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Exhibit 88, page 3-4.

¹²⁵ Retired Chief Clive Weighill, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 220 lines 15-25.

Detective Constable Alana Morrison recommended that First Nation Police services receive funding to ensure they are able to have specialized units and the specialized training that would accompany these units similar to those in other police services such as the OPP¹²⁶

55. Finally, Chief Superintendent Pritchard spoke to the importance of PowerCase software, indicating that the software analyzes information looking for linkages in investigative files by comparing the investigative files of all police services in Ontario.¹²⁷ He stated that this program prevents information from: “slipping through the cracks”,¹²⁸ and provides accountability to the investigations.¹²⁹ When asked if First Nation Police Services have access to the program he indicated that while there are a few with access, First Nation Police Services are not funded for that¹³⁰ and that as a result, not all sexual assaults or missing person investigations in the jurisdiction of First Nation Police Services are documented on PowerCase.¹³¹ Chief Superintendent Pritchard agreed it would be helpful if all First Nation Police Services had access to the PowerCase software. He indicated that the First Nation Police Services wanted access to PowerCase, but lacked resources/funding.¹³²

¹²⁶ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 144 line 16-23.

¹²⁷ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 247 lines 7-25 and page 248 lines 1-4

¹²⁸ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 246 lines 9-15.

¹²⁹ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 246 lines 19-20. Inspector Chalk also spoke to the importance of Powercase and the need for First Nation Police Services to have access Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 343 lines 9-24.

¹³⁰ Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 250 lines 20-25.

¹³¹ Chief Superintendent Mark Pritchard, National Inquiry into *Missing* & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume IX June 28, 2018 at page 251 lines 6-11.

¹³² Chief Superintendent Mark Pritchard, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume X June 29, 2018 at page 283 lines 8-14.

THE FAMILY

“150 years has brought us to now, where we have thousands of missing and murdered women and girls, and thousands of children who are...not in their homes, and our children need to come home...” – Cora Morgan¹³³

56. Healthy families and children are very important to our communities and are intimately connected to the safety and wellbeing of women and girls. We want our children to grow up connected to their families, friends, community and culture. Unfortunately, the current child and family welfare system does not always support families in a way that keeps families, community, and culture connected. Change is needed.

57. Witnesses in the National Inquiry agreed that the current child welfare system is directly connected to missing and murdered Indigenous women and girls.¹³⁴ In particular, early childhood adversity (e.g. removing a child from their family at a young age) has a range of negative health, social, and cognitive outcomes.¹³⁵ An Indigenous driven child welfare system that focuses on supporting families, culture, and togetherness is needed.

9) **RECOMMENDATION:**

Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded.

Sub-Recommendations:

- A new approach for funding and providing child and family welfare services is needed that recognizes Indigenous jurisdiction for child and family welfare – an approach that ensures Indigenous communities have the option to assume control over providing child and family welfare services in their communities in accordance with community customs, practices, and traditions.
- Children who require care should not be removed from their community.
- Funding for child and family welfare services must not connect to the number of children in care.

¹³³ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 70 line 25 & page 71 lines 1-5.

¹³⁴ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 104 lines 1-25 and page 105 lines 1-2.

¹³⁵ Dr. Amy Bombay, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X October 1, 2018 at page 151 lines 18-25 & page 152 line 1.

58. Prior to colonization, our communities had established practices and customs protecting the wellbeing of our children – practices and customs that remain today. The imposed child welfare system does not adequately address the needs of our families and children and too often causes harm to children, families, and our communities. To address this, Indigenous communities should have unequivocal authority to determine how our communities receive and deliver services that best meets the unique needs of each individual community.

59. Support is needed for Indigenous driven institutions and initiatives “which aim to bring children home that are rooted in First Nation ways of being and knowing, including revitalizing and codifying First Nation laws.”¹³⁶ Cora Morgan eloquently stated:

“we have our inherent ways of caring for each other. And, we know that those ways are more optimal, that we have to go back to...taking care of the children in the community, and that any child of a community is all of our responsibility, and that there is the adequate supports and resources to be able to focus on prevention.”¹³⁷

60. A significant barrier to Indigenous designed and led child welfare systems is the current legislative and funding frameworks. The federal government has recently proposed legislation that purports to overhaul the existing Indigenous child welfare system. To do so, future legislation must recognize, support, and fund agencies and child and family welfare models developed and exercised under Indigenous community laws.¹³⁸ This recommendation is not new, in 2000 the Joint National Policy review recommended that Canada expand the child welfare programs that it funds to include those developed by First Nation jurisdictions and note solely those operating under provincial legislation.¹³⁹

Concerns: Existing Child Welfare System too often removes Children from their Community and Fails to meet the Needs of our Children and Families

¹³⁶ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Exhibit 2 page 3.

¹³⁷ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 78 lines 1-7.

¹³⁸ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 144 lines 1-16.

¹³⁹ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 99 lines 3-8.

61. We have several concerns about the existing child welfare system. For example, we are concerned that too frequently, children are placed in care outside of our communities – much like residential school and the 60s scoop, children are being removed from their families and culture and placed in homes geographically and culturally different than their own, which has caused inter-generational trauma in our communities. Further, when our children are placed outside of our communities, they are particularly vulnerable to impacts on their physical, emotional, and psychological health from losing their connection to their family and community. Systems are needed that focus on prevention and support keeping families together.

62. Where safe, keeping children with their family and in their community is critical to both the child and mother’s wellbeing. This principle was supported by Dr. Mary Ellen Turpel-Lafond who is a tenured professor at the Peter A. Allard School of Law at the University of British Columbia. She was qualified as an expert witness in the areas of law, legal and investigative practice specifically investigative reporting, with special expertise in child and family services, child welfare, custom adoptions, treaty rights, circle court process, and domestic and sexual violence against women and girls. In evidence, Dr. Turpel-Lafond stated: “The most important thing is to keep [children] inside their family where they can have connection to culture, language, identity, and territory.”¹⁴⁰ Dr. Turpel-Lafond further added that keeping children within their immediate or extended family is a right protected under the U.N. Convention on the Rights of the Child, a convention ratified by Canada.¹⁴¹

63. Where a child needs to be placed in care, every effort should be made to place them in their community. Inappropriately, under the current system, people from outside of our community and culture have defined the criteria for what constitutes a suitable home for our children. Although there may be extended family or community members in our communities who wish to take children in, factors decided by external colonial systems determine they are not suitable placements. These factors are all too often related to structural inequalities outside of our control, such as:

¹⁴⁰ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 204 lines 22-24.

¹⁴¹ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 287 lines 4-25.

- a. insufficient bedroom size;¹⁴²
- b. multiple children sharing a bedroom (something that is common in reserve homes);¹⁴³
- c. the number of children already residing in the home;¹⁴⁴
- d. a lack of infrastructure funds also results in a lack of ability to maintain housing; mold in homes has prevented children from staying with their family;¹⁴⁵
- e. having older teenage or adult children living in the home;¹⁴⁶
- f. having someone reside in the home who has a criminal record including minor offences from decades earlier;¹⁴⁷ and
- g. the age of the potential caregivers – grandparents are denied because of their age.¹⁴⁸

64. To address this, Indigenous communities should have the authority to determine what a suitable living arrangement is in accordance with our customs, traditions, and culture.¹⁴⁹ Our communities should be empowered and supported to determine our own child welfare systems.¹⁵⁰

65. The child welfare system as it currently exists is not appropriate for Indigenous children.¹⁵¹ Change is needed. The current legislative framework does not provide enough support for

¹⁴² Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 59 lines 20-22.

¹⁴³ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 30 lines 5-11. Also see Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Exhibit 4 page 6.

¹⁴⁴ Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 148 lines 3-6.

¹⁴⁵ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 147 lines 5-11.

¹⁴⁶ Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 147 lines 13-18.

¹⁴⁷ Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 147 lines 19-24.

¹⁴⁸ Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 148 lines 1-3.

¹⁴⁹ Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 149 lines 13-17.

¹⁵⁰ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 204 lines 1-7.

¹⁵¹ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 203 lines 5-10.

culturally-based practices around child and family wellness.¹⁵² The current system does not consider some fundamental things that are key to doing good work with Indigenous communities.¹⁵³ For example, current child welfare models fail to address the intergenerational effects of trauma resulting from effects of residential schools and the 60s scoop.¹⁵⁴ Consequently, what constitutes the best interests of the child must be re-examined to focus on the right of the child to stay connected to their community, family, nation and identity, and ensure that children are not removed from their homes due to poverty.¹⁵⁵

66. Throughout her testimony Dr. Cindy Blackstock, a professor in the school of social work at McGill University and Executive Director of the First Nations Child and Family Caring Society spoke about the importance of self-determination and self-jurisdiction for First Nation Communities. She further declared that there needs to be recognition for the fact that: “the current child welfare system already has a culture and a language, and that is often a Western culture and a language that is often sometimes at odds with the experiences of Indigenous peoples.”¹⁵⁶ It has been established that:

“The Government of Canada recognizes the inherent right of self-government as an existing Aboriginal right under section 35 of the *Constitution Act, 1982*...The federal government also recognizes that Aboriginal governments and institutions require the jurisdiction and authority to act in a number of areas in order to give practical effect to the inherent right of self-government.”¹⁵⁷

¹⁵² Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 142 lines 8-11.

¹⁵³ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 142 lines 17-19.

¹⁵⁴ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 41 lines 21-45 & page 42 lines 1-3.

¹⁵⁵ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 203 lines 14-24.

¹⁵⁶ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XII October 3, 2018 at page 177 lines 7-11.

¹⁵⁷ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Racism” Exhibit 56, pages 39-40

Accordingly, there should be support for First Nations to assume “full jurisdiction over child welfare.”¹⁵⁸

10) **RECOMMENDATION:**

Professionals and foster families must receive training to understand the unique historical, socio-economic, and cultural circumstances of the communities they serve.

Sub-Recommendations:

- Indigenous communities should receive ample and sustained resources to develop and provide this training to all professionals and foster families serving their community.
- All professionals involved in providing child and family welfare related services to Indigenous communities must receive this training (e.g. child and family service agency staff, doctors, nurses, counsellors, etc.).

67. Families residing on reserves face unique challenges. The history of colonialization has resulted in poverty, insufficient housing, addiction and trauma. Additionally, our communities have traditional ways of dealing with child welfare. If professionals and foster families are not sensitive to these cultural and historical aspects of our communities their conduct can further damages the health of our members.

68. All professionals and staff in the child and family welfare system providing services to Indigenous communities should have a deep understanding and education on the unique historical, socio-economic, and cultural circumstances of the community they are serving. This educational content should be developed, designed, and offered by the community.¹⁵⁹

69. This training and education should also extend to foster families caring for a child from a community that is not their own. Foster families play an important role in supporting a child’s ongoing connection with their home community, culture, and identity. Therefore, foster families must also receive training and education on their foster child’s home community and directly engage with that community as part of their foster parent role.¹⁶⁰

70. The current child welfare system does not address the needs of our community. Part of the problem is a lack of cultural sensitivity from social workers and foster families. Failure of these

¹⁵⁸ Dr. Cindy Blackstock, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Racism” Exhibit 56, pages 15-16.

¹⁵⁹ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 142 lines 5-17.

¹⁶⁰ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 84 lines 6-15.

individuals to accurately understand the needs of our community perpetuates the commodification of children and results in long term harm to our members, therefore they must receive training to understand the unique historical, socio-economic, and cultural circumstances of our communities.

11) RECOMMENDATION:

Funding is needed to establish independent Indigenous child and family advocate positions to support families and children with understanding and navigating the child welfare system.

Sub-Recommendations:

- Create independent advocacy positions to assist families with navigating the child welfare system.
- Create independent advocacy positions to assist children who are in care with ensuring they get the best care possible.
- Advocates, with consent, must have the ability to access child/family information to support children and their families.¹⁶¹

71. We are concerned that our families do not always have the resources, supports, and tools to effectively understand and advocate for their rights in the child welfare system. Child welfare systems are complex, intimidating, and can be difficult for families to understand and effectively advocate for their children, which can in turn negatively impact their ability to keep their children.¹⁶² There is a need for advocates to be available to support families.¹⁶³

72. Many mothers do not have the supports they require to navigate this difficult and intimidating process; some mothers may have been in the care of child welfare agencies themselves, which prevented them from making the types of connections with their community and families that would support them during this difficult time.¹⁶⁴ An independent Indigenous advocate can provide this much needed support and guidance and ensure that mothers understand

¹⁶¹ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 182 lines 13-19.

¹⁶² Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 159 lines 10-18.

¹⁶³ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 159 lines 19-25.

¹⁶⁴ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 160 lines 11-18.

their rights and recourse options.¹⁶⁵ This plays a role in keeping families together and getting the prevention services needed to support that family.

12) **RECOMMENDATION:**

Indigenous children in care outside of their home-community must remain connected to their community and culture.

Sub-Recommendations:

- Indigenous communities must receive resources to foster and promote culture and positive cultural identities.
- Child and family welfare agencies must create and implement plans to ensure children remain connected to their home-community and culture.¹⁶⁶
- Child and family welfare agencies must receive funding specific to ensuring children in care are able to visit and participate in community activities and events.

73. The current child welfare system has perpetuated colonial impacts of abolishing cultural identities, forcibly removing children from their families and communities, breaking family and community bonds, and perpetuating cultural shaming.¹⁶⁷ However, culture is a significant protective factor for responding to the effects of colonization and plays a role in supporting and healing our communities.¹⁶⁸ It is critically important for Indigenous peoples to know who we are and where we came from.¹⁶⁹

74. Research shows that “cultural pride and renewal have a positive impact on one’s ability to cope with trauma and depression.¹⁷⁰ Consequently, there is a critical and continued need for

¹⁶⁵ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 195 lines 20-23.

¹⁶⁶ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 290 lines 1-25 & page 291 lines 1-4.

¹⁶⁷ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 112 lines 2-16.

¹⁶⁸ Sarah Clark, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 107 lines 1-7.

¹⁶⁹ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 83 lines 11-13.

¹⁷⁰ Dr. Amy Bombay, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 32 lines 1-5.

resources that support and promote culture and positive cultural identities.¹⁷¹ These programs and supports are valuable for responding to childhood adversity and for keeping children and their families connected to their community's cultural identity.

13) **RECOMMENDATION:**

Supportive transitional programs are needed to assist youth leaving the child and family service system/aging out of care.

75. Foster care is intended to be temporary; however, many Indigenous children spend their entire childhood and youth in care. This can be incredibly harmful because the foster care system was not designed to raise children.¹⁷² Many youths who grow up in foster care face tremendous adversity when leaving the child welfare system and have complicated needs.¹⁷³ For example, children may have spent ten years apart from their family and have lost their language, community-connection, and family ties. These children when leaving care may instead search for this belonging elsewhere, for example, finding it in a city and this can be problematic.¹⁷⁴

76. Consequently, extensive supports are needed to support youth exiting the child welfare system. These supports should include reconnecting youth with their home community¹⁷⁵ in addition to mental and physical health assistance and life-skills training.

14) **RECOMMENDATION:**

Child and family welfare programs must focus on holistic family support and prevention (not protection/apprehension).

Sub-Recommendations:

- Parents must receive support and resources to help keep families together (e.g. parenting classes, cultural support, life skills, educational services, child care, income support, etc.).

¹⁷¹ Dr. Amy Bombay, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Child & Family Welfare" Part II & III Transcript Volume X September 21, 2018 at page 184 lines 17-20.

¹⁷² Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Child & Family Welfare" Part II & III Transcript Volume XIII October 4, 2018 at page 283 lines 19-25 & page 288 lines 4-25 & page 289 lines 1-8.

¹⁷³ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Child & Family Welfare" Part II & III Transcript Volume XIII October 4, 2018 at page 289 lines 9-20.

¹⁷⁴ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Child & Family Welfare" Part II & III Transcript Volume XI October 2, 2018 at page 153 lines 22-25 & page 154 lines 1-2.

¹⁷⁵ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: "Child & Family Welfare" Part II & III Transcript Volume XI October 2, 2018 at page 156 lines 5-14.

- See Recommendation 8 - Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded.

77. Based on our experience, we are concerned the current child welfare funding models incentivize apprehending our children rather than focusing on prevention and family support services. In evidence, Cora Morgan referred to funding models that are dependent on the number of children in care as the “commodification of children”¹⁷⁶ Another witness, Dr. Turpel Lafond described funding models that promote apprehension instead of prevention approaches as discriminatory.¹⁷⁷

78. A funding model that incentivizes apprehension over prevention is unacceptable. Instead, child and family welfare programs must focus their efforts and resources on prevention and invest in supporting families.¹⁷⁸

79. Three predominant issues lead to the apprehension of children: poverty, addictions and violence. First, children should never be removed from their families for reasons associated with poverty. Second, well-funded prevention and family support services relating to addictions have potential to intervene and keep families together. The role of kinship and culture is overlooked in the current system. Providing support to a mother is also providing support to a child.¹⁸⁰ Unfortunately, there is not enough funding for prevention services like parenting programs or supports to address poverty, addictions and violence, this lack of supports inhibits a shift towards preventative care and preventative child welfare.¹⁸¹

¹⁷⁶ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume X September 21, 2018 at page 57 lines 1-8.

¹⁷⁷ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 285 line 1-18.

¹⁷⁸ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 27 lines 5-14

¹⁸⁰ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 90 lines 17-19.

¹⁸¹ Dr. Mary Ellen Turpel-Lafond, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XIII October 4, 2018 at page 282 lines 18-25 & page 283 lines 1-11.

80. A holistic approach is needed to support the child and their family.¹⁸² A holistic approach addresses the needs of the family as a whole as well as the individual needs of the child. It involves physical needs such as shelter and food as well as health needs such as medical treatment to address physical, emotional and mental health. This type of approach is essential to maintaining the family unit and to allow the child to thrive. For example, traditional parenting programs and creating opportunities for early learning for the Indigenous children and healing for their families.¹⁸³

81. Healing at a community level would be best addressed by providing our communities with the funds to design and implement our own approaches to healing.¹⁸⁴ Every Indigenous community is different and has its own unique ways of offering healing; however, resources are needed.¹⁸⁵ However, generally resources and funding are needed provided to the family for education employment, training, traditional parenting, and for children to access and participates in sports, recreation, dance and crafts.¹⁸⁶

82. To successfully implement a holistic approach to child welfare, Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded (see recommendation 8), as we are in the best position to identify the needs of our members.

¹⁸² Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 157 lines 5-14.

¹⁸³ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 94 lines 8-18.

¹⁸⁴ Dr. Amy Bombay, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 161 lines 1-9.

¹⁸⁵ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 161 lines 12-14.

¹⁸⁶ Cora Morgan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Child & Family Welfare” Part II & III Transcript Volume XI October 2, 2018 at page 169 lines 9-23.

SEXUAL EXPLOITATION and HUMAN TRAFFICKING

“[T]his is not just a big city issue. This is happening everywhere.”¹⁸⁸ – OPP Inspector Tina Chalk

83. Sexual exploitation and human trafficking is happening in our communities. We are concerned that the police and service providers in our communities are not adequately equipped to identify and respond to incidents of sexual exploitation and human trafficking. We are also concerned that our community members, particularly youth, are not aware of this issue and what resources and supports are available to individuals experiencing this sexual violence.

15) **RECOMMENDATION:**

All Police Services should have ample funding to provide specialized training and officer capacity dedicated to addressing human trafficking and sexual exploitation.

Sub-Recommendations:

- All officers must receive training on identifying victims of human trafficking and sexual exploitation.
- This training should include the Indigenous-specific dimensions of human trafficking and exploitation.
- Indigenous communities should receive resources to work with police services serving their community to develop and design community-specific training on the dynamics of human trafficking and sexual exploitation in their community.
- Service providers also need training and education to identify and respond to human trafficking (e.g. medical first responders, child and family service workers, educators, the service industry (i.e. hotel and cleaning staff)).

84. Overall, many police officers do not have the awareness, education, and training to effectively respond to human trafficking and sexual exploitation. At this point, many police officers are not aware that human trafficking is occurring everywhere – not just in city centres.¹⁸⁹ When police do not understand the complexities of trafficking and exploitation, they may misunderstand victims and fail to identify that someone is actually in a human trafficking/exploitive situation.¹⁹⁰

¹⁸⁸ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 343 lines 21-22.

¹⁸⁹ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 343 lines 10-25.

¹⁹⁰ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 93 lines 7-25.

85. To increase police awareness and understanding of trafficking and exploitation, all police officers should receive training on identifying victims of human trafficking to identify these cases early, for example during routine traffic stops.¹⁹¹ In evidence, OPP Inspector Tina Chalk agreed more training would benefit officer understanding and awareness.¹⁹²

86. She elaborated on the type of education needed and explained there is a need for ongoing training focusing on Indigenous-specific dimensions of human trafficking and exploitation:

“... police services [should] introduce or enhance training on the dynamics of human trafficking. This training should include the Indigenous-specific dimensions of human trafficking, including the factors that make Indigenous women and girls more vulnerable to violence. The training should be delivered to recruits, specialists and frontline officers, and be regularly reinforced through ongoing communications.”¹⁹³

87. This Indigenous-specific training content for police services on human trafficking and sexual exploitation should be designed in consultation with Indigenous communities to ensure the factors making Indigenous women and girls more vulnerable to trafficking and exploitation are understood and incorporated in the training.¹⁹⁴ Further, this training should also be included in annual block training to reach more seasoned officers.¹⁹⁵

88. Finally, further police training is needed to orient officers to the dynamics of trafficking and exploitation occurring in each distinct Indigenous community the officers serve.¹⁹⁶ The

¹⁹¹ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 248 lines 1-25 and Page 249 line 1.

¹⁹² Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 344 lines 19-25 & page 345 lines 1-4.

¹⁹³ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Exhibit 19 at (a).

¹⁹⁴ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Exhibit 19 at (c).

¹⁹⁵ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 345 lines 24-25 & page 346 lines 1-7.

¹⁹⁶ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 345 lines 11-23.

community-specific component is especially helpful for officers because it helps them empathize and understand in a way that empowers them to provide more effective services for Indigenous victims and survivors of trafficking and exploitation.¹⁹⁷

89. Ultimately, funding is needed for all of the above training to ensure police services can meaningfully respond to Indigenous women and girls who are trafficked and sexually exploited.¹⁹⁸

90. Training and awareness about human trafficking is needed beyond the police. Trafficking is often “hidden but in plain sight” and is happening in places where police generally are not invited, such as motels and vacation rentals.¹⁹⁹ Therefore, many other service providers and industries, particularly the service industry, may regularly come into contact with human trafficking and sexual exploitation but are unaware.

91. To ensure service providers are able to recognize and respond to possible incidents of human trafficking it is recommended that these service providers receive education on identifying and responding to possible human trafficking and sexual exploitation incidents. Service providers are individuals who may be coming into direct contact with an Indigenous woman or girl who is in an exploitive situation, including medical first responders, child and family service workers, educators, and the service industry (e.g. hotel and cleaning staff²⁰⁰).

¹⁹⁷ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 346 lines 16-25 & page 345 lines 1-4.

¹⁹⁸ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 346 lines 16-25.

¹⁹⁹ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 99 lines 8-11.

²⁰⁰ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 117 lines 20-25.

16) RECOMMENDATION:

Indigenous communities must receive funding and resources to design, implement, and provide education and awareness to all community members, especially youth, on what sexual exploitation and human trafficking is, what to do when you or someone else is being exploited and or trafficked, and the resources available to support victims.

92. Awareness about sexual exploitation and human trafficking is not only low for the police, but also for communities and for victims.²⁰¹ Our communities need resources to develop community-specific education and awareness on human trafficking and sexual exploitation. Our community members need to recognize it (for themselves and others) and know how to effectively respond and support women and girls who are or have been involved.

93. There are women and girls in our communities who are particularly at risk for exploitation due to one or a combination of the following: poverty, addictions, mental health issues, racism, and/or simply traveling outside of the community to an urban area.²⁰² The internet is also a huge risk factor for children and youth in our communities. The internet makes it very easy for traffickers to target and lure children and youth online – even in very isolated communities.²⁰³

94. Consequently, increasing awareness and education at the community level is an important part of the response to human trafficking.²⁰⁴ Indigenous communities should receive resources to develop and implement education and awareness programs to teach our youth about sexual exploitation and human trafficking.²⁰⁵ For example, there are many women in exploitive situations

²⁰¹ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 99 lines 16-22.

²⁰² Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 100 lines 8-25 & page 101 lines 1-18.

²⁰³ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 97 lines 19-25, page 98 lines 1-25 & page 99 lines 1-7.

²⁰⁴ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 343 lines 1-9.

²⁰⁵ Inspector Chalk, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 344 lines 7-18.

who do not realize it – education plays an important role in recognizing this.²⁰⁶ This education and awareness is one of the first steps needed to address human trafficking and sexual exploitation and was supported by Diane Redsky, the Executive Director of Ma Mawi Wi Chi Itata Centre. She explained that awareness is critically important and that things cannot change without it.²⁰⁷

17) RECOMMENDATION:

Indigenous communities must receive sustainable funding to build and operate safehouses/shelters/safe spaces in the community for individuals and their families experiencing or at risk of experiencing violence.

95. Human trafficking, sexual exploitation, and other forms of sexual violence are happening in our communities. However, many of our communities have little to no access to shelters, safehouses²⁰⁸ or safe spaces for women and girls to go to when required. Without a safe space, a woman or girl may have nowhere else to go other than remain in her exploitive situation. Safe spaces are needed for women experiencing exploitation and violence.²⁰⁹ Therefore, there is an important role for having a safe house/space that is open 24/7 for a woman or girl to exit her situation and seek support when she has a window of opportunity.²¹⁰ This recommendation was supported by Detective Constable Alana Morrison.²¹¹

²⁰⁶ Assistant Commissioner Joanne Crampton, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XV October 15, 2018 at page 76 lines 13-24.

²⁰⁷ Diane Redsky, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVIII October 18, 2018 at page 93 lines 18-19.

²⁰⁸ Dr. Pertice Moffitt, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 227 lines 17-25.

²⁰⁹ Rachel Willan, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVIII October 18, 2018 at page 178 lines 3-16 & page 238 lines 8-23.

²¹⁰ Diane Redsky, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVIII October 18, 2018 at page 93 lines 11-18. Also see: Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VII June 26, 2018 at page 306 lines 18-19.

²¹¹ Detective Constable Alana Morrison, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Police Policies and Practices” Part II Transcript Volume VIII June 27, 2018 at page 143 lines 5-11.

96. A safe space in our communities is not the ‘be all end all’ solution to addressing the victimization and violence our women and girls are experiencing. However, it is a necessary starting point that would make a meaningful difference on the ground in our communities. Sustainable, discretionary funding that ensures we can operate a safe space for women and girls according to our community customs and values is key. There should be sustained funding and resources to Indigenous communities to establish these safehouses or shelters and the community should be consulted on the design of these shelters/safehouses because what is appropriate and required will be dependent on the community itself.²¹² The development of these shelters/safehouses is an opportunity to connect and provide the support and care women and girls are seeking – an opportunity to change lives.

97. However, the bigger picture to address victimization and violence towards Indigenous women and girls is addressing some of the larger systemic factors such as poverty, inadequate housing, lack of services and supports, addressing historical inter-generational trauma, and building on our communities’ strong cultures and Indigenous ways of being.

Conclusion

98. The National Inquiry is an important step in revealing and addressing the ongoing systemic harms the colonization of Canada continues to have on Indigenous people, especially women and girls. The truths heard from survivors, families, institutional and expert witnesses have made this very clear. Canada must accept these truths, honour its Treaty relationships, and take immediate and accountable action. Inaction is not an option.

99. Canada must support our communities in implementing the systems, services and infrastructure that we require. There is a dire need for sustainable funding to ensure that our members have access to the services and infrastructure already available to non-Indigenous Canadians.

100. Our communities are strong, and our communities are resilient. Many of our recommendations require immense institutional change from the Canadian government. This

²¹² Dr. Pertice Moffitt, National Inquiry into Missing & Murdered Indigenous Women & Girls Truth-Gathering Process Institutional Hearing: “Sexual Exploitation, Human Trafficking & Sexual Assault” Part II & III Transcript Volume XVI October 16, 2018 at page 227 lines 1-16.

change is needed to recognize and support our right to self-determine and implement what is best for our communities.

All of which is respectfully submitted this 14th day of December 2018.

Schedule "A"

Summary of Recommendation

POLICE POLICIES AND PROCEDURES

RECOMMENDATION (1)

(a) Canada must end all inequalities in federal services provided to Indigenous peoples (education, health, water, child welfare, etc.) and (b) Canada must provide ample and sustained discretionary funding to Indigenous communities to ensure access to safe and non-overcrowded housing.

Sub-Recommendations:

- a. A major funding injection is required to address housing shortages, housing repairs, and housing-related infrastructure deficits (sewer and water services and access to potable water at home).
- b. Ample and sustained funding is needed for housing and related sewer and water infrastructure.
- c. A new funding model is required that ensures Indigenous communities have discretion and control over how funding used to address community priorities.

RECOMMENDATION (2)

Police must receive training on the unique cultural, social, economic and historical realities of the First Nation Communities that they Serve.

Sub-Recommendations:

- a. Cultural competency training and education must be mandatory not only for new recruits, but also for established officers as a part of ongoing and yearly block training.
- b. Ample and sustained funding must be provided to First Nations to develop and provide cultural competency and community orientation training for police officers.
- c. Officers must participate in mandatory community orientations that are developed, designed, and provided by the community in which they are serving.

- d. Police services must develop policies to ensure new officers, and any officer transferred to a new community, shadow officers who have experience working in the community and who are ideally from that community.

RECOMMENDATION (3)

Police services must work with Indigenous communities to develop communication policies with communities they serve and with families with regarding investigations.

Sub-Recommendations:

- a. Indigenous communities should receive funding to establish and train a community-police liaison position to facilitate community-police relationships and communication.
- b. Police services should implement mechanisms with Indigenous communities and families (e.g. a mutually agreed upon written protocol) that ensures how and when information will be shared regarding an investigation.

RECOMMENDATION (4)

Police Services should develop programs in consultation with Indigenous communities that support creating positive and lasting relationships with the community they serve.

Sub-Recommendations:

- a. Sustained and ample funding should be offered for programs, such as Project Journey, that aim to foster positive relationships between Indigenous youth and the police while also providing educational, cultural, and work/experiential opportunities for youth.
- b. Funding should be provided to Indigenous communities to develop community-based programs and events that support building positive relationships between community members and the police.

RECOMMENDATION (5)

Police Services must prioritize recruiting and training Indigenous officers, especially female officers.

Sub-Recommendations:

- a. Police Services should establish mentorship programs to facilitate recruiting and enrolling more Indigenous people, especially females, into police training programs.

- b. Every community should have an officer dedicated to liaising with youth, attending community events, providing informational sessions and assisting community members with applying to the police service.
- c. Police Services and Police Colleges should hold information sessions in Indigenous communities. Where impossible, funding should be provided to allow participants to travel from their community to the required locations.

RECOMMENDATION (6)

Police Services must create culturally appropriate, safe, and accessible ways for Indigenous people, especially women, to report crime and to report police misconduct.

Sub-Recommendations:

- a. The complainant should have a mechanism to track their complaint.
- b. Reporting mechanisms must not risk the complainant's safety or privacy.
- c. Indigenous communities should receive ample and sustained funding to operate a safehouse/shelter that serves as a safe space for women and their children (lack of safe spaces is a barrier to reporting crime).
- d. In consultation with Indigenous communities, Police Services should develop third party and other reporting approaches to increase reporting and victim safety.
- e. Reporting mechanisms should be available in Indigenous languages.

RECOMMENDATION (7)

Police Services with overlapping jurisdiction must develop protocols to ensure roles and responsibilities are clear for responding to and investigating incidents involving missing and murdered Indigenous women.

Sub-Recommendations:

- a. Clear policies and agreements must be in place between all police services with overlapping jurisdiction that determine policies, procedures, and responsibilities for responding to missing person and homicide incidents where more than one police service is involved.
- b. There must be measure of accountability built in to these policies and procedures to ensure that a failure to abide has repercussions.
- c. Police Services in our communities should have an officer delegated to liaising with other police services who may have overlapping jurisdiction.

RECOMMENDATION (8)

First Nation Police Services must receive equitable funding and resources

Sub-Recommendations:

- a. First Nation Police Services such as the Treaty #3 Police Service and NAPS must have access to the same funding, resources, support, training, and equipment as other Ontario Police Services.
- b. First Nation Police Services should receive ample and sustainable funding to ensure they are able to have specialized police units.
- c. First Nation Police Services such as NAPS and the Treaty #3 Police Services should receive ample resources to ensure access to the PowerCase program.

THE FAMILY

RECOMMENDATION (9)

Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded.

Sub-Recommendations:

- a. A new approach for funding and providing child and family welfare services is needed that recognizes Indigenous jurisdiction for child and family welfare – an approach that ensures Indigenous communities have the option to assume control over providing child and family welfare services in their communities in accordance with community customs, practices, and traditions.
- b. Children who require care should not be removed from their community.
- c. Funding for child and family welfare services must not connect to the number of children in care.

RECOMMENDATION (10)

Professionals and foster families must receive training to understand the unique historical, socio-economic, and cultural circumstances of the communities they serve.

Sub-Recommendations:

- a. Indigenous communities should receive ample and sustained resources to develop and provide this training to all professionals and foster families serving their community.
- b. All professionals involved in providing child and family welfare related services to Indigenous communities must receive this training (e.g. child and family service agency staff, doctors, nurses, counsellors, etc.)

RECOMMENDATION (11)

Funding is needed to establish independent Indigenous child and family advocate positions to support families and children with understanding and navigating the child welfare system.

Sub-Recommendations:

- a. Create independent advocacy positions to assist families with navigating the child welfare system.
- b. Create independent advocacy positions to assist children who are in care with ensuring they get the best care possible
- c. Advocates, with consent, must have the ability to access child/family information to support children and their families.

RECOMMENDATION (12)

Indigenous children in care outside of their home-community must remain connected to their community and culture.

Sub-Recommendations:

- a. Indigenous communities must receive resources to foster and promote culture and positive cultural identities.
- b. Child and family welfare agencies must create and implement plans to ensure children remain connected to their home-community and culture.
- c. Child and family welfare agencies must receive funding specific to ensuring children in care are able to visit and participate in community activities and events.

RECOMMENDATION (13)

Supportive transitional programs are needed to assist youth leaving the child and family service system/aging out of care

RECOMMENDATION (14)

Child and family welfare programs must focus on holistic family support and prevention (not protection/apprehension)

Sub-Recommendations:

- a. Parents must receive support and resources to help keep families together (e.g. parenting classes, cultural support, life skills, educational services, child care, income support, etc.).
- b. See Recommendation 8 - Indigenous communities must have the jurisdiction to design, implement, and control child and family welfare services in their communities that are equitably funded.

SEXUAL EXPLOITATION, HUMAN TRAFFICKING AND SEXUAL ASSAULT

RECOMMENDATION (15)

All Police Services should have ample funding to provide specialized training and officer capacity dedicated to addressing human trafficking and sexual exploitation

Sub-Recommendations:

- a. All officers must receive training on identifying victims of human trafficking and sexual exploitation.
- b. This training should include the Indigenous-specific dimensions of human trafficking and exploitation.
- c. Indigenous communities should receive resources to work with police services serving their community to develop and design community-specific training on the dynamics of human trafficking and sexual exploitation in their community.
- d. Service providers also need training and education to identify and respond to human trafficking (e.g. medical first responders, child and family service workers, educators, the service industry (i.e. hotel and cleaning staff)).

RECOMMENDATION (16)

Indigenous communities must receive funding and resources to design, implement, and provide education and awareness to all community members, especially youth, on what sexual exploitation and human trafficking is, what to do when you or someone else is being exploited and or trafficked, and the resources available to support victims.

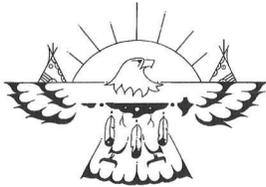
RECOMMENDATION (17)

Indigenous communities must receive sustainable funding to build and operate safehouses/shelters/safe spaces in the community for individuals and their families experiencing or at risk of experiencing violence.

Schedule "B"

Parties with Standing:

Animakee Wa Zhing # 37



Animakee Wa Zhing #37 is an Anishinabe community located in Treaty 3 territory on Lake of the Woods in northwestern Ontario. Our First Nation has approximately 300 members and consists of two separate reserve communities located roughly 105 kilometers apart by water: Windigo Island and Regina Bay. Because of the distance between our two reserve communities, the concerns faced by our two communities can be quite distinct. Windigo Island is located close to the United States boarder and is only accessible by ice road or water, while Regina Bay is located just off of Highway 71 with Kenora, the nearest city, approximately an hour drive from the community.

Policing in our community is particularly inadequate, too few officers spread over too large of a geographic area results in delays in police response time and investigation quality. Many of our members are not confident in the police and their ability to serve our communities appropriately.

Additionally, it is important to us that education and awareness is improved at the community level. With the rise of social media, including gaming systems with online chat features, our children and youth are particularly vulnerable and often are not always aware they are being targeted. We would like to see everyone in our communities educated on what constitutes human trafficking and sexual exploitation as well as how to protect themselves.

Eagle lake First Nation



Eagle Lake First Nation is a proud Anishinabe First Nation located in Treaty 3 Territory on Eagle Lake in northwestern Ontario. Our First Nation has a registered membership of 615 people. The nearest city is Dryden, which is approximately 17km from the community.

Our community has focused on women's issues and how they relate to missing and murdered Indigenous women. We actively achieve this through discussion groups and presentations by speakers invited to discuss issues affecting Indigenous women from a traditional perspective. We strongly believe that the perspectives raised by our community members are essential to improving the health and safety of our girls, women, and community as a whole.

Grassy Narrows First Nation



Asubpeeschoseewagong Netum Anishinabek (Grassy Narrows First Nation) is an Anishinabe Nation located in Treaty 3 territory in northwestern Ontario. Our Nation has a approximately 1,500 members. We are located about an hour north of Kenora by road. Women and girls in our community have been face victimization and violence caused by systemic issues that are at present within our community – issues that are fueled by underlying social, economic, institutional and historical causes, such as the ongoing mercury contamination of our traditional territory.

We are concerned about increasing awareness and education in our community to ensure our members are aware of sexual exploitation and trafficking. Many individuals are not aware that they are being taken advantage of and are in great danger.

Additionally, police services generally lack the cultural sensitivity and understanding of Treaty rights required to properly address the needs of our members. All officers should undergo community orientations to ensure they understand our unique policing needs, our community customs and to build relationships with our members. Officers need to make a serious effort to introduce themselves to the various groups and members in our community.

Obashkaandagaang First Nation



Obashkaandagaang First Nation is an Anishinabe First Nation located in Treaty 3 territory on Lake of the Woods in northwestern Ontario. Our First Nation has 330 members.

Kenora is located only 15 minutes away. Our proximity to a non-Indigenous urban center results in our members being particularly vulnerable to the dangers associated with this urban centre.

We are exceedingly concerned about our children and youth. Often, they are forcibly removed from our community and neither their families nor our community are consulted on the placement of our children. Frequently, there are family members who are willing and able to take in the children; however, child welfare workers are restricted in considering the unique circumstances of our community. Further, these professionals continue to conduct themselves in a manner that is inconsistent with the best interests of the child. There needs to be more transparency, oversight and accountability built into the system to ensure that our children receive the best care possible.

Ojibway Nation of Saugeen

The Ojibway Nation of Saugeen is a proud First Nation that was established only in 1985 and received its reserve lands in 1990. The First Nation is located approximately 20 kilometers east of Savant Lake. The nearest significant service centre is Sioux Lookout, approximately 75 kilometers to the southwest. The land base consists of 5,986 hectares. The current population is approximately

Specifically, it is essential that it be understood that many of the members of the Ojibway Nation of Saugeen travel to and often reside in Thunder Bay, Winnipeg, Sioux Lookout, Kenora and Dryden, and that there are systemic issues of racism in these communities, and they have a direct impact on our members, whether they are residing in those communities or visiting. Fortunately, some of these attitudes and responses are becoming public, most recently, for example, Inquiry headed by Senator Murray Sinclair which has just released its report into the Thunder Bay Police Services Board and has recommended that an administrator temporarily take over the existing board in order that they may have proper training respecting Indigenous cultural awareness, as well as to address issues regarding racism and profiling.

Because we are located approximately 450 kilometers northwest of Thunder Bay, many of our First Nation members are directly impacted by the absence of adequate resources to address racist views, and we urge that all of the recommendations be implemented as quickly as possible in order to come to terms with this reality.