National Inquiry into
Missing and Murdered
Indigenous Women and Girls

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

National Inquiry into Missing & Murdered Indigenous Women & Girls

Truth-Gathering Process - Parts II & III

Institutional & Expert/Knowledge-Keeper Hearings:

"Criminal Justice Oversight and Accountability"

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Panel II: "Criminal Justice Oversight and Alternative Programs"

Connie Greyeyes, Advocate

Jacqueline Hansen, Amnesty International Canada

The Honourable Kim Beaudin, STR8UP, 10,000 Little Step to Healing

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Winnipeg Police Service	Sheri Bell (Representative), Kimberly D. Carswell (Legal Counsel)

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--- The hearing starts on Tuesday, September 18, 2018 at 8:05

MS. NADINE GROS-LOUIS: Nous allons débuter la deuxième journée des Audiences de gardiens du savoir/d'experts et de représentants d'institutions sur les mécanismes de surveillance et de reddition de compte du système de justice pénale. So, good morning. I will start Day Two of the Knowledge Keeper, Expert and Institutional Hearing on Criminal Justice Oversight and Accountability.

Alors, j'espère que hier soir vous avez pu profiter de la belle température et de la ville, d'aller vous promener. Il y avait également Sir Paul McCartney qui était au Centre Vidéotron. Alors, j'espère qu'il y a des gens qui ont pu en profiter. So, I hope that last night, last evening you enjoyed the weather and walking around in the city. There was also Sir Paul McCartney concert close from here, so hopefully a few of you had the chance to enjoy the city or the concert or enjoyed your evening.

Alors, pour débuter la journée sur un bon pied, on va demander à notre ainée, Pénélope Guay, de nous offrir quelques mots. Ensuite, je pense qu'il y aura un chant pour nous qui nous sera offert. Et on va également procéder à allumer le qulliq. So, this morning to start

the day, we will have Penelope, Elder Penelope Guay, that will say a few words for us. We are going to have also a song and we are going to also light the qulliq.

MS. PENELOPE GUAY: Bon matin. Alors, on va faire un bout ce matin et toute la journée ensemble. C'est notre deuxième journée. Ça va être quand même une journée assez longue aujourd'hui. Une journée qui va demander beaucoup d'amour, de simplicité, et de courage. Alors, ce matin j'aimerais faire -- ce n'est pas moi qui vais faire le chant parce que -- mais j'inviterais ma fille ici à venir faire un chant pour débuter la journée, un chant traditionnel. C'est vrai qu'on est des Innu, mais j'aimerais aussi dire que j'ai oublié, puis je m'excuse, de dire qu'on est sur le territoire des Huron-Wendat, et je remercie de nous acquérir sur leur territoire.

(MUSICAL PRESENTATION)

Mme PENELOPE GUAY: Alors c'est vraiment un chant pour rendre hommage à nos ancêtres, rendre hommage aux personnes aussi qui sont parties dans le monde des esprits. Et je remercie Ginnie (phon.), pis j'ai le sifflet pour dire merci au créateur d'être là aujourd'hui avec nous, nous aider à traverser cette journée.

Je vous remercie, passez une belle journée.

Mme NADINE GROS-LOUIS: Nakurmiik,

Penelope.

Maintenant j'inviterais Elder Rebecca Veevee to -- oui, pour l'allumage du qulliq, so I'll invite you, Elder Veevee to light the qulliq. And Elder is going to say a few words in Inuktitut and Commissioner Robinson will offer the translation.

We'll pass them.

ELDER REBECCA VEEVEE: Good morning. (Speaking in Inuktitut)

COMMISSIONER QAJAQ ROBINSON: Good morning, everybody, thank you for coming. We've gathered again for a single purpose but with many purposes as well. But in honour of -- I'm thinking of our loved ones and our relatives we have gathered again.

ELDER REBECCA VEEVEE: (Speaking in Inuktitut)

COMMISSIONER QAJAQ ROBINSON: And as we gather here today to work together to see to this work, think about doing this together and without obstacles and without barriers because that is the way best to move forward.

ELDER REBECCA VEEVEE: (Speaking in Inuktitut)

COMMISSIONER QAJAQ ROBINSON: Keep in mind that the qulliq is a source of light and without light we

don't have anything. So keep that in mind today as we do our work and as we sit here in the presence of the light.

Thank you.

Mme NADINE GROS-LOUIS: Nakurmiik. Merci beaucoup pour ce beau chant, merci beaucoup de garder la lumière pour nous. Donc nous allons, commencer le panel 2 à 8h30, soit dans 10 minutes. Le panel 2 est sur Les mécanismes de surveillance du système de justice pénal et des programmes alternatifs. Les témoins seront Jacqueline Hansen, Connie Greyeyes et l'Honorable Kim Beaudin.

Donc, we'll start at 8:30 in about 10 minutes with Panel 2 on Criminal Justice Oversight and Alternative Programs. Witnesses are Jacqueline Hansen, Connie Greyeyes and Honourable Kim Beaudin. So see you in 10 minutes.

Merci.

--- Upon recessing at 8:18

--- Upon resuming at 8:42

CHIEF COMMISSIONER MARION BULLER: Good morning.

MS. CHRISTA BIG CANOE: Good morning, Chief Commissioner, Commissioners. Commission counsel would like to call our next panel for this week. This week, and today in particular, we're fortunate to have three witnesses with us to discuss Criminal Justice Oversight

and Alternative Programs. Once we get started, I'll actually be speaking with each of the witnesses, but just so that everyone knows, today with us we have Jacqueline Hansen, Connie Greyeyes and the Honourable Kim Beaudin.

Today we'll be exploring -- I anticipate the witnesses will be providing you some evidence in relation to "Out of Sight, Out of Mind", which is a report done by Amnesty International, as well as various programs and campaigns in relation to MMIWG campaigns and coordination and community mobilization. And the Honourable Kim Beaudin will be also sharing with us about alternative programs, specifically gang rehabilitation.

And so I would just like to start the morning first with asking that -- the way -- just to give you a roadmap, the way we're going to do this this morning is that Jacqueline and Connie will be testifying together, so I'll ask that they're both promised in on a feather to start. We'll have a short break and then I'll be calling the second part of the panel, which is the Honourable Kim Beaudin and we'll have him promised at that time.

So Mr. Registrar, if I could have both Jacqueline Hansen and Connie Greyeyes-Dick sworn in on feathers. I will just pass them their feathers.

MR. BRYAN ZANDBERG: Good morning. I guess we'll begin with -- I am over here -- we'll begin with

Jacqueline Hansen.

Jacqueline, do you promise to tell the truth in a good way today?

MS. JACQUELINE HANSEN: Yes, I do.

--- JACQUELINE HANSEN, SWORN

MR. BRYAN ZANDBERG: Thank you.

And Connie -- Connie Greyeyes, same question for you. Do you promise to tell the truth in a good way today?

MS. CONNIE GREYEYES-DICK: Yes, I do.

MR. BRYAN ZANDBERG: Thank you.

--- CONNIE GREYEYES-DICK, SWORN

MS. CHRISTA BIG CANOE: Thank you.

---EXAMINATION-IN-CHIEF BY MS. BIG CANOE:

MS. CHRISTA BIG CANOE: Ms. Greyeyes-Dick, may I call you Connie?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CHRISTA BIG CANOE: Connie, if you could just -- I'd like to start some questions with you, if I may. Could you please share a little bit of background about yourself? As comfortable as you are sharing with the group, you know, where you're from and some background for us.

MS. CONNIE GREYEYES-DICK: Okay. My name is Connie Greyeyes, the daughter of Veronica and the late

Joseph Greyeyes. I hail from the Bigstone Cree Nation of Treaty 8 Territory. I'm the mother of two sons, Jason and Jordan, whom I adore. I live and have resided my whole life in Fort St. John, British Columbia, which is northeastern B.C., also part of Treaty 8 Territory, but Dunneza Territory. I've spent the last -- about 10 years working with families raising awareness of missing and murdered Indigenous women and girls and safety in our community, violence towards Indigenous people and lands. I'm quite honoured to be here today. Thank you.

MS. CHRISTA BIG CANOE: Thank you, Connie.

I noticed that you provided us some material, including your Curriculum Vitae, that discusses your professional profile, this is believe was at Tab B of the materials. And I'm just wondering if there's anything that you want to highlight from your professional profile and career.

MS. CONNIE GREYEYES-DICK: I think the most important thing that I'd like to highlight is that working with the families and having support circles and groups with women and girls of each of the communities that surround Fort St. John has been -- has been the most important work that I've done besides raising my sons. And yeah, it's been -- it's been quite a journey in and around working with families and -- that's about the one

thing that I would -- I would say is the most highlight of the things that I've done.

MS. CHRISTA BIG CANOE: Excellent. And is it fair to characterize the type of work you've done as really frontline work, working hand in hand with community members and pulling, as you've discussed, circles, pulling together people to provide services in circles in a cultured and good art way?

MS. CONNIE GREYEYES-DICK: It is, I would consider that most of it is grassroots and frontline where I volunteered many times and for a long time at the Women's Resource Centre where you actually have the opportunity to speak with the women as they are coming in and their experiences, and that has been the main source of the work that I have done.

MS. CHRISTA BIG CANOE: Excellent. If I may, Chief Commissioner, I would request that I can admit Connie Greyeyes-Dick's curriculum vitae as an exhibit.

CHIEF COMMISSIONER MARION BULLER: The CV for Connie Greyeyes-Dick will be Exhibit 15, please.

--- Exhibit 15:

CV of Connie Greyeyes-Dick (three pages)

MS. CHRISTA BIG CANOE: Thank you. Connie, can I ask you just a little bit about your involvement or

contribution to the report we are going to be talking about in a little while, Out of Sight, Out of Mind. What was your role in the process?

MS. CONNIE GREYEYES-DICK: Well, for several years, I had travelled to Ottawa to attend the National Vigil. And, one year, we decided that there were so many names that we were representing from the Northeast region, that we bought a big banner and attached some of the women's names to it. And, incidentally, Jackie and Craig Benjamin had seen that and invited me for coffee, and we started talking about the Northeast region and the resource extraction that happens, what is occurring down there to the lands, the mistreatment of the Indigenous people there.

And so, when the conversation started, I was very happy to know that they were interested in coming and doing some research down there. So, my role in it was bringing -- they came down and I -- since I had done so much work with communities, that I had a lot of people that I knew, and we travelled to the communities and spoke with women and girls, and community members, regarding their experiences with the resource extraction that was happening, the man camps and their own personal stories.

MS. CHRISTA BIG CANOE: Is it fair to characterize part of your role as a collaborator with the

project and towards the report?

MS. CONNIE GREYEYES-DICK: I would think it so, yes.

MS. CHRISTA BIG CANOE: And, is it fair to say that your role included working with the individuals that were providing some insight for the base of the report?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CHRISTA BIG CANOE: So, you were really acting in that frontline capacity, that connection to community that is so crucial when you are trying to elicit information from those who are living the experience, is that a fair characterization?

MS. CONNIE GREYEYES-DICK: It is.

MS. CHRISTA BIG CANOE: Thank you. Chief Commissioner, Commissioners, I am asking that Connie -- and I am presenting Connie as an institutional witness today. However, I am requesting that she not be qualified as an expert, but that she is able to provide opinion evidence in the area of First Nation advocacy, but specific to social justice and victim advocacy, and as a collaborator in the Out of Sight and Out of Mind report.

Before I ask you to permit that opinion evidence, I am just going to look out to my friends and see if there's any objections to Ms. Greyeyes making such

opinion evidence during her testimony. Seeing no objections, I would request that you consider what I have put before you.

CHIEF COMMISSIONER MARION BULLER: Yes. Certainly we are satisfied that Ms. Greyeyes has the requisite experience, training and education to give opinion evidence with respect to First Nations justice, but more specifically social justice and victim advocacy for Indigenous families, and as a collaborator for the report, Out of Sight and Out of Mind.

MS. CHRISTA BIG CANOE: Thank you. Jacqueline, may I call you "Jacqueline"?

MS. JACQUELINE HANSEN: Yes, you may.

MS. CHRISTA BIG CANOE: Can I ask you some questions as well, please?

MS. JACQUELINE HANSEN: Of course.

MS. CHRISTA BIG CANOE: Maybe the same starting point that we have had with Connie. Can you please share with us what you are comfortable, a bit about your background?

MS. JACQUELINE HANSEN: I am the Major Campaigns and Women's Rights Campaigner with Amnesty International Canada, I cover women's rights and LGBTI rights issues both in Canada and internationally for the English speaking branch of Amnesty Canada. I co-lead the

No More Stolen Sisters campaign, along with my colleague, Craig Benjamin, and co-researched and co-authored the Out of Sight, Out of Mind report. I am based at our national headquarters in Ottawa. And, prior to my work with Amnesty working on human rights issues, I covered disarmament issues globally, again looking at the application of international law to domestic context.

MS. CHRISTA BIG CANOE: Thank you, Jacqueline. You also provided us a curriculum vitae, I believe for ease of reference that is in Schedule A. I was wondering if you -- you have already, kind of, discussed some of your previous campaign work, but I was wondering if there were any other highlights that you wanted to bring to our attention from your curriculum vitae.

MS. JACQUELINE HANSEN: A lot of what I do, and what all of us at Amnesty do, is we really advocate alongside our grassroots partners. And so, I think that a great component of the work that we do is solidarity work, and so I think that's -- our greatest strength is amnesty as an organization, and my greatest privilege in my career is actually being able to act every day alongside people, like Connie Greyeyes, to help create positive social change.

MS. CHRISTA BIG CANOE: And, I notice when

I am looking at your CV, that the number of major campaigns, and you touched on this briefly, and you had just told us that one of the ones you do specifically to missing and murdered Indigenous women, is the No More Stolen Sisters. Can you just tell us a little bit about that whole campaign as, like, a national campaign that Amnesty International works on?

MS. JACQUELINE HANSEN: So, 14 years ago, Amnesty International launched and released the No More Stolen Sisters report, which became the basis of what is now a 14 year old campaign. We knew that Indigenous women at the grassroots level had been trying to sound the alarm bell about the scale of the violence for many years, and we were thrilled to be able to partner with community activists to be able to share some of the stories of some of the stolen sisters and to be able to put forth some recommendations for state action.

And so, for the last 14 years, we have been campaigning for the implementation of these recommendations, one of which was the creation of this Inquiry. And so, we continue to partner with grassroots activists to implement the recommendations from the Stolen Sisters report from 2004, as well as the follow-up report from 2009.

MS. CHRISTA BIG CANOE: Thank you. May I

actually call you "Jackie"?

MS. JACQUELINE HANSEN: Yes, you may.

MS. CHRISTA BIG CANOE: Thanks, Jackie. You had mentioned -- and I just would like to ask a further question, although it doesn't seem like it is on point to what we are talking about today. Your experience in international campaigns, particularly as they are related to landmine and cluster munition monitoring program, I am assuming -- is it fair to assume that that has provided you a lot of insight in working in the international law arenas, and in your further work with international investigations by bodies like CIDA or the UPR, or any number of the UN other groups. Can you tell us a little bit about how your work from 2005 and 2013 has contributed to the work you are doing today?

MS. JACQUELINE HANSEN: Yes. So, the work I did prior to being with Amnesty was working on the campaigns to ban landmines and cluster munition. So, it was working with grassroots civil society activists from around the world, to monitor how states were complying or not complying with international treaties. So, what we were trying to do was promote adherence to international laws banning these victim activated weapons.

So, I was very comfortable when I moved over to Amnesty, basically switching treaty bodies, and

looking once again at the international human rights standards and looking at how they apply in the domestic context. So, just swapping out victim activated weapons for women's rights and LGBTI rights.

MS. CHRISTA BIG CANOE: Thank you. I notice that you have also in your CV, that you had have the opportunity to be in a number of positions, like project officer and assistance. And, just so we can situate it for anyone watching on a webcast or who might not be in the room, when we say campaigns, what I mean -- I think a lot of people, when they hear the term "campaign", their mind automatically goes to, like, a political campaign. So, I am wondering if you can help contextualize. When you say I do work or I lead campaigns, what are we talking about?

MS. JACQUELINE HANSEN: I would say that it is a call for social change. So, all of the work that I had done throughout my career has been about promoting adherence to international law and implementation of international law in national contexts. And so, that's what those campaigns have been about, is encouraging state adherence to those international and national standards.

MS. CHRISTA BIG CANOE: And, what are some of the tools that a campaign would use? Like, how do you actually put it out into the public sphere the social

change you are trying to achieve?

MS. JACQUELINE HANSEN: Well, the first step is always research, and Amnesty, as well as my previous work, has always been about advocacy-oriented research. It's about making sure that we have solid data, because you need that data to be able to have a solid campaign. You need the right information to then know what you're advocating for and how you're going to advocate for it.

Certainly, at Amnesty, a lot of what we do is public mobilization. So, public education, educating people about human rights standards, about human rights abuses, and really empowering people to then take action in support of human rights and to end human rights abuses and ensure we address it for survivors.

MS. CHRISTA BIG CANOE: Thank you, Jackie. I also understand, and you had mentioned earlier, that you're one of the co-authors of the report we'll be discussing today, Out of Sight, Out of Mind?

MS. JACQUELINE HANSEN: This is correct. My colleague Craig Benjamin and I co-researched and co-wrote the report, but I think -- I mean, really, it was great that Connie was qualified first, because this report really could not have been done without Connie. It was the love and trust and the relationships that she has with

communities that made the report possible.

MS. CHRISTA BIG CANOE: Thank you. Chief Commissioner and Commissioners, I kindly request that Jacqueline Hansen's C.V. be marked the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. Ms. Hansen's C.V. will be Exhibit 16.

--- Exhibit 16:

CV of Jacqueline Hansen (three pages)

MS. CHRISTA BIG CANOE: And, based on the testimony that Jackie has given us thus far, along with her C.V., I am going to request -- I am presenting her as an institutional witness, and she currently is with Amnesty International. However, I would like to qualify her so that she could provide opinion evidence in community mobilization and coordination of national and international campaigns on women and human rights issues, and as the co-author of Out of Sight and Out of Mind.

Before I ask you to make a determination on that, I just look to my friends, the parties withstanding, to see if there's any objections to Ms. Jacqueline Hansen being able to provide opinion evidence in those two areas?

And, seeing no objections, I kindly ask you to make a determination on my request.

CHIEF COMMISSIONER MARION BULLER: Yes. We're satisfied on the evidence that Ms. Hansen has the

necessary experience, training and education to give opinion evidence with respect to community mobilization and coordination of national and international campaigns on women and human rights issues, and also as the co-author of Out of Sight and Out of Mind. Thank you.

MS. CHRISTA BIG CANOE: Thank you. So, some of these questions will be for both of you, and sometimes I will direct them to you individually.

I'm going to actually direct this one to Jackie to start, to ask if you could please just give a little more background information about Amnesty International, more as an organization than to any one specific campaign?

MS. JACQUELINE HANSEN: Certainly. Amnesty International is a global movement of 7 million people working to ensure that the human rights of everyone, everywhere are respected, protected and upheld. So, we are working in Canada. We are working around the world. We have country sections. I work for the English-speaking branch of Amnesty International Canada. We have a French-speaking branch of Amnesty International Canada based in Montreal.

And, really, what we do is advocacy-oriented research, as well as campaigning in support of human rights. And, what we really do is solidarity work.

We undertake work at the request of and alongside grassroots activists, people who have experienced human rights abuses. We try to shine a light on human rights abuses in Canada and around the world, which often aren't known and don't make headline news. We try to change -- advocate for changes in laws and policies so that they are consistent with international human rights, norms and standards.

We sometimes try to advocate for international law to be strengthened so that it can better protect human rights. And, first and foremost, we also try to walk along with survivors and ensure that they receive justice and redress for harms.

MS. CHRISTA BIG CANOE: Thank you. And, now, this one is for Connie, because you had already explained to us how when you went to Ottawa, you had met with Jackie and Craig. But, what engaged you to work particularly on this project for the purposes of collaborating on Out of Sight, Out of Mind with Amnesty?

MS. CONNIE GREYEYES-DICK: I think the main thing has always been for me that my mom and dad had always taught us to do what we could to help people. And, we have our own family story of a murdered woman, and that had really hit me really deeply, and I felt that somebody needed to start saying something from our region. I have

many friends who are currently missing from my region that were close to me.

And, when the opportunity presented itself with Jackie and Craig and this friendship that I had made with them, when the opportunity came to be able to tell these stories of the women and the girls from my region, it was a no-brainer, you know? I had to -- I had to be part of it, because I knew that it was going to be something so important and so needed in our region; that the resource extraction that occurs in my area and the disregard to Indigenous rights, the women, girls and families, there needed to be -- needed to be held to a spotlight. And, that's how I ended up being involved in it.

MS. CHRISTA BIG CANOE: Excellent. Thank you. Before we actually jump into Out of Sight, Out of Mind, I note that in the materials that you provided there are two other reports. Jackie already talked briefly about the 14-year-old No More Stolen Sisters, the need for a comprehensive response to discrimination and violence against Indigenous women in Canada, and that is in Schedule D of the materials.

And, I think this is probably a good starting point, because it gives a little bit of context behind before we get to Out of Sight, Out of Mind, and

looking at a more regionalized look at the impacts of resource development and extraction, as well as how Indigenous women in that region.

So, if I can ask a few questions about the No More Stolen Sisters? And, you know, Jackie, as part of your campaign, you actually received No More Stolen Sisters, and you had mentioned -- this is a 2004 report. So, it's somewhat dated. However, I'm going to ask if you wanted to highlight any particular portion of the report for us? Or, if you wanted to talk more generally about the themes that really are important to pull out and discuss at this point?

MS. JACQUELINE HANSEN: I think the important part -- thing about this report is that fourteen years later, the findings are valid today, and I think that shows a failure to implement actions at the state level to end this domestic human rights crisis of missing and murdered Indigenous women and girls. Many of the families whose stories are profiled in this report are still seeking justice. The combination of racism, of sexism, the factors that we examine that contribute to the staggeringly high rates of violence against Indigenous women and girls, you know, these factors have not changed.

And so, I think it's problematic that we're almost 15 years later and the report could have been

written today, and we probably would have written it very much the same way.

MS. CHRISTA BIG CANOE: Specifically, one of the sub-topics that's found on page 7 is the human rights gap. So, one of the points of the report is actually to look at the circumstance and situation of missing and murdered Indigenous women and girls as a human rights issue. So, right -- even in 2004, there was this kind of standing the issue from a human rights lens. Can you say anything about that?

MS. JACQUELINE HANSEN: Yes. I mean, Amnesty International is an international human rights organization. Obviously, this is the lens that we're looking at this issue through, and we are looking at the failure to protect women from violence, from discrimination, failure of the duty to protect. And, one of the things that really came out strongly in this report, which we built upon in the Out of Sight, Out of Mind report, is really the duty of due diligence at the state level which has been set out very well as it relates to violence against women in particular, to the point where, you know, this is accepted, that this is the legal standard. And, the standard is that, you know, states need to do their homework. States need to do everything that they can to prevent harm, to prevent human rights

abuses. And, we found then as we have found now that at the state level, Canada has failed in its duty of due diligence to protect Indigenous women and girls from experiencing violence and discrimination.

MS. CHRISTA BIG CANOE: And, in the same report, there's a reference to stolen generations, and I think that your -- I anticipate that both your evidence in relation to all three of the reports, but particularly to Out of Sight, Out of Mind, is going to focus on issues of colonial legacy ...issues that the National Inquiry has heard from many witnesses and experts in terms of the harms of residential schools and the Sixties Scoop.

And we see in 2004 there's the way it contextualized not just the colonial legacy but the stolen generations concept, sort of a continuation, kind of making a parallel between the disappearances of Indigenous women not that much different than some of the colonial legacy that removed Indigenous people from their communities and put them in other institutions.

Is that a fair assessment?

MS JACQUELINE HANSEN: That's a fair assessment. Our research took as a starting point the previous and the ongoing impacts of colonialism and I think that is something that we just need to take as the starting point throughout all of our research. And my

understanding is that it has come out strongly in much of the other testimony and we're not going to focus on it today but it really is something that is foundational and a key part of all of the research that we've connected.

MS. CHRISTA BIG CANOE: And Connie, can I ask you a question particularly as it relates to "No More Stolen Sisters" but as your lived experience working with families and victims. It's fair to say that the impact that intergenerational harm that people have experienced as a result of that legacy of colonialism such as the Indian residential school or displacement from communities, it impacts even everything you're seeing in the work you do today. Is that fair?

MS. CONNIE GREYEYES: It is fair. You know, even myself as a daughter and a granddaughter of my ancestors attending residential schools, you know, even I even feel those impacts daily and it is -- it's definitely fair to say that it is hugely connected to what we're seeing today with regards to the women and girls in my region.

MS. CHRISTA BIG CANOE: Thank you. One last note on "No More Stolen Sisters", on page 26, there are recommendations to the Government of Canada and on 27 there's recommendations to the Government of British Columbia.

Now, Jackie, I understood you to say that, you know, this came out in 2004 and we'd probably be writing the same report today because there hasn't been implementation or a serious look at the recommendations.

So did you have anything further you want to specifically talk about in terms of the recommendations that were made in 2004 and either the failure to implement or take them seriously and the impact it's still having?

MS JACQUELINE HANSEN: I think two of the major things that we've pulled out in this report that just so much remain valid today, one is the issue of data collection and the lack of publicly available disaggregated statistics on the levels of -- on both the perpetrators and the victims of violent crime disaggregated by Indigenous identity.

You know, this is not having information till the 2014 operational review by the RCMC and then not having consistent data since remains the problem. And as well, there's still no national action plan to prevent and address gender-based violence in Canada. And so many of our recommendations are about really having a coherent, a comprehensive national -- I mean by national we mean all levels of government working together -- response to violence against women, violence against Indigenous women and girls in particular. We called for that 14 years ago.

We still don't have that now.

MS. CHRISTA BIG CANOE: Thank you.

Chief Commissioner and Commissioners, I would like to tender this particular report "No More Stolen Sisters: The need for a comprehensive response to discrimination and violence against Indigenous women in Canada" authored by Amnesty International as the next exhibit, please?

CHIEF COMMISSIONER MARION BULLER: Yes. The report "No More Stolen Sisters: The need for a comprehensive response to discrimination and violence against Indigenous women in Canada" by Amnesty International, 2004 will be Exhibit 17.

--- EXHIBIT NO./PIÈCE No. 17:

"No More Stolen Sisters: The Need for a Comprehensive Response to Discrimination and Violence Against Indigenous Women in Canada," Amnesty International Publications, 2009, Index: AMR 20/012/2009 (32 pages)

MS. CHRISTA BIG CANOE: Thank you.

If I could ask some questions about another report which is "Canada's Stolen Sisters" and this is in the schedule under E, "A human rights response to discrimination and violence against Indigenous women in

Canada". This I understand came out in 2014 -- I'm sorry, I stand corrected. Is it ---

MS JACQUELINE HANSEN: No, this is actually -- you're looking at the 2004 report. The one that was already entered in is actually the 2009 follow-up report which did five years later.

MS. CHRISTA BIG CANOE: My apologies. Thank you for correcting me on that.

MS JACQUELINE HANSEN: So we've entered the 2009 report and this is the 2004 report.

MS. CHRISTA BIG CANOE: Sorry, the 2009 report went in and the 2004 report, thank you, was the -- if we could spend a little bit of time on this as well, and I'm going to ask the same question.

Is there anything in particular that you would like to highlight from this report that still has meaning and matter today?

MS JACQUELINE HANSEN: I think that we basically covered it. I mean the 2009 report that we just discussed was an update to the 2004 report. I just draw your attention to the recommendations at the end, so the recommendations which cover pages 35 to 36. And again, you'll see that these recommendations, you know, very much remain accurate and valid now.

MS. CHRISTA BIG CANOE: One of the things I

would also note is that in the 2004 report, there are actual stories, like lived experience stories, and actually I would like to ask Connie what do you think the importance of, in these types of reports, having the lived experience is and the impact it can have?

MS. CONNIE GREYEYES: I think that when you include the lived experiences in the stories of the actual people that these are affecting, it really brings home the importance of why we need to have these.

Like to me, there are minimum standards and I know for myself the majority of the things that I've done and worked with have been just lived experiences with families and to me it just really -- it really pushes the importance and really puts those faces to these reports so that -- so that somebody that's reading it can actually see that these are real people that this is affecting.

These are real families. These are real children who don’t have their parents anymore, you know, and they need to be in there.

MS JACQUELINE HANSEN: Christa, if I may, I think that this first report in particular came at a time when there was like, you know, still concern around media portrayal of many cases and at this time this was a way to work with family members with their consent to tell their loved one's story in the way that they wanted to have

their loved one's story told.

And that was deeply important to find out who -- you know, to really show Indigenous women are loved and valued and, you know, let's learn about some of the wonderful things about some of these women, who they were, how they are loved, how much they are missed, and that was really essential to the approach taken to those stories that were shared in this report.

MS. CHRISTA BIG CANOE: And one of the points you just touched on, this concept of consent and the families being empowered to tell their stories in their way, that was one of the key methodologies in producing this report too if I understand correctly.

MS JACQUELINE HANSEN: Correct.

MS. CHRISTA BIG CANOE: And the National Inquiry has also heard really hundreds and hundreds of stories and putting the truth first but a point that you've made is this was 14 years ago and we still find ourselves trying to sort of amplify the voices of the people most impacted and that continues to be important.

Can I get your opinion on that, Connie, about from an Indigenous victim being able to tell their story in a format where people will listen but it's on their terms? Why does that matter?

MS. CONNIE GREYEYES: Because quite often

when stories of a woman that has gone missing or has been murdered, there's a stereotype that's attached to it. And for a family to be able to go and tell their story, their truth of their loved one is so important because we are not what the media often portrays us to be.

You know, we are mothers, grandmothers, aunties, sisters. We are ceremonial people. You know, I've seen so many stories of my own personal friends in the media and have been just disgusted by the way they've been portrayed. So for the families to be able to speak to their loved one and their loved one's truth is so important.

MS. CHRISTA BIG CANOE: Thank you.

And at this point, Chief Commissioner and Commissioners, and just so it's clear, this is the 2004 report. Thank you for correct again, Jackie. This is entitled "Canada's Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada" authored by Amnesty International.

May we please have this marked as the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. "Canada's Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada by Amnesty International 2004 is Exhibit 18,

please.

--- Exhibit 18:

"Canada Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada," Amnesty International Publications, October 2004, Index: AMR 20/003/2004 (37 pages)

MS. CHRISTA BIG CANOE: Thank you. So, I think this kind of then has, you know, given us a good opportunity to understand at least some of the context and history of the work that Amnesty did leading up to Out of Sight, Out of Mind.

And so, I am not sure who is most comfortable answering my next question, but either of you are both welcome to answer. It is -- you know, you have already given a little bit of background about why Out of Sight, Out of Mind came, but can we learn some more about why there was a need to write Out of Sight, Out of Mind?

MS. JACQUELINE HANSEN: Absolutely. Out of the Stolen Sisters Campaign, we have been speaking with family members, with grassroots activists across the country, and -- about the nature of the scope of the problem and the solutions needed. And, in repeated conversations, it just -- it kept coming up, this link with resource development, and we didn't know a lot about

it, but it just kept coming up in different conversations and different parts of the country.

So, we started perking up our ears and listening closely, and started looking more into the issue. And, we, you know, read Pauktuutit Inuit Women of Canada's incredible study on Baker Lake. We learned more about the work of Necausley) First Nation, the report around the Mount Milligan Mine, the work of Québec Native women around Plan Nord. And, we also started looking at this pattern of rights abuses related to Indigenous women in particular and in the energy sector in other countries. We were primarily looking at the global south.

Then, one of those discussions was with Connie and another grassroots activist from Northeast B.C. So, our ears were already perked up. We were -- we recognized there was something here needing some further study. And, after speaking with Connie, another activist from Fort St. John, it really became clear that there was a need to understand better what was going on in Northeast B.C. in particular and in Canada, more generally. And, we received organizational support as well as the invitation from community to really come in and to look at this issue.

We cast a broad net. You know, we didn't want to go in, obviously, with a set of conclusions

already in our heads. We knew that we needed to learn more, and we spent an awful lot of time in Connie's pickup truck driving around Northeast B.C. going out to communities, learning more. And, that included, you know, a series of field visits between 2015 and 2016, it included over a hundred interviews with community members, with violent survivors, with current and former industry workers, with all levels of government, with law enforcement.

And, I have to admit, you know, because we cast a broad net, because we truly wanted to understand the many interconnections between gender and Indigenous rights, and energy development in Northeast B.C., it was complex. We probably rewrote our report outline 50 times over a summer, and I am not joking, because the interactions were so complex that it took a lot of time to figure out how best to frame it to do justice to the stories that had been shared with us and to properly understand the interconnections and to come up with a rights-based report with some solid recommendations.

I really key part of this was making sure that what we -- that we got it right. We wanted to make sure we had that responsibility to communities to get it right. And so, near the end of the research process, we actually went back to Northeast B.C. and we workshopped

the draft research findings with community members and said, "Did we totally mess this up or did we manage to do justice to what you shared with us?" And, luckily the response was positive. And then the report came out two years ago.

MS. CHRISTA BIG CANOE: Excellent.

MS. JACQUELINE HANSEN: It has been quite a journey.

MS. CHRISTA BIG CANOE: Now, you have spoken a little bit about, sort of, the process, but just so we are clear on this, the scope and methodology employed for the purpose of doing this, you have already talked a little bit about how you relied on community invitation, how you engaged in, sort of, mobilized community to get that input, and then you workshopped. Is there anything else you wanted to discuss in relation to the scope and methodology of the project?

MS. JACQUELINE HANSEN: I mean, obviously it was qualitative research. It included significant desk research and review of previous reports and studies, as well as field research in Northeast B.C. We met, for example, with the RCMP a number of times during the course of our research. We met with government officials repeatedly both at the beginning of the process, but also to discuss the research findings. We also met with

provincial government officials before the report was launched.

And then it was really important to us when we launched the report to do it in communities. So, we held a press conference in Vancouver, but most importantly then we went to Fort St. John and we -- it was a community forum. And, we had a municipal official there, someone from the local RCMP detachment was there. Two officers Division actually flew up from Surrey just for this community forum. And, we packed the auditorium and had quite an in-depth, lively, robust discussion about the report findings, and that is what we wanted.

This isn't just -- for us, the work was actually just starting when the report was released, because we wanted this to be a tool for communities to be able to use in their advocacy. We wanted this to be information that was a living document that people could use to create social change and we hope that it has been a useful tool for that.

MS. CHRISTA BIG CANOE: Thank you. Now, we have already briefly talked about the legacy of colonialism, and there was a visual that went up, and I am going to ask that it be recalled. It is titled, Legacy of Colonialism. And so, it is at page 7 of the report. There we go. Yes.

And so, is it fair to say that the report starts at a point of acknowledging the legacy of colonialism? Like, in the report, as part of your methodology, you didn't have to go all the way back and explain every single detail of the legacy of colonialism. But, here we see, in the report, a visual. Why is this visual necessary if you are looking at the document as a tool of advocacy for many people and not just the Indigenous people who already know the issues?

MS. JACQUELINE HANSEN: We documented a very complex set of interactions. And, we wanted a very simple visual way of trying to convey a very complex set of things. And, it took a lot of time actually to look at visually how we could do that. But, we really wanted to acknowledge right up front clearly, visually that the legacy of colonialism is front and centre, and needs to be part of the foundational understanding of what we are seeing in Northeast B.C. And then we tried to break it down in a number of ways. But, having that visual up front and centre and that acknowledgment was central to the report. And, we actually had an entire chapter looking at the legacy of colonialism and the impacts in Northeast B.C.

MS. CHRISTA BIG CANOE: Thank you. One of the things that this report does, much like the two other

ones, and I think you said earlier, "Well, yes, Amnesty International is a human rights-based organization," is it actually characterizes -- the report itself characterizes the obligation to protect the human rights of Indigenous people. So, the other one -- the other report we talked about talks about human rights, but this one actually contextualizes and says there is an obligation to protect the human rights of Indigenous people. Can you tell me a little bit about that position in this paper and why it is there?

MS. JACQUELINE HANSEN: Yes, and then it would be great for Connie -- Connie can talk about what that really looks like in reality in Northeast B.C. I mean, under international human rights law, you know, the States have an obligation to do everything that they can to promote both individual and collective wellbeing. So, everything from the right to education, the right to health, the right to live free from discrimination, the right to live free from violence and governments, you know, really are expected to take every measure to both prevent abuses, to acknowledge when abuses have occurred and to ensure justice and redress to make sure that the harms are not repeated.

And so, when we were, you know, looking at this, you know, we need to acknowledge that these

international laws don't just live at the international level. The international laws are meant to be implemented at the national level, the federal level, at all levels of government. And, these are international laws that Canada not only is party to, but in many cases, Canada helped to champion and to develop. So, really what we are looking at is the application of those international laws that Canada is party to as, you know, legally obliged to implement, and looking at how or how not those international laws are being implemented, and what does this really translate to at the grassroots community level.

What we also recognize is we -- you can't just look at one right and look how it is right violated or not in isolation from other rights. And, a large part of how we had to set up this report to really truly tell the story of Northeast B.C. was to acknowledge previous harms, acknowledge contemporary ongoing harms.

Key to this report was understanding the ongoing erosion of the land base in Northeast B.C., and the ongoing violations of the land rights of Indigenous peoples and the impact that that is having on the health and the wellbeing of communities. And, we weren't able to separate that from, you know, the right to live free from discrimination, the right to live free from violence, the

right to education, the right to health, because they are all completely interconnected.

So, a lot of our report was kind of laying this methodically out to show how it is all related. We can't talk about this issue, resource development and the impacts of Indigenous women and girls, without talking about dispossession from land, without talking about violation of land rights. And so, that is why we have included this all in the report.

MS. CHRISTA BIG CANOE: And, Connie?

MS. CONNIE GREYEYES-DICK: And, just from, you know, my experience and perspective from where I live, you know, we have an ongoing battle against a project called the Site C Dam that directly impacts my right, and my children's rights and the rights of the Treaty 8 people of Northeastern B.C. to live freely on the land, to exercise our traditional ceremonies, because of the mass amount of land that they intend on flooding, burial grounds of the ancestors of the people that lived there.

You know, we live in a region that is unable to actually make that connection to treaty -- to our human rights as Indigenous people in Canada and the destruction of our human rights as they are doing all of these big energy projects and the destruction of the land. Like, for me, it is easy to make that connection that the

land and the people -- the connection that we have to it. But, if you don't have that understanding, it is really easy to go, "Doesn't matter. You know, like, we need this energy. We need to do this," but they don't -- are not willing to understand from our perspective what that does to us, what that does to our youth who want to know those ways. And, they are making it harder and harder for us to teach our young children and our future generations how to live on the land and what it does for us as Indigenous people.

You know, I also live in a region where my -- well, I use that term lightly, my representative for MP actually said in a public forum that missing and murdered Indigenous women would not be a problem in Canada if we stayed on reserve and got jobs. This is the area that I live in; you know? And, if we don't -- if we are not able to properly have the region that we live in, understand what treaty rights are, and it isn't just -- like, you know, there is a misconception of free gas and we don't pay taxes.

You know, they don't understand that that Treaty 8, as long as the sun shines, the grass grows and the rivers flow, we honour that. And, it is time for them to step up and take a look at these projects that they are approving that directly impact my life and my children's

life, and really take a look at -- if they are really truly interested in working together with Indigenous people, they have to start railroading and trampling on our Indigenous rights, because it affects women and girls in our communities, and their lives depend on it.

MS. CHRISTA BIG CANOE: Thank you. Some of the other highlights, sort of things, that I think might be helpful to discuss, I know that there is a section, at page 25, that talks about policing and Indigenous peoples. Did you want to give us some context on that, Jackie?

MS. JACQUELINE HANSEN: Sure. I mean, I could talk about policing Indigenous peoples. This section is kind of more broadly about Canada, and then we can get into the specific findings about Northeast B.C. I mean, I think just briefly to say that I think the starting point needs to be that -- an acknowledgment of systemic bias in policing in Canada. And, I don't think we really need to say much more about it, because I think we just need to accept that it is and now we need to work on what we will do to change that.

You know, this certainly came out in the CIDA investigation, it came out in the findings of the Inter-American Commission on Human Rights Investigation. It also came out in the Missing Women Commission of Inquiry, also known as the Opal Commission in B.C. And

so, our starting point is that there is a pattern of systemic bias in policing in Canada. And then more particularly with this report, we are trying to understand better how communities are experiencing policing in Northeast B.C.

And, what we found was a pattern very similar to what we see in other parts of Canada, of both over-policing and under-protection. I am not sure if you want us to go into that now or later.

MS. CHRISTA BIG CANOE: That would actually be helpful. I know that it is a concept that many of the parties with standing and the Commissioners may be familiar with, but, you know, as we are a public inquiry, I think that public education piece is important.

I know it has been heard and spoken of in other inquiries, but I think it helps to just briefly explain what is over-policing and under-protection. And, that actually is an evolution of the terminology. It used to be called over-policing and under-policing, and now the language is changing. So, if you could please give us a little bit of that background, I believe it would be helpful.

MS. JACQUELINE HANSEN: Yes. And, actually I think Connie probably has some stories to share that I think would -- to best to help illustrate it. Connie, did

you want to talk about it first, about some of the policing in the communities?

MS. CONNIE GREYEYES-DICK: Oh, sure. So, within our region, there has been several comments when we were doing our -- like just speaking with community members about the policing in our region. It is well-known. You know, many of the people that had talked to us told us, you know, "We know exactly when the police are going to be here for the day. They travel from community to community and spend a couple of hours in community. And, overwhelmingly, the people there said, "You know, if something happens, they've got an hour-and-a-half to get away." She said, "That is how long it takes for them. If we make a phone call, that is how long it takes for the police to get here." Anything could happen in that hour-and-a-half.

And, I think for -- I mean, as a woman, knowing that, you know, a lot of the situations of the women that we spoke to were in some pretty violent relationships that that is scary to know that even the perpetrators know you have this long to get away. And, that is only if, you know, the police happen to not be busy and, you know, that they can get away from Fort St. John right then and head straight out. And, that is if the roads are good.

You know, there are a lot of stories of women who had called the police after having -- after being attacked or beaten up in the community where it was upwards of a couple hours before the police actually made it out there. And, I mean, that is a huge problem, especially when you are thinking in terms of women and girls in communities that don't feel safe to begin with, that knowing that there is a pattern of how the police visit and when. You know, that makes it really easy for predators to do whatever they feel and have time to get away.

You know, so I think that was one of the main things that we heard over and over again was how easily people could do crimes and not have any repercussions, because by the time the police finally got out there, they were long gone.

MS. JACQUELINE HANSEN: And, in terms of the model of policing in Northeast B.C., the RCMP is responsible for policing in Northeast B.C., in Fort St. John -- there is Fort St. John, and then there are a number of First Nations that are within several hours' drive of Fort St. John, and they are all served from the Fort St. John detachment other than Fort Nelson, which has its own detachment and profit other communities are served from Fort St. John.

So, as Connie mentioned, you know, we are talking a minimum hour drive, and that is with good roads. And so, it led to a sense of impunity in communities where people felt like crimes would occur and help was either a long way away or might not come.

Also coupled with that was the sense of having young rookie officers -- you know, this is very much what we heard about yesterday in the testimony. Young rookie officers coming out of Depot, going up north to do their time and then get a different posting, and you know, very much the pattern we hear across the north. And, really, a sense of these officers not being equipped to deal with really complex policing situations. And so, one of our recommendations is actually to flip it on its head, and instead of sending young officers who may not be equipped to deal with really complex challenges, may not have cultural competency training, to be sending experienced officers in. How do you make this a really desirable post? What are the incentives needed to do that, to have this be that, you know, when you're at a certain point in career and you have the experience that this is where you go because you have this experience?

Another thing that came through was really the lack of cultural competency training, and really, the lack of, you know, generally and specifically, really

knowing, understanding the peoples on whose land you are working.

Coupled with that is the fact that the Fort St. John RCMP detachment at the time of our research had the highest case load in the province. And so, this gets -- I hope we get into these findings a little bit more. What we found in areas that host the resource sector is that you have a lot of shadow workers from outside coming in to meet the labour demands. The local labour force isn't large enough, so you're bringing in people to work.

Generally, the pattern is young men. Statistically, young men are a demographic that, you know, is disproportionately -- are disproportionately the perpetrators of violent crimes. So, you can expect, if you're bringing a lot of people from the outside in who are not contributing to the tax base because they're paying taxes elsewhere, you're having a lot of people with stretched policing resources, and the people who are coming in are the demographic associated with higher levels of crime.

So, policing resources themselves are incredibly stretched. And so, the RCMP actually told us that they needed at least one more officer in Fort St. John, but the municipality hadn't been able to provide the funding to make that happen.

And, also in the sense of, you know, the situation where the resources are so stretched because you also have shadow workers who are needing healthcare. So, the healthcare resources are stretched. You know, the highways are in disrepair because of industry, you know?

So, every possible, you know, piece of infrastructure or social service is absolutely stretched. And, what the RCMP shared with us, that was often leading to, is they were doing kind of social service work. They might go to a call out and they're actually providing something that maybe should have been a mental health support. But, when those aren't there, then they were fulfilling that role.

There's also a very high rate of traffic accidents in the northeast. So, the RCMP are also being drawn out to an awful lot of accidents on the Alaska highway. And, this is also drawing already stretched resources away from providing that crucial protection on reserve, as well as providing crucial protections in the urban centres.

So, what we found is young rookie officers, you know, without a connection to community, often not staying a long time, lack of cultural competency training. But, also, just incredibly stretched policing resources, leaving people both in the urban centre and elsewhere

feeling under protected, but then over-policed in the sense of recognizing the systemic bias that they are disproportionately more likely to be -- experience discrimination also at the hands of police, because police mirror the same factors we see in society, and there is racism in society.

MS. CHRISTA BIG CANOE: Right. And so, you've actually -- you've touched -- you've come back around to the over-policing. So, without trying to oversimplify it, the examples of sort of the stretched resources or the inability to respond to calls in a timely fashion, that really highlights the under-protection of services, and you've given us some good reasons why, whereas the racial bias or discrimination that exists represents the over-policing.

Just so that we're clear, too, when we talk about more broadly, but to this region, does over-policing also include when Indigenous activists are asserting their rights, so rights-based -- right-based, you know, we'll see a protest, or blockades, or something. Is it known in this region whether there's over-policing or more resources are brought in to deal with those types of issues?

MS. JACQUELINE HANSEN: That wasn't something we focused on in the course of this research;

that was outside of the scope.

MS. CHRISTA BIG CANOE: But -- and if, Connie, if you could maybe speak to your knowledge about this?

MS. CONNIE GREYEYES-DICK: As far as with the over-policing of activists, really, we only had the one incident where the grandmothers and a couple of community members were arrested for having the camp down protesting the Site C dam. They actually were all arrested and charged for trespassing on their own Treaty 8 territory.

So, that really is only the one instance that I can recall where we've actually been actively -- they actually don't really tend to show up for anything, so -- so it's really hard to pinpoint that. You know, we have a lack of presence of anything municipal or provincial or the police. Whenever we're doing any kind of activism work in Fort St. John, it's sadly not on the radar. But, maybe luckily, it's not.

MS. CHRISTA BIG CANOE: If we can kind of turn our attention from this, but look at, like, the energy development and the impacts that energy development is having, you know, particularly -- and you've already talked about this, Connie, and you too, Jackie, when you talk about those rights, like the rights to access the

land for water, for food. The impacts that energy development are having in this particular area, and what that means even for things like relationship and violence? And, I know that sounds like a big question, but I'm just trying to leave it broad enough for you to start where you're comfortable, and then we can drill down a little.

MS. CONNIE GREYEYES-DICK: So, with regards to what you mentioned there with relationships, violence, the energy sector that we live in, there's such a huge -- there's such a huge problem that we're seeing every single day, even in the grassroots, people that are working with families and women.

You know, one thing to remember is that, you know, where else in any other region are you going to be an 18-year-old showing up into a community and making upwards of $3,000 to $4,000 every two weeks? And, that's for entry level labourer working in the oil sector.

We often find that the women face a tremendous amount of violence and abuses, one of the main ones being financial abuse. Within Fort St. John, it's near impossible for a woman to actually leave a relationship and not live in deep poverty. Because of the industry that surrounds Fort St. John, we're known as the "energetic city" for a reason. The development is rampant there, which has caused food, housing, everything to

skyrocket. You know, you can rent a really, really run down one-bedroom apartment for upwards of $1,200 a month. Or, you know, you're looking at paying hydro bills that are $400 to $500 a month -- or, every three months now because, you know, we have to pay for this project that's trampling on our rights.

So, we've found that often women, when they're speaking about leaving and, you know, we're there to support, often say, "I can't leave. I'm going to put up with it because I don't want my kids to live in poverty. You know, he says that if I leave, then he's not going to help me."

And, when you have -- for myself, you know, when you have -- I can't imagine being in that situation where I have to choose whether or not I have to, you know, beg, borrow or whatever it takes to provide basic necessities for my children, or do I stay? And, you know, thankfully I've never had to make that decision, you know, but many women that I know have, and they choose to stay many times because they don't want their children to suffer. Because, as mothers, that's the one thing we want to do, is protect our kids. So, to be put in that position where, you know, the main source of income, because you've stayed at home with your children and you are able to do that because your husband works in the

industry and makes a lot of money. To be forced to stay because you don't want to harm your children that way or you don't want to break your family up is a tough decision to make, you know? You are actually giving yourself up so that your children can -- not have to experience those food line-ups, you know? It is unfathomable to me to call in and have to make an appointment to go and get groceries three days later.

You know, our resources are stretched right to the limits. If you go to the hospital with a broken finger or broken foot, you are sitting there for about, usually, six to eight hours to be seen. That's what we mean when we say that the resources and all of our services are stretched to the limits.

The women's resource centre in Fort St. John had to make accommodations to let men come into the centre because there is no services for them. And, as somebody that, like, works on that level, where you do these social services for people, how do you tell somebody they cannot come in in -40 weather because there is nowhere else for them to go? You know, the local shelter shuts down from certain times, so you cannot be in the building, so they shuffle them all outside. And, Northeastern B.C. is cold. You know, it is regularly -30 to -40 every day. Where are they are going to go, you

know? So, that in turn puts the women and girls at risk at the centre, because there is continual opening door of men that have to access it because there is nothing else for them.

So, when we are speaking in terms of what happens to the women and girls in community when resource comes to town -- you know, she had mentioned about the shadow population. In the winter, when all the work starts up because the ground is frozen and that is where they really start up, this influx of shadow workers comes in and it's upwards of a couple of thousand people staying in the hotels. Like, you cannot get a hotel in Fort St. John in the winter. It's pretty impossible.

So, this influx of workers comes and, you know, there are line-ups at the hospitals, the clinics, you know, the food prices are ridiculous there. I, honestly, do not know how a single mom makes it there, but they do, you know, because they are resilient, and thankfully they do have a lot of people in the community that have made it their life's work to try and help. But, yes, did you want to add to that, Jackie?

MS. CHRISTA BIG CANOE: So ---

MS. JACQUELINE HANSEN: Yes. Yes, just to back up a bit. When we look at the type of industry that we are talking about and the labour that it is trying to

the region, I mean, Northeast B.C. is second only to Alberta in producing natural gas in Canada, so it is huge. When you look at maps over the last 60 years -- there is this amazing time lapse which shows the oil and gas installations with dots in Northeast B.C. And, it starts off 100 years ago with a dot or two, and then in the last few decades, it's just dot, dot, dot, dot, and the entire landscape is littered with these dots.

There's also -- you know, the Northeast provides damming of the Peace River, provides about a quarter of the -- meets a quarter of B.C.'s electricity needs. There's a couple of coal mines that are under development. So, the scale of industry is almost hard to picture if you have not been to the region.

There's a study from 2016 that show that, on the traditional territories of Indigenous peoples in the region, three-quarters of traditional territories are within 250 metres of an industry installation. So, we are talking pipelines, we are talking oil wells, we are talking some -- you know, an access road, some form, and you just see it criss-crossing the landscape wherever you go.

And so, this is really significant, because as Connie mentioned, you have all these people who are coming in from the outside, and they are largely young men

and many -- some are bringing their families to Fort St. John, many are not. But, the key thing here to really understand some of this relationship stuff is that it is mainly men who are having access to the high wage industry jobs. And, if you do not have access to the high wage industry jobs in Fort St. John, life is really tough.

So, as Amnesty, we have been really saying, you know, look, we are not anti-development, we are not against these projects, we are simply pro-human rights. So, what we have been, you know, really trying to say is, you know, we recognize that there are economic benefits. We recognize that. But, we recognize that they are not equally accessible to people. And, that, yes, there are people who can earn a lot of money in industry, and that is great for those families, but there is also a lot of people who are not able to access those high wages.

So, often indigenous peoples in general, indigenous women and girls in particular. And, if you do not have access to those industry wages, it is actually serving to create further inequality and to further marginalize people who may have been on the margins, then are becoming increasingly marginalized, and that is when we are leading to those unequal power dynamics and relationships.

MS. CHRISTA BIG CANOE: And, actually, if

we could put that up on a screen in front as well, so Jackie can see the diagram that is up. This is also contained in the report. And, this talks about exactly what you are talking about in part at least, is the gender income gap in Northeastern B.C. Can you explain a little bit about this chart?

MS. JACQUELINE HANSEN: We know across Canada or around the world, there is a wage gap between people of different genders. And, we just found, when we ran the Stats Can figures, that it was particularly profound in Northeast B.C., in Fort St. John, almost double the national average. And, it really replicates the pattern that we saw -- and we have to take into account that these figures actually only include people who are included in the Census. So, this is not including the shadow workers. So, the true gap is probably far, far higher.

So, what you have is a lot of men making a lot of money, and a lot of women not making a lot of money. Because resources are stretched, there is a lack of affordable child care, a lack of child care in general, which creates an additional barrier to women working. It is also a barrier to women working with some of the shift work in industry. And so, then you end up with this pattern of hyper-masculinity and hyper-femininity which

all those service providers would talk to us about. Where you have this exaggerated culture of men as breadwinner and women as homemaker, and these associated inequalities.

And, how we saw that play out was, as Connie mentioned in the financial abuse, but often we found -- you know, we were doing a gender-based analysis. We were not just looking at women and girls, we were trying to look at also the workers and their health safety and well-being. And, when we were looking at the conditions that people were working under, we are talking about people sometimes being in camp for a month, you know, working in incredibly difficult conditions, very long hours, often away from family, friends, other supports, doing shift work where you are not going to be able to get into Fort St. John to seek addictions treatment or to -- for mental health care or for any health care. Conditions where teams of workers might be rewarded for a number of injury-free days, and so there is a tendency to want to under report workplace injuries and take painkillers and just work through the pain.

So, when you are seeing people who are working in what was often described as a pressure cooker environment, leave that pressure cooker environment, then you hear about blowing off steam. And, everybody in Fort St. John talks about blowing off steam. I think Connie

can best talk about what blowing off steam actually -- how that manifests itself.

MS. CONNIE GREYEYES-DICK: Yes. You know, like even with having family that have actually worked in industry and have -- I mean, like, 30 days is actually a pretty short shift, honestly. You know, I remember, you know, when I first met my husband, his working days were usually about 120 in the middle of nowhere.

So, what you have is these young workers and people that come to Fort St. John to work, and they are working upwards of a month, six weeks, seven weeks straight, 12 to 14 hour days, and then they will have a lull, where they have got a couple of days off usually, before they go onto the next project or whatever. And then they come in to Fort St. John.

Fort St. John actually, I think it -- I don't know how many night clubs it has now. It used to have a lot, but it has -- and it has a lot of, like -- like, there's more strip clubs than there actually is, like, a bar to go to. And so, often those are -- when they come into town to "blow off steam", you know, they have tons of money because they have been working in the bush for this many days, and then they come in and they get to let loose, you know? It's a high pressure job that they are doing.

I often -- I cannot imagine being under that circumstance anymore. I actually did used to work in the industry, I was a medic on drilling and service rigs, and I remember those days. And, I remember going into town and blowing off steam with the guys. And, you know it was often wrought with a lot of drugs and alcohol and, you know, picking up women in community. And, you know, being a frontline, kind of, grassroots person, I have often talked to women who have experienced violence the previous night from somebody that they met that is just in town working. And, more often than not, it has often -- almost always been, "I didn't know them, but they were here working for so-and-so."

You know, that is how it is in Fort St. John. I mean, like, when you go in -- I have lived there my entire life. I know a lot of people there. And, I don't go out very often. You know, like, once in a blue moon, I will go out with my friends and we will go dancing, and the amount of workers is incredible that are not from Fort St. John.

You know, even sitting at the Fort St. John Airport with the shuttle that comes in to bring industry workers to and from the dam or wherever, I mean, like, it is there every flight, bringing people into Fort St. John. And, when you have that dynamic of all of that money, all

of that pressure working, and then they get to blow off some steam and come into Fort St. John and party? It is a bad mixture for the women and girls of the communities.

MS. JACQUELINE HANSEN: And, the anonymity of the workers.

MS. CONNIE GREYEYES-DICK: Yes.

MS. CHRISTA BIG CANOE: Yes, that is a good point. Thank you. I want to kind of circle back to a concept both of you have talked about. Jackie, you were just saying, you know, when you look at the cost of the issues, you go back to how that plays out in relationships. And, Connie, you were talking about the difficult choices. This is covered in chapter 4 of the report, The Difficult Choices, Essentials Out of Reach, but there is this relationship dynamic that happens too. And, I really couldn't help but note when I was reading the report for a second time that there is this one quotation and it is, "Many women are just one argument with their spouse away from being on the streets."

And so, when you are talking about pressure in environments, the dynamics that happen even in domestic relationships, it increases potential for violence. Can you tell us a little bit about that?

MS. CONNIE GREYEYES-DICK: You know, that is the absolute truth, that in those relationships where

the man of the house is the breadwinner, it literally is one argument and you have nothing, and you stay there and put up with it, because if you don't, the -- you are on the streets. And, as many people know that -- especially in and around Fort St. John for a woman, the -- there is a lot of -- there is a lack of resources for you if you choose to leave.

You know, you can't imagine being in that situation where, you know, your income is, like, nothing, and their income is sometimes upwards of $20,000 a month and they can hold that on you; you know? And, it is in that unhealthy environment and that unhealthy relationship where you know that that is hovering over you. And, as a mother and as a woman, I am so grateful I haven't had to experience that. But, I have talked to many who have, and they know that it is -- you have to put up with it.

And, unfortunately, for the women of the Northeast region, it is actually quite rampant. You know, a lot of women just kind of offhandedly say those things too not even realizing that that is the kind of situation that they are in. You know, where they are like, "Oh, he is being jerk, but whatever. You know, there is nothing I can do about it. I have to just put up with it, because I need a place to stay." And, it is a terrible situation for the women there.

MS. CHRISTA BIG CANOE: And, there is an image on just the cost of living that I believe we have. I see the key facts are up, but if we could pull up the image that is the monthly cost of living in Fort St. John? Because I think this exemplifies exactly what you are talking about ---

MS. CONNIE GREYEYES-DICK: Yes.

MS. CHRISTA BIG CANOE: --- when the essentials are so out of reach that, you know, the cost of living puts you into, like, limited choices. Sorry, I thought we had the image, so I apologize to the A/V guys, because if you are looking for it, we don't have it up there.

But, I will draw your attention to page 47 and just point out a couple keys. For example, on this chart, one of the things that is discussed is one regulated child care space in a month costs $1,000.

MS. CONNIE GREYEYES-DICK: Yes.

MS. CHRISTA BIG CANOE: And, that groceries for a family of four average $1,022. So, in one month alone, for those two kind of real basic things, if a woman is trying to find some autonomy, an agency in order to be able to provide for her family, if she has to leave the relationship and go to work, she is already talking about a base of $2,000.

MS. CONNIE GREYEYES-DICK: And, that is only if she has one child.

MS. CHRISTA BIG CANOE: Yes.

MS. CONNIE GREYEYES-DICK: You know, if there are two children, that is $2,000 a month for your child care and your average monthly income is $2,500.

MS. CHRISTA BIG CANOE: Yes.

MS. CONNIE GREYEYES-DICK: You know? Like, it is impossible for women to leave situations. It makes it very difficult for them to make that choice to leave.

MS. CHRISTA BIG CANOE: You guys have already discussed and sort of covered from, like, sort of a high level perspective some of those issues that when you have -- and you guys are referring to the workers as shadow workers. We have actually heard a lot of evidence about transient workers. So, we are talking about the same?

MS. JACQUELINE HANSEN: We use the phrases here interchangeably.

MS. CHRISTA BIG CANOE: Yes, interchangeably. And so, how there is a stretch of the resources, that there isn't enough supports in the community, because of the shadow workers, and that there is not enough income coming in, that results inevitable poverty issues like homelessness, I can assume?

MS. JACQUELINE HANSEN: Yes.

MS. CHRISTA BIG CANOE: Lack of food security?

MS. JACQUELINE HANSEN: Yes.

MS. CHRISTA BIG CANOE: Reduced access to health care is the example Connie gave us.

MS. JACQUELINE HANSEN: Yes.

MS. CHRISTA BIG CANOE: I am kind of walking through this part. I am just cognizant of the time, and I understand that you are both more than happy to answer any questions about the report specifically that any of the parties with standing may ask you. And, I would like to sort of turn our sort of our last bit of the examination in-chief to the opportunities for state action and the actual recommendations that this report makes. So, if we could turn our attention there?

MS. JACQUELINE HANSEN: Yes.

MS. CHRISTA BIG CANOE: One of the first things that I noticed, and I believe, Jackie, you have pointed this out too, that Amnesty International -- you know, it has national and international campaigns. But, one of the statements in chapter eight at Opportunities for State Action, so this is a way to encourage state to make sure that those human rights are actually being met and that the obligations are being met.

Something that jumped out to me was in the second paragraph is, "Amnesty International does not believe these concerns are unique to Northeast B.C." So, you have done this research, you have looked at these numbers, you have had that input from the local perspective, and you have talked about how, in particular, this town is different because it has some different economy happening where -- but, at the same time, you are saying you believe these concerns are not unique to just Northeastern B.C. Can you explain what you mean by that and also what impact that has in other areas where there is resource development?

MS. JACQUELINE HANSEN: Mm-hmm. I mean, one of the things we found with this research is that many -- you know, of course, you know, the particular context of Northeast B.C. is particular to the context of Northeast B.C., so some things are specific. But, what we found were that the underlying factors, so the legacy of colonialism, the contemporary ongoing rights abuses against Indigenous peoples, the already heightened risk of experiencing violence that Indigenous women and girls face, and then the pattern of human rights abuses that are associated with the resource sector, these are general patterns that you find across the country. So, these are not unique. And, when you speak to anyone who is from,

you know, a resource town, people go, "Yes, yes, of course. This is just how it is," and it has really quite been normalized.

So, these underlying factors are all there and we see them play out in Canada in slightly different ways in different communities, but they are all there. So, our overwhelming finding was really that, you know, there is this -- these existing patterns of violence and discrimination, there is this already heightened risk for Indigenous women and girls, and we see the patterns associated with industry are further heightening the risks.

What we really saw and led to our recommendations is that these risks have long been known. This isn't rocket science. We found studies going back 39 years in B.C. which documented the same patterns of rights abuses that we found. But, what we found is that they didn't take -- look at things through a gender lens. They didn't look at things through an Indigenous rights lens.

And so, they looked and they just went, "Well, housing..." prices go up when resource -- when industry comes to town not looking at who's already on the margins and who's going to be further marginalized and not be able to afford housing when those prices go up. Looking at when food costs go up, who's going to be

impacted? Looking at who does and who doesn't have access to the resource sector jobs and what happens if you don't.

When I looked at all these previous studies and what I saw -- this is a risk factor for violence against women, this is a risk factor for violence against -- and so is this and so is this and so is this. But when you don't look at it through that lens you may not see it that way.

So this led to our overwhelming recommendation is that when impact assessments are conducted before projects are approved, that you can't just look at environmental assessment, you have to look at impact assessment. You can't just look at the impacts on the environment, you also have to look at the impacts on the people within that environment, and how different groups of people are impacted in different ways. So one of our recommendations was for gender-based analysis within the impact assessment process. And this is why we took a state level approach at looking at the state rather than companies.

And then I'd say one of our -- one of our other recommendations around policing specifically given the theme of this week's hearing is twofold, to both -- as I mentioned earlier, transform policing on its head, send in more officers who are trained, who have cultural

competency, training that's specific to the area that -- where they're going to be serving, and send in officers with experience.

We actually went so far as to make a recommendation to have a centre of excellence for northern policing. You know, have Fort St. John for example be a hub to show this is how you can really do this and do this well and work with communities.

The other -- and I hope the inquiry at some point will have a chance to hear form Sunny Mariner from the Ottawa Rape Crisis Centre, because she has really brought a Philadelphia Model of civil society based independent file review for sexual assault cases to Canada and is working with a number of police forces. You know, we similarly would like to see some sort of a similar model be established in Canada and B.C. in particular, where you can have a committee of law enforcement and civil society representatives to really do independent file review to make sure that -- as one way to address systemic bias in policing.

So those are a couple of our top level recommendations. I mean, obviously, you know, our overwhelming recommendation is that there's a lot of recommendations already, but there's -- there's our own reports, you know, “The Stolen Sisters” and the “Out of

Sight". There's also so many other reports, whether they'd be the CEDAW or American Commission, Parliamentary Committee Studies, the Opal Inquiry, you know, there -- Civil Society Reports, there are hundreds if not thousands of recommendations out there which remain to be implemented.

So, our overwhelming recommendation is really for at the state level to implement the solutions that have already been -- been identified by community members to really see some action.

MS. CHRISTA BIG CANOE: And I just want to like pinpoint and draw this -- the conclusions and recommendations, they're on page 74 in Chapter 9 of the Report and, you know, specifically here's Amnesty International calling on the authorities to implement the following recommendations. And the recommendations are made to the governments of Canada and British Columbia, the government of Canada, the government of British Columbia. So some are combined, some are separate jurisdictional, specifically to the RCMP, to the local governments in northeast and then also to private industry. So there's a large number and you've highlighted some for us. You're happy to answer ---

MS. JACQUELINE HANSEN: M'hm.

MS. CHRISTA BIG CANOE: --- questions on

any more of the recommendations that were made in this report from any of the parties or from the Commissioners.

Just being cognizant of the time and making sure that we can hear the rest of the panel this morning, there is -- we do have -- the Honourable Kim Beaudin has a tight departure time of five, so with that in mind I'm actually satisfied that there's enough material.

I just need to make this report, if I may, an exhibit, and then we have enough material I believe in that any questions stemming out of those four reports can be answered quite well by these two witnesses. So it's the "Out of Sight, Out of Mind Report", "Gender, Indigenous Rights" and "Energy Development in Northeast British Columbia Canada", and again, it is authored by Amnesty International.

CHIEF COMMISSIONER MARION BULLER: Yes, Exhibit 19 will be "Out of Sight, Out of Mind", "Gender, Indigenous Rights" and "Energy Development in Northeast British Columbia Canada", Amnesty International 2016. And as I said, Exhibit 19, please.

--- EXHIBIT NO. 19:

"Out of Sight, Out of Mind: Gender, Indigenous Rights and Energy Development in Northeast British Columbia, Canada," Amnesty

International Publications, 2016,
Index: AMR 20/4872/2016 (72 pages)

MS. CHRISTA BIG CANOE: Thank you. At this point I'm going to request that we have a 15-minute break. I'm kindly going to remind parties with standing that although I've completed my examination-in-chief with these two witnesses that we're still technically in examination-in-chief until I'm done with the Honourable Mr. Kim Beaudin, and so Rule 48 is in place where I can continue to talk to witnesses until the closing of the examination-in-chief occurs. And if we can have the 15-minutes, that would be great.

CHIEF COMMISSIONER MARION BULLER: Fifteen (15).

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 10:13

--- Upon resuming at 10:31

--- JACQUELINE HANSEN, CONNIE GREYEYES-DICK, Resumed

--- EXAMINATION IN-CHIEF BY MS CHRISTINA BIG CANOE

MS. CHRISTA BIG CANOE: Commissioners, Chief Commissioner, I would like to introduce the next witness that I'm calling today, the Honourable Kim Beaudin. I'll have one question before I actually have you promised in. You go by -- is it okay if I call you Kim?

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: Wonderful.

Mr. Registrar, Kim would like to promise in on a legal feather, please.

MR. BRYAN ZANDBERG: Thank you.

Mr. -- here I am, good morning, Mr. Beaudin.

Do you promise to tell the truth in a good way today?

HONOURABLE KIM BEAUDIN: I do.

--- KIM BEAUDIN, SWORN:

MR. BRYAN ZANDBERG: Thank you.

---EXAMINATION-IN-CHIEF BY MS. BIG CANOE:

MS. CHRISTA BIG CANOE: So it's -- so Kim, I just wanted to start with a couple questions about your background, but my first question is, you're the Honourable Kim Beaudin, why is that?

HONOURABLE KIM BEAUDIN: When I was named to the -- as a Justice of the Peace the Crown gives you that designation, and one thing that you learn is that they can never take that away from you, so -- I don't use it all the time, only with my kids.

MS. CHRISTA BIG CANOE: Excellent, but you're okay if I call you -- the Commissioner or the parties with standing just refer to you as Kim?

HONOURABLE KIM BEAUDIN: Oh yes.

MS. CHRISTA BIG CANOE: So Kim, one of the things I'd like to do today is talk a little bit about your background. So if we can start with you sharing with us just a little bit about your background, as comfortable as you are sharing with us.

HONOURABLE KIM BEAUDIN: Well, I come from a very large family, I have -- I have a Status Card, I'm a part of a General Band List in Alberta. My original reserve was the Michel Reserve, it was the only band in Canada to be enfranchised in the 20th Century, and that happened in 1958. On my father's side I'm actually a Red River Metis as well. And you know, I was thinking about this when -- when the question was being posed, is that, you know, I have roots in Quebec, Manitoba, Alberta and of course Saskatchewan, and so it -- the number of relations that I have and I -- quite honestly I can tell you I almost feel like I meet them each and every day. I get calls -- people call me and say, "I think I'm related to you", and they usually are. So it's -- it's been quite a journey for myself.

MS. CHRISTA BIG CANOE: I also understand that you're currently the National Vice-Chief with the Congress of Aboriginal Peoples. Can you just tell us a little bit about what that role entails?

HONOURABLE KIM BEAUDIN: Yeah, I'm the -- one of half of the executive, there's a National Chief and then the Vice-Chief, and yeah, I was voted in -- two years ago in 2016. It was part of a larger journey because I was the President of the Aboriginal Affairs Coalition of Saskatchewan for a number of years, so I've been -- I've been involved with the Congress of Aboriginal People for probably 13 years now. And prior to that I was actually involved with them as a youth as well, or youth, some people call it that. I don't want to date myself, so -- but yeah, I've been involved in that for a long time.

Now, my role in terms of the -- I'm going to put two hats on here. My understanding today, no pun intended, because I like to wear a hat, my role in terms of the vice-chief is to advocate for off-reserve Indigenous people in this country, and we've been an advocate organization since 1971. And, we've had a number of great leaders come through our organization. The one that had the most impact on me was Mr. Jim Sinclair, the late Jim Sinclair, and he's the one that ensured that Métis people were affirmed in the Constitution of Canada.

And, of course, then, we just had a ruling a couple of years ago as well with respect to *Daniels versus the Crown* where Indigenous or non-status and Métis

people were under 91(24) of the Constitution. So, it -- these were huge rulings. That was a Supreme Court ruling, and that was very important to the movement for our people in Canada, Indigenous people.

MS. CHRISTA BIG CANOE: And, in that same line, the Congress of Aboriginal People, for those who -- a lot of us do know what they do and who they are, can you just give us a little bit of information about what the Congress of Aboriginal People as an organization is and what they do?

HONOURABLE KIM BEAUDIN: Well, we advocate for Métis and non-status Indians. I'm going to say we are -- we used to use the term "the forgotten people in this country", because a lot of times we were forgotten. And, we went to bat for a number of issues throughout the years. One clear -- really good example would be under Bill C31. We're the one that brought the issue forward with respect to the discrimination within the *Indian Act*. We had the provision under Section 67 as well in the *Human Rights Act* to have that removed, because it impacted Indigenous women who are living on reserve. We were behind that.

We were actually the first organization to really go after the *Indian Act* because of the fact that it -- we believed, in terms of a policy or an act itself,

that it handcuffed our people in this country, and it had direct effect on people who did live off reserve. It continues to happen today. And, a lot of us that sit around the table, we are treaty people. People have status cards. They sign treaties with the government, formal treaties, and a lot of the times we have to fight tooth and nail to ensure that those treaties are honoured. And, that's the kind of work that we do and what we advocate for as a national organization.

MS. CHRISTA BIG CANOE: Thank you. If I could ask one more question in relation to the Congress of Aboriginal People, whose acronym is often CAP? If I can ask about in terms of CAP, their advocacy as it relates to status and non-status and Métis peoples who live off reserve, is it fair to say that they've really kind of helped raise awareness around the disenfranchisement or the estrangement of Indigenous people from their traditional communities and homelands?

HONOURABLE KIM BEAUDIN: That would be a very fair statement to make. A lot of times, there are -- I mean, we even had to actually bring up issues with respect to band policies with people who live on reserve, and the impact that it has had on them. For example, the right to vote for your chief and council, if you're living off reserve, that was something that we fought very hard

for. And, that's still a work in progress as of today.

Again, like I was saying before, we wanted to ensure that human rights applied to on reserve, because we would hear stories from particularly Indigenous women who their lives would be impacted if there is, you know, an issue with respect to their partner or their families, and they would actually be asked to leave that reserve and move out. And, this would impact them and their children, and we wanted to fight for them because it wasn't fair. So, that's the kind of work that the Congress does do.

MS. CHRISTA BIG CANOE: And, is it fair to say CAP is not just -- it's not just an advocacy, but it's also sometimes seen as sort of like a political organization of sorts?

HONOURABLE KIM BEAUDIN: Yes, that would certainly be fair to say. Again, you know, since 1971, we've looked at numerous policies that the federal government has come up with and, you know, really thrown in our face as Indigenous people. And, a lot of these policies affect us, you know, dramatically, whether you're living on or off reserve, and we want to ensure that our voice is heard and that we're at that table.

And, one thing, too, that, you know, politics is sort of -- it's pretty ugly out there right now and, you know, there's an election coming up. So,

we're looking forward to that as a national organization to certainly get our policies across with respect to off-reserve Indigenous people in this country.

MS. CHRISTA BIG CANOE: So, you talked about the one hat. Let's talk about the other hat. What's the other hat you're wearing here today?

HONOURABLE KIM BEAUDIN: I'm actually an outreach worker with a program called STR8 UP in Saskatoon. It's 10,000 steps to healing, and it's a program designed to keep people out of gangs in Saskatoon. And, I can give you a bit of history.

The program began about 17 years ago. The founding person by the name of Father Andre, we call him "Father Andre," he was approached by some people who were in gangs and said, you know, we've had enough of living this kind of lifestyle and we need to get out, and we need to figure out how we can do that and who we can work with to do that. And, Father Andre stepped up and said, "I'm willing to help out." And, he would have numerous meetings. We call them meetings in the parking lot of Tim Hortons, because that's sort of where his office was at the time.

Now, we are not a federally-funded program. We never have been. We rely on donations, and we rely on, sort of, grant funding. Sometimes we'll get a program.

You know, it will come in, it will keep you going for, you know, a few months, that kind of thing.

So, as of today, I mean, we've been working with the -- both the federal government and the province, but I want to use the term "platitudes and gratitudes" is basically where we've gotten today. We haven't moved that forward as much as we want to.

About a few months ago, we had a meeting -- or excuse me, a symposium on a gang program, a strategy. We wanted a provincial gang strategy. And, that report should be coming out, I believe, in November, and it's all community driven. The only thing I want to stress, this is not from the top down. A lot of our members that are involved with STR8 UP drive this program. These are their ideas. It comes from the community; it comes from them, from the grassroots. So, I could say that this is certainly a grassroots perspective on the program itself.

And I could talk a lot. I hope I'm not talking too fast, but I can certainly tell a lot of stories that we've learned. And, one thing is the -- you know, when I put my other hat on as National Vice-Chief, this program has really kept me grounded as an elected official, or somebody who has been elected to a national office, because of these struggles that people face.

So, that's one thing I can -- that

certainly has benefitted me when I address issues that impact the people, particularly in the justice system as well. And, this is why this forum here that I'm at is very, very important, and I'm -- I don't think I mentioned this, but I'm very honoured to be here and share my knowledge and information.

MS. CHRISTA BIG CANOE: Thanks, Kim. I noticed in the package -- sorry, in the materials that you provided us that you have a curriculum vitae. There's highlights of your qualification right at the beginning, and I see, and you would agree with me, that you have over 16 years experience as a program coordinator in recreational and corrections settings?

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: And, that you also have five years working in the mental health field.

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: Ten years working in the justice field, five years as a Justice of the Peace Level 2. I want to stop there, and I want to ask you what is a Level 2 Justice of the Peace, and what do they do?

HONOURABLE KIM BEAUDIN: What happens is that prior to taking the role on as a Justice of the Peace, you have to go through a training component in terms of the system itself, the judiciary system, how it

works, how the courts work. And, it was quite a learning experience. It gives you an opportunity -- how you address the Crown, for example, how you address people who are advocating on behalf of people who have been, you know, brought up on charges, the accused. Those are the kind of training that they offer you.

And, plus, the other issue, of course, is important is the *Criminal Code* itself. It is quite a -- it is like a crash course in a sense. And, yes, again, it is a lot of work, but you learn a lot through the process. And so, I found it really informative and a very good learning experience for myself.

MS. CHRISTA BIG CANOE: And, at the justice of the peace, that level too, would you preside over things like bail hearings?

HONOURABLE KIM BEAUDIN: Yes, you would. There has been -- I would say that based on my experience going through that, one of the things that I used to do is I notice particularly with the Crown, who -- I am not sure if people know this, but across Canada, the court system itself, particularly afterhours, they -- there is no provision in the *Criminal Code* that allows a police officer to act as the Crown. But, within Canada, they do that, and that was brought up in Alberta.

So, what happens is that when you are

addressing the -- within -- when you are presiding, you actually are addressing the police officer who is actually the Crown, who is also wearing two, three hats. So, they arrest, then they are there as the prosecution, and then they are also there as the Crown and they are there in those sort of areas. And, it is -- to me, it is not a really good process to be involved in, in terms of the, you know, police departments and police forces across Canada, because it puts our people at a disadvantage. There is no question about it. A lot of times, they don't have access to justice within the system. And, yes, it is -- you are already up against the wall.

MS. CHRISTA BIG CANOE: I noticed that one thing that is not on your CV, Kim, is that you also currently have an appointment to the Federal Judiciary -- Judicial Advisory Committee?

HONOURABLE KIM BEAUDIN: Yes. Well, that process, I am -- I am a community appointed member to the Judicial -- the Justice Committee -- sorry, Advisory Committee. And, what that does is that it gives us an opportunity to have the input when people apply to become a sitting justice. And, my area is in particular to Saskatchewan.

What I really like about it is, I remember a number of years ago, and I sort of did some research on

it, is that a lot of times, they were political appointments. So, in other words, the party who was in power at the time, if you knew somebody, and you got along with them, and you were a lawyer, and you decided to apply to become a judge, the chances are pretty good that you would get appointed to that city.

However, today, what has happened is that the government has changed the process where community people -- there are lawyers involved as well as a judge, that they get to have some input into who those people will be chosen to sit on the bench. And, being that it could be a long-term one, it -- I find it very extensive and very -- they -- when they followed the process in terms of picking a judge, we really dig down in terms of the background of that particular person, and we certainly find out a lot.

My role sitting there, and I -- you know, I bring this role to the table, is that I look at people who apply to the extent of what their knowledge was, when in terms of Indigenous people in this country, do they know anything about it? I mean, we hear stories today that some of the judges don't even know who Métis people are, for example, and that tells you a lot about our education system when they have no idea who Métis people are. So, these are important things that when a person applies to

the judiciary, that they should have that background.

One thing, too, that -- and I am really hoping this is going to happen down the road, maybe not, but I mean, we have had a couple people who -- you know, a few people who have, you know, expressed interest. We want Indigenous people, of course, to apply and we also, of course, want women. And, we are hoping that within time that, you know, this will change. Maybe in time, the whole court process will change in Canada and we will have our own First Nations, Indigenous court for all the provinces. You know, that is sort of my idea, but that is another thing. But, yes, it is very, very -- I like the process. It is really relevant to what we are doing.

MS. CHRISTA BIG CANOE: And, just so that I am clear, your role in this process, you don't actually get to determine who would be appointed, but you get to provide input from community perspective as part of, sort of, a larger process; is that a fair assessment?

HONOURABLE KIM BEAUDIN: Yes. And, we recommend. And, what happens is it is up to the minister to either approve that or choose not to approve it, but we do recommend. We put the names forward, and we hope that that is the case. So -- but, yes, it -- still it is better than the process they had before.

MS. CHRISTA BIG CANOE: Chief Justice --

Chief Commissioner -- I'm sorry, I have tried to promote you yet again. It is because we are talking about the justice system. Chief Commissioner and Commissioners, I would kindly ask that we make Kimberly Joseph Beaudin's curriculum vitae an exhibit.

CHIEF COMMISSIONER MARION BULLER: Yes. Mr. Beaudin's CV is Exhibit 20, please.

--- Exhibit 20:

CV of Kimberly Joseph Beaudin (four pages)

MS. CHRISTA BIG CANOE: I am presenting Mr. Beaudin as an institutional witness today in the two hats that he has described. One is the Vice-President of CAP, but the other is frontline worker in a number of -- particularly, the justice and corrections field. But, I would ask that the Commissioners allow him to provide opinion specifically on the STR8 UP -- and that is spelled S-T-R, number 8, space, U-P, STR8 UP Program being that he has had the years of experience as frontline and particularly as outreach and working with prior gang members and will be able to provide opinion on this particular program.

I am going to look out and see if any of the parties with standing has any objections in relation to Mr. Beaudin providing opinion on the STR8 UP Program.

And, seeing no objections, I would ask that you kindly make a determination on my request.

CHIEF COMMISSIONER MARION BULLER: Yes. Certainly on the evidence, Mr. Beaudin has the required experience, education and training to give opinion evidence on this STR8 UP Program. Thank you.

MS. CHRISTA BIG CANOE: Thank you. And so, we have already kind of covered a lot of the -- some of your background and your experience with the justice system. But, I want to take a step back, because when you were first describing to us your background, you talked about the fact that you are from the Michel community?

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: And, you talked about the fact that that entire community was disenfranchised in the '50s. What impact has coming from a community that has experienced that type of disenfranchisement had on you in your professional capacity or in, sort of, all of the steps in community actions you take moving forward?

HONOURABLE KIM BEAUDIN: Well, you know, when I was younger, my kokum and my mother would share stories with our family about the reserve. I didn't really know a lot about it. I knew that it was situated outside of St. Albert, Alberta. It was 40 square miles.

I knew that the federal government had stepped in, gave people a bit of money and told everybody to get out. And, not everybody benefited from that in terms of the reserve.

What I found, you know, years later is that it had a huge impact on our families. There was seven -- at the time, it was 750 people who were registered to that reserve at that time. And, by doing that -- you know, one of the things that had happened too, is that the federal government -- this would have been under Diefenbaker. They wanted to implement this policy, because they wanted to -- it was going to be a template to take out all the reserves in Canada at that time.

And, they realized that under the Bill of Rights -- you know, formally it was called the *Bill of Rights* at that time, now the *Charter*, that it would not work. So, once they get -- when the enfranchised the reserve, the Michel people and the Caillehoo people, they stopped right there. But, you know, what it has done, though, is that it divided a people. It divided families. Like I was saying earlier, I mean, I still meet people who are related to me that I didn't even know, first cousins, you know, people coming up to you and, "I'm your cousin."

Speaking of that, you know, I wanted to -- I'm going to bring up a woman here that had gone missing from our family. Her name was Stella Violet Caillehoo.

She was born April 17, 1947. She would have been my second cousin and my mother's first cousin. She disappeared in the '80s, and my cousin was telling me yesterday that they had hired a private detective just to find out what happened to her. We never did. She was last seen in Prince George, British Columbia. The relations believe that she was caught up on the Highway of Tears, and she left three kids.

And so, I mean, again, we're all touched by some of the things that have happened in terms of government policies and that, that affect our people.

MS. CHRISTA BIG CANOE: And, one of the things you had said when you introduced yourself, and I know a lot of people in the room will know this, but keeping in mind there may be people also watching on the webcast that aren't familiar, you said, "Well, I'm a status Indian."

So, you actually are registered as an Indian under the *Indian Act*, despite the fact that they -- the Michel band was totally enfranchised. How and why did that happen?

HONOURABLE KIM BEAUDIN: The first process happened in 1985 where the federal government, when Bill C31 came long, they had to register everybody that was part of that band. So, yeah, there were 750 people. The

second process was in 2010 under Bill C3, and that's where I come in with my status card. That's the term that they like to use. We call ourselves 838 people, but just kind of a goofy term, but anyways.

Yeah, it -- and you know, again, with this new bill that's actually coming out under Bill S3, the Senate bill. We believe that there will also be another increase of people because, you know, the *Indian Act* itself was racist. It was discriminatory. I mean, I found out that my grandfather as well had a status card. He was enfranchised in 1928 from the same reserve. And, yeah, they considered him white. I know he spoke Cree. He actually even spoke Michif. So, I found that kind of interesting.

But, yeah, I remember -- all these policies had a direct impact on all of us in terms of our whole family on my mother's end. So, it's -- it was quite interesting. And, one thing I want to stress too is that as a person, Indigenous person myself, I didn't -- I did not learn any of this stuff until I was in my early 20's. I started to learn because I had the opportunity to go to Gabriel Dumont Institute in Regina, Saskatchewan, and learn a little bit about who I was. I had no idea. The education system failed us in this country; right? And, we were taught to hate ourselves as people.

Sorry. Anyways. I remember Jim Sinclair, he was defending Mr. Henicue (phonetic), and he said that, and he was dead on. He said that the education system failed us. They taught us to hate each other. They taught us to hate who we were.

So, today, as of today, I am still learning who I am, and I'm proud to say who I am, where before I wouldn't have. I would have ran away.

MS. CHRISTA BIG CANOE: Thank you, Kim. I think that actually helps segue us a little into the youth you're working with now, and the former gang members you're working with now, because in the context of Indigenous people being disenfranchised or sometimes seeking identity, I understand that some of the work you're doing within STR8 UP is to put cultural values to allow opportunities to learn about Indigenous cultures and communities so that there is a place for either exiting gang members or youth that are at risk to find some strength within culture. So, could you tell us a little bit more about STR8 UP and the program itself?

HONOURABLE KIM BEAUDIN: Well, STR8 UP is really -- if you drill down in terms of the program itself, it is a healing journey for the members who were in gangs, and that's what we really strive for, because a lot of times, a lot of the members that come through the

program, they're disconnected to their culture. They're disconnected to spirituality. They're disconnected to the communities, their families. They got involved in something that really -- when they share their stories with you, what I found is that they think a gang life is a family and it's not. But, what STR8 UP offers is we give them that family that they've never had, and that's what we do.

It's very important. We strive for that, and we will never -- we do everything we can not to forget about the members and new people who come in who've really had enough of living that kind of lifestyle. You know, more of it too is that I found -- I even learned a lot. For example, the role, there's single-parent families, of course, quite a few, but there's also single-parent fathers as well who have actually taken that role and taken a parent role, which you never would have even thought of. Like, you never thought that this would happen, but it does. It's because they've reinstilled those values and those traditional thinking, and it has really benefited them as they move forward.

And, there are different stages that ex-gang members go through. Some people ask, you know, some really pertinent questions, tough questions, you know? Like, how do you exit out of gang life? How do you get

out?

We have a fairly good relationship in Saskatoon with people -- actually, the gangs that are in there now, you know, that they are well aware of STR8 UP, and there's a respect. I'll use the term respect. A number of years ago, there certainly wasn't. If somebody wanted to exit, they would, you know, they would get minutes. I don't know if you guys heard the term "minutes" before, but basically, they would get beat up. It didn't matter whether you're a guy or a woman, you'd get your -- you know, kicked in, punched out, that kind of stuff, if you wanted to leave.

And, as of today, that hasn't happened as much. Even sometimes -- of course, there are brothers and sisters that are -- you know, have relations, and I want to talk about that a little bit as well, that when you get out of the -- when you make that decision to leave the gang life, you also make a decision to leave your family. And, when I say -- we're talking brothers or sisters, sometimes even your parents, because that's not the kind of -- they recognize that they don't want to be part of that, and it's a tough one. It's a very tough decision for them to make.

So, with STR8 UP itself, that's why we offered that, that family. We give them that hope that

they'll continue. There are a number of people that become very good advocates for people in the justice system, are within, you know, for ex-gang members. Like, we just recently had a grad, somebody who graduated from social work. He is from Hobbema, and he just recently graduated, and it was unbelievable, the struggles this guy had to deal with just to get his degree in social work. And, you know, running to the food bank and stuff to eat. And, you know, there's one thing I want to -- I'm going to have to -- I will say this too is that our education system, Stacey, he couldn't even find funding to go to school. The band -- his band turned him down. It was a complete struggle, you had to take a student loan. So, I don't know where that comes from, that, you know, all Indigenous people will get their school paid for, because that is certainly not the case.

And so, he struggled. You know, I'm sure he ate a lot of, you know, bologna sandwiches and macaroni dinner, Kraft dinner and stuff, and -- but today, he did graduate, you know, a few months ago. We have got other people right now that are presently in school. Some people are doing upgrading, some people are taking tactical training, you know, to be mechanics. They want to take training with regards to helping their people as well, for example in additions is one that people are

striving for.

So, a lot of times, you know, the members will tell me that, hey, my life is -- you know, I haven't done anything or I haven't gone anywhere, and, you know, I always just tell them, you have taken 10,000 steps, and sure you might go backwards and -- but you will continue to move way further ahead than you can ever imagine.

So, that is the kind of impact that this program has had on people's lives. It has gotten so much too, that we have had so many calls from different provinces to adopt those same principles, that vision that we have as an organization across Canada. And, again, when I -- you know, I am not sure if I missed this as well, but when I say "traditional", you know, our elders are involved and knowledge keepers, and those -- the people that are important to the lives of the members itself.

And, one thing too, is that not everybody within the STR8 UP program is Indigenous. We do have non-Indigenous people there as well. But, it is a family -- number one, we are a family, we are a healing journey, and we always go back to that when we -- if the program were to -- I would not just use the term "run out of money", because we don't really have a lot of money, we would still continue on based on the volunteers that we have and

the people who believe in what we are doing as an organization and what we can do to impact Canada as well.

MS. CHRISTA BIG CANOE: So, if I can take a step back, because the program sounds really good and strong in terms of how it re-centers people. But, if I can maybe just -- if we can set some concepts, that might be helpful.

So, if I understand, the program actually accepts, like, exiting gang members, that's true; right? But, it also provides programming for risk at youths being put into gangs or going into gangs. One of the things that you had said earlier is, you know, a choice for exiting gang members, or avoiding gang, is often they have to choose exiting over their families, and it is a tough conversation, but it is a reality in Canada, a lot of it stems from the criminal justice system itself.

But, Indigenous gangs specifically in this country, we know that there are pockets of them in various urban centres and I know there is a lot of reasons and we can dig and talk about how they derive or how there is connection to corrections, but just so that we -- for the purposes of our conversation and your program, is it fair to say that the proliferation of gangs in Indigenous communities often does involve generations or relations? And, when I say generations and relations, you made a

reference to, you know, the gang might even be your family. So, in some communities where there is gangs, it is not uncommon to see siblings, cousins and potentially even parents all belonging to a particular gang.

HONOURABLE KIM BEAUDIN: Yes, that would certainly be fair to say. You know, ground zero for gangs in this country began in Winnipeg, Manitoba. And, I notice you mentioned it earlier, my work experience with the City of Saskatoon as a program consultant. Well, one of the things, I was, sort of, the go-to person when it came to the pulse of the community, particularly the pulse of the Indigenous community in Saskatoon.

In the early '90s, we knew that gangs were going to take hold in Saskatoon, and we approached the city administration at that time, and we said, we need to come up with a plan, you know, a strategy, because this is happening, this is going to take hold in this city, and we were met with the deer in the headlights look. They didn't know how to address it, the administration didn't know how to address it. I tried to bring it up even further up the line in terms of -- even some of the city council members there as well, but it just did not happen.

And, I believe, you know, that we could have done something at that time, that maybe it would not be, you know, as bad, but then it started to evolve. I

mean, it hit Regina of course, Saskatoon, North Battleford, all those major urban areas in Saskatchewan, and we -- well, for example, the Congress of Aboriginal Peoples, we put a resolution on the floor in 2007 to set up a National Gangs Strategy Commission, and that was passed by the Annual General Assembly, the delegates, and it was a policy that we felt was really important and that it could go right across this country, because we knew -- the worst areas, for example, was North Central in Regina, Saskatchewan, that was unbelievable, the impact that gangs did have on the community there, and it just kept feeding out and feeding out. The reason why I want to bring that up is because I just believe that, you know, sometimes we know something is going to happen, we have the intel or the information, and yet we did not react to it and we should have as a community, as a people.

Now, we are, you know -- again, we want to -- in terms of the youth, that is one thing. That is one of the pressing areas with respect to our program as well, youth. We do hundreds and hundreds of presentations, and we try to focus in on particularly the youth in Saskatoon, the schools, the high schools, even elementary, you know, up to grade 6 for example, to explain to them, have the members -- and the members tell their story. That is who tells their story.

The members will share with them, this is not Hollywood, this is not the kind of lifestyle that you want to go down, and that is a message that we clearly spell out to our youth, our Indigenous youth. They need to know that, they need to hear the real stories of our members, our ex-gang members, because that really hits home when you hear that directly coming from them and the type of lifestyle, and nobody wants to go into that really, because it adversely affects -- and youth are the big one. It's really important for us to strive in terms of protecting our youth, because that's the way I look at it as well. It is the protection of our youth, to ensure that they hear these stories.

Remember, as Indigenous people, we were really good at, you know, sharing our stories, and that has -- I find that that has the biggest impact.

MS. CHRISTA BIG CANOE: And, it was not my intent to make this big, gross generalization, but there is -- you know, that it is always family or relational, but I thought it was important to put that out there.

But, I think it is also important to recognize, and I know you brought this up and we heard from our other panelists today, a lot of it is driven by things we already know, like poverty, like colonial legacy. So, people enter into gangs sometimes out of

necessity in order to -- not just within the family relationships, but just to survive and sustain.

So, let's talk about breaking down the myths of who -- how people get involved in gangs, because often I think -- like you had mentioned, the Hollywood version. People immediately assume that it is like a shoot and bang up, that people are going into gangs because they just want to be a bad ass gangster. But, the reality is, a lot of people that find themselves in are coming from a place of poverty, where they are lacking essential services, where they don't have the supports that are required. And, if you could give us a little bit of that background, I think it would be helpful.

HONOURABLE KIM BEAUDIN: Yes. It -- I would probably -- poverty would be the biggest one that -- when people get in -- when they get involved in gangs in general, it is because of lack of housing, poverty of course, they can't even -- lack of food, they struggle to feed their kids. These are the kind of things that have a spiraling effect, a negative effect on themselves. And then of course, when you are getting involved in addiction issues for example, it just -- it is a vicious circle.

And, addiction is, for example, a huge -- is a huge issue amongst our members. They struggle with that quite a bit. Most of them are dealing with that of

course, but when you -- when those things come into play, then it leads to other things; right? I mean, you are leading into prostitution, for example. And, you are -- you know, of course your crime in terms of selling drugs and that, I mean these are all these negative things that come into play because of the fact that they don't -- there is no sustainability within their home or their family. And, yes, it is tough.

I mean, there is -- again, like I was saying, some of the stories that I hear, I hear them probably every day of some of the struggles that our members deal with. When I started three -- I will tell you. When I started work three-and-a-half years ago -- one thing about the members, they like to tease you, you know, when you are taking them to their meetings, probation officer meetings or you are going to court to advocate for them. I remember three-and-a-half years ago, I had gained about 20 pounds now, and one of the members said, "That's because you're eating your feelings." I sort of laughed. It is probably true. But, we always -- we tease each other because, of course, as Indigenous people, we like to -- we have to laugh. You have to have a sense of humour, because sometimes life is tough out there.

But, yes, these -- all these factors come

into play. I mean, if somebody -- we had a strategic plan with regards to STR8 UP around a few months ago. And, one of the questions somebody had asked is, where do you envision STR8 UP 20 years from now? Thirty years from now? And, I said, you know, really, I am hoping that STR8 UP is no more. You know, and why would that -- just because then we would have addressed gang issues in this province in this -- in Saskatoon, and that we don't need the program now. And, that program now will move to education, traditional teachings, those kind of things.

And so, that is my idea, you know, down the road. But, that is what I am hoping the Creator will bless us that that would be down the road, that we won't have to talk about gangs and those negative things anymore. So, anyways, that is sort of -- I hope I answered your question.

MS. CHRISTA BIG CANOE: You did, thank you. If I could get into a little bit of the nuts and bolts of the actual program. I know it sounds fairly simple, but I would just like to kind of walk through potentially, sort of, what a member would be experiencing. Like, the -- I understand that the program, and you had said earlier yourself, this was really driven by gang members themselves, the need to create this program.

But, what if someone is trying to exit and

you are the outreach worker? What are some of the first steps, and then what are they involved in when they sort of join STR8 UP? So, an exiting gang member's first interaction with you looks like what?

HONOURABLE KIM BEAUDIN: Well, a lot of times, our members, they come out of corrections or they will come out of our federal prisons. Amazingly, you know, we will meet them right at the frontline. They will actually -- they don't even have ID, for example. A lot of them don't have ID, they don't have one -- they don't have any money. Sometimes they don't even have money to even catch a bus when they get out.

And, what I found too, is that a lot of people that come out, they have actually spent the majority of their time within the system. So, in other words, if they were given, you know, three years, they have spent three years in there. They are not let out, you know, on early release or anything like that.

And so, they will come out, we link them up with different -- like, for example, housing is a big issue. We have to link them up with that to ensure that they have a place to stay so that they are not living -- couch surfing or living in the street. We do that. Sometimes -- and then the other issue is, of course, health issues, like, you know, to ensure that they -- we

get them linked up with their -- with doctors. And, dental issues as well. Dentists. And, of course, then they want to come out and they want to see their -- you know, people they haven't seen in a few years.

So, those are the first basic things that we do right away is to ensure that we come up with a plan, a game plan with them, like a case plan, and -- because we want to sort of lead them through what the immediate needs are, the intermediate needs are and the long-term vision. And, one thing that I want to -- really want to, you know, point out is that, you know, the government seems to think that, you know, if you send people to corrections or you send them to the federal penitentiary that it is like a -- you know, they are working on addiction issues and that, and that is not the case at all.

They come out -- those -- that is the main thing, because all of a sudden, a new world is in front of them and, yes, they have to deal with their addiction issues. They didn't really necessarily deal with them when they were incarcerated. And, a lot of people have post-traumatic stress disorder. A large amount of them -- quite a few of our members have been isolated. You probably heard about that, you know, for months and months, thrown in with no -- nobody even knows where they are. And, these are important things that people aren't

even aware of.

I mean, I could share a story that is public that anybody in here could look on the Google -- Google this person's name up and you would know this guy's story. And, it is unbelievable that the government has not provided the necessary resources for that, and they wonder why people keep going back into the system all the time.

In Saskatchewan, for example, your -- they give you $460 a month to live, and that includes everything. Food, shelter, clothing for $460 a month. So, if you come out and you are -- you know, you are struggling, like how can you live on $460 a month? Yet, you know, they have no problem, you know, forking out, you know, $300 a day to keep people incarcerated. You know, we will talk about that a little bit in terms of the reman and all that kind of thing. But, it is unbelievable that this is what we are dealing with.

Sometimes I really -- you know, in a lot of ways, I have lost faith in the system itself, the justice system, because it is just a system. And, I heard that before, where the impact that it has had on Indigenous people in this country is unbelievable. And, of course, the percentages keep going up and up.

I will share you a little story. Last time

I was in court, I watched the -- a kokum who had -- was looking after her grandchildren, and she was in court, and she was asking for a -- to be let go, like, you know, for a bail hearing. And, the judge asked her, "Why did you miss court?" And, she said, "Well, I was looking after my grandchildren and I had to pick my grandchildren ahead of the court system." And then the prosecutor stood up and said, "I oppose her release."

So, when you see that -- and then I watched a non-Indigenous person just prior to that had a record a mile long, was running from the justice system, running from the police, was basically on the run, had warrants out for his arrest, serious crimes. He had his family sitting in front there supporting him, and they released him.

So, you could see the two differences. It was quite -- to me, you know, I wasn't surprised, but of course that is Saskatchewan, and some people know that Saskatchewan has been in the news quite a bit. But, that is an unfortunate thing.

So, our people, like our members and that, that is what we deal with each and every day when it comes to the justice system. And, the reason I mentioned this other guy, this Curtis Mckenzie, that is his name, he was in federal pen. He -- the police, I believe, just kind of

forcibly made him sign a Section 810, and he finished out all his term. So, he finished everything.

So, the first -- what happened was they did let him out a bit earlier, about four months earlier. They let him go into a halfway house. He was having a hard time adjusting to the community. He ended up getting involved, unfortunately, with a relationship, and he ended up jumping into the river, into the Saskatchewan River. They had to fish him out. He didn't remember anything. I talked to this guy all the time. He was a good guy.

When he was in the federal penitentiary, he actually -- they gave the -- he was in solitary confinement for quite a long time, and he was telling me that he was going crazy. He had no contact, no human contact. They wouldn't allow him to write anything, books, stories. Like, he couldn't write anything, any journaling, anything like that. And he told the people that he was going crazy in there and he said, "Well, you know, if I had something, I would, you know, cut off my nose."

Well, they handed him a sharp object and he did just that, he cut off his nose and once that happened, they released him right away. What I mean is he had to go to the hospital and stuff, then they said, "Okay, we're going to let you out for good behaviour", whatever term

they wanted to use. And then again, right after that, like he ended up jumping into the river.

Today when I was talking about the 810, he signed that 810 and I don't know if people are aware of this but this is one step under a dangerous offender designation. So I always advocate for our people please do not sign that 810. It's a tool that the police use. It's like they become the judge, the jury, and also they turn around and they can add on more time.

In terms of the conditions that were put on, he breached that condition of no drinking and now he is now in Prince Albert pen spending another year and I don't know how long. I don't even know how much time he's been in there but it's going to be over a year now because he was drinking. He had addiction issues.

I used to say why are we not providing assistance to people, who come out of corrections or the federal penitentiaries, for addictions instead of throwing them back into the federal pen. That is not a treatment centre. It never will be and I don't understand that. That's why I do not -- I have a real issue with section 810. I say that over and over but anyways, I wanted to tie it into that story.

MS. CHRISTA BIG CANOE: If I could though, Kim, if I can draw us back because we're using language

that maybe not everyone is familiar with.

HONOURABLE KIM BEAUDIN: Okay, okay, sorry.

MS. CHRISTA BIG CANOE: So section 810 of the Criminal Code, is that a recognizance to keep the peace? Is that a document that's used?

HONOURABLE KIM BEAUDIN: That's right.

MS. CHRISTA BIG CANOE: Is it fair to say that that document could be used in various ways? One could be to provide for protection of an individual. So if you're promising to keep the peace and you meet the conditions, then it arguably works to act as sort of like a peace bond. Is that fair?

HONOURABLE KIM BEAUDIN: Well, yeah, that would be fair in once case but what I find is that the police in particular are using it as a catchall, like a net. It's much bigger.

Its intended use wasn’t for that. It was designed to look at really harden criminals that were coming out of the system, child abusers, predators, those kind -- you know, those kind of people, rapists. It was never -- it wasn't designed to do what the police departments across this country are using it for and that's why I don’t understand. I believe that -- it's my opinion but I believe that if it was ever a constitutional human rights issue, I don’t think it would pass the test

and that's what I think. So I'm glad you cleared that up.

MS. CHRISTA BIG CANOE: And one of the other things I'd like to clear up to is the use of conditions on any release documents and you'd be familiar with this from your experience doing bail hearings.

The conditions that are included on any type of release document, if they're too onerous for an individual, is it fair to say they may not be able to meet those conditions?

So for example, if you know someone is an addict or has an alcohol issue, if that provision is put in there, could one argue that that's a setup to fail if they know they're not going to be able to meet it?

HONOURABLE KIM BEAUDIN: Yes. Most of the conditions that are laid out by the Crown are set up to fail and that's clearly one example. I mean some of the police officers that I dealt with would acknowledge that. They know that it's -- I mean if you're dealing with somebody who has addiction issues of drinking, in terms of, you know, drugs, that kind of thing, there's no way they're going to -- and anybody who is, you know, behind bars will sign anything to get out because they believe at that moment of their life that they can overcome that issue, you know, in terms of addiction but it's a lot easier said than done.

And so it sets up our people to fail within the system itself and, unfortunately, we have a lot of lawyers in this country and bureaucrats and justice people making lots of money of the backs of our people and it's just getting worst. I'm hoping some day it will change. Maybe it will but, yeah, anyways.

MS. CHRISTA BIG CANOE: So one of the things that you do do is you assist the members that are participating in STR8 UP to provide advocacy and you had told us earlier when you said you attended to court with the individual.

And so is part of the role of STR8 UP also in creating that family in the program and the culture involved in programming?

One of the other things is advocacy. So does it help when you go to court with someone who is in the program? Does it help the justice system see that they're trying to be on the -- I hate to use the word "right track" but they're on a path in life that's recognizing the need to reconcile and to heal?

HONOURABLE KIM BEAUDIN: Yes. One thing I notice about the -- one good thing in terms of STR8 UP as well is that the justice system or the court system does recognize the program and what we try to do and our vision. And a lot of times, STR8 UP is the only program

that's there advocating or offering support to that particular person who is before the courts.

A lot of times, families aren't there and that's really tough. So yeah, we have a really solid reputation at this point in the community and, yeah, it's not anything that -- we are really proud of what we're doing in terms of our program in Saskatoon and I'm really hoping that, you know, again we can extend in terms of the whole country even where -- that's my vision but in terms of the court system itself, I really hope that some day that we have our own court system where the less serious crimes are moved within that process where we, as Indigenous people, we can look after our own people. We can address these issues, not somebody else that has no idea or the understanding of the struggles that Indigenous people go through in this country.

MS. CHRISTA BIG CANOE: One of the things I understand the program to do too by using a spiritual base or a program, I just want to make sure this is clear on the record. The spiritual base doesn't necessarily mean that it has to be an Indigenous specific spiritual base but that that's one of the guiding principles. So there's a lot of room or inclusion of various faiths if I understand.

HONOURABLE KIM BEAUDIN: Yes, that's

correct. We have -- there are people who are Christian people that come to our program, and of course people, Indigenous people who, you know, are being introduced to their culture and its spirituality. So we accept people of all faiths.

It's very important that they be heard as well and acknowledged and that's one thing that we don't judge our program, that we don't judge people. We don't judge anybody that comes through the door. That's really important to ensure that -- because if we did, we would be -- our program would not work out.

MS. CHRISTA BIG CANOE: I was just going to say in terms of some of the cultural programming, I see pictures up right now. Maybe you can describe some of the activities that are in the pictures we're seeing up, starting with this one?

HONOURABLE KIM BEAUDIN: Yes. That was a hoop dancer that we brought in. That's our culture camp. That's our third one that we've put together.

One of the important components about our culture camps since we got everybody -- like we have members and family, children there that -- it's like a really important bonding experience because a lot of times the families don't -- I mean they're set in an urban setting for example and all he hears is, you know, sirens

and lights and all these kinds of things. They don't get out to experience Mother Earth the way it is and the way it should be. This camp is very important for our members and, yeah, it's been our third year.

So it's been -- yeah, there's fishing. Yeah, the little guy there with the fishing rod, Gus, he's actually from a different country and he's telling me that if it wasn't for STR8 UP, he's told me this numerous times, he has no idea where he would be today. So he looks at -- and actually, he's looking at participating in his school.

All these people always have plans. They have visions. They're like anybody. We all dream where we want to go and where we want to take our family. Oh yes, that was just a recent meeting. Mr. Bill Blair there, he's the Minister of Border Security. He was there. He wanted to come and talk to some of the members, hear some of the stories, and he said that he was highly recommended by the Public Safety Minister, Ralph Goodale, to come to the program.

The person at the back there, that's Father Andre. He's the -- one of the founders of the program. And, I was the one taking pictures.

MS. CHRISTA BIG CANOE: That's helpful. Just being mindful of time, I want to make sure that we

haven't overlooked or missed anything in relation to the STR8 UP program. I know that we talked briefly about if you had recommendations what they would look like, and one of the things you had said earlier was when you develop the strategy, it would be nice to see it have more of a national component. You had talked about Saskatoon being one of these centres where you see a lot of Indigenous gangs and other gangs, but that the epicentre, I think, is the way you've -- and if I'm saying it wrong or mis-phrasing you, was Winnipeg.

So, we know that the gang issues are coming up in various provinces and territories in the country. Would one of your recommendations be better funding of these programs in various jurisdictions? You mentioned that you work on donation, and that you get program or project funding. Would you agree that a good recommendation would be to increase funding, particularly from federal, territorial or provincial services to address the rehabilitation of gang members or those exiting gangs?

HONOURABLE KIM BEAUDIN: Well, I certainly would agree with that 100 percent. I am -- one of the things that -- I don't know if people are aware of this, but in Saskatchewan, in the budget last year under Justice, they had to come up with $9 million to put people

in remand, to keep them there. They had to remove numerous programs within the corrections system in Saskatoon that some of the people who went through would benefit. And, they had no problem finding $9 million; yet, it's a complete struggle to find a little bit of money for our program, and that shouldn't be that way.

Federally, the federal government knows about what we're -- our program is all about. We've advocated with them. We've had meetings those kinds of things. And, again, we're still waiting for a response. We've definitely put in proposals, you know, under gang initiatives and justice initiatives. As of today, we haven't heard anything, unless my -- I don't think I got an email yet. We haven't heard anything yet.

I mean, I said earlier, I mean, we talk about platitudes and gratitudes, so that's great. Let's hit the -- let's see the rubber hit the road here.

MS. CHRISTA BIG CANOE: One of the other things that you discussed was, you know, it's difficult for the members in the program to leave. So, you have to create community for them, but would you agree with me a good recommendation would be to provide all -- and I'm not talking gang members -- all individuals leaving correction services better resources and opportunities for rehabilitation, so even if they're not gang members coming

out of the correction system?

So, a phrase that we talked about is -- not in your testimony but, you know, they go into custody and they become better criminals, or that's where gang infiltration actually occurs for some Indigenous people, is actually in corrections. But, even for those that don't become involved in the gangs, if they're leaving, as you suggested, out of the provincial institutes in Saskatchewan to live on a little more than $400 a month with, you know, the baggage of not being able to get employment and all sorts of stuff, is it fair that a recommendation around ensuring that former inmates who have served their time, succeed, will be better contributing members to society if they have the proper resources?

HONOURABLE KIM BEAUDIN: Absolutely. Sometimes I try to think out of the box, and one thing that I find is that, for example, our people, they're not -- like, we're not being employed the way we should be, and a lot of times, you know, we struggle to get jobs, good quality paying full-time jobs, and that would actually alleviate a lot of the issues around, you know, poverty and that.

But, that's what I find overall, is that these big companies, corporations, some of them, they

haven't picked up that responsibility of saying let's include Indigenous people in this, in the economy. And, I'll stress that, the economy. I find we're forgotten about.

I mean, they were debating here in Quebec here, you know, for the provincial election, and I never heard any mention about Indigenous issues at all, you know? So, here, you want to run and, what, there's no Indigenous people in Quebec? Like, I don't get it. I find that that's important, and what you indicated there, it would be a fair statement. I believe that, myself, the economy and employment is one of the things that's very important for our people. So, yeah.

MS. CHRISTA BIG CANOE: In the material that was provided to us that you provided in relation to STR8 UP, A History from Despair to Hope, there's a particular -- sorry, there's a particular reference right near the end, in the conclusion that there's many paths towards healing, recovery, transformation and conversion. The report also starts with, like, nothing is hopeless and that we need to focus on rehabilitation.

Is it fair to make a recommendation that recognizes that rehabilitation is a better -- is a process that's required for anyone either exiting gangs or not in order for us as Indigenous people within communities to

actually heal? We actually need to ensure that we're focusing on restorative methods instead of punitive ones?

HONOURABLE KIM BEAUDIN: That's -- that would be a really solid statement that I would agree with. Yes, a lot of attention is paid to punitive. I remember I just did a quick add-up-the-numbers. Well, for example, in Saskatchewan, just -- there was, like, a billion dollars towards the justice system itself in our tiny little province, and it gets bigger and bigger. I mean, we only have a little bit more than a million people, and yet, they're forking out a billion dollars on their justice portfolio.

When I say those kind of things, a lot of the justice officials get a little uncomfortable. But, I mean, these are facts. They're not -- I just don't -- I keep wondering when -- when it's going to end. Like, I don't say end, but what I mean is that, like, is it going to continue? Are we going to continue throwing money at the system that's just so broken for our people? You know, it's just a big massive industry. I hear that all the time. It's just an industry, and it's unfortunate.

But, we, you know, in 19 -- what was it, 1990 -- I think it was '96, I believe, '97, the Royal Commission of Aboriginal People's Report had come out. This is the -- I actually made a presentation to that

commission at that time, and that report, really, it just collected dust and still collects dust. I mean, I heard they've pulled out little pieces of it lately, but I mean, we put all that money into it. Indigenous people in this country, they have the answers. They have the understanding. They know what's going on. They know how we can add address these things, our people.

So, it's important that that happens. But, yeah, I understand what you're saying, and I agree with it.

MS. CHRISTA BIG CANOE: Did you have any other further recommendations as it relates to either STR8 UP or with your other hat on that you wanted the Commissioners to know?

HONOURABLE KIM BEAUDIN: Yes. I want to touch a bit about Gladue. Of course, we know about the ruling. Well, I shouldn't -- maybe I shouldn't assume that, but I want to give a bit about my experience.

I mean, I addressed the Gladue principles in the Gladue report, the Supreme Court ruling, a number of years ago, and what I found is that now that I'm sort of in the trenches and have been for the last number of years, particularly the last two years, is that the federal government has not stepped up to the plate and really taken a look at that -- what that Gladue -- what it

meant to people, particularly Indigenous people.

In terms of the provinces, they have it as well. I mean, in Saskatoon, I remember -- or in Saskatchewan, they had released 20 reports and that was it. Alberta is a bit further ahead, they're like sitting at about 800 or maybe under -- a little under 900. British Columbia, certainly they're the ones that are leading the charge as far as I'm, you know, they seem to be the one further ahead. But I notice the difference is British Columbia is that it's Indigenous people who have taken that leadership role in that area.

But going back to that, what I'm finding about the Gladue thing is that a lot of people who are incarcerated or are within the justice system itself, Indigenous people, they don't -- they don't even know what -- what it is, what the Gladue is, they have no idea. They -- one thing that I found is for example, let's say anybody in the room here said, "I want to advocate for somebody within the system, I want to write your Gladue report, I believe, you know, I can do a good job", it wouldn't happen. A lot of the provinces would slam the door and say, "No, you are not allowed to write anything, you can't advocate for this particular person because we have a process in place and we won't let you." And I find that kind of really unbelievable but it's true.

I've ran up against it myself and I, you know, I don't -- again, I'm going to propose this, that Indigenous people, that we take over that -- that process in terms of Gladue, that it becomes a national sort of process and that each -- that it's Indigenous people that play an integral role in the Gladue report writing right down to the grassroots, right down to the moccasins, I say, "Walk the moccasins". It should be our people doing that, not somebody like a -- well, like for example a probation officer should not be writing Gladue on anybody. They're in a different position and they shouldn't be doing that.

And one thing too about Gladue is that I fully believe that Indigenous people they can -- they can move that -- move that -- the story forward more than somebody who doesn't know who they are, doesn't understand where they're coming from. It's Indigenous people that can understand that and -- so that's why that's really important in terms of Gladue.

MS. CHRISTA BIG CANOE: Can I ask just one question ---

HONOURABLE KIM BEAUDIN: Sure.

MS. CHRISTA BIG CANOE: --- in relation to when you were presiding Level 2 JP and deal bail hearings, did you have Indigenous accused before you for bail?

HONOURABLE KIM BEAUDIN: I did and not once did Gladue ever come up, not even once, I -- I can -- like, as a matter of fact my understanding is that based on the bails that are put before a lot of times that's not even considered, it's mostly considered in sentencing. And people think that it's some -- one thing too about -- that I'm finding is that a lot of people -- well particularly in the justice system, you know, officials and that -- they seem to think that it's some kind of a get out of jail card and it's not, but they do. And they think, "Oh, you know, we'll just get of jail for something..." No, it's not like that.

MS. CHRISTA BIG CANOE: So if I can follow up on that last question. So when you were presiding, if you had an aboriginal accused before you, the Defense or Crown would not raise any issues of Gladue as it would relate to bail?

HONOURABLE KIM BEAUDIN: Never.

MS. CHRISTA BIG CANOE: Would you agree with me that in law -- in Canada it's law that Gladue is considered at the bail stage for aboriginal people?

HONOURABLE KIM BEAUDIN: I would agree 100 percent, yes.

MS. CHRISTA BIG CANOE: Okay. And I want to make sure -- please correct me if I'm saying this wrong

because I want to make sure I'm characterizing it right. So what I'm hearing from you though is it seems like the Gladue is not being appropriately applied -- are you characterizing the fact that Gladue is not being appropriately applied to take into account all of the issues from Indigenous perspective; is that a fair...?

HONOURABLE KIM BEAUDIN: That would be a fair statement.

MS. CHRISTA BIG CANOE: Okay.

HONOURABLE KIM BEAUDIN: They also -- the other thing too that's come up is -- I mean the provinces are using the cost as a barrier. We've heard numbers thrown around like, you know, 2,500 to $10,000 for a Gladue report. Well, in Alberta for example, they max out at $1,500, that's it, and they don't go any further than that. There's a little bit of money thrown in, you know, if you have to go to drive somewhere to have a meeting or, you know, buy some coffee or something, but that's the extent of it. And so I don't know where, you know, that's coming from there. I know their budget is about a million dollars in Alberta, so yeah, I mean those are just some of the examples. And when it comes to bail, no, not at all.

MS. CHRISTA BIG CANOE: So, is it fair and would you agree with me one of the recommendations -- if I'm understanding what you've said properly -- one of the

recommendations you would make would be to empower Indigenous organizations or people to do the report writing or ground work for Gladue reports ---

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: --- in Saskatchewan and other places?

HONOURABLE KIM BEAUDIN: Yes, I would agree 100 percent for that, to empower our people to do that.

MS. CHRISTA BIG CANOE: Okay. So -- and just to -- I believe that I've covered off most of the questions I have for you, but I always like to afford the opportunity, in case I've missed anything, for you to -- do you have any final or other points that you wanted to raise or make a recommendation on?

HONOURABLE KIM BEAUDIN: I think I'm good.

MS. CHRISTA BIG CANOE: You're good. Okay. Chief Commissioner.

COMMISSAIRE MICHÈLE AUDETTE: Maître Big Canoe, est-ce possible à vous et votre témoin d'expliquer aux Canadiens les… (hors micro). Bonjour, bonjour. In English. Is it possible to explain for Canadians who are listening right now and maybe Indigenous people who are not (inaudible - off microphone) please?

MS. CHRISTA BIG CANOE: Certainly, yes. And with the permission of the Commissioners I'm going to

lead it so that I can get agreement on record and maybe through the principle quicker.

CHIEF COMMISSIONER MARION BULLER: Yes, go ahead.

MS. CHRISTA BIG CANOE: Thank you, okay.

So Kim, you were talking about the Supreme Court decision. Is it true there was a Supreme Court decision that was called *Regina v. Gladue*? And essentially -- and please, feel free to add if I'm not correct in sort of adducing this -- the Court at the time had made a decision -- the Supreme Court -- that as it applies to aboriginal offenders, so people convicted of an offense, that there were certain factors that needed to be taken into consideration; is that -- is that a fair assessment? Is it -- would you agree that some of those factors that a Court must look at in sentencing aboriginal offenders include things like their background, so the history of systemic discrimination, the impact of colonial legacy like the residential schools or the disenfranchment (sic) of people taken from their community much like the Michel Band, are those the types of factors that Courts are supposed to take into consideration when they're sentencing an aboriginal person?

HONOURABLE KIM BEAUDIN: Yes, in a lot of ways too -- it’s sort of the same principles that we apply

when it comes to a program at STR8 UP. We ask how you -- like go back as far as you can go back in terms of your family history and what has transpired to where you are today. And that's sort of what those reports should -- should encompass when they're -- when they're doing Gladue and -- because it's important. I mean if you're dealing and struggling with addictions, if you're struggling with, you know, poverty, broken families, you know, those kind of things, what if you're, you know, what if you're a sixties scoop person, what if you've been, you know, you were part of that. I mean I've run into people that have been and it's -- it's a huge struggle, they get caught up in that system because they don't understand what happened and who they were.

The Courts need to know that, they need to know that, you know, I didn't just wake up in the morning and say, "Oh, I'm going to go, you know, rob somebody or take their car or whatever." It's just -- it's just -- it does not happen that way. And so it gets to -- for them to understand where they were and how they got there is very important, even to where they are going, to offer hope to them as well, in terms of the report itself, what can we do? There's recommendations within Gladue where they say with respect to a report that, oh, we didn't realize that the person is suffering from post-traumatic

stress disorder, how can we get that person help? Or they were sexually abused when they were children and they never really formally dealt with it, and instead they, you know, drank, you know, they did drugs and that kind of stuff. That is how they dealt with the pain. Those are the things that should be within that report and those are the things that the court should hear and that is very, very important.

MS. CHRISTA BIG CANOE: And, that leads me to my next -- because right here, we are doing a lot of generalizations and I think it is important to note for the record we are just trying to establish some key principles.

So, along with those key principles, would you agree that one part of the Gladue decision was to recognize and look at those factors, but another really important part of the Gladue case was to ensure that sentencing was appropriate, appropriate in the circumstances of the offender.

And so, when you talk about "the report" -- so, first of all, do you agree with the first point that the second part of the Gladue decision was to ensure appropriate sentencing in the ---

HONOURABLE KIM BEAUDIN: Yes, I agree. Yes.

MS. CHRISTA BIG CANOE: And then the next part is you were talking about reports. So, reports aren't actually directed out of the Gladue decision, but they evolve over time because it has already been, I believe, 18 years since that decision. And so, essentially, there is new law that also supports what the court found in Gladue. One of the things that has developed and now has been spoken about in Ipeelee, which was the case from 2012, was the need for reports.

And so, the reports you are talking about, those are written to help inform the court about those factors and what appropriate sentences would be, would you agree with that?

HONOURABLE KIM BEAUDIN: Yes, I would agree. Yes.

MS. CHRISTA BIG CANOE: And so, when you make a recommendation in relation to the reports or that process being primarily held in the hands of Aboriginal authors, is that you believe that they will be able to contextualize the factors that impact the circumstances of an offender and the potential possibility for rehabilitation and appropriate sentences, they may be better situated to do that with their knowledge and experience?

HONOURABLE KIM BEAUDIN: Yes, I -- well,

one thing I believe is that, you know, as Indigenous people, we can talk to other Indigenous people. And, a lot of times, we are sharing stories, so there is a trust element there as well.

Like, if you are going to write a Gladue and you are going to talk to a non-Indigenous person, how comfortable are you if you are going to tell that person that, you know, you were sexually abused when you were younger and the effect that it had on you as a person? You are not going to be that comfortable doing it. Where I feel that as a -- you know, if that person knows that you are on their side and you are going to articulate that and put that in the report, because that is important that you are there -- you are their voice. And so, by putting that, that's why I believe that it should be Indigenous people doing these reports, and no ifs, ands or buts about it. If I walk away from anything, that would be the number one thing. Yes.

MS. CHRISTA BIG CANOE: Mm-hmm. Well, thank you very much, Kim, those are the questions that I have in my examination-in-chief. I am aware of the time, it is almost 12:00, so I am going to request that we have a one hour lunch break, but I am also going to ask that the parties with standing at the beginning of the break please meet us in the Dufferin room for the purposes of

the cross-examination verification. And, if we can commence sharp at 1:00, just keeping in mind that the Honourable Kim Beaudin has a hard deadline of 5:00 p.m. to leave.

CHIEF COMMISSIONER MARION BULLER: Thank you. Before we take the break, I will direct Mr. Registrar to redact any personal contact information on the CV for Mr. Beaudin, Exhibit 20, and we will reconvene at 1:00.

MS. CHRISTA BIG CANOE: And, I apologize, can I also have made -- when you gave that instruction to the Registrar, it reminded me that for the purpose of my colleagues being able to ask questions, can we please have the document entitled, "STR8 UP: A History From Despair to Hope" made an exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. "STR8 UP: A History From Despair to Hope" will be Exhibit 21, please.

--- Exhibit 21:

"STR8 Up – A History: From Despair to Hope (17 pages)

MS. CHRISTA BIG CANOE: Thank you very much. I wanted to let everyone know, please, that there is lunch available next door. And, you will see lunches actually out in the hallway and there is seating area next

door. And, I am not sure if there is other -- and just a reminder that we will be starting at 1:00 sharp. Thank you.

--- Upon recessing 12:00

--- Upon resuming at 13:05

MS. NADINE GROS-LOUIS: … penser, avant de poursuivre avec les procédures du panel 2, nous avons la présence du Chef de l'Assemblée des Premières Nations Québec Labrador, Monsieur Ghislain Picard, qui est avec nous et qui vous adressera la parole. Alors, M. Picard, généreux de son temps, a pris quelques minutes pour venir voir l'Enquête nationale et vous adresser la parole.

So, we have the honour today, just before we proceed with panel 2, to have the Assembly of First Nations of Quebec and Labrador, Chief Mr. Ghislain Picard, that graciously took a few minutes of his busy agenda to come and say a few words to you. So, Monsieur Ghislain Picard.

CHIEF GHISLAIN PICARD: (Speaking in Indigenous language), bon apres midi, good afternoon. (Speaking in Indigenous language).

Il n'y aura sans doute pas de traduction pour ce que je viens de dire, mais je vais me permettre peut-être une traduction à la bonne franquette, d'abord pour évidemment saluer la Commissaire en chef, Mme Buller,

les commissaires, les grands-mères, nos sœurs, nos mères, nos grand-mères et vous transmettre mes salutations au nom de l'Assemblée des chefs Québec Labrador que je représente aujourd'hui, en fait, que je représente presque jour et nuit – c'est comme ça que ça marche!

Et juste pour, évidemment, insister sur l'importance des enjeux pour nous interpelle tous et toutes, indépendamment de la région que nous représentons, indépendamment, euh, du rôle que nous jouons au sein de nos communautés. Je pense qu'il y a quelque part un objectif suprême, si je peux m'exprimer ainsi, qui nous interpelle tous, qui est d'avoir des communautés, oui, saines et en santé, mais des communautés aussi qui sont convaincues de la démarche dans laquelle elles sont toutes engagées.

Il y a quelques années, il y a une femme innue qui me posait la question suivante ; je participais à un forum qui portait sur les territoires, qui est hautement… un sujet hautement préoccupan et qui me disait la chose... qui me posait, finalement, la question suivante. Je la traduis parce qu'elle m'a été posée en innu et elle disait : « À quel moment décide-on qu'on est arrivé à destination dans cette grande démarche? »

Et un heureux hasard parce que je me posais la même question moi aussi depuis quelque temps et je

pense que c'est important peut-être de situer un peu le contexte dans lequel la question avait été posée parce que c'est sans doute quelque chose qui nous revient de façon constante à nous toutes et tous comme individus au sein de nos nations.

Et je me permets évidemment de saluer la Commissaire en chef et les commissaires également, les grand-mères spirituelles également et leur remercier pour leur présence et leur participation et leur dévouement.

Je sais que l'ampleur du mandat qui vous a été confié est extrêmement large et je sais que vous êtes aussi à l'étape peut-être finale ou presque de votre démarche et tout le monde sait évidemment qu'on aurait pu en faire plus, on aurait pu en dire plus et il faut composer avec un contexte politique sur lequel nous n'avons pas entièrement contrôle. Et la raison pourquoi je le dis c'est qu'on est un peu aux prises avec cette réalité-là dans un contexte peut-être plus régional au niveau du Québec et je me permets d'ailleurs de vous informer que dans le contexte de la campagne électorale qui a court présentement au Québec, on essaie de trouver ce qu'on considère une place qui nous revient comme Premières nations dans la démarche politique des parties engagées dans la présente campagne. Il y aura un vote le 1er octobre ici au Québec. Et on a insisté sur le fait

que les partis politiques, indépendamment des enjeux qui interpellent la société québécoise, les partis politiques ont une obligation de se prononcer également sur les enjeux des Premiers peuples, des Premières nations ici au Québec.

Et l'enjeu numéro un c'est celui de la sécurité pour l'ensemble de nos communautés, de la sécurité également pour nos familles, nos femmes, nos enfants.

On essaie de suivre cette... de donner, finalement, de la force à ce mouvement-là deux semaine avant le vote du 1er octobre et il y a eu hier soir une première... un premier signe, je devrais dire, que la question autochtone trouve finalement sa place.

Mais deux semaines, comme on dit en politique, ça peut être une éternité, donc nous, on va continuer à insister sur ce message-là.

Donc, je ne voulais pas prendre beaucoup de votre temps. Je sais que vous avez encore énormément de travail, mais je voulais quand même prendre ces quelques instants pour vous saluer au nom des chefs avec lesquels je travaille, ces 43 chefs Québec-Labrador. Il n'y a pas de division du territoire, 10 nations.

Et je considère que c'est un immense privilège pour moi d'avoir cette belle opportunité de

travailler dans des causes qui nous sont chères.

Maybe just a few words in the English language just to again state that I'm very -- I feel very privileged to be here with you this afternoon. We didn't have many opportunities since you started with this very important mission many months ago because we always felt that this process really belongs to the families, our sisters, our mothers, grandmothers and so on, and we still feel that way.

But this being said, it doesn't mean that we're closing our eyes on the whole issue of, you know, safety for our peoples. And as I said earlier, we're, I guess, within a mandate that is not as clear as we would like it to be at times. We always say that at the very, very, very least, we have an obligation to defend what we feel is right.

So this is what we do in the context of this, you know, current electoral campaign in Quebec. There's a vote coming up on October 1st, and we issued a letter, a statement, to the main political parties last week stating that they need, as political parties, to come clean about issues that are relevant to Indigenous peoples in this province and they need to make some commitments, very clear commitments to our peoples.

The number one priority is safety and

security for our peoples, and to me this is very key because I don't think I need to go back to the events of October 2015, the situation in Val d'Or where our sisters were before a police force that was really, I would say, disrespectful -- this is the proper word -- towards our peoples.

And to this day -- and there was a report just a few days ago that in light of the accusations that were brought on to some of their colleagues, and I'm talking about the SQ, the rest of the police force initiated a movement in solidarity of their colleagues, and it took the form of a band that every policeman carries in the Val d'Or detachment and it has the number of the detachment, you know, printed on an orange or red piece, and they wear it today. I find this to be very offensive. I would even say, you know, it's intimidating, disrespectful towards our peoples. And this is happening today.

So to me, there needs to be, I guess, certainly peace and order, but there needs to be more openness on the part of governments when it comes to our issues and the whole relationship between our peoples and those people who are called to ensure security for our peoples.

So this is one example that really keeps us

on our toes because every other day I think we're called to intervene in some capacity to make sure that ultimately our journey towards having more self-determined peoples and communities, I mean, we can see that light at some point.

Donc, en terminant, j'aimerais encore une fois remercier la Commissaire en chef, Madame Buller, les commissaires, pour cette invitation et cette belle opportunité de vous partager ces quelques mots.

Merci beaucoup.

Mme NADINE GROS-LOUIS : (Langue autochtone parlée), Monsieur Picard pour ces bons mots et également pour le dévouement et de vous assurer de mettre la sécurité des communautés, des gens, des femmes, de nos enfants sur le territoire. Merci.

Avant de céder la parole à Maître Canoe et aux commissaires, j'aimerais souligner la présence de l'Honorable Jeanie Dendys, ministre du Tourisme, de la culture, responsable de la Direction de la condition féminine et de la Commission de la santé et de la sécurité au travail du Yukon.

Alors, bienvenue. Merci de votre présence.

Alors, je cède le micro.

MS. CHRISTA BIG CANOE: Good afternoon, Chief Commissioner and Commissioners. Right prior to

lunch, we -- I had completed the examination in-chief, and now we will turn our attention to the cross-examination. So, under Rule 48, I can no longer talk to the witnesses in relation to their testimony. I can talk to them if they would like a glass of water or other things, but I just can't talk to them in relation to what they have testified about.

The first party that we would like to invite up for cross-examination is Families for Justice. Ms. SUZAN FRASER has six minutes.

--- CROSS-EXAMINATION BY MS. SUZAN FRASER:

MS. SUZAN FRASER: Good afternoon, Commissioners. Good afternoon, grandmothers. Good afternoon, witnesses. I am here for a group of 20 families called Families for Justice, and they are families from many of the provinces in Canada. And, my questions will be primarily focused to Ms. Greyeyes, because I am coming from the perspective of families and her work in advocacy in respect of families.

So, given the shortness of time, I am going to just drill down into issues relating to supporting families as a means of accountability. You talked in your report about the social conditions and recommend in the report to increase -- the need to increase frontline and social services.

And so, my question for Ms. Greyeyes is, in dealing with social services for people who have missing loved ones and/or who have lost loved ones, what should those services look like and what do those families need going forward, practically speaking?

MS. CONNIE GREYEYES-DICK: In dealing with the families that I have been involved with, one of the main social services that is needed is grief counselling. There is such a lack of services in our region that, quite often, many of the families don't have those services that they can access to talk to about their grief, and we do our best to accommodate as much as we can. I have friends that are counsellors that offer their time freely for families that are experiencing missing or murdered loved ones.

The social services in Fort St. John are stretched right to the limits for women and girls in our community. They often have to attend the Women's Resource Centre, which is a fantastic organization that has always been focused on women and girls, and the safety of them, and providing those kinds of services. But, most recently with the influx of workers, particularly coming to the community for the Site C Dam work, the services for men just really don't exist in Fort St. John.

So, unfortunately, many of the men in the

community have been going to the Women's Resource Centre and accessing services, which in turn causes women to not want to attend and go there feeling unsafe. So, it kind of created a -- more of a barrier for them to even access what limited services are already there.

MS. SUZAN FRASER: So, in that moment of crisis of a disappearance or a death and in the aftermath, it is fair to say that women need crisis counselling, grief and emotional support? Those are sort of the key ingredients; right?

MS. CONNIE GREYEYES-DICK: Absolutely.

MS. SUZAN FRASER: And then I take it there is also often logistical support needed just arranging for contact with family members, arranging for money to conduct a search to bring a deceased person back to the community. All of these things cost money. Those are things that there needs to be a response system; you would agree?

MS. CONNIE GREYEYES-DICK: Absolutely. And, currently and actually as we speak, I am working with the Women's Resource Centre to create a community safety plan which will be specifically for each community that surrounds Fort St. John and urban as well. It will have plans in place for if a woman goes missing, or a girl goes missing or a community member who you can contact

counsellors that are available.

I think that one -- you know, there has always been counselling through -- what is the name of that -- for the lawyer -- like...

MS. JACQUELINE HANSEN: Through legal aid?

MS. CONNIE GREYEYES-DICK: Yes, legal aid. Like, they always -- they have some grief counselling and, yes, they have people that are available to help you. But, I think what we have to keep in mind is that when you are a community member and you are living out in -- on reserve, it is very uncomfortable to walk into those offices.

MS. SUZAN FRASER: Right. I am thinking about just what Jackie said in terms of doing the research and your pickup truck -- going out in your pickup truck, and you being a welcomed face in the communities, because they know you because of your history ---

MS. CONNIE GREYEYES-DICK: Yes.

MS. SUZAN FRASER: --- and they know that when the pickup truck arrives, this is somebody that they can trust.

MS. CONNIE GREYEYES-DICK: Yes.

MS. SUZAN FRASER: And so, I am not recommending pickup truck counselling, but I am actually -- but a mobilized social service that comes from a trusted

agency where people don't have to walk into an office that says "grief counselling" on it. Does that ---

MS. CONNIE GREYEYES-DICK: Absolutely. Absolutely.

MS. SUZAN FRASER: Does that sound -- okay. I have got 29 seconds left. I wonder if you can just talk about principles of ethical engagement with families of murdered and missing Indigenous women, because I know we are going to hear -- people are going to want to look at this problem and improve it. So, what are those principles? What have you learned?

MS. CONNIE GREYEYES-DICK: You know what? For myself, I think that the basic principle has always been for me is trust and caring, and being somebody that is safe with their stories with their loved ones. And, if you don't come from that place, then any of the work that you are going to be doing with that family isn't going to help them. You know, you have to be able to be somebody that they absolutely 100 percent trust that you have their best interests at heart.

MS. SUZAN FRASER: Thank you very much. Thank you, Commissioners.

MS. CHRISTA BIG CANOE: Thank you, Ms. Fraser. Next, we would like to invite up the Institute for the Advancement of Aboriginal Women. Ms. Lisa Weber

will have 10 minutes.

--- CROSS-EXAMINATION BY MS. LISA WEBER:

MS. LISA WEBER: Good afternoon, Commissioners, Chief Commissioner. Lisa Weber. I am counsel for the Institute for the Advancement of Aboriginal Women. Good afternoon, panelists, and fellow counsel and elders in the hearings today.

So, I have a few questions. I will first direct my questions to Ms. Hansen and Ms. Greyeyes, and just talk very briefly about our Regina hearings. So, when we were in Regina, we heard from Chief Commissioner Brenda Lucki. She is the head -- the most senior official with the RCMP in Canada. And, during Commissioner Lucki's testimony, a question was put to her as to whether or not she saw correlation between sexual violence in communities and incidents of crime in communities whose local economy was based very much on natural resource development.

Part of Commissioner Lucki's response was that, and I quote, that that was something very interesting that definitely should be studied. Now, you have talked about and we have had two very comprehensive publications that were tabled here today as exhibits. You mentioned several -- I believe you said thousands of other reports. So, I am wondering, Ms. Hansen, first of all, if you can tell us whether or not those documents have been

available to the RCMP since being published?

MS. JACQUELINE HANSEN: Most certainly we engaged with the RCMP during the course of our research and invited the RCMP to the report launch. And, in our report, we have a monster footnote which takes up about half a page which actually outlines a number of the critical studies that make this link, both studies from within Canada as well as studies internationally. And so, most certainly, that information has been available in the public domain through our report for two years now.

MS. LISA WEBER: Thank you. I notice there are several very good recommendations for sure from the two reports that were tabled today as exhibits. Would you agree that given the recommendations in those reports, and perhaps the other thousands that were referred to, that the RCMP should focus on implementation as opposed to more studies?

MS. JACQUELINE HANSEN: I would say that not only for the RCMP, but for all levels of government focusing on implementation of recommendations is what we all want to see.

MS. LISA WEBER: So, you have indicated that the interactions between resource development, certainly in Northeastern British Columbia at least, and crime -- violence against women, that these are very

complex issues ---

MS. JACQUELINE HANSEN: Yes.

MS. LISA WEBER: --- you described that. Would you agree given the complexities involved that Indigenous peoples must be involved in the design and implementation of those recommendations, whether that is First Nation, Métis or Inuit communities or organizations that are identified by those peoples as legitimate organizations to do that work?

MS. JACQUELINE HANSEN: Yes. And, specifically, I would like to note that it should include Indigenous women's organizations and women at the grassroots level.

MS. LISA WEBER: Thank you. Ms. Greyeyes, a question for you. I would like to hear your opinion. Do you think that the effects of resource development in your community and in Canada in general, I suppose, are a direct contributing factor to the murdered and missing Indigenous women in Canada?

MS. CONNIE GREYEYES-DICK: Yes, I do. I have to be quite frank that in my community, particularly with the resource industry that occurs there that, you know, that's kind of what sounded the alarm bells with Amnesty first coming to my community.

And, you know, I've often been -- I've

often been scolded saying, you know, you're attacking resource industry and resource workers and they're not all like that. And, while that may be true, it's also true that -- to me, that it is directly correlated to missing and murdered Indigenous women and girls across Canada and across the world.

You know, I've spoken with women from all over the world regarding resource extraction and the violence that the women and girls in those communities experience, and it's across the board, across the world that these communities experience this when these large projects come to town.

MS. LISA WEBER: We all know from the news very recently that courts, at least in this country, have ruled that governments, along with industry, have a duty to consult, and that we're falling short, or that governments are falling short.

You talked about the need to do impact assessments, environment assessments. Arguably, I would suggest that that -- those assessments include the social impacts on Indigenous peoples. And, I'm just wondering, you actually -- a good segue for my question, do you know through the work you've been involved with that there are other countries that perhaps have done a better job, that perhaps Canada could be looking at as a model here?

MS. CONNIE GREYEYES-DICK: Do you want to answer?

MS. JACQUELINE HANSEN: Yeah, for sure. Yes. One of the interesting things that we found in our research is that in countries in the global south that are receiving development assistance from Canada, from other countries, there's often a requirement to do gender-based analysis of these projects. That requirement hasn't been in place in Canada. So, we have seen that in a number of other countries. There's well-document studies really exploring these gendered impacts in a way that hasn't been the case in Canada.

Now, we have been encouraged that Bill C69, which has passed in the House of Commons and will be before the Senate this fall, does have a provision for gender-based analysis. It is good that it is in there, but the devil is always in the details. I mean, the Auditor General has reportedly -- has reported a number of times that gender-based analysis in Canada has either been implemented unevenly across government or has been ineffective.

So, having gender-based analysis mandated is excellent. It's also making sure that it is done properly, that it is not a tick box that, as you mentioned, it does include Indigenous women in the design

and the implementation of these assessments to make sure that they will make a difference in how projects are implemented, to make sure that they won't be violating human rights.

MS. LISA WEBER: Thank you. I just have a couple of questions for Mr. Beaudin. Good afternoon.

HONOURABLE KIM BEAUDIN: Good afternoon.

MS. LISA WEBER: Thank you for sharing with us your program in Saskatchewan. I'm just wondering if you might answer, would you agree that the bail system in Canada disproportionately impacts Aboriginal people?

HONOURABLE KIM BEAUDIN: Oh absolutely.

MS. LISA WEBER: Okay.

HONOURABLE KIM BEAUDIN: Huge impact on Indigenous people in this country. Actually, I believe it relates to a lot of barriers for Indigenous people. I mean, a lot of times they don't even have an opportunity when they're asked to raise bail, for example, they can't even come up with the money. It's just -- it's unbelievable. All these things, to me, are barriers to them to getting home.

MS. LISA WEBER: Thank you. Now, we heard mention and some context around the Gladue decision, which as you know is a sentencing decision. It wasn't specific to bail at the time of that decision. It is a Supreme

Court decision, but it is, nonetheless, a sentencing decision.

My understanding is that the application of the Gladue principles to bail are not consistent throughout the country. There are some jurisdictions that do apply it at the stage of bail, and some that do not. And, I'm wondering whether or not you would support, then, a recommendation to this commission that Section 515 of the *Criminal Code*, which does deal specifically with bail, not sentencing, that it be amended to make it mandatory for justices to consider those principles set out in the Gladue decision when deciding release of Aboriginal offenders?

HONOURABLE KIM BEAUDIN: Oh yes. I would agree with that 100 percent. Yes. I mean, the reason I sort of stepped back from the Justice of the Peace program when I was doing that job was because it was a revolving door, and I was dealing with probably, I'll say, 90, 95 percent of Indigenous people going through. And, a lot of it was administrative justice. It was all based on -- what do you call it? Breaches. And, you know, I mean, that's

-- so, one small charges led to many charges, and by the time it got to that point, the courts said, "Well, no, you've missed court a couple of times. You're not going

anywhere. We're going to put you under remand and keep you there."

MS. LISA WEBER: It's also my understanding, Mr. Beaudin, that regardless of -- often, regardless of recommendations to consider the Gladue principles that the issue is that there is lack of programming at the community level to assist persons who may be facing sentencing. Or, in the case of bail, I guess that would apply as well, and I'm wondering if you had any thoughts as to how that lack of programming might be addressed?

HONOURABLE KIM BEAUDIN: Well, we certainly need the resources to be put towards any type of programming. Again, when people come out of corrections or the federal prison system, the programming just isn't there. There's very little support, very little resources put towards it. They tend to come up, governments, doesn't matter provincially or federally, they come up with lots of money to keep you there, keep you in prisons, but they certainly don't come up with the money to assist you to keep you out of prison.

MS. LISA WEBER: Thank you. Those are my questions. Thank you, Commissioners.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up the Independent First Nations.

Ms. Josephine de Whytell will have six minutes.

--- CROSS-EXAMINATION BY MS. JOSEPHINE DE WHYTELL:

MS. JOSEPHINE DE WHYTELL: Good afternoon, Commissioners. Good afternoon, witnesses. Thank you very much for your testimony this morning. I'm going to start my questions to Ms. Greyeyes and Ms. Hansen, if I may? Is it okay if I call you Connie and Jackie? Okay, great. Thank you.

Would you agree that resource development in northeast of B.C. has largely developed without the free prior and informed consent of Indigenous communities?

MS. CONNIE GREYEYES-DICK: Yes.

MS. JOSEPHINE DE WHYTELL: And, free prior and informed consent, do I understand it, is that an internationally recognized right?

MS. JACQUELINE HANSEN: Yes.

MS. JOSEPHINE DE WHYTELL: And, as far as you know, has that been incorporated into Canadian law?

MS. CONNIE GREYEYES-DICK: Can you please repeat that?

MS. JOSEPHINE DE WHYTELL: Do you know if that's been incorporated into Canadian law, as far as you're aware?

MS. JACQUELINE HANSEN: A commitment to.

MS. JOSEPHINE DE WHYTELL: Thank you. You

testified that there had been reports and studies done prior to your Out of Sight, Out of Mind report that identified the direct impacts of resource development, but did not connect how these impacts would infringe the rights of Indigenous peoples; is that right?

MS. JACQUELINE HANSEN: Correct.

MS. JOSEPHINE DE WHYTELL: And, given the evidence of significant harm to Indigenous peoples, and particularly women and girls, would you agree that continuing down this path is foreseeably causing bodily and mental harm to Indigenous women and girls?

MS. JACQUELINE HANSEN: I would say that it's causing serious unintended consequences that can be many of those serious and unintended consequences.

MS. JOSEPHINE DE WHYTELL: Thank you. In your report at page 6, there is a heading that says, "Reckless decision making about lands and resources". Because of the harm that you've identified in this report, would you say, and is it fair to characterize resource development that does not occur with free prior and informed consent of Indigenous peoples as reckless?

MS. JACQUELINE HANSEN: I'm not seeing which page you're looking at. I don't see it on page 6.

MS. JOSEPHINE DE WHYTELL: On page 6, on the left-hand side, there is a black ---

MS. CONNIE GREYEYES-DICK: Here.

MS. JACQUELINE HANSEN: Ah.

MS. CHRISTA BIG CANOE: Sorry, can you just -- which of the reports are you in? Are you in Out of Sight?

MS. JOSEPHINE DE WHYTELL: Yes, Out of Sight, Out of Mind. Page 6, on the left-hand side, there is -- under the tab where it says "Context", the second heading down says, "Reckless decision making about land and resources."

So, I'm wondering, given the harm that you found in your report, would you describe resource development that does not occur with the free, prior and informed consent of Indigenous peoples as reckless.

MS. JACQUELINE HANSEN: Well, I think we did in that report. But, really, what we are looking at is -- I mean, it is hard to say at large, but we were saying, you know, as we noted in the report, a focus on individual projects. And, what we really saw in reality is that the impacts are far greater than the sum of the projects. And, without cumulative impact studies, without making sure that free, prior and informed consent is obtained, that yes, the decision making has been reckless around land and resources.

MS. JOSEPHINE DE WHYTELL: Are you aware of

-- Section 276 of the Criminal Code of Canada deals with twin myths, and these twin myths are that a woman who is engaged in prior sexual activities is more likely to consent and less likely to be believed about whether she has consented.

This issue arose recently in a case, R. v. Barton, that involved an Indigenous deceased, demonstrating that there is an additional component where an Indigenous identity compounds the harm. Would you agree that the dignity, rights and value of Indigenous women is systemically undermined in Canada?

MS. CHRISTA BIG CANOE: Sorry, can we stop the time for one moment? Ms. de Whytell ---

MS. JOSEPHINE DE WHYTELL: Can I just stop the question ---

MS. CHRISTA BIG CANOE: I think that she can answer in her opinion, but you have given her a highly legalized question ---

MS. JOSEPHINE DE WHYTELL: Yes.

MS. CHRISTA BIG CANOE: --- with reference to the Criminal Code of Canada. And, given that she is providing opinion from the context of co-authoring from human rights, so she is going to answer the question, but I am asking that the caveat be that in answering that response, it is coming from her personal opinion and

research as it relates to Out of Sight, and not a legal opinion.

MS. JOSEPHINE DE WHYTELL: Yes. Certainly.

MS. CHRISTA BIG CANOE: Please start the time again.

MS. JOSEPHINE DE WHYTELL: Thank you very much.

MS. JACQUELINE HANSEN: Thank you for that clarification. I think we noted well in the report the duty of due diligence, and noted in particular that when there is a pattern of previous harms, that there is a particular duty of care that the state has to ensure non-repetition and to ensure redress for survivors.

MS. JOSEPHINE DE WHYTELL: Are you aware of the term cultural genocide being applied to Canada's actions in respect of Indigenous peoples from the Truth and Reconciliation Commission report?

MS. JACQUELINE HANSEN: Of course.

MS. JOSEPHINE DE WHYTELL: And, you have mentioned that where states have committed previous rights violations, they have an even stronger positive duty to remedy human rights violations and prevent further violations, including prevention of the crime of genocide, is that fair?

MS. JACQUELINE HANSEN: Is there a duty to

prevent further harms? Yes.

MS. JOSEPHINE DE WHYTELL: And, Canada is a signatory to the convention on the prevention on the crime of genocide; is that correct?

MS. JACQUELINE HANSEN: It's not a convention that I follow in the course of my work ---

MS. JOSEPHINE DE WHYTELL: Okay.

MS. JACQUELINE HANSEN: --- nor is it something that we referenced in this report.

MS. JOSEPHINE DE WHYTELL: Okay. There are various international conventions that do support the rights of Indigenous women and girls to be protected from types of violations, and I think you have touched on some of these in your report, such as CEDAW, which is Convention on Elimination of Discrimination Against Women, ICESCR, ICCPR, CRC -- I can go through these if it is helpful for the Commission, but I recognize I have 35 seconds left.

Would you agree that adopting legislation domestically is one way that states meet this obligation?

MS. JACQUELINE HANSEN: I would say it is beyond adopting, it is about implementing legislation at all levels.

MS. JOSEPHINE DE WHYTELL: And, we heard evidence yesterday that the police investigate the police,

which was understood as somewhat unhelpful and that has not changed. And, you mentioned earlier that there are lots of reports and recommendations from inquests and inquiries that have not been implemented, are you aware of the Call to Action 24 of the Truth and Reconciliation Commission?

MS. JACQUELINE HANSEN: Yes, but I do not have the text in front of me at the moment. Is there something you would like to read out?

MS. JOSEPHINE DE WHYTELL: It is in relation to ---

MS. CHRISTA BIG CANOE: I'm sorry.

MS. JOSEPHINE DE WHYTELL: --- the federal ---

MS. CHRISTA BIG CANOE: I'm sorry, you are out of time.

MS. JOSEPHINE DE WHYTELL: Okay.

MS. CHRISTA BIG CANOE: Thank you.

MS. JOSEPHINE DE WHYTELL: Thank you.

MS. CHRISTA BIG CANOE: Next, we would like to invite up the Assembly of Manitoba Chiefs. Ms. Stacey Soldier will have 6 minutes.

--- CROSS-EXAMINATION BY MS. STACEY SOLDIER:

MS. STACEY SOLDIER: Yes. I would first like to start by giving my respect to the Huron-Wendat

Nation, for being on their territory, and again acknowledging the families and survivors who are present here today. Thanks to the elders and the staff, as well as Commissioners, good afternoon to you. Chi meegwetch to everyone.

My question is going to be directed to Kim Beaudin. Are you still referred to as "Your Worship", sir, or "Your Honour"?

HONOURABLE KIM BEAUDIN: No, "Kim" would be great.

MS. STACEY SOLDIER: All right. Thank you. So, in Manitoba historically, and I think this happens across Canada, there has been issues with the lack of resources in relation to Gladue assessments or reports for Indigenous people. You would agree with me that -- or would you agree with me that the issue is two-fold? One, that there is the lack of resources dedicating to providing the sentencing of judges or the judges with the particular information that allows them to meet their obligation to make -- to apply those factors, would you agree to that?

HONOURABLE KIM BEAUDIN: Yes, I would agree to that. Yes.

MS. STACEY SOLDIER: And, furthermore, would you agree as well that the amount of resources

dedicated by both provincial and federal governments to Indigenous based justice initiatives, healing programs and other supports are also insufficient?

HONOURABLE KIM BEAUDIN: Yes, I would agree.

MS. STACEY SOLDIER: You did make a recommendation that it will be very important -- or a recommendation to empower Indigenous organizations to do the Gladue assessments themselves. I wonder if you can get into that a little bit more.

HONOURABLE KIM BEAUDIN: Well, I believe that Indigenous people should be driving the program. A number of factors that come in, the -- for one, the system itself, I found that judges, court workers, Legal Aid workers, they don't really have a basic understanding of what Gladue is and they don't even have an understanding of what rights and how it applies to Indigenous people in Canada. And, because of that, they tend to steamroll the accused or the person who is going to be sentenced -- now this is prior to the bail hearing. They steamroll them into making a deal with the Crown, the kind of deals that they should not be making because -- if you build in the Gladue principles in that, where they have an opportunity to share their stories, then I believe things would change.

I get tons of calls about -- and not just people in terms of the program where I work, at STR8 UP, but as being the Vice Chief of the Congress of Aboriginal Peoples, people tend to ask me all kinds of questions about that. And, they don't know their rights. They really don't understand their rights. And, I can tell you, I don't believe that the system itself is prepared to tell them their rights.

And so, there has been, sort of -- like in Saskatchewan, particularly in Saskatoon, the University of Saskatchewan has decided to inform the community about the Gladue principles and what their rights are. And, I think that is a really important step and I wish that every province did that throughout Canada because it is very important. I do not know why we have rulings in this country when the federal government or, you know, the Crown doesn't even -- they don't even follow them. So, it is important.

MS. STACEY SOLDIER: Right. Thank you for that. And, I will just say, commonly in Manitoba, what is done is if a pre-sentence report or a pre-disposition report is ordered by the courts, there certainly is the question of whether the Gladue assessment should also be completed.

The issue -- an issue has been identified

very early on, particularly after Ipeelee, that Gladue assessments should not be within the pre-sentence report for a number of factors, including that Gladue factors sometimes are -- actually, I don't want to say "sometimes", but they are used to heighten the risk for an individual before the court. Can you comment on that?

HONOURABLE KIM BEAUDIN: Yes. I have heard that, where they -- but one of the problems with pre-sentence reports is you have probation officers doing their reports as well, and that should not -- they should not intertwine together, the Gladue and the pre-sentence report. They are totally different.

But, what happens is that they -- you are right, they do use that against the accused, the Indigenous person that is being sentenced and that is not fair to them as well. So, yes, I would have to agree with you on that one.

MS. STACEY SOLDIER: So, would you go as far as to agree with the recommendation that provincial probation officers should not be writing the Gladue assessments as well? Even further, those assessments should be written by Indigenous organizations or other organizations, would you agree?

HONOURABLE KIM BEAUDIN: I would agree with that 100 percent. The one thing I would like to add,

there should be a national focus on this as well, in terms of across Canada.

MS. STACEY SOLDIER: Well, let's make that part of the recommendation as well ---

HONOURABLE KIM BEAUDIN: Yeah, be part of the recommendation.

MS. STACEY SOLDIER: --- I would say it would be very important with respect to this. I see I have 36 seconds left, so those are my questions. Thank you.

HONOURABLE KIM BEAUDIN: Thank you.

MS. CHRISTA BIG CANOE: Thank you, Ms. Soldier.

Next, we would like to invite up ITK. Ms. Elizabeth Tarpa has six minutes.

--- CROSS-EXAMINATION BY MS. ELIZABETH ZARPA:

MS. ELIZABETH ZARPA: Good afternoon. My name is Elizabeth Zarpa. I'm legal counsel representing Inuit Tapiriit Kanatami which represents Inuit in Canada.

So I want to thank you all for your testimony this morning. I might move quickly because I only have like five minutes.

So on page 67 of "Out of Sight, Out of Mind", it outlines consultation and consent. And within that document, within that page, there's no explicit

expressed explanation with regards to Indigenous people, First Nations, Inuit, Métis, having the right to say no to naturel resource development within their territory.

And in your research with that, Ms. Hansen, is that because Indigenous people don't have the right to say no when natural resource companies enter onto their territory to develop hydro electric dams, lines?

MS. JACQUELINE HANSEN: We did cover the evolution of free, prior and informed consent and that is covered in an earlier chapter in the report.

MS. ELIZABETH ZARPA: Okay. But my question is whether or not there is free, prior and informed consent but is that a binding principle within Canadian legal jurisprudence within your research?

MS. CHRISTA BIG CANOE: Sorry. Again, can I stop the time?

MS. ELIZABETH ZARPA: No? She shook her head no.

MS. JACQUELINE HANSEN: Sorry, no, I'm saying ---

MS. CHRISTA BIG CANOE: I'm actually asking to hold the time for a minute.

Again, if we're going to contextualize it, she can answer a question in the area that she's called as an institutional witness with the ability to provide

opinions on the report but when you're asking her about legal jurisprudence in this country, she's not qualified to provide a legal opinion.

MS. ELIZABETH ZARPA: Okay. Thank you for that. All right.

So on to the next sort of area, away from the other questions that I had, so could you please, in brief, outline what an impact assessment would entail?

MS. JACQUELINE HANSEN: I don't think that there is one set model. There are a number of different ways impact assessments can be carried out, including impact assessments done by communities. There's a range of ways in which they are conducted now, some by proponents, some by governments, some by communities, and I think it is worthwhile to have a look at those different models.

But really whatever model is chosen in a particular context, what's important is to make sure that the voices of community members are essential to both the design and carrying out of the impact assessment process.

MS. ELIZABETH ZARPA: And from what I gather in your testimony, it would almost be sort of a mandatory assessment process in conjunction with territorial, provincial and federal environmental assessment processes that an impact assessment would be a

mandatory... a mandatory assessment process to go through once natural resource development goes into Indigenous communities.

MS. JACQUELINE HANSEN: We want to make sure that there is mandatory impact assessment but I think also beyond individual projects, we also want to make sure that depending on the nature of the industry in a particular region, there is scope for regional and cumulative impact assessments. So for example, you might be in a community where there's one mine and there might be one impact assessment covering that one mine and that might be sufficient.

What we found in the northeast is that there's so many different installations that by doing an impact assessment for each individual project, they're so narrow and they're so limited in scope that they kind of really miss the full impact of all of these installations.

And so there can be situations like the northeast where we would like to see a regional assessment of the cumulative impacts that isn't just looking at, for example, epidemiological impacts but it's looking at the impacts on health, on wellbeing, and that are employing both an -- employing an intersectional gender-based lens.

MS. ELIZABETH ZARPA: Thank you for that. I appreciate that.

And throughout your sort of work on free, prior and informed consent and also page 67 of the report that you co-authored, did you come across any sort of themes or any type of research where Canadians have the right to -- constitutionally protected right to a healthy environment?

MS. JACQUELINE HANSEN: Not sure.

MS. ELIZABETH ZARPA: Okay. Thank you for that.

My next question would be to Mr. Beaudin. Thank you for your testimony this morning. I appreciate it and this afternoon.

You highlighted throughout that you're on a committee for justice of the peace and you mentioned the story where an individual who was Métis or an individual who was appointed as a JP didn't know who a Métis person or who Métis people are within this country. And you highlighted that there's a need for education around who Indigenous people are before they become JPs.

Is that correct?

HONOURABLE KIM BEAUDIN: Yes.

MS. ELIZABETH ZARPA: Okay. And to push that a little further, would you make a recommendation that all Canadian Bar courses within Canada should have a mandatory education on Indigenous people within Canada?

HONOURABLE KIM BEAUDIN: I would agree with that, yes. I believe that it's really important that our judiciary process and all the people involved in the mechanisms be educated about Indigenous people. And like I find a lot of times and I mentioned earlier is that some people don't even who Métis people are, some people don't even know who First Nations people are, and these are the same people that are in our justice system and impacting our people.

So yeah, I would agree with that 100 percent.

MS. ELIZABETH ZARPA: Okay, thank you.

And just to build up -- I'm moving very quickly because the time, I'm looking at the time -- you mentioned earlier in your testimony you highlighted the statement and I would like you to elaborate if you would like.

You mentioned that we have a lot of lawyers and bureaucrats making a lot of money of the backs of our people. Could you please highlight that?

HONOURABLE KIM BEAUDIN: Well, each and every year, the budget across this country increases when it comes to the justice system itself, federally or provincially, even right down to civic governments like cities and municipalities as well.

And there doesn’t seem to be -- what I find is that people are really good lobbyists when they want to increase those budgets but there's no money -- like they don’t put any money in place to try to decrease what's really going on, you know, from a grassroots perspective.

And, you know, you can't rest your way, you know. Like we talked about this before. I remember one of the comments was made from the mayor of Saskatoon saying, you know, we can't rest our way into justice, like we can't keep doing that constantly. The budgets are just getting too much and there's going to be a tipping point eventually. So they have to address that. That's what I was referring to.

MS. ELIZABETH ZARPA: Thank you.

MS. CHRISTA BIG CANOE: Thank you, Ms. Zarpa.

Next, we would like to invite up the Native Women’s Association of the Northwest Territory. Ms. Caroline Wawzon -- help me please with this.

MS. CAROLYN WAWZONEK: Wawzonek.

MS. CHRISTA BIG CANOE: Wawzonek will have six minutes.

I just also want to make a friendly reminder, although we're in a time crunch, that as usual, we have translation services in the booths back there and

when we talk so fast, they don't -- they can't keep up with the pace at which we're talking, like all of us, including myself.

So I'm just making a friendly reminder that we do have to be cognizant that in order to make this the most accessible process because it's run on live stream in both French and English, and because people in the room are relying on the translation that our words may need to be a little slower sometimes, including mine.

So that wasn't directed to anyone, counsel. That was directed to everyone. So thank you and please feel free to start when you're ready.

--- CROSS-EXAMINATION BY MS. CAROLYN WAWZONEK:

MS. CAROLYN WAWZONEK: Bon après-midi au commissaire en chef et aux commissaires et à tous nos témoins. I take your comment. I do speak very quickly. I don’t have much time as everyone has said.

Monsieur Beaudin, I'd like to start with you, please. I'd like to talk about aftercare, aftercare being my understanding that it's continuing care, continuing healing that would happen after someone has already started on their healing journey, so steps being taken after the acute treatment process perhaps.

Would you agree that aftercare is a necessary part of a treatment journey that someone is on?

HONOURABLE KIM BEAUDIN: I would agree with that, yes.

MS. CAROLYN WAWZONEK: And this morning I think you said specifically that when someone comes out of jail, they're coming into a new world that's in front of them. Would you agree that for people coming out of jail, if they've had access internally, that they also continue to need aftercare supports after release?

HONOURABLE KIM BEAUDIN: I agree with that 100 percent as well.

MS. CAROLYN WAWZONEK: Okay. Would you also agree then that without aftercare, the likelihood of someone returning to addictions is increased?

HONOURABLE KIM BEAUDIN: Yes, I would agree with that.

MS. CAROLINE WAWZONEK: And, similarly without aftercare, would a recovering person be more vulnerable to abuse?

HONOURABLE KIM BEAUDIN: Yes, certainly. Yes, I would agree with that as well.

MS. CAROLINE WAWZONEK: Would you agree with then a recommendation that Correctional Service of Canada be required to provide associated funding for aftercare in conjunction with their programming for incarceration programs?

HONOURABLE KIM BEAUDIN: Yes, I would agree with that 100 percent. I might even add a little bit to that.

MS. CAROLINE WAWZONEK: Please.

HONOURABLE KIM BEAUDIN: We have had many discussions with Corrections about that, Correctional Services Canada. And, we -- well, again, I am going to -- when the rubber hits the road, I haven't seen the rubber hit the road yet with that. I referred to it earlier about platitudes and gratitudes, and I am waiting for something substantial.

We can -- what I am hearing through Correctional Canada is that they acknowledge, they see that there are too many Indigenous people that are, you know, within the system itself. They agree with that. It is just a question of how we are going to move it, how we are going to move those numbers down, because they are constantly going up. And, in particular, Indigenous women, that is a real deep concern that I have and it constantly climbs, and our youth. So, yes, they could do a lot if they wanted to. I am just hoping that the will is there.

MS. CAROLINE WAWZONEK: And, perhaps a similar vein is that when someone is out and they are on probation, on parole accessing other government services

that require them to get treatment programming, would you also agree that they should then -- if they are required to have treatment, that the government provide funding for aftercare at the same time?

HONOURABLE KIM BEAUDIN: I would agree with that, but there is one thing that always comes out when you refer to the issue of "require". A lot of times, the courts, they are apprehensive of ordering somebody to do that ---

MS. CAROLINE WAWZONEK: Right.

HONOURABLE KIM BEAUDIN: --- because they say you can't -- well, you know, we live in a democracy. You can't order somebody to do something that they might not necessarily want to do. That is the excuse they use. I would agree that if it is ordered within the plan, the healing plan, not really. Yes, it should be part of it instead of them getting out, you know, the exact date that they are supposed to get out, and then trying to figure out him or her, what they are going to do within the next few months.

MS. CAROLINE WAWZONEK: So, in a nutshell then, if some government service or program, whether it is corrections or whether it is income support has -- is expecting a person to engage in a treatment recovery program, that there is a responsibility from the

government program to provide funding for aftercare as well?

HONOURABLE KIM BEAUDIN: Absolutely. Yes.

MS. CAROLINE WAWZONEK: Okay. If I can, I will come back to Gladue reports. But, if I can't, I will turn my attention for the moment, if I could, to Ms. Hansen and the Out of Sight report. Something that came out of there was that women are underemployed, and that this leaves them vulnerable and exacerbates inequalities in families.

One of the barriers you also -- in the report was around the lack of affordable child care. Would you recommend that Impact Benefit Agreements between Indigenous communities and proponents of big projects contemplate the inclusion of better access to child care?

MS. JACQUELINE HANSEN: I have no comment on what should be or should not be included in IBAs. But, at large, obviously we want to make sure that women have accessible access to child care.

MS. CAROLINE WAWZONEK: Perhaps I will expand it bigger then. Fair enough. With respect to the environmental assessment process, you did mention that earlier, if I could be more specific there in terms of saying that before a proponent's application is going to be deemed as being complete by a regulatory body, that

they -- that the regulatory body has to see the proponent do a requirement for human and social impact analysis?

MS. JACQUELINE HANSEN: I would take that further and say gender analysis.

MS. CAROLINE WAWZONEK: Okay.

MS. JACQUELINE HANSEN: What we did find, actually, including in British Columbia, is that when you do a social and economic impact assessment, that can also still be gender blind. So, we found that you specifically have to note that there is a gender-based analysis.

MS. CAROLINE WAWZONEK: Would you also recommend then that the regulatory boards themselves also use a gender-based analysis when they are evaluating the applications?

MS. JACQUELINE HANSEN: Since 1995, the federal governments had a whole of government commitment to implement gender-based analysis. One would think that that should be everywhere, but we are seeing that it is not and obviously it should be.

MS. CAROLINE WAWZONEK: And, I assume you extend that recommendation to provincial and territorial governments as well?

MS. JACQUELINE HANSEN: Of course.

MS. CAROLINE WAWZONEK: Okay. Would you agree that industries should continue to set targets ---

MS. JACQUELINE HANSEN: Sorry, you are speaking too fast.

MS. CAROLINE WAWZONEK: Sorry. Would you agree that industries should also set targets for having representative workforce?

MS. JACQUELINE HANSEN: We don't have a comment on that.

MS. CAROLINE WAWZONEK: Okay. Thank you. I have no further questions.

MS. CHRISTA BIG CANOE: We would like to invite up New Brunswick Aboriginal Peoples Council. Ms. Elizabeth Blaney will have six minutes.

--- CROSS-EXAMINATION BY MS. ELIZABETH BLANEY:

MS. ELIZABETH BLANEY: Thank you. Good afternoon, elders, families, Commissioners and witnesses. Thank you, panel, for your testimonies this morning.

My first question is for Ms. Hansen and Ms. Greyeyes. Ms. Hansen, you mentioned the lack of systematic data collection, and Ms. Greyeyes gave recognition to the importance of gathering the lived experiences of women and families. Would you consider this a best practice model of data collection to both determine what types of data might be collected and as a model for future data collection?

MS. JACQUELINE HANSEN: I have no idea how

to answer that question. Can you please rephrase?

MS. ELIZABETH BLANEY: Would you -- you talked about data collection, the lack of data collection, and Ms. Greyeyes talked about the gathering lived experiences and the meaning of that -- the meaningfulness of that. Would that be considered a methodology for moving data collection forward in Canada to actually more meaningfully gather data on women's experiences?

MS. JACQUELINE HANSEN: Again, I don't think it is specific enough for me to be able to answer. What I was referring to in terms of data collection was really surrounding -- we are really looking at crime statistics and what data is that were not being collected by police services entered into crime databases and how that is being publicly reported.

MS. ELIZABETH BLANEY: Okay. Thank you. I will ask Ms. Greyeyes then. Would you see gathering the lived experiences of Indigenous women and girls an important methodology for collecting data in Canada, particularly on MMIW issues?

MS. CONNIE GREYEYES-DICK: Well, from -- personally, I think that you -- when it is in regards to missing and murdered Indigenous women and girls and the experiences that families have, it is important to have their input. You know, it is the most important data that

you can get, is their lived experiences and in the manner that it is being used.

In particular, with the lived experiences that we collected for our report, it was important for women to be able to express themselves, women and families, about their experiences with the resource extraction and what was going on in their communities. And, I do think under certain circumstances and depending on what the report is for, it is very important to allow families and women and girls, in particular, to share their stories to have that the heart of it, which is, to me, the most important.

MS. ELIZABETH BLANEY: Thank you. I will move on to Mr. Beaudin now. In your opinion, Mr. Beaudin, does a historical division of peoples, for example, as you referred to this morning between status and non-status, on-reserve, off-reserve, in your opinion, contribute to the contemporary vulnerabilities of Indigenous women to violence?

HONOURABLE KIM BEAUDIN: Absolutely. Yes, I would agree with that.

MS. ELIZABETH BLANEY: Do you also agree that such a division or these divisions hinder a meaningful response to justice issues including MMIW in urban and off-reserve communities?

HONOURABLE KIM BEAUDIN: Yes, I would agree with that.

MS. ELIZABETH BLANEY: In your submission, you stated that you would provide a national perspective. And, given that the Congress of Aboriginal Peoples is a national organization and that there are provincial and territorial organizations in most provinces and territories, can you also explain the role of the Congress of Aboriginal Peoples and its PTOs in the provision of services in each of these provinces and territories?

HONOURABLE KIM BEAUDIN: Yes, there are a number of provincial territorial organizations across Canada that are affiliated with the Congress of Aboriginal Peoples representing Métis and non-status Indians. And, they do offer programs and services provincially to their people, grassroots. And, a lot of those programs actually are -- they are very well-run. They are -- they address the daily lives of people as well.

I wanted to make a point here that the -- right now, we -- like we have – the Congress of Aboriginal Peoples is dealing with specific issues when it comes to Métis and non-status Indians. And I'm going to refer to this issue called "Distinguished Based Process". What's happening right now is that the Federal Government is using a distinct-based process when it comes to our people

in this country. For example, if you don't fall under Métis for exam -- under Section 35, then you fall completely out of that process. Non-status Indians, they're in a quagmire like, you know, we're not even sure -- how would you define a non-status Indian for example?

We talk about people who are excluded, people such who were in the sixties scoop, families, they didn't know who their -- their people like their relatives were. They didn't know what band or reserve they came from, there's that. And then we have a huge issue as well with children in foster care that are coming out of the system, they're aging out. Again, they don't have no connection to their communities, they have no connection to their First Nations people and their traditions and that. And what's happening is that the Federal Government has created this table now -- or this process where they're leaving out a large segment of our people that the Congress of Aboriginal Peoples represents, and I think it's rather unfortunate that that's happening.

I call it a "colonial approach" and when really every Indigenous organization -- half of the Canadian organization in this country AFN, MNC, ITK, NWAC, all of us we're striving to do the same thing. We're trying to fight for our people and we should be working together, not against each other, those kind of things,

and that's what's really frustrating to me.

When I grew up, I was -- I didn't even have a Métis Card when I was younger, I didn't have a Status Card, I didn't even know -- I didn't know really anything about who I was. And so when you learn, you figure this out and there's so much politics involved and it's rather unfortunate that this is happening today.

So, with respect to this, I believe that a lot of the policies they need to include the people who are left out and include -- and a large -- a large population of Indigenous people do live in urban areas. And one thing too is our rights -- our treaty rights are portable as well. Just because you leave one community and come to another doesn't mean they just forget all about you. And that's a message we need to get across, so -- and it impacts everything that we do, including justice in terms of policies and procedures, all those kind of things, that's very important. I hope I didn't talk too fast.

MS. CHRISTA BIG CANOE: Okay, thank you.

MS. ELIZABETH BLANEY: Thank you, I see that I'm out of time.

MS. CHRISTA BIG CANOE: Yes.

MS. ELIZABETH BLANEY: Thank you.

MS. CHRISTA BIG CANOE: Thank you so much,

Ms. Blaney.

Next, we would like to invite up the Canadian Association of Police Governance and First Nations Police Governance. Ms. Michelle Brass has six minutes.

--- CROSS-EXAMINATION BY MS. MICHELLE BRASS:

MS. MICHELLE BRASS: Thank you. Good afternoon, Commissioners. Good afternoon witnesses, thank you for your testimony this morning, that was really good. Good afternoon, Elders.

My question this afternoon -- or questions are for Ms. Beaudin. I just wanted to sort of talk more about the Gladue work. You mentioned that you were aware that the university was doing some work. Do you know that was called the "Gladue Awareness Project" in Saskatchewan?

HONOURABLE KIM BEAUDIN: Yes.

MS. MICHELLE BRASS: Have you been able to attend any of the seminars?

HONOURABLE KIM BEAUDIN: Unfortunately no, but I certainly want too.

MS. MICHELLE BRASS: Okay.

HONOURABLE KIM BEAUDIN: I really want -- yeah, I mean nothing better than learning really -- what's really going on. I'm glad that the university is actually doing that. I wish they would that, you know, across the

country, other areas. I think it's really important to inform the people.

MS. MICHELLE BRASS: Yeah, I agree. And within the project that the Native Law Centre, which is actually who is holding the ---

HONOURABLE KIM BEAUDIN: Yeah.

MS. MICHELLE BRASS: --- the project, materials have been drafted in relation to informational materials; were you aware of that?

HONOURABLE KIM BEAUDIN: No, I wasn't.

MS. MICHELLE BRASS: Okay. So you haven't had the opportunity to see the materials that were going to be made available to everyone in the province?

HONOURABLE KIM BEAUDIN: Oh, sorry, back that up. Yes, I did see the materials that were -- that were -- through the Native Law Society -- Native Law in terms of the University of Saskatchewan, yes.

MS. MICHELLE BRASS: Yeah, Native Law Centre.

HONOURABLE KIM BEAUDIN: Yeah, yeah.

MS. MICHELLE BRASS: Okay. There's about six more seminars coming up, so you're more than welcome to please attend one of them, that would be good.

Just in relation to work that's been done by other organizations within the province, for example

the Fort Qu'Appelle Tribal Council, has done some work in relation to -- or does do some work in relation to the Gladue work; were you aware of that?

HONOURABLE KIM BEAUDIN: Yes, yes.

MS. MICHELLE BRASS: Okay. I guess the point of my question is do you recognize that there are silos that exist within various organizations that work with aboriginal people, say in the Gladue work?

HONOURABLE KIM BEAUDIN: Yes.

MS. MICHELLE BRASS: Okay. Would one -- one of your recommendations be then that silos should be avoided and that better communications between organizations be achieved?

HONOURABLE KIM BEAUDIN: I would agree with that. I'm hoping -- well, I'm actually involved in a process right now where we're looking at a national Gladue process where everybody's included, so that there won't be silos all over. And I think that's a phenomenal idea where we're -- we're just waiting for the -- for the invite to come in, but yeah, we're all working, you know, rowing the same boat. I think that's really important and we can learn from each other as well. So yeah, I'm waiting for that, apparently it's going to come up in November some time.

MS. MICHELLE BRASS: Yeah, there's actually

a conference in Saskatoon in November that will -- the National Justice Symposium where Gladue will be discussed as well, but I just wanted to make sure that as a recommendation to avoid silos, because it seems that one organization may do one thing, another organization may do another thing, but there's no communication. And so one organization may say that's nothing is being done, when in fact there is other organizations that are working on things like the Gladue. So ---

HONOURABLE KIM BEAUDIN: Yes.

MS. MICHELLE BRASS: --- when you said this morning that there was nothing really being done in the province, I just wanted to clarify that, that the university is actually working on that.

HONOURABLE KIM BEAUDIN: Yeah.

MS. MICHELLE BRASS: And you also mentioned that you felt that only Indigenous organizations or Indigenous people should be doing this kind of work. Do you believe that or do you -- is that your position?

HONOURABLE KIM BEAUDIN: I believe that 100 percent and, you know, when I first went to the Gabriel Dumont Institute in Regina a number of years ago, I won't tell you what year, but I -- at that point we needed -- we needed help I guess you could say, like a hand -- a hands up -- a hand up to help us out in terms of -- as

Indigenous people to lead us into a direction where -- based on self-determination. Well, today we're graduating hundreds and hundreds of Indigenous people in our universities and not with a solid education. We have the -- we have the people to do it, they're educated, they, you know, we don't -- yeah, we can do that ourselves is really what I'm saying and I think it's really important. So yeah, I would believe in that for sure.

MS. MICHELLE BRASS: And do you believe in partnerships?

HONOURABLE KIM BEAUDIN: Absolute partnerships again as well, we can pool -- wouldn't necessarily the resources but our knowledge in that, it's -- yeah, we can do a lot of great work together, because there's certain things that happen in different areas of the country and some might work in one, and then some might not work in the other and we can bring all that together. It's very important.

MS. MICHELLE BRASS: Okay. So for non-Indigenous organizations or individuals who want to be involved and want to create partnerships with Indigenous people, that's still something that we should still foster or agree to ---

HONOURABLE KIM BEAUDIN: Yes.

MS. MICHELLE BRASS: --- those kind of

partnerships?

HONOURABLE KIM BEAUDIN: Yes.

MS. MICHELLE BRASS: Okay, thank you. That's all my questions.

MS. CHRISTA BIG CANOE: Thank you, Ms. Brass.

Next, I would like to call up the Association of Native Child and Family Services. Ms. Josephine de Whytell will have six minutes.

--- CROSS-EXAMINATION BY MS. JOSEPHINE DE WHYTELL:

MS. JOSEPHINE DE WHYTELL: Good afternoon, Elders, Commissioners, witnesses.

My first question is for Connie Greyeyes. Connie, you testified that women chose to stay in abusive relationships because of poverty and their ability to provide for their children without their partner. In southern Ontario where there are resources for native child and family services, the risk to the children of being exposed to violent relationships between their parents can be grounds for intervention and possibly apprehension. I was wondering if you could unpack for us the impact that this long-term poverty has on the breakdown of Indigenous families where if they stay in the relationship they're causing harm to their children, and if they don't stay in the relationship, they're causing

harm to their children?

MS. CONNIE GREYEYES-DICK: I'm having a really hard time, like, hearing what you're saying. I have a bit of a cold and you are kind of talking fast. So, if you can, like, just kind of ask the question in like ---

MS. JOSEPHINE DE WHYTELL: Yeah, sure.

MS. CONNIE GREYEYES-DICK: Sorry, sorry.

MS. JOSEPHINE DE WHYTELL: I'll ask it again. So, earlier you testified that sometimes women choose to stay in abusive relationships because of poverty ---

MS. CONNIE GREYEYES-DICK: Yes.

MS. JOSEPHINE DE WHYTELL: --- and because if they leave, they're facing situations where they can't feed their children. So, what I'm wondering is in those sorts of situations, that would be grounds for apprehension if a person stayed in the home with that abusive partner, and I'm wondering if you could unpack for us the impact that poverty has on the breakdown of Indigenous family units?

MS. CONNIE GREYEYES-DICK: Well, just in the families that I've spoken to, you know, that have actually been in those situations, they -- it really is a tough choice to make, you know. When they have that --

when they're living and facing that abuse, many times it's kept quiet. So, the risk of actual intervention is very slim because they don't usually say anything, you know. The women that we deal with that are in crisis situations, if there is a direct harm to the child, then, you know, we have a duty.

When they're in those crisis situations where they're in that -- the financial abuse situations, you know, we encourage to get help, to have somebody to speak to, you know. We do our best to pool resources to help women leave. Ultimately, it's their choice. And, that breakdown of family happens regardless of whether or not they're in that situation or not. You know, whether they choose to leave, the family is breaking down. If they're staying, the family is breaking down.

It's a matter of trying to catch them when they're falling, to just try and be that stable person to be there, to offer resources and help, and that's really the best that we can do in those situations.

MS. JOSEPHINE DE WHYTELL: And, are there specific resources in your community targeting fixing the issue of poverty?

MS. CONNIE GREYEYES-DICK: Yes. I actually work for an organization called, and we work tirelessly to help children, families with resources, some as simple as

providing diapers and milk to single moms and finding counselling for alcohol and drugs, having mom and tot parenting groups. You know, there are resources out there, and while the resources are stretched to the limits, every organization that's involved with us that we work with is doing their best.

MS. JOSEPHINE DE WHYTELL: Would you benefit from having a lot more funding?

MS. CONNIE GREYEYES-DICK: Yes. Of course, we would, you know, but that's a double-edged sword sometimes, you know? When you offer funding but you're attaching a whole bunch of stipulations to it, sometimes, you know, they make it impossible to accept that funding.

And, of course, it would be so fantastic if the community that I lived in, you know, stepped up and said, "Oh, man, we're really lacking in this," or "We're really lacking in that," and you know, really, really took a look at the community and what is available and what is severely lacking, and stepped up and took care of it. But, in all reality, you know, it's the grassroots activists and those non-profit organizations that are holding the women and children up in our community.

MS. JOSEPHINE DE WHYTELL: Thank you. The issue of lack of implementation of recommendations has cropped up repeatedly. Now, Call to Action 24 of the

Truth and Reconciliation Commission called to action, called upon the federal government to reaffirm the independence of the RCMP to investigate crimes in which the Government of Canada has its own interest as a potential or real party in civil litigation. Would you agree that implementation of this recommendation could improve accountability in respect of the harm that keeps reoccurring from failure to implement all of the other recommendations that we've had?

MS. JACQUELINE HANSEN: That wasn't covered directly in the recommendations of our report.

MS. JOSEPHINE DE WHYTELL: Okay. I have a quick question for Mr. Beaudin, if I may. You spoke about the lack of housing, lack of food, inability of families to feed their children and the spiral effect that causes addiction issues, and mental health, and criminal involvement.

Is it fair to say that failure to address poverty overburdens the justice system?

HONOURABLE KIM BEAUDIN: Oh, absolutely, yes.

MS. JOSEPHINE DE WHYTELL: Would you go as far as to say that it is also the same for a child welfare system?

HONOURABLE KIM BEAUDIN: Yes. For sure.

Yes.

MS. JOSEPHINE DE WHYTELL: Thank you. I'm out of time.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up MKO. Ms. Jessica Barlow will have six minutes.

--- CROSS-EXAMINATION BY MS. JESSICA BARLOW:

MS. JESSICA BARLOW: Thank you. Good afternoon. I would like to begin by acknowledging the elders, the grandmothers, the singers this morning for the song, the families and survivors, the Commissioners, and the witnesses for your testimony today. Thank you.

I would also like to express gratitude to the Huron-Wendat nations for welcoming us here. My name is Jessica Barlow, as Ms. Big Canoe said, and I am legal counsel on behalf of MKO. Today, my questions will be directed to you, Ms. Hansen.

We heard you make an earlier recommendation that experienced police officers should be placed in northern postings; is that correct?

MS. JACQUELINE HANSEN: Yes.

MS. JESSICA BARLOW: Thank you. And, by way of context, in the Regina hearing, I had asked Commissioner Lucki of the RCMP about the criteria that are used to -- for limited duration and isolated postings, and

these factors included things like lack of amenities, the access to education facilities, medical facilities, and also, a general quality of life in comparison to other areas. And, when these factors are all present, it forms the basis for these types of postings. So, for example, limited duration in isolated posts.

And, the Commissioner said that where these factors could be mitigated, it could potentially lead to longer term postings. So, not only officers -- are officers being sent into these communities that are relatively rookie, as you alluded to earlier, or they're potentially inexperienced, but they're also often there for short periods of time.

And so, given that, I'm wondering if you would add to your earlier recommendation to have experienced officers in the communities, but also to maybe add to that, that they should be focusing on mitigating those factors that are potentially leading to these limited duration postings?

MS. JACQUELINE HANSEN: Yes. And, the short duration of posts was also something that we had identified was a challenge, because it was preventing time for connection with community.

MS. JESSICA BARLOW: Fantastic. And so, as you've already agreed, I just wanted to take that a little

bit further and ask if police are in the communities and they are experienced and they are present, and also if they are familiar with the community and its people, and also with the issues that the community is facing, if you think that this would help alleviate some of this systemic bias that is plaguing the policing?

MS. JACQUELINE HANSEN: One would hope so, yes.

MS. JESSICA BARLOW: Thank you. I'm sorry to move so quickly onto -- I'd like to talk to you about development as well. And so, is it fair to say that you're familiar with the fact that many northern and remote communities are experiencing under resourcing?

MS. JACQUELINE HANSEN: Under resourcing of...?

MS. JESSICA BARLOW: Like, health, education, food, security, housing, essential services?

MS. JACQUELINE HANSEN: Yes.

MS. JESSICA BARLOW: And, as we had heard you testify to earlier, that they're sort of resource stretched. Would you agree to that?

MS. JACQUELINE HANSEN: Sorry, what is stretched?

MS. JESSICA BARLOW: Resource stretched.

MS. JACQUELINE HANSEN: Yes.

MS. JESSICA BARLOW: And, is it also fair to say that a lot of resource development is also taking place in northern and remote communities across Canada?

MS. JACQUELINE HANSEN: Yes.

MS. JESSICA BARLOW: And so, if -- and I can also state that this is the case for northern Manitoba. And so, if resource development is to continue, in your opinion, what are some ways in which resource development could take place without exacerbating or creating these resource stretching issues that are disproportionately felt by northern communities, and also, at the same time, protecting the lives of women and girls in these communities?

MS. JACQUELINE HANSEN: Well, one of the things that's actually being done in B.C. is there is an agreement that was formerly called the Fair Share Agreement, where there was a recognition that the northeast is hosting industry and there's particular costs associated with that. And, because of that, there's additional money that the province transfers to the region.

So, that certainly is a model that can be helpful.

What we found though in Northeast B.C. is that without an assessment of both the needs at about the

service level and an infrastructure level, it is really hard to know where you allocate the funds. So, looking at different models of getting additional funds, inter-regions that are hosting industry is great, but it really needs to be coupled with a proper process to really determine what the needs are to make sure that that money is going where it is most needed to have an impact.

MS. JESSICA BARLOW: And so, who would you recommend do such an assessment?

MS. JACQUELINE HANSEN: I think there are a range of actors that would need to be involved in such an assessment. We wouldn't want to be prescriptive about that. But, as I have said before, I think front and centre need to be the voices of communities who are impacted and not just at the leadership level, but community members and making sure that Indigenous peoples -- making sure that Indigenous peoples of all genders are represented in such a process.

MS. JESSICA BARLOW: Thank you. And, we heard you talk about instead of just doing environmental assessments, they were just land-based assessments. When talking about development, you had recommended utilizing impact assessment that focused on a lot of the social factors as well; is that fair to say?

MS. JACQUELINE HANSEN: Yes. And, in

particular, gender-based analysis.

MS. JESSICA BARLOW: Great. Thank you. My apologies for not including that. And so, I am wondering if you would make a recommendation that decision makers, when it comes to development, if they should be mandated to give increased weight to something like a social impact assessment or something along the lines of accumulative impact assessment.

MS. JACQUELINE HANSEN: Well, I think there is a range of assessments that are all needed, and I don't want to get into the weighting of those. I mean, regardless, the state has a duty to uphold the human rights obligations. So, they have a duty to both understand what rights violations are reasonable to assume would happen because of a project and to make sure that things are in place to mitigate those. So, I think that is what we would want to make sure is front and centre.

MS. JESSICA BARLOW: Okay. Thank you so much.

MS. JACQUELINE HANSEN: No problem.

MS. CHRISTA BIG CANOE: Thank you, Ms. Barlow. Chief Commissioner and Commissioners, there is a total of 19 parties. Sorry. There is a total of 19 parties that will be doing cross-examination. I would suggest now is an opportune time for the 15-minute break

in the afternoon. And then we would be prepared to proceed at 2:45 precisely with the next party with standing, which is the Congress of Aboriginal Peoples. Great. And, we will be starting again at 2:45. Thank you.

--- Upon recessing at 14:32

--- Upon resuming at 14:47

MS. CHRISTA BIG CANOE: ...Ms. Cernigoy will have six minutes.

--- CROSS-EXAMINATION BY MS. MELISSA CERNIGOY:

MS. MELISSA CERNIGOY: Thank you. And, thank you for your testimony today, Ms. Greyeyes, Ms. Hansen and Vice-Chief Beaudin. I am Melissa Cernigoy, representative for the Congress of Aboriginal Peoples. I will address my first questions to Vice-Chief Beaudin.

You described that STR8 UP works to prevent youth from becoming gang involved. What strategies do you use to target pre-gang involvement and are these strategies different for male and female youth?

HONOURABLE KIM BEAUDIN: Very good questions. I -- well, we target youth, and I mentioned earlier that one of the things we do is reach out to the schools and the high schools, and we bring our members out to do presentations. And, we believe that is really important so they understand what the lifestyle is really

about and not that it is glorified in Hollywood and all that kind of thing. What was the other question you asked again?

MS. MELISSA CERNIGOY: Are these strategies different for male and female youth?

HONOURABLE KIM BEAUDIN: Not necessarily. We know that majority of people who get involved in gangs are male, unfortunately, but the strategies are not necessarily different. What happens though is that when they are involved in the program, that is when it becomes -- it does become different in terms of the role that women play within the program itself. And, matter of fact, I -- they play a significant role. They have different stories to share and very important stories to share amongst the people in their families. And, yes, it is -- it would be different once they are involved.

MS. MELISSA CERNIGOY: Okay. Thank you. I would like to ask you how, in your view, do issues with gang violence and recruitment intersect with issues of missing and murdered Indigenous women and girls in Saskatoon?

HONOURABLE KIM BEAUDIN: Repeat that question again.

MS. MELISSA CERNIGOY: So, how, in your view, do these issues with gang violence and recruitment

intersect with the issue of missing and murdered Indigenous women and girls and in the City of Saskatoon?

HONOURABLE KIM BEAUDIN: Yes, that is a -- in a lot of ways, they intertwine, unfortunately. One of the things about our program is, which we definitely stress is that, when we are out there, we don't reach out to people who are affiliated with gangs to try to pull them out, because it would just cause us a lot of problems in terms of the community. What we do is the people who want to get out of the gangs, that is when we get involved with them from that point on.

But, in terms of that other stuff, yes, there is -- when they get involved in, unfortunately, that kind of lifestyle, it has an adverse effect on everything in terms of the community, and it wouldn't just be Saskatoon. It would be other areas; you know? Like, I was saying the -- Winnipeg, for example, would be the -- well, somebody mentioned epicentre, unfortunately, but it -- our programs and our policies are all healing-based, and that is when the -- I would probably say that is one of the most important components about the whole thing, really, in terms of STR8 UP. If we didn't have that, we would just have another administrative program that probably would fail. And, having the input and the leadership of the members is really important.

And, I don't think I mentioned this too, is that the board of directors in Saskatoon are comprised of community people, but they are also comprised of the people who were in gangs and are out of that lifestyle. And, we made sure that that is a staple of the board, that they are heard. And, there are two processes. And, you know, some will be a board member in terms of policies and that, and then somebody will be involved in the other issue in terms of development of programs and those kind of things. So, that is -- we have those two components built in.

MS. MELISSA CERNIGOY: Okay. Thank you. My next question, to your knowledge, can you describe, are Métis and non-status people being recognized as Indigenous within the criminal justice system and are they being processed as Indigenous?

HONOURABLE KIM BEAUDIN: In some cases, they are. In some cases, they are not. I want to go to an issue that I spoke about not today, but I will touch on right now is that -- the issue of street checks. The -- I know there are various police departments across Canada were struggling with that issue. And, what I find is that it is a charter right, like it is -- they infringe on your charter rights of you walking down the street as an Indigenous person. We used to use the term "walking well

Aboriginal". The cops would stop you because -- they arrested you while walking well Aboriginal, and it is pretty sad.

It is funny, when we had a break, my daughter is in court just a few minutes ago, and she just got out in Alberta, in Edmonton, and she was telling me that a Métis guy was thrown in jail for 90 days because he didn't have a bell on his bike. And, he was in jail, so he didn't have a bell on -- or I guess he didn't have, like, reflectors or something else on his bike, so they gave him 90 days. And, because he was in reman, they let him out today.

So, that is how crazy it is. And, what I find in terms of the system itself is that -- I have said this before under checks, like when they do police checks, the police don't ask you. They just look at you. But, they don't ask you if you have a status card, or a Métis card, or, you know, whatever. They don't say, "Oh, we are going to treat you different because you are a First Nations person from that reserve," or Métis person from that community. It doesn't matter. They just see you and it is all visual kind of things, and where you are in terms of the community.

That is another thing, where you reside. If you reside in an urban area, that is where they like to

target, whether it be, again, Saskatoon, Regina, Winnipeg, North Battleford, Edmonton, Calgary, it doesn't matter. That happens all the time and it is a regular occurrence, and I don't know -- no one has really had a solid policy on that issue. I was hoping that we could, but I would recommend that, a policy about street checks.

MS. MELISSA CERNIGOY: Okay. Thank you very much. That is all my time, but thank you to all the presenters.

MS. CHRISTA BIG CANOE: Next, I would like to invite up counsel for Pauktuutit and other Inuit organizations. Ms. Symes has six minutes.

--- CROSS-EXAMINATION BY MS. BETH SYMES:

MS. BETH SYMES: Thank you. Connie, I would like to ask my questions of you, at least I hope. You know, as a person from Toronto, I say that Fort St. John's, which is in Northeastern B.C. is like way up there, but for my clients, the Inuit, you are below the tree line; right? So, you are south.

MS. CONNIE GREYEYES-DICK: Yes.

MS. BETH SYMES: And, I just want to look at the comparisons. I am only going to ask you about the resource extraction; right? So, in terms of resource extraction in the Fort St. John area, are the workers in communities, like in work communities, where they work and

live for so many weeks, and then they come out?

MS. CONNIE GREYEYES-DICK: They actually are. Many of the projects that are happening have access to camps that the employees would be required to stay at. As well as the current site, Site C Dam, they have a huge, huge camp just on the banks of the Peace River, a couple of kilometres out of town that they are required to stay at. Once they are done their shift work, they actually have a shuttle. It's kind of like -- there is a certain name that they call it, I am trying to recall it. But, they actually bring their workers into town to, like, go to the casino or go shopping, and then they just, kind of, shuttle them around and pick them up and take them back to the camps.

In particular, the camps for, say, pipelining and things like that, they do stay out there for quite a number of days upwards of, you know, 30 to 45 days that they stay out there.

MS. BETH SYMES: Okay. So, now my questions are going to, sort of, follow up on those that Elizabeth Zarpa asked from ITK. And, she asked you about these impact assessments that include the social, as well as the economic impact on a community. And so, if a proper gender-based analysis is done, then these assessments should identify stresses on the community and,

in particular, on its women and girls. Am I correct?

MS. CONNIE GREYEYES-DICK: Yes.

MS. BETH SYMES: Okay. Now, I am familiar with the term, community benefit agreements, but I heard another counsel use the word impact benefit agreements. I understand they are the same; am I correct?

Let me just understand. These are the agreements that something like the C Dam, or a pipeline, would enter into with either the government, or B.C. or the First Nations in order to get permission to go ahead with the project; right?

MS. CONNIE GREYEYES-DICK: Yes.

MS. BETH SYMES: Okay. And, what I want to ask you is, I have looked at page 76 which are in Exhibit No. 19, these are your recommendations to private industry. I mean, they are really important recommendations, employee codes of conduct, support health and wellness, et cetera. All right. My question to you is, why are these not negotiated as hard and fast commitments in these impact benefit agreements?

MS. CONNIE GREYEYES-DICK: Honestly, I couldn't really answer why.

MS. BETH SYMES: But, they are not, I gather?

MS. CONNIE GREYEYES-DICK: Well, I think

that one thing to remember, that when communities are entering into agreements, the big thing to always think about is free and prior consent.

MS. BETH SYMES: Right.

MS. CONNIE GREYEYES-DICK: And, often, our interpretation of it is quite different.

MS. BETH SYMES: Now ---

MS. CONNIE GREYEYES-DICK: In particular with the Site C Dam.

MS. BETH SYMES: --- Connie, in terms then, of these community benefit agreements, do you agree with me that it is critical that they be transparent in particular to the women in the community?

MS. CONNIE GREYEYES-DICK: Absolutely.

MS. BETH SYMES: They know what is in there; right? And, would you agree with me that in the community benefit agreements for the health and welfare of the Indigenous women workers, they need maybe an elder onsite?

MS. CONNIE GREYEYES-DICK: They ---

MS. BETH SYMES: A spiritual guide?

MS. CONNIE GREYEYES-DICK: Yes. I am not, like, really sure where you are going with that. Like, if there is Indigenous people onsite, that there should be available supports.

MS. BETH SYMES: Yes, that is what I am saying.

MS. CONNIE GREYEYES-DICK: Yes.

MS. BETH SYMES: And, we heard about sexual harassment, maybe even sexual assault, and that happens to the Indigenous women who work on the site?

MS. CONNIE GREYEYES-DICK: Well, it happens to Indigenous women and non-Indigenous women.

MS. BETH SYMES: All right.

MS. CONNIE GREYEYES-DICK: And, it has been noted, within our report, that we did talk to several women who did experience sexual assault and inappropriate behaviour directed towards them onsite.

MS. BETH SYMES: And, just to close out then, would you agree with me that perhaps ---

MS. CHRISTA BIG CANOE: I'm sorry.

MS. BETH SYMES: --- a more effective recommendation would be to include the -- what comes out of the impact analysis in terms of social things for women and girls into these community benefit agreements, so that they can be enforced?

MS. CONNIE GREYEYES-DICK: Yes. You know, I would think that -- like, I -- I mean, you don't get privy to see the actual agreements, but I would think that that would be really important to include, you know? An

actual way of enforcing it as well. I mean, I can say everything that I want, that I am going to do for this project if I come to your community, but if nobody holds me accountable to it, then so be it; right? And, I think that that is where in it all lies, that we have to start holding these companies accountable for their employees, for their conduct in communities.

MS. CHRISTA BIG CANOE: Thank you, that is your time, Ms. Symes.

MS. BETH SYMES: Thank you very much, Connie.

MS. CHRISTA BIG CANOE: Next, I would like to invite up the Assembly of First Nations. Ms. Julie McGregor will have six minutes.

--- CROSS-EXAMINATION BY MS. JULIE MCGREGOR:

MS. JULIE MCGREGOR: Good afternoon, Commissioners and panel members. The disadvantage of going so late on the list is that all your good questions get eaten up by all my colleagues, which they do often ask very excellent questions.

I guess what I wanted to maybe pick up on and maybe take a bit further is the idea of the alternative social impact assessment. Do you think -- like, in terms of what can -- what a social impact assessment will consist of? Oh. And, I should -- sorry,

I am directing my questions to Ms. Greyeyes. Sorry about that.

So, the content of what -- in a social impact assessment, what that would be. Could it be, in your opinion, a question of the law enforcement capabilities within the area? Perhaps the availability of victim services and also prevention, alternative programs for the safety and security of Indigenous women in the area?

MS. CONNIE GREYEYES-DICK: Absolutely. I think that it needs to include those things. Those are greatly important. You know, often -- you know, I have friends that actually are -- that do work within these large companies as their Indigenous liaisons, and we often talk about the impacts of what their particular company is having. You know, it is so much more than, you know, throwing $5,000.00 to the pow wow. I mean, it has got to be something meaningful and tangible, and that would include, you know, helping at the local shelter, coming down and seeing what you are doing has an impact -- what it is doing to the community and to the women and girls in this community.

You know many women that live in Fort St. John that are single parents do live in poverty; you know? And, I think that you have to include all of it. Because

when you have a crisis happening and it takes law enforcement x-amount of time to get there, you know, we have to include that it is understaffed, that they need more people, because with that influx of workers that are coming into the community comes an influx of crime, comes an influx of stretched resources at the hospitals and basic services; you know?

We get in line for -- to go see a doctor at 6:30, 7:00 in the morning in -30 to -40 weather. And, that -- their work that they are doing within the community has greatly impacted everything. And, I think that when they do these assessments, they have to take a look at that.

MS. JULIE MCGREGOR: Thank you. And, what struck me when I was listening to your evidence was how well you, sort of, weaved the issue of wage disparity, cost of living in remote areas and how that plays into the issue of domestic and financial abuse, especially in areas where resource development is happening. Do you think that there should be any additional prevention and education programming regarding these types of abuse targeted to areas especially where resource development is happening? And, if so, who within the justice system do you think should have oversight over that?

MS. CONNIE GREYEYES-DICK: I couldn't begin

to tell you, like, who in the justice system. I do know from, personally, just last week I was asked by a company to come and do a presentation about that very thing to their company as well as to all their contractors about the impacts of what they are doing in community. We talked to the contractors about financial abuse and physical abuse and emotional abuse that happens from those high-stress jobs.

And, you know, I am not sure if people that aren't in the resource industry know that they actually have orientations -- Indigenous orientations that people are required to do, but it is such a blanket. It is so disrespectful that -- you know, I had the opportunity to speak to that and said, you know, like, "You really need to take a look at what you are presenting to your employees because you are feeding into that discrimination that happens, because you are giving misinformation and you need to start a respectful dialogue with the Indigenous people and nations that you are working with, and it has to start now. You know, you have to start talking to your workers, giving them the supports that they are going to need from their high-stress jobs."

I don't know who would be within the justice system to hold them accountable or...

MS. JULIE MCGREGOR: Yes. Just to provide

you with a little more context in that, and I am not -- I don't want to make you answer something you are uncomfortable with answering. But, in previous expert and institutional hearings we heard about, you know, how Victim Services is often oversaw by the Crown Attorney's office -- or the Crown prosecutor's office, and how that often makes for a difficult situation for victims, but also, you know, there are issues of trauma there, and how it is often maybe not the best place to be housed in terms of services. So, that is why I brought up the issue in case you may have some suggestions about who do you think should have responsibility over those things -- those programs.

MS. CONNIE GREYEYES-DICK: Do you have a thought on that?

MS. JACQUELINE HANSEN: I mean, what we saw in the Northeast B.C. was service providers really stretched to the limit, and not enough community services to meet needs and not enough culturally-based services to meet needs. So, I think regardless of where it is housed, it is about meeting women where they are at and making sure that there is appropriate programs for them with sufficient funding.

MS. JULIE MCGREGOR: Yes. But, I think ---

MS. CHRISTA BIG CANOE: Sorry, Ms.

McGregor ---

MS. JULIE MCGREGOR: An indulgence please. Yes, I understand what you are saying, that there is not enough of that and that is the key point from the report. It is just, at the end of the day, we have to make recommendations for the Commissioners and we have to say, you know, these people need to step up. This part of the government needs to step up. And so, that is what I was trying to get at is, in terms of who do we hold accountable and say you need to step up in this area, and that is where I was coming from. And, I am way over my time, so thank you very much.

MS. CHRISTA BIG CANOE: Next, we would like to invite up Ms. Catherine Dunn from the Missing and Murdered Indigenous Women and Girls Coalition of Manitoba. Ms. Dunn will have six minutes.

--- CROSS-EXAMINATION BY MS. CATHERINE DUNN:

MS. CATHERINE DUNN: My first set of questions are for Mr. Beaudin. And, Mr. Beaudin, you have extensive experience in the criminal justice system, both in terms of working on advocating with gang members or people trying to get out of gangs and as well in your work as a justice of the peace; is that right, sir?

HONOURABLE KIM BEAUDIN: Yes.

MS. CATHERINE DUNN: And, would you say

that it is more difficult or less difficult for an Indigenous person to get out on bail than a non-Indigenous person?

HONOURABLE KIM BEAUDIN: No, it is far more difficult if you are Indigenous.

MS. CATHERINE DUNN: And, would you say, in your experience, that Indigenous people get much harsher sentences than non-Indigenous people?

HONOURABLE KIM BEAUDIN: Yes, I would agree that.

MS. CATHERINE DUNN: And, would you say that, in terms of bail, having an address is the very first thing that you need to get out on bail?

HONOURABLE KIM BEAUDIN: Yes.

MS. CATHERINE DUNN: And, if you are a young person who is perhaps AWOL from child and family services or living on the street, that is the very thing that you cannot provide which will allow you to get out of jail?

HONOURABLE KIM BEAUDIN: Yes.

MS. CATHERINE DUNN: And, if you can’t get out of jail, then your decision as to whether or not you want to plead guilty, whether you are guilty or not, is affected; is that right?

HONOURABLE KIM BEAUDIN: Yes, that would be

true.

MS. CATHERINE DUNN: And, as you mentioned in your direct evidence, the decision quite often to plead guilty and to be faced with a sentence is a decision made in the moment; is that right?

HONOURABLE KIM BEAUDIN: Yes. Right.

MS. CATHERINE DUNN: In the moment of having no ability to get out of jail to make an independent rational decision about the charge with which you are dealing with?

HONOURABLE KIM BEAUDIN: Yes.

MS. CATHERINE DUNN: Similarly, when one is being sentenced, you indicated that, in your view and your extensive knowledge of the criminal justice system, that Indigenous people are sentenced more severely; is that correct?

HONOURABLE KIM BEAUDIN: That is correct.

MS. CATHERINE DUNN: The purpose of the *Gladue* decision from your understanding is that it was a direction from the Supreme Court of Canada to indicate to courts, to indicate to judges that they were to take judicial notice of the unfairness that has happened to Indigenous people in this country?

HONOURABLE KIM BEAUDIN: Yes, that is correct.

MS. CATHERINE DUNN: And, yet, you are saying that the very people who deal with that direction, that is the judges, the Crowns, the police, the probation officers, don't understand the integral difference of what -- or the -- don't understand what that really means?

HONOURABLE KIM BEAUDIN: Yes, that would be correct.

MS. CATHERINE DUNN: And, that is not helpful to Indigenous people when they are dealing with the criminal justice system; is that correct?

HONOURABLE KIM BEAUDIN: Yes, that would be correct.

MS. CATHERINE DUNN: And, would it be your recommendation that all Crowns, all police, all defence lawyers, all judges, all probation officers get immersed in the issues that have faced Indigenous people from time in memorial so that they can use the *Gladue* principles for the reason that it was brought into place?

HONOURABLE KIM BEAUDIN: Yes, that -- yes, I would agree with that.

MS. CATHERINE DUNN: All right. And, would you make a recommendation that the portability of treaty rights be a recommendation of this inquiry?

HONOURABLE KIM BEAUDIN: Yes.

MS. CATHERINE DUNN: My next set of

questions are for the remaining two panel members. Ms. Greyeyes, you were an integral piece of the research that led to, I believe it is Exhibit 19 dealing with mining and resources; is that correct?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: And, the reason that you were such an integral person to the research is because, number one, you are Indigenous?

MS. CONNIE GREYEYES-DICK: I would say so, yes.

MS. CATHERINE DUNN: Number two, you are female?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: Number three, you are from the community?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: And, number four, because of those three preceding factors, you are a person to be trusted?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: And, without you, none of this research would be written down?

MS. CONNIE GREYEYES-DICK: I would like to think that it would have been regardless, but...

MS. CATHERINE DUNN: Well, you were key?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: Okay. And, Ms. Hansen, you would agree with that statement; yes?

MS. JACQUELINE HANSEN: Absolutely.

MS. CATHERINE DUNN: And, you would also agree that the research of which you are an expert indicates that one of the most harmful gaps in human rights protection for Indigenous people in Canada is in the area of child welfare?

MS. CONNIE GREYEYES-DICK: Yes.

MS. CATHERINE DUNN: And, I am quoting from page 16 of Exhibit 18 ---

MS. JACQUELINE HANSEN: Yes.

MS. CATHERINE DUNN: --- under the heading "Stolen generations."

MS. JACQUELINE HANSEN: Yes.

MS. CATHERINE DUNN: And, I take it the term, "stolen generations" means that once a child goes into child welfare, they may not -- an Indigenous child goes into child welfare, that child may not come out of that system; is that fair?

MS. JACQUELINE HANSEN: That's fair.

MS. CATHERINE DUNN: And, once that child is in the system, it may be that their children will also be in the system?

MS. JACQUELINE HANSEN: That's fair.

MS. CATHERINE DUNN: And, hence the term, "stolen generations". And, it is a state obligation to do no harm to the children in our country; correct?

MS. JACQUELINE HANSEN: Correct.

MS. CATHERINE DUNN: It is an international law that state governments do no harm to the children in their countries?

MS. JACQUELINE HANSEN: Correct.

MS. CATHERINE DUNN: And, Canada has played a very strong role in making sure that human rights are available to all other countries in the world?

MS. JACQUELINE HANSEN: Correct.

MS. CATHERINE DUNN: But, they have failed in their own?

MS. JACQUELINE HANSEN: Correct.

MS. CATHERINE DUNN: Thank you. Those are my questions.

MS. CHRISTA BIG CANOE: Thank you, Ms. Dunn. I owe an apologize to Ms. Krystyn Ordyniec who was actually next on the list before I invited the MMIWG Coalition up. Treaty Alliance Northern Ontario-Nishnawbe Aski Nation and Treaty 3, I do apologize for calling out of order, and I'm thankful that you don't take issue with it. And, on that basis, though, I would please advise

that Ms. Ordyniec has six minutes in her cross-examination.

MS. KRYSTYN ORDYNIEC: Thank you, Ms. Big Canoe. I absolutely accept your apology.

--- CROSS-EXAMINATION BY MS. KRYSTYN ORDYNIEC:

MS. KRYSTYN ORDYNIEC: Good afternoon, Chief Commissioner, Commissioners. I would like to acknowledge the Huron-Wendat territory, as well as the elders and grandmothers and sacred items in the room.

My name is Krystyn Ordyniec. I represent Northern Treaty Alliance which is Nishnawbe Aski Nation and Grand Council Treaty 3. Just for a bit of context, that is 77 communities in northern Ontario, as well as eastern Manitoba.

My first questions will be to Ms. Greyeyes. Have you spent anytime in the NAN territory or Treaty 3?

MS. CONNIE GREYEYES-DICK: Not very much, no.

MS. KRYSTYN ORDYNIEC: Okay. So, just for further context, one of Premier Ford's promises was to look at the resources and developing northern resources to the tune of $60 billion, and one of those projects is the Ring of Fire. That project has been ongoing for many years, but more famously, Premier Ford said he would get a bulldozer and go up there himself.

Now, I'm going to ask, we've talked a bit about proactive versus reactive, and that is a project that is -- we are able, actually, to be in more proactive stages. And so, my question to you is, in considering things like transportation services, in considering community capacity, what needs to be considered at the beginning so that the harmful social impacts aren't felt later on?

MS. CONNIE GREYEYES-DICK: Well, the very first thing is always consultation, meaningful consultation. If those actually happened, then we could actually try and stave off some of the harmful effects of it. You know, with us in particular, with the Site C dam, their version of meaningful consultation is not the same as ours. So, right off the bat, that needs to be reiterated. What does consultation mean to you? What does it mean to the interested Indigenous parties that are involved? That is so vastly important, because if that's laid right on the table and done properly, you wouldn't have to take your own government to court.

MS. KRYSTYN ORDYNIEC: Thank you. In your biography, you say that you incorporate Indigenous approaches, protocols, cultural nuances into your work. So, I wonder how that -- if you could give some examples of how that would translate into a consultation process

from your experience?

MS. CONNIE GREYEYES-DICK: You know, with what we do, you know, like, even in our regular interactions, you know, having that conversation as a traditional circle where everybody's voices are heard and valued, you know, I find that a lot of these conversations that happen when resources is being involved that they happen and they talk about us and not with us.

So, if we could have that level of respect, involve our ancestors, our grandmothers and our grandfathers into those conversations so that they could actually reiterate how important the land is to us. You know, often in our community, whenever there's some resistance to any resource, it's "the Indians want more money. Give them more money." The media plays into it. You know, it's just this really ugly -- it turns into this really ugly, racist situation instead of understanding how much we actually do value the land, that we need it. It heals us.

And so, you know, just those basic levels of respect that we have in dealing with each other should be in there. That's basic. That's respect.

MS. KRYSTYN ORDYNIEC: Thank you. So, that segues into my next topic, and I believe there's an anecdote about young individuals, and you spoke about a

lot of money, $4,000 maybe, every two weeks. It is a lot of money. So, thousands of dollars in their pocket, and you're going back to urban centres. What sort of support is there available for Indigenous youth and young adults who are in urban areas with a lot of money?

MS. CONNIE GREYEYES-DICK: Man, you know what? Like, in Fort St. John, if you are dealing with addictions and you're trying to get help, you're in trouble, you know? You have to wait long periods of time to try and get into a treatment centre. There's a couple -- I'm not really sure the exact number of alcohol and drug counsellors that are available. There's actually a number, six, that you have to attend before they will actually allow you to get into a treatment centre.

You know, the limited resources that there are with the women's resource centre, organizations like MENAN, we do our best to try and facilitate and help get those resources to the individuals that need them the most. But, man, you know, Fort St. John, an area with an influx of money, is just -- it's a recipe for disaster for our youth. They're dying from drug overdose. They're dying from suicides, and it's a crisis situation.

MS. KRYSTYN ORDYNIEC: So, you would support recommendations, obviously, increasing support in that area and ---

MS. CONNIE GREYEYES-DICK: Absolutely.

MS. KRYSTYN ORDYNIEC: Okay, thank you. And, I think I'm out of time. I'm not even going to begin to start. Thank you so much.

MS. CHRISTA BIG CANOE: Thank you, Ms. Ordyniec. Next, we would like to invite up Femmes autochtones du Québec. Maître Miller will have six minutes.

--- CROSS-EXAMINATION BY MS. RAINBOW MILLER:

MS. RAINBOW MILLER: Good day. My name is Rainbow. I'm from Quebec Native Women's Association. I said it in English because the French version, I don't know if you understood. I will be asking you my questions in English because it is easier than to wait for translation, and it might get lost in translation.

So, my first question is for Ms. Hansen and Ms. Greyeyes. I'm going to read something, and then I will direct the questions to each of you.

At page 25 in the Out of Sight, Out of Mind report, this is what is written. "Manitoba justice inquiry concluded that many police officers view Indigenous people not as individuals deserving their help and protection, but as a menace from which the rest of society must be protected, leading to a situation of Indigenous communities being over-policed but

underprotected."

So, Ms. Greyeyes, do you agree that this mentality could be applied also in your region to the women who seek -- who have encounters with the police services?

MS. CONNIE GREYEYES-DICK: I would agree.

MS. RAINBOW MILLER: Do you have any examples of situations where, you know, a woman that you have talked to would have been over-policed or underprotected?

MS. CONNIE GREYEYES-DICK: You know, we have examples just -- that women that have come forward that have suffered sexual assaults that were unwarranted, and because they had histories of street work that they refused to go to the police street work, that they refuse to go to the police.

MS. RAINBOW MILLER: Okay.

CHIEF COMMISSIONER MARION BULLER: Excuse me, Ms. Miller, you are going way too quickly in English for translation ---

MS. RAINBOW MILLER: Oh, I'm sorry.

CHIEF COMMISSIONER MARION BULLER: --- and you are leaving people behind.

MS. RAINBOW MILLER: I thought I was going slowly.

MS. CONNIE GREYEYES-DICK: So, we do have examples of that. You know, it is unfortunate that a woman cannot feel brave enough -- not "brave enough", that's the wrong word. But, feel safe enough to be able to go to the police to report those kinds of assaults because of a misconception about what they do in order to survive.

MS. RAINBOW MILLER: Okay. Thank you. And, Ms. Hansen, this attitude which I just, you know, read in the report, do you consider that, with the expertise that you have with working with Amnesty, is an attitude that is seen all over Canada, in different police services around Canada?

MS. JACQUELINE HANSEN: It is something that we hear is quite widespread.

MS. RAINBOW MILLER: Okay. And, the question is directed to both of you, would you consider that these kind of attitudes are in direct connection to the under investigation of missing Indigenous women?

MS. JACQUELINE HANSEN: Yes.

MS. RAINBOW MILLER: Okay. Thank you. Also in the report, it talks about institutional bias, which is a critical factor leading to under prioritized safety of Indigenous women and make fake assumptions about reasons that they were going missing. And, a little

further in the report, it says that, some law enforcement agencies made efforts to address bias, but it also says in your report that there are no examples of police engaging in independent review of effectiveness of these efforts.

So, my question, Ms. Hansen, do you think that it has changed since 2016, when you wrote the report?

MS. JACQUELINE HANSEN: Not to my knowledge.

MS. RAINBOW MILLER: Okay. Thank you.

MS. JACQUELINE HANSEN: And, again, the caveat with that -- with that one sentence of the report was we didn't know of any such independent reviews.

MS. RAINBOW MILLER: Okay. And, do you think you would be comfortable to say that would be a good recommendation to the Commission, that there should be independent review boards to verify mechanisms put in place to address the systemic racism in the police forces, to review the ontological errors of police officers and also to address the effectiveness of those mechanisms?

MS. JACQUELINE HANSEN: Yes.

MS. RAINBOW MILLER: Thank you. Also Ms. Hansen, you have talked a little bit about data collection. I know one of my friend asked you some questions. Would you be able to tell us why it is important to have data collection?

MS. JACQUELINE HANSEN: I mean, in its simplest terms, to be able to target interventions, policies, programs effectively, you need solid data both by which to understand a problem, so that you are appropriately directing resources and making the policy changes that are needed, but also to be able to gauge the effectiveness of such programs and policies.

So, for example, if you have really good data as a baseline, you implement programming, you change policies. After a certain period of time, you need to be able to re-measure and have a sense of, is what we are doing making a difference? If you do not have that data, how do you know you are having an impact?

MS. RAINBOW MILLER: And, would you say it is also a way to measure if there is systemic discrimination in government services?

MS. JACQUELINE HANSEN: It could be.

MS. RAINBOW MILLER: And, would you also say that when the government decide not to collect that data is one way to shield themselves from that analysis of systemic discrimination?

MS. JACQUELINE HANSEN: It could be.

MS. RAINBOW MILLER: Okay. I think I am out of time. Oh, no, I still have time. Mr. Beaudin, my last question, because I am still on time, as a member of

the Federal Judicial Advisory Committee, do you know if there are some provinces where judges receive training on First Nations issues and history?

HONOURABLE KIM BEAUDIN: I am not aware of it. I have not confirmed that.

MS. RAINBOW MILLER: Okay.

HONOURABLE KIM BEAUDIN: And, when we get applications and that, I actually look for that because it will have training or even anything that they have been involved in, cross-cultural training for example, anything that is built into their application. I look for that right away because that is the first thing I want to see.

MS. RAINBOW MILLER: I'm sorry, I was just looking at the clock. It looks like I got some bonus time, they must have liked my question. Would you also say that ---

MS. CHRISTA BIG CANOE: Oh, no. I'm sorry. You do not have bonus time, you are now overtime.

MS. RAINBOW MILLER: Oh.

MS. CHRISTA BIG CANOE: So -- and I just want to check with Mr. Beaudin.

MS. RAINBOW MILLER: I'm sorry.

MS. CHRISTA BIG CANOE: Were you finished answering that question?

HONOURABLE KIM BEAUDIN: Yes.

MS. CHRISTA BIG CANOE: Okay. Thank you.

MS. RAINBOW MILLER: Okay. Sorry.

MS. CHRISTA BIG CANOE: We would like to invite up NunatuKavut Community Council Inc. Mr. Stewart will have six minutes.

--- CROSS-EXAMINATION BY MR. ROY STEWART:

MR. ROY STEWART: Good afternoon, everyone. First, I would just like to thank all three witnesses for being here today, I think you all did an amazing job. So, I am Roy Stewart, legal counsel here on behalf of the NunatuKavut Community Council. And, if you are unfamiliar, it is the representative organization for the Inuit of Southern and Central Labrador.

And, similar to what you, Ms. Greyeyes and Ms. Hansen, were talking about earlier, the NunatuKavut communities are also undermined by large scale resource projects. So, my first question, Ms. Greyeyes, is on that topic, the topic of resource development in or near Indigenous communities and the problems that flow from that. I was just curious as to what your thoughts are of having, as a condition of approval for resource projects, the requirement that workers in these sites attend educational sessions with local Indigenous educators on the history of colonialism, violence and the cultural practices of that community. Having that as a condition

of the project's approval, what are your thoughts on that?

MS. CONNIE GREYEYES-DICK: I think that having that is crucial because it begins that door and opens it up for that communication and understanding of why communities fight so fiercely for their land and for respect given to it and to them.

Like I said before about -- many of these oil companies have Indigenous orientations that you are required to do, but they blanket it. You know, what applies to the Indigenous people in Labrador does not apply -- may not apply to what is happening in Northeastern B.C., or in Alberta or in any other province, because we are not all the same, you know, we all have different views. While they are essentially the same, our regions are so vastly different. And, it is absolutely crucial to have that understanding. Crucial.

MR. ROY STEWART: So, would it be a recommendation of yours then, that each worker going into whatever camp they are at, that conditional upon project approval would be that each individual receive that educational training from that community then?

MS. CONNIE GREYEYES-DICK: Absolutely.

MR. ROY STEWART: Okay. Ms. Hansen, I just have a quick question for you. You touched on accumulative impacts of resource projects and explained

how we cannot just look at the environmental impacts and that it should be a gendered analysis and the gendered impacts that flow from that.

And, I just wanted to make sure that I have it correct, in your research on the resource sector -- try saying that five times fast -- have you come across any examples where the impact on Indigenous women and girls has been given a distinct consideration under the assessment of a project's impacts?

MS. JACQUELINE HANSEN: We only found one study in Canada and that was the Voisey's Bay study.

MR. ROY STEWART: That was the only one?

MS. JACQUELINE HANSEN: That is correct.

MR. ROY STEWART: And so, would it be a recommendation of yours that the specific impacts of that project on the local Indigenous women and girls be given its own consideration under the project assessment?

MS. JACQUELINE HANSEN: Yes. I mean, what we were really saying is that we need to understand that different groups of people are impacted in different ways and gender is one of the lenses that needs to be explored. We cannot just say, let's look at the impacts on people. We have to look at the impacts on different groups of people, and that includes looking at how Indigenous peoples are impacted, and within that, how Indigenous

women and girls are impacted.

MR. ROY STEWART: Right. And, I guess I have a follow-up question for you, Ms. Hansen, in relation to the human rights violations or what you would argue would be human rights violations. So, just to quickly give some context, the government recognizes the Inuit of NunatuKavut as being an Indigenous collective with constitutionally protected rights. Yet, community members are denied some essential services such as through the First Nations and Inuit Health Branch Services.

And, last week, a colleague of mine explained some of the impacts of this. For example, if a woman from the community gets pregnant, she is often -- it's actually standard practice that she will have to travel hundreds of kilometres outside of the community to receive midwifery or medical services related to her pregnancies. Then there's also shortcomings in culturally-relevant women's shelters and crisis intervention services. All the while, this resource dollars that are occurring on the territory are going to a select few; obviously not the community.

So, listening to you speak this morning, all these failures are arguably human rights violations. Would you agree with that?

MS. JACQUELINE HANSEN: I can't speak to

the situation in Labrador, but certainly the situation that we found in northeast B.C. was a lack of available services to both help prevent violence and discrimination, and to provide support to people who have experienced human rights violations.

MR. ROY STEWART: Perfect. And, I see I'm out of time, so thank you both.

MS. CHRISTA BIG CANOE: Thank you, Mr. Stewart. Next, we would like to invite up the Vancouver Sex Workers Rights Collective. Ms. Carly Teillet will have six minutes.

--- CROSS-EXAMINATION BY MS. CARLY TEILLET:

MS. CARLY TEILLET: Bonjour and good afternoon. I'd like to start by thanking the Huron-Wendat people for welcoming us to their territory, and to acknowledge the survivors, the families, the elders, the medicine and the sacred objects that are here with us and that travel with us so that we can do our work in a good way.

I'd like to start with a question for you, Jacqueline, if I may call you that? And, I would like to ask you to give some clarity about some of the terms that are used in the reports that were made exhibits today. In particular, the terms "commercial sex", "sex work" and "prostitution".

I understand that in many places in your reports you use the terms that the women themselves used when referring to themselves; is that right?

MS. JACQUELINE HANSEN: This is correct.

MS. CARLY TEILLET: Okay. And, I also understand that Amnesty has their own definitions of -- nuanced definitions of sex work and commercial sex, and that that is also used in the reports. And, I think it might be helpful to hear those definitions so that we can think about that when we're reading the reports and when we go forward with our work.

If it's helpful, I noticed that the definitions are on page 49 in footnotes.

MS. JACQUELINE HANSEN: Footnote 281 ---

MS. CARLY TEILLET: Yes.

MS. JACQUELINE HANSEN: --- to be precise.

MS. CARLY TEILLET: Do you mind letting us know the definition that Amnesty has for sex work?

MS. JACQUELINE HANSEN: Sure. I'll read it out. Amnesty International defines sex work as: "The exchange of sexual services involving sexual acts between consenting adults for some form of remuneration with the terms agreed between the seller and the buyer. Sex work takes different forms and varies between and within countries and communities. Sex work may vary in the

degree to which it is more or less formal or organized."

And, those are in quotations. And, this comes from a global policy that was adopted by the Amnesty International movement in May of 2016, after almost a three-year consultation process.

MS. CARLY TEILLET: And, that's different from the term "commercial sex"; is that right? And, I think if we're looking, just a little further down it's footnote 283?

MS. JACQUELINE HANSEN: Oh, we did define it. Yes, and how we described that in the report as the phrase "commercial sex" describes all forms of sexual transactions. Amnesty uses the term "sex work" specifically to describe situations where adults consensually engage in commercial sex. Not all commercial sex is consensual.

MS. CARLY TEILLET: Thank you. Now, in your testimony this morning, you mentioned basic human rights, and on the front page of the report, No More Stolen Sisters, just above the Amnesty International logo, and in fact, on every single page of this report, it says, "freedom from violence is a human right."

MS. JACQUELINE HANSEN: Correct.

MS. CARLY TEILLET: Is there something about engaging in sex work or trade that means that

Indigenous women or LGBTQ2S individuals no longer deserve this right?

MS. JACQUELINE HANSEN: Every person has the same human rights.

MS. CARLY TEILLET: In your testimony this morning, you discussed the role of walking with communities to ensure that their human rights are respected and upheld. And, Connie also mentioned the importance of being able to tell our stories because we're often mischaracterized.

So, last week in Iqaluit, we heard from Elisapi who stressed that not only do we have to be heard as Indigenous women, but we have to be believed. And so, I want to ask about the perception in the justice system that vulnerable Indigenous women, particularly those that may self-medicate by misusing substances or engage in sex work are not credible.

If I may just point to an example in one of your reports for context? Exhibit 18, the report, Canada's Stolen Sisters, on page 16 lists an incident, and I'll paraphrase. It says that a sex worker missed an appointment with a Crown prosecutor. She was in police custody, and the police officer refused to believe that she had a meeting with the prosecutor's office, and the arresting officer reportedly said, "She's just a hooker on

the streets".

My clients have expressed fear of not being believed. Not being believed first by the police. Not being believed by prosecutors or Crown counsel, and finally, not being believed by a judge simply because of who they are, Indigenous sex workers.

Have you encountered this in Fort St. John, and how might Amnesty or grassroot organizations walk alongside and hold up these women so that their voices can be given weight and they can get justice?

MS. JACQUELINE HANSEN: There's a lot in that. So, I'm not sure I'll have time to respond to all. But, certainly, and with the Out of Sight, Out of Mind report on page 49, we very explicitly, and I'll read it out, said that the stigma surrounding commercial sex, the fact that commercial sex is largely criminalized or that illegal drugs were involved may make women who sell sex reluctant to report violence for fear of mistreatment and punishment by law enforcement officials, and men may exploit this reality and engage in violence with impunity. And, this came from our discussions with women who have been involved in commercial sex in the northeast, and the role of that stigma is just can't be -- we, you know, can't talk about that enough because it's so huge.

And so, obviously, you know, we wanted to

listen to everyone who agreed to meet with us, and try to do justice to their stories, and wanted to make sure that's why we have this section, is we wanted to make sure that we're able to highlight the various forms of abuses that happen and the reluctance of some of the most marginalized women who fear reporting acts of violence that occur against them because of the criminalized environment.

MS. CARLY TEILLET: Thank you. That's my time. Merci.

MS. CHRISTA BIG CANOE: Thank you, Ms. Teillet. Before I call up the next party -- feel free to come up, counsel -- I did just want to note for the record and for the copies that went out to parties and the Commissioners that Government of Saskatchewan will actually have three minutes, and that was our error on the sheet. So, I ask that the Registrar put up three minutes for Ms. Barbara Mysko.

--- CROSS-EXAMINATION BY MS. BARBARA MYSKO:

MS. BARBARA MYSKO: Thank you. Thank you for your accommodation to that request. My questions are for Mr. Beaudin. Mr. Beaudin, hi. I'm Barb Mysko with the Government of Saskatchewan. I just have a few questions for you, and I don't have very much time, so I do apologize in advance if I'm speaking quite quickly. I

will do my best.

Mr. Beaudin, you talked about the importance of restorative justice programs, and I'm glad that you brought that up. You agree that restorative justice programs are important?

HONOURABLE KIM BEAUDIN: Very important, yes.

MS. BARBARA MYSKO: And, they are important to Indigenous communities?

HONOURABLE KIM BEAUDIN: Yes.

MS. BARBARA MYSKO: And, that there are Indigenous communities and Indigenous organizations in Saskatchewan who deliver restorative justice programs?

HONOURABLE KIM BEAUDIN: Yes. I'm aware of some of them, yes.

MS. BARBARA MYSKO: Okay. And, are you aware of Justice Canada's 2011 evaluation of Saskatchewan's community justice programs?

HONOURABLE KIM BEAUDIN: No, I'm not.

MS. BARBARA MYSKO: Okay. So, you haven't had an opportunity to review that evaluation?

HONOURABLE KIM BEAUDIN: No.

MS. BARBARA MYSKO: Okay. If I told you that our numbers in terms of the completion of restorative justice programs lead the country, would you have any

reason to disagree with that?

HONOURABLE KIM BEAUDIN: No.

MS. BARBARA MYSKO: Okay. And, if I told you that Saskatchewan justice currently has agreements with 19 agencies to deliver community justice programs, would you have any reason to disagree with that?

HONOURABLE KIM BEAUDIN: No.

MS. BARBARA MYSKO: Okay. And, if I told you that those included the Agency Chiefs Tribal Council, Ahtahkakoop First Nation, File Hills Qu'Appelle Tribal Council among many others, you wouldn't have any reason to disagree with that either?

HONOURABLE KIM BEAUDIN: No.

MS. BARBARA MYSKO: Okay. And, are you aware of the four restorative justice programs in communities -- schools in Saskatoon, Yorkton, La Loche and Pinehouse?

HONOURABLE KIM BEAUDIN: Yes.

MS. BARBARA MYSKO: You are. Okay. And, the five community justice committees that exist in the province, are you aware of those?

HONOURABLE KIM BEAUDIN: No.

MS. BARBARA MYSKO: Okay. And, I just wanted to speak briefly on Saskatchewan justice's budget. So, the numbers that you provided were estimates?

HONOURABLE KIM BEAUDIN: Yes, they were.

MS. BARBARA MYSKO: Yes. Okay. And, you haven't had an opportunity to look at the Minister of Justice's Annual Report then?

HONOURABLE KIM BEAUDIN: I did the last one, yes.

MS. BARBARA MYSKO: 2017-2018 report?

HONOURABLE KIM BEAUDIN: Yes.

MS. BARBARA MYSKO: Okay. And so, then you would be aware that the billion dollars that you cited is not at all accurate in terms of the funding that is available?

HONOURABLE KIM BEAUDIN: It is funny you said that ---

MS. CHRISTA BIG CANOE: Sorry. Actually, can we stop for a minute? Thanks. I don't know if he specified that to Saskatchewan. When he made the reference to a billion dollars, he was talking in justice in Canada. So, do you want to maybe try rephrasing that question?

MS. BARBARA MYSKO: That is good clarification then, and -- because I must have misunderstood and I appreciate that clarification. Thank you. Did you have more to add?

HONOURABLE KIM BEAUDIN: Oh, yes. Yes, I

wanted to -- I mean, you referred to a justice report in 2011. There was a report that was done around 2006/2007 where a number of recommendations were put on the table with respect to FSIN, Federation of Saskatchewan Indian Nations, And -- at that time. And, I am not sure if you are aware of this, but the -- that report is collecting dust.

The previous government at that time had put that into place, and there was a number of recommendations that were going forward, and they -- yes, nothing happened to it. I had asked, where are the recommendations? Where did it go? And, that was it, and a new government took over.

I guess what I am saying is that we, as Indigenous people across this country, we have done so many reports, so many studies, collected the data, and we have provided recommendations, and they just seem to fall on deaf ears. And, governments are -- you know, they can -- they are responsible for that part -- portion of it. And, we just don't -- it is like we are reinventing the wheel all the time. So...

MS. BARBARA MYSKO: Thank you. I appreciate those comments.

HONOURABLE KIM BEAUDIN: Yes.

MS. BARBARA MYSKO: Yes.

HONOURABLE KIM BEAUDIN: All right. Thank you.

MS. BARBARA MYSKO: I believe I am out of my time. Thanks.

MS. CHRISTA BIG CANOE: Thank you. Chief Commissioner and Commissioners, as Commission counsel, I do have re-direct, and I would request that I proceed with that immediately if you are fine with that. I don't believe I will use the time, but I will ask the Registrar to set the standard time for re-direct of 20 minutes. And, if I may, I am having a problem pulling up something on my -- so I am now looking at a little small cell phone, so -- thank you.

--- RE-EXAMINATION BY MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: My first question actually is -- I am going to do a re-direct, which is just anything that came up when the counsel asked questions if I want to clarify or if it is an issue that has arised out of that cross-examination. So, my first question is actually for you, Jackie.

One of my colleagues had asked a question specifically about -- speaking about what you had said this morning about police policing police and how that is not necessarily effective mechanisms. She then proceeded to ask you about whether or not a recommendation for an

independent investigation or oversight would be helpful. So, that is the context to my question.

My question specifically actually relates to the National Inquiry's interim report. Are you familiar or have you read the interim report that was released by the National Inquiry?

MS. JACQUELINE HANSEN: I certainly did, but I have to admit I read it when it came out and I didn't re-read it before this week.

MS. CHRISTA BIG CANOE: That is fine.

MS. JACQUELINE HANSEN: I can't quote from it.

MS. CHRISTA BIG CANOE: That is fine. Do you happen to recall that the National Inquiry actually made a recommendation in relation to -- and I'm sorry, I am reading from very small font here, that one of the recommendations was a more responsive, transparent and accountable policing, including comprehensive and independent police oversight?

MS. JACQUELINE HANSEN: Yes. And, we were thrilled to see that.

MS. CHRISTA BIG CANOE: And so, my question is just in addition to my colleague's question is, we have heard and you said this morning starting with the 2004 report that we put in and now with the Out of Sight, Out

of Mind 14 years later, the same recommendations, 14 years ago, when that of the interim recommendations of our Commissioners doesn't seem to have been met yet. But, how important is having that accountability and oversight, that independent -- not only for the trust of Indigenous women and families, but to actually address the issue of missing and murdered Indigenous women?

MS. JACQUELINE HANSEN: Oh, it is incredibly important. I mean, that is something that comes up time and time again. And, I think when we say there is a need for independent oversight, I think independent civilian oversight and a clear definition of what even that means is incredibly important. But, that accountability is something that we don't just see come up in the Canadian context, but we see that come up in context in other countries as well. So, I can't underscore how important it is.

MS. CHRISTA BIG CANOE: And, I am not going to assume that you have watched or seen or read all of the testimony from individuals that testified in Part 1, but I am sure you won't be surprised that we, as the National Inquiry, heard time and time again that that was important, that families believe that there was a need for that type of accountability. So, it ---

MS. JACQUELINE HANSEN: And, this is why it

has formed the basis of our recommendations, because this is something that we hear time and time again from folks at the community level.

MS. CHRISTA BIG CANOE: Thank you. Those are all the questions I have for you in re-direct.

Kim, may I ask you a couple questions? One of my colleagues asked a question, actually a really good question about the differences in targeting or trying to -- when I say "targeting", I mean any type of advertisements or any type of way you would let the program be known. And, she asked specifically about if there is a difference between female and male, and your response was once the program starts there is a difference, but the way that you advertise or elicit the program, it doesn't. It reminded me, too, one of the questions you haven't had today, but is along that same line is, how many female gang members or at-risk females are actually utilizing STR8 UP?

HONOURABLE KIM BEAUDIN: I probably have the numbers right in here. I believe there is about -- it would probably be around 20 percent right now. And, it is actually consistent in terms of the numbers that are picking up with respect to people who are involved in the justice system itself, so the numbers are actually going up. And, yes, it would probably be around 20 percent.

MS. CHRISTA BIG CANOE: Now, you had mentioned in your response to my colleague's question that the women tend to play a role of leadership and they have a different conversation or discussion so that once programming starts with STR8 UP, there has to be some differences. What other ways do you see women participate in the program? Like, are women or family members crucial to actually getting members to exit?

HONOURABLE KIM BEAUDIN: Well, we don't like to use that -- one of the things about STR8 UP is that we don't go out and recruit. However, because of the people that are involved in program, you know, women, there are far-reaching implications. They have families and that.

And, a lot of time, when they see the members that are involved in STR8 UP, the success, the -- you know, things that they are addressing, their struggles in terms of their lives and their families and that, and what is happening in terms of, like, the benefits, for example, yes, it -- that really has a huge impact on other people who want to make that decision of getting out. And, a lot of the women -- well, actually, the people or women who are involved in gang life today, in terms of Saskatoon, they will talk to the members, particularly the women members and ask, you know, "What do I need to do?

What do I need to do to get out of this lifestyle and what steps do I need to take?"

And so, they share those stories together and you can see it. Like I was saying, there are a lot of successful members that we have in the program that are doing very well. They are educated, they are getting educated, and they are contributing to the community. And, yes, it is all about healing, and that is really important.

MS. CHRISTA BIG CANOE: Now, you had said that the numbers of females are likely increasing because you are seeing -- is it a trend? Is it fair to call it a trend? You are seeing a trend as there's the over-incarceration of women -- Indigenous women in custody, you're seeing more infiltration into gangs.

Is there a pattern that's occurring here? Is it all related as it relates to female numbers?

HONOURABLE KIM BEAUDIN: Yes, it is related. There's no question about it.

You know, when I was in -- you know, I go to Court quite a bit in terms of representing the members, like advocating for them when I'm in court, and what I notice is the huge difference amongst the number of people that are coming before the court in terms of Indigenous women and it's almost jumped like probably 300-400 percent

in terms of the numbers and you see that and you're trying to figure out what's happening.

And I think too is that the women are playing a more -- they're playing a huge role in their family, so they become the bread winners and they are the ones that are trying to -- you know, just trying to help out their families, feed their families, that kind of thing and it puts them in a different position altogether.

It puts them -- because of the way the economy is and the way society is, it puts them more in a vulnerable position and, you know, that's unfortunate. And I mean some of the stories I hear I couldn't begin to tell you. It's not good.

MS. CHRISTA BIG CANOE: Right. And actually, we haven't talked of -- in your testimony today, you've really focused on STR8 UP as an organization and a healing process and we haven't spent a lot of time but we have a couple of times today, more than once actually, where you say you wouldn't believe the stories.

And so just for the purpose of the record particularly as it relates to female Indigenous gang members, is it fair to assume that the level of violence -- and it's not Hollywoodizing it. I don’t want to glamourize it, but I know that you haven't shared specific stories but I think I want to be clear for the record,

when we talk about gang involvement, we're talking about high incidence of violence, including violence to other Indigenous women and men.

So I don't -- I'm trying to be careful and not candy-coating it but I think it's fair to assume that gang involvement, it looks different depending on where you are in the process but that it -- in its worst, it equates a lot of violence towards other human beings.

Is that fair?

HONOURABLE KIM BEAUDIN: Yeah, that would be fair.

MS. CHRISTA BIG CANOE: So the importance of putting people through a healing path and into rehabilitation, you had said to my colleague that the program is a little different for women and men in the way they experience it.

Are there special steps or would you recommend special steps in healing processes specific to the female members as opposed to males? If you had that magic wand or that money, what would you put in place to ensure that the Indigenous women gang members exiting the gangs had opportunities to heal in a way that mattered for them?

HONOURABLE KIM BEAUDIN: Yes. I would recommend that. Presently, STR8 UP doesn't have the

resources to sort of separate those kinds of program initiatives but I would sincerely recommend that going forward. I think it's really important.

The women who are involved in the program, they share different stories and they're not going to share them with a guy. You know, they're not going to. I mean I'm sure there's a lot of stories that the women that I dealt with would not share with me and -- and then also as a -- to be an outreach worker, it can take a lot out of you as well because when you hear the kind of things and, you know, you have to decompress, you've got to go home, it -- you can see that. I mean we -- I see it -- you know, because I see it right in front of me, you know, quite a bit of times when you're addressing issues, it does take a lot out of you.

But what I found though is that women when they have a support network around them and it goes a long way for their healing and that. And yeah, there should be a separate initiative, but again, we don't have the resources. I'm hoping that will happen soon but we don't.

MS. CHRISTA BIG CANOE: Thank you. That's all the questions I have in redirect.

And I now invite the Commissioners to ask their questions. I may make one suggestion that you might want to prioritize your questions to Mr. Beaudin because

he will have to leave at exactly 5:00, but I leave that in your discretion.

--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: Thank you for the reminder on our time. I want to begin of course by thanking all three of you for coming and joining us in this forum and sharing with us your knowledge and your experience.

You've given me a lot to think about and I'm sure over the next few weeks I'll have more questions for you and regret to an extent the use of my time right now, but I'm going to do the best I can.

One of the things that -- and Ms. Greyeyes and Jacqueline -- is I read the reports and I listened to your testimony about the impacts of the extractive industry and all the different recommendations. One of the things that I keep going back to is why and who. And I think, and you can correct me if I'm wrong, the vast majority of projects within this country, the who is not the Indigenous people that initiate these projects and the why is very rarely for the benefit and to meet the needs of the Indigenous peoples.

Is this something -- am I off the mark on my assessment that the why and for whom is not Indigenous peoples?

MS. JACQUELINE HANSEN: Generally, but I'd say often it is nuanced. I mean there are a lot of communities that do participate and have made decisions to participate in industry projects. So I just want to add some caveats around that.

COMMISSIONER QAJAQ ROBINSON: I'm struggling with how I phrase this. You talked about the duty to consult and accommodate in recent decisions from different courts about what that looks like and I think that what I've heard a lot and I want -- maybe Connie, you can engage in a conversation with me about this.

I think we have to get to a point when we change the language from consultation and accommodation to actually shared decision-making. And the dots that I'm connecting is those priorities about making sure that these endeavours truly benefit the people whose lands it's on, it can't happen unless that shared decision-making occurs and free, prior and informed consent in its truest form is honoured.

MS. CONNIE GREYEYES: Excuse me, like when we are talking especially projects in my region, it's really emotional for me.

I have children and many nieces and nephews who live in my region and what's happening there especially with the Site C dam impacts us so greatly and I

think that you hit the nail on the head when you say that, you know, we have to come to the table as equals. We shouldn't have to ask for our rights to be honoured and that's what happens.

We continually take the federal and provincial governments to court to honour our rights, the rights of my children.

You know, I have two sons and I literally had to stop letting my oldest son hear about what they were doing with the dam and that it was going through and that the courts were happening because it was so painful for him and he's -- he was 11 at the time. He actually gave me a letter to give to Prime Minister Trudeau and ask him why are you doing this?

This is important to me and that's what -- that's what's not being brought to the table, that humanness of it, the heart of it, that this isn't about money. This is about our livelihood and the livelihood of our generations to come.

And you know, it's painful to hear in the news that the Indians are making it about money again. It isn't about money, it is about doing what is right and honouring those treaties that you agreed to with us. Along with all of this resource development that is happening, our women and girls are dying. That is really

at the heart of all of this, is that connection to the destruction of Mother Earth, to the destruction of our women and girls and our families. You take away the land from us, you have taken away everything. And, that meaningful, real conversation has to start, we have to sit at the table and actually be heard.

COMMISSIONER QAJAQ ROBINSON: Thank you. Thank you. I want to talk a little bit -- Jacqueline, I would like to know Amnesty's thoughts on this. You talked a lot about essential services, health, livelihood, cultural rights, as well as rights to live free from violence. These essential services, we have heard in other hearings in terms of how they are provided to Indigenous people, are often characterized as programs or projects. Is it -- what is Amnesty International Canada's view on whether these services are rooted in fundamental human rights and Indigenous rights?

MS. JACQUELINE HANSEN: We want to make sure that out there is substantive equality and access to services. And so, I think that really gets to the heart of our position. And, we have continuously said that whether we are looking at child welfare, whether we are looking at access to services for Indigenous women who are leaving situations of violence, there is no substantive equality and access to these services in this country, and

that is a violation of human rights and Canada needs to do something about it.

COMMISSIONER QAJAQ ROBINSON: And, in terms of doing something about it, we have heard evidence from other witnesses that a couple of key steps in that is, one, recognizing them as rights based as opposed to programs; and two, is enshrining them in legislation, so that those rights are no longer imagined and no longer need to fight for recognition through adjudication. Would you agree with those two recommendations?

MS. JACQUELINE HANSEN: Yes.

COMMISSIONER QAJAQ ROBINSON: Thank you. It was shared with me once, what are rights? What are rights? They are just pieces of paper, or no different than a tissue, and there's a couple of things you can do with tissues; right? But, until there is recourse, and action and means to enforce, they are merely words on paper.

And, in the reports, you talk about the need for recourse. What are those and what are -- I know the answer, there is very little. What is needed in terms of means for recourse to ensure that these rights are acted on?

MS. JACQUELINE HANSEN: That is a lot in that question. But, I mean, I think we could say that

about any international law. I mean, I think we can say that about any domestic law. Every issue I have ever worked on in my career, whether it was domestic or international, it has been about, this is a piece of paper, it means nothing unless it is implemented. And, implementation is always hard, and it is messy and it is difficult no matter what the issue is.

And, I think that ensuring that there is appropriate -- that there is mechanisms both for implementation, to support implementation, but that there is also accountability and accountability can take many forms. But, I think that the path to implementation -- and implementation also means the funding for implementation. And, I think one of the things that we often see, and we have heard mentioned, it was mentioned in the course of our research, is organizations are begging for core funding. They are begging for long-term core funding. It was mentioned yesterday. Not project-specific funding.

You know, people need to be able to keep the lights on, they need heat, they need to be able to say, switch the programming when they say, okay, there is a change in our community. We need to be very nimble, we need to adjust, we cannot wait until we can apply for a grant and maybe we get funding and maybe we do not and

that affects what we do. And so, I think that there is a number of things that can be teased out there in terms of implementation, which really are about how do you support that implementation that is not just at the state level, it is how our grassroots initiatives also being supported in terms of implementation.

And, also in terms of accountability, that can take many forms. And, that is not just state accountability, it is also, what is the role of civil society in holding the state accountable? And, when we are talking about things like civilian oversight and accountability, this is what we are talking about.

That was a big question, I don't know if that answered it.

COMMISSIONER QAJAQ ROBINSON: Yes. It is an ongoing question, you are not the only beneficiary of it. Thank you both very much for that. Mr. Beaudin, I have a couple of questions for you and I also want to thank you for coming and sharing with us.

And, I need a little bit of help connecting some dots. And, I am going to be frank with you. I am going to start with the Gladue principle. I have heard from families who have testified before me great anger about the Gladue principle and how it is being applied. Families who have felt and survivors who have felt that

Gladue has been an instrument to devalue Indigenous women and girls, that it has become, I am going to be blunt, you know, a get out of jail free card if you abuse, assault, kill or brutalize an Indigenous woman or girl, if you are an Indigenous man.

I cannot let this conversation today end without bringing that out, that many families have felt that this made it okay, that past scars were used to justify perpetuating. I want to give you an opportunity to speak to that. I don't think it is fair that we end the conversation without going there and I don't think it is fair that I don't give you that opportunity to talk about that perspective because I know that the intention was to address the over-population of Indigenous people in jail. And, like, many policies' intentions sometimes don't play out the way they were. So, I will end my question there and leave it with you.

HONOURABLE KIM BEAUDIN: Okay. Thank you. Well, I have heard that. The issue has been brought up numerous times, in terms of whether it is a get out of jail free card and -- this is one of the problems when you have -- I believe, when you have a majority of people who write the reports that are not Indigenous and actually are involved in the justice system itself. Like, probation officers was for example.

I view the Gladue principles as a healing plan, a journey, a plan for people to be involved in, but also to take some accountability as well. Like, in our program with STR8 UP, one of the key pillars of it is accountability and honesty. And, that is what we drive home, those kind of things, so that people understand they have got to be honest with yourself. I mean, if you -- and what I found so far in the number of years I have been involved is that, in terms of STR8 UP for example, when you are honest, brutally honest, it changes your life. And, when you flip it over to Gladue for example, that is not what -- I believe that is not what the intention of the ruling itself was all about. And, again, if we can have a national focus on that and we all get together, stakeholders get together and talk about that, that's probably what's going to come out in the end. Accountability is really important, and that's what it's about.

I believe that's what the Gladue principles are about. But, again, it sort of got skewed, and changed, and everything, so...

COMMISSIONER QAJAQ ROBINSON: And, I don't believe it was Indigenous judges that made that decision or Indigenous lawmakers that amended the *Criminal Code*. So, perhaps a discussion and work needs to be done at that

level to look at how the *Criminal Code* not only is looking at over representation within the prison system, but also, the disproportionate high rates of violence against Indigenous women. Do you think that that in entirety needs to be relooked at?

HONOURABLE KIM BEAUDIN: I believe so. Yes.

COMMISSIONER QAJAQ ROBINSON: And, this is a bit of a no-brainer, but it must be Indigenous people that lead that?

HONOURABLE KIM BEAUDIN: That's what I believe, yes.

COMMISSIONER QAJAQ ROBINSON: Okay. I want to thank you all very much for your time here. I'm sure I'll have more questions, but I am cognizant of the time and I know my colleagues have questions as well. So, thank you.

--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:

COMMISSIONER BRIAN EYOLFSON: First of all, thank you very much. I want to thank all three panelists for coming and spending the time here with us today to share your knowledge with us. A lot of questions have been asked already by parties with standing and by my colleague. I think I just have one follow-up question for Ms. Greyeyes, if you don't mind?

You had talked about some of the challenges for women leaving violent situations in your community, in your region. One of the things you talked about was the high cost of child care, for example. And, you also spoke about challenges with policing services, some of the limitations of police responses. You also talked about the high cost of rent.

So, I'm wondering if there are any other services you can comment on that are needed to help reduce the vulnerability of women to violence? I don't know in particular if you mentioned if there were any women's shelters in your regions or anything like that. But, in addition to that, any other services that might be lacking that are needed?

MS. CONNIE GREYEYES-DICK: I think that in terms of Indigenous women and girls and when we look at services that are needed, that we really have to go into our teachings, you know, about the medicine wheel, the mind, the body, the spirit and the emotional aspects of who we are, and that if you take a look at all of that, it's lacking in the mental aspects where there's such a lack of services for people that are having serious situations in their lives. I know that it's really difficult to get into counselling. I've been fortunate enough to know women who freely give their time for that.

And, with regards to -- I really don't know how you can solve that issue of the high cost of living, because with that comes everything else. You know, if you're not able to provide basic needs for your children, everything else in your life is suffering. Your mind, your spirit, your emotional aspects, if you're unable to provide just those basic necessities.

You know, I often am so eternally grateful for the blessings in my life, and I hold my hands up to the single women in my community who are able to somehow get out of bed everyday and provide those needs for their children under any circumstance.

I think that more resources are needed for places like the Women's Resource Centre. Even a men's centre. You know, I had a conversation with a lady and she kept on talking about how the women need more circles and more workshops, and I counteracted with, "we need to bring our men along." You know, it's absolutely unnecessary that the men in Fort St. John do not have a resource centre to call their own, because they struggle as well, and if we don't have them along with us, it's all for naught, you know?

So, I really think that Fort St. John definitely needs to have some sort of resource centre so that the women can continue to safely go to the women's

resource centre with their children and access the foodbank, clothing. The friendship centre often has breakfast for friends, and they can go there and have a hot meal and get gloves and things. You know, those organizations are so underfunded, and they're so needed.

You know I wish that -- I wish that many of our local officials could actually go and be there, do that grassroots and see what's really happening in their community because their lives are so vastly different than many in their community. And, those are just a few of the basics that really need to happen, especially within northeastern B.C.

COMMISSIONER BRIAN EYOLFSON: And, in particular, with regard to alternative housing or shelters, what are the needs there?

MS. CONNIE GREYEYES-DICK: Oh man. Yeah, there isn't. There's no shelters on any of the reserves. I'm not sure if you're aware that Fort. St. John is surrounded by five communities within about an hour-and-a-half: West Mo, Saulteau First Nations, Blueberry River First Nations, Doig First Nations, Halfway River First Nations, and none of them have an emergency shelter for women to go to in crisis.

The housing in Fort St. John, it's incredibly high, and it's really hard to get into. There

is an organization called Native Housing. The wait list is a couple of years long usually. It's literally impossible to get into, and if a house comes up, then you need to have the exact amount of children for that house. If you don't have enough kids to fill the bedrooms, then you don't get the house so you're bumped back down until one is available.

So, you know, there are a lot of things that can be put in place to help families and communities, especially with regards to shelters and, you know, even emergency places to stay.

COMMISSIONER BRIAN EYOLFSON: Thank you very much. And, again, thank you all, panellists, for your answers.

--- QUESTIONS BY COMMISSIONER MICHÈLE AUDETTE:

COMMISSIONER MICHÈLE AUDETTE: Merci beaucoup et un merci particulier pour ma collègue Qajaq d'avoir pris le temps d'honorer les familles et les survivantes qui nous ont parlé de façon courageuse puis honorable sur l'impact de l'arrêt Gladue ou des rapports Gladue, quand c'est dans la même communauté, surtout. Alors, merci Quajaq puis merci pour la réponse.

Alors, je vais commencer par Monsieur l'Honorable Beaudin. J'aime bien, c'est un nom en français! Je voulais, dans votre présentation sur

l'organisation STR8 UP, vous nous avez fait mention de l'importance du travail que vous faites au quotidien, alors félicitations, c'est important! Et je ne sais pas si vous avez suivi un peu nos travaux, dans certaines des audiences à travers le Canada, le sujet des témoins, pardon, des témoins sont venus nous parler du phénomène de la traite humaine, du trafic humain, des personnes, du trafic sexuel, des femmes assassinées autochtones.

Et vous travaillez pour STR8 UP, donc on parle de gangs et je crois que Me Big Canoe a fait un lien assez étroit, là. Mais d'après vous, est-ce que la traite des personnes est intrinsèquement liée au crime organisé aux gangs de rues, selon les témoignages qu'on a entendus?

HONOURABLE KIM BEAUDIN: Yeah, it would be. On a smaller scale with respect to -- I believe with respect to Indigenous people overall, like, in terms of Indigenous gangs, but you know, when you get into the other gang issues across Canada, you know, like Hell's Angels and all those other big ones, organized, they are ...far more organized, have more resources, money, that kind of thing, then that is a bigger scale, and they are more extensively involved.

My experience dealing with working with STR8 UP, I didn't really hear -- I heard some stories, but not a lot to really tie that in. It was more survival,

you know, with respect to issues that impact Indigenous women, prostitution, those kind of things, selling drugs. But, yes, the other part, I never heard a whole lot about that.

COMMISSIONER MICHÈLE AUDETTE: Si je comprends bien, vous, dans le cadre de votre travail, vous avez été témoin de ce phénomène.

HONOURABLE KIM BEAUDIN: I wouldn't -- sorry. I wouldn't necessarily say I witnessed it, but I have heard stories.

COMMISSIONER MICHÈLE AUDETTE: Okay.

HONOURABLE KIM BEAUDIN: Yes. And, one thing about the job that I am involved in, you hear things way further ahead than the media, per se. Like, if something happens in the community, there is, somewhere, a connection, and you will hear about it. And, you will hear all kinds of stories, and then they pretty well get confirmed a few days later, a week later, that kind of thing.

So, I don't -- myself, in terms of -- I don't share that information with people. I wouldn't do that. But, in a lot of ways, it is kind of sad too, because, you know, these are affecting people's lives; right? And, it -- especially when you know people.

One thing about my job, too, is that you

really get to know the people that you are working with, the members, their lives, their struggles, and you become very close with them as well. Like, we have lost members that have died, you know, in violent crimes. We have lost people due to drug addictions. We have had to go to -- you know, set up, you know, funerals and that for them and their families. One thing, too, that even gang members are still in gangs will actually approach STR8 UP and ask us, as an organization, to facilitate funerals, because they have no family and nobody else will help them out. They come to us. And, that goes back to how deeply grassroots our program really is.

And, it is making inroads too, as well. I mean, earn respect in terms of -- for example, Saskatoon City Police is really important. We have had, you know, the chief of police support us quite extensively. So, yes, these -- all these things help in terms of the community, so it is more like -- they always say it takes a community to raise a child. It also takes a community to protect them, so that is what we -- you know, we do these important things and -- but, yes, it -- I hope it never gets to that kind of level. In terms of human trafficking, I am glad it is not there really.

COMMISSIONER MICHÈLE AUDETTE: À votre connaissance, vous avez des ressources pour l'organisation

STR8 UP, est-ce que vous pensez qu'il existe des ressources justement pour les femmes et filles qui sont victimes du trafic humain? Soit dans votre région ou à travers le Canada.

HONOURABLE KIM BEAUDIN: Well, in terms of STR8 UP itself, we are -- I think I mentioned that earlier that we are not federally funded or provincially funded as well. And, a lot of our -- we get grant funding, program initiatives, that kind of thing. And, there is -- one thing that we realized, too, as an organization is that there is so much more that we can do, but we just don't have the resources. We don't have the human capacity as well, because there is just so much work.

When you have other provinces reaching out to you, you know, asking for -- "Can you help us out? Can you set us up in terms of a program initiative that is very similar, could you do that?" It is -- we just don't have the money, or the resources or the human resources to pull it off.

And, one thing about, too, is that it also takes a lot -- a number of volunteers as well. It is a volunteer board of directors, skilled people sitting there, and they bring their perspectives in. It -- I mean, I give them kudos for putting that time in, you know, to make their community safer. And, that, too, is

what it is all about as well. But, yes, that is the unfortunate part. I mean, I know I quote numbers in terms of money, budgets that the federal government throws towards initiatives, but not necessarily the kind of initiatives that we need in our communities. That is where it should be at, and it is just not happening yet. So...

COMMISSIONER MICHÈLE AUDETTE: Est-ce qu'on vous dit pourquoi ça n'arrive pas ou pourquoi je vais, franglais, ne *fittait* pas j'imagine dans les critères du gouvernement ou des programmes à long terme?

HONOURABLE KIM BEAUDIN: Well, I think it -- my understanding, it does fit somewhere and we -- I think we have done everything possible that we could do to -- if there is, you know, a callout for proposals, for example, we have done all that. We just -- we are just waiting. We don't know what is happening, like why the federal government is dragging their -- well, anyways -- they are taking their time.

COMMISSIONER MICHÈLE AUDETTE: Maybe it is the translation or my exhausted brain, French/English, I will try in English about the same question.

HONOURABLE KIM BEAUDIN: Okay.

COMMISSIONER MICHÈLE AUDETTE: Did they say to you why it is only based by project or by grant when we

know in Canada it is an issue, a problem, a reality? Did they say to you, "No, it is only grant for you," or based on project?

HONOURABLE KIM BEAUDIN: Yes, a lot of times their funding comes in based on projects.

COMMISSIONER MICHÈLE AUDETTE: Okay.

HONOURABLE KIM BEAUDIN: It is not -- they tell us it is in the queue. I showed you a picture up there earlier this morning, Bill Blair, Border MP, Border Security. He came to visit the program. And, one thing that came out of the discussion is that he was really big on employment, employing people to keep them out of the justice system, and that is music to my ears. I think that is really important.

But, we still haven't seen anything. I mean, we are sitting here, what, April -- sorry, September 19th? Funding year starts April 1st, and -- yet, we also hear, too, that other -- which I don't get. Like, City of Saskatoon police department got, like, $3 million under a justice program. I don't know. We were kind of baffled at that one, because what the focus was to look at youth and children, to keep them out of the justice system. So, we don't know how come one pocket over here gets funding, and then other programs don't?

And, one thing, too, that when we were at a

recent program, like a conference, here in -- like, in Ottawa, there was a number of programs across Canada that got up and said their funding was done as of that March 31st. And, there was no letter indicating that there would be, you know, something going forward.

And so, a lot of times, you can have a hugely successful program, you are doing all the things that need to be done in the community, and then all of a sudden the money is gone and you are starting from scratch again.

COMMISSIONER MICHÈLE AUDETTE: Merci beaucoup avec toutes vos preuves à vous comme expert que vous nous avez partagées aujourd'hui. Je sais qu'il y a une représentante du Gouvernement de la Saskatchewan dans la salle. Alors, je, personnellement, évidemment. Et, j'encourage les gens de chez vous à s'asseoir avec vous, avoir un vrai dialogue, pour faire en sorte que le phénomène qui est aussi chez les Autochtones, notamment en Saskatchewan puisse diminuer, je vous dirais, pour éventuellement disparaître et que ces gens-là s'assoient avec vous. Ça serait une recommandation que je ferais pour l'instant. Il y a éventuellement un rapport comme vous le savez. Et, aussi, je pense à toutes nos soeurs qui sont aux prises dans le trafic humain qui mérite d'avoir un chapitre. Alors, encore une fois merci et bon retour chez

vous. Pour Connie, Bonjour! Merci pour votre témoignage, témoignage touchant. On voit très bien que quand on a des gens qui viennent du territoire c'est pour moi… Vous devenez des grands experts, des personnes très importantes dans le cadre de nos travaux dans l'enquête nationale parce que oui, nous aussi, on a un mandat ici à l'enquête. Un mandat assez large et très lourd en émotions. Ce que vous ne voyez peut-être pas au quotidien. C'est qu'on l'a vit nous aussi cette rage ou cette déception ou cette frustration de voir qu'en 2018 il y a beaucoup de conventions, de pactes ou de lois qui ne sont pas respectées dans ce grand pays. Avec cette enquête, que je dis toujours historique, j'essaie de comprendre avec vous, comment on va être capable de changer pour vrai les choses, les lois, les programmes et les services. Vous m'avez touché beaucoup quand vous m'avez parlé de l'imputabilité parce que je me gratte la tête depuis plusieurs années et encore plus avec l'enquête. D'ailleurs, je suis devenue tellement blanche là ici, à force de me gratter. Comment faire en sorte qu'on rend les gouvernements canadiens et les provinces, nos gouvernements autochtones, les institutions que vous avez parlé, les entreprises, le secteur, imputables. Comment on fait ça? Vous avez répondu à certaines questions des avocats et de ma collègue. Mais, encore, j'ai besoin de

faire en sorte de comprendre comment on fait pour qu'une fois pour toutes il fasse. C'est bon faire une pression sociale, je le comprends. C'est bon d'aller sur les tribunes internationales, je le comprends. Mais, ça fait 20 ans, 30 ans, 40 ans, 60 ans qu'on le fait. Et, l'enquête nationale peut réitérer des recommandations qui va juste répéter ce que nos ancêtres, nos leaders et nos femmes, nos soeurs font depuis des décennies. Comment, je vais utiliser un terme, c'est encore personnel, forcer le Canada, la Saskatchewan, le BC, le Québec à respecter les conventions, les lois, les pactes. Ça, moi, je me demande, Connie, comment faire en sorte, est-ce que c'est des lois qu'on doit créer? Qui rend imputables les institutions, les entreprises, les organisations, les gouvernements à répondre à tout ce qui est un manquement sur les droits de la personne.

MS. CONNIE GREYEYES-DICK: Oh, man, that is a hard one, yet it is actually really quite simple. You know, I think the heart of it all is that we need people that have these positions to have some integrity. The bottom line is that we need to have integrity in all levels. We should never have to continually take our governments to court.

I was invited once to Parliament, and I sat on a special committee on violence towards Indigenous

women and girls. And, we were sitting in this room. I think it is like the Aboriginal or Indigenous Room. And, I was looking around and, you know, it came my turn to speak, and they wanted to know like, "What can we do?" And, I replied -- like I was sitting there staring at these, I want to say it was moccasins with beadwork in a glass case, and I told them, "You guys can sit here, and you can take so much care into this item, and put it in glass and make sure that it's protected, but you cannot do that for women and girls in this country. That is what you need to do."

And, you know, we have laws, you know, that are supposed to protect our rights. I don't know how we can enforce them except for all of the grassroots people that have been fighting for years, our ancestors that have been fighting for years for these rights for our children to live in peace and harmony. But, to me, it always boils down to having a little bit of integrity, honouring your word; you know?

I can't tell you what that is like to go down to the Peace River and look at what they have done down there. You know, my son who was 11-years-old at the time went down there with a drum, and danced, and prayed and was heartbroken. And, we have to stop that for our kids. You know, it is such a hugely important -- but I

really don't know what more can you do when you already have laws that are supposed to protect us.

You know, the very people that are supposed to be protecting us are also the ones that are inflicting the damage on us. And, all we can do is keep on trying to raise awareness, keep on having our voices heard and keep on working with our people to keep on that good path. Yes, that is such a huge question yet, to me, it is as simple as having a little bit of integrity in what you are doing.

COMMISSIONER MICHÈLE AUDETTE: Merci, ma dernière question pour vous Connie. Je l'ai dit maintes de fois, plein de gens l'ont dit vous l'avez dit d'ailleurs, Kim. Beaucoup de rapports, beaucoup de commissions. Les recommandations terminent sur une tablette et ça n'avance plus. Qu'est-ce qu'on peut faire avec notre enquête? Ce sont les familles qui ont poussé pour qu'une enquête nationale se fasse. On doit honorer ça. Comment on peut faire? Parce que les commissaires à minuit au mois de juin c'est fini 2019. À minuit, on n'est plus commissaire. On est mocassin libre. À partir de là, vous, moi, tout le monde. Comment on fait pour que ces recommandations-là soit honorer vivantes et respecter par les gouvernements, les institutions et les communautés. Comment on fait ça?

MS. CONNIE GREYEYES-DICK: Well, I think

that the way that we do that is how we have even started this. I remember how many years ago going to Parliament and standing there with a sign saying we need an inquiry. We gathered the people. We do idle no more. You know, we have to put pressure on them and we have -- because this is one of the most important things for our women and girls, and for our survival as a people. And, if we still have all of these women and families that are still committed and gather, there is power in that. And, I think that, you know, we gathered for all those years on Parliament Hill and pushed for this Inquiry. Now, we gather and push for them to honour it and to implement the recommendations. And, it has happened before and it will happen again, because we are determined.

COMMISSIONER MICHÈLE AUDETTE: Merci beaucoup.

MS. CONNIE GREYEYES-DICK: Thank you.

COMMISSIONER MICHÈLE AUDETTE: C'est dit avec tellement de résilience. Merci. Et, la résilience peut être un très très bon, une arme positive. Je vous remercie et je vais marcher à côté de vous, ça c'est sur. Jacqueline, si je me souviens bien? Bonjour. Merci beaucoup pour votre présentation et je sais que le temps avance et au niveau de vos recherches qui ont été présentées ce matin. Vous nous avez fait part de la

méthodologie et d'ailleurs ça a été expliqué dans les premiers paragraphes dans lequel vous avez fait des entrevues avec des familles, avec des survivants, des organisations, des groupes, des leaders, dans vos deux recherches présentées. Question, très, dans votre méthodologie, je ne l'ai pas vu. Est-ce que vous êtes retourné auprès des familles, une fois le rapport terminé? Ou des groupes, des gens que vous avez mentionnés pour présenter le rapport?

MS. JACQUELINE HANSEN: Thanks for that question. Yes, we did. We actually went back to Northeast B.C. before we finalized the report content, because we really wanted to make sure that we had gotten it right. And so, we actually tweaked our -- tweaked the report a bit after we heard back from people. And then once the report was finalized, we released it in Northeast B.C., and that was at the community forum in Fort St. John, because it was really important to us.

We also -- we did a press conference in Vancouver, because that is what you do. But, then it was -- the most important event was really going to Fort St. John and it was a community forum. And so, we didn’t want it just to be let’s go present the report findings. It was really a dialogue on stage with law enforcement, with municipal officials, with family members, community

leaders, you know, and that was really important because we thought we want this report to be part of a discussion. We want it to be contributing to that discussion. And so, that's how we approached it.

COMMISSIONER MICHÈLE AUDETTE: Okay. Alors… j'espère que… je vais attendre! J'espère que les institutions qui font beaucoup de recherche entendent l'importance de retourner auprès des gens qu'on a entendus ou écoutés. Alors, merci pour ça. Et est-ce que les familles ont été en mesure d'avoir accès aux résultats de votre recherche, donc, les lire, les toucher, les débattre avec vous? Je pense que… c'est ça, okay, parfait.

Dans votre recherche…dans vos recherches, en général, chez Amnistie Internationale… est-ce que vous en avez fait une sur l'Autoroute, spécifiquement sur l'Autoroute des larmes? Rappelez-moi si c'est le cas? Non, okay.

MS. JACQUELINE HANSEN: No, we had not.

COMMISSIONER MICHÈLE AUDETTE: Non, parfait. Pensez-vous le faire éventuellement? Est-ce que c'est dans votre plan d'action de faire ressortir tout ce qui s'est passé sur l'Autoroute des larmes?

MS. JACQUELINE HANSEN: Are you trying to add to our work? We certainly have covered stories of family members from Highway of Tears in our previous work.

We don't have any upcoming specific research projects in the works.

COMMISSIONER MICHÈLE AUDETTE: Okay.

MS. JACQUELINE HANSEN: Much advocacy to do to work on implementing the recommendations already out there. That's our focus.

COMMISSIONER MICHÈLE AUDETTE: Okay, parfait. Puis… dans ce cas-là, qu'est-ce qui vous a amené à faire une recherche dans la région de Connie puis nos sœurs volées? Qu'est-ce qui vous a amené à faire ces deux recherches-là, qui sont très importantes?

MS. JACQUELINE HANSEN: Me, I think it was a couple of things. Both we recognized that this link between Indigenous rights, gender and energy development was becoming a topic of discussion that we kept hearing in a number of communities across Canada, and we recognized it was warranting further investigation to better understand these interactions.

And then, of course, it was actually having an invitation to specifically go to northeast B.C., an invitation from community who wanted the research done. We would not have conducted the research there had it not been for grassroots activists saying, "Can you please come and study this? Because we want to better understand what's happening and we want to shed a light and we want

to draw broader international attention to what's going on in our region." So, that's what led us to northeast B.C.

COMMISSIONER MICHÈLE AUDETTE: Okay, merci beaucoup. Vous avez aussi, à quelques reprises, mentionné que vous avez utilisé l'analyse différenciée selon les sexes. Je ne sais pas si c'est comme ça qu'on le dit en français ou l'analyse basée sur les genres, sur le genre, dans le cadre de vos travaux et des recherches. Est-ce que cet outil que vous utilisez prend en compte les spécificités des femmes autochtones ou si c'est vraiment homme/femme?

MS. JACQUELINE HANSEN: So, I feel like I'm the country's biggest advocate for gender-based analysis plus this week. There's women in Status of Women that must be very happy to hear me talking about it.

And, we used intersectional gender-based analysis. And so, we weren't just looking -- and I should note, we weren't just using a male/female gender binary. We were making sure that we were gender inclusive. So, we were making sure that we were looking at the impacts on people of all genders. We were specifically looking also at impacts on Indigenous peoples and non-Indigenous peoples.

So, we were really trying to make sure that we were having a -- you know, looking -- asking the right

questions, talking to the right people, so that we were able to really fully deeply understand the issues.

COMMISSIONER MICHÈLE AUDETTE: Donc, vous me rassurez en me disant que votre analyse différenciée selon le genre, il y a une spécificité culturelle propre aux autochtones et, surtout, aux femmes autochtones? Oui? Je fais faire ma fausse avocat – oui ou non? [Rires]

MS. JACQUELINE HANSEN: Yes. Sorry. I was listening to the translate.

COMMISSIONER MICHÈLE AUDETTE: I know. They look weird. They laugh later.

MS. JACQUELINE HANSEN: Yes.

COMMISSIONER MICHÈLE AUDETTE: It's their time now. Well, thank you very much. Merci beaucoup. Alors, Chief Commissioner.

CHIEF COMMISSIONER MARION BULLER: Thank you.

COMMISSIONER MICHÈLE AUDETTE: J'ai terminé.

CHIEF COMMISSIONER MARION BULLER: I'm very mindful of the time, so I will go quickly. Mr. Hansen, just to -- I'm sorry, Ms. Hansen, just to clarify two things, in your report you -- and in your testimony you described income gaps, poverty, high cost of living, all seeming to generate from resource extraction and other

issues that you raised. However, nowhere in your report was there any mention of issues related to women obtaining child or spousal support. Is there any reason why that wasn't included?

MS. JACQUELINE HANSEN: Hmm. That's an interesting question. No. It wasn't something that really came up, to be quite honest, other than in the context of there were women who were -- had experienced financial abuse, and there were concerns about how accounts were handled in a way that could make it challenging to receive child support or spousal support if they left their partner.

There were a number of technicalities around it that we did hear some concern from women that because of some technicalities with accounting that one of the reasons they feared leaving was because they didn't believe that they were going to receive spousal or child support that would be an amount that would be liveable.

And, certainly, when we ran the figures and looked at what social support would be there, it wouldn't even be enough to cover, you know, a tiny -- it would be half of -- a monthly payment would be half a -- you know, it wouldn't even cover a one-bedroom apartment.

So, that really was part of women making that decision about do they leave or do they not was this

belief that there would not be enough money to make ends meet for a variety of reasons if they left. And, with the lack of emergency and transitional housing, really, this sense of there is no safe space and there's nowhere for women to go.

CHIEF COMMISSIONER MARION BULLER: So, in other words, they felt that they could not assert their children's rights to be supported by both parents?

MS. JACQUELINE HANSEN: Yes.

CHIEF COMMISSIONER MARION BULLER: Okay, thank you. And, Mr. Beaudin, by way of clarification, you mentioned that 20 percent of the participants in your program are women. Of that 20 percent, what percentage are Indigenous women?

HONOURABLE KIM BEAUDIN: I'd probably say close to about 95 percent.

CHIEF COMMISSIONER MARION BULLER: Okay, thank you.

HONOURABLE KIM BEAUDIN: Yeah.

CHIEF COMMISSIONER MARION BULLER: And, you mentioned screening, if that's the right word, applications from people who wanted to be appointed as judges, and you were somewhat disturbed by the lack of education. Having said that, you're not aware, then, or you can't speak to training that those individuals would

have after they've been appointed to the bench; is that correct?

HONOURABLE KIM BEAUDIN: That would be correct, yes.

CHIEF COMMISSIONER MARION BULLER: Okay. And, you mentioned also about police officers coercing Aboriginal or Indigenous people to sign Section 8(10) recognizances. Now, to me, and maybe I misinterpreted, that sounded like some sort of back hall deal or backroom deal. However, isn't it true that recognizances can only be entered into in front of a judge or a Justice of the Peace?

HONOURABLE KIM BEAUDIN: In terms of the 8(10) -- well, to be brought before a Justice of the Peace, for example, it's going to have to be pretty minimal. The ones that our clients or our members that we deal with are quite serious, and what I mean by that is they're looking at hard time if they don't live up to those conditions that are laid out by the Crown, and it's usually the police that do that.

So, they'll come up with a whole number of conditions and they'll say, you know, of course, one of the biggest ones is addiction issues; right? And, they'll say, well, you can't drink. You're not allowed to drink. So, the person is struggling with alcoholism, for example

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CHIEF COMMISSIONER MARION BULLER: Okay, I'm sorry to interrupt you. In the interest of time I'm going to, however.

HONOURABLE KIM BEAUDIN: Okay.

CHIEF COMMISSIONER MARION BULLER: But, it isn't something -- a recognizance that a person enters into is not set by the police. In law, it's set by either a justice or a provincial court judge; isn't that correct?

HONOURABLE KIM BEAUDIN: Yes, that would be correct.

CHIEF COMMISSIONER MARION BULLER: Yes. Okay.

HONOURABLE KIM BEAUDIN: Yes.

CHIEF COMMISSIONER MARION BULLER: Well, thank you.

HONOURABLE KIM BEAUDIN: Yes.

CHIEF COMMISSIONER MARION BULLER: I have more questions, but I note the time, and I know, Mr. Beaudin, you are probably -- you are probably halfway out the door right now. So, in the interest of time, I will conclude my questions.

We are all very grateful that the three of you have been able to join us here today. What you have said today has made a big difference to our work in a good

way, I might add, and that I think you have done a lot to educate not only us, but the rest of Canada. So, we are very grateful for what you have given us.

As is customary, I think all across Canada, because you have given us the gift of your time, your knowledge and your experience, we have some gifts for you. To start with, we have eagle feathers that really don't require an explanation. All three of you in your own way are warriors who have tough jobs. And, there are days we know and times we know that you have to be lifted up to do your work, so we hope that these eagle feathers will lift you up in those moments on those days when you need that lift to continue working and doing the good work that you are doing. So, on behalf of all of us here, again, thank you so much for joining us. It has been our honour to have you. And, we are adjourned.

(PRESENTATION OF GIFTS)

MS. CHRISTA BIG CANOE: And, just a reminder to parties with standing that tomorrow morning at 7:30 in the Dufferin Room will be your opportunity to draw the lottery for tomorrow's cross-examination, and that we will be starting at 8:00 a.m. for opening comments and commencing evidence at 8:30.

--- Upon adjourning at 16:56

LEGAL DICTA-TYPIST'S CERTIFICATE

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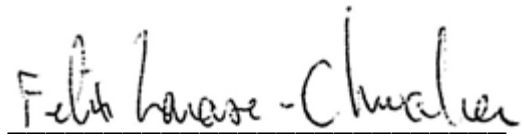

Félix Larose-Chevalier

Sep 17, 2018