



**Submission to the Missing and  
Murdered Indigenous Women and  
Girls National Inquiry**  
**Submitted by:**  
**Government of Yukon**

December, 2018



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## 1. Introduction

The Government of Yukon is responding to the call from the National Inquiry into Missing and Murdered Indigenous Women and Girls (the “Commission”) for a final written submission from Parties with Standing. As a Party with both Regional (Yukon Region) and National Standing for Parts I, II and III Hearings, the Government of Yukon has a direct interest in the findings of the Commission. We have been working on the issue of missing and murdered Indigenous women and girls for many years in collaboration with Yukon First Nation Governments, Aboriginal women’s organizations, the RCMP “M” Division and Yukon communities. Working together with key partners has been, and continues to be, a priority for the Government of Yukon.

This submission will expand further on the areas that were presented to the Commission at the Oral Closing Submissions of the Parties with Standing in Calgary on November 26<sup>th</sup>, 2018: work completed in Yukon leading up to the National Inquiry, Yukon’s participation in National and Regional roundtables, the establishment of the Yukon Advisory Committee, the Yukon Family Gathering, what we heard from Yukon families, the unique circumstances of Yukon First Nations, Yukon Indigenous women’s organizations, looking ahead, enacting change and concluding thoughts.

## 2. Work in Yukon Pre-MMIWG Inquiry<sup>i</sup>

### 2.1 Yukon Sisters in Spirit

After learning that the Native Women's Association of Canada's national Sisters in Spirit project only identified five MMIWG cases in the Yukon, the Yukon Aboriginal Women's Circle ("YAWC") with support from the Government of Yukon, launched the Yukon Sisters in Spirit project in 2010. By the end of the project in 2013, 38 known cases of missing or murdered Indigenous women in Yukon were identified, representing 33 lost loved ones that the national project did not reveal.<sup>ii</sup>

This local project helped to develop strong relationships with Yukon families, creating a foundation for important conversations that will endure as this work continues.

### 2.2 Yukon Participation in National and Local Roundtables

In February 2015, a Yukon delegation consisting of Yukon's Premier, government officials, First Nation Chiefs and Aboriginal women's organization representatives attended the first National Roundtable on MMIWG in Ottawa. The Yukon delegation reaffirmed its commitment to preventing violence against Aboriginal women and girls and committed to a second National Roundtable in 2016.

When the second National Roundtable was held in February 2016 in Winnipeg,

two Yukon family members attended with the Yukon delegation. The Government of Yukon offered to host a third National Roundtable in 2017; however, as the National Inquiry had been announced in December 2015, interest from other jurisdictions waned. The Government of Yukon co-chaired a Yukon Regional Roundtable on missing and murdered Indigenous women and girls in February 2016 with the Kwanlin Dün First Nation and the Yukon Aboriginal Women's Council.

### 2.3 Yukon's Interagency Committee and the 2015 Family Gathering

Following the first National Roundtable an interagency committee called the Yukon Advisory Council on Missing and Murdered Indigenous Women and Girls was established to provide direction for a Family Gathering and Yukon Regional Roundtable on MMIWG prior to the second National Roundtable and in preparation for the National Inquiry. In December 2015, the Government of Yukon supported the Whitehorse Aboriginal Women's Circle to coordinate a family gathering for families of MMIWG to ensure family's voices were heard. This event brought together governments, agencies, communities, families and loved ones to discuss current initiatives and identify areas for further collaboration. The gathering included a presentation to families on grief and loss as a community development tool as well as a discussion around the following themes:

- experiences in accessing support/navigating legal and investigative processes;

- family participation in the Yukon Regional Roundtable and the National Inquiry, including follow up and supports;
- ongoing research and identification of women and their families, and
- ways to appropriately honour loved ones lost to violence.

Each family's experience revealed a number of common areas where gaps in services existed and/or a lack of support was evident. Families identified:

- communication with RCMP and justice officials as an ongoing challenge and indicated that it often acted as a barrier to engagement and participation in court processes;
- a lack of dedicated, local resources and support in rural communities;
- a lack of counselling and aftercare to deal with triggered emotions and vulnerability;
- the realities of small, tight knit communities and the ripple effects that tragedies have on each community member and how it compounds the effects of other historical events impacting Indigenous peoples, such as the effects of colonization and residential school traumas;
- the importance of ceremony and spiritual guidance was observed to be vital to any healing work, and

- the use of First Nation law, Creator’s law, tribal law, traditional law and natural law were noted to be intrinsic and necessary in order to restore the balance that these laws create in Indigenous communities. These laws were noted to be an important part of reconciliation, grief and healing, as well as a part of daily life for families and communities.

## 2.4 The 2016 Yukon Regional Roundtable

In February 2016, the Government of Yukon, the Kwanlin Dün First Nation, and the Yukon Aboriginal Women’s Council co-hosted a Yukon Regional Roundtable on MMIWG and set out the following key issues for Yukon in a submission to the Government of Canada:

- The Inquiry must recognize the unique history, character and culture of the Northern territories and the Yukon in particular:
  - recognition of Yukon’s self-governing First Nations and the government-to-government relationship is key, and
  - Yukon’s unique relationship with the federal government, recent history of devolution of responsibilities, continuing federal jurisdiction over non-self-governing First Nations – history of challenges with ‘on and off-reserve’ funding in Northern jurisdictions.



Several commitments came out of the Yukon Regional Roundtable including:

- a declaration to support families of missing and murdered Indigenous women and girls to address the root causes of violence against women and girls and take collaborative action. The declaration was signed by the majority of First Nation Chiefs, numerous representatives from the Government of Yukon, the RCMP, the Association of Yukon Communities as well as other key community organizations, and
- a joint submission for the National Inquiry during the pre-inquiry consultation process with input received from families at the Yukon Regional Roundtable and Family Gathering.

Following this regional roundtable, Yukon's delegation advised the National Roundtable in Winnipeg of the collective work being undertaken in Yukon and the importance of seeking national solutions that meet Yukon's unique circumstances and experiences of northern Indigenous women and girls. The Government of Yukon also committed funding to support Yukon Indigenous women's organizations and their continued work in developing projects that responded to the recommendations from the Yukon Regional Roundtable.

## 2.5 Walking with Our Sisters<sup>iii</sup>

Not long after the second National Roundtable, the Whitehorse Aboriginal Women's Circle ("WAWC") collaborated with community partners to bring the *Walking with Our Sisters* commemorative art installation to the Yukon featuring over 1,763 pairs of adult moccasin vamps representing the unfinished life of one missing or murdered Indigenous woman, and 108 children's moccasin vamps representing those who never returned home from residential schools. *Walking with Our Sisters* was the first time that Yukoners were invited to publicly engage in a conversation about MMIWG and to volunteer and provide support.

This work solidified a unification of Yukon family members to communicate concerns and support needs; especially through family gatherings and participation in National and Regional Roundtables. New partnerships were created between the Government of Yukon, First Nations, Indigenous women's organizations and the RCMP which have allowed for collaborative efforts to be advanced.

Without these efforts, much of the information that has been shared by families and loved ones would not be known. Our work must always honour families and loved ones who continue to guide us as we move forward to address this tragedy.

### 3. Yukon Context

The Government of Yukon's final submission may look different than other submissions that the Commission receives in that it will not focus solely on making recommendations. Rather, our submission will focus on honouring Yukon families, speaking to what we have heard and continue to hear from those who have either lost a loved one or continue to search for a lost loved one, and giving a voice to survivors of violence.

#### 3.1 Whitehorse Community Hearings<sup>iv</sup>

Yukon was honoured to be chosen by the Commission as the first location to host a community hearing in May and June, 2017. The Commissioners heard testimony from 71 family members and survivors in Whitehorse. While the majority of testimony was given in camera, a number of families and survivors chose to share their stories publicly. Common themes emerged throughout the hearings that illuminated the connection between the experience of missing and murdered Indigenous women and girls and the traumatic impact of residential schools and the child welfare system on Yukon families and survivors. The testimonies provided important and valuable information which must guide the formulation of recommendations by the Commission.

The testimonies revealed how historical factors continue to intersect with the

present day realities of Aboriginal peoples and the enormous impact they have on their daily lives. Families recounted stories which demonstrated how different factors often translated into negative outcomes in their loved ones' lives and circumstances.

Numerous common themes emerged including: addictions, residential school attendance, intergenerational trauma, poverty, loss of identity and culture, feelings of isolation, racism, vulnerability, sexual abuses, neglect, suicide, homelessness, violence, loss of trust, incarceration, systemic failures across different levels and branches of government, child welfare involvement, and mental health, to name a few.

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*Referencing the child welfare system...“The effect it had on me was that it drove me down to Vancouver where I stuck a needle up my arm for 13 years trying to kill the pain, wondering why nobody wanted me.”*

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*“My mother grew up in foster homes where she was sexually assaulted. She sought out counselling to help take care of herself after going through trauma and violent relationships.”*

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*“She was going to Vancouver to look for a better life...for many years we had no idea what happened...in July her body was found...”*

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Referencing the Lower Post Residential School: “That’s where the missionaries, Catholic missionaries, set up boarding schools. And they took me away when I was 5 years old. I was there over seven years, and we don’t get to go home until midsummer. And, well, I learned really quick how to survive.”

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“...there were two couples that ran the children’s home that we were placed in for seven years. It was an extreme Christian home. It was abusive, and not. There good people there; there were really horrible people there. There was a minister who was a pedophile and many of us got caught by him.”

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“Many bad things happened to me in residential school also. And the trauma I had, I lost the traditional parenting that my parents taught me. It just blew right out, right out of the window. I became a supervisor to my children. And unbeknownst to me, I created four residential school children.”

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In addition to their heartbreaking stories, family members and survivors also offered hope through their suggestions for the Commissioners to consider. One family member, when speaking about language barriers and knowledge gaps said: “the RCMP need to have language interpreters in every case or investigations that they have. They

should have knowledge of the First Nations laws and also their protocols...Training and cultural protocols for everyone who upholds the law or rules.”

Another spoke about the importance of the Commission taking a lead from the 94 Calls to Action contained in the Truth and Reconciliation Report; particularly those relating to child welfare, health and justice should be treated as areas of priority.

Another family member was very clear with their recommendations when she said: “Number one I put on here, financial support for missing and murdered families, family members, and travel, rooms, meals and phone minutes and every other support all the way through because when I was through this I had to sell a lot of stuff, my truck, everything so that I could just make it for the trial and for court. Another one is ongoing counselling support and 24 hours for the family members...and regular updates from the RCMP, open conversations. Also, collaborative solutions...mental health, victim services, probation officers, alcohol and drug services, social services, legal counsellors, First Nation court workers, corrections representatives – they should be all working together in this. And, a liaison navigator. And last but not least, stop using dehumanizing language during investigations, court or documents.”

Just as the history of MMIWG lies within Yukon First Nations communities, so too do the resources for healing. The Government of Yukon believes that, although

responsibility to address this national issue lies with all Yukoners and Canadians, the most effective means to heal communities are largely within Yukon First Nations.

No two Canadian provinces or territories have had the same experience of colonization, and Yukon's path to the present puts the Government of Yukon and Yukon First Nations in a unique position to address the cultural, social and economic rifts that both underlie and flow from the stories of Yukon's missing and murdered women and girls.

## 3.2 Unique Circumstances of Yukon First Nations<sup>v</sup>

### 3.2.1 Colonization

First continuous contact with non-Indigenous people in Southern Yukon was documented in the 1820's with the establishment of the Hudson's Bay post on the Liard River. Yukon First Nations remained predominantly untouched and never underwent any treaty processes while many other First Nations throughout Canada were being subjected to the process of colonization.

The discovery of gold on Bonanza Creek in 1897 marked the beginning the Yukon Gold Rush and the First Nations endured the first of many large migrations of non-Indigenous settlers. During this time, tuberculosis and measles decimated many First Nations populations.

During the 1940's and 1950's the Alaska Highway was built which also brought drastic change, as access increased to First Nations people. At this time, the federal government opened offices and assigned agents to the area to register and administer Status Indians. Many First Nations people began moving into urban, settled areas and were combined for ease of administrative purposes. Legal and education systems were also enforced and many children were sent to residential schools or seized by government agents and adopted out to non-Indigenous families.

### 3.2.2 Together Today for Our Children Tomorrow and the Umbrella Final Agreement<sup>vi</sup>

In 1973 the Supreme Court of Canada's *Calder Decision* affirmed Aboriginal rights in Canada. Within weeks, Elijah Smith and a delegation of Yukon Chiefs went to Ottawa and presented *Together Today for Our Children Tomorrow*<sup>vii</sup> to Prime Minister Pierre Trudeau. This paper outlined the grievances, needs, future plans, approaches and recommendations for settlement with Yukon First Nations. Within the document was a recommended framework for a new relationship between Yukon First Nations, the Government of Canada and the Government of Yukon. In 1973 the Council for Yukon Indians, now called the Council of Yukon First Nations, was set up as an umbrella organization to negotiate on behalf of all Yukon First Nations people. In 1979 the Government of Yukon joined the process as a third party to the negotiations.



A tentative agreement was reached in 1988, and in 1990 the Umbrella Final Agreement (the “UFA”) was signed which: laid out the framework for the land claims agreements of individual First Nations; defined formulas for financial compensation; established a number of boards, committees and tribunals, and contemplated the subsequent negotiation of Self-Government Agreements (see Appendix A).

### 3.2.3 Settled Land Claims and Self- Government<sup>viii</sup>

The Yukon is home to 14 distinct First Nations (see Appendix B). In 1995, after two decades of negotiations, four First Nations signed their Final and Self Government Agreements. Today, eleven of the fourteen Yukon First Nations have signed agreements and are officially self-governing.

Each Yukon First Nation’s Final Agreements contain all of the text of the UFA with additional specific provisions, and each First Nation that has a Final Agreement also has a Self-Government Agreement.

Each Final Agreement and each Self Government Agreement is a trilateral agreement between that Nation, the Government of Canada and the Government of Yukon and defines the jurisdiction over land and other resources within the traditional territory of the First Nation. In addition to a collaborative management role within a large traditional territory, Yukon First Nations also have management and governance

authority over smaller parcels of settlement land within that territory. The Self-Government Agreements set out the delegation of powers between Canada, the Government of Yukon and the First Nation, including legislative powers. In terms of existing territorial laws of general application, they apply until such time that the law of the individual nation provides for the same subject matter.

#### 3.2.4 The Indian Act and Funding Considerations for Self-Governing Nations

Where citizen-based funding is provided to a Self-Governing First Nation, issues can arise, as citizens of a Nation include individuals who are registered as status as well as non-status beneficiaries.

Self-Governing First Nations receive funding from the federal government based on their registered status membership list; however, they have an obligation to treat all of their citizens equally as set out in their individual constitutions. This places Yukon First Nations in a position where they must then provide funding to their non-status beneficiaries that matches the amount provided to those registered as status members, regardless of whether they have the resources or not.

Furthermore, when funding is provided to a self-governing First Nation, the distinction between on or off-reserve no longer applies as status as defined in the Indian Act does not apply to self-governing First Nations in the Yukon. This is

particularly important to note as federal funding announcements for “on reserve” initiatives are often not accessible by Yukon First Nations.

The three Yukon First Nations that do not have self-government agreements or settled land claim agreements remain governed under the *Indian Act*. The Liard First Nation is located on the Yukon and British Columbia border and has nine parcels of reserve lands located in B.C. The

Ross River Dena Council and White River First Nation have

lands called “Lands set Aside”,

which, while sharing some characteristics of reserve land, are not classified as reserve lands. As such, despite remaining under the *Indian Act*, these Nations encounter their own issues accessing funding for on-reserve initiatives.



THERE ARE NO INDIAN ACT  
“RESERVES” IN YUKON

Each self-government agreement indicates that financial transfer agreements shall be negotiated between Canada and the First Nation with the objective of providing the First Nation with resources to enable it to provide public programs and services at levels reasonably comparable to those generally prevailing in Yukon. It is imperative that any recommendations stemming from the Commission with respect to funding for programs and services reflect the self-governing status of Yukon First



Nations rather than simply referencing on or off reserve funding.

Nation-to-nation consultation and negotiation according to each self-governing First Nation's Agreement will help determine the best way to meet Yukon First Nation citizens' needs.<sup>ix</sup>

### 3.2.5 Yukon First Nations Culture

Yukon First Nations fall under eight different language groups with many distinct dialects between nations that share a language. Most Yukon First Nations are governed by a clan system that follows the mother's lineage, as is representative of matriarchal culture. These clan systems are like a governance structure, in that they define lines of authority, decision making, and law (including natural or traditional law). Marrying within one's own clan is an act that is forbidden under traditional law, as those of the same clan are considered close relatives. Traditional names of children are passed down through families and clans. Clan systems are still followed and respected today by most Yukon First Nations.

### 3.3 Government of Yukon's Collaborative Relationship with Yukon First Nations

Many successful collaborative efforts between the Government of Yukon and First Nation governments have been undertaken to address the unequal treatment of First Nations people by government departments as agencies. These include the work of the Police Review Co-Chairs and Advisory Committee and the subsequent Sharing Common Ground report, as well as related work undertaken by Indigenous women's organizations.

#### 3.3.1 Sharing Common Ground

The RCMP provides police services to the territory under a Territorial Police Service Agreement between the federal government and the Government of Yukon. The Agreement establishes that 70 percent of policing costs will be paid by the Government of Yukon and 30 percent will be paid by Canada. The RCMP refer to the Yukon as "M" Division.

In April of 2010, a review of Yukon's police force was launched after two incidents shook the public's confidence in the RCMP. In one situation, two off-duty RCMP members in a small Yukon community were charged and later found not guilty of sexually assaulting a member of the public. The other concerned the circumstances experienced by Raymond Silverfox in the holding cells at the Whitehorse detachment in

the hours prior to his death in those cells.

While these high-profile incidents caused many citizens to generally question how the RCMP operated in the territory, Yukon First Nation citizens had more immediate concerns with the RCMP based on personal experience or hearsay. First Nations raised concerns about the RCMP's response to calls for assistance in situations involving domestic violence and sexualized assault as well as concerns about being treated with indifference or disrespect when interacting with the RCMP. This was a common theme with respect to individuals in vulnerable situations such as acutely intoxicated persons and offenders with mental health and cognitive disorders such as fetal alcohol spectrum disorder.

A number of First Nation people noted their frustrations, suspicions and lack of knowledge about the process for making a complaint against the RCMP. It was within this context that the Government of Yukon's Minister of Justice established the 2010 Review of Yukon's Police Force.<sup>x</sup>

*Sharing Common Ground: Report on the Review of Yukon's Police Force* captured the comments of Yukon citizens and RCMP members that were shared during their discussions with the Co-Chairs and the Advisory Committee members and brought forward recommendations. Concerns about gender-bias policing, reluctance to

engage with police, allegations of abuse of and/or indifference to vulnerable citizens, including acutely intoxicated persons, were noted in the report. Some First Nations citizens characterized their negative experiences with RCMP as evidence of racism.

The most common theme that surfaced was trust. Many citizens that had frequent contact with the police indicated that they had lost trust in the RCMP's ability to uphold the force's core values. The Co-Chairs of the review felt that restoring the trust in the RCMP in First Nation communities and with vulnerable and at-risk citizens was absolutely essential and crafted recommendations with a goal of building a new relationship between the public and the police.<sup>xi</sup>

Over the course of the next three years, the RCMP, the Government of Yukon's Department of Justice, the Council of Yukon First Nations and partners including the Kwanlin Dün First Nation, the Yukon Women's Coalition<sup>xii</sup> and many others worked to implement the recommendations contained in the Sharing Common Ground report. The collaborative approach and leadership of the three Co-Chair organizations, along with the investment and commitment of partners on the advisory committee, were key elements in the thoroughness of the review and later in the implementation stage. As a result of some of the key recommendations, there have been many systems-focused changes implemented including:

- the establishment of the Yukon Police Council;
- the design and construction of a new Arrest Processing Unit;
- the establishment of the Specialized Response Unit for responding to domestic violence and sexualized assault;
- the signing of an agreement with the Government of Alberta for dedicated access to the Alberta Serious Incident Response Team to provide independent investigations of serious incidents involving the RCMP, and
- the development of a Yukon First Nations History and Cultures program to help police and other service providers better understand the communities in which they live and work.<sup>xiii</sup>

### 3.3.2 Together for Justice

Following the police review, the Liard Aboriginal Women's Society (LAWS) launched a unique community safety initiative called "Together for Justice" with the goal of fostering more just and effective responses to violence against women. A series of workshops and discussions were organized by LAWS and the RCMP to promote dialogue, improve relationships, and review information on the nature of violence and



resistance, the role of social responses, and the power of language (February 2011 - March 2013 in Watson Lake and Whitehorse).

Participants included various people from the RCMP, the Government of Yukon, non-government agencies and other community partners. The sessions focused on the justice system, policing, culture, historical colonialism and residential schools to explore and understand how society responds to women who experience violence. A powerful outcome of the project includes the Together for Justice Safety Protocol between LAWS and the RCMP to increase opportunities for collaboration between the RCMP, LAWS and other key partners in Watson Lake<sup>xiv</sup>.

### 3.3.3 Yukon Forum

The Yukon Forum was created in 2005 under the *Cooperation in Governance Act* to formalize the government-to-government relationship between the Government of Yukon and Yukon First Nations. After the election of November 2016, Yukon's Premier and Chiefs agreed to hold a Yukon Forum with a focus on developing the framework for a new relationship between the Government of Yukon and First Nation governments. A Joint Priority Action Plan identifies next steps for shared work on fiscal relations, land claims and self-government implementation, and bi-lateral and tri-lateral processes for engagement.

### 3.4 Yukon Indigenous Women's Organizations

Although the marginalization and vulnerability of Indigenous women and girls has only recently become more evident to the general public, Indigenous women have been keenly aware of it for decades. In the Yukon, there are three Indigenous women's organizations that have done tremendous work toward giving a voice to Indigenous women and girls and raising awareness about issues that impact them daily - the Yukon Aboriginal Women's Council, its sister organization the Whitehorse Aboriginal Women's Circle and, the Liard Aboriginal Women's Society in Watson Lake. We owe the women driving the efforts of these organizations a tremendous amount of gratitude for the strength, bravery and endurance they have demonstrated while bringing issues forward that have and continue to impact Indigenous women and girls, often with limited staff and resources.

In October of this year, the Government of Yukon and the Status of Women Canada announced a joint funding collaboration to support Yukon Indigenous women's organizations. The organizations had recently renewed funding agreements with the Government of Yukon over a three-year period. The federal government matched the Government of Yukon's contribution to support activities related to the development and implementation of strategic planning processes, organizational skills and other capacity-building activities.

The goal of the combined funding is to improve the capacity of these important organizations to address systemic issues impacting Indigenous women in the Yukon. Although this opportunity was appreciated and well-received, we are cognizant of the fact that Indigenous women's organizations have expressed the need for long term funding and that operational and management streams need to be included in their agreements so programs are sustainable. The Government of Yukon greatly values the contributions that Indigenous women's organizations make toward understanding and finding solutions to violence against Indigenous women and girls.



ANY RECOMMENDATIONS IN THE COMMISSION'S  
FINAL REPORT THAT ARE FOCUSED ON FUNDING  
ABORIGINAL WOMEN'S ORGANIZATIONS MUST  
HIGHLIGHT THE IMPORTANCE OF SUSTAINABILITY  
AND THE NEED FOR MULTI-YEAR AGREEMENTS  
WITH LESS ONEROUS REPORTING REQUIREMENTS.

## 4. Looking Ahead and Meaningful Change

While Yukon has meaningful intergovernmental and interagency collaborations with Indigenous governments and women's organizations, we know there is more work to do. However, the Government of Yukon has and is making some important changes in several key areas that we believe will have a positive impact on families of missing and murdered Indigenous women and girls and survivors of violence.

The circumstances that lead to violence against Indigenous women and girls are complex, and the solutions need to be holistic. To this end, there needs to be community support and healing opportunities that are directed not just towards women, but also towards Indigenous men, who are struggling with the same legacy of residential schools, the child welfare system and other racist laws and policies. Men have an important traditional role to play with respect to preventing, intervening and responding to violence against women.

### 4.1 Prevention of Violence

#### 4.1.1 Community Safety

What we heard clearly throughout the Inquiry is that in order for women to be safe, their communities must be healthy. According to Statistics Canada in 2011, the rate of police-reported violence in the Yukon was four times higher than the national

average. For Indigenous women, this rate was even 3 to 4 times higher than that. With this in mind, the Government of Yukon has taken steps toward community safety planning. We see this as an excellent example of both preventing violence and improving the long-term response as it directly involves and engages the communities that are impacted most by violence. We have taken a lead from the work that the Kwanlin Dün First Nation has done with their Community Safety Initiative. One of its most successful components has been the creation of a Community Safety Liaison Officer program which has made impressive strides toward creating accessible, sustainable and culturally-relevant justice services for KDFN citizens (see Section 6.0 of the final submission of the Kwanlin Dün First Nation for more details).

In undertaking its work, the Government of Yukon has considered options with respect to “Crime Prevention through Environmental Design” or CPTED. We have taken a broader view of CPTED and consider it to be only one component of a more comprehensive community safety planning process – one that includes community assessment, gap analysis, priority setting, visioning, community mobilization and implementation. In exploring options to support community safety planning for Yukon First Nations, we recently collaborated with the Council of Yukon First Nations and Public Safety Canada to deliver a workshop for First Nations and Yukon stakeholders

on Public Safety Canada's Aboriginal Community Safety Initiative.

The focus of the workshop was on awareness of the new call for crime prevention proposals, information on the new national crime prevention portal and evidence-based programs, and an information session on community safety and wellness planning. During the workshop, there were four First Nation governments that confirmed immediate interest and readiness to proceed with community safety planning and we were pleased to see nine proposals submitted following that.

Canada indicated they have funding available for three to four Yukon First Nations to undertake this process starting this year. Once a community completes a community safety plan, they will then be eligible to apply for up to \$100,000 in implementation funding. As encouraging as this is, we have heard the need for multi-year, federal funding agreements that include operational and management streams and less onerous reporting requirements.

In order to build safer communities, we believe that the biggest impact can be made by working with First Nation Governments and our partners and that true, meaningful change will only occur if we engage with and support the communities to develop their own Community Safety Plans.

#### 4.1.2 Prioritizing LGBTQ2S+ Non-discrimination

As recommended in the Commission's Interim Report, it is important that Federal, Provincial, and Territorial governments publicly acknowledge and condemn violence against Indigenous women, girls and LGBTQ2S+ people and reform and/or repeal of discriminatory legislation. The Government of Yukon is currently conducting a review of legislation, policies, and practices to ensure it meets the rules and social standards for LGBTQ2S+ non-discrimination. Inclusiveness, equality, and a respect for diversity are principles critical to our people-centered approach to wellness that will see all Yukoners thrive.

We have taken a number of steps to ensure trans, two-spirit, and non-binary Yukoners have equal access to Government of Yukon programs and services, including through legislative changes (see Appendix C).

In the spring of 2018, the Government of Yukon contracted QMUNITY, a BC non-profit organization that works to improve the lives of LGBTQ2S+ people to lead a pre-engagement and gather feedback on how the Government of Yukon can design and implement safe, dignified and inclusive public services. QMUNITY is training and working with local co-facilitators and note takers with a focus on building local capacity. The public engagement has been formally launched, and the Government of

Yukon will be hosting community dialogues, in-depth focus groups and an online survey to help identify priorities for a government-wide action plan.

## 4.2 Improving Short-term and Long-term Responses to Violence

### 4.2.1 The Sexualized Assault Response Team

In addition to higher violent crime rates, the rate of police-reported sexualized assault is similarly over three times higher in the Yukon than in the rest of Canada. We know that violence against women is underreported and that statistics do not show the physical and emotional harm, such as fear, frustration, confusion, hurt, disappointment, anxiety, and depression. Numbers also cannot capture the impact of violence and crime on family and loved ones.

In December 2017, the Government of Yukon committed to improving services for victims of violence and sexualized assault by fostering a more responsive and culturally relevant system through the creation of a Sexualized Assault Response Team (SART) to better coordinate existing medical and victim services to ensure there is continuity of care and wrap-around services for victims of sexualized assault.

There are components still being implemented, however, working in partnership (Government of Yukon, RCMP, Yukon Hospital Corporation, Kwanlin Dün First Nation) we have completed:



- an MOU between the Yukon Hospital Corporation and the Department of Health and Social Services;
- a SART cart, that will be available in the Emergency Department of the Whitehorse General Hospital for Sexual Assault Exams;
- engagement by a medical expert with key partners on all aspects of the affected medical system to inform policy, protocol and training;
- a detailed service mapping linking all critical systems, and
- priority access for victims of sexualized assault at the Mental Wellness Hubs that are located in Whitehorse and the communities.

Other, critical components are well underway and include:

- The hiring of a Clinical Coordinator and Victim Support Coordinator;
- Negotiations with a host organization for a crisis line;
- Forensic and medical policies and protocols; and,
- Training for the SART multi-disciplinary team.

More extensive outreach with First Nation governments, Indigenous non-profit organizations, and the Council of Yukon First Nations is also underway to ensure that cultural safety is at the heart of integration of victim and clinical supports.

For example, we know that some people feel more comfortable disclosing to

elders, versus an RCMP officer, victim service worker or doctor. Ensuring that our SART incorporates cultural practices and preferences in such a way that increases safety and healing for victims is critical. Victims currently have access to services that will assist them, whether they present in a time of crisis or with a historic trauma.

This work is a high priority for us and we are getting close to realizing the ultimate goal of the Sexualized Assault Response Team, which is to create a gold standard of holistic care.

#### 4.2.2 RCMP Historical Case Unit

As identified in the Commission's Interim Report recommendation calling for more immediate, proactive, and thorough investigations into Indigenous women's, girls' and LGBTQ2S people's deaths and disappearances, the Government of Yukon has provided resources over the next three years to the RCMP "M" Division for the creation of a Historical Case Unit. This will support additional full-time officers to investigate historic homicides and missing persons' cases, and be available to support the Major Crimes Unit if needed when suspicious deaths occur. The unit's mandate specifically includes investigating activities related to the MMIWG National Inquiry and liaising with victims' families, Yukon First Nations, community organizations and other partners.

## 4.3 Education, Economic Empowerment and Self Sufficiency

A focus on education, training, leadership and economic empowerment of

Indigenous women forms part of the long-term responses to violence within our Yukon communities.

### 4.3.1 Redesigned School Curriculum

Yukon schools follow British Columbia's school curriculum and program of studies. From August 2016 to May 2017, the Government of Yukon discussed changes to the school curriculum with Yukon communities. In September, 2017, curriculum changes were introduced with a focus on classroom instruction and assessment, as well as the integration of Yukon First Nation ways of knowing and doing. Kindergarten to Grade nine classes started using the new curriculum during the 2017-2018 school year and grades 11 and 12 will start in September, 2019.

In November, 2017, the Government of Yukon unveiled a visual art project to illustrate the Government of Yukon's redesigned school curriculum.<sup>xv</sup> (see Appendix C)

### 4.3.2 Yukon Tourism Development Strategy

In November, 2018, a Yukon Tourism Development Strategy was released. The Steering Committee tasked with providing advice on the development of the strategy emphasized:



*“Yukon First Nations’ knowledge, values and cultures are the foundation of the Yukon’s identity. Sustainable tourism development supports reconciliation, including Chapter 22 of the Umbrella Final Agreement, by providing Yukon First Nations opportunities to participate in the economy. Together, we are working to share and celebrate the Yukon’s rich and diverse heritage in a meaningful and authentic way”.*

Support for new and enhanced visitor experiences and awareness for Yukon First Nations tourism, including the opportunity for better alignment of cultural and visitor information centres is identified as a priority in the strategy.<sup>xvi</sup>

The strategy also included a Yukon First Nations Tourism Summit to be led by the Yukon First Nations Culture and Tourism Association which occurred December 11-12, 2018 and culminated with the signing of a Memorandum of Understanding between the Government of Yukon, the Yukon First Nations Culture & Tourism Association and the Indigenous Tourism Association of Canada to create opportunities to grow Indigenous tourism in the Yukon.

#### 4.3.3 Community Development Fund

In June, 2018, the Government of Yukon updated the guidelines of the Community Development Fund to make the program more responsive to the needs of Yukon First Nations. An expansion to the eligibility criteria enables First Nation development corporations to apply for funding to support their community-level initiatives. This will allow for a more diverse range of projects to achieve the Community

Development Fund program objectives of supporting community well-being by creating jobs, generating spending on Yukon goods and services, and generating social, cultural and economic benefits for all Yukon residents and communities.<sup>xvii</sup>

#### 4.3.4 Cultural Industries

Recognizing that economic empowerment is one antidote to preventing violence against Indigenous women and girls. When combined with an enhanced knowledge of and pride in one's own culture and traditions, the preventative effects are exponentially improved.

In 2019, the Government of Yukon will be embarking on a Cultural Industries Plan. The United Nations agency UNESCO has defined 'culture' as the "set of distinctive spiritual, material, intellectual, and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs." Culture therefore includes a diverse array of things that are important in Yukoners' lives including indigenous world view, multi-culturalism, sport and recreation, the northern way of life, our unique history as a territory, etc.

The 'Creative and Cultural Industries' are a subset of culture that focus on the creation, production, promotion, distribution and commercialization of cultural goods

(e.g. sound recording, music publishing, book publishing, film, interactive digital, craft, visual arts) and the labour force and institutions required to support that.

We believe that entrepreneurial opportunities for Indigenous women in the creative and cultural industries sector are a way to close the economic disparity between women and men; to lift women and girls out of poverty through meaningful, flexible work in any Yukon community.

## 4.4 Supporting Healing

### 4.4.1 Funding Participation in the Inquiry

One recommendation identified in the Commission's Interim Report called for the Federal, Provincial, and Territorial governments to provide project funding, in addition to regular operation funds, to help ensure Indigenous organizations' full and meaningful participation in the National Inquiry. The Government of Yukon has been supporting members of the Yukon Advisory Committee to participate in quarterly meetings as mandated in their Terms of Reference and also supported a delegation from the Yukon Aboriginal Women's Council to attend Commission's hearings in St. John's, Newfoundland in the fall of 2018.

### 4.4.2 Finding our Faces

An incredible recent example of support for healing can be found in a project the

Government of Yukon supported that was led by the Whitehorse Aboriginal Women's Circle called Finding our Faces, which focused on dedicating a monument to residential school survivors and the publication of a book of memories. The project honours the more than 100 former students who attended the Whitehorse Indian Mission School, which operated from 1947 to 1960. The monument's artist, Ken Anderson, met with former students before designing the monument and settled on a design that includes nine wooden stools placed in a circular formation on a concrete block, encircling an etched design of the former school. Each stool is intentionally different to reflect the uniqueness of each student despite school policies that saw all the students receive the same haircut and assigned uniforms. An opening in the circle is meant to encourage people who did not attend residential school to join the circle and be part of the healing.

A book called *Finding our Faces* was also distributed at the event, and it documents photos and stories from students who attended the school. It is a second edition, because the original release prompted other students to come forward with more pictures and stories.<sup>xviii</sup>

#### 4.4.3 Land Based Programs

In Section 7.0 of its final submission to the National Inquiry, the Kwanlin Dün First Nation provided details regarding the land-based healing centre at Jackson Lake.

Similarly, the Liard Aboriginal Women's Society identified the need for land-based programming in its final submission. Such programs serve many purposes from addictions treatment, to cultural reclamation, to healing from trauma such that felt by so many survivors and family members impacted by the reality of missing and murdered Indigenous women and girls.

#### 4.5 Revisiting Child Welfare Legislation

Given that the recognition of culture, identity and family is critical to the foundation of our healthy communities, another area that is a high priority for the Government of Yukon is around working to keep Indigenous children with their biological families, extended kin or within their communities. The Government of Yukon's *Child and Family Services Act* came into effect in April, 2010, emphasizing collaboration with First Nations governments and including requirements to involve First Nations in planning, service delivery, court proceedings and adoption planning.

Where no provision for extended family was provided before, the Act now prioritizes extended family placements and provides support to extended family to care for a child. The Act also recognizes adoption according to First Nation customs. An Advisory Committee was established in May of this year to guide a legislative review, with four of the six members nominated by Yukon First Nations.



The Government of Yukon recognizes that there is room for improvement in the implementation of the *Child and Family Services Act* and we are committed to continuing to work with First Nations governments to get it right. A Memorandum of Agreement (MOA) signed in October 2012 between the Government of Yukon and the Kwanlin Dün First Nation provides a framework for working together on child welfare matters. In September 2016, the Government of Yukon and Kluane First Nation also signed an MOA. The Government of Yukon continues to engage with other First Nations, with the goal of establishing bi-lateral government-to-government MOAs with each First Nation.

## 5. Conclusion

The Government of Yukon will need to rely on the wisdom, experience and skill of First Nation Governments, Indigenous Women's organizations and other key partners to chart the path to a future without missing and murdered Indigenous women in girls in our territory. The Government of Yukon feels the Commission's final recommendations would be most effective if they took a similar, collaborative approach that the Commissioners for the Truth and Reconciliation Commission of Canada took when crafting their Calls to Action by directing not only the federal and provincial/territorial governments to take action but by calling on Indigenous governments, municipal governments, other key stakeholders and organizations and all citizens to redress the high rates of violence that continue to plague Indigenous women and girls in Canada.

Commissioners must remain focused on Indigenous women and girls as human rights holders as discussed in Amnesty International's 2004 report: *Stolen Sisters-A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada*. Final recommendations must address the root causes of violence against Indigenous women and girls in Canada as identified in the End of Missing Statement by Dubravka Šimonovic, United Nations Special Rapporteur following her official visit to Canada in April, 2018.

It is also imperative that the final recommendations reflect the unique circumstances of Yukon First Nations and the need to apply a different framework to funding and one that takes a citizen-based approach and not on Indian status.

## 5.1 Closing the Circle

The Government of Yukon is looking forward to hosting the Commissioners once again for a ceremony in May of 2019, essentially closing the circle. The significance and sacredness of the circle in Indigenous culture and ceremony is well-known, and the Government of Yukon is honoured once again to be able to be a part of this significant event. As the work of the Commission winds down, it is our hope that the words spoken by respected Elder William Carlick at the Whitehorse community hearings continue to bring comfort to everyone who participated in this journey, and in particular to all the families and survivors.

*“We give thanks to all our ancestors that are coming to help us as we stand here in the sacred circle – the ancestors from outside the universe, the ancestors inside the universe, the grandmothers and grandfathers up on High Mountain that watch over us as we go about what needs to be done, give us strength, help us heal. We give thanks to all of those. They ask only one thing of us, is that we also help them heal and look out for them, honour them. It is important going forward that we all work together because we’re all created the same. We are all the same.”<sup>xix</sup>”*

## Appendix A – Chapters of the Umbrella Final Agreement

Chapter	Title
1	Definitions
2	General Provisions
3	Eligibility and Enrollment
4	Reserves and Land Set Aside
5	Tenure and Management of Settlement Land
6	Access
7	Expropriation
8	Surface Rights Board
9	Settlement Land Amount
10	Special Management Areas
11	Land Use Planning
12	Development Assessment
13	Heritage
14	Water Management
15	Definition of Boundaries and Measurement of Areas of Settlement Land
16	Fish and Wildlife
17	Forest Resources
18	Non-renewable Resources
19	Financial Compensation
20	Taxation

21	Taxation of Settlement Land
22	Economic Development Measures
23	Resource Royalty Sharing
24	Yukon Indian Self-Government
25	Transboundary Agreements
26	Dispute Resolution
27	Yukon Fish and Wildlife Enhancement Trust
28	Implementation and Training for Settlement Implementation



## Appendix B – Yukon First Nations

(in order of self-government)

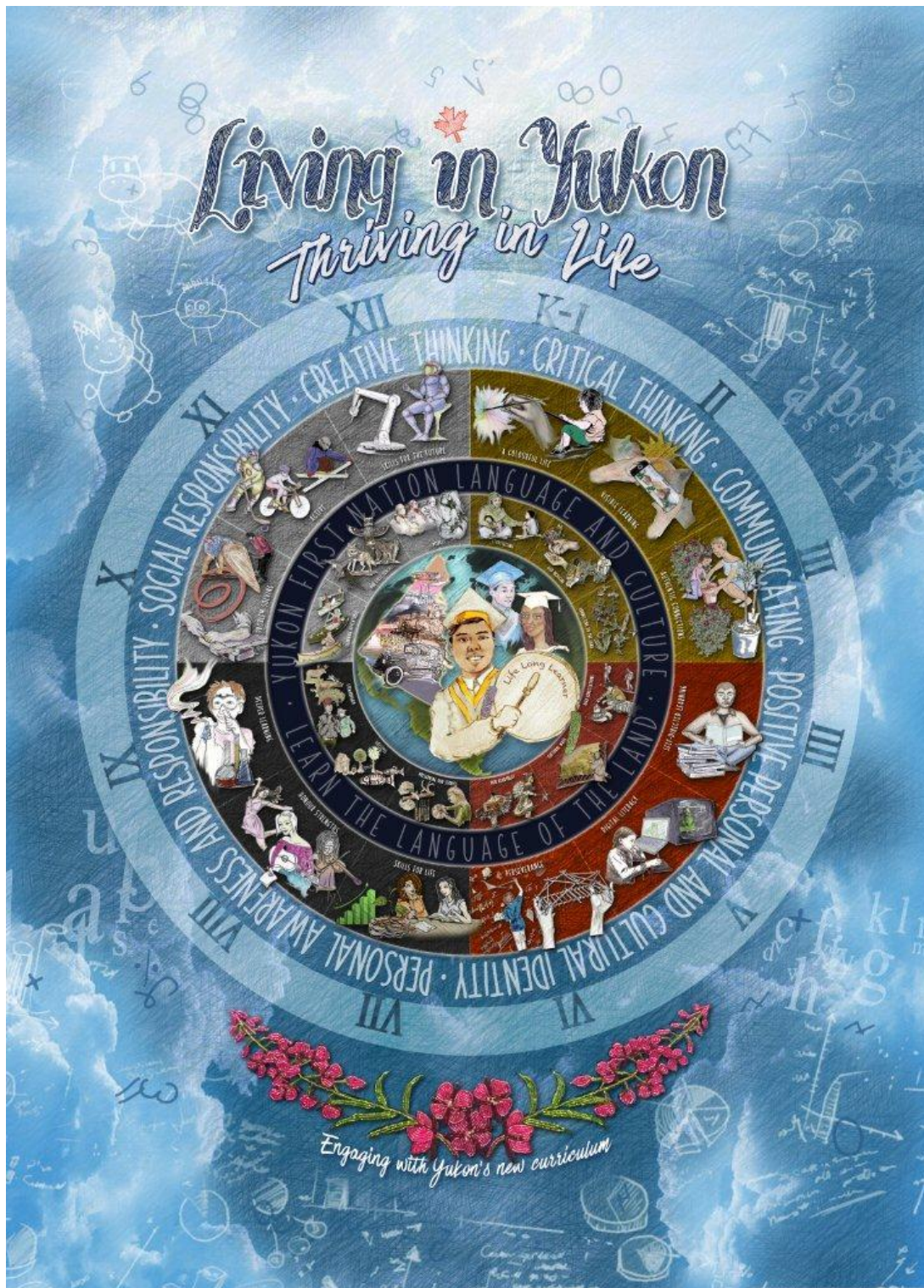
1. Champagne and Aishihik First Nation (settled land claims; self-governing since 1993)
2. First Nation of Na-Cho Nyäk Dun (settled land claims; self-governing since 1993)
3. Teslin Tlingit Council (settled land claims; self-governing since 1993)
4. Vuntut Gwitchin Government (settled land claims; self-governing since 1993)
5. Little Salmon Carmacks First Nation (settled land claims; self-governing since 1997)
6. Selkirk First Nation (settled land claims; self-governing since 1997)
7. Tr'ondëk Hwëch'in First Nation (settled land claims; self-governing since 1998)
8. Ta'an Kwäch'än Council (settled land claims; self-governing since 2002)
9. Kluane First Nation (settled land claims; self-governing since 2003)
10. Kwanlin Dün First Nation (settled land claims; self-governing since 2005)
11. Carcross Tagish First Nation (settled land claims; self-governing since 2006)
12. Liard First Nation
13. Ross River Dena Council
14. White River First Nation

## Appendix C – LGBTQ2S+ Legislative Changes in Yukon

Act	Date of Assent	Impact
Yukon's <i>Human Rights Act</i> and the <i>Vital Statistics Act</i>	June 2017	to protect transgender and gender non-conforming people from discrimination and provide them with better access to government services
<i>Gender Diversity and Related Amendments Act</i>	April 2018	to promote gender diversity on a number of Government of Yukon boards and committees
<i>Equality of Spouses Statute Law Amendment Act</i>	October 2018	modernizes existing legislation and speaks inclusively of all sexual orientations and gender identities



Appendix D – New Curriculum Artwork





This artwork is visual representation of what Yukon citizens are excited to see in Yukon's new school curriculum. The original is a large poster size canvas with beading. It was produced in collaboration with local Yukon artist and storyteller Rhoda Merkel, Lance Burton and a group of student artists from the Youth of Today Society.

Rhoda attended community meetings and spoke with students, parents, teachers and community members to collect their thoughts and opinions on Yukon's new school curriculum. She worked to create a story from the voices she heard. In this piece, the story is brought to life in drawings and digital images by Lance and a group of youth artists.

Copies of this artwork will be put up in schools across the territory so students, parents, educators and community members can see what Yukon thinks education should look like for students to be “Living in Yukon and thriving in life.” [Download the image in PDF format >>>](#)

This poster is also available in French. [Download the image of the French poster in PDF format >>>](#)

What does it mean? The story behind the images

## **Kindergarten to Grade 12: Time to get learners ready**

The outer circle is shaped like a clock with the grade levels for Kindergarten to Grade 12 instead of hours.

## **Core competencies: Foundations for success**

In the second most outer circle are the six core competencies that are a focus of the school curriculum: communication, creative thinking, critical thinking, positive personal and cultural identity and personal awareness and responsibility. These skills are essential to student learning, along with foundational skills in literacy and numeracy.

## **Hands-on learning**

The outermost images illustrate the learning and skills that we heard are important for students to be successful. Many of the images contain hands, a reference to hands-on, meaningful learning, an important piece of the new school curriculum.

## **Working with Yukon First Nations**

The text and images in the inner circle demonstrate the Department of Education's commitment to working with Yukon First Nations to integrate language and culture into the school curriculum. The images show Yukon First Nations' values that can be passed on to students to live and learn.

## Learners for life

The centre of the artwork features our diverse and successful graduates, with lifelong learning at the heart on the drum. This is a powerful image that expresses the vision for education in Yukon – happy, healthy, thriving citizens with the drive to keep learning all throughout life.

## Endnotes

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<sup>i</sup> Summary of work in Yukon leading up to the Inquiry retrieved from: *Connecting our Spirits, Recommendations from the 2015 Gathering of Yukon Families of Missing and Murdered Indigenous Women and Girls*.

<sup>ii</sup> Retrieved from: <https://www.yukon-news.com/news/national-report-includes-missing-and-murdered-yukoners/>

<sup>iii</sup> Information retrieved from various sources including: <https://soundcloud.com/cbcyukon/walking-with-our-sisters-community-conversation> and <https://www.yukon-news.com/sports/exhibit-commemorates-missing-and-murdered-aboriginal-women/>

<sup>iv</sup> Quotes retrieved from the Whitehorse Community Hearings transcripts dated May 30, 2017, May 31, 2017 and June 1, 2017.

<sup>v</sup> Information retrieved from various sources including: <https://mappingtheway.ca/>, <https://cafn.ca/about/history-of-cafn/>, <http://www.eco.gov.yk.ca/aboriginalrelations/maps.html>.

<sup>vi</sup> Information retrieved from: <https://cyfn.ca/agreements/umbrella-final-agreement/>

<sup>vii</sup> Retrieved from: [https://cyfn.ca/wp-content/uploads/2013/10/together\\_today\\_for\\_our\\_children\\_tomorrow.pdf](https://cyfn.ca/wp-content/uploads/2013/10/together_today_for_our_children_tomorrow.pdf)

<sup>viii</sup> Retrieved from: <https://mappingtheway.ca/our-agreements>

<sup>ix</sup> The need for a different framework and consultation with self-governing First Nations with respect to federal funding was recently highlighted in the following media stories: <https://www.whitehorsestar.com/News/strategy-could-better-address-needs-kdfn-chief> and <https://www.yukon-news.com/news/teslin-tingit-council-lawsuit-over-federal-funding-to-be-heard-in-court-next-week/>

<sup>x</sup> Information retrieved from Sharing Common Ground: Review of Yukon's Police Force Executive Summary found at: [http://www.policereview2010.gov.yk.ca/pdf/Sharing\\_Common\\_Ground\\_Executive\\_Summary.pdf](http://www.policereview2010.gov.yk.ca/pdf/Sharing_Common_Ground_Executive_Summary.pdf)

<sup>xi</sup> Information retrieved from Sharing Common Ground Review of Yukon's Police Force Executive Summary found at: [http://www.policereview2010.gov.yk.ca/pdf/Sharing\\_Common\\_Ground\\_Executive\\_Summary.pdf](http://www.policereview2010.gov.yk.ca/pdf/Sharing_Common_Ground_Executive_Summary.pdf)

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<sup>xii</sup> Yukon women's organizations established a Women's Coalition as a mechanism for women's organizations to be able to work together in response to the recommendations in Sharing Common Ground. The purpose of the Coalition was to ensure the continued representation of the concerns and priorities of Yukon women and women's organizations, including First Nations women, in the Sharing Common Ground implementation process. Coalition member organizations include: Yukon Women's Transition Home Society, Victoria Faulkner Women's Centre, Whitehorse Aboriginal Women's Council, Liard Aboriginal Women's Society, Les EssentiElles and the Yukon Status of Women's Council. An outcome of the Women's Coalition was the creation of the Together for Safety Protocol between Yukon Women's organizations and the RCMP

<sup>xiii</sup> Information retrieved from the Sharing Common Ground Review of Yukon's Police Force Final Report on Implementation found at:  
[http://sharingcommonground.gov.yk.ca/pdf/Sharing\\_Common\\_Ground\\_Implementation-\\_final\\_report.pdf](http://sharingcommonground.gov.yk.ca/pdf/Sharing_Common_Ground_Implementation-_final_report.pdf)

<sup>xiv</sup> Information retrieved from the Liard Aboriginal Women's Society website at  
<http://www.liardaboriginalwomen.ca/index.php/about-2/together-for-justice>

<sup>xv</sup> Information retrieved from: <http://www.education.gov.yk.ca/curriculum-artwork.html>

<sup>xvi</sup> Information retrieved from: <https://yukon.ca/en/news/community-development-fund-updated-be-more-responsive-needs-yukoners> and <https://www.cbc.ca/news/canada/north/yukon-indigenous-tourism-conference-carcross-1.4944910>

<sup>xvii</sup> Information retrieved from: <https://yukon.ca/en/news/community-development-fund-updated-be-more-responsive-needs-yukoners>

<sup>xviii</sup> <sup>xviii</sup> Information retrieved from: <http://www.ckrw.com/news/local-news/whitehorse-residential-school-survivors-remembered/>

<sup>xix</sup> Retrieved from the Whitehorse Community Hearings-Day 3 transcripts