National Inquiry into Missing and Murdered Indigenous Women and Girls
Truth-Gathering Process
Part 3 Expert & Knowledge-Keeper Panel
“Racism”
Chelsea Hotel, Churchill Ballroom
Toronto, Ontario

PUBLIC

Part 3 Volume 8

Monday June 11, 2018
Panel 1: Intersections between Racism and 2SLGBTQ issues

Albert McLeod, Two Spirited People of Manitoba (2SPM)

Fallon Andy, Knowledge-keeper & Advocate

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Second Chair: Francine Merasty (Commission Counsel)

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Counsel: Christa Big Canoe (Commission Counsel)

Witness: Fallon Andy, Knowledge-keeper & Advocate
Counsel: Christa Big Canoe (Commission Counsel)

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

Grandmothers, Elders, Knowledge-keepers & National Family Advisory Circle (NFAC) members: Micah Arreak (NFAC), Reta Blind, Cynthia Cardinal (NFAC), Lorraine Clements (NFAC), Bonnie Fowler, Norma Jacobs (Knowledge-keeper / NFAC), Charlotte Jacobs (NFAC), CeeJai Julian (NFAC), Valarie King, Myrna Laplante (NFAC), Naulaq Ledrew, Barb Manitowabi (NFAC), Pauline Muskego (NFAC), Laurie Odjick (NFAC), Paul Shilling, Senator Constance Simmonds, Leslie Spillett, Audrey Siegl, Waasaanasee (Government of Ontario), Laureen “Blu” Waters, Bernie Poitras Williams

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NOTE

The use of square brackets [ ] indicates that amendments have been made to the certified transcript in order to correct information that was mistranscribed. Bryan Zandberg, Registrar for the National Inquiry into Missing and Murdered Indigenous Women and Girls, made all amendments by listening to the source audio recording of the proceeding. The amendments were made on April 14th, 2019 in Vancouver, British Columbia.
The hearing starts on Monday, June 11th, 2018 at 8:13 a.m.

**MS. SHERI DOXTATOR:** (Speaks in Oneida).

Good morning, everyone. My name is Sheri Doxtator. My spirit name is Travelling Woman, and I am of the People of the Standing Stone, Onyota’a:ka, on the Thames, just outside of London, Ontario.

It truly is my honour this morning to be your Master of Ceremonies to get this day started off. So, this morning, we did have a sunrise pipe ceremony to set us off in a good way this morning, along with the elders that we have present. It truly is my honour to be before you with the families that are here, that are represented, and all of our hearts that are with you as well, as well as the Commissioners that are here, and I want to make sure that everyone in the room here understands this space today, that what we are trying to create is a space that is non-judgmental, a place that is caring and loving, and a place that will honour those who are no longer walking with us on this earth.

So, with that, I do want to do some quick introductions of people that are here, and start us off in a good way this morning, as well. As part of our elders’ forum that we have here this morning, we will have -- Paula
Shilling is here over to my left here behind me. We have Rita Blind, Norma Jacobs, and we have Charlotte Jacobs, and we also have Grandmother Blu Waters with us as well joining us today. And, I’d also like to call upon Valarie King and Norma to offer a few words of this opening this morning. So, if I could get Valarie and Norma to come up at this time? And, Valarie is from the Mississaugas of the New Credit, which is the territory that we stand on today, that we honour and respect all our ancestors that we share this territory this morning. So, I’ll call Valarie and Norma up to say a few words this morning.

**MS. VALARIE KING:** (Speaks in Anishinaabe) Mississaugas of New Credit. What I said is my name is She Who Speaks the Truth, Woman Warrior Leader. I’m from Mississaugas of the New Credit First Nation, and I am Bear Clan.

This area has been my traditional territory. We are located about an hour from here, southern Ontario, where there’s about over 1,500 of Mississauga people. So, I welcome you to this area. I’m not fluent in the language, I’ve been trying to learn the language, but I know our songs.

And, I’m grateful that you’re here, it’s sad that we have to come together in this kind of way, to bring our thoughts together about what we need to talk about,
what needs to be said. And, I ask that our minds come
together in a good way and that it be brushed off before we
come into this space together, and that we come and focus
on what we need to focus on, and that I’m grateful for the
people that are here, that the medicines -- the maskihki,
the medicines that are here, in the next room and in here,
there is medicines to help us. And, the spirits of the
women that are here, that are helping us.

After Norma talks, I want to sing a song
that came to my family. Me and my -- I have seven children
and we work with women in our area of the missing and
murdered, their families. And, some of the songs have come
to us, and the first song talks about, they’re on the path,
on the outside of the path, the journey, and they’re all
standing there, and they’re all saying, you, and you, and
you, and you, when you’re ready to listen, we’ll help you.
We’ll help you on this path.

So, to me, when that song came -- at the
time, I was working at the Native Women Centre in Hamilton
with the women, and that song came after we did a vigil,
and we did a feast and offered food. So, ever since that
point, some songs have come and I’ve continued to work with
the families, and I know that they come -- that they all
come and listen to what’s happening, but they also help us.
They also help us on the path to help our people. And, I’m
really grateful to them, I’m really grateful to them and I’m really mindful of the messages that have come.

So, I’m really grateful that you are able to come here and help each other and support each other and -- with that respect and kindness.

**MS. NORMA JACOBS:** (Speaking in Cayuga).

Good morning. I’m happy to be here this morning and I am grateful that I arrived safely, and I’m also glad that you are here and that you also arrived safely. And, we’re so fortunate that we have people who guide us and bring us to this place of -- you know, using our minds and having communication, and that -- you know, that we speak clearly.

And, in our ways, they always -- you know, when we open that -- we always ask that people make their ears sharp, that you open your ears and -- you know, to -- because we’re supposed to ask permission for everything that we do, and so we’re asking our bodies to -- you know, to be aware that things are happening, and that we open our minds, and open our ears, and open our eyes so that we can see and think and hear clearly. And, you know, to use our good intention of being here and to be in our truth and to listen with our hearts.

That’s the most important thing, is to be able to listen, you know, from our hearts, because our minds can turn things around so quickly and we have to have
that clear mind as well. If we’re happy in our hearts,
then it affects every part of our bodies. So, we need to
-- you know, to have that focused and -- to really hear
what people are saying and to bring us to this place of --
you know, between the ship and the canoe.

As part of our teachings, you know, to --
one of the gifts that was negotiated between the ship and
the canoe was the Two Row Wampum. And so, when we think
about that in our path that we walk, we were to walk side
by side with discipline and with respect. And, you know,
through the years, that agreement still holds strong with
our people, we all remember that because that’s part of our
teaching growing up in our communities, in our native ways,
our celebrations and acknowledgments, that when we come
together, that we are in our own canoe, that you are in
your own ship and to try to understand because we’re, you
know, coming from two different perspectives, that we don’t
think the same, or we have a different way of seeing, a
different way of understanding, and that was the reason for
-- to have good communication. And, that days could go by
until we become clear about what the discussion is about.
So, that way, we can, you know, agree and we can talk
together down this path with one mind, with a good mind.

So, you know, that’s really important for us
to have that communication and to really understand, you
know, where each individual is coming from because we’re all different, even in our own groups of people that are in the canoe, and that’s why we stay together. We live together in our lodge, in our longhouses, because we had to, you know, communicate to one another, we had to have that good mind, we had to have that love for one another. We were there to encourage one another and to validate and acknowledge, you know, their being. We had to have, you know, those kind, caring words. Awenhokde (ph), you know, so that when we spoke to one another, that it was not out of fear or that someone was towering over us, but it was because we were equal and that we could, you know, share our deepest thoughts, our dreams and our visions, and we could, you know, embrace one another, encourage one another to move forward with that because we have given it so much thought.

We’ve thought about the things, we’ve had dreams about them, and our purpose here was to make them come true, you know, to see them happening because it’s not just about today. It’s about yesterday. The past. It’s about today and it’s about the future. We’re always in consideration of that, that those people who come after us are going to be able enjoy the things that the creator gave us, you know, to have peace, to have wellness, and wellness in all aspects of ourself. Those were the things that were
provided to us on this human journey, was to have medicine, was to have food, was to have supports from all of the plants and from the animals, you know, that we work together because we can’t exist without one another. We have to have water, we have to have air. All of us need that.

So, everything in the, you know, granting of this earth walk by the creator, the creator worked hard to be able to put those things in place that -- you know, that human beings would need when they come here from our journey from the sky world. So, we always start with that in -- you know, in our ceremonies, in our greetings to one another, was to give thanks, was to give thanks for the people because we need people in order to communicate, to be supportive and to be encouraging, to be welcoming, to be acknowledging and validating. We need people in order to have a well community. We need people to have a well family. You know, to be filled with love. Those are the things that the Creator gave us. You know, they’re very simple, but we had to work at it, and we have a relationship with our environment, you know? We go out and pick berries. I picked berries yesterday, you know, the wild strawberries, our first gift, you know, from the earth that’s here to help us to cleanse, you know, and then to rebuild our bodies once again.
You know, they come at their own time, you know, but they always go back and encourage the rest of the environment with all of its gifts to come forward. You know, this is how the human beings treated us, so come this way. So, every day, you know, we woke up this morning, how grateful I was to be able to have this life again, you know, to do something to help people in whatever way that is. You know, to stand up and move. You know, throw your legs over the side of the bed and to walk. You know, to think about those things, they’re simple things, you know, about living life.

You know, your family is well. Our families are well, you know, and to be able to acknowledge that, you know, that we have medicines to draw on if they’re not well. You know, we can help support them in some way. We have the air to breathe, you know, to refresh our lungs, and to, you know, be able to see the sunshine, or to hear the raindrops, or to hear the thunders, to feel the wind wrap around us and to remind us that we’re human and that we need each other, you know. We need that air to survive. All basic things, you know, and how many of us this morning were able to do that? You know, just for ourselves and to calm ourselves and to be grateful for life?

So, you know, these are the things that, you know, that I’ve learned over time. I was fortunate to, you
know, be able to learn from our own ways. And, you know, my name, Guy-how-wak-ow (phonetic) means that I’m holding the canoe, you know? But, because it’s a female name, that it’s not just about me; it’s about those women behind me. All of those women, my ancestors, my grandmas and my mom, you know, all those ancestors that support me in standing here today, to be able to be a speaker, you know, and to work with many people, no matter where they come from. You know, they’re human, and they need to be understood. They need to be validated, and they need to be put -- you know, if they ask a question, to share my story.

You know, I’m Wolf Clan and, you know, I live at Six Nations. I’ve been there all my life and, you know, I grew up with my mom and dad, and my sisters and brothers, and I really take pride in who I am as a woman, as a Onkwehonwe woman. You know, my responsibilities of caring for my family, my community, you know, and for the environment. I work hard at that every day. So, you know, I have a -- you know, a huge vessel, this canoe, that I filled up in my journey to come this far, and you know, I carry knowledge and songs and speeches, you know, and I’m very much grounded in my culture as a Hodinohso:ni woman. I’m proud of that.

You know, I’m here to be a helper to everyone who requests that, you know, and I do my best,
whatever is given to me, to be able to provide that. So, you know, those are the values, you know, that were given to us, that we have a culture, that we have values that support that culture or that are born out of that culture. We have a belief system which shapes our attitudes and our behaviours. You know, what more could a person ask? Because they’re all there in front of us, every day. The sun shines, the stars come out, the moon; all of those elements that work together to give us a good life on this earth walk.

So, you know, I just want to be able to share that with you about, you know, the canoe and the ship and our treaties, because we have many. And, you know, I would like to see that, you know, those things restored, and that we follow our truth and that, you know, those in a ship would follow their truths as well, and to honour those things, because that’s part of the giving of values. That’s part of recognition, and we all need that, you know.

So, our greatest gift is life, you know, and to treat it as such, that it is a gift, and that we are to honour it, respect it, and to do those things that, you know, guide and direct us in our stories, in our songs, in our ceremonies. And, you know, they’re very valid, and they’re very powerful. You know, our prayers that we do in our time, you know, of gathering have that, you know,
message to the Creator to give thanks every day, and to
honour that life.

So, you know, in coming here today and to,
you know, hear the stories of people who have had losses,
you know, and how to -- I’m one of those people who have
had a great loss and, you know, trying to re-establish
myself to understand, you know, why this occurred, why has
this happened in our communities? And, you know, to open
your heart and to open your mind, because it’s not about
the values that the Creator gave us. It’s not about
honouring that, because we all come with our own time that
we exist here, we live life on this earth. Only the
Creator knows when it’s our time to leave, not by someone
else’s hand, but the time that the Creator gave us when we
left the Sky World.

So, I want to thank you all for being here
today and, you know, that we move forward together in a
good way, to really understand, and to accept, you know,
each other’s story, and to honour those stories for having
the trust, you know, which is a place that we struggle with
in trusting, you know, because of things that have occurred
in the past.

So, we want to begin to, you know, to
establish those things again, those values that were given
to us, you know, to speak our truth, to have trust in one
another, and to believe that our journeys were meant to be as we come here to share, you know, and to listen, and to be open, you know, to receive this information. So, I thank you again for being here, and for coming with that good mind and that good heart, and to carry those words with you as you hear people speak, to carry those words of encouragement and to respond in a good, kind, caring way.

Háw’aa.

MS LAUREEN BLU WATERS: (speaks in Cree) My name is Laureen Blu Waters, that’s my name that the government gave me and that’s the name that they have me registered under. I’m very grateful this morning that we heard from Norma, we heard from Val, two of our Knowledge Keepers who carry the knowledge. They’ve been through ceremonies, they’ve been sitting in community, they’ve been learning from many people, so I want to give thanks to them, first of all.

Also to give thanks to the Mississaugas of the New Credit, and the (INDIGENOUS WORD) on whose land that we stand. That has to be said first and foremost before we go into anything. I’m very honoured that I can stand here and do this work on this territory.

So, I’m gonna start off by saying (speaks in Cree). My name is Earth’s Song, and I’m a ayahkwew. A ayahkwew means “neither man or woman”, I’m all of them, and
I like to let people know that right away, because there’s a lot of our people who are lost, they don’t know who they are. They don’t know where their role is and where their place is in society. It causes a lot of confusion, it causes our youth to wander the streets and not know where they are and who they belong to.

I think we all belong to the Star Nation, so I honour all those youth that are lost right now in their journeys not knowing who they are. And I honour all those youth that know who they are and are standing up for who they are. It’s going outside those boxes that we’ve been made to fit in, boxes of a certain way we have to be, a certain way we have to look, a certain way of how we are. So I wanna acknowledge all those people.

I wanna acknowledge the big drum that’s here. We’re in the presence of a big drum, with the drum group Eagle Women, and they do very great work, they go in and sing in community. And they sing on that big drum because that big drum came from a woman and it came down to make peace. And in my view and my understanding: doesn’t matter who’s sitting at it, what matters is the intentions, what matters is what are they doing at that drum; are they praying, are they conducting themselves in a good way. And Eagle Women singers do that, so I honour you, today, hai, hai.
I’m gonna try and not to make it so long, but we’ve all been through a very traumatic experience. That traumatic experience is knowing that we got an extension of six months. And I don’t want you to focus on only being six months, because at least we got time to see more families. I want you to focus on why did you come here. For those of you who work here, why are you working here? You came for a reason, you came to help the women, the children, the two-spirit, all those that were lost, all those that are still missing.

You came with a purpose. Don’t let somebody’s decision crumble the work that’s been done. We need to focus on the future, what are we doing here.

My (CREE WORD), Robert Skyman, this is what you’re working for. He’s going around and smudging everybody, he is the future, he is the one that’s going to change what’s gonna happen in the future. He’s the one that’s gonna change the things that right now are not working. And he’s changing them because you’re doing that work, so don’t let anybody stop you and don’t get discouraged. Because it is very discouraging that we only get, received a six-month extension, but at least that’s six months more of talking to other people that are waiting to tell their story; that’s what’s important.

We have to hear the stories, and we have to
make sure that as we hear those stories, we don’t become overwhelmed and create lateral violence. Because we become so entwined in what’s being said that it becomes heavy. And when we talk with people, it turns out to be lateral violence, we’re like: “I’m too busy right now, leave me alone. Oh, I got so much work to do.” And that stops the communication between you and other people, between you and maybe getting help from that person.

So, listen carefully, still use your eyes and pray that today and pray that your eyes and your ears are gonna be opened to see the people that are coming in your path and to hear the words they’re gonna say to you, to help you with your journey.

I ask that each of you be blessed by the Creator, so that you can continue walking in the way that you are, walking in a good way with, caring with love and compassion and kindness, taking care of all those that you come into contact with, taking care of all of the lost people.

Because we are lost people, everything was taken from us; our land, our way of life, and we’re just coming back into it, we’re coming back into finding our place in society, and we know our place is a very important place. Because we were once the ones that took care of this land, we know everything that we needed to know. And
now some of us have not learned those lessons, so I ask the Creator that he blesses us with those lessons, put the people in our path to teach us what we need to know, to be strong warriors.

And a warrior doesn’t mean that you’re just in battle; a warrior means that you’re strategic, that you know what you’re doing. When you’re a warrior, you have to be intelligent, you have to know why am I fighting, what am I fighting for, what will be the results of it. And if you feel that it needs to be fought for, then you fight for it; if you feel that you can talk somebody and reason, then you reason. Always use aggression as the last resort when you feel threatened for your life, not as a way of making somebody else to submit to something.

So these things I pray for this morning. I don’t want to run too late because I know there’s many people, so I wanna thank you for giving me this time to come before you and ask for these things from the Creator, and to hear your prayers and to know that your prayers will be answered.

And that by the end of this National Inquiry, we will have the information and compose it into a report as best as we can. Because those people who came and told their stories, their stories need to be heard, we can’t just hold them and put them on a shelf; we have to
let the rest of the community know what’s needed and how we
can help and make changes.

So these things I ask for, I ask that our
commissioners, Chief Marion Buller, Qajaq Robinson,
Michèle Audette, Brian Eyolfson, that the Creator help them
do this work, help them to be strong, compassionate people,
help them to work with their head and their heart, so that
they can compile this evidence so that the report will be
finished at the end and all those that wanted to be heard
will be heard, because our people are rising, hai, hai for
Red rising. Thank you.

M. PAUL SHILLING: Good morning. My name is
Paul Shilling, that’s my English Christian name. My spirit
name is (INDIGENOUS LANGUAGE). The first time coming to a
place of healing and reconcile.

I’m the youngest of 13. Slowly, my older
siblings are leaving this world; they’ve been in
residential school, and to this day, they don’t even know
who they are. It’s very sad, it hurts to see them leave
this way. I wanna say just a few things, and one thing I
wanna say is that the world, you know, man is in control;
he’s rich, he’s powerful, and he doesn’t know who he is,
that’s why he can do the things he can do.

The hardest thing to be today is a human
being. When you’ve been ripped apart, it’s difficult to be
a human being. For my first 38 years, I was full of anger, full of hate, full of shame, prejudice and racist. So I ask everybody here, all of us, to really do the work, look inside. And as you begin to heal and discover who you are and how beautiful you are, all that crap drops away, all of the hatred, anger, shame and racism will drop away.

That’s our responsibility as human beings, and as men and women, First Nations men and women and grandmothers and grandfathers, that’s the hardest thing we will do, but we can do that, we can do that together as a family, as a people. And we can be the teachers, we can be the leaders on healing and moving forward. Thank you.

MS. VALARIE KING: You know, racism to me is a very hard word. For 10 years, eight years I went to school, to university and I always had to research my papers to find evidence to back up what I was saying about what happened to our people. And I didn’t come across very nice things, but it helps me.

I didn’t want to go to university but a dream came for me to go, to help my people so that’s what drove me to go.

So that’s what I’m doing, I’m helping our people in our community. I work with Dr. Hill on Six Nations, and Alva Jamison, she’s a traditional herbalist. So we all work together for our people in a holistic way.
Dr. Hill looks at the medical stuff, physical stuff. Alva does the readings, and I do the -- help her with the medicines and we have other people working with medicines with her. And then I do the counselling. But I call it holistic counselling, it’s not just Western. I listen to what the stories about what’s happening, what’s happening with them. And then it always goes back.

It’s called, in the Western world, intergenerational trauma. It always stems back from what happened to our people, not just last week but what’s happened the last 500 years to our people. It’s hard. It’s hard to come and share what’s happened because sometimes it’s the first time.

So I use everything possible that I can use; I use my whistle, I use my drum, I use the medicines, I use essential oils, I use energy, I send them back to Alva to do readings. We do ceremonies, sing songs, and sometimes there’s more than one people because -- to work with them, because there has to be.

So, you know, there’s negative things I can say about supporting racism towards our people but I want to focus on what we’re doing here today and the opportunity that it’s bringing today for that healing.

And when I was standing here, I was just
going to sing the one song but I’m doing to sing two rounds of the Water Song because every day that’s what we’re to be thankful for is to have our tobacco and to have our water. And as a woman, we’re to take care of that water. And it’s very simple; all the water wants, all (undiscernible) wants is to say thank you. So this song says I thank you, I respect you, and I love you. And that came from the water walk that Josephine Mandamin has done.

So I’m going to sing that song and then the other one that I talked about, two rounds through.

And that helps us. That helps us to stay in touch with our body, our water inside. The water and the earth, (undiscernible) the thunder waters, and the water that just pass within the trees, that maple syrup water that we use in ceremonies all year long.

(Singing in Anishinaabe)

**MS. SHERI DOXTATOR:** I want to say miigwetch to Norma and Blue for the words and Paul, miigwetch. I’m going to sing this song to honour our murdered and missing women.

(Singing in Anishinaabe)

**MS. VALARIE KING:** Miigwetch.

**MS. SHERI DOXTATOR:** (Speaking in Oneida language) to those wonderful words that we shared this morning, and thank you to Val for sharing that beautiful
song.

At this time we are going to be lighting of the qulliq, and we have Naulaq LeDrew that’s going to walk us through that as well. So I’ll move out of the way for that.

**MS. NAULAQ LEDREW:** (speaking in Inuktitut).

Thank you.

My name is Naulaq; Naulaq LeDrew. I’m originally from Nunavut. I am elected Inuit Elder in the (undiscernible) community. Thank you for having me here.

I would like to open this with a prayer. I’m going to light up my Qulliq first.

(PRAYER IN INUKTITUT)

**MS. NAULAQ LEDREW:** By the grace of our Lord Jesus Christ, and the love of God and the fellowship of the Holy Ghost be with us now and forevermore.

Amen.

I would like to point out I -- this is my first time here. And I would like to acknowledge our fallen relatives. My relatives have also been in somebody else -- who died in somebody else’s hands.

I would like to have an open mind and -- and try and move forward. The qulliq is our Inuit tool that we try and keep burning and pass it down to our generations. The qulliq is a symbol of our life. It keeps us warm. It
cooks our food; it dries our seal and clothing; and when we do, us women, when we are in a big huge distress, we call upon our ancestors to help us through our hardship. So, I’ll be burning this for today. Nakurmiik. Thank you.

**MS. SHERI DOXTATOR:** Thank you, Naulaq. At this time, I’d like to introduce the members of the National Family Advisory Circle that are present with us here today as well. We have Laurie Odjick, Cynthia Cardinal, Ceejai Julian. We also have Barbara Manitowabi and we have Bonnie Fowler and Carrie-Lee Julian (phonetic), and we also want to recognize Pauline Muskego, Micah Arreak and Myrna Laplante and Lorraine Clements as well.

So, at this time, I’d like to call upon Barb Manitowabi to come forward, and she’d like to offer a few words as well. Barb.

**MS. BARBARA MANITOWABI:** (Speaks in Anishinaabe). Barbara Manitowabi (speaks in Anishinaabe) Mississaugas First Nation (speaks in Anishinaabe).

Good morning. Myself and NFAC, National Family Advisory Circle, we made some little speech, little notes on what we’d like to say. Our role is to advise the Commissioners and support them, and share our truth, and the issues we’re discussing this week are racism and how they affect our families, survivors, our two-spirit families and survivors.
We will hear about something we are all too familiar with, racism, in our institutions and almost everywhere we go. On the third day, we will hear about how we were portrayed in the media, journalism and film, and how that affects our young people. And, all of us here as family members and survivors, we know that racism and poverty are the key issues and at the heart of the matter, causing our families, sisters, brothers, all going missing.

We do this work because we don’t want our aunties, daughters, sisters, cousins, friends, mothers to go missing. We do this work because it matters. We do this because of other missing women. It’s going to take years to undo the damage that racism has done to our communities and our nations. We’re talking about 500 years of suffering, and two years to undo it all. The process has been so hard.

We have no choice but to keep fighting, and we keep pushing, and we’re united and strong as NFAC, and we know why we’re doing this work. We know that even though there are only little small positive gains and then we get pushed back again, it’s those tiny, tiny little gains that we keep trying to push forward, push forward, little gains, little gains, to better our communities, to better our families. The government has decided not to grant our extension, and we all met and cried over it, but
we’re still strong. We’re still united, and we’re going to keep pushing.

I’d like to thank everyone for coming, my sisters, and our Commissioners who have the hardest job, listening, hearing, feeling what our families are telling them, and I don’t know anybody that can listen to over 500 stories. They’re walking with Spirit. Spirit is protecting them. We’re protecting them. We’re united in this, and I’m praying all the time, and so are our women. And, while we wish we had more time, I know that, you know, if we just save one, it’s worth it. It’s worth it. And, I think we’re done.

I’m happy to see that we have a lot of familiar faces that I know through doing this work. And, every time we come out and stand up, it means something. It’s going to be a long three days, and -- but we’ve got some really great minds here, really great hearts and a lot of love, and we’re going to do it right. Miigwetch.

**MS. SHERI DOXATOR:** Yong-go (phonetic) miigwetch for those moving words from our National Family Advisory Circle. And, Barb, that was amazing, thank you for that.

Just before we get some opening comments from our Commissioners, I just want to remind people, if you haven’t already, to turn your cell phones off or put
them on vibrate. Just so you’re aware, if you are an elder in the room as well, we have our elder’s panel up here as well that’s available for any type of health supports. But, anyone wearing a purple lanyard today, if you do need extra help or support, please feel free to call over. They may just check up on you from time to time, so they will be doing that as well.

So, what I would like to do now is turn it over to our Commissioners. They’re here and present, Chief Commissioner Buller, Commissioner Eyolfson and Commissioner Robinson, and turn it over for a few opening comments from them as well. So, I’ll turn it over to our Chief Commissioner today. Thank you.

CHIEF COMMISSIONER MARION BULLER: Thank you. Good morning. Good morning, my friends. I want to start by calling in and honouring the spirits of the missing and murdered Indigenous women and girls in Canada. I also want to remember the very special courage and challenges faced by the members of the 2SLGBTQ community.

I acknowledge the lands of many Indigenous peoples and nations who have walked on this land before us. I acknowledge the Indigenous and non-Indigenous peoples who have walked this land today. And, I acknowledge that these lands are the recognized traditional treaty territory of the Mississauga Anishinaabe Nation of which the Mississauga
of the New Credit First Nation are apart. Also, I thank
the Mississauga Anishinaabe Nation for welcoming us so
warmly into their territory, and for hosting us for the
next three days. Thank you, elders, and thank you to the
drum.

I want to start with a sincere welcome to
those in attendance today, our elders, our grandmothers,
our drummers and our singers, family, survivors and members
of the National Family Advisory Circle, our honoured
witnesses, and those of you who are joining us today in
person and those who are joining us by way of webcast. I
also want to extend my thanks to everyone who joins us
today in honouring our missing and murdered Indigenous
loved ones.

As you know, the mandate of the National
Inquiry is to inquire into and report on systemic causes of
all forms of violence against Indigenous women and girls in
Canada, and we have to make recommendations for concrete
actions, ultimately, so we’re not losing our women and
girls and LGBTQ2S people. The enormity of this task, this
mandate cannot be taken lightly.

It is for this reason that I must once again
express my profound disappointment with the 6-month
extension recently granted to us by the Government of
Canada. This is a very limited extension and, in my view,
it’s extremely short-sighted. It undermines our ability to
properly complete this historic work, and it does a huge
disservice to the thousands of missing and murdered
Indigenous women and girls in Canada, also a huge
disservice to their families and to the survivors of
violence.

Many of those women have advocated for
decades for this National Inquiry. Despite these profound
challenges, we have to press on, all of us. This work
honours those who are missing, those who have been murdered
and those who have survived violence first-hand. We can’t
let them down, because also we’ve been entrusted to give
voice to the lived experiences of those who have suffered
the effects of violence and we have to press on because the
Commissioners and the National Inquiry staff and myself
have been given a sacred responsibility, and that’s to do
the best work we can and to make the best recommendations
that we can.

To date, we have heard powerful testimony
from more than 1,200 people across Canada, some who have
lost loved ones, others who have survived violence. We’re
committed to hearing from 600 more. We have heard from
traditional knowledge keepers and experts who shared
insights and expertise, and I thank them. I thank all of
the families and survivors who have trusted us to share
their stories with us. I also want to thank those who have called us back and told us that as a result of talking to us and sharing their truths, they’ve moved on in a good way in their own lives, that they started their healing paths and living life in a good way. And, I just want to share one experience with you.

One woman phoned back after having spoken to me and said because of sharing her truth, she was able to go to the police and lay charges against her abusive foster family, something she never had the courage to do. So, the healing is already starting, and I’m grateful for the opportunity to hear those stories and hear the feedback about healing starting already in a good way.

So, we have an exciting week ahead of us. We’re going to learn about something we already know. We’re going to learn about racism, but we’re going to learn about it in a different way. Some new twists and turns about racism that maybe we hadn’t thought about before. We have a lot to learn, and I think that our witnesses that we’re going to hear from this week are going to teach us some important aspects of racism that maybe we haven’t thought about before. It’s important work because it’s going to help us lay the foundation for our final report and recommendations to follow. I’ve been looking forward to this week for quite a while because I have a lot to
I hope you have, as the elders have reminded us, an open heart and open mind this week. Enough of me talking. Now, I want to call on my dear colleagues. First, Commissioner Brian Eyolfson. Thank you all.

COMMISSIONER BRIAN EYOLFSON: Good morning, everybody. Oni (phonetic). I’d like to start by acknowledging the land that we’re on that many Indigenous peoples and nations have walked on this land before, and also that we’re on the recognized traditional treaty territory of the Mississauga Anishinaabe Nation of which the Mississauga of the New Credit First Nation is a part of. And, I want to say thank you for the welcome to this territory as well, as we do our work this week.

I also want to thank and acknowledge the elders and the grandmothers who are here with us this morning, who have helped get us started in a good way with the very thoughtful words, with song and the lighting of the qulliq, so thank you. And, I want to acknowledge and thank all the families and survivors who are joining us here today. I also want to acknowledge the drum and thank the drummers for being here with us.

And, as you know, the National Inquiry is guided by the advice of the National Family Advisory Circle, or NFAC, who are family members who have lost loved
ones and survivors of violence. And, I want to thank them
for being here with us this week as well. Our NFAC members
come from various regions across the country, different
communities from coast to coast to coast. And, their role
in guiding the work of the National Inquiry is very
important, and they do this by providing advice directly to
the Commissioners and assisting staff during our planning
stages and during our hearings that we have. And, they
help ensure that the lived experiences of families and
survivors are truly heard by the National Inquiry.

And, the members of the National Family
Advisory Circle are strong women who have been advocating
for years to have this Inquiry take place and we’re really
honoured this week to have -- I believe we have nine NFAC
members who will be sitting up here with us this week and
helping us do our work, and as Commissioners, we’re
supported by this sacred gift.

So, this week, as Marion said, we’re going
to be hearing about racism, we’re going to hear about
racism in its various forms, whether that be institutional
racism, ignorance, stigma, stereotypes or racially
motivated violence. Racism is prevalent in our society and
we need to eradicate racism and discrimination that impacts
the lives of Indigenous women and girls, and trans and two-
spirit people on a daily basis. And, we hope that
Canadians will engage with us and with each other as we shine a light on these issues, as we all seek to end violence that Indigenous women, girls and LGBTQ people face on a daily basis. Our women and girls are sacred.

So, I’d like to thank everybody who has joined us to learn with us, whether that’s here in person or by webcast. I especially want to thank the witnesses who are here with us this week and the parties with standing for the contributions that they’ll make during this process, and I look forward to working with you all over the next few days. Thank you very much. Chi-miigwetch.

COMMISSIONER QAJAQ ROBINSON: Ulatgut (phonetic). Good morning. My name is Qajaq Robinson, I am one of the Commissioners. I would like to start by giving thanks for the warm welcome we’ve received, particularly from the host nation, the Mississaugas of New Credit, also the Hodinohso:ni people. I’d like to thank our elders, I’d like to thank Naulaq, (speaking in Indigenous language). And, the members of the National Family Advisory Circle, for your presence and also your words.

I’d also like to acknowledge and express my gratitude for the attendance of families and survivors, parties with standing, members of the community, and those who are bearing witness either here in person or on the
feed. It’s really important that we all gather again and continue this very important work.

I want to express that I’m committed to finding the truth and solutions for those who have been lost to violence, those who have survived violence and those who continue to live with violence today. This is not a history. We’re not looking at the past. This is an issue today and we are reminded of that every day. So, we must think about those who are living this life right now and the children who are going to face this if we don’t do what we need to do now.

The work of the Inquiry must lead to meaningful systemic change that creates concrete measures and actions that are going to ensure that Indigenous women and girls, trans and two-spirit individuals are safe in communities, but are also thriving, regaining their place and their power within our communities.

Like many who have spoken before me this morning, I was deeply frustrated and disappointed with the government’s recent decision regarding the extension. I was very disappointed that they rejected our request for 24 more months. This was not a request we made lightly or unilaterally. We spoke to many families, we consulted with our National Family Advisory Circle. We thought of all the families that we’ve heard from who want to share, and we
also looked at the importance of capturing the regional realities.

This is a huge country and the issues facing Indigenous women, girls, trans and two-spirited in Toronto are different than the experience in Clyde River, to Winnipeg, to Fort Qu’Appelle, to Vancouver, to Halifax, to Whitehorse, and we needed the time to dig into those realities, but also to find those solutions at the grassroots level that we’ve heard so much about from the families, those solutions that have positively impacted their lives. We needed to hear from them.

Sadly, what we received was a limited extension of six months. The key word here is “limited”. What this does is it effectively dismiss our recommendations and what we’ve worked hard to realize this was the time needed to do the work. But, worse and my biggest fear was it muzzled, it limits the voices and the truths we are going to hear, but not only we need to hear, but this country needs to hear. We are not the voice for the families and survivors, the two-spirited and the trans, they are their voice and this was to be a vehicle, a platform, and I’m incredibly saddened that that is being limited. It restricts our collective ability to fully understand the root causes. It restricts our ability and limits our ability to develop comprehensive
recommendations. And, again, this saddens me.

    When we got the news, I was reminded though, of the words of Sandra Montour who shared with us in Calgary, who, like many frontline and grassroots workers, have come to live with the reality of limited resources and limited supports. They’re asked to do so much, but barely given the resources to do what they know needs to be done. She’s shared with us that they have become the experts in making a pot of soup for everyone with $0.50.

    So, I stand before you, guided by Sandra and many of the families and survivors and the grassroots people that we’ve heard from, that with this six months, we will try to make the most soup we can. We must be guided by them and continue to do this work, and ensure that the families and survivors who have shared with us, their experience, their wisdom, their knowledge continues to be honoured and amplified.

    Which brings us to this week, we’re talking about racism and misogyny. Let’s call it what it is. I was very happy when we decided to focus on this because we’ve heard from so many families and survivors that, in their interactions with institutions and players within government agencies, and even within their communities, they confronted racism, discrimination and misogyny. We have to confront this. We have to call what it is. And
we're hoping that what we've learned from families will be built on this week and we'll continue to understand how racism and misogyny has played a role and continues to play a tremendous role in the marginalisation and the oppression of Indigenous women and girls, trans and two-spirited.

We're going to hear things that may shock many in this country, but I know won't shock many in this room and won't shock many of the families that we've heard from. But we must confront this reality and address this truth and work towards solutions to eliminate it, because Indigenous women and girls, trans and two-spirited will not be in a position to reclaim their space and their power and their rightful role in this country if we don't address this.

Barb captured it perfectly and I'm not going to try and reiterate it, but I'm very grateful to be here, very grateful to continue this conversation, and to address this ugly truth of racism and misogyny this week.

(Speaking in Native language). Miigwich.

**MS. SHERI DOXTATOR:** Thank you for those words and opening comments to Commissioner and Commissioners that are here today.

Right now I'd like to move forward with a gifting ceremony as well, so I'd like to call upon Grandmother Bernie Poitras to walk us through that.
GRANDMOTHER BERNIE POITRAS: Easy. I'm fun-size, I'm not short. I just want to say haawa and good morning. My name is Gul Kitt Jaad. I come from the territory of the Haida Gwaii. My name means Golden Spruce Woman and my hereditary Chief's name is Oz A, which means Chief of Two Villages.

I want to say haawa to the Anishinaabe and other territory also of the Hodinohso:ni. I also like to recognise that the Elders and the grandmothers here today too, if there is any Chiefs here, I want to say haawa to you, but also to our national family advisory circle who really plays a really, a really huge part of this work, but also to our Commissioners. I'm used to looking this way. Good morning to you, and also to the presenters.

And I was listening and -- about the extension and I know that we were really hurt by this news last week. We were with some of the family members, like, in Vancouver. And I was reminded just a couple of days ago, the G7 was here -- and I'm really not going to get into too much over this, but $600 million was spent on the events like that, you know, had taken place, like, with the G7. This is a value that I look at as a family member and as a survivor that has brought us here today. And when I watch part of, like, the G7, there was really nothing that -- I just kept looking at this $53 million that was given
to the National Inquiry but 600 million for the events that surrounded at the G7. That's what got me really angry.

And I'm really grateful that we are all here today to address, and it was already brought up, that this is nothing new. This is nothing new. I'm 61 years old and this is all I've known is to be attacked, you know, because -- well, of the colour of my sin -- my skin. I have a T-shirt that says that the only sin is my skin. I used to wear that down while on Robson Street. People would look and put their heads down. I deliberately did that, like, to make a point. And here we are today, but I'm here to -- is offer some gifts on behalf of the Commissioners.

In my culture, as a hereditary Chief, is that, like, the copper is the highest gift that you can give, and but also it's used for as protection too, so I'm going to just move along with it. I'd like to invite, like, the Commissioners up here to give to Valerie King. And I'd like to invite Paul Shilling up. I'd like to invite up Norma Jacobs, our Elder. And I apologise if I can't say this, is Naulaq, and Sheri Doxtater and Mika Eriks (ph), and Charlotte Jacobs and Pauline Muskego.

Some of these family members have already received, like, the copper and that before, so if you're wondering.

And we'd also like to invite up our young
man whose been carrying this medicine on this floor here
too for all of us. And this is the reason why we are here.
I'm also, like, a grandmother of nine grandchildren. And
I'd like to invite Chief Commissioner Buller. This is the
reason why we're here. And this young man's name, like, is
Robert Virtue (ph). This is the reason why we're here.
When we walked across Canada seven times in Vancouver my --
or, like, my granddaughter asked me, she said, "Nana." She
said, "Why are you doing that? Why are you walking so far
and why are you gone for so long?" And I said, "I'm
walking for you."

It was one of the hardest things to do to
know that, like, these children are being exploited out
there and they're human trafficked. And I really want to --
is everyone of you to acknowledge, like, this young man,
like, for carrying that medicine. Robert.

Háw’aa. Háw’aa. I say thank you. I said
thank you. But, I just want to say háw’aa to everybody
again, and to the Commissioners and also to remember
Commissioner Michèle Audette, prayers for everybody here,
and just be kind to one another. Háw’aa.

**MS. BARBARA MANITOWABI:** Thank you for that,
Grandmother Bernie. Now, I’d like to recognize the drum as
well, and we’re going to turn it over to the Sioux Eagle
Women’s [Drum] Group and the Spirit Wind Drummers, and they
will carry us through with some songs this morning. I turn it over to you.

   **MS. SUE CROWEAGLE:** Good morning, everyone. My name is Sue Croweagle, and we’re the Eagle Women Singers. We’re going to start off with an opening honour song for the missing and murdered women.

   (MUSICAL PRESENTATION)

   **MS. AMY DESJARLAIS:** Miigwetch. Bonjour. (Speaks in Indigenous language). Good morning, everybody. It is an honour to be here to sing for the women, for all of you. We are Spirit Wind. My name is -- my HST name is Amy Desjarlais. My sister here is Michele Perpaul. She taught me many of the songs and taught me how to find my voice, so I’m very grateful to her, and to sing for all of you today. Chi-miigwetch.

   (MUSICAL PRESENTATION)

   **MS SHERI DOXTATOR:** (Speaking in Oneida) Beautiful songs, beautiful singers. I’d just like to acknowledge the drums as well, thank you for that. I also wanna acknowledge all the sacred items that were brought here today, that are here to help us set us in a good way, in our good minds. Thank you all those who spoke this morning for welcoming and acknowledging all those items and all those words that need to be said before all others.

   The traditional territory that we sit on is
here and open and we’re ready to start the work that needs
to happen this week. The one thing that I do recall,
Norma’s saying, is that you have to have the sharp ears,
and we do acknowledge that as well, that we are here to
listen, to open your ears and have those sharp ears.

I’d also like to say that this week is gonna
be talking a lot about some heavy subjects, that we are
here as a hearing on racism, here, in Toronto. The one
thing I do want to acknowledge as well is behind us, we do
have a series of quilts that are here that travel with all
the hearings across Canada. And those are from various
communities, and the communities put their words, their
hearts, their minds, their emotions into the making of
these quilts as well, so I wanna acknowledge all of that as
well.

It truly has been my honour to walk you
through this opening ceremony this morning, and just before
we do transition, I do want to let you know that there will
be lunch served as well at noon, so I just wanna let
everybody know that is here in attendance that we will be
doing that.

But I wanna leave you with these words. As
I went around this morning and greeting a lot of the people
that you heard this morning and spoke, that it really was,
for me, about acknowledging those are no longer with us,
and our Ancestors, and allowing them into this space, into our hearts, this week.

And some of that may be difficult for some of us, some of that may be challenging, and for some of us it may be enlightening and it may be loving in caring and kindness, and that’s what I’m hoping that you will all get out of this and receive out of this: that we all help each other through this healing journey, through all of our lives.

So with that, there is, I’d like to acknowledge some of the words that I actually found on this quilt over to my far right. “Do you hear that song? It’s the call of our common humanity. Listen to the call.”

(Speaking in Oneida), thank you very much, merci beaucoup, (Speaking in Oneida).

CHIEF COMMISSIONNER BULLER: We’ll take a five-minute break.

--- Upon recessing at 9:52 a.m.
--- Upon Resuming at 10:07 a.m.

MS. CHRISTA BIG CANOE: Good morning.

(Speaking Anishnaabe). Good morning. We’re about to get started. Chief Commissioner and Commissioners, (speaking Anishnaabe language). Thank you. I was reminded this morning to introduce myself and to do so in my language, because I am from this traditional territory. I’m
Anishinaabekwe from Georgina Island First Nation. My name’s Christa. I’m one of the Commission counsel, and my job is to work with the witnesses to present evidence to the Commission.

So, before we start, I just had a couple quick housekeeping notes, if I may. I just wanted to remind counsel, if they have not had an opportunity to draw their number for cross-examination to please do so at the break, right at the beginning of break, and that the numbers will be due back at the end of the break.

So, good morning, Commissioner, Chief Commissioners. I wanted to start with the first panel. As everyone knows, we’re here for knowledge keeper and expert hearings on racism. And, the first two witnesses that we’ll be calling this morning are Albert McLeod and Fallon Andy.

And so, the way that we’re going to do the order is we will actually have Albert affirm in first and testify. And, following the break, we’ll have Fallon do the same. We’ll see -- you’ll see that there will be some overlapping issues that both witnesses will be speaking about, but they also have distinct issues. The panel is actually to address LGBTQIA issues and the intersection between racism.

And so, with that, I would like to start,
Mr. Registrar, with Mr. McLeod being affirmed in on an eagle feather.

**MR. BRYAN ZANDBERG:** Good morning, Albert.

Do you have an eagle feather with you? On the blanket.

Okay. Albert, do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth?

**ALBERT MCLEOD:** I do.

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

**MS. CHRISTA BIG CANOE:** Thank you. So, at this point, I’m going to ask if there’s any counsel in the room that objects to the process in which I’ll be qualifying Mr. McLeod or if they want to state they have no position on the record. Okay. So, seeing no objections and no position, I propose that I will qualify Mr. McLeod in a brief and short way.

And so, the first thing I would actually like to start with is just to ask you, Albert, and may I call you Albert, some questions. So, can we start with you sharing a little bit of your background with us?

**ALBERT MCLEOD:** So, I was raised in a small village called Carmrent (phonetic) in northern Manitoba. We eventually moved to The Pas, the Town of The Pas in 1963, and I was principally raised in The Pas of a Métis
family, a large Métis family consisting of Scottish heritage. My name is Albert William McLeod, which is the name of my grandfather’s ancestors from Scotland, and they worked for the Hudson’s Bay Company for a number of generations and married Cree women from northern Manitoba. So, that is sort of the Scottish-Métis heritage that I have.

And, growing up in The Pas in the 1960’s, as we know from the results of the Helen Betty Osborne case, the murder, the extent of racism in Mount Toburk (phonetic) Canada at that time, which in her case eventually ended up with her murdered. I left The Pas when I was 19. I had come out as a gay male in high school when I was about 17. So, I was generally seeking a safe community. The Pas itself was a very homophobic, transphobic environment as well as a racist environment, and people really didn’t have the skills or knowledge to deal with gender identity or sexual orientation.

And, I soon left, ended up in Vancouver from 1979 to 1983 where I lived principally in a gay-cultural community of two-spirit people, primarily gay men who had done the same thing I had. They had come from small towns, reserves. They were Métis, First Nations, Inuit. And, we created our own subculture there in Vancouver. It’s one of the oldest LGBT movements in North America. It’s 41 years
old today as a society.

And, that’s where I kind of got my footing in terms of my identity, my spirituality. It was a cultural society. It was adopted generally into the west coast culture. And, I returned to Winnipeg in 1983 because of HIV. I thought I could out run it. But, by 1986, a friend of mine from -- a First Nations friend of mine from Manitoba had been diagnosed with AIDS and died the following year in 1987. So, since then, I have been living in Winnipeg since 1983 principally advocating on HIV/AIDS issues and Indigenous peoples as well as doing advocacy around Indigenous LGBTQ issues regionally, nationally and internationally with the groups in the United States.

MS. CHRISTA BIG CANOE: Thank you. And, I just want to ask if I can draw your attention to your résumé. This is your résumé, and there’s -- I want to ask you, is there anything you want to highlight from your résumé for the Commissioners to note about your experience or any of your background?

ALBERT MCLEOD: Well, I think one of the things we’ve been working on is the impact of Indian residential schools historically at how it affected Indigenous people, but as well as other Canadians. And, Senator Sinclair makes the point that even though the residential school targeted Indigenous families and
children, Canadians of the day, the last 150 years have
been impacted by the idea of segregation of inculcation to
Christianity as well as using violence as a mode of forced
simulation of Indigenous peoples, and then the
extinguishment of languages and cultural identity.

So, I’ve been working a number of years with
the Manitobans for Healing and Reconciliation. And, in the
aspect of the work I do today, it really is working with
people wherever they’re at from a harm-reduction approach
and that they carry knowledge, they carry gifts. It could
be their language, could be their memory of their
childhood, those kind of things. So, really, it is
centrering people as a perspective of healing, but also
working with Indigenous people and newcomers to understand
our history and to understand that we have something to
contribute to Canadian society in every aspect whether it’s
science, health, technology, and then our ideas of history
and healing.

MS. CHRISTA BIG CANOE: Thank you. I also
note that in addition to what you’ve shared with us, you do
-- you’ve done a lot of writing as well and publications
that I noted on your résumé. Chief Commissioner and
Commissioners, I’m going to ask that this be marked as an
exhibit.

CHIEF COMMISSIONER MARION BULLER: Yes, the
résumé of Albert McLeod is Exhibit 1, please.

--- Exhibit 1:

Résumé of Albert W. McLeod (three pages)

Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)

Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Albert, I understand that you also participate and do traditional ceremony and practice, can you just tell us a little bit about that?

ALBERT MCLEOD: Well, in 1986, in the slides, I’ll reference that in our sort of little collective in Winnipeg at the time of gay and lesbian Indigenous people, we were kind of segregated from the broader LGBT community, and there was really no central place. We had a Friendship Centre in Winnipeg, but we really didn’t feel aligned with the Indigenous organizations at the time, and because we had two youth suicides within two months, it really galvanized us to think about how can we support these youth so that they’re dealing with whatever they’re dealing coming to the city, which is really not a friendly place to Indigenous people, and in 1986, racism was quite extreme in Winnipeg. So, if you’re First Nations, Inuit or a Métis youth migrating to
the city, you would be experiencing not only racism, but only homophobia and transphobia.

So, we began to organize, and by 1986, we approached an elder, Barbara Daniels, and she was part of the traditional community in Southern Manitoba, she’s originally from the Island Lake area, and we offered her tobacco because we were curious. We knew about ceremony. We vaguely knew about sweat lodges and sun dance, but they were mostly -- so far removed from us, we didn’t feel we understood the protocol to be a part of those ceremonies, because we perceived them as very heterosexual, normative, in terms of -- as well as binary gender in terms of males and female construction, and just the appropriate protocols to be a part of that.

So, as queer people, we kind of felt alienated to that world, and certainly, there were no overtures to acknowledge gay people or to welcome gay people into those particular ceremonies.

So, we were very cautious at that time until Barbara Daniels accepted our tobacco and began to teach us. So, she was one of our principal teachers in Winnipeg at the time where she began to instruct us, and instructed us for about eight years about the different protocols, the different medicines, and there’s different understandings of the Ojibwe, the Oji-Cree, and the Cree understanding of
culture and tradition in that region.

**MS. CHRISTA BIG CANOE:** And, more than 30 years later, you’re still practising ceremonies and doing Indigenous practice in Winnipeg with Indigenous people?

**ALBERT MCLEOD:** Yes.

**MS. CHRISTA BIG CANOE:** Chief Commissioner and Commissioners, based on the knowledge and skills, practical experience, training and education as described by Mr. McLeod, I am tending Albert as a knowledge keeper with life experience in traditional and ceremonial Indigenous practice, gender identification and as an expert in facilitating education and awareness in HIV and AIDS, harm reductions, and issues experienced by the two-spirited community.

**CHIEF COMMISSIONER MARION BULLER:** Thank you. Yes, we are satisfied, given the evidence that’s been tendered, that Mr. McLeod is a knowledge keeper capable of giving opinion evidence in the areas suggested by Commission counsel.

**MS. CHRISTA BIG CANOE:** Thank you. So, I understand that you’ve prepared for us a presentation, and that might be a good starting point. Did you want to start with the slide presentation?

**ALBERT MCLEOD:** Yes. Some of the work I do, you know, we all understand sort of contemporary ways of
distributing knowledge, sharing knowledge, and it’s mostly from a western world view which is English as the main vehicle of transferring words or reading about identity and culture.

And, myself as an artist, I know the power of visualization and sort of the cues that you receive from colours, or images, or silhouettes. And so, part of my education, I think, can only be shared or interpreted through viewing different images from our community, and I’m talking about the two-spirit community, as a way of another degree of learning about the experience of two-spirit people.

So, I’m going to start with the first slide. So, the theme of this presentation is Two-Spirits: A Lasting Legacy, in the sense that colonization, primarily in Canada, began 400 years ago. Despite that 400 years, two-spirit people are now at a place of resurgence within Canadian society generally, but also within the Indigenous populations, cultures, as well as families and communities.

The first slide is a poster from the second annual two-spirited pow wow that was just held last weekend in Winnipeg on Saturday, and it was part of the Pride Week events. And so, it really is about 30 years of work that this understanding in the broader LGBT community that two-spirit people have been in the Americas prior to
colonization, and we have a long history of thousands of years of integration into our cultures and societies, and that our work is really about relating to the experiencing of settler LGBT people and sharing our knowledge and gifts.

The Two Spirited People of Manitoba organization began in 1986 as a response to the suicides of two First Nations youth. A group of concerned Indigenous LGBT people began to meet regularly to support each other and to organize community events. Thirty-two years later, we are still creating safe spaces within the broader community.

This year, with Sunshine House, we will co-host the second annual two-spirit pow wow in Winnipeg, and I just want to reference in terms of the record of two-spirit people or trans people historically has really been whitewashed or intentionally erased by academics or scientists or the churches in that there’s very few historic accounts. There is one I want to reference with regard to the pow wow, which is the painting by George Catlin, the Dance to the Berdash, which is, to me, a metaphor for 200 years ago, the warriors would acknowledge the trans female who was part of the community, and honour the trans woman for their contributions to the warrior society with regard to hunting and with regard to going to battle.
And so, George Catlin said at the time that he witnesses this particular honouring Dance to the Berdash, and that he hoped that it would be the last one and it would soon be eliminated from that Indigenous society, and it was eventually eliminated. So, 200 years later, it was really profound that that dance has been introduced, and I happened to be there last Saturday. Next slide.

So, the resurgence of two-spirit gender roles is aligned with First Nations, Inuit and Métis fight for equal human rights and fundamental freedoms. On the left in this photograph is We’wha, who lived from 1849 to 1896. She was the most famous lhamana, a traditional Zuni gender role. Lhamana lived as women wearing a mixture of women’s and men’s clothing, and doing a great deal of women’s work, as well as serving as mediators.

My colleague on the right of the photograph is Kelly Houle, is an Ojibway transgender activist of Sandy Bay First Nations in Manitoba. So, this image extends over a 120-year period, and demonstrates that there is a legacy and a role, a recognized role for two-spirited and trans people. And, for Kelly today, part of her survival is the cultural reclamation that we are undertaking to be members of our own communities and nations. Next slide.

On November 28th, 2017, Canada acknowledged
and apologized for the harms perpetrated against two-spirited people during the past 300 years of European civilization. I was on the National Advisory Committee that helped craft the apology for the Prime Minister of Canada. Next slide.

The apology confirmed that the imposition of colonial binary gender norms on Indigenous peoples was intentional, and that it has led to sexual and gender violence directed toward women and Indigenous LGBTQ2+ people. Example, today, we’re at the National Inquiry for Murdered and Missing Indigenous Women and Girls. The Commissioners’ mandate is to examine the report on the systemic causes of all forms of violence against Indigenous women and girls and two-spirit LGBTQ individuals. So, the addition with regard to a genderized National Inquiry of two-spirited people is an indication of what I said, that the gender -- attack on gender of Indigenous women was intentional, historically, by the state.

Regretfully, some Canadian media outlets chose to ignore this aspect of colonial history in their reporting of the Prime Minister’s apology. The text on the slide -- what the Prime Minister shared is that 300 year colonial period, or the imposition in whatever method was used, whether it was school, academics or religion, to erase the history of Indigenous people. And, I was
concerned that Canada’s contemporary media left this portion out of the full text as they stated in their reports on television or else in internet.

Next slide. Now, this is called the Indigenous cultural imperative. And, it’s taken a number of years of working with Roger Roulette who is an Ojibwe Language Specialist in Winnipeg, who is an expert on, sort of, the nuances and philosophy of Indigenous peoples imbedded in the language.

And so, in the work that he’s done, it’s sharing how Indigenous people saw the creation of life with regard to human experience, and I just want to contextualize this, is that today, our primary focus is human to human or person to person. We all carry cell phones, we’re texting constantly to each other as humans. But, the pre-contact Indigenous world relied heavily on nature, the ecology, the animal world, the plant world, as well as astrology and the seasons, and today, it’s hard for us to fully understand that world view and that life experience.

And so, there was an understanding that animals had a process of being created through nature, and that plants as well had that process, and that humans was specific to humans, but it was understood -- in the Ojibwe belief system, it was understood that each newborn child
had a purpose, a role and a destiny, and we’re known to possess a divine gift.

The expression of gender, sex and sexual orientation were pre-ordained by a life force in the spiritual realm. An important ethic that prevented homophobia and transphobia was that of non-interference. It was bad form to question another person’s destiny or divine gifts as it implies you question life itself. Spirit naming is an important ritual that connects humans to the spirit world.

The name two-spirit was introduced through ceremony at a gathering in 1990 in Manitoba. The name essentially affirms that LGBTQI people are spiritual beings.

**MS. CHRISTA BIG CANOE:** So, if I could just interrupt you for one minute, Albert. You mentioned Robert Roulette, that he is an Ojibwe Language Specialist. In the materials, there is a single page document on Pronouns, can you just tell us a little bit about that document?

**ALBERT MCLEOD:** Yes. When I was growing up, my -- one of my main, sort of, idols was my grandmother, and -- by the time I was born, she was already 65. And, she was fluent in the Cree language and never spoke English, and she lived to be 90 years old. And, I remember when she would refer to us, she would say -- sometimes she
would call us “she” and I was a little boy, and so I was always curious why she couldn’t understand the pronouns that we used at the time in the 1960s.

And so, similar to the Ojibwe belief system and the role -- the place of the child born is that the human is understood to be an animate being, that gender is only applied or sex is only applied in later contexts, and that as a society, we are to adapt to that reality of the child. So, nouns and pronouns as we understand them from a Canadian -- spoken English are not relevant in this pre-contact culture, whereas we’re a very genderized society where we depend on these pronouns to determine our identity and where we fit in today life in Canadian society.

So, he has described how it was done using adjectives that reference whether that being was biologically male or biologically female, but it wasn’t the first connection to that person. So, essentially, we’re all beings in this room, and some of us might be male and some of us might be female, but some of us might not be. So, that’s, sort of, the point of view of the Indigenous people pre-contact.

**MS. CHRISTA BIG CANOE:** Excellent. And, I note that the single page, Roger Roulette, Ojibwe Language Specialist, Pronouns, and ask that it be marked as an exhibit, please.
COMMISSIONER MARION BULLER: Yes. Roger Roulette, Ojibwe Language Specialist, Pronouns, will be Exhibit 2, please.

--- Exhibit No 2:

“Pronouns” by Roger Roulette, Ojibwe language specialist dated September 7, 2017 (one page)

Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)

Submitted by Christa Big Canoe,

Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

ALBERT MCLEOD: Next slide. In pre-contact, Indigenous cultures, gender and sexual diversity was generally embraced and not suppressed. This understanding continues today despite the impact of colonization. Some two-spirit man and trans women are aligned with their ancestral grandmothers in that they have feminine identities, interests and skill sets, they also desire and are attracted to men.

The Ojibwe word for trans women is Agokwe or hidden women. Some two-spirit women are aligned with their ancestral grandfathers and therefore follow masculine roles and pursuits. In most cases, two-spirit people have merged gender identities that fit into the Indigenous world view.
So, when I was growing up in The Pas, as I said, my grandmother was my main, sort of, identity supporter with regard to my Indigenous identity. And, we couldn’t communicate, but she showed me different aspects of culture and I began to sew doll clothes at the age of 10 on her treadle sewing machine. So, you could really tell very early on I was aligned with the feminine. And, today, with my peers who are mostly what we call cis man, we project in our society as average heterosexual looking males, but our identity are aligned with the feminine and we call each other with female pronouns. We see each other as more feminine than male, and so we call each other, auntie, sister, mother, grandmother.

And, I’m beginning to understand that it’s not principally just to relate to each other, but we’re honouring the feminine of our ancestral grandmothers. And so that’s, sort of, a requirement in our subculture that we acknowledge that influence of the feminine. And, it’s through our ancestral -- great grandmothers and grandmothers, mothers and sisters that we are to attain our place in the world.

So, I’m highly skilled with women skills, I cook, I bead, I sew, I make regalia, I look after children. So, my pursuits generally are feminine and I have no interest in cars, doing manly things. I can, I’m a good
whatever, hunter -- I would be a good hunter, but that’s not my destiny or my direction in my life.

   Oh, next slide -- sorry, did you have a -- so just looking at We’wha who is in the photograph.
   We’wha’s life was documented in the book, the Zuni Man-Woman in 1991 by author Will Roscoe. We’wha visited Washington, D.C. in 1886, where she met President Grover Cleveland and was generally mistaken for a cisgender, woman by non-Indigenous people. And, the second photograph is We’wha with her people and how she stands -- she was the tallest and how she -- and so that visual is about the integration and the place of two-spirit within the construction of family and community.

   Next slide. The federal government and church policy forcibly removing and segregating First Nations children into gender specific dormitories made it impossible for two-spirit identities to exist. Survivor testimony informs us that two-spirited students were, in many cases, targeted for sexual exploitation and humiliation. The damage to Indigenous gender norms is incalculable and the over representation of incarcerated Indigenous men and the murdered and missing Indigenous women and girls may be a symptom of this interference.

   This is a man in Indian residential school, which burned down in 1952, and as, I guess, the
interruption is that these children were removed from traditional environments, from their elders, forbidden to speak their language, and then forced into a colonial gender space that created a lot of confusion and a lot of pain, and again the sexual abuse or physical, emotional and mental abuse again being targeted. So many of these stories I’ve heard of survivors is that they were specifically targeted within that context.

Next slide. So over the past 200 years, various Christian groups have stationed their churches in First Nations, Inuit and Metis communities across Canada. The belief in sinning and the concept of hell was introduced through conversion and coercion.

The inherited homophobia and transphobia in these churches has resulted in the continuing silencing, shaming and alienation of two-spirit people. The fact that some of this church staff were secretly sexually abusing the children created another level of silencing and shame that has lasted for generations.

This image is of Albert Lacombe’s ladder, which was a chart, a tool that was used to describe two Indigenous people, especially children in residential schools, the concept of the devil, the concept of sinning, of shame. And then, as you go forward through baptism and confession and all of that, you go towards god and
Christianity and forgiveness, and then you become a real human being.

Next slide. This is a close-up of Lacombe’s ladder, which on the right shows hell burning, and on the other side is another fire of baptism, and at the very top is god or Jesus in terms of the affirmation that the hero Christian god is supreme over all others, including the animal and the plant world, and that Indigenous people have to convert to fit into this model. So at that time, the last 150 years generally in Canadian society, the existence of queer settler people, queer Indigenous people as ultimately been erased within this construction of Christianity and how government saw itself as a patriarchal.

Next slide. So this chart I developed to show the integration of Indigenous relations with ecology and astrology and the place of humans within the physical world, which involves the animal and the plant world. And that the power of life, the force of life is the central orb, another side is the two-spirit people, and we retain some of that energy, that power.

Another side of them is the parental male, parental female, those are the ones who have the children. And on either side of the parental male and parental female are these deity roles, which are constructions around
fertility with nature, the ultra-male and ultra-female.

And again, it’s hard to imagine when we go to buy our corn at Sobey’s or Safeway, today, that 100 years ago we might have had to do a dance and sing a song to ensure that we had corn.

So again, just to contextualize these deity roles and how we see them today, reconstructed through the powwow in that the first two categories, gender categories that inter-powwow are the traditional male and the traditional female, which really are a representation of these deity roles that represent fertility. Not human fertility per say, but the fertility of nature and the environment we live in.

So next slide. So this is post-contact in terms of the impact of colonization in a contemporary Canadian, North American context or even world context, the only two roles that are sort of socially sanctioned today are the ultra-male. The hyper masculine role that is portrayed as a warrior or a soldier, and that’s sort of the patriarchal construction, like you see in European colonization.

As well as the construction of the ultra-female, which is supposed to be a model, very beautiful, very feminine, or a goddess. And the other thing I’ve added to this particular identifiers or descriptions on
this slide is that the ultra-male, Adam, from the bible, is referenced there, and Eve is referenced on the ultra-female side, as part of the inculcation of Indigenous children through residential schools. This was framing for them what they had to achieve and what roles that they had to fit into in order to succeed in Canadian society.

And this is really the problem today, that if you go back to the previous slide, you can see is was an intricately woven complex understanding of human relationship with nature, and all of that through colonization was disrupted, made illegal, erased. And people actually were imprisoned if they practised this or believed it.

Next slide. So the struggle is with the suicides in Canada, it is children who are gifted as not just as two-spirit, they may carry many gifts, but they don’t fit into this worldview or this paradigm of the ultra-male and ultra-female. So ultimately, they’re humiliated, teased, abused, some are sexually abused, some experience intimidation and violence.

And that’s why I met my peers in Vancouver in 1979 is they were all from Toronto, Winnipeg, Northern Manitoba, Northern Saskatchewan, is because of this: that they had no place in their family and their community, there was no language to accept and to honour them. And so
instead of killing themselves, they went to Vancouver. Next slide. The imposition of colonial gender norms on Indigenous peoples around the world has resulted in the rise of ultra-male and ultra-female or type of roles in colonial states. Social systems like health, justice, education and politics extol these binary gender identities as ideal while discounting or erasing Indigenous values of inclusion and non-interference.

The result especially among trans-Indigenous women is they experience not only racism, they experience gender-based violence as a construct of colonization by Christian-Euro, Euro-Christian societies.

This first images are of Renée Bloomfield, her murder was suspected on July 14th 2003 and it remains unsolved.

The next slide. Davis Bélanger was murdered on September 28th 2004. The murder was solved, the murderer was convicted and sentenced.

Next slide. Rose Osborne was murdered on March 4th 2008. The murder was solved, the murderer was convicted and sentenced. And Rose is the sister of Helen-Betty Osborne, so it shows you how persuasive even after 30 years; her sister was murdered based on racist ideals, by racist murderers, and her herself has a transwoman was murdered decades later. And how pervasive that violence is
in our society.

The next slide. With a commitment from Canada to address the harms perpetrated against two-spirit people, we acknowledge these leaders who have lead the research despite the risk of oppression and violence. This poster has Twila Star, Peter Bignell and Chris Hughes, and I wanted to acknowledge them, that we developed this poster to reach out to two-spirit youth so that they didn’t feel isolated.

The numbers at the bottom are crisis numbers that they can call from wherever they are so that they do not commit suicide, that they can see their own images by these heroic people who agreed to put their images in a public poster, knowing that they could experience violence. And so, that is for the next generation.

And I just wanna honour these people, they were at the Two-Spirit Powwow last year in 2017. That's Mawi Newman (ph) and Barbara Bruce. Barbara Bruce is a Métis two-spirit woman activist, and Petalicoot Nina Cuwacapo (ph), who's been doing this work for a very long time.

The next slide. This is the last slide. The Two-Spirit Human Rights movement is one of the oldest LGBTQ movements in North America. This year the two-spirited people of Manitoba and Ka Ni Kanichihk organisation will host a 31st gathering at the Sandy-
Saulteaux Spiritual Centre near Winnipeg. The gathering is hosted regionally by two-spirit groups throughout Canada and the U.S.

So this is the poster for that gathering, and it is our safe space, and at least, at a minimum for the last 31 years, we've had a safe space where we don't have to explain who we are, why we're doing ceremony, why we have male or female partners, why we're trans, all of those things, because we already know that stuff. It's 4 days where we have our own -- 4 days out of 365 days where we have our own space. And, ideally, it should be across the board in Indigenous communities and Canada and the U.S. by now.

**MS. CHRISTA BIG CANOE:** Thank you, Albert, for sharing your presentation.

I kindly request that we make the presentation an exhibit.

**CHIEF COMMISSIONER MARION BULLER:** Yes, the presentation will be Exhibit 3, please.

--- EXHIBIT NO. 3:

Powerpoint slideshow entitled “Two-Spirits: A Lasting Legacy” (18 colour slides)

Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: And may I ask some questions, Albert, in relation to what you've presented to us?

One of the things that you were describing was need of ethics and a principle of non-interference as when you were talking about pronouns and some of the traditional roles. And so I was wondering if you could help explain a little more about non-interference, particularly as a principle that was used more traditionally prior to contact or colonization.

ALBERT MCLEOD: It's kind of interesting growing up in the Pas at the time, and by the '50s and '60s a lot of people were now exposed to, you know, Canadian culture through airports or roads being built into very isolated communities where even though European settlers had lived, the principle of paradigm or worldview was Indigenous. So, by the time we were living in the Pas in the early '60s, my -- both my parents were fluent in the Cree language. And in I think understanding that worldview, by the time they knew that they had, you know, a feminine little boy as one of their childs, that that ethic of non-interference was already understood intergenerationally by my parents and my grandparents.
And so when I was growing up, you know, there was a tendency to try to get me to conform to being a little boy, and I really didn't feel comfortable doing that. And I'll give you an example is my father wanted me to go to Cub Scouts. And that really wasn't my interest but I went anyway. And there were times where I would pretend that I was sick so I didn't have to go. And, you know, the boys were okay, but and I always tell people that I would have preferred Brownies because I could have made brownies and that would have been my thing; right?

So that's that non-interference ethic in the sense that they knew that I had a destiny, I had a role, and that they didn't want to interfere with that and generally didn't. The problem became later when I became adolescent and I was attracted to males. They didn't really have the skills to deal with me. Nobody really did, not even the high school or, you know, anybody in the school at that time. It was very much about the heterosexual lifestyle, assimilating into western ways of being.

**MS. CHRISTA BIG CANOE:** In your material you provided just a short excerpt or article on Native ethics and rules of behaviour by Clare C. Brant. And I noticed that Clare also speaks about the principle of non-interference, which is on page 535 of the article, the
second page. Specifically, that non-interferences of behavioural norm of North American Native tribes and promotes positive interpersonal relationships by discouraging coercion of any kind, be it physical, verbal or psychological. So when you were talking about just this allowing and you talked about it I think when we're talking about the pronouns as well, that there's a philosophy or term that just recognises a being as a being instead of trying to conform.

The principle of non-interference that positive -- what's a way that we can start to utilise that particular principle again?

ALBERT MCLEOD: Well, I think it's -- again, it's connected to nature and that nature, again, was supreme prior to European contact and Indigenous people fit into the larger reality of nature and we were dependent upon it. So, with non-interference its understanding again is that each being is understood to have a purpose, a role, a destiny and a divine gift.

And Roger has told me that if you judge another person's destiny or role or divine gift -- and the divine gift could be their gender identity or their sexual orientation -- that you're saying that you're supreme over creation as a human. And that's where it begins to fall apart is that a human can't make a tree. A human can't
make a stone; right? And so that's not our purview to interfere with what creation has made.

I'll give you an example, when I was working with Ka Ni Kanichihk, I was requested to go to a gang prevention project to speak with a mother whose son was in a gang and he was gay. And so I sat with the mother and they kind of told me what was happening. He was 14 years old and he was quite a tall child, so but he was in conflicting with his brother because he had said he was gay and he was wearing mascara and listening to weird music. And so after listening to the mother, I told her, I says, "Well, there's nothing wrong with your son. He's perfectly normal. What's wrong is your reaction that your son is gay. And the reality is you and his heterosexual brother have to adapt to that reality. That's your job. Your son doesn't have to do anything because he's expressing his true identity to you truthfully and you're reacting negatively to that reality."

So it changed after that. That boy began to flourish once his mother and his brother realized it was their problem and their work was to adapt to that reality that creation had given them that gay is fine. And so that's an example about non-interference is that we can't fall back into those Euro-Canadian or Euro-colonial ideas about, you know, if someone has a child, you know, why do
you think that it's going to be heterosexual; right? You can have an ultrasound that tells you its sex, but no one's going to give you an ultrasound that tells you its gender identity or sexual orientation; right?

**MS. CHRISTA BIG CANOE:** And I noticed that -- and we don't have to get into each of them, but I noticed that Clare actually discusses a number of sort of principles or concepts. And so my question for you really is, you know, is it important that we look back at some of these concepts as part of the solution to helping society embrace positive change?

**ALBERT MCLEOD:** Well, I think if you look back to the human history of Manitoba around Winnipeg that Indigenous history goes back 8,000 years. The colonial state has only been here 300 years. Now, tell me who has the longest understanding of ecology and science and technology in that area or relationship with the plants or the animals.

I just want to reference, you know, in that history one of the people who has written about colonization, not just in Canada but around the world, is Albert Memmi in 1957 wrote a book, "The Colonizer and the Colonized." And he says that because the colonized have no other model to look at after introduction with the colonizer, they look to the colonizer for the model; right?
And he said that the two tools of colonization, the two principal tools are racism and terror. Anywhere you go in the world today, you can see colonization continuing; right? And, the two tools that I used are racism and terror. That’s why -- that’s what this is today. This is terror. If an Indigenous woman or a two-spirit person can leave their home and disappear and not be seen for 16 years, that was Helen Betty Osborne, that’s the terror.

The other terror is the destruction of the land, the ecology, the water. That’s the other part of the terror. The trauma and the terror that happened to Indigenous women on the Prairies was the extermination of the bison. Sixteen million bison were destroyed within five years, the very foundation of the Indigenous peoples’ lives on the Prairies, and that terror has never been unpacked. No one’s ever explained, right, that extermination. That’s the context of colonization is terror, to weaken people’s resolve, to weaken people’s confidence.

MS. CHRISTA BIG CANOE: Thank you. I’m sorry, this is a matter of housekeeping. I kindly request that Native Ethics and Rules of Behaviour by Clare C. Brant, the excerpt that’s in the material, is marked the next exhibit.
CHIEF COMMISSIONER MARION BULLER: Exhibit 4 will be Native Ethics and Rules of Behaviour, Clare Brant, MD.

--- Exhibit No 4:

Article “Native Ethics and Rules of Behaviour” by Clare C. Brant, M.D.,
Canadian Journal of Psychology Volume 35, August 1990 (pp. 534-539)
Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: And, Albert, I have another question in relation to the presentation you shared with us, and it was the last slide. And, it was your comments that this is the safe space, this is our own space, and you said, “We already know what we need.” So, I’m hoping you can unpack that a little more when you say “we know” -- like the community that you identify with, “we know what we need”, and that every place, every Indigenous community should have a space like this. Can you expand a little bit on that in terms of creating solutions and finding safe spaces?

ALBERT MCLEOD: Well, I think right now in North America there are 17 two-spirit organizations that
are doing this work. So, within their own region, family, community, travel organization or First Nations, and I know Beardy’s First Nation is having their pride again this year, so it’s really showing at the local level -- you know, Chief and counsel are standing up, grandparents are standing up, and they’re honouring their LGBT children and grandchildren, and creating these safe spaces.

And, Dr. Alex Wilson from the University of Saskatchewan talks about in the broader context of being LGBT or two-spirit, we kind of come out generally in society, but she talks about coming in. So, coming in as coming in to our family, coming in to our community, coming in to our culture and taking our rightful space and place.

And so, with the gathering, in the drafting of -- or the draft for the Prime Minister’s apology in November, not all my advice was taken, unfortunately, and two of the areas I had asked Canada as the federal government to undertake, because as Indigenous people, queer people, we don’t have a lot of resources at our fingers to make things happen to travel, to socialize and those kind of things, we kind of live, you know, in poverty generally, was that the Prime Minister would work with the Big Five, which is AFN, NWAC, ITK, MNC, CAP and I can’t remember -- was that five?

**MS. CHRISTA BIG CANOE:** That was five.
ALBERT MCLEOD: That was five? And then the churches, the five churches, who were involved in the Indian residential school era to unpack the impact on two-spirit people and work towards an apology. In fact, in the sense of to negotiate our rightful place in these communities and that I know there’s been pressure for the Pope to come to Canada and apologize, and I believe the Pope should also apologize for the introduction of homophobia and transphobia in Indigenous communities.

And so, it wasn’t identified in the final apology, but that’s a standing issue, is that the Inuit, the First Nations and the Métis, they have to start developing program for LGBT Indigenous people across Canada. For the most part, we’re left out of research, we’re left out of housing, we’re left out of employment, we’re left out of human rights issues, and that can’t continue if these five organizations are fighting for human rights and fighting for Indigenous rights that we have to be a part of that process at the highest level.

And, I met National Chief Perry Bellegarde with my colleague, Connie Moraciti (phonetic), in 2015. And, I put it to him that the AFN needs to create a two-spirit council. The AFN has a Women’s Council, an Elder’s Council and a Youth Council, and I don’t know how they can speak for two-spirit people if they’re not two-spirited.
MS. CHRISTA BIG CANOE: So, Albert, one of the things you were talking about was Dr. Alexandra Wilson’s concept of “coming in”. And, when we’re talking about safe spaces, I note that in your material there’s a document called, Safe and Caring Schools for Two-Spirit Youth. And, this is a guide for teachers and students, I understand, that was created by the Society for Safer and Caring Schools and Communities.

On page 11 of that document, there is information about the coming in or the concept of “coming in”, but the entire guide actually speaks to ways to find safer spaces in schools. And, I want you to maybe share a little bit more about this document or other concepts in it that could help provide solutions to ensuring safe space for two-spirited youth across the country.

ALBERT MCLEOD: Well, I think, generally, you know, when you have your [rites] of passage as you become an adolescent as you -- you know, whether you’re gay or straight, and you begin to develop your social peers, and then you go through, you know, elementary school, junior high or high school, those are important stages in a person’s life, because you’re preparing to be a part of society to have a job, to have a career, to contribute. So, it’s the economic foundation of your future.

In many cases, because of the homophobia and
transphobia, a lot of two-spirit people never get through high school. They’re already intimidated and humiliated and teased that they eventually quit school very early, so they never make it to have a grade 12 diploma, and then rarely make it into university. So, without that education, they’re sort of at loose ends and, a lot of time, end up unemployed or on social assistance, and that is not acceptable in a first world country. People who are intelligent with skills, with gifts are living on social assistance because of homophobia and transphobia outside the community and inside the community.

So, that’s why Dr. James Makokis and Dr. Alex Wilson have put their names, their identity, their careers as part of this model in Alberta, and we also have one from Manitoba as well, where we’re trying to make schools, whether they’re schools on reserve, in Métis communities, in rural towns or in city centres, a safe place for Indigenous LGBTQ people so, at the basic, that they get a grade 12 education.

**MS. CHRISTA BIG CANOE:** Now, and -- thank you, that’s helpful. If I may ask that this be marked the next exhibit, the Safe and Caring Schools for Two-Spirit Youth?

**CHIEF COMMISSIONER MARION BULLER:** The Safe and Caring Schools will be Exhibit 5, please.
--- Exhibit No. 5:


Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)

Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. Also in your material, and I think there’s a big connection here, and it might be obvious for some, but I want the connection to be made. When we talk about the failures of schools or systems to make safe space for everyone, and you’ve talked already a bunch about -- you know, so people -- so that the youth and people don’t commit suicide, there’s a big link between creating the safe space and suicide prevention, and I know that in your material, you also have provided suicide prevention and two-spirited people. Can you tell us a little bit about -- this is from the National Aboriginal Health Organization document. Can you tell us a little bit about that?

ALBERT MCLEOD: A number of years ago, and I
do a lot of reading, especially around suicide prevention, because of the link, and I think the National Chief recent last year made a link between homophobia and suicide among First Nations youth, that a number of a years ago when NAHO was functioning, the Métis, Inuit and NAHO Health Centre organizations had done a lot of research in working on different resources for communities, published their First Nations suicide prevention toolkit targeting all the First Nations in Manitoba.

When I went through that document, I realized there was no reference to LGBT First Nations people, which really struck me, because it was the National Aboriginal Health Organization, and it was a First Nations sector. But, it reminded me how some people have blinders on, and really work from a hetero-normative point of view, just because we live in a colonial state where everything is binary genderized; right? Male and female. And, that even though we try to be gender neutral, that that bias is so deeply embedded in our institutions and systems it’s hard to be objective.

So, I wrote a letter to the Executive Director of the First Nations Health Centre at NAHO, and I said, you know, I appreciate you created this suicide prevention toolkit, but you didn’t include LGBT people. And so, he acknowledged that fact and agreed that they
would address it and then publish the document a year-and-a-half later. So, that’s a rare situation where an institution or an Indigenous organization acknowledges the exclusion of two-spirit people and does something about it.

And so, this was published on the internet, and it is a public resource now, and sort of highlights that any kind of mental health or suicide response that you think about people who are struggling with their gender identity or sexual orientation, who are experiencing bullying or intimidation or violence because of their gender identity or sexual orientation.

MS. CHRISTA BIG CANOE: I couldn’t help but note right on the -- before it actually goes into the prevention and the issues it addresses that the opening comment is, “First Nation communities can support two-spirited people by providing safe spaces that include and respect them by standing up for them and by speaking out about the discrimination they experience”, and I’d assume that you probably adopt that or agree that that statement is true, and that these are the types of things that we need to do, is create safe spaces and stand up?

Yes? I’m seeing you nod your head, so that’s a yes?

ALBERT MCLEOD: Yes.

MS. CHRISTA BIG CANOE: I hate to belabour a
point too, because we know how when you talked about even
the terror that’s experienced as part of colonialism and
what we’re experiencing, on page 4 of the same report, and
there’s a number of statistics, but on page 4 specifically,
it refers to a study in Manitoba and Northwestern Ontario
that included 73 transgendered and two-spirited people, 20
of whom identified as Aboriginal, but 28 percent of the
study participants reported having attempted suicide at
least once because of the way they were treated with
regards to their sex or gender identity.

And so, there’s a number of statistics, and
we see that the suicide risk is higher amongst LGBTQIA
because of everything that you’ve been speaking about this
morning. Is there anything you wanted to add in relation
to the risks that you’ve seen in your experience and the
work you do?

ALBERT MCLEOD: Well, I think as part of
colonization, we sort of are concerned about systems
invading our lives, apprehending our children. So, there’s
some tendency to be silent about things that are obvious to
us when a teenager or youth is under some kind of stress,
or are, you know, displaying symptoms of mental health,
anxiety, or even suicide ideation that we tend to ignore
them, because we don’t want to make waves. You know, a lot
of times, you know, if you stand up for your LGBT child,
you’re seen as, you know, a troublemaker, or that you’re really not following Christian beliefs, and a lot of Indigenous communities follow the Christian faith so that dogmas are very entrenched on how people see masculinity and femininity.

So, there’s always this pressure to conform and to fit into those binary roles. So, the language of comforting, the language of protection, the language of loving is absent. So, generally, a lot of queer youth grew up in an emotional vacuum where their only family members are disempowered to help them, even though they suspect that they might commit suicide.

And so, I think it’s very symptomatic of how the communities have been disrupted in that parents can not only protect their own children emotionally and mentally and spiritually, but also physically in that in many cases, you know, even after the fact that the suicide is completed, there’s no discussion of that person’s life, because there’s no context for that person as a community member of value. So, essentially, that person is erased or forgotten.

**MS. CHRISTA BIG CANOE:** And so -- thank you.

In this same guide, there is, on page 10, how you can help, and it lists, like, sort of that broader concept of standing up and speaking out, but I just wanted to check
with you. Would you agree that the “how you can help” that is listed here are ways and solutions and recommendations that the Commission should look at in terms of making their recommendations moving forward? So, that was page 10 of the Suicide Prevention and Two-Spirited People guide.

ALBERT MCLEOD: Yes, and especially because this document is sanctioned and approved by First Nations leaders that at sort of that level of governance, it has been passed through their systems of approval. And so, yes, I would.

MS. CHRISTA BIG CANOE: And, page 11 also actually directs ways that service providers can help. So, I’m going to assume the same, that you would also support that the Commissioners should look to these in terms of when they’re developing their recommendations to any service providers in relation to how anyone can help -- any service provide can help in terms of suicide prevention and other ways of inclusion?

ALBERT MCLEOD: Yes.

MS. CHRISTA BIG CANOE: Thank you. I would kindly ask that this get made the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Exhibit 6 is Suicide Prevention in Two-Spirited People, please.

--- Exhibit No 6:

“Suicide Prevention and Two-Spirited
Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)
Submitted by Christa Big Canoe,
Commission Counsel

**MS. CHRISTA BIG CANOE:** Albert, in your material, and this goes back to December 2014, in your material, there was a letter from the organization you’re with, Two-Spirited People of Manitoba Inc., in relation to a rally at the AFN special assembly. I was wondering if you could tell us a little bit of information about that and the letter itself?

**ALBERT MCLEOD:** So, having survived, you know, the first wave of the epidemic among gay men in North America, and specifically with regard to Vancouver in 1979 to 1983, it wasn’t until 1983 that HIV was identified as a virus, sexually-transmitted virus, as well as through blood-to-blood contact through sharing of used syringes that we began to work in HIV with the federal government, provincial governments, because we were directly impacted and we knew what it was. We knew what we were dealing with.

So, HIV was sort of our method or mode in
terms of -- started to do our community development work was heavily supported and one of the issues is about involving leadership, political leadership in the HIV/AIDS movement at the time.

So in 2000, a special leadership meeting was held in Regina where Chiefs and others with First Nations governance were invited to this Chief Summit in Regina. And they were informed about HIV among Indigenous populations. And after that, the AFN published a resolution, HIV/AIDS strategy or action plan.

And one of the recommendations or actions was to educate First Nations communities about the historical and traditional role of two-spirit people to prevent homophobia and trans phobia in that it would encourage two spirit-people to get tested for HIV and be able to access treatment or prevention tools and those kinds of things.

So I went on this sort of letter-writing campaign to the AFN and the first one was National Chief, Shawn Atleo in 2011, and I reiterated that recommendation from their action plan on how they were going to roll out the education in First Nations communities about the historical place and acceptance of two-spirit people, and there was no answer.

Then a number of years later, there was
another AFN election in -- my dates are all kind of wonky -- 2012, anyway, and there was eight people running this time -- four men and four women -- for that seat.

And so I wrote a letter to each one of them, and I didn't get an answer. I asked them how they were going to champion, as National Chief, the rights of two-spirit people as First Nation citizens, and there was no answer.

So the third national election for National Chief I went to was in 2014 in Winnipeg and at this time there was three people running for that seat, and I wrote them each a letter.

And by writing a letter, I don't mean that I sent it by email, I said I mailed it. Just to guarantee that at some point they might have received it in their office in a physical form, because I believe there's gatekeepers at different levels of institutions who throw letters in the garbage and they never reach the person that they’re supposed to reach to read.

So what I did at the election, and the three that were running were Perry Bellegarde, Leon Jourdaine, and Ghislain Picard. And I wanted to make a public issue of it to see how they would react to those letters, and so I organized a rally at the convention centre that morning. And 52 people agreed that they would come and only one
showed up. But the media did; APTN did and another media.

So I distributed the press release, which is this, that asks -- just let me see here. It says:

"The two-spirit people of Manitoba sent letters to each of the eight candidates asking them how they would, if elected, enact AFN’s Two-Spirit Antidiscrimination Recommendation from 2001 and champion the rights of two-spirit people.” (As read)

And I ran into one on the stairs and he said he hadn’t seen the letter, received the letter. One of them had sent a response and said that he would follow up on that.

And, unfortunately, I never had a chance to speak with Perry Bellegarde until 2015. We followed up a letter with that meeting requested -- requesting three things in 2015: That they follow up with the education of First Nations communities and programming; that they create the Two-Spirit Council at the AFN; and the third one is that they support the annual International Two-Spirit Gathering.

**MS. CHRISTA BIG CANOE:** Thank you.

May I request that this be entered as an exhibit?
CHIEF COMMISSIONER MARION BULLER: May I have the title again, please?

MS. CHRISTA BIG CANOE: Certainly. It’s a media release, “Two-Spirit Human Rights Rally at AFN Special Assembly.”

CHIEF COMMISSIONER MARION BULLER: Thank you. That media release will be Exhibit 7, please.

--- EXHIBIT NO. 7:

Two-Spirited People of Manitoba media release “Two-Spirit Human Rights Rally at AFN Special Assembly,” Winnipeg Manitoba, December 8, 2014 (one page)
Witness: Albert McLeod, Two Spirited People of Manitoba (2SPM)
Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

I only have a couple more questions for you, Albert.

When you were talking earlier and you were talking about the work that you’ve done over the years, particularly around advocacy but, like, sort of revitalizing cultural stuff, one of the questions I have is; what has been the response of Indigenous two-spirited LGBTQIA people when they’re actually educated on their
Indigenous roles or traditional roles? Because a lot of people would be coming to it for the first time or accessing organizations like yours so that they can come in.

ALBERT MCLEOD: Well, I think if you look at it, all aspects of culture are about land-based survival. So embedded in those practices and teachings, and some are very complex and sophisticated but there’s an intention again to create that balance with nature, to survive through the seasons.

And so for a two-spirit people, we come to that circle with our understanding of those teachings and our contribution. And so when we’re present, it means the whole circle is complete.

And so with Indigenous communities, there’s been different degrees of reactions, you know, from extreme homophobia to rejection to threats of transwomen coming to a Sun Dance, you know, wearing a skirt. Because some traditionalists perceive the binary as the ideal and don’t understand or know that, you know, that some people’s identity can be, you know, a trans person, a trans male or a trans female; just the subtleties in gender identity. So if the person doesn’t fit into that traditional community’s idea of culture and practice and where male and female sit within those constructions, they can react negatively and
expel or remove that person.

So it can be very damaging, mentally and emotionally, to LGBT people who go through this trauma of rejection. So you’re not only being rejected from society generally, you’re being rejected from the life force that’s -- you know, that we’re taught, you know, through our ceremonies and our tradition and our language.

And so -- but on the other hand, there are situations -- and you can’t generalize across North America how any one community or family responds. But in some cases, like this -- with Sun Dance that I was just a part of two years ago, they had a welcoming ceremony for two-spirit people where they acknowledge our existence, our history, and our place within the Sun Dance Ceremony itself. So that was very -- you know, productive. And so now people who go there can identify whatever way they choose. There isn’t sort of the gender police running around and -- but I think all women still have to wear a skirt but they don’t know who all the women are or who all the men are, so...

(LAUGHTER)

ALBERT MCLEOD: Yeah. So there’s changes in some ways. Like -- and I said Beardy’s First Nation is having their Pride; there’s more Pride events in northern communities, so it’s going into the north. But, again,
it’s very different.

    But I think fundamentally of what I shared earlier about the Indigenous cultural imperative is that whether you're a traditionalist or a professional or a doctor, you are obligated to not turn anyone away otherwise you undermine your own ethics, your own humanity by doing that. You’re essentially rejecting reality, so...

    MS. CHRISTA BIG CANOE: And on that note, actually, I have no more questions. What will happen is the parties with standing will have questions for you and the Commissioner may have questions for you.

    So I don’t have a specific question but I want to make sure if there’s anything else that you would like to add to the examination-in-chief part before we ask for a short break.

    ALBERT MCLEOD: Well, I think there’s an understanding that if you’re gay, that you’re somehow infertile and that you can’t have children, which is a total myth. And, it is the, kind of, way that we get socially segregated because of this myth, that if you’re a lesbian, that you’re not going to have children or you’ll never be a grandmother.

    And, I know today that that’s not true, many of my lesbian colleagues are great grandmothers or grandmothers. So, when you say grandmother, you’re also
talking about lesbian and trans grandmothers. And, same
with gay men, a lot of my colleagues who are gay men have
children. Many of them are grandfathers now or great
grandfathers. So, that idea of elder and grandmother and
grandfather is inclusive of two-spirit people and trans
people. We have trans women who are now physically female,
who are grandmothers, but were grandfathers at one point.

So, this idea that we’re somehow different
in that way that we don’t have children, we don’t have
families, we don’t parent is a myth and that has to be
addressed, that we’re family just like any other family in
our communities.

MS. CHRISTA BIG CANOE: Thank you, Albert.
Chief Commissioner and Commissioners, I note that it’s
almost 11:30, but I’m going to request a 10-minute break.
I’m also going to suggest that Fallon be allowed to testify
for an hour before we take lunch. So, my request is
actually asking for a 10-minute break and then starting
lunch at 12:30 instead of 12:00.

COMMISSIONER MARION BULLER: That’s
agreeable. Thank you.

MS. CHRISTA BIG CANOE: Thank you. So, if
we could take a 10-minute break now. Thanks.
--- Upon recessing at 11:28
--- Upon resuming at 11:46 a.m.
MS. CHRISTA BIG CANOE: Chief Commissioner, Commissioners, we could recommence. It’s my pleasure to introduce the next witness. Fallon Andy is our next witness. And, before we actually hear testimony from Fallon, I’m going to make a request that Fallon can affirm on books, but I want to explain the context, so if I could ask a question -- Fallon a question first?

Fallon, can you tell me about the books that you would like to affirm on just briefly?

FALLON ANDY: Sure. So, the books that I want to affirm on are by my friends. They’re all two-spirit, trans, queer people who live across Canada, and I think that their work is really powerful, and I think that everybody needs to read it. And, often times, when you’re a young, two-spirit and trans person, you don’t have a lot of people supporting you or lifting you up, so everywhere I go, I always want to keep the people I love very close to me either through books, or through talking about them, or through just praying and holding onto their knowledge.

MS. CHRISTA BIG CANOE: And, if I could ask just one more question, in holding the books, do you feel compelled to speak truth because of those relationships that you have with the authors?

FALLON ANDY: Yes.

MS. CHRISTA BIG CANOE: Okay. And, just,
maybe so the record can show, I’ll -- I might need help
with that one.

FALLON ANDY: So, the first one is
Bawajigaywin (Visions) by Lindsay Nixon; the second one is
Femme in Public by Alok Vaid-Menon; the third is Not
Vanishing by Chrystos; the fourth is Passage by Gwen
Benaway; and, the fifth is This Wound is a World by Billy-
Ray Belcourt. He also just won the Griffin prize for
poetry.

MS. CHRISTA BIG CANOE: And, with that, I
ask Mr. Registrar to affirm Fallon in on these books.

MR. BRYAN ZANDBERG: It’s still morning.
Good morning, Fallon. Do you solemnly affirm to tell the
truth, the whole truth, and nothing but the truth?

FALLON ANDY: I do.

FALLON ANDY, Affirmed:

MR. BRYAN ZANDBERG: Thank you.

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

MS. CHRISTA BIG CANOE: Thank you. And so,
before I start as well, I’m going to ask if any of the
parties with standing have an objection or would like to
make a note of no position on qualifying Fallon as an
expert? Seeing no objections, I ask the Commissioners to
allow me to qualify Fallon in sort of short order.

So, Fallon, if we could start, would you
please share a little bit of background, your personal background or professional background with us?

FALLON ANDY: Yes, I’d love to. So, good afternoon, everybody. I’m really excited to be here with you. It’s an honour to be here and share space with you. I really feel it very much in my heart and in my spirit that I’m able to be here and present on this panel with you. And, I feel very supported and grateful just to be along the lines and sharing space with so many talented and wise and loving and caring people, so thank you for having me.

So, I’m an artist, and an activist, policy analyst. I make a lot of memes. I graduated from OCAD with a Master’s of Arts degree in the Interdisciplinary Master’s in Art, Media and Design. I’m also a social scientist, so I like to think a lot about the work of colonialism, white supremacy, violence and state violence, and how that gets enacted onto our communities and sort of what that looks like and what fosters these different types of violences.

I also spent two years working with the Native Youth Sexual Health Network. In all my workplaces, I try really hard to develop relationships with everybody that I work with, and honour all the labour that they’ve given to me and all the emotional support, so I will spend
some time talking a little bit about them later on.

But, at the Native Youth Sexual Health Network, what we -- what I mostly worked on was gender identity, and gender inclusivity, and queer sexual health, harm reduction similar to Albert, and HIV/AIDS prevention, and mental health, and suicide prevention or life promotions, so I like to work across a lot of multiple issues for health. And, one of my favourite ways to do that is making memes. So, I think I’ve been making memes for five or six years.

**MS. CHRISTA BIG CANOE:** And, this is going to sound funny, but there’s some of us generationally that might not understand what a meme is, so I -- my children have taught me that, but if you could maybe explain a little bit about memes?

**FALLON ANDY:** Yes. So, my master’s thesis was based on memes about mental health and about, mostly, symptoms, and managing and mitigating symptoms of mental health afflictions, just kind of going across the spectrum of what mental health afflictions there are. So, some of my memes say like -- say stuff like, “Don’t leave me,” or they say, “My PTSD hurts,” or “A place for you to be calm.” And so, they’re attached to a lot of different visuals that I make as an artist with either my phone or with pictures that I take, and then I add text over top of them.
And so, a meme generally is a tiny bit of information that gets passed on to people either through the internet or through social media. So, it’s generally those pictures with texts that you see in its current form right now. But, if you go back farther into weird research, there’s -- memes just mean small bits of information.

**MS. CHRISTA BIG CANOE:** Fallon, I’m going to ask you to turn up your CV, and there’s so much information in terms of the work that you’ve done, and you’ve already explained some of it. But, I was wondering if you wanted to highlight anything particularly from your curriculum vitae or the community work that you’ve done that’s in your CV.

**FALLON ANDY:** Definitely. So, I think what I would like to highlight is my website. My website has a lot of my memes and video work that I do. It also has my master’s thesis there, so you can look at my website through all of that.

I think something that I would like to highlight is my work with the Native Youth Sexual Health Network, and also some of my art workshops that I’ve completed. So, under the media, I’ll just address this facilitator section, this is where I learned a lot about harm reduction, where I learned a lot about gender identity
and gender inclusivity and gender education, and best practices for outreaching all that information to youth, and to basically just work really hard to end stigma against people who are two-spirit or trans. And, yes, that’s where I learned all of that from, my friends at NYSHN, so Erin Konsmo, Jessica Danforth, Krysta Williams, Alexa Lesperance, and Jen Castro, and Destry Latondra (phonetic) were all very instrumental in teaching me how to work across these issues and the best way to do it.

**MS. CHRISTA BIG CANOE:** That’s excellent. I also noticed when -- your position with Native Youth Sexual Health Network’s title, Media-Arts Justice Facilitator, speaks to the fact that a lot of your work including your art and curatorial work doesn’t just look at the intersects or perspectives of LGBTQIA, but also from a justice perspective for how our systems are treating Indigenous youth, particularly two-spirit and trans. And, I just wanted to highlight that there’s a large number of not only the curatorial or the artwork you’ve done, but literally pages of where you’ve been on panels or spoken about issues that we’ll be speaking about today, and that you also have done some production work.

And so, I kindly ask that I would like to tender this particular CV as an exhibit and ask that it be marked as one?
CHIEF COMMISSIONER MARION BULLER: Exhibit 8, please.

--- EXHIBIT No. 8:

CV of Fallon Andy (four pages)

Witness: Fallon Andy

Submitted by Christa Big Canoe,

Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And so, one of the other things that you just mentioned is that you’re an educator and an activist. If you could just tell us a little bit more about the education aspects or how you use education into help people understand gender identity, that would be helpful.

FALLON ANDY: Yes. So, while I worked at the Native Youth Sexual Health Network, we’ve done a lot of workshops and a lot of games that help people better understand how to use pronouns first off. And then second off, we use other examples such as like the gender -- the Genderbread Person, which is like this visual example of how gender and sex are different, and that what’s important to recognize is how people have their own bodily autonomy within that and that they’re just -- they’re separate issues, basically.

MS. CHRISTA BIG CANOE: Excellent. Sorry.

FALLON ANDY: Does that answer the...
MS. CHRISTA BIG CANOE: Yes, it does. Did you want to touch on this a little? Yes. So, if you could just share just a little bit more of your personal background that you’re comfortable sharing?

FALLON ANDY: Yes. So, I forgot to mention, (speaking in Anishnaabe). So, I’m a gender non-conforming artist from Couchiching First Nation in Grand Council Treaty 3 in Ontario. My pronouns are, they/them and -- yes, I think that’s it.

MS. CHRISTA BIG CANOE: Excellent. And, we’ll get more into the conversation on the pronouns, they and them, so everyone has, sort of, a general understanding.

At this point though, Chief Commissioner and Commissioners, based on the knowledge, skills, practical experience, education and training as described by Fallon, I’m tendering Fallon as an expert in gender education, education in state violence and in using memes to educate others around mental health, body autonomy and gender.

CHIEF COMMISSIONER MARION BULLER: Certainly. Based on the evidence tendered, we are satisfied that Fallon Andy is qualified to give expert opinion evidence in gender education, state violence and in using memes to educate others around mental health, body autonomy and gender.
MS. CHRISTA BIG CANOE: Thank you. And, as we see from the CV, you also, just as an artist, do a lot of work that informs your experience in your positions and your opinions on what you’re sharing today. I understand -- did you want to start with the slide presentation?

FALLON ANDY: Sure.

MS. CHRISTA BIG CANOE: I understand that you’ve actually prepared a presentation for today and I think that, like Albert, that might be a good starting point. So, if we could call up the presentation, please.

FALLON ANDY: Okay. So, this is my title for this presentation, it’s called, Zaagidiwin Inakonigewin, and that means love law in Anshinaabe. So, my thinking behind this is that there is -- like, there’s a lot of discriminatory practices in Canada and in Ontario, and in our interpersonal relationships that really contribute and prevent trans and two-spirit communities from being able to participate and enjoy life to the fullest. And, I think that that is very harmful and discriminatory, so because of that, I think what I really want to do is push for, like, laws that actually protect and -- just protect generally two-spirit and trans individuals, which is all my friends. So, I would like to keep them safe.

So, next slide, please. Okay. So, you
cannot read that, that’s fine. These are my recommendations for this panel and for this Inquiry as a whole. And, I’ll just spend some time reading them off because they’re, kind of, my thesis for this Inquiry, and for this presentation and for this, like, expert witness statement. So, I want to read them to you just so that I can, sort of, have some anchors across to talk to you during this presentation.

Okay. So, number 1, the Inquiry should court order all police and coroner’s institutions across Canada to include gender X mark indicators on the reporting and information gathering for all cases related to the Missing and Murdered. All government issued identification should include more than three gender identity markers to report accurate data.

And, 2) the Inquiry should mandate a coroner’s inquest into the deaths of trans, two-spirit and gender diverse peoples that examine their gender expression as an indicator of the level of violence perpetuated onto their bodies.

3) the Inquiry must interview the families of trans women, trans men, non-binary, gender non-conforming and two-spirit individuals.

4) the Inquiry ought to re-open police files and investigations related to Missing and Murdered
Indigenous women, girls and two-spirit people.

5) the Inquiry ought to investigate youth deaths who were in the custody of child welfare service agencies such as Tammy Kiesh (phonetic), a young person who appeared to be two-spirit and who died suspicious deaths.

Number 6, the Inquiry ought to launch a Canadian Human Rights Tribunal against the federal government for failure to include transgender and gender diverse individuals in the Inquiry as a direct result of their discrimination.

Okay. So, thank you for listening to my recommendations so far. Next slide, please. So, this is Blu (phonetic) and myself, and some of my other friends who were at the Strawberry Ceremony in Toronto in 2014. This is, like, my first experience, like, really trying to be involved in anti-violence movements and really feeling, like, an empowered sense of community with, like -- that was just, like, very inclusive actually, of, like, trans and two-spirit people, and women. And, like, I think one of the things with gender binaries and anti-violence movements is that they’re very women and -- like, cisgender women centric, which is really quite a -- like, I think women definitely deserve a space, but I also think that there are some two-spirit people who die very violent deaths who I think deserve, also, the time and space and --
like, financial investments for support.

And, I think with some of Albert’s recommendations too, for having national councils and advisory circles on federal and provincial levels that people would be able to understand and support those statements a little bit easier, and I think it would be important that we do so.

So, next slide, please. Okay.

Ms. Christa Big Canoe: I think there’s one back.

Fallon Andy: There is one back, is there not?

Ms. Christa Big Canoe: Maybe not.

Fallon Andy: No? Okay. Alright. Well, the other slide was also of my friend, Blu, holding a flag that I designed and made. So, it was this two-spirit flag that I designed and it was for the two-spirit pow wow at York University. And, what I really liked about that was that two-spirit and trans people need visibility every day, and it can’t just be something that you take on in an acronym, but it needs to be a physical and material amount of support that people provide to our communities.

So, making stuff like flags and making stuff like -- like, reports does help, but so do the physical material things, which can also look like just using
people’s correct pronouns and making sure that you have accurate representation everywhere at every table, that just makes sure -- like, if you’re having an anti-violence movement, then you need to have two-spirit people there because, like Albert said earlier, then your circle is complete, and it’s important to have everybody there and everybody supported.

UNIDENTIFIED SPEAKER:  (Indiscernible)

FALLON ANDY:  Thank you so much. Next slide, please. Okay. This is my friend, Erin Consumo (phonetic), she’s one of the matriarchs in my life. She’s been supporting me and being, like, my best friend and ally, and one of my biggest caretakers for quite a long time. Like, I think since, like, 2011, where when I first initially met her, she was like, your heart is amazing, and all my teachers at York University were, like, super stigmatizing about some of the video work that I was making and they were, had all these really racist accusations of me being, like, they’re, like: “What is this video? I’m pretty sure it sounds like in this video you could be intoxicated.” I was just, like... “It’s just art. Like, I’m sorry you read it that way, but it’s just art.”

But Erin loved it, and invited me to start hanging with the Native-Y Sexual Health Network and start doing workshops around gender education and two-spirit
identity and harm reduction and the correct use of pronouns
and how important that is. And it really started helping
me gain a lot of skills around facilitation and public
speaking, I think. But also, just a lot of skills around
what it means to be, like, a good and caretaking and loving
and assertive community member.

And I think that that’s really important
that we always centre love in our caretaking practices.
Like, it seems obvious, but there’s, there are some actions
that people take that aren’t always around love, and that
can be really hard to deal with, for everybody. And really
detractful (phon.) or really derailing for our movements.
So Erin teaches me a lot around that stuff, and I think
it’s really important, and I wish everybody had really
great relationship like I do with Erin.

So next slide, please. These are my thesis
advisers. The middle is Bonny Devine, and the right is
Maria-Helen Ordanas (phon.), and the left is Andrea Fatona
(phon.). I was very lucky to have their support at Yorke-
ed. Like, for me, like, I make memes and I make videos,
and all of my artwork is pretty much based on a screen or a
computer. And Bonny’s work is very material and
sculptural and, like, she needs to work with things that
are, like, in her hands all the time, where as I just work
on a computer. So we always have, like, this disconnect
that didn’t really always connects people.

Like, sometimes we came at things from different angles, but we ended up being able to align ourselves in the end for what it means to be an artist and how inter-generationally, like, people doing younger things that are creative and they need the support and room to work on those spaces.

Even though they’re not traditional, and I know that that seems, like, a minimum thing or, like, a minimized sort of thing, but I think it can be that sort of idea, it can be applied across the board to a lot of people, who really like to use traditionalism to... Like, discriminate against two-spirit people and discriminate against young identities and young people’s preferred pronouns or gender identities and what they wanna wear that, like, this kind of gender policing things that Albert was talking about earlier.

So I think it is, I bring up Bonny because I think she’s a really great example of how we can work past our differences, but it just requires cooperation and love from both people.

So, next slide, please. And it’s my other friends. I love talking about my friends, I think, because they just have my back in a lot of different ways that people I meet on the regular do not, or people who are my
family do not. And I think that that definitely boils down to a lot of stigma and a lot of, like, the historical impacts that Albert was talking about.

But I think for me or my presentation sort of differentiates itself from historical... impacts is just uplifting the voices of youth and uplifting the other voices of young two-spirit people and young two-spirit artists and scholars and activists, and really bringing them to the centre of the conversation.

Because I think that if your movement sort of focus solely on one person, or like, one person gets attributed to all this work, I think that that is very counteractive to what we’re trying to do for, like, uplifting everybody and not leaving anybody behind and not, and just making sure that everybody is safe and protected. And I think you can do that just by bringing all your friends with you everywhere you go, and so, that’s what I try to do with my books.

So this picture is from Ottawa in 2018. I was with the Native Women’s Association of Canada and we were doing a policy engagement with a bunch of trans and two-spirit youth. All my friends were there, like, Blu and Melody and RG and Alea McGiver and Quinton and Stephanie Jewell, so, like, I love them all. And I think that they should always, it always just needs to be paramount that
you don’t do this work in a vacuum, you do it with a community and the community behind you. And it’s important to, like, bring them to these places with you, so that’s what I think, anyway.

So, this next slide is from the It Starts With Us database, it’s the community lists for two-spirit and trans-people in Canada. And I’m just gonna read off their names, Albert named some of them already, but I will just say them again because I think we always need to remember them and just remember that they’re here with us. And it’s really sad that they’re not here, cause I would have loved to have met them.

Because one of the things with two-spirit kids is that there’s an intergenerational gap for meeting elders and meeting older two-spirit elders. And because of that, it’s hard to be guided and present and grounded in the work that you’re doing, and also just in going forward and knowing your path for young kids.

You know, like, all these two-spirit and trans-people who have been missing or who are murdered, you know, or missing those links to them, and that’s really, really not okay for young two-spirit and trans-kids.

So, missing is Colton Perrette, last seen November 15th 2014. Murdered is Edward Denechase (phon.), Davis Boulanger, Rose or Calvin Osborne, Shirley Two-Hearts
from Sagkeeng First Nations, Derik Bobard (phon.) from
Sagkeeng First Nation, and Gordon Badger, murdered in
Opaskwayak Cree Nation.

**MS. CHRISTA BIG CANOE:** So, I note that in
your materials, Fallon, there was the community list, and
as you’ve indicated, it comes from It Starts With Us, which
is a community database that has a number of links to, like
Ontario, Alberta, Newfoundland and Labrador, but this is
the particular one that links to two-spirit and trans. And
I understand you put this in the material?

**MS. FALLON ANDY:** Hum, mmm.

**MS. CHRISTA BIG CANOE:** And so, at this
point, I would ask that this be made the next exhibit.

**CHIEF COMMISSIONER MARION BULLER:** Sorry, the
presentation as a whole or…?

**MS. CHRISTA BIG CANOE:** No, not the
presentation, I’m sorry. Within the material, there’s a
document that’s called “Community lists”. If we could make
that an exhibit, please?

**CHIEF COMMISSIONER MARION BULLER:** Yes,
“Community lists” is exhibit 9, please.

--- EXHIBIT NO.9:

Community List for LGBTTQQIA people

(one page)

Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

COMMISSIONER CHRISTA BIG CANOE: And I just want to point out to Fallon that any updates, like, on that document that will become part of the public record, there is a note that any additions or updates can be submitted to warriorofthelight@gmail.com. Because this is a community listing, it relies on community to report. And so, I just want to pointed that out and see if you have any further comments on that.

FALLON ANDY: Yeah, definitely. I think a part of my recommendations have to do with getting accurate data. And that means, like, reporting people who are missing or murdered under the right gender identity and the right gender markers, which aren’t always in an “m” of “F” gender marker.

So if anybody, maybe people don’t know, but Ontario has a gendered X marker which not a lot of people know or utilize or want to be a part of, but I think that going forward, like, people should be able to access that gender identity marker just as something that is for two-spirit and trans individuals, and then be able to track that data based on that gender identity marker.

So, when you see things like the First Nations Sovereign Indigenous Nation’s Report on Suicide and
Mental Health that was released a few days ago, like, it will actually say, like, gender X looks at the specific violences that happen at these certain ages or at these certain locations, or they experience violence at this rate, as opposed to just saying that, like, men and women experience violence at this rate because there are a lot of trans-women who are improperly reported as men, and that is not okay, and that needs to change immediately, because then we really lose a lot of the data, and really don’t get to capture the full view of what violence looks like when, like, our reporting mechanisms are all wrong.

MS. CHRISTA BIG CANOE: Just further to that, like, in relation to the recommendation you’re making and what you’ve just described, the Commission has heard a lot about disaggregated data collection, and that’s mostly around Indigenous cultural identification and about age or ageism. Like, is it youth? Is it adults? Is it fair to say that your recommendation is really speaking to disaggregating the information that we receive or collect, wherever it’s being collected, to identify and recognize the self-identifications around gender identification or sexual orientation for those that want to make it?

FALLON ANDY: Yes. I definitely think that there just needs to be an option for collecting and reporting on that data to have more than, like, two genders
on whatever those markers are. So, when they report it’s M or F for male or female, which doesn’t actually talk about gender. It just talks about, like, people’s genitals, which is weird, because you don’t need to do that. So, including gender markers would be great, you know, non-binary, gender-nonconforming, demi-gender, or just, like, T would be good, too.

Like, really, anything just because I know that, like, I think that if any of my friends -- like, if anything happened to them, you know, which is a real thing to have to think about every day is worrying about people’s health and their safety as they, like, leave bars like normal people do, or as they leave their houses every day like normal people do, like, are they going to be okay when they go?

Like, I know that’s a very shared and common experience with everybody here, but I think the difference is the rate of violence, which is sort of -- to come back to the material which is why I brought up this report on discriminatory laws and practices, and acts of violence against individuals based on their sexual orientation and gender identity, I wanted to bring that up because it just highlights what types of violence happen to two-spirit and trans folks because of their gender identity or sexual orientation. It doesn’t happen because, like, they’re --
it doesn’t happen for any other external reason, like, where they could be or who they’re with or, like, what they were drinking or what they were wearing. It happens because of their gender identity and sexual orientation, and that’s what that report really highlights.

**MS. CHRISTA BIG CANOE:** Sorry, which report is that?

**FALLON ANDY:** It’s -- sorry, I think F.

**MS. CHRISTA BIG CANOE:** Oh, thank you. This one? No. I’m not looking at the same one as you. Okay, sorry. I just wanted to make sure we were on the same page, so thank you for your patience.

So, the international instrument you were just talking about comes from the United Nations General Assembly, the Human Rights Council, and particularly, it is *Discriminatory Laws and Practices and Acts of Violence Against Individuals Based on Their Sexual Orientation and Gender Identity*. I know that you provided this in your material, and we would like to request that it be made an exhibit.

**CHIEF COMMISSIONER MARION BULLER:** Okay. The document *Discriminatory Laws and Practices and Acts of Violence Against Individuals Based on Their Sexual Orientation and Gender Identity*, report of the United Nations High Commissioner for Human Rights, is Exhibit 10,
please.

--- EXHIBIT No 10:

Report of the United Nations High Commissioner for Human Rights
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

FALLON ANDY: Thank you.

MS. CHRISTA BIG CANOE: And, I think -- did you want to go to the next slide?

FALLON ANDY: Okay. Alright. Yes. So, I really wanted to highlight that because I know that, like, violence against women is really particular and not an okay issue, and there’s a lot of -- there are a lot of people who before me in this Inquiry have spoken to that, and you’ve heard them, and you’ve acted on what they’ve said. So, I think the importance for me coming here today is just to bring this information to me and pray that you act on that with me and with my friends, and that we can all keep
going together. So, that’s why I bring that up.

Okay, next slide. So, I didn’t bring this one as an article, but I just wanted to bring it as sort of something to talk about in regards to discrimination, and sort of the arguments that I’m making. So, all these laws are definitely very discriminatory, and not including gender identity is really not okay because of the rates at which people experience violence.

So, it would be fair to also make the argument that these discriminatory laws and practises and exclusive things are contributing to issues of genocide, I think, like, of trans communities and of two-spirit communities. I know that’s very heavy-handed, but I think it’s important to speak these truths, because I just want all my friends to be safe.

And, I think most people would probably know the Convention on the Prevention and Punishment of Genocide, so I won’t read the articles, but I would make the argument that, you know, if people don’t act now that things are going to keep happening, and people are going to either keep killing themselves, or they’ll be murdered, or disappear, which I do not want.

Next slide, please. And, next one after that? Thank you.

So, the Canadian Human Rights Act does
actually -- the purpose of the Act actually does include sexual orientation and gender identity. So, that sort of lays the ground work for my Canadian Human Rights Tribunal recommendation that the systemic exclusion of gender identity and sexual orientation on many federal and provincial reports actually is, like, a really big, discriminatory practice. And, I think there’s a lot of ways that people could find how those are discriminatory, and what sort of data gaps that leaves, and how it impacts people on the ground.

MS. CHRISTA BIG CANOE: So, I note when you were sharing the recommendations earlier, number six was that the Inquiry ought to launch a complaint against the federal government for failure to include transgendered and gender-diverse individuals in the Inquiry. When you say that, do you mean in the mandate, the words in the mandate that gave effect or authority to the Commission didn’t actually include that, but that the Commission themselves did?

FALLON ANDY: Yes, I definitely think the mandate.

MS. CHRISTA BIG CANOE: So, that exclusion of not including both two spirited and transgendered specifically in the words of the mandate is what you’re arguing should be at issue?
FALLON ANDY: Yes.

MS. CHRISTA BIG CANOE: Okay. And that the basis for that is what we just saw when you had up on the Canadian Human Rights Act that the gender orientation -- or sorry, gender identity and expression, or sexual orientation are indeed Canadian Human Rights that should be upheld and protected.

FALLON ANDY: M’hm.

MS. CHRISTA BIG CANOE: Wonderful.

FALLON ANDY: Thank you for helping me think that through. Okay.

So next slide, it’s another document from the United Nations. This is just a resolution that they have at the United Nations. It’s just on human rights, sexual orientation, gender identity. And basically -- let me find this. What they would like is -- their main point that I want to cite here is, they’re expressing grave concern at acts of violence and discrimination in all regions of the world committed against individuals because of their sexual orientation and gender identity. And then they have a few resolutions that are just related to finding -- finding the data gaps and mobilizing people and nation states to include and protect gender identity and sexual orientation in their laws. Although that -- yeah.

So that was why I wanted to include that.
Like, it goes back to also what Albert is saying about having, like, national and provincial advisory circles that are -- for two-spirit and trans folks, and offers all of those as -- like, this resolution is just supporting the report that I offered up. So -- and that report too is a lot of recommendations for how to prevent gender-based violence against trans communities, and also how to prevent violence against people who are -- who have diverse sexual orientations.

**MS. CHRISTA BIG CANOE:** And I note that you did include that in your material, in Schedule D, as the Human rights, sexual orientation and gender identity of the Human Rights Council 27th session. I would ask that this be made an exhibit, please.

**CHIEF COMMISSIONER MARION BULLER:** Yes. The Human Rights Council Resolution 27/32, Human rights, sexual orientation, and gender identity, is Exhibit 11, please.

--- EXHIBIT No. 11:

United Nations Human Rights Council
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

FALLON ANDY: Okay. So next slide, please.

Great. So this is a -- just a screen shot of the report. You will be able to find it in your packages, so go through it. Trigger warning, because the acts of violence that they document in the report is really sad to read and painful to read. So be wary of that. But the recommendations are very good too. So I would definitely recommend looking at those and thinking about them, and how you can implement them on your advisory circles, or how you can implement them at home, or in your communities, or even advocate for them at your organizations. So think about that please.

Next slide, please. Okay. So I’ve been through like, most of the theoretical stuff that I wanted to get through, which is good. And it’s kind of how I work generally, is a try to like, anchor points that I want people to know, and then I just sort of apply an art lens to it after.

So this is a meme. It’s called “You don’t owe anyone your smile” and it’s by Frizz Kid Art. You can follow them on Instagram. And I wanted to bring this up to sort of anchor my discussions in dismantling the patriarchy. Because as we know patriarchy, paternalism, sexism, and toxic masculinity are like, very big and
painful root causes of violence that get perpetuated onto women, get perpetuated onto two-spirit and trans people, and really starting to think about how we can undo those things and move forward together. So you don’t owe anyone your smile is just a anchor point for people. Yeah, let me see.

Okay. So I think while I sort of start talking about patriarchy and gender inclusivity, it might be just good to also lay down some terms. So patriarchy is men being in leadership roles all the time. And by patriarchy I generally only mean like, cisgender men. So -- and then so cisgender is people who are born with one sex and they’ve sort of stayed that sex their whole life as people would identify it in hospitals right now. And so, having that distinction is really important because acknowledging cisgender people also acknowledges like, the amount of like, privilege that they have to sort of walk through the world.

So for example, trans and two-spirit kids, or non-binary kids, or gender non-conforming kids, will often have trouble, like, using the washroom, or being called the wrong pronouns, or being referred to in gender identities that don’t match who they are as a person. And because of that, like, a lot of kids face a lot of issues of self-esteem, poor self-image, like, brain pain and
overall trauma from not being able to exist in a world without people putting all these gender requirements on them, which is basically just like gender roles and presentation, and gender expression.

And so all those things are very, very harmful to young two-spirit and trans kids, and because of that, like, people and Elders, and Aunties, and Uncles, all need to like, really practice using your pronouns, and really practice how you use language on people. So like, if you have like, a non-binary kid on your life who decides that they’re non-binary so they don’t want to be identified as a man or a woman, instead they exist outside of that, like Albert was talking about all these other historical traditional roles we have.

Now we have words of non-binary, or gender non-conforming, or demi-gender, or like, agender, or -- it keeps going I think. But the important part is that you are able to use all those words. Because I think -- I just think that the gender binary is really harmful, and it is -- the gender binary is inherently connected to patriarchy, paternalism, like, things like white supremacy in colonialism, and connected to things like residential schools, the Sixties Scoop.

It’s connected to all of these things as a way to sort of regulate people’s bodies and really launched
a lot of harm on people and make people sort of conform to
-- what I want to say is conform to whiteness. But what a
lot of other people will say is conform to like, settler
ways of life, or conform to like the church, that kind of
stuff.

So we really need to be careful with the
language that we’re using, especially like, I know for the
walking with our sisters movement they have like, a lot of
-- the walking with our sisters art memorial exhibition.
They always have two-spirit options for kids, and I think -
- or for like, just not even kids, just like your community
members who exist and as long as like, you protect them
they’ll keep existing. So it -- it’s just important to
always make sure that you have that space and that you
acknowledge who is around you, and that you take care of
them.

MS. CHRISTA BIG CANOE: May I ask a
question? And so just -- and to help a little more, when
you were talking about the pronouns, the they, them,
they’re, and the need. I know when we had a conversation
you helped explain to me that this also grounds in respect,
a respect for acknowledging. And Albert earlier talked
about an Anishinaabe concept of being themselves. And so
by, like, really focusing on like restructuring even our
words in English to recognize and use pronouns, it’s
actually an act of respect. And if you could just explain a little bit about that, that would be helpful.

FALLON ANDY: Definitely.

So I think where I would like to come at this from is a place of, like, preventing emotional abuse, and other types of abuses.

When somebody continually tells you, like, “My pronouns are they/them,” or, “My pronoun is she/her” or he/him or sie/zir, which is another pronoun that some kids like to use now, and you don’t listen to that or act on it, it means that these kids or these people aren’t going to want to hang out with you anymore.

So, for example, if there was a kid and they said, “My pronouns are they/them” or they said, “I’m trans. I’m going to start using this name now,” or, “I’m going to start dressing this way now because this encapsulates who I am as a person and how I view and express my gender identity,” then what they’ve done is they’ve shared parts of their identity with you and they -- it means that they trust you and want to build a lasting future relationship with you. And they’ve trusted you with that information, so they suspect that -- and pray, probably, that you will respect them and love them and honour what they want to be called, because the world is a tough place for young two-spirit and trans kids and often times people are very, very
emotionally abusive to them, I think, by not using their correct pronouns or the way they want to be called.

So it is an act of respect, it’s an act of love, and it’s an act of care by being able to practice all of those different things that people need as two-spirit kids.

**MS. CHRISTA BIG CANOE:** And so if I could ask one more question?

If in formulating the recommendations the Commissioners make specific recommendations about LGBTQ2IA, they should have an awareness of the proper use of pronouns to specifically identify transgendered and non-conforming -- gender non-conforming individuals. Is that fair?

**FALLON ANDY:** Yeah.

**MS. CHRISTA BIG CANOE:** You agree with me?

So this is probably an opportune time, before we go into the full art and meme expression, to actually call lunch. So I’m going to ask that we have the lunchbreak. I have an awareness that we were a little behind schedule so I’m going to ask to shorten the lunchbreak a bit. But I will leave that to your discretion to provide us guidance on that.

**CHIEF COMMISSIONER MARION BULLER:** Okay.

We’ll reconvene at 1:15, please.

**MS. CHRISTA BIG CANOE:** Thank you.
FALLON ANDY: Thank you.

MS. CHRISTA BIG CANOE: And lunch is being served for those that are here. There is lunch.

--- Upon recessing at 12:40 p.m.

--- Upon resuming at 1:26 p.m.

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, if we can continue with Fallon’s evidence, that would be appreciated.

And just as a quick reminder where we left off; we were just having the conversation about pronouns and how important they are and Fallon was about to go into their presentation on memes.

FALLON ANDY: So I hope everybody had a nice lunch and that you ate good food, and that you also took care of yourself, had a cigarette, that’s good. I suppose you were doing that.

(LAUGHTER)

FALLON ANDY: So on my PowerPoint I think it would be good to start talking about the memes. So if we could just go to the meme. It’s Canada 150, the next one.

While they work on getting the Canada 150 meme up, I’ll sort of break it down a little bit. So I made this meme which you can’t see right now but you will. It says, “Canada 150 is White supremacy” and it’s about John A. MacDonald and sort of what he used to say, which is
really not okay. So there’s this quote on the meme, it says:

“When the school is on the Reserve the child lives with its parents, who are savages, and though he may learn to read and write, his habits and training, modes of thoughts are Indian. He is simply a savage who can read and write.” (As read)

Just, like, how do you -- how can you say stuff like that? So that’s John A. MacDonald.

And I think it’s really important to talk about, you know, like, “Whiteness” or -- like, a pseudonym for “Whiteness” is “Colonialism” but I think I prefer to use the words, like, “Whiteness” or “White supremacy” because I think that, like, Colonialism can be very limited in how we think about, like, the regulations of social norms.

And so when we started talking about, like, social norms and regulations, and what controls that, like, I think what people always want to do is, like, conform to what this ideal “Whiteness” could be. Like, whether that’s skin, binary gender roles; like, the really specific gender roles of like femininity or masculinity. And it always has to do a lot with erasing culture and that kind of stuff.
So it’s always better to -- I don’t know, actually. It’s okay.

**MS. CHRISTA BIG CANOE:** I think just because it’s hard to see on the screen, you had ended at the quotation at, “his habits and training mode, the thought are Indian.” I wonder if we could just read in the rest of the quotation?

**FALLON ANDY:** Oh, sure. So:

“It has strongly been impressed upon myself as head of the department that Indian children should be withdrawn as much as possible from their parental influence, and the only way to do that would be to put them in central training industrial schools where they may acquire the habits and modes and thoughts of White men.” (As read)

So the habits and thoughts of White mean being like White supremacy, or Whiteness and trying to get people to move closer to that. And so I’ll be like we all know throughout the Inquiry and through every process that that happens in communities; is that we’re always trying to assert our jurisdictional and regional differences. And recognize that, like, you know, prior to, like, the English language sort of sweeping all of our land we had over 500
languages and now they’re all kind of leaving, and that’s really sad.

And it’s important to consider how English language is also very White and racist.

So, yeah, I’m going to go more into my memes now. And so next slide, please.

Okay. So I like to make memes. Memes are my favourite thing. And if I’m ever sad, I will make a meme about it, yeah, because I think that’s a good strategy to have.

So this meme says, “End violence against transwomen.” I made a series of violence memes on February 14th for the Strawberry Ceremony that happens in Toronto every year. So this one is, like, comprised of palm trees and different kinds of lines that I found on my phone.

Next slide, please.

This one says, “Protect Indigenous femmes.” So “femmes” being anybody who’s feminine including two-spirit femmes or transwoman femmes. I think that even if they’re not cisgender femmes, they deserve to be protected and deserve to have their human rights always. Next slide, please?

So, I made this one also, “Indigenous women deserve freedom from violence.” I think that that’s a true statement. Like, that’s a part of the importance of memes
is that while we all exist here in this space, we also have other channels of communicating with people through Facebook, through Instagram, through printing posters, through sharing pictures. And so, when you make a picture and you keep it online, you’re then able to sort of communicate these messages in really succinct and impactful ways. So, it just -- the point of memes is just get right to the point, kind of, which is what I really try to do in this series of memes that I made.

**MS. CHRISTA BIG CANOE:** May I ask a question? Because, again -- an ageism thing here maybe. When you’re talking about the impactfulness, the meme can be picked up by anyone through any social media type of service, whether it’s Instagram or -- I’m trying to think of all of them, Snapchat, Facebook, and people can repost them. And so, part of it is a type of community mobilization as well; isn’t it?

So, when you see one like the last one we saw, someone else can pick up your meme and put it on to their social media page so that you start to mobilize community around that really concise message. And, there’s really a power to that when you get a whole bunch of people picking up your meme because it’s, in a way, influencing others, because people will see that on your social media.

And, the reason I’m going through this whole
part, too, is, and I think my children are helping me understand this more, is the impact that social media actually has now, culturally, on developing thoughts and ideas, particularly amongst young people, is super important. So, we look at that picture, and we might think, “Well, that’s something we all know,” but it’s actually part of the power of the whole process of being -- is the re-sharing and the community mobilization; isn’t it?

FALLON ANDY: Yes, that’s definitely part of the impact and the broader reach that it has. Yes, and it’s just really good values. It’s about values too, and it’s about sharing values with people in accessible ways. So, instead of -- like for two-spirit and trans youth, sometimes they may not have access to a lot of ceremony or a lot of elders like I mentioned earlier, or a lot of aunties who are safe who will respect and love their identities. A way to give values to those youth is using memes and using social media, and Instagram, and Twitter and stuff to get people to just understand that they’re not alone in fighting these anti-violence movements or within the fight of the anti-violence movements, and that they’re not alone when they believe something, because I know that -- one thing that I haven’t been able to talk about in relation to gender identity and sexual orientation is that there’s a huge amount of gas lighting and emotional abuse
that goes on.

So, gas lighting just being like, “You don’t know what you’re talking about.” That’s what somebody would say when they’re gas lighting somebody, or like, “That’s not what happened, you’re imagining things,” or “That can’t be your gender identity because you’re very -- this is my perception of you,” kind of thing. And so, there’s definitely a lot of gas lighting and emotional abuse that happens to two-spirit and trans kids. And, when they’re able to see media that is -- they can see themselves reflected in it, it’s a hopeful way that people can just keep going on through their days.

**MS. CHRISTA BIG CANOE:** And, just for clarity, so it’s not just community mobilization in order of spreading a message, but part of it is actually building in that acknowledgment or that respect so that they can identify within that representation, like an affirmation, a positive affirmation?

**FALLON ANDY:** Yes, there are definitely affirmation memes too.

**MS. CHRISTA BIG CANOE:** Excellent. Thanks.

**FALLON ANDY:** So, next slides. I’m going to show these ones kind of quickly. So, another thing about two-spirit and trans youth is that they -- like, in addition to their social constructs, they don’t have access
to health or medical needs. And, having that access to
health and medical is really important for young two-spirit
or trans kids. Lots of them, maybe, will want to go on
hormones or have different kinds of surgeries, and that’s
important for just validating people’s identities for
helping them experience a sense of gender euphoria or just
helping them move closer to being themselves.

In my material, I offered an article by Gwen
Benaway. And so, she sort of talks about that process of
going through surgeries and what that means for her. And,
I think it’s really important that people know that that
exists, because we see people in the media every single day
with these cisgender, sort of, bodies, and they -- and what
we don’t see is any trans or gender non-conforming, non-
binary people in the media. So, making different types of
memes related to hormones or surgeries is really important.

**MS. CHRISTA BIG CANOE:** And so, Fallon, the
article you just referenced, “A Body Like a Home” by Gwen
Benaway, was put into your material. Keeping in mind the
time we have, I know we’re not going to go into this
article in great detail, but I understand you’re willing to
answer questions on it?

**FALLON ANDY:** Mm-hmm.

**MS. CHRISTA BIG CANOE:** And, on that basis,
because you’ve also covered a lot of the themes, I’m going
to ask or tender this document as an exhibit, please?

CHIEF COMMISSIONER MARION BULLER: The --
sorry.

MS. CHRISTA BIG CANOE: That’s okay. It’s
“A Body Like a Home”.

CHIEF COMMISSIONER MARION BULLER: “A Body
Like a Home” by Gwen Benaway is Exhibit 12, please.
--- EXHIBIT No. 12:

Memoir “A Body Like a Home” by Gwen
Benaway, May 30, 2018 (24 pages)
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

FALLON ANDY: Thank you. So, if you could
go to the next slide? This is another surgery meme. You
can just look at it. I think I already talked about some
of the main concepts. Next slide, please? That’s another
surgery meme. And, next slide, please? Can you go to the
next slide? Okay. Well, the next slide is another meme
that I made. It’s called, “Protect Indigenous trans
youth.” So, there’s a lot of different days that are
marked on the calendar for trans community and two-spirit
community celebrations. This one I made specifically for
Transgender Day of Remembrance.
And so, what I wanted to do was think about the ways that there’s not a lot of culturally-specific media out there for two-spirit or trans kids, so I wanted to make that, and bring it out, and have other people have access to it just to validate their identity, all those things related to making media for two-spirit and trans youth. And, I think the text in the background just kind of reiterates the idea that we need to protect trans kids. And then larger text, really need to protect Indigenous trans kids. So, definitely do that.

Next slide, please? Okay. And so, this is another one. Some of these memes are more targeted to service providers and people who work in organizations, or who work in youth organizations, or who work in child welfare places, child welfare programming, or I guess service delivery, especially the first one and this one. And, this one reads, “My pronouns are they/them, and I have the right to access service providers who use my pronouns accurately 100 percent of the time.” And, it’s just the idea behind these is that you can hang these up on a postcard, in your cubicle or you can print them off as a larger poster and just remember that, like, using gender neutral pronouns is really important to the work that you’re doing, because if you don’t, you will cause a lot of harm to young two-spirit kids who are probably your
relatives generally, and probably are your friends or your friend’s kids or your brother’s kids.

So, it’s just really important to remember that, like, all these kids do exist and that -- like, us as an older generation do need to support them and also need to support the people who would be something like their older auntie who is maybe not directly, like, related to them, but is just a community member, or a chosen family or a chosen community, being able to bring them close to each other is important.

**MS. CHRISTA BIG CANOE:** Can I ask one question? Because this brings up something. We’ve talked about the whole concept of respect and -- but particularly for service providers, this concept of, like, the proper use 100 percent of the time. It’s almost similar to -- like, in Canada, we have two official languages and there is supposed to be an offer in language, that the service can be provided in a language of choice. And, that’s a right, it’s actually built into legislation in some place. Would it be helpful if this was built into provincial or territorial legislation, that the, sort of, rights of individuals is acknowledged in terms of using pronouns or allowing -- and this goes back to the conversation about gender X in Ontario or other jurisdictions recognizing more than just an “M” or an “F”. That service providers should
actually have something within legislation that acknowledges their need to provide services in a right spaced approach, that acknowledges the pronouns that individuals choose?

**FALLON ANDY:** Yes, definitely. It would be really useful to have legislations or on the ground in communities in First Nations. Just having like -- having those be a part of, like, your community resolutions or having it be a part of, like, your community vision, that -- like, it’s not just men and women, it’s also trans and two-spirit people. Those are easy amendments to make and it just creates a whole other space for Indigenous trans kids and two-spirit youth to just feel more safe in their communities, because I think -- like, we do want to keep people in our communities and we don’t want them to leave because they’re, like, trans, or two-spirit, or gender diverse, or have a different sexual orientation.

Like, I think we want to keep people around and I really believe that, like, everybody in this room wouldn’t want somebody to, like, be so far away from their home all the time and be so far away from, you know, the people who raised them or they grew up with. And so, if you want to keep them around, you need to make it a priority to use the correct language and make sure that they’re protected under your rules and your laws.
MS. CHRISTA BIG CANOE: And, if I could, I just have one more question because we’re talking about service providers. But, it goes back to, again, this point of, you know, acknowledging the different preferences. But, let’s put -- like, an extreme example, when someone is incarcerated. Say a non-gender conforming individual or a trans person is incarcerated -- and we’re seeing some changes. But, for example, a trans woman might find themselves segregated or put into a male facility simply because of their birth certificate or there’s this failure to recognize the way they’re identifying -- and that’s an extreme example.

But, is a good way to -- and if I’m understanding you correctly, a good way to actually start addressing this now is to have this information out there, people practising and using the proper pronouns? Because it seems like something simple, but really it could have a cultural impact over time. And so, is there anything that you can give advice on in terms of, like, in those extreme situations, how do we address -- what should the Commissioners be thinking about in terms of recommendations on this issue?

FALLON ANDY: Yes. I think, like, a good option is, you can have, like, a few gender markers on how you report things, you can have the X option, you can also
just have, like, an open space option for people to write
what their preferred gender identity is. So, like, they
might write in non-binary, they might write in gender not
conforming, they might write in, like, demigender, or
demiguy -- there’s, like, a whole bunch. The more you
know, the better. It’s -- like, you really to know them
all to -- because people are just very different.

**MS. CHRISTA BIG CANOE:** And, in terms of one
step further, like this concept of everything having to fit
into a perfect little category and obviously doesn’t, how
can we, society in general, affect those rights? Like, it
should be more than just the words.

For example, if someone is identifying
because it’s a safety issue. So, for example, for that
trans woman to be put into a male facility, it’s a safety
issue for that trans woman to be put into segregation, it’s
a mental health issue. So, like, is it -- and I’m not
trying to put words in your mouth, please use your own
words. Like, what -- it goes beyond the words. What are
the actions that are necessary?

**FALLON ANDY:** Yes. I think that if there is
a trans woman who says she’s a trans woman and she doesn’t
belong in the male facility, then police and, like,
officials and -- like, the prison should change that in
their directives and regulations, and they should be able
to say, like, she’s not in the right prison, so we’re going to move her over and we’re not going to increase her risk of, like, sexualized violence in male prisons or, like, severe mental health afflictions while she’s in another prison -- in a, like, cis male prison, because that wouldn’t be okay.

And, people are at increased risks of those different types of violences because of their gender identity. It’s like we, sort of, talked about earlier.

**MS. CHRISTA BIG CANOE:** Thank you.

**FALLON ANDY:** Mm-hmm. Yes. Okay. So, next slide, please. Okay. So, I made most of these memes while I was working for the Native Youth Sexual Health Network, so you can probably find them on their Facebook page, and you can share them. So, you can do that.

This one I made a few years ago. It’s called, supporting two-spirit, queer, gender not conforming youth looks like addressing transphobia, cissexism, homophobia and your assumptions of what we need. So, I think we’ve been, kind of, breaking down what all of that, sort of, means, but I think one thing that I would definitely need to touch on is cissexism. So, that basically means, like, any sort of, like, person who identifies as, like, a woman or a man, if they’re being sexist to people who are two-spirit or trans.
And, that can be, like saying really awful things, like you’re not a woman, or you’re not a man, or you need to choose one gender, or saying -- making comments on appearance such as things to do with make up or, like, things to do with, like, clothing or, like, accessories. That is, like, cissexism towards trans and two-spirit people. The same way that it would be sexist for, like, cis men to comment on other people’s -- or women’s clothing, pretty much. Yes.

**MS. CHRISTA BIG CANOE:** Excellent. So, with awareness of the time ---

**FALLON ANDY:** Yes.

**MS. CHRISTA BIG CANOE:** --- there’s a couple of more documents that were part of your package. One of them was a letter to Cisters, and that’s C-I-S-T-E-R, not Sisters, S-I-S-T-E-R. And, it’s a poem -- or it’s a letter, I apologize, by Stephanie Jewell (phonetic), written in 2018, so quite recently. You’re able to answer questions about this and there are themes that you’ve discussed today that are expressed in this letter.

**FALLON ANDY:** Mn-hmm.

**MS. CHRISTA BIG CANOE:** On that basis, may I please have the letter to Cisters made an exhibit, please?

**CHIEF COMMISSIONER MARION BULLER:** Yes. A letter to Cisters, C-I-S-T-E-R-S, by Stephanie Jewell is
Exhibit 13, please.

--- EXHIBIT No. 13:

“A Letter to Cisters” by Stephanie Jewel, 2018 (eight pages)
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And, now, there’s a document also in the package from -- by Dana L. Wesley, and it’s called, Reimagining Two-Spirit Community: Critically Centering Narratives of Urban Two-Spirit Youth.

And, you have actually covered a number of the themes and concepts, I do acknowledge that the methodology and the literature that Dana has written is more academic than you’ve covered, but I just want to check, if you’re comfortable answering questions on the article and if we -- if so, then I would ask that we make this an exhibit as well, please.

FALLON ANDY: Yes, I’m comfortable with it.

MS. CHRISTA BIG CANOE: Thank you.

CHIEF COMMISSIONER MARION BULLER: Sorry, I don’t have the full title, but it starts with “Reimagining”.

MS. CHRISTA BIG CANOE: Reimagining Two-
Spirit Community Critically Centering Narratives of Urban Two-Spirit Youth.

CHIEF COMMISSIONER MARION BULLER: Exhibit 14, please.

--- EXHIBIT No. 14:

Master’s thesis “Reimagining Two-Spirit Community: Critically Centering Narratives of Urban Two-Spirit Youth” by Dana L. Wesley, Department of Gender Studies, Queen’s University, April 2015 (128 pages)
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. I know that you’ve started with recommendations because you wanted it to be anchors to everything else you were discussing, and throughout your testimony, you’ve touched on some other good recommendations. I just want to offer you one more chance, in case we’ve missed or overlooked anything, if you had further recommendations or comments for the Commissioners?

FALLON ANDY: I think that I have, like, a lot of love for everybody, and I really believe in everybody’s work, and I really care about the work that
you’re doing, and I’m just really honoured that you took
the time to listen to me today, and I really appreciate it.
I’m just very grateful for the opportunity.

MS. CHRISTA BIG CANOE: Thank you, Fallon.
Commissioners, at this point, I would ask if you have any
questions for either of the witnesses, or if you’d like to
defer them, I’ll take your instruction on that.

CHIEF COMMISSIONER MARION BULLER: I’m going
to defer to the end of cross-examination, please.

MS. CHRISTA BIG CANOE: Thank you.

COMMISSIONER BRIAN EYOLFSON: I prefer to
defer as well. Thank you.

COMMISSIONER QAJAQ ROBINSON: I will do the
same. I will let other people ask questions and if there’s
something not covered, I may have some more questions.

But, I wanted to thank you both very much. I’ve learned so
much. Thank you.

MS. CHRISTA BIG CANOE: I’m kindly
requesting a 10-minute adjournment. This will allow the
parties with standing to ensure and verify the order of
cross-examination. And, before we leave, it hasn’t been
that long since we broke, so I’m just going to ask the
parties with standing to meet in the room that’s designated
for parties with standing so we can do the verification
process of cross-examination, and then return. So, I
believe it should take about 10 minutes.

CHIEF COMMISSIONER MARION BULLER: 2:05 please.

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 13:54
--- Upon resuming at 14:17

MS. CHRISTA BIG CANOE: Okay. Chief Commissioner, Commissioners, if we could actually get started with the cross-examination? I didn’t say earlier, and I should have put on the record there is a rule within the legal path that during the examination-in-chief, parties aren’t allowed to speak to the witnesses in relation to their testimony. But, during the cross-examination, counsel leading is not allowed to talk to any of the witnesses about what their testifying on. It doesn’t -- it’s not a prohibition on talking or, you know, “Hey, how are you doing?” It’s more or less that. So, I just want to note that pursuant Rule 38, we’re kind of in the inverse of that now where I can’t have conversations with either of the witnesses about the evidence they’re giving throughout cross.

We have actually 15 parties who will be cross-examining, and they have various times based on assignment or by other parties. And, the first party that we will invite up is the Ontario Native Women’s
Association. Counsel, please? Oh, I’m sorry, this is actually Executive Director Cora. Come up, please. And...

--- CROSS-EXAMINATION BY MRS. CORA-LEE MCGUIRE-CYRETTE:

MRS. CORA-LEE MCGUIRE-CYRETTE: I’m starting to feel like I’m turning into a counsel at the end of these, so that’s okay.

MS. CHRISTA BIG CANOE: So, all in all, we’ll have 12 minutes that will begin once Cora starts speaking.

MRS. CORA-LEE MCGUIRE-CYRETTE: As my name is going to take a little bit longer than 12 minutes, I’m going to just continue forward. I want to start by acknowledging and honouring missing and murdered Indigenous women and girls. We continue to see that honouring and recognition continues to be missed, and so we want to bring that forward. And, we also honour and acknowledge the families that have chosen to participate in the Inquiry and those who have chosen not to.

I want to additionally acknowledge the testimony of the drums this morning to address racism and discrimination. The drum was its own form of teachings and more than just songs. We witnessed Indigenous -- someone’s empowerment and reclaiming their voices, and that really needs to be included here today and to be put on record.

Additionally, we want to ask the panel
questions, and feel free to answer or not answer. That’s your choice. We’ve heard you speak and talk about colonization producing discrimination and prejudices about non-normative sexualities and gender identities which people may internalize. This means many 2SLGBTQ individuals find themselves marginalized in a number of ways in their own communities including being denied access to cultural practices. How can these individuals work to undo these internalized prejudices?

ALBERT MCLEOD: Well, I had an opportunity to work with youth in Ka Ni Kanichihk a number of years ago, so I’ve been a witness to a number of two-spirit youth through cultural interventions and, sort of, a more holistic approach to social programs, and Ka Ni Kanichihk is founded on Indigenous leadership. And so, I -- over time, I’ve sort of had the opportunity to see two-spirit youth thrive within a context not, sort of, take on self-blaming or shaming based on their identity -- gender identity or sexual orientation and, you know, grow into young adults, finish university, have a career without the trauma, without the historic trauma, the binary gender trauma, racism trauma or homophobia or transphobia.

So, for them, the intervention happened at an opportune time for them. They were 14, 15 so that they didn’t pick up any of the negative attitudes about their
self-identity. So, they were able to move forward in their life in a constructive and a good way. And, last year, I ran into one of the youth, and he -- we were on the bus together after the Pride March, and he saw me on the bus and he says, “Hey mama.” He says, “This is my boyfriend.” And, I knew that he wasn’t alone. I knew he was loved. He had found someone to love him, and that’s a right that everybody has in this society.

And, it was through the intervention of a youth program that understood the place of two-spirit people, and they’re continuing today to work with trans women in their women’s program. And, I just was at a graduation pow wow in Winnipeg where last year I brought in the two-spirit pride flag at Red River College. And so, the student was there again, and I said, “Didn’t you graduate last year?” She says, “I’m graduating again. I took another course.”

So, it is theory and practice; right? Without any questioning, “Should we do this?” They’re doing it and they’re having amazing results so that, you know, we don’t give our own issues to these youth, because it’s not their issue. It’s our issue as a society, and that they should be allowed to thrive and to flourish because they have that innate gift, that innate view and those innate strengths.
MRS. CORA-LEE MCGUIRE-CYRETTE: Miigwetch.

FALLON ANDY: Could you repeat the question?

MRS. CORA-LEE MCGUIRE-CYRETTE: Yes.

FALLON ANDY: Just the question part. Thank you.

MRS. CORA-LEE MCGUIRE-CYRETTE: Of the -- this means today many 2SLGBTQ individuals find themselves marginalized in a number of ways in their own communities, including being denied access to cultural practices. We’re looking at, you know, the culture police and the gender police that was talked about earlier, and dress shaming and pieces like that.

How can individuals work to undo these internalized prejudices?

FALLON ANDY: Yes, I think a good place to start is definitely undoing the internalized sort of racism that communities have. And, by that, I mean that it is internalized racism when Indigenous communities think that they don’t have more than two genders or, like, when we go back to some point past pre-contact or something that there was not -- that there was still only the M and F gender when, in fact, like, Albert’s presentation showed us that there’s been multiple genders going all the way back centuries ago.

So, when we really -- like, by addressing
our own internalized racism, we should be able to understand that multiple genders always existed and will always continue to exist just beyond the binary, really. And, I think in terms of community internalized, like, transphobia and homophobia, it would be really useful to, like, have things like Pride parades, making that sort of systemic change in investing money into it, because it’s not just about adding the 2S on the acronym, it’s about investment and time in funding, in care, and love and policy.

MRS. CORA-LEE MCGUIRE-CYRETTE: This morning, you spoke about the intersection of colonialism and homophobia. Can you expand how sexism comes into this conversation with Indigenous lesbians?

ALBERT MCLEOD: I can’t speak to that, but I can relate to, you know, just with Pride, and there’s been some critique of the two-spirit men and trans women involved in Pride as it’s becoming more of a merged Indigenous sort of non-Indigenous effort in North America, and I’m also including the groups in the U.S., that there’s a critique that Indigenous lesbian women don’t have spaces within those contexts. But, I think what it is as well is it’s really the extent of misogyny in our society and the vulnerability -- and this is only my opinion -- and the potential violence that Indigenous lesbian face in our
society if they step forward and become activists or are public. That’s my interpretation of what’s happening.

When we made the two-spirit poster, there was supposed to be a lesbian woman in there, and when we did the photoshoot, she didn’t show, and I can understand that, that there’s multiple oppressions that she may experience by being a public image in that, you know, her Indigeneity, her social status as well as her sexual orientation would be multiple oppressions that being a public advocate might put her in situations of violence.

So, that’s with regard to, you know, Indigenous lesbians. That’s kind of all I could say just based on the limited experience I’ve had in some of the community advocacy we’ve done.

MRS. CORA-LEE MCGUIRE-CYRETTE: Miigwetch.

FALLON ANDY: I would just add that Indigenous, like, lesbians do experience, also, high rates of sexism and different types of violences, and that that should always be kept central and included in people’s advocacy efforts.

MRS. CORA-LEE MCGUIRE-CYRETTE: Miigwetch.

Earlier, you spoke to -- I’m speaking to Albert now. You spoke about a book about colonization, and part of colonization is once you’ve been colonialized is to look to others for solutions. You know, I can’t remember the exact
wording, but it was along those lines.

Looking at that, would you not agree that solutions lie within each and every individual person or ourselves, and also, solutions for the need for reconciliation with Indigenous parenting to speak to supporting children with their identities, with their culture, with their gender, and re-integrating those traditional teachings back into our communities?

So, would you agree that Indigenous parenting teachings are needed?

ALBERT MCLEOD: Yes. I try to integrate some of my knowledge around two-spirit identity with some of the parenting initiatives, Indigenous parenting initiatives across Canada, and this kind of fell on deaf ears, that what is being relayed as part of, you know, whether it’s midwifery, [rites] of passage, Indigenous parenting teachings, it’s from a very binary gender construct, and that people sort of avoid expanding beyond that in terms of -- and I think Fallon talked about, you know, protect trans children in that, you know, I’ve come across situations where in Child Family Services, I’ve heard from parents that they have trans children, and that they struggle to keep them safe at school, especially elementary school, and that, you know, if it’s a trans female child, you know, she can wear a dress at home but
not to school.

  So, in terms of parenting, there really needs to be a lot of work within the broader family services, as well as within the traditional community around, you know, not trying to genderize children based on the colonial idea of the binary.

MRS. CORA-LEE MCGUIRE-CYRETTE: Miigwetch.

FALLON ANDY: Can I also add that, like, trans kids are born trans. So, they will definitely often experience discrimination and, like, hate at very young and early ages. So, their chances of surviving life generally are greatly increased when they have parental and community support.

MRS. CORA-LEE MCGUIRE-CYRETTE: Miigwetch.

MS. CHRISTA BIG CANOE: Thank you.

CHIEF COMMISSIONER MARION BULLER: Excuse me, could I have our questioner’s name for the record?

MRS. CORA-LEE MCGUIRE-CYRETTE: Oh, Cora-Lee McGuire-Cyrette. I wasn’t going to take up the time, but thank you.

MS. CHRISTA BIG CANOE: Next, I would like to call counsel for Families for Justice, Ms. Suzan Fraser. Families for Justice will have 12 minutes as well.

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

MS. SUZAN FRASER: Good afternoon,
Commissioners. Thank you for permitting me to speak.
Thank you, witnesses, and thank you for the welcome to the territory.

I represent Families for Justice, which is a group of 20 families who sought standing at the Inquiry in order to bring the perspectives of families forward, and they have some questions -- we have some questions around some of the issues that you raised today.

So, my first question is for both of the witnesses, and it really relates to your experiences in supporting people from the two spirit and trans community. We have heard at various points in the Inquiry that trans and two-spirited youth either leave their communities or leave care and are at risk in the community, and that some of the existing social infrastructure does not support them, and particularly when they’re in cities where their identity, perhaps a non-conforming identity, intersects with their Indigenous heritage and existence in the urban settings. And, I’m just wondering if you can offer some insight into what is needed to keep young people safe when they leave their communities because of the prejudice and discrimination that you’ve spoken about this morning? It’s a long question, I’m sorry, but I wanted to give you the context of what we’ve heard in this inquiry.

ALBERT McLEOD: Well, I think for myself,
you know, I’ve been around it a long time. So you know,
leaving home, or leaving a family and a community that
didn’t have the language of nurturing a child generally, we
were just coming out of a, you know, a traditional
Indigenous way of life, or world view, into an assimilation
into western ways of life and I laughed in order to
survive.

And fortunately, in North America, likely
most Indigenous places around the world, there’s these
value sets around that, when a stranger comes into your
family or territory you adopt them, formally or informally.
So when I went to B.C. and Vancouver I arrived there with
$40 and I stayed for three years. And it was because of
the local community, the two-spirit community, and also the
west coast people welcomed me into their territory. This
was 1979.

So and that is a cultural practice, I
believe, in the sense that I was perceived as vulnerable,
being away from my people, and because they had the ability
to support me, to care for me, to teach me about their
culture and traditions, that I was informally adopted into
the region. Similarly, living in southern Manitoba among
the Ojibway People, the same experience of being adopted
through ceremony or traditions into the Ojibway culture.
Whether that’s community events, sweat lodges, sun dance
ceremonies, that practice of adopting a stranger to present, I guess, a human empathy. And that if you are a strong family of strong community, it’s your obligation to do that.

And so I think -- so what we’ve done in the two-spirit community across Canada, we’ve created, sort of, chosen families where we have people from different age groups, generations, who kind of act as surrogate parents, grandparents, siblings. As I mentioned this morning, you know, I carry many names, you know, grannie, grannie Albert is one of them, Momma. So in that sense, I act as the surrogate of the absent family member.

Just because of geographic isolation, or it’s difficult to go home, or if you are shunned from being in your home community, or it’s risky to go back to your home community, that you know, the parents still love them but can’t, because of the segregation or the distance, can’t provide that safety. We as family members, surrogate family members play that role, so we informally adopt our peers into our subcultures in the rural, or in the urban context. There’s a lot of Mommas around.

MS. SUZAN FRASER: Fallon, do you have anything -- can I call you Fallon?

FALLON ANDY: Sure.

MS. SUZAN FRASER: Do you have anything that
you want to add to that?

FALLON ANDY: Yeah, I would love to. I think it really depends on the reasons that they’re leaving. If they’re leaving because they have no home and community support because of — directly because of their sexual orientation or gender identity, then it’s important to recognize what you could do to bring resources, and funding, and probably even infrastructure back to the community. To make people be able to stay there so that they can just live their lives like everybody else and have the supports to do it.

But if they’re leaving for education, or if they’re leaving because they’re in child welfare services, then those also require some very distinct policy recommendations which could be around child welfare administrators, or services, or people who are family members, or like kids who adopt — families who adopt kids. They would probably need to be like, two-spirit and queer families who are a part of that child welfare system so that they can like help raise them. But obviously the best thing to do is keep kids with their families.

And then if it’s for — this relates back to my other recommendation of looking at kids who have died suspicious deaths while in custody and child welfare. Then they would -- they definitely do need those good families.
And they also have to consider the educational reasons for relocation, which could be looking at investing in social infrastructure for like, safe LGBT houses, for like, kids to stay at while they’re away from their communities, like in the north. That could be something.

**MS. SUZAN FRASER:** Okay.

**FALLON ANDY:** I think that would be good.

**MS. SUZAN FRASER:** And I wonder, Fallon, just in terms of your experience and the friends that you have, and just in terms of those friends being like a chosen family, in terms of the support that they provide you. Are you able to comment on the use of the voices of people who are outspoken in their communities, who may be experiencing poverty, and just what’s a principled way to engage people?

Because I know a lot of people in the two-spirited and trans community are called upon to be spokespeople from their communities, but might also be living in poverty and are bringing a special knowledge, but are, you know, kind of couch surfing or whatever, at the same time they’re being called upon to speak for their communities. I’m wondering if you can comment on what’s needed to -- by service providers to elevate those voices, and to support people that they are calling upon to provide that knowledge.
I don’t know if you get my question.

FALLON ANDY: I think so. I think what is needed from service providers is to give people money. Like, I think people just need money directly into their pockets so that they can decide how they want to -- how they want to use it. Whether that’s for housing, for food, taking care of children, taking care of their friends is also important. So that would be one of my recommendations is fund them directly.

MS. SUZAN FRASER: Okay. So if you’re calling upon somebody to give expertise, to speak on a particular community -- if you’re truly valuing that, you’ll pay that person as you would any other expert. Is that fair?

FALLON ANDY: Yes. And you would pay them like a large amount of money.

MS. SUZAN FRASER: Okay. And would you endorse that, Albert?

ALBERT McLEOD: Well, I think we have LGBT centres across North America that are predominantly for mainstream LGBT people. And there’s a gap there where, you know, it depends on your neighbourhood, where your resource centre, depends on sort of the culture of the drop in, if it’s a middle-class LGBT centre and you live in a sort of, you know, several neighbourhoods away.
As a queer Indigenous person, you’re likely not to go to that centre and so you don’t get the benefit of the resources there, whether it’s housing, or education, or just a safe drop in, counselling, those kind of things. So there seems to be two different worlds evolving in North America in the LGBT -- and I think it’s the same for queer people of colour, in that historically the LGBT movement has been led by non-Indigenous, sort of, middle class, white gays. And we are really not part of that world.

So a lot of times, you know, a province will fund an LGBT program, say at 600,000 and as queer Indigenous people we’re supposed to tap into that, but because of all these barriers there’s very few participants in the programming. So we kind of, you know, get left out for that reason. So that’s why with the big five I was advocating that, you know, they should do education across the regions. They should look at programming.

You know, there’s all types of programming for women, and men, and children, and our elders in our community, but there’s nothing for two-spirit people. I’ve advocated to have, like, a two spirit drop in at a family community centre, and they just said, you know, “Well, when are you going to come and run it?” And I said, “Well, we’re part of your neighbourhood. Like, why aren’t we a program? You say family, Indigenous family, then why don’t
you have a program for two-spirit people?” So it’s kind of
put back to -- on our shoulders to do, even though they get
public funds from, you know, the city, the province, and
the feds to run programming for Indigenous People. When it
comes to two-spirited drop in, nothing happens.

So I think it’s systemic across the board,
and I think with the Big Five, they really need to do a
scan and see how they can begin to develop programming, and
that -- with the broader LGBT groups, you know, there’s 640
First Nations and multiple Métis communities and Inuit.
You don’t have to look very far even if you’re in an urban
environment for Indigenous people, especially for two-
spirit to come and participate in that programming. It’s
just that people are very -- working in silos, they don’t
know, you know, much about the Indigenous community so that
-- you know, and do outreach to where people live and don’t
expect them to come to where your drop-in is situated.

**MS. SUZAN FRASER:** Okay. Thank you very
much. Those -- my time is up. I really appreciate your
knowledge. Thank you.

**MS. CHRISTA BIG CANOE:** Thank you, Ms.
Fraser. Commission counsel would like to invite up Inuit
Tapiriit Kanatami, Ms. Elizabeth Zarpa, who will have 7.5
minutes.

--- CROSS-EXAMINATION BY MS. ELIZABETH ZARPA:
MS. ELIZABETH ZARPA: Hi. I want to say thank you to the Anishinaabe, Haudenosaunee and the Mississaugas New Credit for allowing me to be on their territory today. I want to also thank the Commissioners, the elders and the witnesses for being here and giving your testimony.

So, earlier, Albert, you mentioned the idea of the principle of non-interference and the process of wanting to go to -- having to go to Brownies and -- or wanting to go to Brownies. So, I just have a -- if a parent or parents say, “I don’t know much about non-binary or LGBTQ2S,” and they have a child who is -- they don’t fit the gender binary, what would you -- how would you -- that parent or those parents go about educating themselves about LGBTQ2S and non-interference, sort of, principles?

ALBERT MCLEOD: Well, I think part of it is, you know, there’s a belief that the child knows -- you know, at some level, knows what they need, and that they will guide the parent. And so, you know, if it is a little girl who wants to do boy things, then it should be nurtured, and then follow the, sort of, intuition or the direction of the child.

What we have in the -- I think in Canada there’s parents -- it’s called PFLAG, Parents for Lesbian and Gay, or something like that, and there’s an Indigenous
one in the US. And, that’s the other thing I tried to promote is that we begin to expand the PFLAG organization so parents can come together, talk about what they’re dealing with and find solutions and information. So, I think across Canada, it would be great to have Indigenous PFLAG organizations that are specifically for parents raising LGBTQ children.

**MS. ELIZABETH ZARPA:** And, would that be sort of like a provincial legislated program or would that be sort of a policy, organizational...

**ALBERT MCLEOD:** I don’t think you can legislate it because it’s kind of voluntary, but I think there should be funding for it if people -- if parents were wanting to do that, that kind of support for each other. And, there is a precedent with regard to the Indigenous ones in the US and in Canada.

**MS. ELIZABETH ZARPA:** Great. Do you want to add anything to that, Fallon?

**FALLON ANDY:** Sure. I know that funding is always really hard, and people often get very cross when we start thinking about funding, and I know that we are all very severely underfunded, like everybody in the room is very underfunded, it’s just facts, but -- so to mitigate that strategy, there’s always free things everywhere. You know, people do things out of the goodness of their heart,
and they hold -- they put countless efforts into pride floats or pride days. And then they put countless efforts to organizing youth groups that are for two-spirit youth, and then just having the space for them every week is good, just having that two or three hours is good. Being able to outreach to other people to bring in some food every once in a while or having a potluck. Organizing with other parents is good.

There’s a lot of things that people can do on the ground by themselves without necessarily depending on a lot of government funding, because the government is very discriminatory against sexual orientation and gender identity already, so there’s all those things. And then there’s Facebook, too, that has a lot of parental support groups for two-spirit and trans youth.

**MS. ELIZABETH ZARPA:** Great. Thank you.

So, this question is to you, Fallon, you mentioned, I think, six recommendations earlier, and you indicated that No. 2 was to -- in coroner’s report, they should include or examine the gender expression of the person. So, how would the coroner’s report go about looking at the gender expression, is it through the birth certificate or -- how do the coroner’s office determine the gender expression?

**FALLON ANDY:** Yes, I think that requires a few different moving parts, the first being there should be
federal gender markers that are acceptable on passports, on
government-issued ID, like health cards and driver’s
licences. So, there needs to be the systemic sort of part
to that, and then there also needs to be room for people to
self-identify. So, it’s comparable to in Indigenous
community where you want to self-identify as Indigenous,
Métis or Inuit, or you want to self-identify as a-nob-ay
(phoneatic), or Anishinaabe, or Haudenosaunee, you need to
be able to have those options to do that. So, making the
policy space to do that would be really important.

**MS. ELIZABETH ZARPA:** And so, you mentioned
it would be in the passports or, say, in their birth
certificates, or they could just self-identify as who they
are. And, that data, how would -- why would that be
important in that process just to make sure you maintain
that data in a coherent manner to know who’s experiencing
this type of violence or...?

**FALLON ANDY:** Yes, I think it’s important to
know who is experiencing violence, because not everybody --
like we mentioned earlier in both myself and Albert’s
panel, that not everybody is cisgender female or male.
People are two-spirit, they embody both perspectives or
both spectrums. And then other kids are -- and people,
aunties, uncles are also non-binary or gender non-
conforming. So, having that space to do that and self-
identify as such would be good.

**MS. ELIZABETH ZARPA:** Okay. And, my

question, thank you, goes to Albert. You mentioned earlier

that people experience higher levels of violence because of

their gender identity or their sexual orientation, is this

understood because there’s data shared around that

statistic or is it sort of from personal, lived experience

within the community?

**ALBERT MCLEOD:** Well, I think, as I

mentioned earlier, it’s a product of colonization,

especially for -- in terms of the patriarchy that

facilitates colonization around the world. And, it hasn’t

stopped in the sense that, you know, colonization is about

taking resources and making people rich. It’s not about,
you know, having a mayor, or a social worker, or a

religion. Religion is used to facilitate colonization, but

it’s a violent process. You can dress it up after 300

years, but it’s still violent. The resources are still

being taken.

And so, the patriarchy -- so, traditionally,

women would stand up to protect their children and

grandchildren. But, in Canada, the structure of the state

is in a sense that women are disempowered to stand up to

the extraction of resources from their territories, so

another form of violence is used to remove them. And, that
violence is based on the perception of gender identity, and
that women are inferior, they’re weaker and that they don’t
have the same privilege and rights as males.

In 2018, that belief is entrenched across
the board in all our systems, and that Indigenous women are
-- experience that violence because it was intentional. It
was intentional from when the first ship landed on the
shores of North America or South America. This is the
evidence today. This is the evidence. And so, you know,
if you’re a young Indigenous woman and you don’t have a
house, you don’t have a home where you can be private, and
safe, and raise your children, you are going to experience
violence in Canada, a first world country, and that is
intentional; right?

If you’re queer and you’re Indigenous,
you’re not going to get a house. You’re going to be
homeless from when you’re, you know 19, 17, likely for the
rest of your life. And so, Richard LaFortune is a
colleague of mine from the U.S. He said, the intersection
of gender and racism is a dangerous place to be; right?
So, you know, some of the solutions that we’re talking
about is part of this process but, you know, the violence
is there. It’s obvious.

MS. ELIZABETH ZARPA: Thank you. I just
wanted to know if there was a report or -- just from your
experience. So, thank you for sharing both of that.

**MS. CHRISTA BIG CANOE:** Thank you.

Commission Counsel would like to invite Walking With Women, Darlene Sicotte -- oh, I'm sorry. I've made an error. Actually, next is Assembly of Manitoba Chiefs. My apologies. And, Joëlle Pastora Sala.

**MS. JOËLLE PASTORA SALA:** Thank you.

**MS. CHRISTA BIG CANOE:** Thank you. The Assembly of Manitoba Chiefs has 7.5 minutes.

--- **CROSS-EXAMINATION BY MS. JOËLLE PASTORA SALA:**

**MS. JOËLLE PASTORA SALA:** Thanks. Good afternoon, Commissioners, family members, survivors, elders and panel members. My name is Joëlle Pastora Sala, I represent the Assembly of Manitoba Chiefs.

I'd like to begin by recognizing the traditional territories of the Mississaugas of New Credit First Nation, and the Haudenosaunee and the Huron-Wendat. I acknowledge the big drum that was here and the sacred items as well, that are in the room.

Thank you both for your presentation today. I'll begin by asking you some questions, Albert. You spoke briefly today, and it was also included in some of the exhibits that you provided, some of the Anishinaabemowin and Cree words describing various sexual and gender identities, agreed?
ALBERT MCLEOD: Mm-hmm.

MS. JOËLLE PASTORA SALA: Specifically, in the Pronouns document, it states that there are no specific pronouns for gender in Cree or in Anishinaabemowin?

ALBERT MCLEOD: Well, there’s approximates or adjectives.

MS. JOËLLE PASTORA SALA: Could you expand on your understanding of the role of the English language in perpetuating violence against Indigenous LGBTQ2S?

ALBERT MCLEOD: Well, I think if we look at the, sort of -- Christian religion was, sort of, the primary religion and even today, it’s -- you know, there’s data that shows that two-thirds of Canadians follow the Christian faith. And so, imbedded in that construct, through, you know, the teachings of Adam and Eve, and the ideals, that -- you know, Jesus was male, God was male. So, what evolved was a construction of the supreme being from the North American point of view was a male.

And, you’ll see the language even today, when elders talk about Gitche Manitou or “God”, they say “he”; right? No where in our history has it been reported that the supreme spirit or the spirits are genderized, or that the supreme one is a “he”; right? It’s an echo of Christianity on how -- I said, you know, there’s a church in every community and those priests ruled those
communities for decades. And so, the language that we’re familiar with is one that was imposed and replaced a lot of the Indigenous languages, as well as the world views or the norms.

So, today, we use -- you know, the last number of decades, “he” and “she” are, sort of, the generalized pronouns for describing who is in our community. It’s either a male or female. Our prisons and our public washrooms are constructed the same way, you know, it’s based on your biological presentation. And if you go to a federal institution for a crime, it’s either a male or a female prison. So, the use of pronouns historically has been a way of entrenching these ideas about the ideal female and the ideal male, and the expectation that you conform to those.

So, you know, when I was a child, I was a “he”, but now that I’m older, most of the adjectives apply to me are “she”; right? And, again, that’s to be respectful to me, even though I can present as a “he”, that in order for them to respect my identity, my spirit, my contribution to society, it’s to refer to me as the feminine.

**MS. JOËLLE PASTORA SALA:** Because my timing is limited, I’m wondering if you could just answer “yes” or “no”, if Indigenous language revitalization initiatives
play a role in keeping Indigenous LGBTQ2S safe?

ALBERT MCLEOD: Definitely. Yes.

MS. JOËLLE PASTORA SALA: One of the impacts you described of colonization was that imposition of sex and gender roles; correct?

ALBERT MCLEOD: Yes.

MS. JOËLLE PASTORA SALA: And, you described that as a result of the imposition of these roles, LGBTQ2S First Nations may experience homophobia and transphobia?

ALBERT MCLEOD: Yes.

MS. JOËLLE PASTORA SALA: And, in certain cases, this experience may lead to LGBTQ2S First Nations to leave their communities?

ALBERT MCLEOD: Well, I’m generalizing on that. I’m primarily advocating on behalf of people who need support or need assistance. I cannot say that, you know, in North America or South America, all LGBT Indigenous people experience poverty, or isolation or rejection. In that I know that there are two-spirit people who live in the reserves or communities, they’re loved, they have jobs, they’re, you know, either a chief or a counsellor, so they fully participate in their society. My advocacy is for those who don’t experience that particular protection or engagement with their communities or
families.

**MS. JOËLLE PASTORA SALA:** Can you expand a little on how the experience of LGBTQ2S First Nations, who do leave their communities, may contribute or increase their risk of going missing or be murdered?

**ALBERT MCLEOD:** Well, I think it’s -- you know, if you don’t have, like I said, a diploma for grade 12, you’re in a competition with people who have one or two degrees for the same job. And, a lot of times, you know, you end up on social assistance, and sometimes you might use alcohol or drugs to cope or be involved in the sex trade. And, inherent in all of those are violence against women or violence against trans people.

**MS. JOËLLE PASTORA SALA:** Can you provide any recommendations that you would have for First Nation leadership, particularly in Manitoba, for keeping LGBTQ2S First Nations safe within First Nation communities?

**ALBERT MCLEOD:** Well, I think we have to have the conversation, because a lot of the communities follow the Christian faith, and in most cases, they’re intolerant to the acceptance of LGBT people. And so, that AMC has to lead that conversation and then -- you know, like I recommended to the AFN, create a two-spirit council to guide them as they evolve into a more representative council assembly, and then to begin to fund education or
programs for vulnerable two-spirit youth.

**MS. JOËLLE PASTORA SALA:** I’m going to try to get in one question for you, Fallon. Can you explain in your presentation today why you focus so much on speaking about relationships?

**FALLON ANDY:** Yes. I think that relationships are really important and I think -- like, I think it’s a different “R” word that people like. So, there’s like, reconciliation, and then there’s relationships, nation to nation relationship. There’s, like, all these ongoing government, like, programs and initiatives. But, I think just keeping it back down to relationship with, like, a lower case “R” would make it more important because then people realize that they’re just doing it because it’s out of the importance -- or out of, like, the goodness of their heart, and also that -- like, just for general love and care for people as opposed to tokenizing two-spirit or trans kids because they’re a part of some imaginary, like, reconciliation efforts for two-spirit youth, you know? So, keeping it interpersonal is always good.

**MS. JOËLLE PASTORA SALA:** Thank you both for your time. Thank you.

**MS. CHRISTA BIG CANOE:** Thank you. Next, we would like to invite up Walking with Women, Darlene
Ms. Darlene Sicotte: Okay. Thank you to the elders, drum keepers, the NFAC, Commissioners. Thanks for the greetings and gift of song from this territory. Miigwetch to Fallon and Albert for your knowledge and your courage and your love for your community. I am -- I hail Cree from Beardy’s and Okemasis First Nation near Duck Lake, Saskatchewan. I am the co-chair of Iskwewuk Ewichiwitochik, Women Walking Together. We are an ad hoc group, a 12-year-old concerned citizen group in Saskatoon, Saskatchewan, to raise awareness, supports and remembrance of the families of the murdered and missing.

To both Albert and Fallon, do you think legislation would assist your inclusion to remedies of crime of your community? If so, Bill C-215 is an act to amend the Criminal Code. This is for the sentencing for violent offences against Aboriginal women introduced by Senator Lillian E. Dyck. This means the court would be required to take Aboriginal female identity into account during sentence.

This means that making the measure mandatory eliminates bias against the victim, ensuring her case will not be treated as less serious in nature, compared to other females. Do you think by amending Bill C-215, by adding
2SLGBTQ would send an even stronger signal that Canadian society as a whole values all women and girls and 2SLGBTQ, whether or not they are Aboriginal? That’s my question.

FALLON ANDY: I definitely think that is a great first step, and then keeping the momentum going by creating larger legislations that are for anti-discriminatory efforts across, like, all sectors and across all ministries and governments.

MS. DARLENE SICOTTE: Albert?

ALBERT MCLEOD: Yes, for me, I think part of it is because of the broad spectrum under the umbrella of two spirit or LGBT, you know, the definition of a woman in a Canadian context, or a federal context, in the legal context, is very colonial, and it’s really hard to deconstruct that in the sense that, you know, we have two-spirit men who are very masculine, present as masculine, and wouldn’t fit into an Indigenous or Canadian understanding of being female.

So, I think we would have to be more specific in that amendment to look at, you know, lesbian women, trans women or trans men, and I include trans men because for the most part, they begin their life as biological females.

You know, the other sector would be sort of the male identified population that are LGBT, and you know,
it’s without any consultations with the community
themselves. It would be hard to make a recommendation
that’s firm, but it’s certainly something to explore.

**MS. DARLENE SICOTTE:** Okay, thank you. Do
you, either Fallon or Albert, do you feel that the 2SLGBTQ
are often in the margins of some of the social movements
like Sisters in Spirit? If so, what would you recommend as
an initial step to be included in these awareness events?

**ALBERT MCLEOD:** Well, I think, you know, it
is a steep learning curve because as I understand it,
historically, there were times when biological women would
gather for certain reasons, as I understand, and if a
woman’s husband was deceased, if she became a widow, or she
divorced her partner, she could retire to an all-female
enclave, and from that point, she would decide whether or
not she wanted to have any engagement with males in her
community.

So, the sort of female oriented or centered
groups or organizations across Canada are around, you know,
I think, primarily biological females to begin with, and
there is some opening, you know, towards involving trans
women. So, just in terms of why, you know, the direction
or the impetus as to being inclusive is, you know, not all
two-spirit people are biological females. So, how you
expand that identity of what constitutes an Indigenous
woman in 2018 is something, you know, I think, is dependent on each group.

Right now, in Manitoba, I’m an elder, a grandmother on the Manitoba Moon Voices Elders’ Council, and I sit there as sort of a cis-male, but with a grandmother cultural identity and role. So, there are examples of inclusion and people expanding their understanding of what constitutes a female identity. I hope that was helpful.

**MS. DARLENE SICOTTE:** Yes, it is.

**ALBERT MCLEOD:** So, there are precedents across North America where my friend, Trudy Jackson, she’s Navajo in the U.S., she’s running for, I think, the President of the Navajo Tribal Council, and she’s a trans woman. So, you can see progress in a lot of areas now.

**FALLON ANDY:** Yes, I think it’s good to start those steps because I would say that most women’s movements do very harmfully exclude two-spirit and trans people. So, it is definitely a good first step to bring them there and have them have a seat, pay them. Those things are important.

But, another additional layer that is very important also is really considering having consistent terms like how you put your language up around how you want to invite people to these places will either keep them
there or will not, like I mentioned a lot in my presentation.

So, if you have a trans woman who is coming to your event or your organization, then you need to use the correct terms. You can’t say I don’t think you should -- I may be disagreeing but I don’t think you should say biological male or biological woman to refer to, like, trans women or trans men because, like I mentioned earlier, trans women are born women, trans men are born men. What happens after they’re born is that people begin to socialize them and harshly fit them and squeeze them into gender binaries which ultimately do not work for them or they’re bodily autonomy.

So, when we start thinking about empowerment, we really want to empower people to use the correct language and the correct words, and not always bring up people’s genitals, which is important, because I don’t know why people want to do that.

**MS. DARLENE SICOTTE:** Thank you very much.

That’s the end of my questions.

**MS. CHRISTA BIG CANOE:** Thank you (speaks in Anishnaabe language). I hope I said that right. Next, we’d like to invite up Association of Native Child and Family Service Agencies of Ontario. Josephine de Whytell has 7.5 minutes.
--- CROSS-EXAMINATION BY MS. JOSEPHINE DE WHYTELL:

**MS. JOSEPHINE DE WHYTELL:** Panel, thank you very much, and hi, Commissioners.

I’d like to, of course, begin by acknowledging the territory of the Mississaugas of New Credit and the Haudenosaunee and Wendat, and thank the territory that we’re on and acknowledge the drum for commencing these proceedings.

I have a few short questions and then a few longer ones. I’ll start with my short questions.

Would you agree that child welfare practices are in keeping -- would -- sorry; I’ll start that again.

Would you agree that child welfare practices that are in keeping with First Nation ethics and behavioral rules reduce the harm experienced by two-spirited and indigenous trans youth when they are having their child welfare interfered with by a state agency?

**ALBERT McLEOD:** I don’t know because I haven’t, for myself, seen any evidence of that.

**MS. JOSEPHINE DE WHYTELL:** Okay.

**FALLON ANDY:** I would have to say I don’t know either. However, I would just say that, like, I know that in Ontario specifically a lot of organizations and provincial territorial organizations have their own child
wellbeing laws and are in the midst of asserting a lot of
their own jurisdictional issues, which when the state
interferes with that doesn’t allow them to always bring
into the centre trans and two-spirit voices.

So I think it is important that they go
through a review process of being, like, how do we make
this better for two-spirit and trans youth? But I
definitely wouldn’t say that they intentionally cause harm.

**MS. JOSEPHINE DE WHYTELL:** When you were
speaking about the principle of non-interference and how
this -- would you agree that this creates a deep divide
between how Indigenous and non-Indigenous people view
appropriate and reasonable treatment of Indigenous trans
youth and two-spirited individuals?

**ALBERT McLEOD:** Well, I think beyond the
temptation to try to get the youth or the child to conform
to society -- societal ideas about the appropriate gender
norm or sexual orientation norm, you know, we did a
homelessness study in 2015 in Winnipeg and 20 percent -- 24
percent of the youth were LGBT, were homeless that day.
And 86 percent of all of respondents in that survey were
Indigenous or First Nations.

So in that sense, there is some evidence
that Indigenous LGBT youth are vulnerable to homelessness.
And some of it is related to coming out of Child Family
Services, being raised by foster parents who may not have the skills or understanding on how to raise a two-spirit or trans child.

**MS. JOSEPHINE DE WHYTELL:** And are there barriers to two-spirit and trans individuals becoming foster parents?

**ALBERT McLEOD:** Maybe in some cases but I am familiar with some agencies who do hire two-spirit, either as couples or as single foster parents to parent children. And I was a respite worker for one foster parent.

**MS. JOSEPHINE DE WHYTELL:** Thank you.

The influence of patriarchy and homophobia has impacted how non-Indigenous culture treats the role of LGBTQ individuals in caring for children. I was wondering how racism has impacted the traditional role of two-spirited and the trans individuals with respect to raising children and transmitting Indigenous cultural knowledge to them.

**ALBERT McLEOD:** Could you say that again?

**MS. JOSEPHINE DE WHYTELL:** Sure. With the influence of patriarchy and homophobia has impacted how non-Indigenous culture treats the role of LGBTQ people in child rearing and child raising. And I was wondering how racism has impacted the traditional role of two-spirited and trans individuals with respect to caring for children.
ALBERT McLEOD: Well, I think historically there were distinct roles for LGBT people in the construct of family or community for parenting; in that, you know, there were less nuclear families, there were more extended families that included aunts and uncles. And I do know of cases of distinct roles in a -- Phil Tingley shared in 1993 in New York about -- he classified it as a memory; that was sort of the role or the identity of the individual. They were usually a single gay man and a great-grandparent or a grandparent would ask for a child to raise; would be, you know, their child or great grandchild. And it was usually based on intuition which child they chose, and the parents were okay with the transfer of the child to the great-grandparents to rear.

They still had contact but principally the great-grandparents were the parents. And what they did is they told the child the most accurate history, the most accurate depth of knowledge about the language, their relationships with other tribal groups.

When this child grew up to be a teenager, around 18, they were then required to go to their siblings and help them raise their children.

So it was genius in a way that in terms of preserving culture or transferring culture, they were able to skip one or two generations using this method.
And so I have met a number of memories throughout my life who fulfil this role; they didn’t marry, they didn’t have children, they might have had lovers or partners but principally they functioned as nannies. And I call them “Mannies” because they were mostly men. So they functioned as “Mannies”. And Phil said that the oldest child was his favourite, who happened to be 18 years of age.

**MS. JOSEPHINE DE WHYTELL:** Interesting.

Thank you.

I have one last question, mostly for Fallon. I was wondering; could more be done when children are in early school and early ages, to promote their sense of self-expression through arts and help uplift voices of two-spirited youth?

**FALLON ANDY:** I definitely think, like, through art, through clothing and fashion, and through making movies, even. Like, how cute would it be to see some, like, young trans and two-spirit kids in a movie, like, making their own movie, right? Like, letting people self -- letting young kids self-express themselves is the most important thing, and not telling them, like, “Boys don’t do that. Girls don’t do that.” Instead of, like -- it’s really just readjusting your narrative to being supportive and loving and nurturing rather than, like,
being restrictive and making kids, like, be something
you’re not when they’re already telling you that they are,
like, two-spirit or they’re telling you that they identify
in certain other ways. Instead of like, gas-lighting them
and abusing them you should just, like, support them, and
buy them cute things.

(LAUGHTER)

**MS. JOSEPHINE DE WHYTELL:** Thank you very
much.

**FALLON ANDY:** Thank you.

**MS. CHRISTA BIG CANOE:** Before we call the
next party, there’s been a request from the panel to have a
five-minute break.

**CHIEF COMMISSIONER MARION BULLER:** Sure,
five minutes.

**MS. CHRISTA BIG CANOE:** Thank you.

--- Upon recessing at 3:21 p.m.

--- Upon resuming at 3:34 p.m.

**MS. CHRISTA BIG CANOE:** Hello. We’re going
to get started again, so if you would like to take your
seats? So, we would like to invite next the Treaty
Alliance of Northern Ontario, Nishnawbe Aski Nation and
Grand Council Treaty 3. I see Krystyn Ordyniec ready, and
the Treaty Alliance has 7.5 minutes.

--- **CROSS-EXAMINATION BY MS. KRYSTYN ORDYNIEC:**
MS. KRYSTYN ORDYNIEC: Good afternoon, Commissioners. Thank you. First, I would like to begin by acknowledging the traditional territory of the Mississaugas of the New Credit as well as the sacred items in the room and the drum. I’d also like to acknowledge with us today is Nishnawbe Aski Nation Deputy Grand Chief Anna Betty Achneepineskum as well as members of the Nishnawbe Aski Nation Women’s Council. And, I’d like to thank both of the witnesses today for their testimony. Treaty Alliance Northern Ontario is made up of Nishnawbe Aski Nation as well as Grand Council Treaty 3, so that’s 77 communities in Northern Ontario and Eastern Manitoba.

First, I’d like to start by asking Albert, if I could, a question. You spoke about the intergenerational traumas with respect to residential schools, and specifically with respect to LGBTQ2S individuals. And, I wondered if you were familiar at all with a government program, The Indian Residential Schools Resolution Health Support Program, that’s offered?

ALBERT MCLEOD: Yes.

MS. KRYSTYN ORDYNIEC: And, I wonder if you could speak on, if any, specific supports that are provided to LGBTQ2S individuals through that program.

ALBERT MCLEOD: Well, through the Truth and Reconciliation Commission process, the number of years that
it was active, I do know that some of the events, the
process of applying for funds to host community events did
ask the question about inclusion of two-spirit people in
those local events, whatever size they were. With the
health support workers, I do know some of them, and I have
worked with some of them, but I don’t know specifically if
there was any orientation or training or hiring of two-
spirit people to play those roles.

In nineteen -- in 2010, we had the 22nd
International Two-Spirit Gathering at Sandy Soto Resource
Centre in North Beausejour, Manitoba, and we received
funding for the Truth and Reconciliation Commission for
that event, and they sent a team of, I think, five health
support workers to our gathering. They sent five elders
and four statement gatherers, and they gathered 17
statements.

With regard to understanding the impact on
two-spirit people in the 100-and-some years of the
existence of residential schools and day schools across
Canada, it’s been a difficult area to research. Some of
the testimony is public, some like the independent
assessment process testimony is not public, so we don’t
know how people described, you know, being lesbian or gay
or trans in the schools, any kind of situations that might
have occurred regarding abuse in any form. There has been
some discussion about same-sex coercion that occurred in
the schools. And then assault -- sexual assault by adults
who were staff or -- religious staff as well.

So, that whole area is still un-researched, and I know with the National Centre for Truth and
Reconciliation we have made some efforts to access the
testimony or reports within that archive, but it hasn’t
been fruitful to this point. So, it’s just an area, but
I’m not sure if any two-spirit health support workers were
hired or trained or delivered any kind of support through
that whole process.

**MS. KRYSTYN ORDYNIEC:** Would you be
supportive of that?

**ALBERT MCLEOD:** Oh, yes, definitely. Yes.

**MS. KRYSTYN ORDYNIEC:** Thank you. You spoke
with respect to your adolescence and your parents, and I
think the quote was, “They didn’t have the skills to deal
with me.” I’d like, maybe, to explore a little bit about
how both parents and adolescents in remote communities
might face additional barriers to accessing support.

**ALBERT MCLEOD:** Well, I think just, you
know, your geographic distance, the structure within the
social environments whether it’s church, school or marriage
in terms of, you know, adapting to those social norms that
are primarily non-Indigenous or colonial, and that for the
most part, you kind of are under the radar or don’t disclose that you’re a lesbian or gay. Some people get married to kind of have an identity that fits the social norms, and they have children, and then they have partners on the side, or they’ll come to the city and have partners.

And so, it’s quite a mixed bag. You know, there’s been cases of -- you know, since the same-sex marriage was enacted in Canada, there’s been people have been married on the reserve with the support of family and community. So, you know, it depends where you are, regionally, and I guess who you are. Like, I think if you’re not sort of a recognized family, you’re more or less on the margins and really won’t get a positive response.

So, we’re working right now in Winnipeg on a children’s book about two-spirit identity in that some children have gay parents, some couples are, you know, having children, or adopting children, or fostering children. So, we wanted to develop this book to kind of explain two children about, you know, the historic role of two-spirit, that it’s normal to have parents that might be different or to have a trans mother or two mothers. So, it’s going to be written at a children or youth level.

So, in that case, we’re looking at creating a resource that could be used in more isolated communities with families. I know that MKO in Northern Manitoba has
sort of a response team that is inclusive of two-spirit identities. And, they kind of do outreach interventions with the individual and family initially, and it’s kind of on mental health and suicide prevention.

**MS. KRYSTYN ORDYNIEC:** Thank you. Fallon, I’m just going to quickly move to you. I have a few seconds. In describing a piece of your artistic expression, you used the words, “I’m sorry you read it that way.” And, I wonder if you could speak on any advice that you might have for young trans and 2S individuals who find themselves apologizing in the face of discrimination and privilege.

**FALLON ANDY:** Yes. So, I definitely think when kids are faced with discrimination, it just -- it has a lot of effects. That’s what you’re asking; right?

**MS. KRYSTYN ORDYNIEC:** That’s right.

**FALLON ANDY:** The effects on them? Yes. It has a lot of really bad effects on children facing discrimination, especially youth, which can include to really poor mental health. Even -- I would even say some kids get, like, different kinds of traumas because of the discrimination they face, especially in relation to, like, hate crimes. Like, people will get jumped, people get punched, you know, they get sworn at. These are, like, some of the real types of violences that people experience.
You know, they get things thrown at them from cars just for being gay, or just for being trans or just for being non-conforming, and I think that that results from -- that can result in real trauma and real pain, poor self-esteem.

Yes.

And, I think just in addition to your other answer -- your other question previously, is that I think in relation to northern communities. Like, a lot of -- a lot of them really do not have access to appropriate health care. So, for two-spirit and trans kids, like, they wouldn’t have access to hormone restorative therapy or, like, hits for -- if they experience sexual violence -- because two-spirit and trans kids are at an elevated risk for experiencing that type of violence. Like, how do you deal with that after, right, because or their gender identity or their orientation?

And then they also just wouldn’t have access to, like, regular goods that two-spirit and trans kids need, like some two-spirit kids need binders or, like, other types of, like, clothing requirements. Yes. And, I think you would be able to find those on the internet. But, in terms of access immediately, northern communities would not have that.

**MS. KRYSTYN ORDYNIEC:** Thank you very much.

**MS. CHRISTA BIG CANOE:** Thank you. Next,
we’d like to invite up the Independent First Nations, Sarah Beamish. The Independent First Nations will have 7.5 minutes.

--- CROSS-EXAMINATION BY MS. SARAH BEAMISH:

MS. SARAH BEAMISH: Okay. Hi, my name is Sarah Beamish, I’m here as counsel for Independent First Nations. And, for the witnesses, Independent First Nations is a group of 12 Haudenosaunee, Anishinaabe and Oji-Cree First Nations in Ontario. And, I’d like to repeat the acknowledgments, greetings and thanks of all my friends who have come before.

So, my first question is for both of you, Albert and Fallon, are you both familiar with the UN Declaration on the Rights of Indigenous Peoples? Okay. So, I have a question about that.

A bill to implement the UNDRIP, the declaration, through Canadian law has just passed third reading in parliament and it’s now on its way to senate, and part of that bill calls for an implementation plan for UNDRIP and an annual reporting on that implementation.

So, my question for both of you is, would you recommend that the implementation of UNDRIP in Canada include specific consultation with Indigenous queer and two-spirit people about what those rights mean for them? And, that the annual reports include indicate indicators or
reporting specific to queer and two-spirit people? You can...

ALBERT MCLEOD: It does for me, yes.

MS. SARAH BEAMISH: Albert, okay. Fallon?

FALLON ANDY: Yes.

MS. SARAH BEAMISH: Yes? Thank you.

Albert, my next set of questions are for you. In your Exhibit 4, which is the document about Native Ethics and Rules of Behaviour, it talks about the cultural norms that make many Indigenous people hesitant to criticize, correct or show displeasure with others’ behaviour in certain circumstances, in ways that are often quite different than the norms in mainstream Canadian society. So, you don’t need to go into a very detailed answer, but would you say that these Indigenous ethics and rules of behaviour are ones that may influence people’s reactions where there is violence or a threat of violence?

ALBERT MCLEOD: Well, I think, because it’s hard to know what the situation was like in 1920s to 40s or 50s, when the federal government’s, sort of, relationship with Indigenous peoples became more public knowledge. In those periods, where people were afraid of being arrested, afraid of being charged -- and you have to remember too, that was a period when a lot of ceremonies were made illegal. So, there was, I think generally, about forced
assimilation into Christianity or western ways of being in the sense of not acknowledging anything traditional. And so, I think -- can you ask the question ---

**MS. SARAH BEAMISH:** Sure. What I was asking was, these behavioural norms and rules, ethics and rules, is it possible that they’ll sometimes impact Indigenous people’s reactions in situations where there’s violence or a threat of violence?

**ALBERT MCLEOD:** Well, I think the violence was something new. I think the violence was a product of colonization ---

**MS. SARAH BEAMISH:** Okay.

**ALBERT MCLEOD:** --- and that there was, you know, people who were law keepers within those communities and families. So, that type of violence that came as a result of colonization I think was introduced.

**MS. SARAH BEAMISH:** Okay.

**ALBERT MCLEOD:** So, I think the ethics were around keeping the peace, right, and giving people space and respecting people’s, you know, individuality. So, I think violence came as a result of the manipulation of the federal and provincial governments to coerce Indigenous people to assimilate.

**MS. SARAH BEAMISH:** Okay. Looking at today, in the colonial context, something that struck me when I
was reading that part of your document was how lack of
mainstream understanding about some of these behavioural
norms could play out in the mainstream legal system in
particular.

And so, one thing I was wondering is, like
there are situations of investigations or trials, places
where Indigenous people’s behaviour and judgment, and words
might be judged and might be assessed against a standard of
reasonableness. And so, would you say that a lack of
understanding of these behavioural ethics might influence
how decision makers in context, like investigations or
trials, how they would see the reasonableness of an
Indigenous victim of violence in terms of what they did or
did not do, or say in a situation?

ALBERT MCLEOD: Well, I think, you know, Dr.
Brant’s research was based on a small group of people.
And, unfortunately, he died before he could get to
furthering his research. And, I think his research
describes a certain understanding in a certain period of
time with regard to ethics, as well as the social
environment in terms of living in smaller communities,
smaller family groups or extended groups.

But, I believe that those ethics still exist
in some places in North America or South America, and are
still practised, but I think -- generally, the influence of
western society in assimilating Indigenous people into more western ways of thinking or being, but I think at some place they do play a factor that may be difficult to identify or tease out, and that the person involved or family involved might not be even aware of it.

**MS. SARAH BEAMISH:** Mm-hmm. So, would you say then, that there is a need to examine mainstream understandings of reasonable behaviour through that lens of behavioural ethics, to ensure that Indigenous people in situations of violence are being treated fairly, for instance, in trial context?

**ALBERT MCLEOD:** Yes, definitely. And, I think with the resurgence of Indigenous practice, ceremony, cultural teachings, language reclamation -- there’s been a huge resurgence in the various language reclamation across Canada, so I think it’s a growing area, and that mainstream systems can benefit from that and also integrate some of these ethics into their own understanding of justice.

**MS. SARAH BEAMISH:** Okay. So, I have a minute left, I’d like to give the both of you a chance to answer one more question. In both of your materials and testimony at various places, it talked about the white or mainstream queer community as a sight of racist and colonial discrimination against Indigenous people. What do you have to say about the white queer community’s
responsibility for oppressing Indigenous people and contributing to the violence they experience, and what would be some important steps toward accountability?

FALLON ANDY: So, one example I have is here in Toronto, where the 519, the major organization took really -- had a major lack of steps in taking and addressing, like, the disappearance and murder of Alloura Wells. And, also, even in relation to Bruce McArthur, a serial killer, Toronto based, who murdered a bunch of, like, non-status -- not non-status Native, but non-status -- like, they didn’t have citizenship. He murdered a bunch of non-status men of colour who recently moved here.

And, there’s such a lack of response from white organizations across the board, like the 519, the police -- who else? Yes. I just think those two are the major people who should be responsible and accountable for that. And, I think the 519 had more responsibility in advocating for all of their rights. It's not specific to Indigenous people, but I think that, like, the 519 has a role to play in getting more people -- getting more Indigenous people on their boards, getting them employed, and then just having more open programming space for them.

MS. SARAH BEAMISH: Thank you. And, Albert, would you like to add anything to that?

ALBERT McLEOD: No.
MS. SARAH BEAMISH: No, okay.

MS. CHRISTA BIG CANOE: Thank you. The next party we'd like to call is the Assembly of First Nations, Julie McGregor, and the Assembly will have 7.5 minutes, please.

--- CROSS-EXAMINATION BY MS. JULIE McGREGOR:

MS. JULIE McGREGOR: Good afternoon, Commissioners and panel members. My name is Julie McGregor and I'm an Algonquin from Kitigan Zibi Anishinabeg and I'm here representing the Assembly of First Nations.

I would like to begin by acknowledging the territory of the Mississaugas of New Credit. And I'd like to thank the Elders and the prayers and the drum and the sacred items in the room.

The Assembly of First Nations is a national advocacy organization representing First Nation communities in Canada and includes over 9,000 people living in 634 First Nation communities across Canada.

I'd like to start my questioning for Albert. Can I call you Albert?

ALBERT McLEOD: Yeah.

MS. JULIE McGREGOR: Thank you. You spoke earlier about how Indigenous families don't know comforting and loving language and you mentioned how communities have been disrupted. To clarify, when you were referring to
this disruption, were you making reference to the influences of residential school and those influences that they've had in the communities?

ALBERT McLEOD: Well, I think if you look back at, you know, pre-contact history goes back 12,000 years in Canada somewhere post-Ice Age, so those societies had thousands of years to evolve a language, a belief system, a spiritual practice, science, healing, all of that. So that continuum was disrupted with colonization and the sort of -- the slow erosion of this traditional knowledge and the knowledge-keepers, the devaluing, you know, calling people heathen, pagan, you know, and that unless you converted to Christianity and were baptized you were not considered fully human, and so you remained outside of that understanding of what -- the colonial Europeans brought to North America and could not access, you know, those privileges, whether it was cloth, you know, iron pots, iron knives.

So, to me, it is a disruption and we're coming out of that disruption now. And so, yeah.

MS. JULIE McGREGOR: So the disruption is actually the colonial process and not specifically -- you weren't specifically referring to residential schools?

ALBERT McLEOD: Well, the residential schools --
MS JULIE McGREGOR: It's part of the ---

ALBERT McLEOD: -- was an aspect of the colonial process in terms of -- you know, the -- Tomson Highway says the -- you know, from his experience in Indian residential school the children were inculcated to believe that their Indigeneity had no value and that assimilation to, you know, European or colonial ways of being was the ideal and that inculcation is about repetition. And when you have children locked in a dormitory or in a church for months on end, you can expect at some point they begin to believe it's true.

So, in some sense, the state was hand in hand with the church in brainwashing these children and that's the harm, that's the disruption. And the place and understanding of gender diversity, tradition, all of that, was caught up in that process and disrupted.

MS. JULIE McGREGOR: Thank you. You stated in your evidence that if you are a two-S, LGBTQ youth you will not get a house. Presumably you meant a house on a reserve; is that correct?

ALBERT McLEOD: Well, I was generalizing about that because I do knew (sic) some two-spirit people who live in First Nations who do have a house. But I'm talking about some youth who leave their community because they are in overcrowded housing, come to the city with a
lot of expectations, ideals. They end up couch surfing. They end up in shelters. They end up on the street. And so, again, as I said, I'm here to advocate on -- for those people who need help, not for those who are more or less okay.

**MS. JULIE McGregor:** Thank you. I'm going to move over my questions to Fallon. And, Fallon, can I call you Fallon?

**FALLON ANDY:** Sure.

**MS. JULIE McGregor:** With regard to your artwork and the memes you create, we know social media can often be a negative and unsafe place for Indigenous people, and particularly for two-S, LGBTQ individuals. You've spoken about your own personal experiences as well, and on Wednesday we're going to have a panel on racism and focussing in on the media. But I'm wondering, from your perspective as an artist, what are some of the examples of the safeguards that need to be created to -- need to be put in place to create safe spaces for two-S, LGBTQ artists?

**FALLON ANDY:** Like safe spaces in the media or just like --

**MS. JULIE McGregor:** Yeah.

**FALLON ANDY:** -- generally?

**MS. JULIE McGregor:** Well, you -- your evidence talked about creating memes and, you know, putting
that out there.

**FALLON ANDY:** M'hm.

**MS. JULIE McGREGOR:** And then a lot of times you'll get, you know, racist or comments or inappropriate comments and that can somehow stifle -- that could often somehow stifle Indigenous artists and LGBTQ, two-S artists as well. So I'm wondering, what kind of practical things do you see to stop that negativity and racism happening?

**FALLON ANDY:** Yeah, stopping discrimination against, like, LGBT artists, LGBTQ, two-S, gender non-conforming, non-binary artists is really important. I think in terms of safeguards it would just be like creating their own spaces. So, you know, having an art gallery or having an old space that you don't use, just being, like, that spot where people can create art, but they can also stay together and support each other and that just being, like, the spot for them without, like, people who might -- like, that's just free of discrimination from everybody really, and people not using their correct pronouns.

**MS. JULIE McGREGOR:** For Indigenous people, art and culture are often intertwined. In trying to educate people through art do you feel resistance because you -- but you may be moving away from traditional notions of what Indigenous culture is? And, if so, what would your response to be -- what would your response be to that kind
of criticism?

**FALLON ANDY:** I think traditionalism as it is with, like, the capital T and Elders who really reinforce, like, skirt wearing and shaming and gender policing generally, like, are the ones who need to change. I think that they need to change. I don't think that, like -- and I don't think it's fair to say that tradition is stagnant or that it stops moving or that it's fixed, because I think that Indigenous people are always evolving and that they have to, because a lot of government policies put up a lot of really intense systemic barriers, especially for queer women and art queers, queer LGBTQ and women. And so I think because of that, like, everything always has to keep evolving. So keeping things in the past can often be very harmful and it's important to stay in the present.

**MS JULIE McGREGOR:** Miigwetch, Fallon, and miigwetch, Albert.

**ALBERT McLEOD:** Miigwetch.

**MS CHRISTA BIG CANOE:** Thank you.

Next we'd like to invite up Native Women's Association of Canada, Virginia Lomax. Native Women's Association has 16-and-a-half minutes.

--- **CROSS-EXAMINATION BY MS. VIRGINIA LOMAX:**

**MS. VIRGINIA LOMAX:** So thank you. My name
is Virginia Lomax and I'm legal counsel to the Native
Women's Association of Canada. And first today I'd like to
recognize that we're on the territory of Anishinaabe
Mississauga of the New Credit and Hodinohso:ni, and thank
you for welcoming us to your territory.

I also wanted to thank the Elders for their
prayers and to the drummers for their songs today and I
want to recognize the sacred items that are in the room
here with us today.

I'd also like to thank some of my friends
behind me for sharing their time with me today. And in
thanks I'll be asking some questions on their behalf.

And first I'd like to ask permission to call
you both by your first names?

FALLON ANDY: Yeah.

MS. VIRGINIA LOMAX: Thank you. And
permission, may I begin with you, Robert?

ALBERT McLEOD: Sure.

MS. VIRGINIA LOMAX: Thank you. And so, you
mentioned that you felt you had to leave your community; is
that correct?

ALBERT McLEOD: Yes.

MS. VIRGINIA LOMAX: And was this the result
of heteronormative views that potentially displaced the
idea of non-interference with community beliefs and
ALBERT McLEOD: Well, I think within my family environment I was more or less safe. And -- but as you know, as we became to more adolescence and adulthood, we were more being integrated into the broader society, you know? We’re a Metis family, not wealthy, and primarily in a white town. And so, the whole school transition to high school was one of the [rites] of passage. And then conforming to those norms of adolescent males, or adolescent females, which were very binary constructed.

And as a queer youth who already formulated an identity, and I didn’t feel shame about my femininity, or my indigeneity, being put into that environment was very harmful for me. And it’s only now, you know, after 30 years, when I quit school, at age 16 or 17 -- I can’t remember -- that it was the same year that Helen Betty Osborne was murdered. She was in my high school. She was in one of my classes and I used to think, you know, it was the -- only because of homophobia that I quit school. And I knew there was better education out there, you didn’t have to have a -- you know, a deep understanding of education to realize that what I was getting was not what I needed to attain my vision or my career.

And it was only in hindsight many years later that it was the same year I quit, was the year that
she was murdered. So I think in some sense, that overt racism and violence against her influenced my decision to quit high school.

**MS. VIRGINIA LOMAX:** And so how might you describe ways to increase programs, or services, or educations, that might assist in fostering acceptance, and also challenging the racism that you’re describing within homes and within communities?

**ALBERT McLEOD:** Well, I think, you know, there really has to be conversations about what is history. I work with Roger Ouellette in Winnipeg and we do a workshop called “Authenticating Ojibway Beliefs and Value Systems”. And it’s -- the subtitle is called, what the language tells us. Because there is a lot of pan-Indigenous practice today, or assumptions of what is authentically Indigenous, that is -- that you consider as valuable as historical practice. And so, we’re kind of picking and choosing and drawing from all kinds of post-contact influences that are really not authentic.

So I think, you know, in having this dialogue about violence against women or racism, people have to have the opportunity to talk about what’s happened to their communities. You know, in one community they had two Catholic priests over 100-year span. Those priests served 50 years each in that little village and the
Catholic church was the centre of that community for 100 years. And those priests controlled the radio. So if someone was sick, you went to the church, you went to the priest to get them to either, you know, bring in the RCMP, someone was lost; bring in the plane, someone’s sick.

So every act in that community was through these two men, and I might say, these men were not trained people. They were priests, Catholic priests. They were not social workers, they were not counsellors, they were not doctors, and they were not mayors, or civil servants. They were Catholic priests and they ruled that community for 100 years. And that’s the conversation that has to be had is whose values are we actually playing out in our families and our communities.

**MS. VIRGINIA LOMAX:** And so you did speak today about some traditional protocols that are based on some understanding of gender binary. Could you comment on how -- on some best practices to incorporate two-spirit, LGBTQ+ and gender diverse people into traditional protocol or to otherwise encourage acceptance?

**ALBERT McLEOD:** Well, I think if you deconstruct back to the beginning, beginning of time, or time in memorial ---

**MS. VIRGINIA LOMAX:** In memorial.

**ALBERTA McLEOD:** But you know, there’s been
anthropologist who have done a lot of research, you know, going through journals, a lot of it is lost. Some of it, as Roger Ouellette says is archaic in the sense that there are words, but no one knows what they mean because they’ve been out of use for so long.

So just in terms -- it really is -- one of the beliefs or practices, values that Roger talks about in his work, is faith and belief as a practice. And that at some point we have to believe and have faith in that the human standing across from us is gifted with knowledge, expertise, has something to contribute to the whole, the collective. And that not to be judged based on colonial ideas of who that person is, what status they attained by their experience with western society.

I was told a number of years ago a story about a trans woman who was invited to a sun dance and she went to change in the women’s area and some of the older women came back and they were very offended, because when the trans woman was changing they saw her penis. And so she was rejected from the sun dance for that. And I said, by the time everybody is 30 around the world, they’ve likely seen a penis, right? So what’s the big deal?

So it just gets to that point where it’s actually puritanical and it’s used as a way to threaten, to intimidate, and to abuse other people. So I think it’s,
you know, for generations, the museums have had this sort of Victorian idea about Indigenous culture, a lot of erotica sits in the back of the museums that’s never put on display because they can’t get it past the Elders who see that as too salacious. You know, that Indigenous erotica is too evil, and so we’re getting an edited view of Indigenous life.

And I think that sort of puritanical idea exacerbates the fear and discrimination against two-spirited people as being, you know, sexual perverts, or too sexual and those kinds of things. And so, I think there’s a lot of work to be done around, you know, who we are historically and culturally.

**MS. VIRGINIA LOMAX:** And so you mentioned today that you would have preferred Brownies over Cub Scouts; is that correct?

**ALBERT McLEOD:** Yeah.

**MS. VIRGINIA LOMAX:** Between you and I, and the public record, I would have preferred Cub Scouts over Brownies.

**ALBERT McLEOD:** They were all scared by the way.

**MS. VIRGINIA LOMAX:** Would you agree with the statement that it’s a good recommendation for this inquiry to make to eliminate gender-based admission
criteria for children’s programs, particularly those that are sponsored, supported, or promoted by governments?

ALBERT McLEOD: I don’t know the answer to that because -- because I think in some situations a trans child may fit well with, you know, a girls’ group, you know? I don’t know what all girls get up to when they get together, and I don’t know what boys get up to when they get together, but in some senses in the culture, we do know that there was societies based on gender.

So gender specific subcultures or societies that did certain things did exist in pre-contact times. So I think having, sort of, gender neutral or just to me I don’t know if that would be appropriate. There ought to be a lot more discussion around that.

MS. VIRGINIA LOMAX: Thank you so much for your answers and for your lifetime of work for our communities.

And Fallon, if it’s alright, I’d like to ask you some questions as well.

FALLON ANDY: Sure.

MS. VIRGINIA LOMAX: So since we’re talking about memes, there’s been a piece of text floating around my social media this weekend that’s really stuck with me, and that phrase is “I don’t know how to better explain to you that you should care about other people.” It’s vital
that this inquiry play a role in inspiring greater empathy among the broader public for the epidemic of violence that we see from coast, to coast, to coast against Indigenous women and girls and 2SLGBTQ+ and gender diverse people. And so, I wanted to ask you if you have any suggestions or best practices relating to this rather large question, how do we better explain to the public that they should care about violence against women, girls, 2SLGBTQ+ and gender diverse people?

FALLON ANDY: Yes. Thank you for your question. I think that the Canadian Human Rights legislation does a good job of outlining that. Like, in the purpose of the Act, it does say that if people are discriminating against you based on your sexual orientation or your gender identity or expression, then you are -- can be at fault for discriminating. And, it does also say that in the Ontario Human Rights Code, if you prevent somebody from getting a promotion in a job, or you don’t hire them, or you reject their housing application, or you harass them in the bathroom because you think they don’t belong in that bathroom, then you are actually discriminating against them, on them, to them based on their gender identity and expression.

And, I would also like to add that talking about people’s genitals is sexual harassment, and I think
that’s -- you should really consider why you’re talking about somebody’s genitals. Not because I think that two-spirit and trans people are over sexual or anything, but I think that it is sexually harassing to talk about people’s genitals, especially in the workplace, and especially in bathrooms, and especially in gyms, anywhere, really. So, in terms of best practices, don’t talk about people’s genitals.

MS. VIRGINIA LOMAX: And so, you spoke briefly about health services for trans and for gender non-conforming individuals or gender diverse people; is that correct?

FALLON ANDY: Sorry, could you repeat your question?

MS. VIRGINIA LOMAX: So, you spoke briefly about health services for trans and gender non-conforming folks?

FALLON ANDY: Yes.

MS. VIRGINIA LOMAX: And so, would you agree that these health services may include sex reassignment surgery?

FALLON ANDY: Yes.

MS. VIRGINIA LOMAX: And, can you comment on barriers to obtaining sex reassignment surgeries for First Nation, Métis and Inuit youth?
FALLON ANDY: Oh, wow, thank you so much for asking that question. So vital. There are so many systemic barriers to surgeries related to gender reassignment. That includes that the provincial government only covers so many financially, and they can actually cost up to $15,000, to $30,000, $40,000, so there is nobody who could afford to pay for that out of their own pocket. So, if somebody wanted to make their body feel more like home, then people would have to pay for that out of their own pocket or pray on as many Gods as they possibly could that the provincial government or federal government covered their surgery.

MS. VIRGINIA LOMAX: And, could you speak to the impact on safety and security of having to wait for sex reassignment surgeries?

FALLON ANDY: Yes, I think for some people the safety and security is definitely a multifaceted thing. For one is that people’s mental health, and people are denied medical services. They get an -- they become more at-risk, I think, for suicide or suicidal ideation or cutting. And, I also think that in real time, as people get into friendships or whatever with other people -- I wouldn’t say that not having surgery puts people at risk for violence, but I think that people shouldn’t expect it from other people either, and that it’s a really big step
to take. So, it depends on people’s needs at the time, and
who’s supporting them. Yes. Gwen Benaway’s article talks
a lot about it.

**MS. VIRGINIA LOMAX:** So, as a queer woman
myself, I’ve directly experienced that my own safety is
closely related to where I live, and I was wondering if you
could comment on either how to make safe spaces to live
more accessible for two-spirit LGBTQ+ and gender diverse
individuals or how to make spaces that 2SLGBTQ+ and gender
diverse individuals already live in more safe?

**FALLON ANDY:** Yes, I think -- that’s a good
question, and I don’t know that I have best practices right
off the top of my head other than correcting your aunties,
and uncles, and grandparents, and ceremony people, elders,
who are really overtly transphobic in order to -- just
generally low-key transphobic. I think that they should be
held accountable for causing people to have bad self-
esteeem.

**MS. VIRGINIA LOMAX:** I’m going to leave it
there, but thank you both so much for sharing your
knowledge with us today and your expertise

**FALLON ANDY:** Thank you.

**MS. CHRISTA BIG CANOE:** Thank you, Ms.
Lomax. Next, we’d like to invite up the Battered Woman
Support Services. I’m not sure -- oh, Viola Thomas is
coming up, and the Battered Woman Support Services has 7.5
minutes.

--- CROSS-EXAMINATION BY MS. VIOLA THOMAS:

MS. VIOLA THOMAS: Good afternoon. I’d like
to reintroduce myself through my traditional name, A-nim-
kee-be-way-tum (phonetic). I would like to ask both of you
your reflections relating to the marginalization,
specifically to two-spirited women both within two-spirit
community and mainstream LGBTQ community. And, my question
in that regard is, could you elaborate around the
internalized homophobia within Indigenous communities and
compounded by the mainstream society further compounded by
the mainstream LGBTQ and how that impacts on violence
against Indigenous two-spirited women specifically?

ALBERT MCLEOD: Well, I think, you know, I
can only speak to the research that I’m aware of, and Dr.
Karina Walters had done a study in the US a number of years
ago. And, one of the things she found around violence
against lesbian women was related to them sort of being
coerced or forced into relationships with the opposite sex
for survival. So, in that case, they might experience
violence, forced to live with a heterosexual male partner,
and also the risk of contracting HIV was increased through
that relationship as well or those kind of situations.

Again, I think same-sex violence in
relationships is an issue. That’s not well understood or
spoken about. I was involved in a poster campaign about
domestic violence in Winnipeg about six years ago, and they
created a series of five posters that were all binary
gender-specific that was role modeling healthy males in
relationship to women and families with the messaging
about, you know, honouring women and stopping domestic
violence.

And, unfortunately, there was discussion to
include a poster specific to domestic violence and two-
spirit people, specifically women, and that was not
approved. And so, the sixth poster was not a part of that
collection. The Status of Women did hear our voice and did
create a specific poster about two-spirit people and
domestic violence, but it wasn’t part of this larger
campaign that reached the Indigenous community.

FALLON ANDY: I think internalized
homophobia, from a cisgender lesbian perspective, it’s
definitely something that is really difficult to deal with.
And, I think just agreeing with Albert’s points and saying
that Albert mostly covered most of it, but I do think that
they are at increased rates of different types of
sexualized violence including what Albert mentioned
regarding HIV and assault. Yes.

MS. VIOLA THOMAS: As for both of your
advocacy work within two-spirit community overall, would you agree that two-spirited women are forcibly displaced from their communities due to that internalized violence and homophobia from within Indigenous communities? I’ve heard many lived experiences of two-spirited women who have been violated by Indigenous men within our communities to fix them, per se.

ALBERT MCLEOD: Yes, I’ve heard anecdotal stories about that situation where, you know, it could be situations where it’s a family member or a close friend, and there comes to a situation, again, there’s a lot of pressure that, you know, being a young woman, you know, you’re eligible for marriage or even an arranged marriage, and if you’re a lesbian or a trans male, there’s a lot of pressure to conform.

So, in terms of, you know, situations where women are forcibly raped to, like you said, show them the benefits of being heterosexual women and having sex with men, in some cases, you know, there are lesbian women who are older who commit suicide because, you know, they don’t want to face growing old in poverty and those kinds of situations.

So, I think, again, the intersection of, you know, your Indigenous identity, your gender identity and then your sexual identity is a compounded situation where
violence is very likely, as well as poverty. It’s very likely.

FALLON ANDY: I definitely agree. I think that systemic, community-based homophobia isn’t -- like, homophobia on the res or homophobia in organizations really prevents everybody, especially including (indiscernible) lesbians from getting into leadership roles, having their opinions and -- opinions counted and their rights asserted or stripped away even. So, I agree.

MS. VIOLA THOMAS: Fallon, you spoke to how well provincial and federal human rights law articulates the different forms of multiple discrimination. I’m wondering, would you agree that both provincial and federal human rights law needs to be amended to deal with the multiple forms of discrimination so that you’re not having to tick off the singular box with regards to human rights violations when you are violated, whether it’s as a two-spirited woman or within the two-spirited community overall?

FALLON ANDY: Yes, I definitely think it should be amended to include things like sexual harassment and, like, violence based on, like, gender-based violence. I think that that would be really impressive.

MS. VIOLA THOMAS: Albert, you mentioned in your comments having the opportunity to go to high school
with Helen Betty Osborne, and would you agree that her murder was a result of hate and not because she was -- because of her gender and how hate crime law does not address hate against women specifically as a hate crime?

ALBERT MCLEOD: Well, I think it was really interwoven with racism and misogyny in her particular case, because the year before, Guy Hill Indian Residential School was closed. And so, the plan was that the students from the northern reserves, including Norway House, where she was from, would be housed in the Town of The Pas, and they would go to the high school. And they were sort of housed with local families, kind of like surrogate parents, I guess you could say, for the duration of the school year.

So, what happened in The Pas in that year, in ’70 and ’71, was there was a high percentage of strangers in the Town of The Pas. And, again, it was kind of a community where the unwritten rules of privilege were known by the locals. But, because these students were oblivious to the inherent racist rules of the Town of The Pas, that they found themselves in places where, you know, they were “not supposed to be”.

So, this began to raise the tension in the community, and she was kidnapped, sexually assaulted and murdered, and I think it was a message in the sense that as an Indigenous woman, she was disposable, that as an
Indigenous First Nations person who didn’t know the
unwritten rules of the Town of The Pas that it was a
message to all the other ones, that you abide on how this
town functions, and who has privilege and who doesn’t.

So, I think in her case, she struggled, and
I think she was murdered because she said no, to send a
message, is that you do not say no to the oppressor.

**MS. VIOLA THOMAS:** For many of our two-
spirited youth, particularly young women two-spirited youth
who end up being on the verge of homelessness and/or couch
surfing, would you agree that a lot of them become
vulnerable to sexual exploitation, whether it’s within the
mainstream gay, lesbian, queer communities, or within the
mainstream community overall, and what actions or
recommendations could you offer to the Commission to
provincial, federal, First Nations governments of what --
of how to create better intervention strategies to reach
out to the marginalized, two-spirited young people?

**FALLON ANDY:** Yes, I definitely think that
does put them at increased risk for sexual violence or
being homeless or houseless. I think for recommendations
for addressing that would be just to have more -- like,
shelters need to be more accessible and need to be better
funded. There needs to be more beds in shelters. There
needs to be more rooms. Also, that shelters should be
inclusive of trans women and their families. I think
that’s all that I have for those recommendations.

**MS. FRANCINE MERASTY:** Viola, your time is
up.

**MS. VIOLA THOMAS:** Thank you.

**MS. FRANCINE MERASTY:** Next, we’ll have
Regina Treaty Status Indian Services with Erica Beaudin.

--- **CROSS-EXAMINATION BY MS. ERICA BEAUDIN:**

**MS. ERICA BEAUDIN:** Good afternoon. Thank
you to the elders, drummers, singers for their prayers and
songs this morning. As well, as a citizen of Treaty 4, I
acknowledge the welcome to the traditional homelands of the
Mississaugas Anishinaabe and the Haudenosaunee, and bring
well wishes from our treaty area.

My name is Erica Beaudin. I am the
Executive Director of the Regina Treaty Status Indian
Services. First of all, Albert, may I call you that?

**ALBERT MCLEOD:** Yes.

**MS. ERICA BEAUDIN:** (Speaks in Indigenous
language) for your presentation this morning. I want to
acknowledge the courageous path you have had to walk due to
the misogyny and racism you faced as a two-spirited male in
your community. Coming from the Prairies myself, your
story is very familiar, as many of my relatives and friends
felt they also had no choice but to leave their homes to
larger centres to become who they are.

You briefly mentioned HIV and spoke about B.C. having better support services and care; correct?

ALBERT MCLEOD: Yes.

MS. ERICA BEAUDIN: I have heard this also from friends and family who stayed in B.C. because the B.C. government prioritized better drugs and services for those living with HIV and AIDS. Unfortunately, this isn’t the same in all provinces. What can be done by the National Inquiry in terms of a recommendation for Indigenous 2SLGBTQ who live with HIV/AIDS to receive culturally appropriate and safe services, regardless of what province or territory they live in?

ALBERT MCLEOD: Well, I’m on the public health agency, National Aboriginal Council on HIV and AIDS, and we have made recommendations to the public health agency around recognizing that two-spirited people were primarily the first wave that was affected in the Indigenous population by HIV and AIDS, and we are survivors of that period, 30-year period, and that there is a lot of direction to move towards new populations like injection drug users, or heterosexual people, and a lot of time our experience is not acknowledged. Our learning and our wisdom of surviving is not acknowledged, and I think that needs to be a part of the Canadian response to HIV and AIDS
as the continuation of the inclusion of two-spirited people as advisors and experts in this area.

We’re coming to a place now, where there are long-term survivors who have lived with HIV for over 20 years. For some reason, they are starting to get quite ill and dying. For many of them, because they come from rural or remote or First Nations communities, they want to go home. They want to be in their homeland, they want to be in their community, and they want to be with their family.

So, I think in terms of the Inquiry is to facilitate that -- one of recommendations is that to work with families and communities so that these people can return home, you know, to live out their days, to be cared for in their communities in their traditional way.

**MS. ERICA BEAUDIN:** Thank you very much. You spoke about family units and the importance of understanding and creating opportunity for the removal of barriers of 2SLGBTQ couples who would like to foster or adopt. This is a bit of a different question I’m going to go on. Apart from the actual placing of children of 2SLGBTQ, what recommendation to the NI Commissioners would you suggest for the inclusion of 2SLGBTQ knowledge and education for the staff, as well as foster parents for children and youth who identity as such?

**ALBERT MCLEOD:** Well, I think, in terms of
fostering children, we have 10,000 children in care in Manitoba, that, you know, the two-spirit community would be a great place to recruit foster parents for these children. The foster parents that I know who are two-spirit and raising children have been very effective in terms of parenting. Even as single parents, they have accomplished a lot in the children that they’re working with.

And, I think it is an area to explore in that there is a push to have children remain with their community, with their cultural identity, and that it could be facilitated through the recruitment of two-spirit people as foster parents. Some of us have access to two resources, many of them have been employed, and so it’s a lot of opportunity to fill that gap.

**MS. ERICA BEAUDIN:** Thank you. Thank you for your time today. Fallon -- may I call you Fallon?

**FALLON ANDY:** Yes.

**MS. ERICA BEAUDIN:** Chi-Miigwetch for your presentation today. My pronouns are she and her. For the community database, I would like to speak the name of Brandy Wesaquate, who was born with the name Charles Rene. Brandy went missing on New Year’s Day 2012 at the age of 28 in the City of Regina. She is still missing and is on the list of missing people on the Saskatchewan Association of Chiefs of Police website. They still identify her as male
despite all attempts by family and advocates to acknowledge the way she chose. It has been explained to us it’s because she was legally a male.

Do you believe there should be a third or different option available, and should the NI include or acknowledge this in their recommendation?

**FALLON ANDY:** Yes, they should, and they should have more options available.

**MS. ERICA BEAUDIN:** Thank you very much. Fallon and Albert, you both spoke about the need for two-spirit councils this morning and this afternoon. Many of us who are in this room have the ability -- actually, the responsibility to make this happen in our organizations and areas we live in. How can we ensure that our organizations create safe places for authentic voice for two-spirited LGBTQ? How can the National Inquiry Commissioners provide recommendations for capacity building and sustainability to ensure that two-spirit councils or support groups are strong, vibrant and stand the test of time?

**ALBERT MCLEOD:** Well, I think, you know, that all the pieces are in place, you know? I don’t think we’ve come to this place now, today, without a lot of intentional work done by various aspects of the community, whether it was the queer community, or the Indigenous community, or the systems. And, that, as I mentioned
earlier, we all carry gifts. The issue or the challenge is to believe in those gifts and have confidence that change is good, change is productive, change will prevent violence against Indigenous women and two-spirit people.

Unfortunately, our systems are constructed on a colonial idea of privilege and it is patriarchal privilege that presents barriers to the change. And, that, you know, as Indigenous people, we have our teachings, we have our knowledge, that everyone is welcome in the circle, and it’s not up to any individual or group to exclude someone, because we all have that divine gift and we have that destiny that it integrates, and entrenches us, and embeds us and weaves us with the other.

So, in my slide, I showed the ultra male and ultra female, and the gaps of the people in between. What happens in a colonial experience is the couple comes together and closes that gap, and pretends that it’s a whole circle. And, what we have to do is realize is that things are not going to get better until we realize that those gaps are still there.

There are teachings, there are people, there is knowledge that these people hold; right? And, I don’t think -- you know, unless there is a completion of the circle that includes two-spirit and trans people, that the violence -- the colonial violence will continue.
FALLON ANDY: I also think there would be power in having, like, a Canadian Human Rights Tribunal that court orders, like, the federal government to pay, like, money to fund two-spirit and trans advisory councils, like federally and provincially.

MS. ERICA BEAUDIN: Thank you both for coming to share your knowledge. Safe travels back to your home fires.

FALLON ANDY: Miigwetch.

MS. CHRISTA BIG CANOE: Commission counsel would like to call Eastern Door Indigenous Women’s Association. Natalie Clifford has 7.5 minutes.

--- CROSS-EXAMINATION BY MS. NATALIE CLIFFORD:

MS. NATALIE CLIFFORD: Thank you. Good afternoon, I’m Natalie Clifford from Eastern Door Indigenous Women’s Association. Thank you for your evidence today and most of my questions were answered by the cross-examination of my colleagues. I still have a couple.

Fallon, I would like to begin with you, if that’s okay. So, we heard and got to see some of your art. Would you say that it’s your primary medium for your advocacy work?

FALLON ANDY: Yes.

MS. NATALIE CLIFFORD: Okay. So, from what
we saw, you typically use it to affect perceptions and change maybe societal norms?

**FALLON ANDY:** Definitely to de-stigmatize gender and disseminate information around practical solutions to gender-based violence.

**MS. NATALIE CLIFFORD:** Okay. Do you think it’s probably one of the most effective ways to reach, especially the young audience these days, and affect those perceptions and norms?

**FALLON ANDY:** I think given that the tools that I have and the limitations and systemic barriers that are in place to -- like, really affecting wide change for, like, ending gender based violence to, like, two-spirit and trans people, I think that it is the most effective for now, but there are other more effective tools in terms of, like, provincial and federal education around gender, and then also -- yes, I think it would mostly be in the education and health system and justice actually. Cross-sectorally, there’s opportunities to do that

**MS. NATALIE CLIFFORD:** You mentioned that some of the memes that you showed were when you were working for a particular organization, but I wondered whether you always get paid for your art.

**FALLON ANDY:** No, I don’t.

**MS. NATALIE CLIFFORD:** Okay. And, as you
are one of our young Indigenous artists and a two-spirit member of the LGBTQ community, I wonder if you could offer an opinion on whether art should be funded.

**FALLON ANDY:** Oh, yes. I definitely think art should be funded more. Like, in Ontario, I know it’s funded by the Ontario Arts Council and the Toronto Arts Council, and then that is -- that funding comes from the Ministry of Tourism, Culture and Sport, and that Ministry really -- I think it funds quite a few different things. I think it funds Ontario Trillium and then the Ontario Arts Council. I might be wrong about Ontario Trillium, but for sure the Ontario Arts Council.

And, I think that the amount of funding they receive is quite substantial, but I think that they can, like -- I think that they could bring it up more to increase initiatives around, like, the Indigenous Culture Fund and -- like, have more initiatives such as that.

**MS. NATALIE CLIFFORD:** So, on that point, I think you’re talking about decisions around how the money is actually spent, with respect to which artists are funded. Is that sort of what you’re talking about?

**FALLON ANDY:** Yeah.

**MS. NATALIE CLIFFORD:** Okay.

**FALLON ANDY:** So, like, funding formulas for Indigenous communities, yes.
MS. NATALIE CLIFFORD: So just, then, a question because this is something that I’ve heard from other young Indigenous artists, like yourself whose work is very important.

I wonder if you have a recommendation about, you know, given the traditionalist friction at times, about who should be deciding or how we could better decide what Indigenous art should be funded.

FALLON ANDY: I think -- I definitely think there’s a way to maybe create some type of indicators of that that would be self-determined by First Nations communities -- or not First Nations, sorry; I’m not at work -- for Indigenous communities. I think as a whole, like, they definitely need accurate representation as well as two-spirit and trans representation, and then like working together to create those indicators and then giving them to the Ministry of Tourism, Culture, Sports, who can then give them to everybody else. And, you know, if they don’t meet them, then they’re discriminating.

MS. NATALIE CLIFFORD: And a lot of work has been done in that regard, I think some would say. But it would be your recommendation, and perhaps argument, that that’s not work that should be done, rather ongoing?

FALLON ANDY: I think both, yeah.

MS. NATALIE CLIFFORD: Okay. Thanks you.
Albert, I just have a quick little line of questioning for you.

In your evidence you told us about sort of a way that your community, you know, when you came to an urban area, has evolved and adapted to a lack of support and services from families and communities, and even the urban centres, and you’ve used the term “chosen family”.

And so in some other hearings we’ve heard about other, you know, ingenuous ways that communities and individuals have adapted despite, you know, lack of support otherwise. But one of the things we’re trying to balance here in our Inquiry is how to ensure that you know, victim services and health supports and other kinds of government institutional services are also, you know, continually evolving and made available to those communities.

So I just -- I wanted to ask sort of a personal question based on your experience and decades as a -- you know, a matriarch in chosen family situations whether your family members have experienced violence.

ALBERT McLEOD: Of my chosen family or my physical family, ---

MS. NATAILIE CLIFFORD: Of your chosen family.

ALBERT McLEOD: --- or my birth family? My chosen family? Yes, and I’ve experienced violence as well.
MS. NATALIE CLIFFORD: And have you experienced loss of a chosen family member by murder?

ALBERT McLEOD: My father, and within my -- I guess that’s the extent. A couple of cousins.

MS. NATALIE CLIFFORD: Okay. So in the context of your chosen family -- and I’m envisioning a situation where someone has experienced violence -- can you speak to your experience or lack thereof with respect to access to victim services and health supports?

ALBERT McLEOD: Yeah, it’s a bit convoluted in the sense that in some cases it’s the birth family who has priority to victim services. Any chosen family members kind of have to -- depending on your relationship with the chosen family, how you access those supports as a kind of perceived outsider is a bit complicated. And depending on the situation as well.

And I think just in terms of the concept of chosen family or surrogate family members that is something that really needs to be -- you know, people need to be educated about that because that really is important to survival, you know, primarily in a urban context.

MS. NATALIE CLIFFORD: Would it be a recommendation that institutions be better informed and educated on the different kinds of families with respect to those services?
ALBERT MCLEOD: Yes, with a frame on cultural lens because I think it’s all embedded in the cultural teachings. It may not be as evident today but, you know, as I told you the story about the role of the memory; that in various cultural groups there is still the practice today and that it’s something that we can tap into and strengthen.

MS. NATALIE CLIFFORD: Thank you.

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

Next we’d like to invite Aboriginal Woman Action Network, and Ms. Fay Blaney’s coming up.

The AWAN has seven and a half minutes.

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

MS. FAY BLANEY: Hi. Others before me have acknowledged the sacred items and the Nation and that sort of thing, and I want to do something a little bit different.

In my family I have relatives that are traditionalists that follow sacred items and sacred practices. And in my family I also have Christians, and our family gatherings can be fireworks sometimes, and we’re learning how to work through that. And I just wanted to make sure that this s also a safe space for the Christians in the room. So -- and that’s my heart.
I heard you, Fallon, talking about loving and I also love the Christians in my family, even though I’m not Christian myself.

So my first question is for you, Albert. You were showing us images of a Zuni woman. Can I ask you where the Zuni originate?

ALBERT McLEOD: They’re in the southwest U.S.

MS. FAY BLANEY: Okay. And under the Indian Act, they’ve called us “Indians”; they’ve called us “Indigenous”; they’ve called us, “First Nations” and they have assumed that our cultures are all the same, that we have pan-Indian identity.

And so I just wanted to ask you if you have ever in your research come across any discussion of sexuality and gender from any of the cultures in Canada?

ALBERT McLEOD: Sexual identity, sexual orientation, ---

MS. FAY BLANEY: Yes.

ALBERT McLEOD: --- or sexual practice?

So I think as I referenced earlier about the museum collections and the tendency or concern about showing any kind of historical objects that reference sensuality, sexuality, that there's a tendency to keep those from the public and to keep them -- you know, from
the Indigenous community, within a colonial context.
Because I think all aspects of Indigenous life are sort of monitored and regulated and so I think there's invested people who -- perceived as Elders or traditionalists who work to shield us from that history or that knowledge of what -- how Indigenous people saw sexual behaviour, sexuality.

And my colleague, Patricia Ningewance, just published a book 19 Traditional Stories that were given to her by her mother in 1985.

**MS. FAY BLANEY:** Which culture is she from?

**ALBERT McLEOD:** Ojibwe.

**MS. FAY BLANEY:** Okay.

**ALBERT McLEOD:** And she wrote the stories down. And it’s only now that she’s edited them, put them -- published them in a book, and I was at the launch a few weeks ago in Winnipeg. And one of the stories is about the giant penis. And so this was a children’s story that she learned when she was about 10, 12 years old. And it tells us that Indigenous people, based through what the language tells us and the construction of the story or the moral of the story, did not have, you know, a sort of an antiquated idea about sexuality, body parts; and that it was seen as normal and that children should learn this because they’re human and that they will be sexual at some point.
So it was kind of a way that children were socialized into the community through these different stories.

**MS. FAY BLANEY:** Alright. Thank you. I’m already halfway through my time, I see.

**ALBERT McLEOD:** Okay.

**MS. FAY BLANEY:** I just really wanted to make the case for diversity amongst our cultures and in BC we have the most cultures. And so, I think your answer to me is that there actually hasn’t been any study, and it’s yet to be done. Okay. So, my next question pertains to something that you said, Fallon, around the family that I was really interested in. So, would you say that the heterosexual family unit is a major institution under patriarchy?

**FALLON ANDY:** For some cases, yes.

**MS. FAY BLANEY:** For some?

**FALLON ANDY:** Mm-hmm.

**MS. FAY BLANEY:** But, not all? Like, not predominantly in this country?

**FALLON ANDY:** I think it depends on who it is.

**MS. FAY BLANEY:** Okay. And, what about under The Indian Act?

**FALLON ANDY:** Under the Indian Act, is it --
it’s -- you’re asking is everything predominantly heterosexual?

**MS. FAY BLANEY:** Mm-hmm.

**FALLON ANDY:** Yes. I mean, that’s -- heterosexualism is sort of the main sexuality category, it’s very normalized, and you see it everywhere in media, so...

**MS. FAY BLANEY:** Yes. I agree with you because I gave the same testimony last time when I was here. So, would you say that the patriarchal system is threatened by lesbianism, and can you talk about why that would be?

**FALLON ANDY:** Probably. Yes. I think hetero-patriarchy and masculinity and toxic masculinity is very fragile. And so, anything that doesn’t -- when you don’t let men talk, they will get upset, and that’s their fragile masculinity sort of breaking down, or when you -- so if you’re ever on the TTC subway in Toronto and you sit by a dude who’s sitting like this, and you sit beside him, and then you do this, he’s going to be upset and think you are taking away essential resources of space from him, which is patriarchy and toxic masculinity.

**MS. FAY BLANEY:** Yes.

**FALLON ANDY:** Yes.

**MS. FAY BLANEY:** And, the family unit is
something that I’ve been really preoccupied with in this
Inquiry. So, what are your thoughts on the current state
of the family unit within our Indigenous communities?

FALLON ANDY: I think Indigenous communities
and families are just very different. You know, I think
regionally they’re very different, and I think when it
comes to gender identity, they’re also different too. Yes,
in terms -- are you asking about acceptance of...

MS. FAY BLANEY: Yes, is it a safe place for
lesbians? Mainly, I’m concerned about lesbians because of
the mandate of this Inquiry.

FALLON ANDY: Okay. Is the family unit safe
for lesbians? I think so as long as they’re making their
own choices.

MS. FAY BLANEY: Okay.

FALLON ANDY: Yes.

MS. FAY BLANEY: Alright. I’ll leave that.
I had more to add, but I have -- oh, I went over already.
Sorry. I guess I won’t ask about harm reduction then.

MS. CHRISTA BIG CANOE: Thanks, Ms. Blaney.
The last party that we would like to invite up is
NunatuKavut, I’m sorry if I’ve mispronounced that,
Community Council Inc. I see Mr. Roy Stewart coming up.
They have seven-and-a-half minutes, and please feel free to
correct my pronunciation, Mr. Stewart.
--- CROSS-EXAMINATION BY MR. ROY STEWART:

MR. ROY STEWART: It’s the Nunatukavut Community Council, and I could be saying it wrong. One of our speakers tomorrow, she’ll give us the correct pronunciation. So, first off, I’d just like to thank the Commission, all the elders and everybody who’s contributing in any way to this Inquiry. I would just like to say thanks to them.

So, Albert, I’ve just got a few quick questions for you, if you don’t mind. This morning you explained the importance of reliance on the land and its resources, and then you sort of went into an explanation of the concept of non-interference and its importance of -- or on children who are born with a purpose and how they need to carry out that purpose.

So, I was just wondering, do you agree that an Indigenous groups’ tangible connection to its traditional territory is important to ensuring that children, you know, whether they’re born two-spirited or what have you is able to live out that purpose? So, I guess, you know, can that be further facilitated with that tangible connection to the traditional territory?

ALBERT MCLEOD: Yes, when I returned from BC to Manitoba, it was because I wanted to be in my homeland. Growing up in the north, I understood the land, the water
and the plants. You know, it was my traditions, it was the core of my identity and my relationship with reality, with creation. And, in talking to many two-spirit people, they like to return home to get that feeling of belonging. They don’t necessarily get it from their birth family, which is something -- a deficit, but they get it from the land. And so, I think that’s an important aspect of identity.

And, two-spirit people, that connection to the land -- and Dr. Alex Wilson does a university course called Land-based Teachings. So, in many ways, two-spirit people are leading human rights movements, ecological movements, climate change movements, anti-pollution movements against pipelines, you will find two-spirit people in there, because I think they understand the importance of connection to the land and the preservation of the land.

MR. ROY STEWART: Okay. Thanks. I guess I’ve just got one follow-up question given your answer. So, this morning you also discussed the link between suicide prevention and the presence or absence of a safe space, and how the ability to have that safe space was dependent on recognizing the role of two-spirited peoples and their purpose in the world. So, linked to that recognition, I guess, do you agree that the lack of recognition of some Indigenous groups by the government
adds to, I guess, that marginalization?

And, I guess, you know, for an example, as you all know, given your stories this morning speaking in reference to Métis, or different Inuit groups, or whether you’re non-status and whether governments’ view select groups are not Indigenous enough, and how this contributes to two-spirited and other young people growing up and fulfilling their purpose. So, what are your views on that?

ALBERT MCLEOD: Well, I think you’ll find it in most colonized Indigenous populations around the world whether it’s India or some of the African communities, the Philippines, that homosexuality or lesbianism or trans identities are a product of the colonial state, and they were not traditional, they were not Indigenous, and it’s still a very strong belief among certain sectors, especially the patriarchal leadership that it was kind of imposed on Indigenous people as, kind of, a corruption of values, and it’s the exact opposite of that.

And, I think, you know, with the powers that it be, that’s our point; you know? I am First Nations, I have a Chief, I have a community, and what I get to do once a year is to vote for the Chief, and that’s it. That is violence; right? I only exist to vote for a Chief that I will never probably see.

MR. ROY STEWART: I think that’s a great
point. I just have one more question, if you don’t mind.
This morning you were expanding on your point that
Indigenous women have been intentionally discriminated
against and removed from positions of leadership and the
implications of this. So, my final question is,
specifically, how can Indigenous groups whose foundation
and strength of their culture is grounded on women and
women’s roles in the community regain their leadership
roles in the face of what you’ve just described as the
colonial lens that still persists and controls Indigenous
lives?

ALBERT MCLEOD: Well, I think a facet of
colonization is to undermine the individual’s confidence
and strength by using sex as a tool of assimilation and
coercion and colonization. And then Tomson Highway, in his
writings, write about that in his play "The Rez Sisters" is
the point of view of seven women on a reserve. And "Dry
Lips Ought to Move to Kapuskasing" is the point of seven
men on the reserve and it analyses the impacts of
colonization on their identities and gender roles.

But one of the things that Roger Roulette
talks about in the transmission of culture through language
and storytelling, especially towards children, is the
introduction of social values, and we call them today is
taboo. And one of the principal taboos that was taught
very early on was about incest and that it was not tolerated and that people watched children and protected children from experiencing sexual abuse by adults. And that's one of the factors I think that goes across Canada in terms of the Indigenous experience is the manipulation of children around incest, especially the targeting of two-spirit people and, you know, that a lot of times people are forced to keep secrets within their families and communities that causes so much mental stress that they attempt suicide or complete suicides to get away from the trauma.

So I think when we talk about culture and tradition, we have to talk about these social taboos and the principal taboo is against incest, and that will strengthen women.

MR. ROY STEWART: Alright. Thank you. And I see that I'm just about out of time, so I just want to thank you and Fallon today for being here and sharing your stories and knowledge. Thank you.

MS. CHRISTA BIG CANOE: Chief Commissioner, Commissioners, I can advise that I only have one question for both witnesses in redirect and it's just a matter of correcting or clarifying for the record. That will take me just a few moments. If I may proceed with that and then turn it to you for your questions?
CHIEF COMMISSIONER MARION BULLER: Okay.

We're good to go.

--- RE-EXAMINATION OF MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: Okay. So, Fallon, I just have one question of clarification. During one of your responses you had mentioned First Nation and then you made a comment, "Oh, I'm not at work." And so I just want to contextualize for anyone watching or listening, and you don't have to describe, because you're here today in your knowledge keeping and expert capacity as an individual, not by your employer, but you work for a First Nation organization?

FALLON ANDY: Yes.

MS CHRISTA BIG CANOE: Yes. So when you made that comment it was just in context of, oh, I'm not at work because at work you're used to having to use the language First Nation; is that fair?

FALLON ANDY: Yes.

MS CHRISTA BIG CANOE: And then, Albert, when Ms. Blaney was asking you some questions about the research that may be done in relation to Canadian examples or diversity of Indigenous communities -- and I'm sorry, I'm paraphrasing, Ms. Blaney, I think the comment was, oh, so there are no research. But I want to clarify. It's not that there's necessarily no research on the issue, there's
none that you're familiar with?

ALBERT McLEOD: Well, actually, the research is embedded in the historical journals, either by early explorers or observations that they did, by the church groups that were here very early. And so it's the people who wrote letters back to Europe about what they were seeing, describing how Indigenous people interacted, you know, their sexual practices, their gender roles and all of those details. So it's mostly embedded in the academic field. You know, people, if they know which journal or document or book to access will get that information, but it's kind of, you know, a bit a convoluted arms' length process and that a lot of Canadians generally don't have access to those academic sources.

So I think really when we look at sexual behaviour, sexuality, ideas about gender, we can look at it through the European lens of what was perceived by the early settlers and the academics. Dr. Sabine Lang from Germany has done a lot of work around two-spirit identity and the different roles by tribal group, so that's one source. It's quite recent, but even, you know, but as early as 1529 there's some references that begin just after Columbus was in South America.

MS. CHRISTA BIG CANOE: But it's fair to say too, like, in terms of contemporary academic or research
work on this we couldn't expect one individual to be able
to answer whether or not there's any reports on this. So
is it fair to re-characterize the response to the question
that none that you're aware of?

ALBERT McLEOD: Well, I think the lack of
research, contemporary research around Indigenous gender
identities is a symptom of colonization in the sense that
it is still under the control of the state.

MS CHRISTA BIG CANOE: Thank you. Those
were my questions in re-examination.

Before I ask the Commissioners if they have
questions or comments, one thing I forgot and overlooked
this morning when we started this panel was to acknowledge
the second chairs that helped pull the panel together and
that have worked with the knowledge keepers and experts to
ensure all this material was before the Commission and the
parties withstanding. And so the second chair on this
panel is Francine Merasty, and she was assisted by Shelby
Thomas, so I just wanted to acknowledge their work in
helping put this panel together as well.

I'll now ask if you have questions.

--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:

CHIEF COMMISSIONER MARION BULLER: Thank
you.

First, I have a question for both
Questions
(Chief Commissioner Buller)

panellists. There are some organizations, none of whom are in the room today I believe, who still have on their membership forms space for mother's name, father's name and genders of children. What would your advice be to them about changing their membership forms or registration forms to make it more inclusive?

ALBERT McLEOD: Well, I think it should be expanded to be more reflected of diverse family constructions, as well in terms of gender identity as well. I'm not sure how important sexual orientation is, but certainly I think gender identity might be important to add. And I think -- I'm not sure if the Canadian census with regard to Indigenous people includes those options for filling -- you know, filling in the Canadian census, so collecting data I think is really important because in this generation I think people are more willing to self identify in research or within those kind of census documents.

CHIEF COMMISSIONER MARION BULLER: Thank you.

FALLON ANDY: Thank you for your question. I think I would add that it would be something similar to a parent and just removing the gender identity from the parents because I know that for, like, lesbian families people will want to adopt, or, like, have their kids, or if they have a donor, then they'll want -- then there's a lot
of legal barriers that can happen if -- when they're becoming parents and they have a donor and they have to go through, like, release forms, consent forms and, like, it ends up costing quite a bit of money. So removing that barrier would be good and then to also -- as the gender marker when people are there for young kids, definitely leave options for self identifying and because the language just changes, like, every generation I think. And I think it's just important to stay up to date.

CHIEF COMMISSIONER MARION BULLER: Okay. And my second question is for you, Fallon Andy. Can you explain a little bit more about toxic masculinity and fragile masculinity?

FALLON ANDY: Of course. I think they're the same thing, so toxic masculinity is like -- it's like really the root cause of, like, a lot of intimate partner violence, domestic violence, sexualized violence, gender-based violence. And I really think that those things are the direct results of patriarchy. And it can also be the direct results of, like, homopatriarchy. So, like -- which is a new term which we haven't said much about today. But homopatriarchy is just like homosexual cisgender men who take up a lot of leadership roles and who don't leave a lot of space for people to -- people or transwomen or non-binary youth to take up more space because all those roles
Questions
(Chief Commissioner Buller)

CHIEF COMMISSIONER MARION BULLER: Thank you. Those are my questions. Thank you both for being wonderful teachers.

FALLON ANDY: Thank you.

--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:

COMMISSIONER BRIAN EYOLFSON: Thank you. I just have a few follow up questions as well. Albert, near the beginning of your evidence, you were talking about some of the things that were happening in the two-spirit and trans community. You spoke of cultural reclamation. I’m just wondering if you could just explain a little bit more about what that entailed or what you meant by that.

ALBERT MCLEOD: Well, I think when we look at the history and of colonization in Canada per se, you know, it’s been 400 years, so in some senses, all of the weight of that pre-contact knowledge has been stunted or plugged up, you know, through legislation, unfair laws or
discriminatory laws, racist laws towards Indigenous people.

And, now, as a state, we’re coming out of that period where we’re more focused on equality rights, human rights, and really investigating that because that makes us human. And so, at some point, that holding back of that weight of, you know, 11,000 years on this colonial period, that dam is going to break and it’s broken. And, I see it. I see it now.

On Saturday, I was at a sun dance and I was telling someone here. I said, 24 hours ago, I was standing in front of the sacred tree at the sun dance, and today I’m in Toronto at this hearing. I said, that is where we are in 2018. One day I can be in a sun dance arbour, the next day I can be at this hearing.

Working with Roger Roulette on the revitalization, a reclamation of the language, authenticating it is another aspect. And, I see it happening everywhere. The resurgence is everywhere. People are picking up their crafts, people are -- youth are tanning hides, something I thought had died in the 60s with my grandmother’s generation. We have a company -- a leather company in Winnipeg and they bring students there, Indigenous and non-Indigenous students, and they teach them how to tan hides the old way. Something I thought had gone forever is being reintroduced. So, I see it happening in
all ways that the value of our knowledge, our traditions, our past is in the present, and all we have to do is reach out and touch it. Even in Toronto we can do that.

   It’s a state of mind, a state of being, and I think if you can vision it, it will materialize. That is one of the basic tenets of Aboriginal belief, is that creation, you know, understands us so well in our human experience that what we ask for is given. So, somewhere along the way, in the last 300 years, someone visioned this cultural reclamation, and that that dam would burst and we would be in a tsunami of cultural reclamation.

COMMISSIONER BRIAN EYOLFSON: Thank you.

And, a bit further to that, you also spoke about the creation -- people starting to create safe places for trans and two-spirit people in Indigenous communities, and I’m wondering if you can comment on what may be some key things that are being done or could be done to ---

ALBERT MCLEOD: Well, I think the youth are leading the way and they’re much more -- as peers, whether they’re heterosexual, or trans, or gay, or two-spirit, they have an allegiance to each other. And so, we see gay straight alliances in First Nation Schools, in rural communities.

   So, it’s that understanding at that age, right, in high school or junior high, where they get it and
they don’t want their friends harmed; right? They don’t want their friends discriminated against. Like, they want to end the violence because -- you know, when someone suicides, especially a two-spirit person, that doesn’t happen in isolation. Their peers are affected. They may not be able to show it or acknowledge it, but that death leaves a gap, and that gap will be there for the rest of their lives and that is something they will carry for the rest of their lives. No matter how much you pretend it didn’t happen, it happened and it resonates in their mind, in their soul, in their spirit.

COMMISSIONER BRIAN EYOLFSON: Okay. And, Fallon, would you have anything to add about creating safe places in Indigenous communities for trans and two-spirit people?

FALLON ANDY: Yes, I definitely think just reiterating some of the panel, in terms of creating safe spaces like, I think -- I think to do that, we really need to have access to good elders. Elders who are safe and who aren’t going to discriminate against people based on their gender identity, who know how to use language correctly, and who, like, prioritize the love, and safety and wellbeing of the kids who are there. So, that can be like someone who is an elder, or an auntie, or even just, like, a slightly older youth.
Like, I think that -- when we talk about intergenerational things, we often think of, like, young people, middle aged people, and then, like, elder, and there’s no -- we don’t understand the intricacies of, like, intergenerational youth and the powers that they have.

So, when I worked at the Native Youth Sexual Health Network, we went up to -- our mandate -- I guess it was just, like, our rules or terms of reference, or whatever, we tried to keep people together who were under 30. So, that meant that we got to hang out with, like, teenagers doing gender education, and then, like, children, and then, like, early 20s, and then later 20s. And, all those ages bring such different perspectives and different ideas and different solutions. So, even just realizing the power that youth have under 30 is really, really important and just recognizing that you can give them money directly.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank you. And, just one additional question. Albert, you did refer to situations where trans and two-spirit people may leave their communities and feel the need to go to the urban centres, and then there may be vulnerabilities that they face. And, you also spoke about the reluctance -- or trans and two-spirit people maybe not likely to go to mainstream LGBTQ service providers. I’m just wondering if you could comment a bit more on the reasons behind that and
what needs to be done about that.

ALBERT MCLEOD: Well, I think it’s your peer group, your neighbourhood, your sense of identity in terms of -- you know, within, you know, a privileged situation, some people have a certain subculture. You know, they might have, you know, an iPhone and you’ve got a flip phone, you know? So, there’s all those little subtle things around the subculture. And, you know, if they don’t -- and a lot of times, you know, when two-spirit people have an event, it’s gender inclusive, it’s generational inclusive, and so the granny will show up with her Bingo dabber, the young mother will show up with her baby in a stroller, she’ll drag her boyfriend. So, when we have an event, it’s everybody.

In the gay subculture community, it could be just one generation of -- could be just gay men or lesbian women, so it’s not so much community oriented or family oriented. I think that’s a really distinct difference. It’s like, if you’re going to some place, you want to bring your straight cousin, your friends.

COMMISSIONER BRIAN EYOLFSON: Thank you.

And, Fallon as well, do you have any further comments on services being provided by mainstream LGBTQ agencies in the city and how they can better accommodate trans and two-spirit people?
FALLON ANDY: Yes. I think, like,
mainstream queer organizations need to be more culturally
sensitive and culturally informed either through training
or, like, more workshops provided to them, because I do
find that, like, a lot of queer organizations, such as the
519, are really racist. Like, they’re anti-black, they’re
anti-Indigenous. And, I think, like, the anti-blackness
is, like, not okay. Especially the way that it leaves out
the interceptions of, like, black and Indigenous
communities and youth, and especially black and Indigenous
youth who are trans or two-spirit. That is, like -- like,
they need -- it’s either an anti-oppression training that
also talks about anti-blackness, but it can’t always -- I
think because of the way our identities and histories
overlap and connect, and are actually very integrated
together that they need to be -- like it shouldn’t be so
reductive to only be Indigenous-informed training. Like,
it also needs to include black communities and black two-
spirit and trans youth.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank
you both very much for answering my questions.

--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: Thank you. I
have a couple of questions. First, and it feels like a
stupid question, but I think that we’re here with open
hearts and open minds, and we’ve used a lot of acronyms, and I know that there’s people listening maybe in this room or even on the cameras, and are trying to understand what some of these acronyms mean. And, I think one of the acronyms used, or the most comprehensive one, was LGBTQ2SQA; is that correct? Could you unpack that for us?

**FALLON ANDY:** Yes. Okay. So, the acronym definitely gets all jumbled all over the place. Sometimes people throw -- sometimes when I’m hanging out with people I don’t know, I like to throw in an extra acronym just to be like -- no, I’m just kidding. But, yes, so it’s definitely lesbian, gay, bi, transgender, queer, questioning, intersex or asexual. Those are the broad ones, and then two-spirit. Yes. Does that help?

**COMMISSIONER QAJAQ ROBINSON:** Yes, it does. Thank you very much. And, it’s really -- and that, sort of, acronym has, I don’t want to say evolved, but the recognition has evolved. Does that really speak to -- I mean, it’s also almost trying to create a pigeon hole; right? It could be more letters in there, and that’s what we have to [be] accepting of, the inclusion of; is that, sort of, a fair...

**ALBERT MCLEOD:** I’d like to contextualize it, and...

**COMMISSIONER QAJAQ ROBINSON:** Okay.
ALBERT MCLEOD: Because it’s your lens on history, especially North American history, and how these words evolved in the late 1800’s and how they were adopted or adapted and used in modern English language around the world now, it really talks about a post-colonial period, and -- but I want to start back with the early colonists and the people who came -- immigrated here by ship to North America, and we have to understand that there was LGBT people on those ships. Like, I think through history classes or the way history is presented to us, whoever was at Plymouth or Jacques Cartier and his gang, or who -- you know, the coureur des bois, we assume they’re all heterosexual men and women, and that’s a myth, right, that’s been perpetuated for over 150 years in Canada.

You know, there was lesbian women, there was trans women, there was trans men, and there was gay men on those ships. There had to be; you know? Just as any culture says that homosexuality was imposed by the colonialists is wrong. You go to any culture around the world, you will find gay people. Words, thousands of years old. So, what we’ve been told in North America is that, you know, the colonialists came here, they found gay people here that were Indigenous, and they kind of wrote about it, but there was none among them, which is BS. Because if you look at the journal history, you will find descriptions of
gay people, trans people, right, throughout, from the very beginning.

So, through the paranoia of, you know, post-World War II, the Cold War, lesbian -- no, “homosexual” was introduced in the late 1800’s. “Lesbian” is sort of an archaic Greek word. “Asexual”, more recently, in the 1920’s. “Transgender”, 1988. So, as a society, these are terms that evolved recently through sort of academic or social fields and have been adopted as terms to describe the uniqueness of human sexual orientation or gender identity.

“Two-spirit” came in 1990 as a spirit naming process that is traditional. It’s never really defined what the two spirits are, but I think it’s the first time in North American history queer people had a reference about their spirituality, that we’re spirit beings as well, especially as the background against Christianity, right, that we are spiritual too; right? And, we’ve got a spare, just in case.

So, part of the process, in the advocacy, and I’m grateful for Blu and her advocacy of putting the 2S in -- before the LGBT because then it becomes historical accurate, at a minimum, and nobody could argue with that. You know, that we are the first queers of the Americas, nobody could take it away; right? And, all of that came
after. So, that’s -- it’s a process of self-identifying, and it may not be perfect, but it’s a way of communicating; right?

COMMISSIONER QAJAQ ROBINSON: And, I think your point about cultural and linguistic revitalization to understand the Indigenous languages too may change the language moving forward. But, you’re right, people have not changed, the words have. Thank you for that. I think it’s really important that we have these conversations about language because words are very powerful.

MS. CHRISTA BIG CANOE: Commissioner Robinson, Fallon just wanted to add something.

COMMISSIONER QAJAQ ROBINSON: Oh, sure.

Absolutely

FALLON ANDY: Yes, I just also wanted to add that, in terms of history, Marsha P. Johnson and Sylvia Rivera were also the first people to really initiate the LGBT movement. And so, Marsha P. Johnson was a black trans woman, and Sylvia Rivera is also a trans woman, and they threw -- they threw a brick, and it launched a whole movement, and it was amazing because the discrimination is real and it goes back over 50, 60 years. So, I just thought I would add that history bit for...

COMMISSIONER QAJAQ ROBINSON: Thank you.

FALLON ANDY: Thank you.
COMMISSIONER QAJAQ ROBINSON: We’ve heard from a number of people in anecdotal and in first-hand about the difficulty when experiencing -- when -- for trans and two-spirit experiencing violence to access safety shelters, particularly whether it’s for intimate partner violence, sexual violence, like rape crisis centres. Is this something that you can sort of speak to and are you aware of any facilities or programs or initiatives that create those safe spaces specifically for trans and two-spirited individuals who are fleeing violence?

ALBERT MCLEOD: It did occur recently in Winnipeg with The Salvation Army, has a number of safe space is generally for the homeless. So, recently, in the last number of months, they did create -- identify some spaces specifically for LGBT two-spirit people. There was some push back from the broader gay community because it is a faith-based organization. But, again, you know, if it’s something that the gay community should be doing, then it should be providing those spaces. So...

FALLON ANDY: I think there was some places like Covenant House, but in terms of dedicated infrastructure for two-spirit trans youth leaving -- fleeing violence, I don’t know many. But, I think that there should be more, and that they should definitely be funded and provided the infrastructure for that, probably
with a mandate that’s not faith-based.

COMMISSIONER QAJAQ ROBINSON: Thank you.

Fallon, in terms of your social media and art activism and advocacy. Have you received -- so we all know social media and the internet and comment sections. What kind of a response have you received and do you want to speak a little bit about that?

FALLON ANDY: Sure. I think I definitely get mixed feedback. I made one meme that was about, like, self pleasure and everybody was like -- they were not happy. I made it in response to, like, domestic violence awareness month. And it was really about just asserting your own bodily autonomy just to know that you're not dependent on a partner who is abusive towards you. So that was sort of where my framing was coming from for that meme. And then people just kind of really made fun of it.

In terms of my other mental health memes I think I definitely don't receive as much response when I talk about mental health or, like, PTSD or symptoms of mental health afflictions. But when people see them in real life, like outside of social media or Instagram or Facebook, they like them and have, like, stronger responses just in terms of, like, being able to self identify with a certain symptom of mental health or just finding something -- finding one of the memes, like, very validating.
And then in terms of my gender memes, most people like them and I often send them to different places and communities and people will ask me to send them, like, PDF copies so that they can print and take it up and hang it somewhere just to, like, -- like, I don't know if people ever see those, like, pride stickers in Toronto anywhere, but, like, it's the same thing but it's more, like, culturally specific.

COMMISSIONER QAJAQ ROBINSON: Thank you.

One of the things that we've been mandated to do is look at how to commemorate and honour those lost to violence. And I was wondering if you had any thoughts on how specifically trans and two-spirit commemoration should be looked at. And I'm going -- thinking about what you said, Albert, particularly, and I'll go back even further. Suicide is a form of violence and I put this under that umbrella, and how many trans and two-spirit individuals when they take their lives their identity is erased, particularly their gender identity and their sexual identity. Is that something that we should be thinking about, particularly when it comes to the commemoration piece of this work?

ALBERT McLEOD: Definitely. I've been involved in the AIDS quilt, which there's 72 -- 3 panels with about 15 names or smaller panels on each one, and it really documented the period when Canadians experienced
AIDS. And maybe, you know, it was primarily the gay community at the time. Now with the antiretroviral drugs people are living, you know, relatively normal lifespans, so AIDS is not so much an issue, but definitely the quilt itself was a commemoration instrument.

And I made a number of panels and it heavily relies on art reflection as a way to commemorate that these people lived, that they had lives, they had dreams and that they were part of our society. So I think there's opportunity to do something similar because, again, you know, when you're on the move, you know, you don't have a laptop or you don't have a computer, you know, getting your mail or keeping communication, at least there will be a central place that people can come and remember their friends and that, you know, they were important people, contributors to our society.

And so I did -- I have two Facebook groups with about 600 people on each. One's a page, one's a group but they get the same stuff every day. I meant they get the same content sent to each group, not the same stuff. And one time I documented the number of people we lost in Winnipeg who were Indigenous. Some of it was AIDS, some of it was, you know, violence, some of it was suicide. And there was 60 people on that list of our friends; right? So it's quite a lot to carry and to acknowledge. And I think
other than that they're mostly forgotten people. So I think the commemoration is really important.

**FALLON ANDY:** Thank you for your question and thank you for your openness to asking that.

I do think that the Inquiry should expand its mandate to include trans-women and gender nonconforming people, just because I think that it is inherently discriminatory that people are excluded, even though they identify as women, are not included here. And I think that that is a systemic underinvestment of time and labour and funding and could be -- it could just help address -- or just signal a larger shift in Canada to say we do need these people in our communities because they have a lot of value and what they bring to us is specific and unique and we need this in our society. So, saying that shift would be really important.

In terms of the commemorating part, I definitely think that that is important, even as a first step I think that's important. And I don't have any specific recommendations for how to commemorate them, but I definitely think alongside everybody here is perfect and I trust that the Inquiry staff would be able to find the correct solutions to commemorate people respectfully and lovingly.

**COMMISSIONER QAJAQ ROBINSON:** My last
question is sort of building on what you just said. You mentioned the importance of trans and two-spirit youth particularly, but people generally. There are a lot of middle age and older who are just coming into understanding identity as well, particularly post, you know, impacts of residential school for the survivors. We have a forum right now and I don't doubt for a second that there are many listening that, as you said, need some heroes. So my last question for both of you is, are there other two-S LGBTQQIA heroes out there who you'd like to highlight, whether it's their writings, their film, their artwork, their activism or social media efforts? So that's my final question.

    FALLON ANDY: Yeah, definitely everybody that I swore on all their books. I definitely love all my friends, but I definitely also just want to keep their privacy and keep them safe, but definitely them.

    ALBERT McLEOD: So I think Ayana Marico (ph) is one, Christos Polutt (ph), Billy Merasty, Thomson Highway, Waawaate Fobister, Tuma Young. So we do have our heroes in the community. And as I mentioned earlier through the GSA and the role modelling that there is some attempts to do that in the community, like, Dr. James Makokis and Dr. Alex Wilson who kind of been the leaders in this movement. So there's no shortage of heroes.
COMMISSIONER QAJAQ ROBINSON: Thank you.

MS. CHRISTA BIG CANOE: Commissioners, I understand that you'll have gifts for our witnesses, but I have two housekeeping items, if I may. And my apologies, at one point the Chief Commissioner asked me if I wanted to make Fallon's slide presentation an exhibit, but I was actually asking for another document. So, the Registrar has brought to my attention that I never did actually make Zanigowan Anoch Nagaowan, which was the slide presentation Fallon shared, an exhibit. So, could we please?

CHIEF COMMISSIONER MARION BULLER:

Certainly. Fallon Andy’s presentation is Exhibit 15.

--- EXHIBIT No. 15:

Powerpoint entitled “Zaagiidiwin Inakinogewin” (25 slides)
Witness: Fallon Andy
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And then the other housekeeping is just an announcement in relation to parties with standing before they leave for the day, that I would kindly request that parties take the time to draw their numbers for tomorrow’s hearing cross order, and that we will have legal staff available in the parties with standing room from 7:30 till 8:00 a.m. to do so. And so,
those are the announcements for today and I just wanted to
make sure that parties had the opportunity to know that
while they’re in the room.

CHIEF COMMISSIONER MARION BULLER: Thank you. Well, dear panellists, thank you so much for being
wonderful teachers for all of us. You have given us
wonderful gifts by sharing your knowledge and your life
experiences with us.

We have gifts for you. We were told a long
time ago now, it seems, by the matriarchs on the Haida
Gwaii to give all of our witnesses eagle feathers to hold
you up and lift you up on those days when you need it, and
on those days that you can reach even higher than you
imagined eagle feathers will take you. So, thank you again
on behalf of all of us. This has been a fabulous day.
Thank you.

(PRESENTATION OF GIFTS)

MS. CHRISTA BIG CANOE: Just as the gifts
are happening, I just want to remind everyone, we will
actually have a song and just a quick closing prayer before
the formal hearing for today has concluded, but please stay
with us for ending the day in a good way.

MS. SHERI DOXTATOR: Thank you very much.
Merci beaucoup. My name is Sheri Doxtator, and we’re going
to start with the closing ceremony of the day today. So, I
just want to thank all of our speakers and our presenters
today, as well as our chairs that walked us through this,
our Commissioners and Chief Commissioner as well, all the
families that are here represented with NFAC, as well as
the elders that are here. So, just before we go to some
closing songs, I’d like to call upon Valarie King to offer
some words and provide us in a good way in closing out the
day today.

**MS. VALARIE KING:** I just want to reiterate
the MC’s words. I’m very impressed by peoples coming
together and the sharing from the panellists. You’re very
eloquent, magnificent, wise, and I learned a lot. So, I
thought about -- I kept thinking about when you were
talking about colonialism and things like that, I thought
about this research piece I came across about our women and
when the settlers came. And, as life givers, we’re always
picking the medicines to take care of ourselves, because we
need to clean the toxins out of our body, whether we’re
having a baby or just the moon time, that’s our job.

So, we know the medicines. We know our
connection to the land. We know that we are connected to
the water. We knew that we were together around the fire
and have full moon ceremonies and on our Grandmother Moon.
We had those land connections. We know. And, even though
some people may say they’re lost, they’re not. They come
back instinctively through our blood, through our memories, through dreams. Whatever way they come through, they’ll come back through. So, that’s one of the things that I’ve been doing in my community, is bringing those back the last 30 years to help our women, and now to help our young men.

So, the story that was written was that they talked about our women, the settlers looking upon our women in the bush with their skirts on. And, what it said was, “Look at those women. Look how mindless they are. Look how lustless they are. They’re on their hands. They’re on their knees for us to come and rape them, to have them.” That was written a long time ago, and they were picking medicines.

And, I knew racism wasn’t dead, because when that standoff happened in Caledonia, all the men were saying that to us women when we had our arms locked. We weren’t responding, but they were calling us a swear word, “squaws”. They call it “squaw”, they call it “squaw vine”. We don’t call it that. It can come in all seasons that medicine to go pick. You just have to part the snow and get that medicine. But, they call it “squaw vine”, and we have it in our language of that. That’s what kept coming back to me.

But, we do have that connection to our land and to our teachings. That’s what’s going to take us back.
So, I encourage each and every one of you to use that water today and the next three days to help you, to clean that toxin out, to keep flushing your system, to keep you up. And, miigwetch to you for keeping the fire going, for keeping us connected to Creator, to manidoo, and for all medicines and all the helpers as I watched you help the people here and keep them uplifted.

Everyone here that organized and the things that you do, keeping that sacred space, I heard sacred space, how are we going to do that sacred space? Well, you are already doing it. So, miigwetch for all the love and the kindness and respect that has been given, and even down to the eagle feathers and the Commissioners for being so loving and kind.

So, I’m going to hand it over to these girls, and for the ones that are leaving, I wish and pray for you for safe travels and for your family. I was going to sing, but they’re going to sing to these beautiful people.

GRANDMOTHER BLU WATERS: Before we do our song, we just want to take a minute to honour all those women that have gone missing and all those that have been murdered, all those that are in our institutions, all those that are in our hospitals and unable to be here. So, we’re going to take a minute before we do that just to
acknowledge that, because unfortunately every day there’s one and more of our people going missing and being murdered. So, we’re going to honour them with one moment of silence, please.

(MOMENT OF SILENCE)

GRANDMOTHER BLU WATERS: Thank you very much. We’re going to be doing the Women’s Warrior song. If you know it, please join in with us. For those of you travelling, have a safe journey home. For those that will be returning tomorrow, we look forward to seeing you again.

(MUSICAL PRESENTATION)

MS. SHERI DOXTATOR: Yong-go (phonetic) chi-miigwetch neh-shik (phonetic). Thank you very much and thank you very much for that. We’re not quite ready to leave here. So, just before we do leave, I also want to recognize, as some of the speakers did before me, Naulaq Ledrew for standing our qulliq today. So, before we leave today, we’re going to have an extinguishment of the qulliq today. So, I’ll turn it over to you. Do you want to say a few words first? We need a mic on, please.

MS. Naulaq Ledrew: (Speaking in Inuktitut). I was just doing closing prayer that you guys had a good meeting, and to keep an open mind, and to meet and greet people that come into your lives, like respect them as we respect ourselves. And, I just recited the Lord’s prayer
in my language, and I’m going to say good night, have a
wonderful evening, and I’ll see you tomorrow morning.

MS. SHERI DOXTATOR: Great. Thank you very
much. Just a few housekeeping things before everyone
leaves, we -- there is a drum circle, it’s actually started
now, at the Native Canadian Centre with Sue Croweagle. You
heard her this morning. They are serving hot dogs this
evening, so that’s enticement enough right there. You can
take Bus 121 or an Uber over, and everyone is definitely to
welcome to attend that.

So, for tomorrow morning, we’re going to be
looking at racism in institutions. So, I encourage
everyone to come back. We do want to start at 8:00
tomorrow morning, so come back here for 8:00. We’ll do an
opening ceremony and get ourselves in a good way tomorrow
morning. With that, I thank you very much, yong-go chi-
miigwetch a-noo-shik (phonetic), merci beaucoup, and I hope
you have, all, a great evening and rest up. Thank you.

MS. CHRISTA BIG CANOE: And, just for
clarity, the pulling or drawing of the number is tomorrow
morning at 7:30 to 8:00 a.m.

--- Upon adjourning at 6:00 p.m.
LEGAL DICTA-TYPIST’S CERTIFICATE

I, Nadia Rainville, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.

__________________________
Nadia Rainville

June 11, 2018