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 10

Wednesday June 13, 2018

Panel 3: “Media, Journalism & Film”
Jesse Wente, Director, Indigenous Screen Office
&
Tanya Talaga, Author & Journalist, Toronto Star

Panel 4: “Racism Against Indigenous Children and Youth”
Dr. Cindy Blackstock, Executive Director,
First Nation Children and Family Caring Society

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II

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Assembly of Manitoba Chiefs

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Angela Marie McDougall (Representative)
Anemki Wedom (Representative)

Canadian Association of Chiefs of Police (CACP)

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Director of Criminal and Penal Prosecution (Quebec)

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Easter Door Indigenous Association

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Government of Manitoba

Samuel Thompson (Legal Counsel)

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Heather M. Hobart (Legal Counsel)
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<td>Pauktuutit, AnânauKatiget Tumingit, Saturviit, Ottawa Inuit Children’s Centre,</td>
<td>Beth Symes (Legal Counsel)</td>
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Thunder Bay Police Services
Tiffany O’Hearn Davies (Legal Counsel)

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Ontario / Nishnawbe Aski Nation / Grand Council Treaty # 3
Krystyn Ordyniec (Legal Counsel)
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Catherine Cheechoo (Representative)
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Amanda Byrd (Law Student)

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Raji Mangat (Legal Counsel)

Winnipeg Police Service
Kimberly D. Carswell (Legal Counsel)

Women’s Legal Education and Action Fund
Karen Segal (Legal Counsel)
Carly Moore (Articling Student)
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Witness: Tanya Talaga, Author & Journalist, Toronto Star

Counsel: Christa Big Canoe (Commission Counsel)

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Second Chair: Shelby Thomas (Commission Counsel)

Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society

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, Laureen “Blu” Waters, Bernie Poitras Williams

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--- The hearing starts on Wednesday, June 13th, 2018 at 8:19 a.m.

**MS. SHERI DOXTATOR:** ... travelling woman is my name, (speaking in Oneida), I belong to the Turtle Clan. (Speaking in Oneida), I am part of The People of The Standing Stone or Oneida Nation that attends. We’re located just southwest of London, Ontario, so not too far from here. I tell people it’s about two hours. But, in these days, it’s probably more like four hours if you’re driving, if you know Toronto traffic, for those of you who are from here, or have had to drive through Toronto.

Over the last couple of days, we’ve been -- we’ve had quite a few -- a lot of information, quite a few presenters and, you know, I just want to acknowledge those presenters, and the excellent information that they’ve shared and the things that have been put into record and things like that as well.

So, one thing I do want to say is that we were just finishing up our Pipe Ceremony this morning with our elders, which was amazing. And, it allowed me to rekindle that flame that I have inside me and be reminded that all of us here today, we do come in with a lot of thoughts and, a lot of times, we live in our head.

And, just to remind ourselves that this
really is about looking and coming forward from your heart, and that you really need to open your heart to understand and to really feel that compassion and that love. Or, as we would say, you know, (speaking in Oneida), and that really is a place that you hold yourself up as well as others in a space that is loving, caring and compassionate.

So, we want to make sure that this is a non-judgmental space. This is a safe space for everyone that is here and present. So, we want to share that space with you, with everyone that’s here with us today.

What I’d like to do at this time is just start our day off in a good way. So, I would like to call upon Grandmother Blu to put us forward in a good way. I’ll turn it over to you, Blu.

**GRANDMOTHER BLU WATERS:** They have to adjust these mics so they’re really low. That’s why I don’t stand behind a podium because you’ll just see a little bit of a head. So, I want to start off by, again, acknowledging the territories of the Mississaugas of the New Credit and the Haudenosaunee for giving us another day to be on their territory, to share in this space with them, to do this work in a good way. And, I’ll start off by saying, (speaking in Cree).

So, my name is Earth Song, and I’ve used the
word “a-yok-way” to be inclusive of this inquiry, because we’re including the two-spirited people, the trans people, all those that have been pushed aside. And, that word “a-yok-way” means both man and woman, and that’s part of my name. So, I want to acknowledge all those that have been left of ceremony for many years for whatever reason, and we welcome you here.

We welcome you because this is the story of the people. These are the stories of all those who have had loved ones gone missing or have been murdered. And, that’s what our focus is in this Inquiry, to find the reasons, to find out what contributes to all of our people going missing and being murdered. That’s our primary focus, and to support each other, to hold each other up.

So, this morning, we lift our hands, and our eyes, and our hearts up in prayer. And, we ask the Creator and all those ancestors, those ones that have gone on before us, those ones that have just recently made the transition, and those ones that are yet to come, we ask them to come and sit and be with us. Help us say the hard words that need to be said. Help us to express our truths to the way that we know them. Sometimes the hardest thing to do is express the truth to what our experiences have been because they’ve been so hard. We’ve been oppressed and regressed for over 500 years, and it’s not coming --
easy for a lot of people to be able to speak those truths, to be able to share what’s in their hearts.

So, today, we ask that the Creator help us open up our minds so that we can remember those things that have gone on and how they contribute to our women being murdered and going missing. We ask that our ears be open to hear those truths from those speaking that -- those words because it’s hard to hear as well, because it retriggers in us our own experiences. And, we ask that our mouths speak that truth, and our hearts help us to heal from those experiences.

We’re very grateful that each and every one of you came here today, and that we are grateful to our witnesses on our panel that they’re going to be coming, sharing their experiences, sharing their findings so that we can, again, learn this information, and we can compile this information and produce the best report that we can produce, because it’s a very hard job. Our Commissioners, all the staff of the Inquiry, they work many long, hard hours. It’s not a 9:00 to 5:00 job. It’s not something that we can just leave at our desk and say, “We’ll carry on that paper the next day.”

These are stories that they carry with them and will carry with them for the rest of their lives as well as what we will once we hear them. So, we ask that
the Creator and those ancestors be gentle with us and help us to process this information in a good way. For these things we say, hai-hai-miigwetch, and we look forward to a great day today. Hai-hai.

**MS. SHERI DOXTATOR:** Chi-miigwetch, Blu.

Now, I would like to ask Naulaq Ledrew, and we’ll look at lighting the qulliq. So, I’ll turn it over to you now.

**MS. NAULAQ LEDREW:** Thank you. I’m going to open with the Lord’s prayer (Speaks in Inuktitut). Amen. I would like to acknowledge missing and murdered women, and also my ancestors, and I am going to do a little drumming for them.

*(DRUMMING)*

**MS. SHERI DOXTATOR:** Thank you. Thank you, Naulaq. So, now that we’ve opened our hearts so that we can listen with them today, I just want to recap yesterday, that we looked at racism in institutions, in those various sectors such as health, justice, or specifically, police services and education. And, we also looked at racism in the 2SLGBTQQIA communities as well.

So, today, we’d like to look at media, journalism and film, and we’re going to look at racism against Indigenous children and youth today as well. So, keep your hearts open and listen with those sharp ears.

So, we’re just going to take a couple of
minutes while we get our first panel set up. So, I’d like to ask them to do that, and with that, I’d like to say chi-miigwetch, inushik (phonetic). Thank you very much. Merci beaucoup.

**MS. CHRISTA BIG CANOE:** We’re about to get started folks. Good morning, Chief Commissioner, Commissioners. (Speaks in Anishnaabe) Christa Big Canoe (speaks in Anishnaabe) Jesse and Tania.

So, good morning. I’ll just introduced myself quick for anyone who is joining by video or for the public that’s watching from afar. I am Commission counsel, and today my job and my pleasure is to introduce two witnesses that will be speaking on truth, telling truth in media, journalism and film. And, this morning, we have two witnesses. First, we’ll be hearing from Jesse Wente. He is a highly respected broadcaster and cultural industries leader, and then we’ll be hearing from Tania Talaga.

So, before we start, I would ask Mr. Registrar if we could affirm Jesse in on an eagle feather, please?

**MR. BRYAN ZANDBERG:** Good morning, Jesse. Do you have an eagle feather with you? Jesse, do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth?

**MR. JESSE WENTE:** I do.
--- EXAMINATION-IN-CHIEF BY MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: So, good morning, Jesse. The first thing I’d like to do, Chief Commissioner and Commissioners, is actually qualify Jesse as an expert. So, I’m going to ask some questions, and then I’m going to actually check with the parties with standing if there’s any objections.

So, Jesse, if we could start, can you tell me a little bit, to your own comfort level, of your background for the Commissioners and the public?

MR. JESSE WENTE: Sure. Hello. First, I just want to say what an honour and privilege it is here to speak at this Inquiry, this Commission. My name is Jesse Wente. I am Anishinaabe, born in Toronto. My family comes from Chicago and the Serpent River First Nation.

I’ve been in the media for 23 years, mostly with the Canadian Broadcasting Corporation. I’ve also spent time at the Toronto International Film Festival, and I now am the first director of something called The Indigenous Screen Office.

MS. CHRISTA BIG CANOE: And, if you could tell us a little bit about some of the work you do, and not just broadcasting, but I understand that you do curating,
producing and also some activism.

**MR. JESSE WENTE:** Yes, I spent 11 years with the Toronto International Film Festival as a programmer, first, for Canadian feature films at the Festival, and later as the first director of film programs for their venue here in Toronto, the TIFF Bell Lightbox, which I ran for seven years. In terms of the -- what else did you ask me?

**MS. CHRISTA BIG CANOE:** Just in curating and activism.

**MR. JESSE WENTE:** Sure. In terms of my activism, I speak out in favour of Indigenous representation in the media and against false representations in the media. And, my current position at The Indigenous Screen Office is as an advocate for Indigenous screen storytellers in Canada.

**MS. CHRISTA BIG CANOE:** Thank you, Jesse. I understand in your material you have your CV, your curriculum vitae?

**MR. JESSE WENTE:** Yes.

**MS. CHRISTA BIG CANOE:** Can we just look at it for a moment?

**MR. JESSE WENTE:** Sure.

**MS. CHRISTA BIG CANOE:** Is there anything that you would like to highlight from your curriculum
MR. JESSE WENTE: Not really. I mean, I think perhaps the biggest highlight was -- or the most notable for the terms of this Commission is that I was the first nationally syndicated columnist for CBC Radio, which began in 1996. I was heard in more than 22 locations every week right across the country, more than 2 million listeners. However, I don’t consider being first as an honour. I consider that reflective of the lack of previous representation in the media.

MS. CHRISTA BIG CANOE: I understand in your testimony today you’re actually going to be talking a little bit about that exact representation and inclusion of Indigenous people within broadcasting and film, and that you’re well-equipped to address that issue having the experience you’ve had; is that fair to say?

MR. JESSE WENTE: Yes. I’ve spent most of my professional career -- I studied film with the University of Toronto, film history. In 2012, I curated the world’s largest exhibition of Indigenous cinema called “First Peoples: 1500 Nations, One Tradition” at the TIFF Bell Lightbox. And, I’ve contributed to curating Indigenous cinema globally, both in Australia, New Zealand, US and Canada.

MS. CHRISTA BIG CANOE: Excellent. And, I
understand that you’ve also done some work or curation with ImagineNative. Can you just tell us a little bit about what ImagineNative is?

MR. JESSE WENTE: Sure. ImagineNative Film and Media Festival is the world’s largest Indigenous media festival. It occurs every October in Ontario. I started on the board of directors there early in its existence in 2002, spent four years on the board there. I also served as the president of Canada’s oldest Indigenous performing arts company, Native Earth Performing Arts, and I was the president of that for a decade.

MS. CHRISTA BIG CANOE: So, Chief Commissioner, Commissioners, I would request and I am tendering Jesse Wente’s CV as the first exhibit, please?

CHIEF COMMISSIONER MARION BULLER: The CV is Exhibit 38, please.

--- Exhibit 38:

CV of Jesse Wente (three pages)
Witness: Jesse Wente, Director, Indigenous Screen Office
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. I intend to qualify Mr. Wente, but I did want to canvass the parties if there’s any objections or anyone who wanted to take no
position on qualifying him as an expert. Seeing no objection, Chief Commissioner and Commissioners, based on the knowledge, skills and practical experience as well as the training and education as described by Jesse Wente and as evidenced in his curriculum vitae, I am tendering Mr. Wente as a broadcaster, advocate, curator, producer, activist and public speaker with a particular focus on Indigenous inclusion in representation in film and broadcasting.

CHIEF COMMISSIONER MARION BULLER: Okay. Certainly. We are satisfied that Mr. Wente has the requisite knowledge and experience to give opinion evidence regarding Indigenous inclusion in film and broadcasting. Thank you very much.

MS. CHRISTA BIG CANOE: Yes, and representation in film and broadcasting. Thank you. So, Jesse, one of the things we can probably start with as well is that Indigenous representation in popular culture from movies, television, even video games and sports mascots. Can we talk about what we’ve seen historically representative of Indigenous people in those areas and what it really should look like?

MR. JESSE WENTE: Sure. So, media portrayals of Indigenous people have tended to be reductive in their portrayals. This would be going back to the start
of modern movie making, which started in the late 19th century. Typically, they reduced nations into one particular nation, they reduced to particular iconography of characters and characterizations in the work. And, this is in particular in absence of Indigenous made work at the same time.

And, in fact, for, you know, a large portion of early movie making and, indeed, when early cultural institutions in Canada were founded, the Potlach ban in Canada was in place under The Indian Act which actually prevented Indigenous peoples from sharing our stories and practising our customs, but it -- and allowed for the theft of that culture by the larger mainstream Canada. So, in the absence of Indigenous storytelling for much of that time in the popular mindset, the false narratives created in popular media actually took the form of truth.

Indigenous peoples are by far the most chronicled peoples in the moving image in North America. So, the very first moving image captured by Thomas Edison in 1984 in upstate New York was of Indigenous people, Sioux dancers performing the Buffalo Dance and the Ghost Dance. It was, in fact, illegal for those performers to perform those dances in their home communities at that time. It was only legal for them to perform for a non-Indigenous camera or non-Indigenous audiences.
So, from the very beginning of what we would call moving image media in -- on Turtle Island, there has been a disconnect between what is Indigenous performance and what is Indigenous reality, and that disconnect is created largely by non-Indigenous storytellers who wish to position Indigenous peoples in a convenient way for best consumption by their audience. And, this has had longstanding detrimental effects in terms of the understanding of Indigenous people by non-Indigenous peoples, because while those misrepresentations were happening, the assimilation as to relocation policies of both governments on Turtle Island were removing Indigenous people from the site of the larger population. So, it in fact became harder to know each other.

And, for sports mascots, most of those were established in the same time period, so before 1950. If you look at, say, the Cleveland Indians, that would be 1914. The Washington Red Skins, 1931. So, these were all in -- at the height of residential school, at the height of relocations and land seizures at the height of the Potlatch ban.

**MS. CHRISTA BIG CANOE:** And, if I can just touch on the last point, the sports mascot, because, I mean, more recently we’ve heard a lot of pushback from Indigenous communities about things like Red Skin. But, I
want to situate it in Indigenous peoples reality and what they see when they see these icons that are created by non-Indigenous people that are supposed to be representative of Indians, particularly what type of impact or affect that has on youth when they see representation that’s not truly theirs.

**MR. JESSE WENTE:** So, there’s been actually studies done. I should have included them here, but there are studies done on the emotional detrimental impacts seen in Indigenous iconography in sports mascots, the way it excludes participation from athletics for Indigenous peoples, but also the trauma that it triggers within Indigenous peoples.

I know certainly from my own experience I feel traumatized by seeing those images in the sports, and it requires an education for my children to actually explain those images so that they understand where they came from and what they mean.

We have seen some slight progress. The Cleveland Indians will be removing their most offensive icon, Chief Wahoo, at the end of this year. But, of course, in Canada, particularly in minor league sports, you will still find a proliferation of Indigenous named or themed sports names and mascots throughout, say, for example, minor league hockey in Canada.
MS. CHRISTA BIG CANOE: And, I mean, people have a different approach or view on the spectrum of how offensive it is but, I mean, it’s fair to say a lot of people, particularly Indigenous people, see it as pure racism?

MR. JESSE WENTE: Yes. I mean, I think it would be impossible -- I don’t see how you can’t see something like Redskins as pure racism. I think there’s nuance when it comes to some of these, because some come from a slightly different lineage. But, for the most part, I think what is interesting is to consider that Indigenous people are the only humans that are cast as mascots and as team names. You don’t see this, actually, with other peoples. They are mostly named after animals, and it’s important to consider that most of the negative effects and negative purpose of much of the mis-portrayals in the media are dehumanization of Indigenous peoples, so that being named mascots suddenly becomes acceptable to the wider population. In fact, you see stories that these teams begin to tell themselves about why they did this. Usually, they refer to these as honouring, but again -- that they honour Indigenous peoples through these names. But, again, if you consider what was actually occurring to Indigenous peoples when these names were created, I would suggest that is a dramatic disconnect, one reinforced by media at the
time and ongoing now.

**MS. CHRISTA BIG CANOE:** Thank you. In terms of, like, the representation and the historical context and how you’ve already explained, I want to really draw this back to why we’re here today, missing and murdered Indigenous women. And, I know that in your curation, you’ve done a number of work, including Reel Injun, and we’ll get to that. But, I also know that in your material, you’ve provided us something called The True Story of Pocahontas - Historical Myths Versus Sad Reality.

And, I know that you believe that Pocahontas is one of these cultural icons that just exemplifies the over sexualization of Indigenous women and the bad myth, and I was wondering if you could talk to us both about the material that you’ve put in on the True Story of Pocahontas, and Pocahontas as an icon herself?

**MR. JESSE WENTE:** Sure. So, I focused on Pocahontas because the movie, the Disney movie, is probably the most widely -- piece of entertainment about a contemporary about -- contemporary entertainment about Indigenous peoples. She’s an icon for the Disney corporation.

The material I provided points out the myth that the movie paints about who Pocahontas was, that was actually not even her name, and she would have been a child
when she met John Smith. Of course, in the movie she’s portrayed as a young woman. She’s portrayed scantily clad for most of the film. And, the disconnect, I think, is both evidence of that overall in the media, but in particular, when it comes to the portrayal of Indigenous women, it’s that oversexualization, even at a young age, the maturation thinking that Indigenous women are somehow sexually active or mature at a very young age, compared to the regular population, and always positioning them in sexual positions.

And, it’s not just with Pocahontas. Even movies that are made ostensibly about murdered and missing Indigenous women - there was a movie a couple of years ago called Wind River out of the U.S. - where the role for the Indigenous women in the movies was essentially as rape victim. They were not active participants in the other narrative. This was also true of the Oscar-winning film, The Revenant from a few years ago where Indigenous women, their entirety in that film was as victims and as sexual objects, and where rape was used as a plot device as opposed to central to telling of the story.

And, that dehumanization and that sexualization contributes to the fact that, you know, today, Indigenous women are the most marginalized community on Turtle Island, the most at-risk community just by the
nature of their identity, and I think this contributes to public policy as well as the legal system and its approach to these issues.

So, the documentation I’ve provided is all written by Indigenous peoples who unpacked the myth of Pocahontas and repositioned her in the correct historical context, and describes the actual history of what happened, as opposed to the Disney fantasy of what happened. And, it’s, I think, very important that Pocahontas is a Disney movie.

So, this is a piece of entertainment meant for children, meant for children that will then -- that is, for many, will be their understanding of Indigenous people, will come from a movie like Pocahontas. They may not ever encounter or knowingly encounter another Indigenous woman in their lives, and yet, that is a movie that they will most certainly have seen.

**MS. CHRISTA BIG CANOE:** Thank you, Jesse. May I please request and tender The True Story of Pocahontas - Historical Myths Versus Sad Reality by Vincent Schilling as the next exhibit?

**CHIEF COMMISSIONER MARION BULLER:** The True Story of Pocahontas - Historical Myths Versus Sad Reality will be Exhibit 39, please.

--- Exhibit 39:
The True Story of Pocahontas -
Historical Myths Versus Sad Reality by Vincent Schilling
Witness: Jesse Wente, Director of
Canada’s Indigenous Screen Office
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. One of the things you’ve done in your creation is a film entitled Reel Injun [sic]. Can you tell us a little bit about Reel Indian? And, that’s spelled R-E-E-L, Reel Indian.

MR. JESSE WENTE: It’s actually Reel Injun.

MS. CHRISTA BIG CANOE: Injun. Reel Injun.

My apology.

MR. JESSE WENTE: Reel Injun was a movie that I participated in. It started filming in 2007. It was directed by Neil Diamond, who is a Cree filmmaker from Northern Quebec. It was a documentary about the history of representation of Indigenous peoples in Hollywood films. I participated as one of the on-screen experts in the film. In fact, all of the academics that appeared in the film are Indigenous. It was a very direct point of making the movie.

The movie unpacks everything from those early Edison films that I’ve described up through a
burgeoning Indigenous cinema scene at the end where you
start to get Indigenous filmmakers making their own movies
by the end of the film. It was released in 2009, but I
would say that while it was a very popular film, even that
same year, Hollywood released a film called Avatar, a
science fiction movie directed by James Cameron. They had
subsequently released several other westerns or pseudo-
westerns since then.

So, the issue in Hollywood is still very
much present and, indeed, here in Canada. It is still true
that the majority of Indigenous storytelling that occurs,
or stories about Indigenous people that are seen on screens
and in media are typically produced by non-Indigenous
peoples. But, Reel Injun was, yes, a documentary meant to
examine this exact history, movies made only through the
lens of Hollywood, which as we know is the most pervasive
entertainment destination on the globe.

**MS. CHRISTA BIG CANOE:** At this point, I’d
actually like to ask if we can watch a clip of Reel Injun?

(MOVIE CLIP FROM REEL INJUN PLAYED)

**MS. CHRISTA BIG CANOE:** Thank you. And so,
was there anything else you wanted to add in relation to
the clip?

**MR. JESSE WENTE:** No, I think that really
gets it right, and the biggest thing I would add is, again,
it’s not that the -- if representation was all equal and fair, fantasies would be fine. But, of course, as she pointed out, Pocahontas for many will be their only experience of Indigenous people on screen. They may not see inappropriate representation. And, in the absence of those appropriate representations, misrepresentations become truth and I think that is very much what we have seen in the media on Turtle Island.

MS. CHRISTA BIG CANOE: Jesse, in your material, there’s another article called, Common Portrayals of Aboriginal People, and it talks about the westerns, and you’ve mentioned already the westerns. Can you give us a little context about westerns as a genre within film?

MR. JESSE WENTE: Sure. Westerns are the most true American genre. It’s the genre of film invented by American filmmakers. They started in the silent era. They were extremely popular in the silent era. Thousands of them were made. They were very -- the reason for the popularity is that they were very good for silent filmmaking and storytelling. They were typically action packed, and the heroes and villains were very easy to discern, who is good and bad, black hats, white hats, or in the case of First Nations people, they were almost always the villains in those films.

Many of those movies are now unfortunately
lost, they were all shot on something called nitric stock, and over the years, fires robbed us of the many silent films. When sound came in in the late 1920s, westerns took about a decade off as filmmakers in Hollywood figured out how to use sound. They returned in earnest in 1939 with a movie by John Ford called Stagecoach which starred his stuntman at the time, who went onto become Hollywood’s largest star, a guy named John Wayne.

Stagecoach, of course, is one of the most veeringly racist movies in the history of Hollywood. It presents pretty much an exact telling of the myth of manifest destiny with white society moving through the Turtle Island in a stagecoach beset by faceless savages or Indians who attack at will and are bloodthirsty. You also get a sound reference to the term “squaw” used in Stagecoach. A very derogatory term. Used as a violent term against Indigenous women all across Turtle Island.

And, from there, you get a whole generation of westerns made between 1939 and about 1967. I think it’s important to understand that the western is the creation myth of Turtle Island. The western is how America tells itself how it was founded and how it has established itself as a nation, it reinforces terra nullius, as well as the ideology of manifest destiny. America at the time was still a very young nation, as it is today, just like
Canada, and so it’s still very actively involved in telling its own national identity story to its populous. And, the western was its primary tool for doing that as movies spread across Turtle Island in the early 20th century.

The westerns typically reduced all Indigenous people to one iconography, typically plains nations. So, it didn’t matter where you were geographically located, everyone were on horses, wore headdresses. They typically depict a colonial viewpoint, although that did mature over time, especially since the civil rights movement became active and the Indigenous rights movement became active in the U.S. in the late 1960s.

But, the western was the premier franchise. They largely don’t make them as often anymore. I would suggest because of the problematic nature of the storytelling in westerns. So, they tend to have fallen out of favour, although we have seen a return in the most recent years in an attempt to be slightly more progressive. Although, I would suggest that western as a genre, because it is the story of manifest destiny, requires the disappearance of Indigenous people at the end. That is really the only way westerns truly function, is to see the ultimate extinction of Indigenous people at the end. That’s why you get movies like the Last of the Mohicans and
all of these stories that tend to end with our
disappearance.

The portrayal evolved over the history of
the western. So, it started out really violent. By the
50s and 60s, you start to see -- with men I should say, not
with the portrayal of Indigenous women in westerns. That
remains pretty much straight all the way through. The men
do change from bloodthirsty savages to more noble savages.
The nobility, of course, though is always tied into our
ultimate demise. The nobility is our -- the fact that we
will fight even knowing that we are ultimately doomed, that
is always the framework within the way that nobility is
positioned. And, I would say the western as a genre has
been incredibly hurtful to Indigenous peoples. I would
suggest that American domestic and foreign policy still is
influenced by the teachings that the westerns have given
them and empowered them as an imperialist state.

And, Canada, we had a slightly different
tradition. They wouldn’t exactly be called westerns. They
would be, what might be called, adventure films, they were
more woodland settings, but they told essentially the same
story. You would typically see depictions of the RCMP as
saviours within them. And, typically, they were fraught
with the same sort of misrepresentations as their American
counterparts.
And, I should state that before we had really functional cinema in Canada, so pre-dating say -- and I mean feature length cinema, not documentary films. So, pre-dating, say, 1960. A lot of those productions were actually American made. They were American studio productions that came to Canada and shot here with American stars, but they weren’t actually Canadian films. They were just set in Canada. So, yes. That’s...

**MS. CHRISTA BIG CANOE:** No, that’s great. Thank you. There’s a couple of follow up questions though. One of the comments you just made is, you know, the portrayal of Indigenous women was straight through. And, you know, thinking of the Disney Pocahontas, let’s talk for a moment about the icon of princess.

And, often these stories, as they did evolve in the western, when there was a romantic interest, it was almost always between a non-Indigenous hero and an Indian, pardon the expression, squaw, or, you know, an untameable woman, but the goal -- part of the goal was to tame her and make her somehow part of his culture. Can we talk a little bit about, sort of, the evolution of the princess icon?

**MR. JESSE WENTE:** Yes, the princess icon has actually not evolved. I would say it’s remained essentially the same, including up to very recent depictions. I mean, the whole notion of, of course, Indian
princess is a misnomer to start with. That sort of
standing does not really exist in most Indigenous nations.
It’s a projection, again a colonial projection of that
position in our societies.

And, even in the images we saw from the
clip, where you saw older -- you know, a portrayal from the
1950s up to a movie called The New World which was made in
the last 20 years, also about Pocahontas, they’re virtually
the same. You know, there’s an innocence, a connection to
nature, they tend to be passive characters. Even
Pocahontas who is slightly more active, is still
reactionary to John Smith. It’s really his story and she’s
reacting to it. So, they don’t have any significant
agency, meaning they don’t have any real capacity, even as
fictional characters, to control their own lives. Their
lives are largely controlled by others. They are
possessions.

So, for example, in a film like John Ford’s,
The Searchers, which you have a slightly more nuanced
portrayal of Indigenous women, there is still a
dehumanization in terms of the jokes, there’s some jokes
made around their appearance, but they’re also traded as a
commodity in that film. They’re literally for a blanket
and to a non-Indigenous character in the film.

And so, they really don’t have any standing
or value when compared to the male characters. Certainly, the non-Indigenous male characters, but even Indigenous male characters have tended to be granted more agency over time, which I would suggest is also because media has largely been male dominated, full stop, regardless of cultural background. And so, even in the more progressive portrayals, the women tend to lag behind the men in terms of that evolution.

It's beginning to change, because the -- one of the good things is that modern Indigenous filmmakers, I would say majority of them are indeed women. And, certainly the Indigenous cinema as we know it today was actually founded by women, by Alanis Obomsawin here in Canada, by Merata Mita in New Zealand, a Maori filmmaker. They were the two central figures in what we would now call the Global Indigenous Cinema, and that has helped those betrayals. But I would also suggest that those betrayals don't exist in the same plain of popular consciousness as the larger Hollywood, because those filmmakers have not had access or have not made films on -- in the same size or scope, meaning, you know, Disney is the world's largest entertainment company. So, it has incredible capacity to spread those images around. Alanis Obomsawin has made movies for National Film Board in Canada. Well, her, she is a legend. Those movies, by the nature of that, reach
far fewer people ultimately than Disney.

And I think that's one of the ongoing corrective measures we need to see in media is access to -- not just media as a thing, but access to the same level of support and distribution and exhibition that these larger entertainment entities have had and control. It would be impossible to correct these narratives if Indigenous media is only held -- is held to a lower economic bar or scope than mainstream media. You won't get that representation corrected without mainstream media having that work done.

MS. CHRISTA BIG CANOE: Chief Commissioner,

Commissioners, I kindly request to tender common portrayals of Aboriginal people that was included in Mr. Wente's package as the next exhibit.

CHIEF COMMISSIONER MARION BULLER: Yes, the Common Portrayals of Aboriginal People is Exhibit 40, please.

MS. CHRISTA BIG CANOE: Thank you.

--- EXHIBIT NO. 40:

“Common Portrayals of Aboriginal People”

(four pages)

Witness: Jesse Wente, Director,

Indigenous Screen Office

Submitted by Christa Big Canoe,

Commission Counsel
MS. CHRISTA BIG CANOE: I have one more question because I think it's actually going to be a good segue to the next thing we want to talk about.

MR. JESSE WENTE: M'hm.

MS. CHRISTA BIG CANOE: It's this whole concept of representation, like, seeing yourself in film. Obviously when you were talking about the westerns, obviously when you're talking about the icon of princess, the actual portrayal of a number of those actors, historically, have not actually been Indigenous.

MR. JESSE WENTE: M'hm.

MS. CHRISTA BIG CANOE: So let's talk about the disconnect between who's portraying the Indigenous people and sort of where we're seeing Indigenous cinema now going.

MR. JESSE WENTE: Sure. I mean, historically the vast majority of roles on screen for Indigenous people have been played by non-Indigenous people. And even historically when they have been played by Indigenous people, they've been misrepresented.

So, again, give you an example, John Ford is the most famous practitioner of the western, shot the vast majority of his films in Navajo country. He relied on the Navajo Nation to provide him with the -- not just the location, but also the actors that would appear in his
movies. So that meant even if his film was entirely set --
for example, with his 1956 film "The Searchers", set in
what was the Comancheria, what we would now call "West
Texas", so all of the characters were either Comanche or
Kiowa, the performers in the movie are entirely Navajo.
They speak Navajo on film, even though they are identified
as being Comanche. And you'll see this quite often, even
when they're trying their best to get the representation
correct. But, for the most part, you would see non-
Indigenous people.

There's actually been instances where in
Hollywood movies they'll hire Indigenous peoples, have them
speak the language, but play it backwards or play English
backwards as representation of Indigenous language because
there isn't really a lot of care.

One of the most famous icons of Indigenous
people on screen is the headband, which is very common if
you watch American westerns. But, of course, the headband
was not part of all nations and typically was employed to
keep the wigs of the performers on their heads. It was not
employed as a way to actually represent their true
identity. It was because most of the actors by then would
have had shorn hair, but they wanted the long hair in the --
-- what they wanted as representation.

So this again creates that great disconnect.
And, again, if there had been accurate representations maybe this wouldn't be so hurtful. But, of course, these all occur in the complete absence of regular or appropriate representations. And not just in the absence, but in very aggressive state policies that are also occurring to Indigenous peoples while this representation is going on and, of course, while we are unable actually to engage in storytelling ourselves.

So we would typically call that whitewashing, which still goes on quite a bit. I think increasingly that has become present as an issue and so hopefully we'll see an end to that relatively soon.

But I think the big thing about representation is -- especially large pop culture media, is that it is about invisibility. And unless you see yourself depicted in mainstream media you are invisible. It means you are invisible to the larger culture. They don't see you. And when you see yourself it means you are seen, and that is why positive depictions can be so incredibly powerful. They reaffirm that the larger culture does actually see and acknowledge you, that you exist.

And so even in the most subtle or benign ways, seeing an Indigenous person appear -- you know, I often talk about one of the most powerful things was watching a movie like Die Hard 3 -- stick with me -- Die
Hard 3, but Graham Greene in that plays a police officer and he actually is the hero police officer. He saves the children in the movie while Bruce Willis is off doing something else.

And I remember being very struck by that because he is not identified as Indigenous ever in the movie. It is not central to his identity. He just is. He just exists in this world. And this was an extraordinary thing to see, as a young Indigenous person, the fact that we could be in a Bruce Willis movie. It's not central to the plot. It's not a western. It's set in a contemporary setting. We could be a hero. And that it's never actually mentioned. And in those moments is when we can actually see ourselves as being part of the larger culture.

When we see ourselves misrepresented, we realize that we are not, that we are othered, that we have been positioned outside of that mainstream culture. And that is, I think, traumatic, and then becomes reflected in how, not only we view, but the larger culture ultimately views us.

And I think the big issue is one of dehumanization. And that over the courses of time, without authentic representations and with false representations being the norm, Indigenous people have struggled to be human on Turtle Island. And when you're not human, it
becomes much easier to assert violence, oppression and
neglect. It becomes much easier to ignore these things in
the community. It becomes much easier to accept what
wouldn't be acceptable in your own community if you don't
think other people are human. And I think that is largely
what the media has done to Indigenous peoples.

And I would say that while it wasn't
calculated, I don't think there was ever meetings in
Hollywood or major media where everyone gathered to say let
us do this, I think it was a function of the nation
building of both Canada and the U.S. to do this, but it has
made -- meant an enormous cost for Indigenous people to be
dehumanized in this way as part of the colonial process on
Turtle Island.

**MS. CHRISTA BIG CANOE:** Thank you, Jesse.
This leads to another issue is the cultural appropriation.
And I know recently some events occurred and there was some
stuff in the media that was, quite frankly, quite offensive
in terms of having a cultural appropriation award. Can you
explain a little bit about that for us?

**MR. JESSE WENTE:** Sure. May last year Right
magazine, which is a literary quarterly -- this is put out
by the literary community, the writers -- I believe it's
the Writer's Association of Guild Canada. They published
an edition, which was meant to highlight Indigenous
writers. It was entirely Indigenous writers featured in this particular magazine, edited by an Indigenous woman.

However, there was an editorial that appeared at the front of this particular edition of Right magazine by the non-Indigenous editor of the magazine, which discounted cultural appropriation as actually existing, and even suggested the creation of something called the appropriation prize, which was then furthered on social media that night by the gatekeepers of actually Canadian media.

So you saw many leading editors and publishers of Canadian media actually offer to contribute to the establishment of an appropriate prize, of the idea being that any appropriation was just simply part of what free expression granted. And so, this occurred in May, and I went on TV and radio -- this included someone from the CBC, an editor -- a senior editor at the CBC offered to contribute, editors from MacLeans, editors from the national newspapers all thought this was a good joke to do overnight on Twitter.

I went to discuss the issue of cultural appropriation on CBC and on the -- both on television, on network and, in fact, to debate one of the people that organized this particular event on social media and to confront them about cultural appropriation. I don’t know
if you want to play the clip, but I guess what I would say
that, again, the key thing to understand about cultural
appropriation and the nuance difference between when we
discuss it with First Nations, Métis and Inuit versus very
much almost anyone else on Turtle Island is that in both
Canada and the US, cultural appropriation was the law of
the land.

In 1844, we know the Potlatch ban was passed
in Canada. In the States, they likewise passed a similar
law outlawing pagan acts. Also, in 1884, the Potlatch ban
stayed in place until 1951 in Canada. In the US, that law
stayed in place until 1979 when they passed the Religious
Freedom Act.

So, that law actually made appropriation
legal and, in fact, mandated. So, Indigenous people were
unable to use our sacred items, unable to tell our own
stories, unable to represent our own culture. Those sacred
items were largely seized, placed in museums and galleries
all over the world contextualized by non-Indigenous people.
Our ceremonies, which are central to our storytelling, were
largely outlawed under this. They still occurred in
private, but publicly you could be sent to prison.

And, in fact, earlier, I described when
Thomas Edison shot the movies in upstate New York in 1894,
the two performers who were actually were from the Buffalo
Bill Wild West show. They happened to be performing at the
time. It’s key to remember that in 1890, so four years
before Edison shot those movies, 300 Sioux men, women and
children were slaughtered at Wounded Knee largely for
performing the Ghost Dance.

So, in the States, this wasn’t an act
punishable by death in the US, and yet they were allowed to
perform these same dances for his camera four years later.
That is cultural appropriation. That is what we’re talking
about. We’re not talking about cultural exchange or
cultural sharing. We are talking about state controlling
the ability to tell stories and practise culture. This is
of course in concert with the language theft that occurred
within residential schools and all of those other polices
that were put into place.

When I refer to cultural appropriation in
Canada, that is what I mean. And, again, it’s important to
remember that the CBC, the National Film Board, most of the
major galleries would have been founded while that law was
in act in Canada. So, that storytelling really prevented
and contributed to this ongoing issue and, yet, that is
largely absent from this debate in Canadian culture, and
it’s I think because -- you know, the over culture really
wants one answer when it comes to cultural appropriation.
And, the truth is that there can’t be one answer because
it’s experienced differently by different communities.

And, for First Nations, Métis and Inuit peoples, this was a direct state sanctioned ideology and violence perpetrated on us as part of the colonial system and project that is the two nation states. And so, this requires a different, sort of, intervention, and simply education or simply trying to correct these portrayals. This requires a direct intervention to empower Indigenous storytellers to grant narrative sovereignty back to Indigenous peoples who never should have lost it in the first place.

And, it is only with that narrative sovereignty that I think you will ultimately -- and for an extended period, let’s throw out, you know, for the rest of time, as a good place to start. It is only with that, I think, that you actually correct or begin to correct the false histories that have occurred, that we see still present in our education systems and in our media systems, because that cultural appropriation meant that you now have generations of Canadians who now lead media companies, who now sit in editorial positions who don’t know Indigenous stories at all. And, what position does that place them in to actually judge what stories to now tell?

**MS. CHRISTA BIG CANOE:** Thank you. There is within your material an article, “An Emotional Jesse Wente
on the ‘Remarkable Arrogance’ of an Appropriation Prize”,
as an article. I am going to request that this be put in
as an exhibit. In this document, or in this, there’s a
link that actually goes to an interview that we’re about to
show a clip on. But, I ask not the clip to be entered, but
that this document be entered because it has the video
link.

CHIEF COMMISSIONER MARION BULLER: The
Arrogance’ of an Appropriation Prize” is Exhibit 41.
--- Exhibit 41:

  Article “An Emotional Jesse Wente on the
  ‘Remarkable Arrogance’ of an
  Appropriation Prize”, CBC News, May 15, 2017 (three pages)
  Witness: Jesse Wente, Director of
  Canada’s Indigenous Screen Office
  Submitted by Christa Big Canoe,
  Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. I’m
going to ask if we can actually show the clip now, please?
(VIDEO PRESENTATION)

MS. CHRISTA BIG CANOE: So Jesse, I know
that no one ever likes seeing themselves, and the
vulnerability you shared. I know, because I now see myself
a lot on the screen and it’s unusual. But the
vulnerability you shared, I think, speaks volumes about,
you know, when is enough, enough? And so, I want to give
you the opportunity to tell us. Like, you talked about the
resiliency, and I loved the comments you made that “We are
going to do this. We as Indigenous People are going to do
this.” Can you tell me a little more about that?

MR. JESSE WENTE: Yeah. I think it’s
increasingly clear that if Canadian institutions aren’t
willing to include us, then we will just resurrect -- we
will build our own, we will construct our own. The time is
long overdue for our inclusion in mainstream media in these
places, long overdue. And surely Commissions like this are
evidence of that. The fact that we even have to do this
should be evidence that this is long, long, long, overdue.

And so, I think we just will, you know, I
have no doubts the job that I have just taken as the head
of the Indigenous Screen Office, which is a brand-new
organization which only started in February, is exactly
that. It is to put the control of media -- not just the
control of who is on your screen, not even just a control
of who’s behind the screen, but who’s in the boardrooms and
in the institutions that make the decisions before we even
get to those other places?

It’s about -- it’s about narrative
sovereignty, as a way to grant true sovereignty, both physical and political to Indigenous Peoples. The sovereignty that is largely enshrined in the treaties that we have signed with the Nation State of Canada, that we never gave up. And I think that is just one example, one example of the ways in which, if we are not permitted to even get a scrap of equality from the existing Canadian institutions, then we will build our own, and in the process if that means tearing down the existing ones, then we will do that as well.

MS. CHRISTA BIG CANOE: Thank you.

There’s just a couple of points I want to make sure that we include the material into the record. One of the articles that Jesse has spoken to, at least the themes in, includes “Media’s Indigenous Coverage Has Always Been Slanted and it’s Still Scant, says writer Hayden King”. Should it be -- I believe in Schedule F of your material. And I’m asking that it be marked an exhibit, and Jesse, I’m sure it’s fair to say you could answer questions in relation to that article?

MR. JESSEE WENTE: Sure.

MS. CHRISTA BIG CANOE: And sort of on that resilience point that, you know, and you talked actually already about Alanis Obomsawin and like, women’s role in Indigenous film making. There was an -- oh, I’m sorry. I
should have let the Commissioner actually make a
determination on the exhibit.

CHIEF COMMISSIONER MARIAN BULLER: Media’s
Indigenous Coverage Has Always Been Slanted and it’s Still
Scant, says writer Hayden King, is Exhibit 42.

--- EXHIBIT No. 42:

“Media’s Indigenous coverage has always
been slanted. And it’s still scant,
says writer Hayden King,” by Hayden
King, Toronto Star, July 31, 2017 (two
pages)
Witness: Jesse Wente, Director,
Indigenous Screen Office
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

I would also like to tender “Indigenous
Filmmaking Set to Rise in Canada in 2018 and Beyond”. This
is in Schedule A, I believe. And this is an article
talking about Indigenous filmmaking, and Jesse, you’re
comfortable answering any questions should any parties have
---

MR. JESSE WENTE: Absolutely.

MS. CHRISTA BIG CANOE: --- in relation to
this?
CHIEF COMMISSIONER MARIAN BULLER: Excuse me, are you asking that that be marked as an Exhibit?

MS. CHRISTA BIG CANOE: Yes, please.

CHIEF COMMISSIONER MARIAN BULLER: Okay.

“Indigenous Filmmaking Set to Rise in Canada in 2018 and Beyond” is Exhibit 43, please.

--- EXHIBIT No. 43:

“Indigenous filmmaking set to rise in Canada in 2018 and beyond,” The Canadian Press, posted December 28, 2017 11:05 a.m. ET, last updated December 28, 2017 (six pages)
Witness: Jesse Wente, Director, Indigenous Screen Office
Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Jesse we -- I personally would love to spend more time talking on this issue. We do have limited time today. A number of my colleagues in the room and the Commissioners themselves will also have more questions for you. But before I finish my questions with you, I wanted to ask if you have any particular recommendations or suggestions to share with the Commissioners in relation to your opinion and expertise?

MR. JESSE WENTE: Sure. I mean, I -- you
know, baseline -- and I think my colleague Tanya will
probably underscore this as well, is we obviously need to
find our way out of the Indian Act, that’s certainly part
of it.

When it comes directly to media, we need
Indigenous control over our stories. We need Indigenous
Peoples -- my goal would be, over represented in the media
in terms of our population. Again, that is a corrective
measure, because I don’t think just pure representation
based on a four and a half percent population, is actually
going to achieve a significant change in the media. So I
think you need Indigenous People over represented in all
aspects of the media, from the craft positions to the
executive offices of the very top.

I think it’s important to understand that
the major finding bodies, and the media institutions in
Canada have significant lacking of Indigenous
representation in their ranks. Telefilm, which is the
funding body for film in Canada, just hired its first
Indigenous person in its history. The National Film Board
only has two Indigenous Peoples on staff, one of them is 85
years old and a living legend. Places like SODEC in Quebec
have none represented. The CBC has no Indigenous People in
its upper management. Most of the Indigenous representation
occurs on screen or behind the microphone as opposed to in
the editorial positions.

Until you get that representation it’s hard
to imagine media being able to appropriately reflect
Indigenous peoples, and cover and provide the editorial
weight behind the issues that face our community. Because
it’s not just representation, it’s the lack, sometimes, of
representation. Would issues like the one this Commission
is meant to address have continued if stories had been
written decades ago like they should have been? If editors
and reporters had been connected to the communities to tell
the stories decades ago, would we need Commissions like
this, and I wonder if we would.

And instead the media has largely ignored
these stories or when they’ve approached these stories in a
journalistic sense, they tend to do a disservice to the
stories of the survivors and the families, and they rely
on, unfortunately, the misrepresentations that are present
in our media. That is where many journalists end up having
to learn because they weren’t taught these things
appropriately in school.

And I think until you get an
overrepresentation of Indigenous people across media in
Canada and in positions to control editorial content and
editorial decisions -- I think that is fundamentally what
we need. And we need it for, again, in a very extended --
this is not something that occurs in the moment and goes away. It is sustained, forever-style engagement.

    I think there’s models in other colonial states where we see, for example, New Zealand, has four Maori language television stations. In Canada we only have APTN dedicated to Indigenous media. And we need to see a larger investment, both into places like APTN but also see larger investment from places like the CBC in supporting Indigenous stories as part of their obligation to tell a true story about Canada and to better serve the public that they are obligated, in fact, to serve, especially when it comes around journalistic practice.

    And so I think that’s fundamentally what we need. I think there’s many ways to get there, and we’re in the processes now to do that. But I think the faster and more readily we are able to use this -- because I certainly believe that appropriate and authentic representation in the media would contribute to solving some of the larger systemic issues faced by the Indigenous community, including the one that this Commission is most meant to address, as it would provide the humanization that we fundamentally need in order for the Canadian public to understand that is in their best interests to solve these issues and address these issues for Canada, and it’s not just Indigenous issues, that this is a Canadian issue.
This is an issue about Canada, what Canadians are willing
to accept, who is accepted as human in Canada, and the type
of nation Canada truly wants to be; not the nation that it
says it, the nation is actually willing to live and be on a
daily basis.

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

One of the moments you talked about earlier
you pointed to seeing yourself in -- seeing yourself in
somebody -- and I just want to acknowledge, you may not
know this but you are for a lot of people, that. Being in
broadcasting and hearing your voice on Metro Morning and
hearing your positions; seeing that an Indigenous person, a
broadcaster, can actually be a good role model because in
you other Indigenous people can see.

And I’m sorry, I just really felt obligated
to acknowledge that; that you have provided that for us for
many years for a number of us Indigenous people.

Thank you.

**MR. JESSE WENTE:** Miigwech.

**MS. CHRISTA BIG CANOE:** Before we move to
Tanya’s testimony, we’re going to request just a five-
minute break so that we can -- and I’m asking that we stay
tight on time because everyone knows how tight we are today
in order to hear these excellent witnesses in the
timeframe.
So if we could just have a five-minute break before we go into the next testimony?

CHIEF COMMISSIONER MARION BULLER: Five minutes, not six.

(LAUGHTER)

--- Upon recessing at 9:53 a.m.
--- Upon resuming at 10:02 a.m.

MS. CHRISTA BIG CANOE: Chief Commissioner, Commissioners, if we could re-commence with this first panel. And, for anyone just joining us either in person or on live stream, the panel that is before us right now is the Truth Telling Panel on Media, Journalism, Film and Broadcasting.

The next witness that I would like to call is Tanya Talaga. Tanya is a very recently highly awarded author for her book on the Seven Fallen Feathers, but she’s been a journalist for a number of years as well. Before we start, I would ask Mr. Registrar to affirm. Yes, to affirm on a feather. If we could have a feather, please?

MR. BRYAN ZANDBERG: Good morning, Tanya.

MS. TANYA TALAGA: Good morning.

MR. BRYAN ZANDBERG: Tanya, do you solemnly affirm to tell the truth, the whole truth and nothing but the truth?

MS. TANYA TALAGA: Yes, I do.
TANYA TALAGA, Affirmed:

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

MR. BRYAN ZANDBERG: Thank you.

MS. CHRISTA BIG CANOE: Before I actually ask any questions, I want to qualify Mr. Talaga -- and may I call you, Tanya?

MS. TANYA TALAGA: Please.

MS. CHRISTA BIG CANOE: As an expert. And so, I propose to ask some questions and then canvas if there’s any objections.

So, to start, Tanya, can you tell us a little bit about your background as comfortable as you are sharing about your personal background?

MS. TANYA TALAGA: Miigwetch for allowing me to be here today. (Speaking in Anishnaabe). This is a great honour for me to be here and I have to say as a journalist, it’s always strange to be on this side of the fence, but I imagine some of the lawyers are going to enjoy this.

My name is Tanya Talaga and I am a Polish and an Anishinaabekwe woman. I was born and raised in Toronto. My mother is from outside of Thunder Bay. A little place called Wraith, Ontario, which is on the traditional lands of Fort William First Nation, and my grandmother is a member of Fort William First Nation.
And, I, especially recently, write mostly about the community that I feel very much a part of, and that’s Northern Ontario. And, I am -- have been at the Toronto Star for almost -- well, just over 20 years actually. And, I can talk a little bit about the trajectory of, sort of, what led me to the Star and the need for more Indigenous journalists as we go along through the testimony today. And, I am also a mother of two teenagers.

MS. CHRISTA BIG CANOE: Thank you, Tanya. I’m going to ask you, if you can look at your CV -- I believe it’s in the tab here for you. And, I’m just going to highlight some points. Is it true that you’re currently CBC’s Massey lecturer for 2018?

MS. TANYA TALAGA: This is true.

MS. CHRISTA BIG CANOE: And, can you tell us just a little bit about what the Massey Lecture does?

MS. TANYA TALAGA: I’ve been honoured to be -- I am the Massey lecturer for this year, I will be travelling across Canada in September and October to five Canadian cities to discuss the topic that’s been -- is close to my heart and something I’ve spent the last eight months researching on, but I have been writing about this for quite some time, and that is suicide in our communities, our Indigenous communities, particularly youth
I’m looking at the effects of colonization, the effects of residential school, intergenerational trauma, and how this has all played such a role into identity and belonging and who we are, and also on what we see now with the effects of suicide in our communities.

I’m also writing, as part of that, a book that will be coming out in September to support the Massey Lectures. This is based on my work as an Atkinson fellow in public policy. The Atkinson Foundation is a charitable foundation that’s run through the five families that own the Toronto Star and I’ve spent the last eight months, as I said earlier, researching on youth suicide.

MS. CHRISTA BIG CANOE: A not easy topic, I am sure, to be researching, but important in storytelling. So, you’ve already told us you’ve been with the Toronto Star for over 20 years. It’s fair to characterize what you do as investigative journalism?

MS. TANYA TALAGA: Mm-hmm.

MS. CHRISTA BIG CANOE: And so, what’s the difference between that and, say, like an opinion column?

MS. TANYA TALAGA: I actually don’t get to write about my opinion. I am supposed to look at the facts. I am supposed to uncover stories, stories that have not been told, give voice to the voiceless, look at things
that -- policies, procedures that are impacting lives and in some aspects negatively impacting lives, looking for holes, looking for ways to make things better. I had been doing a lot of that work with, actually, Murdered and Missing Indigenous Women and Girls before I took a leave to write the book on Seven Fallen Feathers. But, I also have been writing about the seven kids since 2011.

And, instead of giving an opinion -- so columnists do opinions. And, opinions, you take one side, you sort of go on about how you feel. You see something, and a newspaper or a website gives you -- allows you to have your voice told, my voice is as a journalist, so it’s a bit different. I’m supposed to be looking at both sides of the story, black and white, and presenting the facts that I find.

**MS. CHRISTA BIG CANOE:** And so, you already mentioned Seven Fallen Feathers, the book that you wrote, and it’s “Seven Fallen Feathers: Racism, Death and Hard Truths in a Northern City”. I know you’re very modest, so I’ll try to go through this part quick. I understand that you, in this year, have won the Writer’s Trust Shaughnessy Cohen Prize for Seven Fallen Feathers for the best political book of 2018.

**MS. TANYA TALAGA:** Mm-hmm.

**MS. CHRISTA BIG CANOE:** I also understand
that you’ve won the RBC Charles Taylor Prize for Seven Fallen Fathers for best non-fiction book.

**MS. TANYA TALAGA:** Mm-hmm.

**MS. CHRISTA BIG CANOE:** You’ve been a finalist in a number of other that are listed in your CV, so I won’t go into them, but I can’t help but note that -- and congratulations is in order because I believe you just also were awarded the Indigenous Literature Award for this book.

**MS. TANYA TALAGA:** Yes, and that’s a very big honour to me.

**MS. CHRISTA BIG CANOE:** And, it’s a big honour, I’m guessing, because it’s part of First Nations’ Community Read Program which is actually designed and aimed to Indigenous readers and communities.

**MS. TANYA TALAGA:** Mm-hmm.

**MS. CHRISTA BIG CANOE:** Chief Commissioner and Commissioners, I would request that Tanya’s CV be marked as an exhibit.

**CHIEF COMMISSIONER MARION BULLER:** Yes, the CV is Exhibit 44, please.

--- Exhibit 44:

CV of Tanya Talaga (two pages)

Witness: Tanya Talaga, Journalist and Author
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. I’m going to ask if there’s any parties that object to me qualifying Ms. Tanya Talaga as an expert or if they want to note no position on the record. Seeing no objections, Chief Commissioner and Commissioners, based on the knowledge, skill, practical experience and training as described by Tanya, and the numerous awards and acknowledgments recently achieved as the result of her investigative journalism and authorship of Seven Fallen Feathers, I am tendering Ms. Talaga as a qualified expert witness in the field or area of journalism and writing on Indigenous issues with Indigenous perspective.

CHIEF COMMISSIONER MARION BULLER: Certainly. We are satisfied that Ms. Talaga has the requisite background to give opinion evidence with respect to the area of journalism and writing on Indigenous issues with Indigenous perspective.

MS. CHRISTA BIG CANOE: Thank you. So, Tanya, I want to start with a comment I’ve heard you say about -- and you’ve already told us a little bit about your role as a journalist, an investigative journalist as opposed to sharing your own opinion. Something you’ve often said is you’re telling other people’s stories, but
you’re the messenger.

So, I want -- I’m wondering if you can talk a bit about how you particularly, you know, in authoring the Seven Fallen Feathers or the other work you’re doing situate racism as a messenger.

**MS. TANYA TALAGA:** Miigwetch for the question. I don’t see myself as a spokesperson for anyone or anything. And, the comment for messenger, I made that comment to you because I really do feel that I am gifted the stories that I tell, and that I feel that I very much, I hope, tell the stories of the community in Northern Ontario that has trusted me with the stories of their loved ones. And, I would not be the storyteller I am today if I did not have the support of the families in Thunder Bay, the families of the Seven Fallen Feathers which I will, hopefully, get a chance to read their names into the record.

**MS. CHRISTA BIG CANOE:** Yes, absolutely.

**MS. TANYA TALAGA:** Okay. Can I do that now or...

**MS. CHRISTA BIG CANOE:** You can. Yes.

**MS. TANYA TALAGA:** Okay. Thank you very much. I wanted to pay particular attention to them, because I think it’s really important that we remember the seven students now, today. The students are Jethro
Anderson, Curran Strang, Paul Panacheese, Robyn Harper, Reggie Bushie, Kyle Morrisseau and Jordan Wabasse. I should also note that many other students have lost their lives in Thunder Bay before this point, before 2000 and 2011, which I wrote about, and I also remember them. And, there have also been students that have passed on since 2011, and I remember them, too, today. I am thinking in particular two, of Dylan Munoz (phonetic), Tammy Keeash Gesiabeg (phonetic).

I feel very lucky to tell the stories of Nishnawbe Aski Nation out of the 49 communities in Northern Ontario that represent Treaty No. 9 Territory. And, the seven children that I write about come from Nishnawbe Aski Nation. And, in that context, I feel that it was all of us writing this book. It wasn’t just me. It was a community of storytellers, and I just wrote it down.

MS. CHRISTA BIG CANOE: Thank you. So, I mean, the title itself talks about racism, and death, and hard truths in the northern city. So, as the storyteller, I know that when you wrote the book, you know, to honour the death of the seven and the others, what were you -- what was your journey? What was the initial journey going out, and compared to what the result was?

MS. TANYA TALAGA: Mm-hmm. Thank you for asking that question because I think by my answering, I
will hopefully answer your first question which I didn’t completely answer. I should also tell you that I often talk in circles. I start with something, and I go, sort of, all the way around and I’ll come right back to a point. And so, please, just bear with me with that.

But, the title of Seven Fallen Feathers and racism, death and hard truths in the northern city, you know, I was lucky to be gifted all of the material with this -- and, I’m sorry, I just temporarily forgot what you were asking. I just got caught up in a moment.

**MS. CHRISTA BIG CANOE:** No worries. You were at the point of discussing the title. And so, what I was asking is what was your intention, your original journey at authoring this.

**MS. TANYA TALAGA:** Right. Okay.

**MS. CHRISTA BIG CANOE:** And, what was the difference between what you went in thinking you were going to do and what the result of it ended up being.

**MS. TANYA TALAGA:** Now, here’s my circle again. In 2011, I was a political reporter for the Toronto Star. I was working at the Queen’s Park bureau, and I was sort of the last person to come into the bureau. I didn’t have very much political journalism experience. And, there was a federal election in full swing. It was essentially Stephen Harper versus Jack Layton, two very divergent
viewpoints.

And, I wanted to write a story, and I pitched to my editors a story on why it is First Nations people were not voting in elections. I knew the answer to that question. I knew that status Indians in this country did not have the right to vote until 1960. But, it was -- my editors thought, "Hey, that idea sounds really exotic. You know, that’s something quite new and different." This is 2011. This is before the TRC reported. This is before Idle No More. This is before the proliferation of social media.

And so, my editor said to me, “Why don’t you do that story.” And, I said, “Well, if I’m going to do that story, I need to go to Thunder Bay. And, I need to go Thunder Bay for a variety of reasons.” Thunder Bay is a city that I know. And, in Thunder Bay, I knew that Stan Beardy, the former Grand Chief of Nishnawbe Aski Nation, would be there, because that’s where his office is. So, I went to go speak to Stan.

And, we sat across from each other, and I began to interview him on why it is Indigenous people were not voting. I often start with a very broad question to make someone feel comfortable, and that’s where I started. And, he looked at me and he said, “Why aren’t you writing a story about Jordan Wabasse?” And so, I repeated my
question again, and he looked at me and he said to me,

“Jordan’s been missing for 70 days.” It became apparent to
me that I was not going to get the question that I wanted
answered, and I should put my manic Toronto journalist self
aside, remember who I am, remember who he is, and I’m
sitting in the presence of a Grand Chief, and the Grand
Chief is trying to tell me something. I should listen.

And, I’d like to think at that moment in
time that I opened my ears and I listened to what he was
saying, and that is when Stan said to me that Jordan was
the seventh student to die or to go missing in Thunder Bay
since 2000. And, when he said “seven”, a number of things
hit me. You know, disbelief, first off. I couldn’t
believe that there were no national news headlines about
seven students that had gone missing or had died in Thunder
Bay since 2000. I know that if this was Toronto or if this
was Ottawa or Vancouver, if there was a story of seven
children that had died while at school, in high school,
that would get national media coverage. And, I just
couldn’t believe it, what he as saying, almost.

And then Stan took me on a drive, and we
went to the place where Jordan was last seen or was
suspected to have last seen, and where we were was the
Kaministiquia River underneath Mount McKay, and when we got
there, I just really couldn’t believe it because, of
course, Mount McKay is a spiritual centre of Fort William First Nation, my grandmother’s reserve, and that’s when Stan said to me, “You know, we have a cap here, and this is where we last believed Jordan was seen.” And, within 2.5 months of us standing there, Jordan’s body would be found exactly there.

Stan then took me to Dennis Franklin Cromarty High School, and in typical Stan fashion, we got into his pickup truck, drove to the school. I walked in the front door, and Stan sort of dropped me off at the administration desk and said, “This is Tanya. She’s a Nish. Tell her everything.” And, that sort of began my journey.

I should tell you that Dennis Franklin Cromarty High School is an Indigenous run high school, and it is for the children that come from NAN Territory, that come into Thunder Bay to go to high school. This was also part of my learning journey, was the fact that there are no -- very few proper high schools for First Nations children in Northern Ontario. And, if children in Northern Ontario want to pursue a high school education, which is the right of every other child in this country under the age of 18, they have to move 400, 500, 600 kilometres away from their communities, often small communities, remote and fly in. They move away from their language, they move away from
their parents, their culture, from everything that they
know.

Keep in mind, too, these communities I
mentioned, they’re a little bit small and they are. They
don’t have traffic lights. They don’t have malls. There’s
really no place to hang out other than the Northern Store.
And, if you’ve been to the Northern Store, you often don’t
want to hang out there. You know, it’s not a great place
for youth, other than if you’re going to buy something.

So, this too I was astounded at, that more
people weren’t writing about this, or I was not hearing
more about this in the mainstream media. How could it be
in 2011 we don’t have high schools for children in the
communities that they live in? This seems to me like a
fundamental human right for any child.

So, that’s when I began to write about the
Seven Fallen Feathers and about what was happening in
Thunder Bay, and as part of that, you cannot help but look
at racism. You cannot help but look at intergenerational
trauma, the effects of colonization on Indigenous and non-
Indigenous society in the City of Thunder Bay. Thunder
Bay, to me, too, is a microcosm for the entire -- you can
look at Thunder Bay and see it, but it’s a microcosm for
the entire country of Canada. I see many things when I
look at what’s happened in Thunder Bay, particularly with
the Seven Fallen Feathers. I see very many similarities
with how the cases of the seven were handled with the cases
of the murdered and missing Indigenous women and girls that
I write about and I’ll talk about that later on. I also
see the death of Colten Boushie. I see many things like
that, and the same struggles seem to be happening time and
time and time again.

Getting back to the high school, Dennis
Franklin Cromarty, it was there that I met the students and
the youth of Nishnawbe Aski Nation, and I have to say that
they are all an inspiration because they come to school
because they want an education. They want to learn. So,
they leave their families. You know, imagine doing that at
14, or 13, or 15, especially too when you’re not operating
in English as a first language.

So, they come to the city and they’ve never
seen -- for some of them, they’ve never been on a bus.
They’ve never -- when they get to the traffic lights, they
actually have to learn how to cross the street. These are
things that a lot of people take for granted, but for kids
that live in the north that come in, these are things that
they’re all learning. And, instead of coming, often, to a
welcoming city and place, they have been met with
hostility.

Every single child that I meet, every
student that I meet at Dennis Franklin, I’ve been honoured
to meet, they will tell me a story about racism. They will
tell me a story about walking down the street and having
eggs thrown at them. They will tell me a story of being
called a “Dirty Indian”, being told to go back to where
they came from, you know, which is interesting, because
this is where they came from. This is their land -- this
is our land. So, this is all of the things that I hear
from the kids themselves when I’m in Thunder Bay.

MS. CHRISTA BIG CANOE: Thank you, Tanya.

Is it okay if we actually look at some of the excerpts that
you’ve provided in your materials to kind of situate and
discuss some of those stories you’re actually talking
about? And so, this was in the material at Schedule B, and
they’re just excerpts. We don’t have to go through all of
them, but for example -- I’m going to rely on my book --
you had mentioned the names of the Fallen Feathers, and
Jethro Anderson was the first of the Fallen Feathers to be
found in the waterways in Thunder Bay. And, at page 113 of
your book, in the excerpts, there is -- it starts midway
down the page, “It seemed everyone was out looking for
Jethro; everyone but the police.” And, you don’t have to
read in the excerpt, but can you tell us a little bit about
this excerpt and what the family has shared with you what
they experienced?
MS. TANYA TALAGA: Jethro Anderson was from Kasabonika Lake First Nation, which is about 500 kilometres north of Thunder Bay. Jethro turned 15 on October 1st, 2000. He was a Grade 9 student, and he had come to Dennis Franklin Cromarty to go to school, and he was one of the lucky kids, because when he came to Thunder Bay, he got to board with his aunt. His aunt is Dora Morris, a remarkable woman. She had children -- she has children of her own and she had one of those families and one of those homes where all the kids in the neighbourhood would sort of hang out, and feel good and, you know, have a good bite to eat. And, she was the one that cared for Jethro as a son. She had been in his life for his entire life.

And, he didn’t come home on one evening. He had been out with Dora’s son, Nathan, and instead of coming home, he didn’t. And so, when she got home from her job, she went out looking for him. She started to -- this is the end of October 2000. She started to drive around the streets of Thunder Bay with her husband sort of up and down the streets looking for Jethro. It was highly unusual for Jethro not to come home. She spent, like, 12:00 a.m., 1:00 a.m., 2:00 a.m. looking for him, driving around.

And, when she got back, there was still no sign of Jethro, and none of her kids knew where he was. No one had heard from him, so she decided to call the Thunder
Bay Police. And, when she called the Thunder Bay Police, she was told for her not to worry. The person who answered the phone told her, “He’s probably just out there partying like all the other Native kids,” and then he hung up the phone.

So, Dora could not believe what she had heard. She, of course, got back in the car and started looking on her own for Jethro. She called Jethro’s mother, Stella McKay, and Stella immediately took a charter flight down with members of family and the community, and members of the Anishinaabe community in Thunder Bay started to organize a search, a massive search, for Jethro, and it was the community that pulled together and began to look for him. It took Thunder Bay Police six days to respond to the missing person’s complaint of a 15-year-old boy.

**MS. CHRISTA BIG CANOE:** And, again, I know there’s a number of excerpts in here, but just keeping context in mind, you’ll be able to answer any questions about your excerpts, but I’m going to ask that we turn up page 284 and 285, and particularly, where there’s mention of Bernice Jacob, and this is Jordan’s Wabasse’s mother.

On June 28th -- there was an inquest, and on June 28th, the jury made 145 recommendations. Can you tell us a little bit about this excerpt on Bernice Jacob, Jordan’s mother?
MS. TANYA TALAGA: Thanks for the question.

As I told you, Jordan was the first student that I started
to write about, and Jordan’s mom, Bernice Jacob, was at the
inquest, and she was at the very end of the inquest as
well. It took a long time for Indigenous leaders to fight
to get an inquest, I should say, into the death of the
seven students. And Grand Chief Alvin Fiddler, now-Grand
Chief Alvin Fiddler was -- he really did push the ball to
get an inquest rolling, and it took many years to do so.

Bernice was there at the closing end of the
inquest. Over 200 witnesses were heard from; over the
course of eight months, 145 recommendations were tabled.
Among the recommendations -- and, you know, we can talk
about those later on, but among the recommendations is the
right for every child in this country -- the right for
every Indigenous child to have an education in a school
that it just like every single other school that children
that are non-Indigenous go to: Schools with libraries,
schools with gymnasiums, schools with computers, with
science labs.

And she spoke to the media. It was a very
emotional day and an emotional time, the end of the
inquest. She spoke to the media about the right and how we
all want everyone to be treated equally as we are all
human. That’s what she said. Because the inquest heard
time and time again how the students were treated differently because of the colour of their skin and how they were pelted with eggs or yelled at by people driving by in cars.

And also, too, how the investigations into the disappearance of the children were handled and also mishandled. And how still at this point there are as many questions as there are answers, if not more questions than answers.

And she also, too, she has three other sons in Webequie. Jordan was from Webequie First Nation, which is in the ring of fire area; again, around 500 kilometres northeast of Thunder Bay. And she has three sons back home and, you know, she said, “Two of them are in high school and I didn’t allow them to come to the city to further their education.”

That’s a really, really tough statement to hear but that is essentially what is going on in northern Ontario at this point, too, is that there are families that are afraid to send their children outside to go to school in Thunder Bay.

And so when she said, “We want everyone to be treated equally as we are all human,” that is what she was referring to.

MS. CHRISTA BIG CANOE: Thank you.
Again, I know you can tell the stories, and I encourage everyone to read the book because the stories are there to ask the questions. But I kind of want to turn our attention -- and I apologize because of the limited time -- you were talking about the inquest and particularly that day; that day where Bernice spoke, so truthfully and bravely, about the circumstance, the verdict of the Coroner’s jury that came out. Because I understand that some of the recommendations you believe the Commissioners should be endorsing specifically that came out of that.

So the verdict of the Coroner’s jury is at Schedule C. Our interim report, the National Inquiry’s interim report and our research work has already addressed this, I would still request, though, that the verdict that includes 145 recommendations is put into the record and tender it as an exhibit, please.

Chief Commissioner Marion Buller:

Certainly. For the purposes of our record, the inquest verdict, including the 145 recommendations, will be Exhibit 45, please.

--- Exhibit No. 45:

Verdict of Coroner’s Jury, Office of the Chief Coroner, names of the deceased: Jethro Anderson, Curran Strang, Paul Panacheese, Robyn Harper,
Reggie Bushie, Kyle Morriseau, Jordan Wasasse; Coroner for Ontario: Dr. David Eden, verdict received June 28, 2016, held at Thunder Bay

Witness: Tanya Talaga, Author & Journalist, Toronto Star

Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Forty-five (45).

And so Tanya, when you started you told us — you shared the story of, like, what you first set out to do and how it evolved. Did you ever imagine that the book was going to focus so much on racism, but also on education? Like, is this a story of our call to Canada to provide equal, equitable access to education for Indigenous children?

MS. TANYA TALAGA: Thanks for the question.

You know, I never thought that I was going to be writing a book that was about education as much as I did; I didn’t think that I would be writing a political book as much as I did. And I have to also tell you, too, that even though I was talking earlier about the difference between, you know, being an investigative journalist and being a columnist, I should also tell you there’s a difference with being an author.
And in this regard, I was an author; I am an author, and it’s a non-fiction book. And as a non-fiction writer, I did pick a side. So instead of being that black and white journalist, instead I did pick a side because there was no other side for me to pick. I mean, how could I not write this book as I wrote it? What I saw and what everyone was telling me, what we all see, but what seems to get lost in little everyday things like news articles that are, you know, 600 to 1,000 words long.

You can’t really explain to people the -- you can’t explain the roles of community or the roles of family or Nishnawbe tradition. You can’t explain many of that stuff. And oftentimes when you do, it can be cut down in newspaper articles.

And I knew that a book would be the best way to tell the story of the seven. And so that’s where that came from, and I hope that it was told effectively.

But I was amazed, too, as I went on with finding how inequitable the system is in education. I mean, the daily struggle of Dennis Franklin Cromarty to exist is a remarkable thing because the school is -- is like no other school I’ve ever seen, the school -- everyone that works in the school, they are like parents, surrogate parents to the kids, and they work 24/7. They, you know, sleep with their phones by their beds. They feed the
children.

This is -- the school has evolved somewhat, too, since it first opened in 2000 but now the school is a place where the kids can have all their meals. There's an Elder on site.

The school is a beautiful one; it's a welcoming place. When you walk in the art of the children is everywhere, including a mural -- a mural that was started by Reggie Bushie, one of the children that passed away, one of the seven fallen feathers. And the rest of the students of Dennis Franklin Cromarty High School actually have finished the mural in his absence but they did leave an eagle up in the top corner for his brother, Ricky String, who is also a student at Dennis Franklin to finish.

So you know, just getting back to that, the funding levels that for years that Dennis Franklin Cromarty has received, and also, too, Pelican Falls, the other school that is run by the Northern Nishnawbe Education Council, which is in northern Ontario; that is the council that gets funding from the federal government to run the schools. And for years the funding did not keep pace whatsoever. I believe it was Prime Minister Jean Chrétien’s government who put a 2 percent funding cap on Indigenous education.
But what wasn’t realized or what wasn’t taken into account was the birth rate of Indigenous families. There was something like a 26 percent growth in population -- youth population over the span of a number of years, and that was never taken into account when you’re talking about funding for schools.

And so how can schools possibly keep pace? And especially when you’re dealing with schools in the north like Pelican and like Dennis Franklin Cromarty. You have issues where sometimes the kids have to be flown back home. And to get a plane ticket to go to your remote First Nation can cost anywhere from 600 to $2,000. It’s just as expensive to go to Europe. And so oftentimes, too, you know, the budgets get moved around and things have to be compensated in order to handle the needs of the students because the needs of the students are great and they are many. And I can -- I will talk about that later on.

This is all part of the education, though, package. You can’t sort of pull apart one aspect of it. You can’t just pull apart language or curriculum without looking at the entire aspect of this.

And also, too, about Indigenous control of education. You know, the federal government could say, “Well, we fund you. Here’s the money, you take it, you know, go for it. Go and create your own system.” But how
can that happen when from the very beginning they’re starting from behind? So there’s no equal playing field. And so when we talk about equity in education, this is what we’re discussing. And we’re also discussing too -- and I think this is important to talk about, is language and the importance of preserving language, and language instruction. That is something that also has to be taken into special account as well.

**MS. CHRISTA BIG CANOE:** So I understand that, and I’m going to turn us back to the last exhibit, the verdict of the Coroners Jury. I understand that concerning education, you actually would make the recommendation to the Commissioners to endorse specific -- specific recommendations. And to contextualize this, the recommendations came from the jury, so the five individuals that sat over a number of months over the inquest of the seven youth who died or -- and mostly, like, a lot of them were undetermined deaths.

So they already kind of have done the work and set out, but what is it that you believe the Commissioners should endorse as part of their recommendations moving forward, on education issues?

**MS. TANYA TALAGA:** Thank you for asking me that question. And I sort of -- I do apologize for the fact that I literally just took the parts of the
recommendations, because they were done, and they were done so well, and I just plopped them in a document for you and said, you know, these are, I believe, what you should be looking at. And I should also say too, before I get into that, that it one of the things that we need to look at when you’re talking about education as well, there’s also, I believe a need to look at the Indian Act and I would like to start there, if I can ---

MS. CHRISTA BIG CANOE: Yes, please.

MS. TANYS TALAGA: --- and the need to abolish the Indian Act. The Indian Act was put in place in 1976 and it is quite a paternalistic and discriminatory piece of legislation that basically governs every aspect of Indigenous lives in this country. Every Status Indian has a 10-digit number assigned to their name.

I was a part of a conference run by Anishinaabe Aski Nation and Osgood Hall Law School just a couple of weeks ago. It was really quite a remarkable day and I just wanted to also enter that into the record as well, if I can. It was called “Determination” and 300 Indigenous scholars, legal experts, members of the communities, chiefs, knowledge keepers, and Elders, everybody gathered in Ottawa at the -- actually, at the Delta Hotel.

And for two days we discussed the
implications of the *Indian Act*. We discussed how to move beyond the *Indian Act* and who should be -- who should be writing those -- the path forward. And it was in general consensus that the communities should be writing the path forward and that, you know, where we’re hearing now from the Federal Government that they’re looking at certain sections, you know, Section 35 of the Constitution. They’re looking at things that need to be discussed and opened up. But the path forward needs to be written by Indigenous People in this country and not told to us by government members.

And I bring up the *Indian Act* because the *Indian Act* paves way for education in this country. See this is one of my circles. The *Indian Act* gives way for the funding of Indigenous education in this country. So getting to education and the structural issues as surrounding the recommendations that I believe that you should be looking at, I think that number one -- as I’ve been saying throughout -- we have to look at equity. We have to make sure that children -- and it’s actually beyond equity, because equity at this point I don’t think is going to cut it.

You know, we have to move beyond and support our curriculums, our schools. Support them, Indigenous led, but also too in the non-Indigenous stream. I mean,
like so many children, Indigenous kids, go to provincial schools. How many school board trustees are Indigenous? How many teachers are Indigenous in the public school boards? How many principals are? I mean, I think we have to look at across the board an education that’s going to look at all of these things. I mean, Indigenous People in these roles and not as token roles, but in real roles, are so important not just for Indigenous kids, but for non-Indigenous kids too. I mean, this is how everybody learns.

Education is the great equalizer in this country and if we can’t do this in the right way, and also give our kids what they need, because for so long they haven’t had anything of what they should be getting. And I should also say, that this is -- you need to also look at education through the lens of what happened in this country from the mid-1860s to 1996, and that’s the Indian residential school system, also has to be looked at. The intergenerational trauma and the effects of those systems and the schools. And as you know, during that time 150,000 children were taken from their families, their language, their culture, their communities. They were taken from everything that they knew, and they were put into government funded, church run, schools to assimilate them to Canadian society.

Fast forward to 2018, children -- Indigenous
children are still moving from their communities, their families, their language, and their culture, in order to get an education. We still have a long way to go when it comes to figuring out how we’re going to make that right. And I think that in order to achieve equity, number 8 on the first exhibit that you’ve got, you have to do. And that is equity for First Nations kids, providing funding for education on and off reserve that ensures that all kids have access to schools -- schools in their communities, schools that they need. That ensures too that the uniqueness of their communities is also taken into account.

Like what I was talking about earlier, about the funding gap about having kids that are so far up north and they have special needs, you know, when they’re coming in they need more money, more funding. They need more support, they need counselling. And often times too, the things that they are seeing and feeling in their home communities they bring with them, and the kids need support when they are away from school, because again, they’re 14, 15 years of age. You know, all the support in the world is needed for kids like -- that are so young that way. They need support from their Elders, they need support from community members, and they need counselling too. If that’s available, that should be available for the kids.

They should have -- all children in this
country, Indigenous children, should have the right to have
science labs, and libraries, and gyms, and
cafeterias, and after school programs, all the same things
that non-Indigenous children enjoy in publicly funded
schools. And that’s essentially number eight. I could go
through ---

**MS. CHRISTA BIG CANOE:** And we could go
through. The document you’re currently talking about has
not been provided to the parties. However, I would point
out the summary actually lists the recommendation numbers
so that everyone is on the same page. And you’re right, we
could go through these one by one. But maybe, for the
purpose of the record, would you mind, whether I or you
highlight the numbers of the recommendations and then talk
more generally?

**MS. TANYA TALAGA:** You can do it.

**MS. CHRISTA BIG CANOE:** Okay. So I
understand that you support that recommendations 3 and 5
are adopted by the Commission?

**MS. TANYA TALAGA:** M’hm.

**MS. CHRISTA BIG CANOE:** You have just spoken
about eight. But specifically, on education on reserve
recommendations, you support and request the Commissioners
to endorse recommendations 25, 26, and 27?

**MS. TANYA TALAGA:** M’hm.
MS. CHRISTA BIG CANOE: On the living conditions and health issues on reserve, you would ask the Commission to endorse in their recommendations, recommendation 34 and 37?

MS. TANYA TALAGA: M’hm.

MS. CHRISTA BIG CANOE: On safety, you would touch -- you would ask them to endorse recommendation 59?

MS. TANYA TALAGA: M’hm.

MS. CHRISTA BIG CANOE: And on equity and equality, which you’ve actually spoken quite a bit about and sort of included a large number of recommendation 62, that the Commission endorse that?

MS. TANYA TALAGA: M’hm.

MS. CHRISTA BIG CANOE: And also on Shannon’s dream, recommendation 142, and that’s the question I’d ask you. If you could expand a little bit on your recommendation on Shannon’s dream?

MS. TANYA TALAGA: Again, Shannen Koostachin, as you know, she -- I hope you know about her, you’ve probably spoken about her quite a bit and I know Cindy Blackstock will probably be speaking about her later on today. But Shannen was a remarkable, remarkable child and she was from Attawapiskat. And she believed that she has, and all of the kids that were living in her community, had the right to go to school at a proper school, that
wasn’t mouldy, that wasn’t stinky, and wasn’t built on a diesel spill. The school that she attended was built on, I believe it was 20,000 litres of diesel that was into the Earth. The school was right there. The scent was horrible. The school was moldy. And, she began a campaign. Her campaign was Shannon’s Dream. It is Shannon’s dream. And, her campaign is to make sure that all children, Indigenous children can go to school, in a safe school, can go to school in a place that is culturally relevant and a place that they feel comfortable in. And, they shouldn’t be going to school in these conditions.

And so, she started a letter writing campaign. She was quite remarkable. You know, her campaign reached all of these kids. Non-Indigenous kids in public schools started to join her in her dream, and they all started writing letters to Members of Parliament, to Officials, saying this should not be happening. You know, why is it these kids don’t have what we have? And, that is -- that was Shannon’s Dream. She went to Parliament too. She participated in a National Day of Action, and she asked for her school as well.

Tragically, though, she did not live to see the construction of her school. She passed away in a car accident when she was -- I believe she was 16. But, it’s Shannon’s dream that still lives on today and still needs
MS. CHRISTA BIG CANOE: Thank you. I know that there are a few more issues that we absolutely want to cover in terms of your journalism. If you’re okay, if we can move away from Seven Fallen Feathers and look at some of the work you’ve done specifically on MMIWG?

MS. TANYA TALAGA: Mm-hmm.

MS. CHRISTA BIG CANOE: I know that one of the series that The Star has recently done actually is addressing this issue. Can you tell us a little bit about it, please?

MS. TANYA TALAGA: Thanks for the question. The series that we did was -- is called “Gone”. And, I worked with five reporters: Jim Rankin; David Bruser; Joanna Smith; Jennifer Wells; a librarian, Astrid Laing; and Rick Sneisder (phonetic); and data analyst Andy Bailey. And, we spent over a year-and-a-half compiling our own list of names of murdered and missing Indigenous women and girls. And, the idea to do that was because, you know, we were looking at what the RCMP was doing and the RCMP report.

And, I had a lot of questions about, and so did the other reporters, Jim Rankin notably as well, of where the number came from, where the list of names came from. And so, we began to request the RCMP for their data.
We sent in an ATIP, an access to information request, that they share the data with us. And, they said no. And, they fought us for a year-and-a-half, actually, to get that information. And, we actually didn’t have too much faith when we started out that we were going to get the information in the first place when we did file that ATIP, so we decided to go out on our own, and that’s why we went ahead and did our own search of names.

And, how we did that was, with the library’s help, is we looked through all articles, using Infomart, articles dating back 40 years, anything that had the word “Indian”, “woman”, “Indigenous”, even “squaw”. We looked at everything we could for newspaper articles to compile lists of names. And, I’ll tell you why I said “squaw” too, because, you know, we were looking for how media as well -- it was remarkable to me when I looked through the 40 years of newspaper articles how the media characterized missing Indigenous women, murdered Indigenous women. Often times, stories, when there were stories, especially 40 years ago, were very small. They were briefs. And, how they characterized girls was remarkable. Like, some 14-year-old girls were “party girls”. How could you be a party girl at 14? And, that -- I, you know, saw that quite frequently.

So, we took the names that we had, and we put them in a giant list. And, we also used lists that
were already out there, and I have to acknowledge the work of so many women that came before me in this. In particular, I would like to acknowledge NWAC. They really did so much work finding -- Bev Jacobs, I have to say, so much work in getting the initial $10 million to go forward and to make the list of 600 names of murdered and missing Indigenous women in this country.

And, I also, too, saying that, want to acknowledge, because I know her family is here, she was here, but I just -- Laurie Odjick was here just a few moments ago. And, her daughter, Maisy, was 16 when she went missing in September 2008 along with Shannon Alexander, and I would like to acknowledge their presence here today, and I would also like to say that that was a very first story on murdered and missing Indigenous women and girls that I covered about nine years ago. And, that was when the number was 600.

So, at The Star, we put together over a year-and-a-half, and we found that there was 1,126 cases of murdered and missing Indigenous women and girls in the same time frame that the RCMP’s report looked at. That is 766 murder cases and, of those, 224 were unsolved. We found 170 missing women and girls compared to the RCMP’s number of 164. And, what we really found was something that I had heard for years, and that was concerning solve rates.
Solve rates were significantly different from what we found at The Star and what the RCMP found. The RCMP, they were looking at -- from 1980 to 2012, and they said that they had an 88 percent solve rate on those cases. And, when we looked at it, it was significantly lower. The national average was 70 percent in the same time frame. So, we had a lot of questions about that. I had a lot of questions about that because, time and time again, if you talk to many families, many families will tell you they’re still looking for justice and they still have lots of questions as to what happened.

And, what we were told is why there’s a difference in the numbers is that when the RCMP lays a charge, that’s counted as solved, but that’s not necessarily true. Statistics Canada, when we asked them about this, too, because they keep all of the information that is given to the RCMP as well, or they work with them, they said that, you know, it’s difficult for them. They don’t have the funding to go through the cases, you know, and to see what happens through the end result of the justice system, so they can’t watch the case as it goes through the justice system. They don’t know if a case is dismissed, they don’t know what the end result is of that case. And so, that is why there is a discrepancy in numbers.
But, I think it’s a really important one because, you know, as I said earlier, families are always saying -- you know, a lot of families I talk to is like, “Well, we still don’t know what happened. We still have no idea.” And, yet, when I look at this number coming from the RCMP at 88 percent, I don’t understand how there can be such a discrepancy, and the solve rates and how they’re described I think is probably part of that. And, I think that gets to an issue that I also found in writing a lot of these stories was on communication and what is heard.

And, this also brings me back to Seven Fallen Feathers as well with communication. Families often feel that with the seven kids, and I know with the MMIWG as well, that when they phone the police, they don’t feel like their concerns are being taken. Historically, they don’t feel like their concerns were taken seriously. They didn’t get call backs, you know, no one had kept them up-to-date with what was happening. There seemed to be a fundamental communication issue that is something so basic, but it’s so incredibly important with families so families understand and know, and have someone that they can call and talk to, because often times they don’t have someone. They don’t have a main point person that they can often speak to. And so, that was quite interesting to me.

The Star also found that there were 180
unsolved cases, but the RCMP said there was 120. In Thunder Bay, specific from the 1960 to 2014, we found 54 cases of murdered and missing Indigenous women and girls. And, police have solved 23 cases. Also, too, I think when we’re talking about communications, we should also think about all of those unsolved cases in cases that are looked at as death investigation cases.

Often times, too, families have a lot of questions about what that means and why the death of their loved one is just a death investigation, and not a murder investigation or something more, something different, and how that death investigation was classified, why it was. I think that needs to be clearly explained. So families are understanding what’s happening and that families are actually heard with their concerns. I know I can list a number of names.

And, I just want to say too, in considering that and when you’re looking at historical cases, these are the ones that I wish I had more time to write about actually. The ones before 1980. The ones in the 1950s, and 1960s and the 1970s that really, really were swept under the rug. There are so many cases -- and not just, you know -- you have to go outside of Thunder Bay. You have to look all through Northern Ontario. There’s so many cases of women that disappeared and there’s hardly any
information anywhere on them.

   Even finding their names -- I mean, I was calling communities to get names of people, no one had recorded their names before. Like, everyone in the community knew who they were, but that was it. And, it’s important that we remember those women. And, I spoke to one officer at one point in Thunder Bay, and we were talking about those historical cases, and he said to me, you know, that more effort should have been put in, and if more effort was put in, some of these cases would be solved.

   MS. CHRISTA BIG CANOE: Thank you. If I could just draw your attention to some of the material. I want to be sure that we actually get some of the articles in as exhibits, please. And, I understand any of the articles we put in, you’re happy to answer questions from parties or the Commissioners.

   So, the first one I draw to your attention is Indigenous -- sorry, I have the wrong one. My apologies. I was at the wrong space. Sorry. The Star series, Gone: Murdered and Missing, is at Schedule D, and this is authored by Tanya. I request that it be marked as an exhibit.

   CHIEF COMMISSIONER MARION BULLER: Yes.

   Gone is Exhibit 46.
--- Exhibit 46:

Printout of Toronto Star webpage “Gone:
Missing and Murdered Indigenous Women –
Inquiry Insider,” accessed and printed
June 13, 2018 11:15 a.m. EDT (four
pages)
Witness: Tanya Talaga, Author &
Journalist, Toronto Star
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: And, there is also
-- in that link, it actually opens to other links of the
other articles, so there’s more than one article and Tanya
had mentioned other authors. So, that actually opens up
into multiple articles.

And then I also want to turn our attention
to some of the work you’re doing now under the fellowship
and as a lecturer. There’s two articles that are in your
material, one is the Star’s, “Indigenous children are
crying out for help in Canada. Will you hear them?” April
27th, 2018. It’s at Schedule E. Can we please have ---

CHIEF COMMISSIONER MARION BULLER: Yes,
“Indigenous children are crying out for help in Canada.
Will you hear them?” is 47, please.

--- Exhibit 47:
“Indigenous children are crying out for help in Canada. Will you hear them?” by Tanya Talaga, Toronto Star, April 27, 2018 (four pages)

Witness: Tanya Talaga, Author & Journalist, Toronto Star

Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And, the other article is, “Friends to the End: How the suicides of seven Indigenous girls revealed a community undone”. Could we please have that marked as an exhibit?

CHIEF COMMISSIONER MARION BULLER: Okay.

“Friends to the End: How the suicides of seven Indigenous girls revealed a community undone” is Exhibit 48, please.

--- Exhibit 48:

“Friends to the end: How the suicides of seven Indigenous girls revealed a community undone,” by Tanya Talaga, Toronto Star, April 27, 2018 (15 pages)

Witness: Tanya Talaga, Author & Journalist, Toronto Star

Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And, Tanya, I’d like
to ask you about Exhibit 48 if I may. This is -- you know, in your earlier introduction and before you were qualified, you were explaining to us both the fellowship and the lecturer positions you have, and this is the work that you’re currently doing right now.

And so, in terms of these two articles, and particularly the “Friends to the End: How the suicides of seven Indigenous girls revealed a community undone”. Can you help us connect the issues and circumstance where there’s communities in crisis with suicide epidemics and how that’s impacting Indigenous women and girls in this country?

**MS. TANYA TALAGA:** Mm-hmm. Thank you for the question. I’m -- the story that you’re referring to, “Friends to the End: How the suicides of seven Indigenous girls revealed a community undone,” I’m just going to read the names, if I can, into the record of the girls that passed away: Alayna Moose, Kanina Sue Turtle, Jolynn Winter, Chantell Fox, Amy Owen, Jenera Roundsky, Jeannie Grace Brown.

These girls -- and thank you again for asking me about this because all of this is related. It’s all related. The story of the Seven Fallen Feathers, the story of what is happening with murdered and missing Indigenous women and girls, and the suicides in our
communities all have historical links to the past. And, colonization, Indian residential school system, intergenerational trauma and the failure of this country to handle the intergenerational trauma that people have been through lead to all of these things. Play a part in the deaths of our youth in remote communities and the deaths of our youths everywhere actually.

You know, one of the things that I write about -- I, kind of, take a long view on things and I do apologize for that. When I write, I look at things and how history has come forward and still plays a role very much to what we are seeing now today, because in Canada, when, you know, we talk about the schools and about intergenerational trauma, when the schools shut down, the last one was in 1996, you know, you had 150,000 children going through those schools. And, when they left and went home, they went back to their home communities often without any health support, there was -- when you look at the fact that what happened in this country was a cultural genocide, and those are the words of Senator Murray Sinclair in the Truth and Reconciliation Commission.

And, when you look at the fact and -- there was nothing to catch the survivors as they were coming out. There were no mental health clinics, there were no health clinics. When you look at what is available health wise in
many remote communities, you often have nursing stations
that don’t have qualified nurses. You have nursing
stations often too, that don’t have doctors. There are no
mental health professionals in the north. They fly in for
certain periods. And, if you want to see a counsellor,
you’re often on a list and you’re lucky if you see
somebody, like, once every three months, unless you get
flown out for care.

So, if you want to access health care, this
is what I’m really looking at right now, it’s quite like
the education system. If you need health care, you have to
fly 500, 600 kilometres away and access health care. Often
times too, you know, you’re accessing it in not your own
language, the medicine is not traditional whatsoever.

And, the system -- the health care system,
Canada’s health care system is a colonial system, it fails
Indigenous people, it fails Indigenous kids especially,
because you have got children in Wapekeka, for instance --
Wapekeka is a very small community. I should tell you,
it’s about 360, 400 people live in Wapekeka and it’s --
again, it’s quite far north. It’s in the northwestern
corner of Ontario.

And, if the kids are having issues, you
know, mental health issues and need to see somebody, they
have to be flown away, flown away from their families,
flown away from everything that they know, put into a hotel 
or put into the Sioux Lookout Hospital which actually has a 
lodge attached to it, which is lovely, but it’s hard to get 
access to there.

Often times too, the kids are taken away for 
-- to get hospital care. They’re flown to Ottawa, they’re 
flown to Winnipeg, they’re flown to Toronto, they are flown 
all over the place. I mean, all by themselves, you know, 
without any support. And, these are children in crisis.

Again, we’re failing our kids. I mean, not 
to -- we are not able to provide something as basic as 
counselling care. And, not just for the children though 
too. You can’t just take the kids away and treat them in a 
city 500, 600 kilometres away and fail to treat the 
parents, or the families or the communities. You have to 
look at a holistic way of healing, because if you don’t do 
that, you’re not going to get anywhere. You have to 
acknowledge a lot of too, what’s happening in the 
communities.

And, in Wapekeka, you have to acknowledge, 
and the community has acknowledged, the intergenerational 
trauma of the pedophile by the name of Ralph Rowe, he is a 
convicted pedophile. And, how he -- for a number of years, 
he flew into about 20 Northwestern Ontario communities -- 
he was a church leader, an Anglican priest, and a boy
scout, and he had his own plane. And, he would go in and
he administered his faith to his parishioners.

He would take boys, only boys, out into the
forest, into camp situations, and that's where the
incidents took place. And, it's those incidents that
Nishnawbe Aski Nation believe is contributed to many, many
suicides of men and to the historic trauma and historic
sexual abuse trauma, addictions, so many problems. And
there has not been acknowledgment or help for the men. But
it's not just them. It's their families and their
communities and everybody. Everybody's living that. And
that's what needs to be acknowledged too and what needs to
be healed.

So you bring all these things in. You know,
you've got the residential schools. You've got the
survivors living in a remote community. Then you bring in
the pain of Ralph Rowe and then you've got the girls that
are 12 years old who are taking their lives.

You can see patterns of so many things, so
many things that I talked about too with the seven fallen
feathers, the effect of colonization, the lack of
healthcare, the lack of proper counselling for the kids and
for their families. And that's what this story is about
and, actually, that is what my Massey will be all about
too.
MS. CHRISTA BIG CANOE: I only have one more
question for you, Tanya.

Wow, you're writing about such tough topics, such emotionally deep, hard topics. And one of the
questions I have is, like, what drives you to have to tell these stories or this truth, because it's not easy work,
but I'm assuming you feel compelled to do it. Can you share with us why you feel compelled to do this?

MS. TANYA TALAGA: Miigwetch for the question. I said earlier at the beginning of this testimony that I feel like I'm the person that has been gifted these stories. And I also do feel that I have a platform to tell these stories for where I work at the Toronto Star, the biggest, largest circulation newspaper. And I can tell these stories and bring these stories forward.

That's become easier lately. It's become easier because there's so many other people doing this work. It's not just me. It's Connie Walker. It's Duncan McCue. It's CBC Indigenous and the presence of CBC Indigenous has really, really helped the presence of APTN, the strength of APTN and their reporting, all of us. That has really helped.

And you cannot -- you can't look away. Once you've heard the story you can't look away. You know, you
have to say something too. And I feel that that's why I do this work. And if I can help in some way by telling these stories and letting everybody know and contributing to understanding, because what I often hear too from non-Indigenous Canadians is that I just never knew. I didn't know about that.

I always find that slightly problematic, to be honest with you. I'm always, like, really? You didn't know? You didn't know what was happening at that residential school that was just down over there? You didn't ask? And that, again, speaks to the culture of indifference that has grown up in this country, the culture of looking away from Indigenous issues, you know. And there is a subtle racism that has run through the society for such a long period of time. And it is the effects of all of those things, and everything that I've talked about here today has led us, I think, to here. But I am so grateful to see so many voices coming forward and for speaking. And I think there's strength in the numbers that we have and it makes me feel good to see community members speaking.

And, you know, people ask me, how can you do all of these things? I do that with the support of community, with the support of my journalistic community, with the support of my community in Northern Ontario, with
the support of Nishnawbe Aski Nation. I feel very blessed, you know, and we all keep in contact with each other. We all talk. And all of those things, it's really -- it's a privilege to do what I do.

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

I have no more questions, but I do want to echo the same comment I gave to Jesse. Seeing an Indigenous journalist who's a Indigenous woman in the news every day provides an example, a role model, and lets Indigenous youth and women see themselves in a world that often ignores them, so chi-miigwetch for that.

Commissioners, I want to check in first to see if you have questions now or if you'll be deferring them. Okay.

**CHIEF COMMISSIONER MARION BULLER:**

Deferring, thanks.

**MS CHRISTA BIG CANOE:** And on that basis, I'm going to request a 10-minute break so that the parties can organize themselves to ensure. We anticipate 64 minutes of cross-examination. And so that should likely put us ending close to 12:30, 12:20, 12:30 before your questions.

And so at this point I would ask for 10 minutes and that we can reconvene ---

**CHIEF COMMISSIONER MARION BULLER:** Yes.
MS CHRISTA BIG CANOE: --- once -- thank you.

And so for the parties withstanding, I kindly ask that you go to the room in which to do the verification process for cross. Thank you.
--- Upon recessing at 11:14 a.m.
--- Upon resuming at 11:38 a.m.

MS. CHRISTA BIG CANOE: Okay, great. Chief Commissioner, Commissioners, if we could start again? We will be turning to the cross-examinations, so Rule 38 now dictates that I can’t enter into conversations with the witnesses in relation to their evidence, and we do anticipate still 64 minutes of cross-examination. We will have a list available shortly, but I do have the first three listed and in front of me with their times. And so, Commission counsel is going to invite Treaty Alliance Nishnawbe Aski Nation and Grand Council Treaty 3, Krystyn Ordyniec will be asking questions on behalf of the treaty -- Northern Treaty Alliance, and she will have 5.5 minutes.

--- CROSS-EXAMINATION BY MS. KRYSTYN ORDYNIEC:

MS. KRYSTYN ORDYNIEC: Thank you, and good morning. My name is Krystyn Ordyniec. I represent Treaty Alliance Northern Ontario, which is Nishnawbe Aski Nation and Grand Council Treaty 3. I’d just like to begin by acknowledging the traditional territory of the Mississaugas
of the New Credit. And, five-and-a-half minutes isn’t
enough to say thank you to you both for the work that you
do. And, my questions will -- hopefully I’ll have time to
ask both of you questions.

Ms. Talaga, thank you for sharing the gift
of story that you’ve been given and for your brave voice on
behalf of Nishnawbe Aski Nation, Grand Council Treaty 3 and
myself ---

**MS. TANYA TALAGA:** Miigwetch.

**MS. KRYSTYN ORDYNIEC:** --- and the rest of
the country. Hopefully, I can speak for the rest of the
country.

You spoke about the lack of infrastructure
in the north specifically as related to language,
education, and I wonder if you could expand on that in your
experiences with respect to services, violence, for
Indigenous girls in the north and in Thunder Bay who may be
facing experiences of violence.

**MS. TANYA TALAGA:** Thank you. Miigwetch for
all you said and those questions. The youth in the north
need so many things. You know, if you look at the grander
scope of what I was saying earlier with the need of a more
Indigenous lens for health care, Indigenous-run health
care, put that aside for one slight moment and look at
immediate needs of what kids need now and what young girls
need now.

I would like to say that infrastructure is so important. Things like community centres in the communities, all the communities. Often times, there are no community centres at all for the kids to go to. There are no -- well, arenas or outdoor arenas, but they can’t play all year round. Functioning gymnasiums are things that are needed in the communities.

I’m thinking Wapekeka in particular. I was just there in January, and the foundation for a community centre has been poured and it’s waiting, but that’s all that there is right now, is just the foundation. You know, the funds are there, but you have to look at the construction time, too, that it takes, that you can only work in certain parts of the year because, in the winter, it’s repressively cold. It was -- when I was there it was -40, and you can’t work outdoors in areas in temperatures like that.

But, the youth need a place to be and a place to go to, and things that aren’t programs that, sort of, fade in and fade out of their lives. Like, it’s great that so many groups who are taking the initiative from the south to go up and to help the kids, but there needs to be things in place for them in their own communities run by people from their own communities.
And, in particular, you know, when I look at things like suicide, and things that the kids need, and remember how I was saying they’re always flown away in order to get treatment? Wouldn’t it be a good thing if there was a women’s shelter on every -- in every community and every remote community that could also even function as a safe place for the kids to go to when things are happening at home or when things aren’t going well? That they could go to that safe place and, sort of, be there for the evening, you know, so they feel good and they feel okay because, right now, a lot of the kids, there’s no place for them to go. I think that that’s just something that’s quite -- it’s not simply done, but it could be a bit of a stopgap measure, too, instead of flying the kids out constantly, giving them a spot that they can go to and feel comfortable at.

Same with women. I would use the example of Mishkeegogamang First Nation. They have an amazing women’s shelter, actually. Really well done, well run by community members. Melissa Becky, just a shout out to her. And, they take people in, you know, that need to be taken in. Wouldn’t that be wonderful if there was a place like that in every single community that needs it? Then, maybe, we could, instead of spending all that money constantly of flying people in and flying people out, flying experts in
and flying experts out, we did something that was community
centric? That’s, I think, what is needed.

So, I would say women’s shelter that serve
as also functioning places for youth to turn to, and also,
separately, youth centres in every community. Those two
things are needed.

MS. KRYSTYN ORDYNIEC: Thank you very much.
And, would you support recommendations to this Inquiry on
that basis?

MS. TANYA TALAGA: Absolutely.

MS. KRYSTYN ORDYNIEC: Thank you. I have
only a few seconds, Mr. Wente. You spoke about headlines.
And, one of the headlines in Thunder Bay at the end of last
year was, “Egg Toss Incidents Have Police Scrambling”,
published by the Chronicle Journal in Thunder Bay, which
was apologized after the AFN requested. I wonder if you
could comment on how this headline is reflective of the
systems still in place when reporting on Indigenous issues.

MR. JESSE WENTE: Sure. And, thank you for
the question. I think it’s reflective of that -- that
headline was almost undoubtedly written by a non-Indigenous
editor. I think it’s important to know that in print
journalism, usually the headlines are not in control of the
author of the article. Those are usually chosen by
editors. It’s the type of word play that diminishes the
actual seriousness of the crime or the assault that it’s actually talking about. And, I think it’s that glibness that we see so often.

And, again, I think that’s to suggest -- it’s reflective of the dehumanization that I talked about earlier in my testimony. And, I think if you had Indigenous people at senior editorial positions, it would be very -- I think you’re never going to totally eliminate headlines like that, but it will be much harder for headlines like that to get into print. And, certainly, there were apologies afterward but, as we know in Canada, we apologize for a lot, and maybe it might be worth considering how we do things in advance so we don’t have to apologize for them later on.

**MS. KRYSTYN ORDYNIEC:** Thank you very much for your time.

**MS. CHRISTA BIG CANOE:** Thank you, Ms. Ordyniec. Next, we will invite up Native Women’s Association of Canada, Virginia Lomax. Ms. Lomax will have seven-and-a-half minutes.

--- CROSS EXAMINATION BY MS. VIRGINIA LOMAX:

**MS. VIRGINIA LOMAX:** So, my name is Virginia Lomax. I am legal counsel to the Native Women’s Association of Canada. And, first, I’d like to acknowledge all of the sacred spirits who are with us today,
particularly those of our grandmothers, our mothers, our aunties and our sisters.

And, I’ll get right into my questions for you, Mr. Wente. You testified today about media reducing nations to iconographic characters; is that correct?

MR. JESSE WENTE: Yes.

MS. VIRGINIA LOMAX: Would you agree with the statement that representing Indigenous women and girls simply as “prostitute” or “drug addict” in headlines rather than using their name or using only mug shots as photos are examples of reducing Indigenous women’s identities to negative or stereotypical iconographic characters that feed into a racist public narrative?

MR. JESSE WENTE: Yes, I would.

MS. VIRGINIA LOMAX: And, would you agree that it is unethical to engage in racist reporting?

MR. JESSE WENTE: Yes.

MS. VIRGINIA LOMAX: And, would you agree, then, that it is unethical for reporters to refer to Indigenous women as “prostitute” or “drug addict” instead of using their names or to use only mug shots as their photos?

MR. JESSE WENTE: Yes.

MS. VIRGINIA LOMAX: And, would you agree that it is an important recommendation to this Inquiry to
develop clearer ethical guidelines for reporters when reporting on missing or murdered Indigenous women, girls, two-spirit, LGBTQ+ and gender diverse people?

MR. JESSE WENTE: I do. I think what’s ironic about that question is many journalism guidelines should already be telling them that this is what’s going on. You know, what’s interesting is when there’s other cases of these incidents outside the Indigenous community, we don’t see those sorts of headlines or depictions in the media. And, that’s, again, because there are journalistic standards that exist that should be guiding journalists and they should already know these things but, yes, I agree with your statement.

MS. VIRGINIA LOMAX: Thank you. And so, today, you testified that these negative representations and the racist public narrative has a traumatic impact on Indigenous people including Indigenous youth; is that correct?

MR. JESSE WENTE: Yes.

MS. VIRGINIA LOMAX: And so, would you agree that a way to try to avoid this reality is to ensure reporters receive trauma-informed training or are otherwise taught to report in a non-traumatic way?

MR. JESSE WENTE: Yes.

MS. VIRGINIA LOMAX: And, would you agree
that it is an important recommendation to this Inquiry that journalists incorporate non-traumatic reporting styles into ethical guidelines?

MR. JESSE WENTE: Yes, it is.

MS. VIRGINIA LOMAX: And, you testified today that popular media uses the rape of Indigenous women and girls as a plot device rather than a central -- that rather than being central to the storytelling, could you unpack that distinction a little bit between these representational choices?

MR. JESSE WENTE: Sure. What I mean by a plot device is when something occurs that is simply there to function as moving the story forward. It’s not central to the story. These things tend to be, at some times, even unnecessary, but they’re there just to advance the story. They aren’t there to be understood or explored. They’re simply something that happens like someone finds a hat or something that would just advance it, and the reduction of rape into just a plot device does not ever communicate the seriousness, the ongoing trauma or the systemic issues that lead up to that.

MS. VIRGINIA LOMAX: Thank you. And, are you familiar with the term or, if you will, the archetype of the white saviour?

MR. JESSE WENTE: Yes.
MS. VIRGINIA LOMAX: Could you comment on how representation of the white saviour in both media and journalism feeds into racist narratives and the erasure of Indigenous people on Turtle Island?

MR. JESSE WENTE: Sure. The white saviour narrative goes back as far -- as long as these narratives have existed. So, well beyond even the movie image. Typically, it centres a white hero that is able to save, quite literally, Indigenous people in a way that they are not able to. So, it denies Indigenous people agency. For a very contemporary example, I would use Avatar or even something like The Revenant where it’s white characters -- in Avatar specifically, it’s a white character who actually adopts an Indigenous persona and becomes even better at being Indigenous than the Indigenous people themselves, and it’s only through him that their salvation will come.

This is, in fact, manifest destiny. This is, in fact, a retelling of colonial superiority where it says our only saviour is through adopting colonial practices and, in fact, becoming assimilated. We see it time and time again and, in fact, it’s so persistent and so pernicious that I think it’s largely an unconscious bias among many now on Turtle Island who just say these narratives and write these narratives without even realizing that they are censoring themselves in saying that
salvation can only come through assimilation, that it can’t
come through our own sovereignty. And so, I resist and
reject those narratives wholly.

**MS. VIRGINIA LOMAX:** Thank you very much and
thank you for all of your work.

**MR. JESSE WENTE:** Miigwetch.

**MS. VIRGINIA LOMAX:** Ms. Talaga, thank you
for your work as well if I don’t get time at the end of
this. Thank you so sincerely for everything you’ve done.

Would you agree that colleges and
universities teaching journalism, film and communications
have a role to play in tackling racism in the media?

**MS. TANYA TALAGA:** Yes.

**MS. VIRGINIA LOMAX:** And, to your knowledge,
do you know if anything is being done in educational
institutions to address racism in the media?

**MS. TANYA TALAGA:** There are things that are
being done. I point to the work of Duncan McCue and what
he’s done with the RIIC, and how he’s tried to develop a
guideline as well for journalist students and journalists
throughout the country on how to address issues when
covering Indigenous communities. I think that his work is
very, very helpful.

I think that other universities are starting
to turn and be more open towards Indigenous presence and
knowledge. I look at the formation of Hayden King’s Yellowhead Institute as well at Ryerson that is so important. It’s so needed to have a think tank on Indigenous issues run by Indigenous people. So, I look to that as another example.

I think universities are looking everywhere they can now to find out more about what they should have known. And so, I think that -- I hope there’s a greater opportunity for everyone to play, to help them with that.

**MS. VIRGINIA LOMAX:** Thank you. And, to your knowledge, is anything being done by colleges and universities to attract or include more Indigenous students in journalism, film and media studies?

**MS. TANYA TALAGA:** You know, I can’t speak widely for all the schools, but I can say that I have seen directors of some journalism schools at meetings. I’ve seen professors from the University of British Columbia – Candace Coulson (phonetic) is one in particular – go to meetings, Indigenous journalism meetings and, you know, extend a hand out and say, you know, “Are you interested in coming to school”, to the youth, and trying to find a way to bring kids into the realm of journalism schools. And, I’ve seen that also with Janice Neil from Ryerson University. She has travelled to conferences as well. I’m thinking of the Journalists for Human Rights Conference
that we were both at -- all three of us were at about two
years ago, two summers ago, and they were there looking for
students and youth to bring.

I think there’s more that needs to be done.
I think that colleges and universities have to really make
an effort to reach into schools and look at, too, their own
entrance exams and their own qualifications and, you know,
sort of make way and understanding for the fact, too,
because remember we were talking about earlier with
education and the inequities of the system, like, a lot of
that has resulted in kids graduating behind and not to
standards, provincial standards. And so, when they apply
to school, they’re not getting in, you know? So, there has
to be a push and pull, a give and take there, so more kids
will get into school and into programs that they need to be
in.

MS. VIRGINIA LOMAX: Thank you so very much.

MS. CHRISTA BIG CANOE: Thank you, Ms.
Lomax. Next, we invite up the Independent First Nations
whose counsel, Katherine Hensel, will have 5.5 minutes.
--- CROSS-EXAMINATION BY MS. KATHERINE HENSEL:

MS. KATHERINE HENSEL: Thanks, Ms. Big
Canoe. Mr. Wente, Ms. Talaga, it’s good to see you, and
Commissioners. And, I reiterate my colleague’s
acknowledgement and gratitude for the work that each of you
both do.

I am here today on behalf of not only the Independent First Nations, but the Association of Native Child and Family Services Agencies of Ontario.

Yesterday -- Mr. Wente, yesterday we heard evidence from a physician, Dr. Barry Lavallee, that many of his patients and members of the community, when they attend at medical facilities, are seen only in stereotypes, through stereotypes, and immediately assigned a role based on, absent other factors, their indigeneity, and that role is with respect to the justice system, one of criminality, the police and others, and with respect to child welfare, as parents, that of an unfit, unsafe, and incompetent mothers in particular, but parents in general.

You’ve described in your testimony other stereotypes that are portrayed and perpetuated through the media and particularly through film and popular culture of either the noble savage or just the flat-out violent savage, or the princess, the Indian princess. And, those are stereotypes that are perceived, held, perpetuated by reporters, screenwriters, producers, directors -- all the players in the media and popular culture.

And, you’ve testified that, in your view, this is because they weren’t educated otherwise. They weren’t taught in schools who we actually are as Indigenous
people; is that fair to say?

        MR. JESSE WENTE: I think that certainly contributes to that issue, yes.

        MS. KATHERINE HENSEL: But, these players in popular culture, these agents, they’re not -- they’re representative, are they not, of broader Canadian mainstream society? They’re not alone; they’re members of the collective and in many ways they’re typical?

        MR. JESSE WENTE: I think so, yes.

        MS. KATHERINE HENSEL: And, we’ve heard some evidence, and I expect we’ll hear more, that it’s not only these players in popular culture, but doctors, nurses, teachers, the very people who would be required to educate children. Cabinet ministers, lawyers, judges, police officers, child protection workers, all of these people play critical roles in making decisions about the lives of Indigenous people, girls and women; correct?

        MR. JESSE WENTE: Yes.

        MS. KATHERINE HENSEL: And, they come to the task of decision making and fulfilling their professional obligations to Indigenous girls and women with, in many cases, much of their information about us from the very sources that you were describing in your evidence; is that safe to say?

        MR. JESSE WENTE: Yes, I think so. I think
story telling is how we become socially conditioned. And so, I think we’re all capable of being socially conditioned to view stereotypes as real, especially in the absence of authentic portrayals.

**MS. KATHERINE HENSEL:** And so, you have two sets of stereotypes that are at opposite ends of the spectrum. You have the princess and the savage, noble or otherwise, and the criminal and incompetent parent, and neither stereotype is accurate, and both stereotypes are harmful, and in the middle, you have the truth, accurate portrayals and information about who Indigenous girls and women are.

So, you testified about the potential for -- through the media and popular culture for filling that what is now a void; correct?

**MR. JESSE WENTE:** Yes.

**MS. KATHERINE HENSEL:** Now, the pushback that you describe from Jonathan Kay and others, would you describe that or would you agree that that is -- and the contempt that was shown, frankly, by your colleagues in the profession, is resistance to accurate portrayals and engagements with these very issues, this enormous void between the two sets of stereotypes?

**MR. JESSE WENTE:** I think it's resistance and also protectionism of the status quo ---
MS. KATHERINE HENSEL: Right.

MR. JESSE WENTE: --- which empowers certain communities over others and keeps, say, a hierarchal society, a white supremacist society in that world order. And I think often the pushback is actually less about the specific ideology being discussed and more about protecting the privilege that the colonial culture has bestowed on certain groups and robbed of others.

MS. KATHERINE HENSEL: And the stereotypes actually serve -- fit well within that ---

MR. JESSE WENTE: Indeed, they are tools of that oppression.

MS. KATHERINE HENSEL: And I'm going to switch quickly in my 20 seconds to Ms. Talaga. Thank you, Mr. Wente.

You describe the children, the experiences of the children in Thunder Bay as they were -- you know, had eggs tossed at them. They're neither, presumably, in that role of the egg throwers or trailer hitch throwers, criminals necessarily, nor princess or savages. How would you describe the role that is being assigned to them by the citizens of Thunder Bay?

MS. TANYA TALAGA: Well, the kids have a hard time in Thunder Bay. You know, I would hope that the citizens of Thunder Bay are being more inclusive now. You
know, one hopes that all of the sort of the -- that the book and publicity about what's been happening, the OIPRD, there's an investigation right now into the Thunder Bay Police Force. I'll just -- people are talking about what's going on in Thunder Bay and I really hope that that helps the kids that are there and that people are taking a second look at the kids and realizing they're just children. They're just students. And I hope that that's how they are being seen, students.

**MS. KATHERINE HENSEL:** All right. Thank you.

**MS. CHRISTA BIG CANOE:** Thank you, Ms. Hensel.

Next we'd invite up the Battered Women's Services. Viola Thomas will have 5.5 minutes -- sorry, 5 and-a-half minutes.

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

**MS. VIOLA THOMAS:** Good morning. I'd like to reintroduce myself, Anemki Wedom. I'm with Battered Women's Support Services out of British Columbia. My questions will be directed towards Tanya.

My first question is as a [sic] Anishinaabe, have you experienced racism and discrimination as a Indigenous woman journalist in your field of work?

**MS. TANYA TALAGA:** Thanks for that question.
It's -- I have had a different experience, and I think the experience that I've had is my father is -- was Polish. And so a lot of people look at me and they assume that I'm Italian or Greek. I'm of mixed heritage and so people often say to me, "Oh, you know" -- and I grew up in Toronto. So oftentimes when I tell people, "No, actually, my mother is Ojibwe", they look at me -- especially if they're not -- if they're not Indigenous they look at me, like, and they have no idea exactly who that was -- you know, who that is, what cultural group that is. When I say, you know, a North American Indian, that's what seems to come to mind so non-Indigenous people understand where I'm from.

You know, it's a different experience that I have. As a journalist I can answer it this way. Sometimes when you bring stories forward and you say I'd like to do stories on this or I'd like to do stories on that, I started in journalism in the 1990s. It wasn't easy to bring stories forward. Oftentimes, you know, editors would say, "Well, why is she doing a story on that? Why is she doing another Indigenous story?" I've had editors say that before.

And that, I believe, that is -- that's not a good thing to say. That's a discriminatory thing to say, because the thing is, is that we're trying to bring our
stories forward. And for such a long time in this country there was no appetite at all for the stories that we were trying to tell, the stories beyond what was acceptable in Canadian media for a long time. And that was the stories that we're just talking about. The dirty chief, you know, taking money from people on the res. I mean, those were the stories, or the drunken Indian stories that you always heard about in the media. There was no other room for stories about culture. There wasn't a lot of room for stories about sports and movies, or any of these things.

And so I would answer your question that way that it's taken a long time for people to gain a different understanding about Indigenous issues and to put it forward this way as acceptable and as something that we need to understand as a nation in order to go forward, that answers your question.

**MS. VIOLA THOMAS:** My next question is to both of you. The Me Too movement throughout North America has really shone the light on the deep rooted sexual abuse, sexual violence directed towards women within Hollywood and throughout North America. Do either of you have any suggestions to how we can create a similar public campaign regarding murdered and missing Indigenous women to galvanize that same type of energy? Because certainly in mainstream media, how many media do we have here covering
this Inquiry today? It disturbs me.

   **MS TANYA TALAGA:** M'hm. M'hm. I think the Chiefs of Ontario tried to do something similar with -- I think it was the She Matters campaign. Is that what the Chiefs did quite a few years ago? Or surrounding issues of murdered, missing Indigenous women and girls. I think that the social media, there's an active role, and I think a lot of Indigenous people and allies are on social media talking about these issues. And I think that that helps bring things forward.

   Is that a movement? Yes. I see Jesse shaking his head, you know. It is a movement to say, it's a movement of truth telling, more truth telling. It's a movement of awareness. I don't -- but you're right. There isn't, like, a specific movement with a hashtag concerning this.

   **MS. VIOLA THOMAS:** Given the forced displacement of young Indigenous girls from northern communities having to go to Thunder Bay for their education, and in your book, were you able to distinguish a different experience for the young Indigenous girls in relation to the forced relocation in terms of the violence that they confront every day within Thunder Bay?

   **MS TANYA TALAGA:** M'hm. They're vulnerable. And, as we know through this entire Inquiry process,
Indigenous women are more vulnerable in society for so many reasons. I mean, the kids from the north and the girls from the north too, they're coming, you know, from communities where there's a lot happening in the communities. In some communities there's a lot more issues than other communities. There are addiction issues. There are issues in some cases, like the communities I spoke of, of abuse that's going on.

And the girls, they come into the city and they're by themselves or they have their friends with them. They're going to boarding homes to go to high school. They come from homes too where there often too isn't a lot of money. Nobody has, like, extra pocket change to go to Subway to get something to eat. Girls, boys, 13, 14, you're coming into the city. You don't know how to cross the street. You don't know -- you've never taken a bus before. Of course, people can be preyed on, especially girls.

MS. CHRISTA BIG CANOE: Thank you. (Speaking in Native language).

Next we'd like to invite up the Ontario Native Women's Association. I believe Christine [sic] Comacchio is coming up. And ONWA will have 3.5 minutes.

--- CROSS-EXAMINATION MS. CHRISTINA COMACCHIO:

MS. CHRISTINA COMACCHIO: Hello. I would
like to start by acknowledging the territory, the sacred items and the Elders in the room.

My first question is for Tanya. The CBC has added a note at the bottom of articles which links to supports and resources for Indigenous readers, recognizing that they are also consumers of media in which they're the subjects. Given that there are little mechanism to compel accountability in the media, would you agree that it would be useful to recommend the development of practices for reporting on Indigenous issues with a gender-based and trauma-informed lens?

**MS. TANYA TALAGA:** That's a very good question. I think it would be very helpful, yes. I think that -- I wasn't aware that that's what the CBC is doing at the end of their articles, but I think that's a really good idea.

I would add, in addition to that, I think that we -- when we write about issues such a suicide as well, we also do that through a trauma-informed lens and make sure our stories, hopefully, are responsible, and at the very end of the stories have somewhere you can call if you’re having an issue. That’s very important.

**MS. CHRISTINA COMACCHIO:** Thank you. And, following up on that, do you recognize tools like style guides as a consistent mechanism for calling out incorrect
or inappropriate coverage in the media and practices, like trauma-informed interviewing practices for survivors of violence and sexual assault and families, as things that are necessary to create a cultural shift amongst journalists?

**MS. TANYA TALAGA:** Mm-hmm. I’m heartened to know that organizations such -- like my organization, the Toronto Star, we just completed a, sort of, revamp of the style guide, where we’re looking -- we’ve changed our style.

I mean, one of the things that used to drive me bananas, for lack of a better word, is when I would see an article that was in the paper and they would say, Native man knife to death somewhere, or -- and I was like, oh, my gosh. You know, every time I see that, it would just make my blood boil and I would often say something to the headline writer or to the copy editor the next day, you know, we need to change how we’re -- this lens -- or Indian, you know, man shot by gun.

You know, the wording of the headlines too, are so important. You know, we talked earlier about one example in Thunder Bay. But, you’re right, I mean, like, the style guides need to be put in place and we have done that. I believe the Canadian Press has also done that. And, that’s very helpful for journalists to see what is
acceptable use and what is not acceptable use, and how
people should be identified as well.

You know, and often times too, this is
pretty basic stuff. I mean, how someone is identified, you
ask them, how would you like to be identified? As a
journalist, that should be your practice regardless if
you’re Indigenous or not. That’s a basic knowledge thing.

But, if there needs to be guidelines to have
that out, there should be guidelines to have that out. You
ask the person you’re interviewing, how would you like to
be identified? You know, would you like to be identified
as First Nations or which nation? What would you like to
say? It’s important.

MS. CHRISTINA COMACCHIO: Thank you. And,
just, kind of, following on that, do you have any
suggestions for ways to hold the media accountable beyond
those that already exist?

MS. TANYA TALAGA: I love these big
questions. Hold the media accountable. I think we all
hold the media accountable. I think that as consumers of
what we read every day, we’re all accountable. And, it’s
our jobs too, to, sort of, call out people that are
stepping -- or failing and are not living up to what should
be standards. But, you know, sometimes too, the media is,
like, light years behind what society is also doing, you
know? It takes a while for everyone to catch up.

One of the things that I think is so important for accountability is the increase, and Jesse talked about this earlier, of Indigenous people at the decision-making desk in every single corner of a media building, from an editor, from a managing editor, from the director of circulation, to somebody who is handling the comments on the web desk, you know, you need more Indigenous people in these roles. And, also to covering sports, covering food, covering movies.

And so, you know, Indigenous people should not be also typecast as, oh, that’s the Indigenous person over there, so they should be the one writing that story or doing that thing. You know, no. Everyone has something else to say; right? And, you know, if you’re actually in the role of being a sports journalist -- an Indigenous sports journalist, you’re going to have a different perspective that you will just bring to regular reporting. That’s so important. And, I think that the more accountability -- we will get accountability if we have more people working in every facet of the organizations, and that’s needed.

**MS. CHRISTINA COMACCHIO:** Thank you. That’s my time.

**MS. CHRISTA BIG CANOE:** Thank you. We would
like to invite up next, Women Walking Together, Darlene Sicotte, has 3.5 minutes.

**MS. DARLENE SICOTTE:** Greetings to the National Family Advisory Circle, the Commissioners and panellists, Mr. Wente, Tanya Talaga. Yes. Tanisi, hello. I am Nehiyaw Cree from Beardy’s and Okemasis First Nation. I am the family of murdered Shelley Gail Napope by serial killer John Crawford.

Currently, I’m employed at the Gordon Tootoosis Nikaniwin Theatre, and the co-chair of Iskwewuk Ewichiwitochik, it’s an ad hoc Saskatoon concerned citizens group that raises awareness, and remembrance and supports to families of the missing and murdered Aboriginal women and girls.

In the 12 years of doing this support, I have witnessed families and myself having access and privy to many television, radio, podcast, news outlet interviews throughout the crisis of missing and murdered Indigenous women and girls. Today, my question is to ask Jesse, if you know about the NWAC’s media toolkit that was introduced during the past president term of Beverley Jacobs.

**MR. JESSE WENTE:** Yes.

**MS. DARLENE SICOTTE:** Okay. Do you think the Indigenous Screen Office, of which you’re residing in and directing, would consider taking on the in-depth
learning of your colleagues and whoever you can influence,
I guess, to work together with families of current cases,
how to work with the media and their interviews? I think
that toolkit is really under utilized. In all of our
awareness events, we always try to have that toolkit
available because not all families are going to be able to
talk to the media.

MR. JESSE WENTE: Yes.

MS. DARLENE SICOTTE: Yes. Okay. Thank
you. Tanya, I don’t have any questions for you, but I just
want to say, thank you for all of your hard work covering
the Indigenous issues in your employment at the Toronto
Star. I’m sure it wasn’t easy having to be the voice and
be a woman. It’s always comforting to have Indigenous
women’s voices in print and giving voice to those who are
unable.

I just want to convey that every time there
is the MMIW, to try as best as you can to have the
families’ voices, especially the mothers, the sisters, the
fathers, brothers, and be gentle. Encourage your
colleagues to not stereotype them in their coverage. It’s
very demeaning and hurtful. They’re already in trauma.

In Saskatchewan and in Saskatoon, we are
able, over 12 years, to really work with the media
indirectly to be soft on how they approach and cover. So,
I just wanted to share that, if you can gently nudge your colleagues or even give them a real big elbow. Okay.

Thank you.

**MS. TANYA TALAGA:** Miigwetch. I’ll do my best. Elbows up.

**MS. CHRISTA BIG CANOE:** Thank you. Next, we invite up Regina Treaty Status Service Inc., Erica Beaudin, has 3.5 minutes.

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

**MS. ERICA BEAUDIN:** I think I’m fairly fine.

Good? Okay. Good morning. Thank you to the elders, drummers, singers for their prayers and songs yesterday. As mentioned before, I’m a citizen of Treaty 4, I acknowledge the traditional homelands of the Mississauga, Anishinaabe and Haudenosaunee and bring well wishes from our treaty area. For the record, my name is Erica Beaudin, I’m Executive Director of Regina Treaty Status Indian Services. Chi-miigwetch to Ms. Talaga and Mr. Wente, both of you are conducting compelling hard work on behalf of all of us.

This morning, we heard about the decolonization and truth telling of media, journalism and film. In Saskatchewan, we have a two-year program called the Indian Communications Arts Certificate through the First Nations University of Canada. Many students have
gone on to the University of Regina’s journalism program and finished the four-year degree.

Through Shannon Avison, the coordinator of the program, former students such as Connie Walker, Nelson Bird, Mervin Brass, Carisan Achikade (phonetic) and many others have gone on to become award winning journalists in mainstream newsrooms. The type of supports the ICA program gives to students both in the program and after they leave the program have created a family of alumni and a network within that school.

Do you believe that Indigenous journalists in mainstream media will make the difference in the future for the telling of balanced Indigenous stories? And, this could be to either both of you.

MR. JESSE WENTE: Yes.

MS. TANYA TALAGA: Yes, I agree.

MS. ERICA BEAUDIN: How can these networks create safe places for their Indigenous journalists so they are able to have voice in choosing -- in the choosing of stories and how they are told? My next question is, how can Indigenous journalists break the class ceiling that exists and become newsroom decision makers?

MS. TANYA TALAGA: Those are all really good questions. How to create a safe space? How do you tell the stories? First off, you get in the door. That’s what
needs to happen. There needs to be more, again, Indigenous journalists throughout the country in all levels of media, in television, radio, film, print, digital, everywhere. Film, if I didn’t say film already, film, again. Film, film, because that seems to be the bridge -- a lot of cultures -- it’s really interesting to me. You know, I could write stories at the newspaper, so many stories. I’ve probably written thousands of stories on certain things, and it didn’t get as much attention as the book did.

It’s remarkable to me how important our cultural literature is, Indigenous literature is, Indigenous film is so important, and I think that we need to get our stories heard, and there needs to be more of it, and I echo what you said earlier too, about there’s been such an underrepresentation for so long. There needs to be almost an overrepresentation now of getting more people in. And, you know, and we can get in on our merits too.

And, there are -- as storytellers, they are fantastic. We know them from all over, all the nations have incredible storytellers, incredible voices and incredible gifts, and they should be the ones that are being put forward. You know, we’re getting old. It’s the youth that are coming up behind us that are going to do this.
MR. JESSE WENTE: Yes. I think the key around safe spaces is support, unconditional support, and almost a protection, and being both internally within organizations, but also externally in terms of relationships with the audience. And, in terms of breaking the glass ceiling, I think there really has to be a reassessment of the conditions that we’ve put on breaking through glass ceilings, and whether we’re actually using the right criteria when we think who should be in leadership positions or we’re relying on standards that are -- exist beyond our communities, and maybe aren’t actually as appropriate for determining leadership in media than what we have traditionally, then they might be needed in this instance.

Any time you’re entering into equity practice, you have to look at the things you have done throughout history, and acknowledge that those might be contributing to inequity. That includes hiring practices, and the way the criteria that we put around who gets certain jobs and who gets into positions of authority.

MS. ERICA BEAUDIN: Ten-a-key (phonetic).

MS. CHRISTA BIG CANOE: Thank you. Next, we would invite up Aboriginal Legal Services, Mr. Jonathan Rudin will have five-and-a-half minutes.

--- CROSS-EXAMINATION BY MR. JONATHAN RUDIN:
MR. JONATHAN RUDIN: Good morning to the Commissioners, to the elders, a-nowd-la (phonetic). My name’s Jonathan Rudin. I’m with Aboriginal Legal Services. Our Ojibwe name is Gaa kinagwii waabamaa debwewin. Jesse, hi. Tanya, hi. It’s a cozy little Toronto thing happening here.

But, I want to move out of Toronto for my first question, because you -- you know, the CBC is a large organization, The Toronto Star is a large organization. In northern communities, there’s usually one news source, and it’s not run by a large organization. It’s run by two, or three, or four people. And, I wonder, what -- let me put it this way. The influence of those media outlets in those communities is quite strong, isn’t it, because their stories aren’t covered by other sources; is that fair?

MS. TANYA TALAGA: Mm-hmm.

MR. JESSE WENTE: Yes.

MR. JONATHAN RUDIN: And, would you say from what you’ve seen that those, you know, say, Northern Ontario, Thunder Bay and other places in Northern Ontario, that the newspapers in those communities are doing a good job of conveying the stories of Indigenous people to both the Indigenous people in those cities and to the non-Indigenous residents?

MS. TANYA TALAGA: I would like to do a
special shout out to Wawatay, Wawatay News in Northern Ontario, for the communities that they serve. It does an incredible job right off the bat. And, you know, as for the rest of your question, there's always room for improvement.

You know, it was not good to see on March 1st, 2018, “Egg Tossing Incident Leaves Police Scrambling” in the Chronicle Journal newspaper. That was so insensitive. And, that headline was right below the banner, so it was right on the front page of the Chronicle Journal. I believe that's exactly where it was. And, it was about an egg tossing incident against two Indigenous men. You know, and it's -- when you get hit by an egg, it's actually pretty painful. I've been told it's been pretty painful.

And so, that though, that headline, you know, after all that's happened in Thunder Bay on March 1st, 2018, that's why it was so painful and awful. I mean, after the inquest, after the death of Stacy DeBungeo, after the -- I spoke briefly about the OIPRD, which is an offshoot, it's loosely tied to the Ministry of The Attorney General in Ontario, they are investigating the Thunder Bay Police Force for allegations of systemic racism. And, 30 Indigenous -- almost 30 Indigenous death cases has been reopened to be re-examined.
This is all happening in the community.

We’re talking about a community where Melissa Kentner is --
the story of Barbara Kentner and her sister, Melissa, were
walking down a street, and Ms. Kentner was hit with a
trailer hitch that was going past and she died later. I
mean, this is a city that’s in -- having quite a big issue
concerning race and has been for such a long time. And so,
then seeing that on March 1st, 2018, that’s a tough pill to
-- that’s tough for all of us to see. And, there was an
apology done to that headline, but we can all do better.

MR. JONATHAN RUDIN:  Jesse?

MR. JESSE WENTE:  Yes, I would say there’s a
long history in Indigenous communities of Indigenous radio
as opposed to print media. And, I think many of those
outlets do do very strong work even if they don’t
necessarily receive national attention for that work. But,
I think the large, large financed, well-financed media
organizations, because there’s been such a dramatic erosion
of local media across all platforms in Canada and, frankly,
the world, those large well-funded institutions need to do
much better in reporting in local communities and outside.

And, I think we need to acknowledge that, in
Canada, we need to rethink how we look at, and consider our
country, and stop thinking of it as an east-west country,
and really think of it as a north-south, and that that’s
the real dynamic that is at play. And, that the large media concentration in the south means that these stories are skewed, and organizations, particularly public organizations like the CBC, need to reinvest and reconsider how they cover smaller communities and have that part of the larger national conversation. We just went through an election here in Ontario that exemplified the disparity in how media covers different parts of the province, and how that influences -- how we understand the issues we all face together.

**MR. JONATHAN RUDIN:** Okay. And, one quick last question for Tanya. You mentioned the jury recommendations coming out of the Seven Fallen Feathers inquest. As you know, there’s a report card that our organization produces on behalf of the clients, and I wonder if you might want to talk about the importance of being able to report back on what has happened. This Commission is going to make recommendations. There have been many Commissions who made many, many, many, many, many thousands of recommendations. And, you talked about the need for reporting back so that these issues remain in public consciousness.

**MS. TANYA TALAGA:** What ALST did was remarkable in grading and looking at the recommendations coming out of the inquest and what was -- where there was
movement and where there wasn’t movement, and the grades were given to certain organizations. And, that is needed. You know, we need to keep all of these issues in the forefront because one day this Commission will be over. And, one day, you know, you’ll come out with all of your recommendations. And, you’re right. You know, are we going to put those on a shelf? People always use that term, but it’s true, that’s what happens; you know? And, there’s no accountability as to, well, this is what the Inquiry found, this is what is so important. And, you know, instead of forgetting about it, is there some way that we could always keep it in the conscience?

It may be what you do is every single year relook back at it, what’s been done. I know that that is what’s happening. I believe you’re going to be looking yearly. That would be something for the Inquiry to do maybe as well, every single year, how we’ve gone forward with the recommendations that this Inquiry has made, and almost like a checklist. Are we having any movement here, yes or no? And, just keep it going forward so all of this work is not forgotten.

MR. JONATHAN RUDIN: Thank you. Miigwetch.

MS. CHRISTA BIG CANOE: Thank you. Next, I invite up Thunder Bay Police. Mr. Ted Morracco has 5.5 minutes.
--- CROSS-EXAMINATION BY MR. TED MORRACCO:

MR. TED MORRACCO: Commissioners, good afternoon. Members of the panel, good afternoon. I echo the acknowledgements of my friends who have spoken before me.

Ms. Talaga, first off, thank you very much for the interest you took in the joint inquest. As you may know, I was one of the counsel on that matter. If I understand correctly from reading your book, what you’ve been able to do is review transcripts from that proceeding, as well as conduct interviews with some of the family members; is that right?

MS. TANYA TALAGA: That’s right.

MR. TED MORRACCO: And, were you able to obtain all of the transcripts for all 70 days of the evidence?

MS. TANYA TALAGA: I was lucky enough to gain access to almost every single document. I didn’t have everything, but I have a massive zip file that contained everything that was presented at the inquest, yes.

MR. TED MORRACCO: And, in that respect, you mean the exhibits?

MS. TANYA TALAGA: I had the exhibits, and I also have the testimonies, most of the testimonies.

MR. TED MORRACCO: Yes, that was the
question.

MS. TANYA TALAGA: The ones that I was -- yes, the ones that I was specifically looking at, yes.

MR. TED MORRACCO: Fair enough. So, just because as you noted, they heard from more than 150 witnesses in the joint inquest. So, you didn’t have the opportunity to review all of the witness evidence; is that fair?

MS. TANYA TALAGA: That’s fair. That’s what I looked at specifically. I went to the witnesses that I wrote about, and I looked at those, and I also made an effort to contact people and talk to them, too.

MR. TED MORRACCO: I understand. Thank you.

And, with respect to the actual hearing itself which, of course, took place in 2015 and 2016, did you have an opportunity to attend in person for any of the hearing dates?

MS. TANYA TALAGA: I was there, yes. I was there at the very end, and I listened remotely, which is a very good thing when you guys set up the remote system, so I could hear in real time and livestream what was happening, and I covered the inquest that way from the very beginning for about -- I think it was a week, a week and a half. And, I did drop in there as well when I was writing the book, Seven Fallen Feathers. I would sit in at the
back of the courtroom, not as a journalist, but when I had time.

MR. TED MORRACCO: So, you did hear some ---

MS. TANYA TALAGA: Yes.

MR. TED MORRACCO: --- of the witness testimony?

MS. TANYA TALAGA: Yes.

MR. TED MORRACCO: But, here’s my question. Did you hear all of the witness testimony that was given over the 70 days?

MS. TANYA TALAGA: Did I hear all of it? I was not in the courtroom every single day to hear every single piece of evidence. So, no, I cannot say that I heard every single thing. But, I have to tell you that I did read an incredible amount, everything. There was the exhibits as well, the education reports, the police notes as well. I tried to get as much as I possibly could read and understood.

MR. TED MORRACCO: Thank you very much.

Those are all my questions.

MS. CHRISTA BIG CANOE: Thank you. Next, we’d like to invite up the Assembly of First Nations. Ms. Julie McGregor will have 3.5 minutes.

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

MS. JULIE MCGREGOR: Good morning
Commissioners and panel members. My name is Julie McGregor. I’m Algonquin from Kitigan Zibi Anishinabeg in Quebec, and I’m here representing the Assembly of First Nations.

My first question is for Jesse. Can I call you Jesse?

**MR. JESSE WENTE:** Of course. Please.

**MS. JULIE MCGREGOR:** Thank you. You mentioned about how you want -- in your evidence, you mentioned how you want over representation in the media and in the entertainment industry; is that correct?

**MR. JESSE WENTE:** Yes.

**MS. JULIE MCGREGOR:** How would you suggest encouraging youth to become involved in these industries when they don’t see themselves portrayed in these industries?

**MR. JESSE WENTE:** Well, I would use the fact that they’re not portrayed in these industries as an incentive to get themselves there, so they can portray themselves. I also think we need to tell somewhat different stories. I think too often when we talk about careers in the media, we focus on too narrow of a bar of what that looks like.

So, in film, for example, we often talk about directors and how you become a director, but to make
a movie requires an enormous number of people, and there’s opportunities all along that production chain for Indigenous people to have careers and be able to represent themselves in the media.

So, I think we need to start letting youth know that you don’t just have to become a director, you don’t just have to become a reporter, that there’s many other ways to engage in that media and that that absolutely can be a career, especially one that looks at a different sort of resource than natural resources or other sorts of things that may be presenting themselves, and that increasingly, as the audience begins to search for more Indigenous stories, the need at media companies to employ Indigenous people is only growing.

And, I suspect over the coming years, that will continue to be true, that these organizations, in part because of their obligations to serve the public reflect their own communities back to them, but also to serve an increasing desire on the larger Canadian audience to hear Indigenous perspectives and Indigenous stories will be searching for more people to employ in a variety of positions, and I think there’s a great opportunity for Indigenous youth to be able to enter the media as a profession and ultimately not only have a career, but serve their community and present a different perspective across
the media landscape.

**MS. JULIE MCGREGOR:** Thank you. And, I just have one more question for Tanya, if I can call you Tanya?

**MS. TANYA TALAGA:** Mm-hmm.

**MS. JULIE MCGREGOR:** So, I’m always -- I’m a bit of a political junkie, and I’m really always happy to see you when you show up on Power & Politics panels, because we often see commentators, and I know your evidence was about your being an author and investigative journalism, but we always see commentators commenting on things such as, like, fundamental human rights for First Nations people like clean water, housing and even in this case, the Inquiry into missing and murdered Indigenous women.

We see non-Indigenous commentators always on these panels, and they’re debating these issues like they’re up for grabs. Like, should Indigenous people have clean water? Should Indigenous people have education? How do we curb that? Should there be some sort of guidelines or policies like my friends have said that requires the media to think about that? Because I think they think it’s unbiased, but there is a bias put in there.

**MS. TANYA TALAGA:** For sure. Thanks for the question. You know, it’s hard too, because CBC Indigenous, you can’t call Connie Walker or Duncan McCue because they
work for CBC Indigenous to come and comment on these things, or Rhiannon Johnson, another reporter that’s there as well. Same with APTN. You know, they’re journalists first, so you can’t get them to come on Power & Politics or something to talk about what they’re seeing and what their issues are, although Tim Fontaine is no longer a journalist, so call him.

So, you know, it’s tough. It’s tough, but there should be -- don’t be afraid to phone Indigenous people, parts of organizations. Someone should be calling ONWA, someone should be calling NWAC, someone should be calling Na-Me-Res. You know, just open your field of vision. Get somebody on there that’s familiar with the issues and can talk about these things. It doesn’t always have to be a journalist, too.

MS. JULIE MCGREGOR: Miigwetch Tanya.

miigwetch Jesse.

MS. TANYA TALAGA: Miigwetch.

MR. JESSE WENTE: Miigwetch.

MS. CHRISTA BIG CANOE: Thank you. Next, we’d like to invite up ITK. Ms. Elizabeth Zarpa will have 4.5 minutes.

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

MS. ELIZABETH ZARPA: Good morning or good afternoon. I don’t know what it is right now. My name is
Elizabeth Zarpa. I’m legal counsel for Inuit Tapiriit Kanatami, which represents 60,000 Inuit throughout Inuvialuit, Nunavut, Nunavik and Nunatsiavut.

My apologies for going quickly, but I have a very limited amount of time. I want to thank the elders, the Commissioners, the Commission counsel and also the witnesses for testifying today. And, I also want to thank the Haudenosaunee, the Anishnaabe and also the Mississaugas of the New Credit for allowing me to be here on their territory.

So, Jesse, you highlighted how Indigenous people are depicted in media historically and contemporarily, and the example of the sexualization and misrepresentation of Indigenous women through stories, for example, Pocahontas you highlighted. And, to deal with these misrepresentations, would you agree with these recommendations? And, you can make additions or changes if you wish. That affirmative action programs be legislated to increase the number of Inuit media producers, managers and senior managers in major provincial and federal broadcasting companies in Canada?

MR. JESSE WENTE: Yes.

MS. ELIZABETH ZARPA: And, that this affirmative action program receive full funding by territorial, provincial and federal governments?
MR. JESSE WENTE: Yes.

MS. ELIZABETH ZARPA: That universities in Canada introduce affirmative action programming to increase the number of Inuit media producers, managers, senior managers and journalists?

MR. JESSE WENTE: Yes.

MS. ELIZABETH ZARPA: And, that Canadian universities introduce mandatory cultural competency training for students who train to become media producers, managers, senior managers and journalists?

MR. JESSE WENTE: Yes. Not just universities. I think existing media should also go through cultural competency training.

MS. ELIZABETH ZARPA: Great. Thank you.

Tanya, you mentioned in your book, Seven Fallen Feathers, you highlighted the deaths of seven young teenagers from northern Ontario who travelled -- or who lived in Thunder Bay. And they travelled to Thunder Bay predominantly because there’s a lack of access to high school facilities within their communities, which are really remote, so they travel to Thunder Bay to leave their families, their homes, their languages to a very different experience.

Would you agree with these recommendations? You can make changes if you wish. That Shannon’s dream to have high schools that are safe, healthy, comfy, and fully
funded in her community be applicable to all Inuit communities throughout Inuvialuit, Nunavut, Nunavik, and Nunatsiavut?

MS. TANYA TALAGA: Yes.

MS. ELIZABETH ZARPA: Currently -- and, also, currently Canada is the only circumpolar country in the world without a university above the 60th parallel. And to take Shannon’s dream further, there be full access to culturally relevant, post-secondary institutions like colleges and universities throughout Inuvialuit, Nunavut, Nunavik, and Nunatsiavut?

MS. TANYA TALAGA: Absolutely, yes.

MS. ELIZABETH ZARPA: And that culturally relevant, permanently stationed counselling and healing lodges be built and financed within northern and remote communities throughout all of Canada?

MS. TANYA TALAGA: Yes.

MS. ELIZABETH ZARPA: And these counselling and healing lodges be fully funded by the territorial, provincial, and federal governments.

MS. TANYA TALAGA: Yes.

MS. ELIZABETH ZARPA: Okay. Those are my recommendations and my insights, but if there is anything you would like to add, I’m open to hearing your suggestions.
MS. TANYA TALAGA: NO, those are all fantastic.

MR. JESSE WENTE: Terrific.

MS. ELIZABETH ZARPA: Thank you.

MR. JESSE WENTE: Thank you.

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

Next we would like to invite up Aboriginal Woman Action Network; Ms. Fay Blaney will have three and a half minutes.

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

MS. FAY BLANEY: Hello. I’ll start off by saying I’m so excited to meet the two of you.

(LAUGHTER)

MS. FAY BLANEY: I hear you all the time on the radio; I listen to radio all the time. And I knew about the Massey lectures and I’m really looking forward to those as well.

I only have three and a half minutes; I’ve used 15 seconds already, so...

(LAUGHTER)

MS. FAY BLANEY: I wanted to talk about where I’m from, which is out in B.C. It’s so far away from this centre. And in B.C. we’ve been dealing with murdered and missing women for a very, very long time. We’ve been
marching, the Feb 14th Women’s Memorial March, and we have really struggled with the media.

You heard from Viola Thomas earlier and she’s been on that front fighting with the media to change their -- the ways that they write about Indigenous women. They have good woman, bad woman, and I think they’re called princesses or squaws, from another perspective. And attention is given when White women are the ones that go missing in the Highway of Tears.

So I’m just wondering are either of you aware of any Indigenous women scholars that are exploring the intersecting roles of racism, colonialism, and misogyny? It’s been challenging within -- -- before this Inquiry started and now that it’s going, to ensure that women are at the centre of it, so that’s what’s behind my question of is anyone even looking at what is developing in terms of journalism and Indigenous women.

MS. TANYA TALAGA: Thank you for the question; and it’s nice to meet you.

I think that there are Indigenous women that are coming through the university realm and that are looking at some of these things.

Now, I’m going to use her name and -- so I could be wrong but you talked about misogyny and about studying this. I think Chelsea Vowel is looking at some of
this that -- what you’re speaking of. I think that there are -- I know there are Indigenous women in law as well that are -- that are looking at some of these things.

When I was at that Determination, that event I was talking about, about getting rid of the Indian Act, a little while ago, I met lots of Indigenous women scholars that were teachers. And it was so nice to see, and to hear about the work that they’re doing.

But, you know, getting back to the point of representation earlier, I mean, there’s just so much more of this work needs to be done, and there’s just so few women that are doing it. And so there needs to be so many more and until -- it’s hard work on the few that are there doing it, you know, so sometimes they can be burdened. There’s just so many ways to look and to explore and to research. It’s tough when you’re only a small group. But I hope that that’s changing. I hope that there are more women.

I would urge you to look in law, too.

**MS. FAY BLANEY:** Yeah.

**MS. TANYA TALAGA:** I know that there’s -- at Osgoode there’s some women that are there.

**MS. FAY BLANEY:** So is there a recommendation that can come out of that with regard to Indigenous women?
I know my time is up, Christa.

**MS. TANYA TALAGA:** Maybe I could say a funding scholarship, funding spots in universities to do that extra work. And when I say that, I don’t mean tuition or books. I mean funding for daycare. I mean funding for living expenses. All of those things need to be looked at in order to support women in order to get into those university roles and in order to be able to afford to live and take care of their kids. There needs to be more of a holistic sort of a look at how we can support women to do that work.

**MS. FAY BLANEY:** Thank you very much.

**MS. CHRISTA BIG CANOE:** Thanks, Ms. Blaney.

Next we’d like to have invite up Awo Taan Healing Lodge Society; Mr. Darren Blaine has three and a half minutes.

--- **CROSS-EXAMINATION BY MR. DARREN BLAIN:**

**MR. DARREN BLAIN:** Good morning to the Commission; good morning to the panel members.

My name is Darren Blain and I’m a lawyer working out of Calgary. And we represent the Awo Taan Healing Lodge Society, which is an Indigenous women’s shelter smack-dab in the heart of Calgary.

Welcome and good morning.

Ms. Talaga, the first thing I want to do is
give a plug to your book.

(LAUGHTER)

MR. DARREN BLAIN: So I wonder if that camera can back -- that’s available on Amazon.ca ---

(LAUGHTER)

MR. DARREN BLAIN: --- for $15. It’s also available at indigo.ca. But I promise I have been working in the back.

MS. TANYA TALAGA: Miigwech for that.

You should also note, though, too, that part of the proceeds go to Dennis Franklin Cromarty’s memorial fund of every book sold, and so that goes right back to the kids.

MR. DARREN BLAIN: Well -- and I do that for the benefit of the people that aren’t here that might be watching online in women’s shelters and other institutions; this is being broadcast online so I do that for their benefit as well.

Mr. Wente, good morning.

MR. JESSE WENTE: Good morning.

MR. DARREN BLAIN: First of all, man to man, I want to thank you for being courageous enough to share your tears today. I honour your tears. I honour your being here and I honour you, sir, this morning.

MR. JESSE WENTE: Thank you.
MR. DARREN BLAIN: We’re here talking about Indigenous women that are murdered, that go missing in this country, and the girls. And I want to ask you “the” question.

Lawyers talk a lot about causation in our work; in other words, what caused what? But it doesn’t have to be this is the sole cause of something, it can be a contributing factor; or, as I say to judges often, the piece of the pie. It’s a piece of the equation.

Sir, is it your affirmed expert evidence that the way in which Indigenous women have been portrayed in the media, in journalism, and in film, whether that originates in Canada or abroad, such as the United States, has led to Indigenous women in this country being murdered, disregarded, have gone missing, or taken their lives by suicide?

MR. JESSE WENTE: Yes. In your words, it’s definitely a piece of that pie.

MR. DARREN BLAIN: Thank you.

This is an interesting discussion we’re having today about freedom of expression under the Charter of Rights on the one part of the continuum because a lot of filmmakers will stand right there and say, “This is about freedom of expression. We’re allowed to do whatever we like.”
On the other end of the equation is something in the Criminal Code called a hate crime. And it’s a delicate exercise that we’re engaged in today and in your work to try and find that balance; is this freedom of expression or is it a hate crime?

I state that only for the Commission to mention that in their report and I ask them to give fulsome consideration to that balance.

My last question, if I may, is that you mention that we have to get the kids. Well, here’s the deal: kids don’t watch APTN, and kids don’t watch CBC or listen to it unless they’re going on a ride with their grandpa in the truck.

(LAUGHTER)

MR. DARRIN BLAIN: So, in texting my niece, who’s a teacher of a 700-student school in Calgary, just now, I’ve learned a couple things, one, that Facebook is out-of-date. Nobody uses Facebook anymore, so I’m going to delete my account. The other thing I’ve learned is that the kids are using their phones on Instagram, Musical.ly and Snapchat.

My question to you for the Commission, and we can address this to the Commission, is when it comes to resolving or changing the way Indigenous women and girls are portrayed in this country, how do you suggest we get to
kids?

MR. JESSE WENTE: Thank you very much for the question. I think we -- you have to go where the kids are. And so, for example, the Indigenous Screen Office does not just focus on the legacy media, so it’s not just concerned with television or film. It’s as concerned with videogames, it’s as concerned with streaming, it’s as concerned with apps, all of those things that the kids are using.

And, I -- when I think of where Indigenous stories may be told in the future, first, I have to acknowledge that they’ve rarely been told in those traditional places, so I’m not sure -- I looked to movie theatres as actually the solution to this. I may look more to YouTube as the solution to this, because I think we have to be cautious that when we’re engaging in growing Indigenous media and stories that we don’t necessarily have to do that in the same venues that those stories have been told historically.

And, in fact, maybe we should be searching for more equitable venues, ones that aren’t as concerned with commerce or other sorts of issues, ones that are maybe more far-reaching because, again, there aren’t movie theatres. Just like there aren’t schools in a lot of these communities, there aren’t movie theatres either, but there
may still be YouTube. There may still be access to those sorts of things.

So, for one, I advocate very directly to the Department of Heritage about their Indigenous strategy that no digital strategy will be successful without 100 percent coverage for high-speed internet to all communities in Canada, and that that is indeed a democratic right, and the democracy will fail if that -- if all people don't have equal access to high-speed internet. And, that when we start to tell these stories differently, we should look at different outlets, different modes of distribution and that we go to where the children are.

We don't expect those youth to come to us, and that may mean maybe it's less about movies, which is maybe what you and I watched, and maybe it's more about videogames and what they're playing on the X-box and those places than it is about those things. And, those are storytelling just like anything else. And, just because adults may not understand that, doesn't mean that isn't true.

My kids watch more YouTube now than they watch any broadcast television, so I am as engaged with YouTube and what YouTubers and those commentators are doing than I am anything else. And, frankly, I'm very optimistic, because those platforms tend to be more open
than the legacy ones that tend to be closed markets, that
tend to privilege certain voices over others, historically.
YouTube, those sorts of places, they do not. You have a
more ease of access, and I think we should be engaging
directly with those platforms to gain the ears of the youth
and also to give them the power and access to those
platforms to create for themselves to tell their own
stories on Instagram, on -- anywhere they are, and to give
those tools back to them so that they can create media for
themselves and for their generation and for their friends.

**MR. DARRIN BLAIN:** Thank you for your
perspective, and thank you both for being here.

**MR. JESSE WENTE:** Thank you.

**MS. TANYA TALAGA:** Thank you.

**MS. CHRISTA BIG CANOE:** And, the last party
that we’ll be inviting up to cross-examine is Pauktuutit
and Partners. Ms. Beth Symes has four-and-a-half minutes.

--- **CROSS-EXAMINATION BY MS. BETH SYMES:**

**MS. BETH SYMES:** Thank you. I’m Beth Symes.
I represent Pauktuutit, the Inuit Women of Labrador, the
Ottawa Inuit Children Centre, Saturviit in Northern Quebec,
and the Manitoba Inuit Association.

I want to begin by saying that the Inuit
families in Membertou, in Rankin Inlet and in other places
were highly critical of the media. And so, I want to
explore that. And, I begin by making the statement that for Inuit, in Inuit Nunangat, the media is really important. Radio CBC North, it -- in Inuktitut, it is listened by everybody. It’s how information gets conveyed across the north. And, in many ways, it’s the glue in the community, because people -- families are spread across remote hamlets.

And so, Ms. Talaga, you said this morning families have no information about what is happening. One of the criticisms. In Rankin Inlet, Susan Enuaraq told the story of the murder of her sister Sula and Sula’s two daughters in Iqaluit, June 7th, 2011. Susan was a Crown prosecutor at that time, and she became, sort of, the voice for the family, and went to the police seeking information, like any information about the death of her sister and her two nieces. And, she got nothing, absolutely nothing from them.

But, shockingly, the family members located in hamlets in Nunavut learned about the deaths on CBC Radio North. And, here’s what’s even more troubling, they learned about the details of the death on CBC North that were not ever public. I’m asking you as wearing a hat as investigative journalists, how do you respond to that?

**MS. TANYA TALAGA:** It’s always troubling when you here that -- or when you’re the one -- when you’re
the reporter to phone a family and to tell a family
something that they don’t know, and that happens too many
times. It gets back to what we were talking about earlier
what I was mentioning about communication and the lack of
communication.

Often times, historically, especially
between -- and recent history, between police and family
members and the need for a point of contact for all family
members to have. You know, because often times what could
happen is that -- and I do not know the particulars of this
case, but I’m just talking in generalities, is that if a
family member phones a police force, and that -- the police
officer that’s assigned the case isn’t there, then there’s
nobody to talk to. And, they get told, “We’ll call back
in, like, six hours or 12 hours when that police officer’s
going to be back on shift.” So, the call gets passed
around, and it’s difficult for families to get a response
from anyone.

I neglected to mention, and I will just
briefly in answering this, about the need for family
information liaison units, which have been, actually,
started and are -- been functioning in Toronto. And,
they’re so important, because often times, too, as a
journalist, what’s happening is that I get called, and the
people ask me about things. And so, I’m calling the police
and asking them about things, and I’m going back to the family and saying something. And, that’s -- I’m not a qualified professional to be doing any of those things. I’m just -- I’m a journalist, I’m a storyteller. But, there needs to be a central point of contact so all family is aware when a tragedy happens. And, also, too, that families are told right away, and that’s been an issue time and time again.

It was an issue with the inquest into the death of the seven kids of -- and, you know, this is beyond police too. This is medical authorities, coroner’s offices not contacting -- doctors, not contacting family members to say, “This is what’s happened,” or causes of death told to family members. One of the seven fallen feathers, Marianne Panacheese, she waited seven years to get an answer on what happened to her son, Paul. Seven years. No call from a coroner, no call from anyone to tell her what was happening.

That is -- it’s unbelievable. And, it’s not just one time. It’s the time you’re bringing up, it’s the time of all of the families. You often here this. It’s communication. Again, it’s such a key, key issue, and we need to find a way around that so incidents, like what you just talked about, don’t happen.

**MS. BETH SYMES:** Thank you.
MS. CHRISTA BIG CANOE: Thank you. That concludes the cross-examination. Chief Commissioner and Commissioners, I have only one question in re-examination to correct the record if I may be allowed to ask that before you make your questions or comments. And, it’s for Tanya.

--- RE-EXAMINATION BY MS. CHRISTA BIG CANOE:

Tanya, when we were looking at the excerpts in your book, we were talking about Jordan Wabasse, and you had made a comment that he was last seen at a certain point in the river. The story in the book and the evidence speaks otherwise, can you explain that?

MS. TANYA TALAGA: I’m sorry. I misspoke. It should have been, “Stan said, we believe this is where he was last seen.” So, that should be corrected, because he was actually last seen getting off a bus at 10:00 at night, about 3 kilometres away from where his body was found in the Kaministiquia River.

MS. CHRISTA BIG CANOE: Thank you. And, those are all the questions I have in re-examination. At this point, I just want to indicate, it’s -- I take your instruction on questions and comments.

--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: First thing, thank you both -- hello. Is it on?
CHIEF COMMISSIONER MARION BULLER: Keep talking.

COMMISSIONER QAQAQ ROBINSON: Keep talking until I -- I’m resourceful. Thank you both so much. I have a few questions. First, Tanya, you shared with us the recommendations from the jury and the inquiry for the seven and it speaks to First Nations populations, and I was hoping you may be able to help me with this.

A lot of the circumstances that are described in terms of the difficulties with accessing education, health care, shelter are realities that we’ve heard from many Indigenous peoples, including Inuit and Métis. Would you expand your recommendation that these types of recommendations that were put forward by the jury should also apply to non-status Inuit and Métis who are experiencing these types of realities?

MS. TANYA TALAGA: Absolutely.

COMMISSIONER QAQAQ ROBINSON: Thank you.

We’ve also heard from so many families about how they were portrayed and a complete lack of accountability when it comes to how their loved ones are spoken about, and particularly with court reporters and how things are discussed in court and then how that permeates into media.

So, I’m wondering if you have any ideas -- my thoughts are that there is not only a duty to those
reporting, but there is also a duty to the dialogue and the language used in the courts, period. Do you have any thoughts on journalism as it relates to court proceedings?

MS. TANYA TALAGA: Thank you for that question. That’s a very good question. I could see how so much of what is heard in court, you know, when it gets reported by court reporters. Often too, they are reporters that have been in their jobs for quite a long period of time and they’re there just writing, like, the facts, just the facts. You know, we’ve got the story. And, I don’t know how sensitive people are being as opposed to -- like, that’s a story that’s done so quick and fast, right, for the next day’s -- I sound so old. I was going to say the next day’s paper. For the website.

So, more thought needs to be given, yes. I think efforts need to be made to speak to the families, speak to the person that’s just made the testimony and say, this is what we’re going to report on and what do you think about this? You know, can you expand on this? Are there ways I can be sensitive about this?

It’s tough when you come to courts too, because it’s an open proceeding; right? And so, people will come, and they’ll just be writing down the facts and they’ll just, sort of, slam it in and it goes into the story, and it’s on the website. The more considered,
longer pieces, that’s just -- it’s just so much better for the families, you know? I’m thinking of Connie Walker’s podcast, that is -- it’s so much more inclusive and so much more understanding and sensitivity.

And, again, too, you know, the need for more Indigenous reporters. How many Indigenous court reporters are out there, you know, besides APTN when they’re in court or besides CBC Indigenous. There needs to be so many more, so our stories are told more sensitively.

**COMMISSIONER QAJAQ ROBINSON:** It’s been shared with me by some families and survivors that they wished that, particularly because the journalist came to them when they were in very emotional states or right outside the courtroom, that there was an obligation for them to validate with them. Like, this is what you told me, this is what I understand, not just recording -- putting the recorder in front of their faces.

**MS. TANYA TALAGA:** Mm-hmm.

**COMMISSIONER QAJAQ ROBINSON:** Are, sort of, ethical guidelines or protocols along those lines something that you think would help ensure that the reporting is not only accurate, but also free of the stereotypes and biases?

**MS. TANYA TALAGA:** Thanks for that question. I think suggested guidelines would be a good idea. It’s -- like, people -- journalists hate being told what to do.
Media organizations hate being told what to do. So, I think suggested guidelines would be a very, very good idea. And, trying to be as inclusive as possible. Going back to the family, one of the things that Duncan McCue talks about, and so I’ll borrow his phrase here, is don’t be a story taker.

You know, as a journalist, don’t go in and just take the story and say, you know, thank you very much, and then just go away. Because you’re right about the trauma that the family is feeling. It’s good to check in with that family. You know, maybe call them after the story is run and ask them what they think, is everything okay, and then call them again. Make an effort to have a relationship. And, that’s not just for Indigenous journalism, that should be every journalist’s practice, to be more sensitive with all of the trauma that everyone deals with. It’s just a human practice, really, to be a little bit more kind.

COMMISSIONER QAJAQ ROBINSON: And, the process of getting it right.

MS. TANYA TALAGA: Mm-hmm.

COMMISSIONER QAJAQ ROBINSON: Jesse -- can I call you “Jesse”?

MR. JESSE WENTE: Oh. Yes, please.

COMMISSIONER QAJAQ ROBINSON: Thank you. I
Panel Questions

(Commissioner Robinson)

was very interested in your comments about sports mascots and stereotypes and representation. And, one of the things that -- particularly when it comes to portrayals like sports names, is this tension between -- I call it the tension between offensiveness versus racism.

And, I’ll tell you what I’m thinking here. Whether someone is offended by Pocahontas does not change the fact that Pocahontas in that portrayal is something that is a racist expression. Do you have any thoughts on how that discourse and how -- because it always seems to be the way -- and I’ll use the example of the Edmonton Eskimos. The first thing that happens is they talk to five Inuit, some are offended, some are not, and the lack of being offended is somehow making it okay.

MR. JESSE WENTE: Yes. Famously, the Washington Post did a survey where they found the majority of Native Americans weren’t offended by the term “redskin”. Now, the methodology of that survey is deeply, deeply flawed and has been largely discredited by Indigenous scholars. But, you’re right, there is often a searching for approval, and then that one approval is deemed as able to assuage any concerns.

I always think what’s important to consider in these cases is harm. That the difference being offended and something that’s racist is really the harm that is done
by those things. And so, while I may not be offended, what is the harm that those names are actually doing to others?
And, that we have to consider, not just individual tastes, or considerations or perspectives, but community considerations when it comes to these things. And, even if some Indigenous people are fine with mascots, others are not, and in the end, what is the harm being done by simply allowing them to persist? And, I would say the harm being done outweighs any issues of free expression or whether we can be offended or not.

And, I think too often in our culture we equate things like free expression with a legal sense or this obligation, or we misconstrue it as cultural exchange when free expression is usually really meant to protect us from state-imposed sanctions on our speech as opposed to public discourse or how we relate to one another. And, those are two very radically different things. And I think we are always in a danger when we decide the limits of the behaviour are the legality of it and not the cultural associations that occur.

We don't govern ourselves based purely on what is legal and what isn't; otherwise, we would always exist on the precipice of a Mad Max world where lawlessness is just a step away. Instead, there's all sorts of cultural paradigms that govern the way we relate to each
other and how we communicate to one another that have
nothing to do with the law, that have to do with what my
mom would call good manners.

And I think too often those that want to
defend offensive terms go straight to the legal definitions
instead of looking at the harm being done and also just the
fact that in culture that is not how we operate, but it's -
- and we also have to acknowledge that the legal terms are
often defined outside of marginalized community's control.
And thus, saying that that somehow is the governor ignores
the history of marginalization that has occurred. That
would suggest that those legal terms actually aren't the
governor at all and there's many other cultural aspects
that need to be considered when we're doing that.

And, again I would go back to that idea of
what is the harm being done and reducing that harm beyond
notions of either free expression or whether one has the
right to be offended or not.

**COMMISSIONER QADAQ ROBINSON:** You have
segued perfectly into -- and I thank counsel for Awo Taan,
for raising this issue or this sort of -- that dichotomy
between freedom of speech, freedom of expression, and when
it's used as a justification and a validation for racist
statements and expressions. And in terms of how our
criminal justice system responds to that, again, how law
responds to that, is generally through provisions that relate to hate crimes, which, I mean, I haven't checked the case law recently, but it's incredibly difficult to have something characterized or identified specifically as a hate crime.

But I also hear what you're saying about that may not be the mechanism to respond to it. Do you have any thoughts on how, as a society -- and you've shared a lot about representation and participation and presence within the institutions that create. But do you have any thoughts on how we can confront and respond? And I'm thinking about, like, two weeks ago, reporting on the AAA hockey tournament in Quebec City where 13 and 14-year old boys were called savages, and how that became a debate about whether it was racist or not, and hate or not.

**MR. JESSE WENTE:** I think that debate only exists among the privileged. It's only a privileged position that would even consider that something worth debating or open to any sort of interpretation. And I think it shows the colossal failure of all sorts of communication systems, education, media, that that could even be considered a debate.

I read that story. It hit very close to me. I was called those same things when I was a young athlete. I heard similar things on the playing field. It was a
different time, I would acknowledge that. It was the early '80s. But the fact that in 2018, 30 years later, that this still goes on suggests the amount of work that still needs to be done.

I don't think there's a quick fix, unfortunately. I think this takes -- because I don't think it was a quick decision to get us here. I don't think the media -- it was very quickly that we assume this. I think it took extended conditioning for that to occur. And I think it will ultimately require extended conditioning to undue all of that, which is why I say just doing it in the moment is one thing. It's a sustained, continual practice.

Just like the communities in the north don't need parachute help. They need permanent help. The media will not be solved by momentary representation. It will be solved by ongoing continued representation.

By the way, the same benefit that the over culture has had the privilege of for its entire existence. Those benefits should be extended in the same way. Not momentary interest, but on an ongoing interest.

I think it's interesting that even in just a few years, for example, territorial acknowledgments, just to use one example, have come forward. We've seen numerous examples here. But yet I already hear some saying, "Why do we still need to do this?" And my response is it's been
two years. Come ask me in about 200 and maybe we can
discuss whether we should stop doing it then. Just like,
you know, we've been singing a national anthem for a very
long time. Give us the same length of time to tell those
stories and then let's talk.

This is not an easy fix, but I don't -- I
think those are difficult answers for many to hear because
they want a quick and easy answer. They want
appropriation, representation to be not nuanced, to be very
simple, so they can get over it.

The reality is, our existence is nuanced.
It requires nuanced responses. Not everything for each
community is going to be the easy answer. And we need to
both acknowledge that and not let any of these
institutions, organizations, governments, anything off the
hook with easy responses to complex issues.

And we -- more than anything, we need
institutions to do some self work. Before they consider
how they can change their outward appearance, they need to
examine their inward and what it -- how they have been
complicit and continue to be in these systems, and how
setting up polemical debates around free expression,
setting up a versus system is actually inaccurate betrayal
and does an incredible disservice to the public, the people
they serve, and the discourse that they're attempting to
Media so often wants to reduce things to simple answers and simple questions, which completely ignores the complexity of human existence, and we need to demand media do better in this, and right to the individual. Individuals can do better. People who go on these stations can be nuanced, can offer nuanced opinions. They -- we don't have to reduce everything to a binary when we know nothing in the world, except maybe math, exists on a binary system, computers too. And we know inherently that those are flawed because of those things.

And so, you know, I just reject all of those notions. I, personally, no longer wish to engage with anyone who's going to debate my existence or my right to say my world because that is not a debate for -- to have. And I won't even encourage that. We need to have -- we need to go beyond those to get to the nuanced part of it where we can actually find the solutions that are going to occur for these issues.

COMMISSIONER QADAQ ROBINSON: Thank you.
Those are all my questions. Thank you both so much.

COMMISSIONER BRIAN EYOLFSON: I want to thank you both very much for coming and sharing your expertise with us today. I'm also mindful of the time and I think I'll just ask one question of Ms. Talaga, if that's
okay.
You were speaking about some of the racism in Thunder Bay and about the Indigenous students being met with hostility. And I'm just wondering if you wanted to, or if you could add anything further, in terms of addressing racism in a community like that in your experience as a journalist and a writer and being there.

Like, on the one hand you spoke to indifference towards racism in Canadian society, but you also referred to some hope and that people were starting to talk about these issues in the community. So I'm just wondering if you could add anything on what you may have seen or would see as affecting change in terms of combating and addressing racism in that context.

**MS. TANYA TALAGA:** Thanks for the question. I'm going to turn it back to education again. I think that that's the most important way to combat racism and what's happening in Thunder Bay. And with the kids, you know, I think what needs to happen -- and it is starting to happen slowly, but it is starting to happen, the school boards need to work together. The school boards, the public school board in Thunder Bay, the Catholic school board, and the Indigenous school. I mean, I think we have to stop looking at situations in Thunder Bay, like, with the schooling, as though that's a federal responsibility. That
school is funded by the federal government. I think that
all levels of government and just all community has to,
like, take ownership of that, and the provincial school
board has to get involved, like, the local schools have to
get involved, instead of saying, oh, that's not my problem.
That's their problem over there if the kids are going
missing or whatever. They need to get involved. And, I
know that some of that is happening, but I would urge more
of that to happen. Like, intramural sports between all of
the schools, things like sharing bussing. Bussing is a
huge issue for Denise Franklin Cromarty and keeping the
kids safe and, you know, being on public transit all the
time. Wouldn’t it be great if some of the school boards
shared some of their busses, so the kids could have a
chance to get to their boarding houses as well in a safe
way? Little things like that, that I don’t think would
cost too much money.

PA days or professional development days
that teachers have, bring in the teachers from DFC and
invite them so everybody can meet and talk and be together.
So, don’t look at things as provincial responsibility,
federal responsibility and Indigenous. Like, everyone
needs to sort of come together in order to get over that
racism. Otherwise, it’s just not going to happen.

COMMISSIONER BRIAN EYOLFSON: Thank you very
--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:

CHIEF COMMISSIONER MARION BULLER: I have two questions. The first one is for you, Ms. Talaga. In the course of the work that you did regarding the situation that existed and still exists in Thunder Bay, was there any comparison or any analysis done of services provided to refugees to Canada and the services provided to children who are coming in to Thunder Bay for school?

MS. TANYA TALAGA: That’s a very good question. Thank you. I have to say that I’m not aware of that.

CHIEF COMMISSIONER MARION BULLER: Okay, thank you. Now, for both panel members, I’m going to describe a scenario to you based on truth, and I appreciate your comments and your analysis, and there are five different segments.

First, we have heard from many people across Canada that they have chosen not to participate in this National Inquiry because of the way the media has portrayed their family members, their experiences, and others’ experiences. We’ve also heard from participants in this Inquiry that they’ve chosen to testify only in private because they are fearful of how the media will portray them and/or their family members.
When we had what we call community hearings, where families and survivors were testifying, we were well covered, in fact, over covered by media. During these types of hearings where we do not have stories of lost loved ones, we have no media coverage.

Fifth and final point, organizations can apply for standing and have, obviously. That means, amongst other things, the organization can have access to documents, the ability to cross-examine, and the ability to make closing submissions, and participate in other ways in this National Inquiry. Not one media outlet applied for standing.

What, if anything, is this scenario indicative of in your perspective? In 25 words or less.

(MR. JESSE WENTE) 
Sure. I mean, for me, that is a harsh indictment and I think if I was a media well, I am a media member hearing that, and I would feel shame and embarrassment that our work is a way that keeps people from testifying in a place like this, that people are scared. That should be a shameful blight, because that is not what journalism should be doing; the exact opposite.

And, in fact, you know, I didn’t go to journalism school. I didn’t need to be taught what journalism was about and the ethics of it. Somehow as a
human, I sort of understood what those would be, and I think -- sorry, I’m over my 25 words, but I think these sorts of inquiries should be covered on a daily, persistent basis. Someone needs to be assigned to this so they are here every single day. That is their job. And, if media outlets are not doing that, then they, frankly, have no right to cover other aspects of this story, then they should just stay out of it. I think that in itself is an incredibly horrible thing to even consider, that they then don’t have the right to do it.

But, you earn the right to these stories. This is incredible difficulty. I know many people who covered the TRC hearings have had an opportunity to spend much time with survivors. It is a privilege to hear those stories. Journalists should be honoured to be assigned to this assignment. There is no more important job in journalism to cover stories like this, and if you’ve entered that profession and you don’t think this is what you’re meant to do, then you are incorrect in your career choice, and I would suggest choosing something else.

And, I would suggest the editors that don’t think of it, they should also do some self-examination around whether they think that they should be in that spot. And, the executives that run those offices should do that same consideration, because they’re taking up space where
others might be doing a better job, and they should no
longer occupy that space. They have failed in their
obligation to journalism as a profession, to their
audience, and to Canada as a nation.

(APPLAUSE)

CHIEF COMMISSIONER MARION BULLER: Thirty

words.

MS. TANYA TALAGA: I know. It’s always hard
to follow Jesse, and I think I just used 10 words saying
that. That was brilliant and well said, but I’m also going
to say don’t paint us all with the same brush, and that’s
really hard because, you know, families, they have a bad
experience and then someone else hears about it. And so,
it just gets magnified and not all journalists are bad, and
not all journalists are insensitive, and some do work hard
to be sensitive. So, it’s difficult because when that
happens, everyone gets painted with the same brush, and
that’s not necessarily fair.

And, I agree, you know, there should be
daily coverage of something like this. Absolutely. There
should be. And, oftentimes, like when you look at the
inquest into the death of the seven kids, there was daily
coverage, because Jody Porter from the CBC, she was there
every single day. But, it also was helpful that the CBC is
a government-funded news-gathering outlet and it has the
money to have an employee there every single day. And, oftentimes, too, with the private companies, it’s not as easy. With the shrinking news hole and everything else, people are making decisions, and so that’s why there isn’t somebody there every single day. Sometimes it’s just, like, people are trying to go like this and cover all of these holes, and yes, truths get lost, stories get lost. Our coverage diminishes, and that’s a whole other talk about what’s going on in the news media right now.

But, saying all of that, we need to cover things like this, because these are moral issues. These are human rights issues and if we’re talking about building a better Canada, we need to be paying attention at all levels of media to the Inquiry.

**CHIEF COMMISSIONER MARION BULLER:** Well, thank you both. What a way to finish. My goodness. Because you shared your truths with us today in a most wonderful way, we have gifts for you, and I hope you will accept them.

We were told by matriarchs on Haida Gwaii to gift our witnesses with eagle feathers, and we don’t argue with them. Eagle feathers, of course, are significant in so many ways, but today, I think they’re significant because you are warriors, and thank you for being warriors. So, the eagle feathers will hopefully hold you up and lift
you up on those days and those moments when you think you’re the only one fighting the fight.

Also, the eagle feathers, at the right time, will lift you up to heights you never thought were possible, and you have lifted all of us up to heights we never thought possible today.

So, on behalf of all of us, we want to hold you up and lift you up and help you reach even higher than you thought. Thank you both very much for your compelling, wonderful testimony.

(APPLAUSE)

(GIFTING OF EAGLE FEATHERS)

MS. CHRISTA BIG CANOE: As the Commissioners are gifting, just a couple of quick announcements for housekeeping. So, during our break, once we have it and we formally close this, I want to remind parties with standing that there are a number of parties who still have not drawn for this afternoon’s cross. I also want to bring to your attention that we have a very tight timeframe with our next witness, Dr. Cindy Blackstock, and will have to end at a specific time and, on that basis, I’m requesting a 30-minute lunch because we have a hard stop with Dr. Blackstock at 4:30.

CHIEF COMMISSIONER MARION BULLER: So, 30 minutes, please.
MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 1:29 p.m.
--- Upon resuming at 2:10 p.m.

MS. CHRISTA BIG CANOE: So, we’re going to get started please. So, Chief Commissioner, Commissioners, before I call the next witness, I just had a couple items of housekeeping if that’s all right.

This morning on our first panel, I, again -- once again neglected to acknowledge the second chairs, the Association Commission Counsel, that made it possible to have the witnesses of the materials before us. And, this morning they were Francine Merasty and Shelby Thomas. And, before I forget to do so today, my second chair on this is Shelby Thomas, and without her, the materials would not have come together, so I just wanted to acknowledge that.

So, this afternoon we are working on a particularly tight time frame. Dr. Blackstock has made herself available, but it’s in a specified time period. And so, on that basis, there’s a couple things I’m going to suggest we expediate. I previously had sent all parties with standing the way and manner in which I may -- wanted to qualify Dr. Blackstock, and no one provided me an objection.

And so, normally, on the record, we take a little more time asking questions. But, instead of doing
that, I am just going to highlight some information and
qualify Dr. Blackstock as summarily as possible so we can
actually get to the meat of the issues with your
permission.

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

MS. CHRISTA BIG CANOE: And so, to start, I
actually just want to draw your attention -- and, first of
all, Dr. Blackstock, may I call you Cindy?

DR. CINDY BLACKSTOCK: Yes, you may.

MS. CHRISTA BIG CANOE: Thank you. I’d like
to draw your attention, Cindy, to your very large
curriculum vitae. And, it’s literally pages and pages
long, and so I’m not even going to ask you to specifically
site anything, but if you could agree with me on a couple
facts. I note that you have seven degrees; is that true?

DR. CINDY BLACKSTOCK: I have -- I think I
have four academic degrees, and then I have a number of
honorary degrees. I think it’s about 15 honorary degrees
at this point.

MS. CHRISTA BIG CANOE: Yes. So, in
addition to the academic work you’ve done, you have been
the recipient of a large number that’s listed in your
curriculum vitae of honorary doctorate degrees. Yes. And,
I was just going to ask if you could share a little bit of
personal information to whichever comfort level you have
with the Commissioners and the public.

DR. CINDY BLACKSTOCK: Sure. I’d like to just begin by honouring the territory we’re on and pay my respects to the elders. Thank you for this opportunity. And, to the families, thank you for providing me this opportunity to share with you a little bit about the children’s story.

My name is Cindy Blackstock. I’m a member of the Gitksan First Nation. I grew up in Northern BC in remote and rural communities, so I know that lifestyle having lived it. And, I was a child protection worker for 13 years on the frontlines both in Northern BC, and then in North Vancouver on downtown eastside. And then I worked with the Squamish Nation.

I then left after that, and created a provincial organization along with my colleagues who run First Nations child welfare agencies in BC. And, we -- it was then called the Caring for First Nations Children Society. It did post-baccalaureate training for social workers so that they could work more effectively in our communities. It did policy work. And then from there, it went to the Caring Society, which many of you, hopefully, are familiar with, and it’s the First Nations Child and Family Caring Society of Canada, and I’ve been there since 2002. And, I am also a professor at McGill University,
School of Social Work. So, I’ve got, kind of, two jobs, but my favourite job is hanging around with bears and kids.

**MS. CHRISTA BIG CANOE:** Excellent. And, your reputation does precede you. And, a number of the parties in the room will be familiar with the cases and the academic work that you’ve contributed in the area of child welfare.

And so, on the basis that there is no objection and without going into too much more detail, I would ask the Chief Commissioner and Commissioners based on the knowledge, skills and practice experience as briefly described by Dr. Cindy Blackstock and as evidenced in her curriculum vitae, that I am tendering Dr. Cindy Blackstock as an expert, specifically in the areas of social work with knowledge in Indigenous theory, child engagement and the identification and remediation of structural inequalities affecting First Nations children, youth and families.

**CHIEF COMMISSIONER MARION BULLER:**

Certainly. Based on the evidence that we’ve heard, we’re satisfied that Dr. Blackstock is eminently well-qualified to give expert opinion evidence, specifically in the areas of social work with knowledge in Indigenous theory, child engagement and the identification and remediation of structural inequalities affecting First Nations children, youth and families. And, welcome.
DR. CINDY BLACKSTOCK: Thank you.

MS. CHRISTA BIG CANOE: And, before we begin, or I put into exhibit Dr. Blackstock’s CV, I would ask Mr. Registrar to please affirm Cindy in?

MR. BRYAN ZANDBERG: Good afternoon, Cindy.

Dr. Blackstock, do you solemnly affirm that the evidence you give today will be the truth, the whole truth, and nothing but the truth?

CINDY BLACKSTOCK, Affirmed:

DR. CINDY BLACKSTOCK: Yes, I do.

MR. BRYAN ZANDBERG: Thank you.

MS. CHRISTA BIG CANOE: And, just as the first order of business, I kindly request and tender Cindy Blackstock’s CV as the first exhibit to her testimony.

CHIEF COMMISSIONER MARION BULLER: Exhibit 49, it’s the CV of Dr. Blackstock.

--- Exhibit 49:

CV of Dr. Cindy Blackstock

Witness: Dr. Cindy Blackstock, First Nation Children and Family Caring Society

Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: So, Cindy, the first place I thought we might want to talk about is we’ve heard
throughout the first part of the community hearings a lot of evidence from families, particularly families and the interactions and intersections with child welfare, and how that has contributed to a lot of the issues including, you know, racism or marginalization of Indigenous women and families. So, I thought maybe a good starting place would be to have you explain, because we know there’s a whole academic body, we know based on cases that there’s a lot of literature on this, but why have we, as Canadians, as service providers, not done better when we’ve known better?

**DR. CINDY BLACKSTOCK:** I think that’s a fundamental question to ask. A lot of people think that we need to find new answers to remedy some of the most pressing problems confronting First Nations children in care and their families. I argue against that. I think that, actually, we have known for, or at least, 111 years, the inequalities that have been facing these communities, and how that has piled up on the hopes and dreams of children and, in fact, incentivize their removal from children -- from their families. First, in residential schools; then, through the Sixties Scoop; now, in contemporary times.

Our problem has not been not having the answers. Our problem has been acting on the answers we already know. And, in particular, that falls with the
governments. We can go through a series of reports -- and I suspect we will -- that document the same recommendations over and over and over again: Eradicate the inequalities in housing; make sure kids have safe housing; make sure kids are not growing up in poverty; address mental health and substance misuse services; and focus on domestic violence.

We did those four things and we equalized the services in funding for education, early childhood, cultural services, recreation, things like just a safe place to play, and we could see this turnaround very quickly. If we don’t, then I fear we will have another inquiry just like this one.

And I think that we have to do better, not only as professionals in social work about putting more emphasis on implementing the solutions already on the books but I would really encourage members in society and communities to make sure they’re doing everything they can to implement the recommendations that are already on the books, too.

MS. CHRISTA BIG CANOE: Yes, and speaking of those ---

(APPLAUSE)

MS. CHRISTA BIG CANOE: And speaking of those recommendations, and as she said there’s a number of
reports and we will be going through some of them -- not in
great detail -- just so we can put them formally on our
record as well.

We’ve actually been pretty good historians
in some ways as Canadians; a lot of things are already
documented. And as you said, those number of
recommendations. I was wondering if you could walk us
through some of those seminal things, maybe starting, even,
with the Bryce Reports. I understand that, particularly,
the Caring Society has made sure to raise awareness about
Dr. Bryce’s findings because this is, you know, early days
we knew what was happening at the Indian residential
schools.

**DR. CINDY BLACKSTOCK:** Dr. Peter Henderson
Bryce was born just outside Mount Pleasant, Ontario so not
far from where we’re having hearings today. He got his
medical degree when Canada was nine years old, and he
became the first Public Health Officer here of Ontario.
He’s the reason why folks off-Reserve, at least in Ontario,
get clean water to drink and have mandatory vaccinations.

His health code was really modelled for
other provinces around Canada, and indeed into the United
States. He was a president of the American Public Health
Association; founder of the Canadian Public Health
Association; one of the top physicians of his time. And
yet he was erased from Canadian history. He was not in the
history books that, certainly, I learned from.

And the reason for that is that at the age
of 51 he took up a post with the Department of Indian
Affairs as their Chief Medical Health Officer. And in 1904
he was sent out to survey the health of kids in residential
schools.

And what he found is that they were dying at
a rate of about 25 percent a year. And if you tracked the
kids over three years, 48 percent would be dead. And in
one school for which there was a complete record, for every
three children who walked in, only one would walk out
alive.

And he came back to Ottawa and he used the
quotes, “Medical science knows just what to do.” He had
calculated that the Federal Government of Canada was
providing significantly less funding for healthcare for
First Nations children in these schools than they were to
all other Canadians. In fact, the budget for the city of
Ottawa then for the treatment and prevention of
tuberculosis exceeded that that was provided to all First
Nations children across the country. He argued strongly;
Canada refused to implement his reforms.

The cost of his reforms, by the way, would
have been about $15,000. And that may seem like a lot of
money but not when you understand that even back then Canada’s annual budget was over $100 million. It was well-within the financial purview of Canada to have done the right thing and saved those children’s lives.

So his report is leaked -- no-one knows exactly by whom but our main suspect is Dr. Bryce himself -- to the Evening Citizen, which is now the Ottawa Citizen newspaper. It was reported in the Globe and Mail, and in fact as far west as the Victoria Columnist. It was on the front page of the newspaper.

And that says something to me. It says that the editors of the newspaper found this to be of significant public interest that everyone should know about it. And it also says that it wasn’t okay, even in that time, to allow children to die unnecessarily.

Dr. Bryce was persecuted by Canada for speaking out. He -- his research funding was cut. He was denied positions for which he was eminently qualified, and they tried to disparage his reputation.

In 1921 he was pushed out of the Public Service, and in 1922 he publishes a booklet called, A National Crime where he details all of his efforts to try and get the Canadian government to do the right thing.

And his family, who I’ve had the great honour of meeting, has often said that that was the crisis
of his life in many ways. Because he was a doctor and he knew how to make these kids okay, and Canada was saying no. And that’s a pattern that we’re going to see throughout the whole trajectory of child welfare: The Canadian government knowing better and making a conscious choice not to do better.

It’s a mistake to say that they ignored Bryce’s report. They did not ignore Bryce’s report. If they had ignored Bryce’s report there would have been no need for retaliation. They considered it; they thought about it, there was no internal evidence to suggest that it was wrong. And there were other people even at the time that were speaking out about it. In fact, there's a guy named Samuel Hume Blake that you can read about in John Malloy’s book, A National Crime, that takes its title from Bryce’s work that says that upon noticing what Dr. Bryce was doing, that Canada had found itself in unpleasant nearness with manslaughter in failing to obviate the preventable causes of death.

MS. CHRISTA BIG CANOE: If I may enter into exhibit the report. First, actually, the news article from the Evening Citizen. The news article from the Evening Citizen as an exhibit, please.

CHIEF COMMISSIONER MARION BULLER: Okay. The article from the Evening Citizen is Exhibit 50, please.
--- EXHIBIT NO. 50:

“Schools Aid White Plague: Startling Death Rolls Revealed,” The Evening Citizen, Ottawa, November 15, 1907, (photocopy, one page)
Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And then may I also please have entered as an exhibit The Story of A National Crime, and this is the report that Dr. Blackstock just mentioned.

CHIEF COMMISSIONER MARION BULLER: Yes. The Story of a National Crime by Dr. Bryce is Exhibit 51, please.

--- EXHIBIT NO. 51:

Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Okay. So Dr. Blackstock, you were just saying, like, you’re going to see this pattern repeat over and over again. And there’s a number of reports, including the Caldwell Report and the Simms Report that also indicate some things. Can you just give us a little context of those?

DR. CINDY BLACKSTOCK: In -- 1967 was Canada’s centennial year and Indian Affairs was busy commissioning a series of reports about the Indians. And that’s the word that we were referred to back then so I’m going to use that term to describe these two reports.

The first one is known as the Caldwell Report and it’s published in 1967, and it was authored by a guy named George Caldwell who had his Master’s in social work. And he went out to really look at the situation of children in residential schools in Saskatchewan. And what he had found is that 80 percent of the children placed in residential schools in Saskatchewan were placed there under what was called the “Not properly cared for” provision.

Now, I’m going to take a step back in time for a minute and I don’t know if we have it as an exhibit here but I can produce it if it’s required.

In 1895, I have correspondence from then the
acting superintendent of Indian Affairs, Duncan Campbell Scott, to the Department of Justice requisitioning a warrant for the removal of Indian children and their placement in residential schools. That warrant allows for the removal of children for two reasons; one is for the purposes of education, which we all know in this room and thanks to the TRC that fell far short of that and was more assimilation.

But the second reason was that they were not properly cared for. So this is the earliest child welfare document I know of in the country. And if we look at the provisions of not properly cared for in that 1895 warrant, the regulations closely map on to contemporary definitions of neglect in that the not properly cared for provision never considered whether families had the tools and resources to be able to care for their children in ways that were safe, that were healthy, and that kept them that way.

It really conflated structural discrimination and oppression that was happening from colonialism as a parental deficit and codified it that way. And the reaction to that codification was the removal of children.

So that’s what Caldwell is talking about in 1967, the number of First Nations kids in residential
school were placed there at a rate of 80 percent because of the not properly cared for provision.

He also makes recommendations, which I find just -- you know, I read it out, actually, at the emergency meeting for child welfare in January. I think it’s on page 129. Do we have it on the Tab of the exhibit and I can just refresh my memory?

MS. CHRISTA BIG CANOE: Yes, it’s on D, Tab D.

DR. CINDY BLACKSTOCK: Okay, Tab B.

MS. CHRISTA BIG CANOE: D.

DR. CINDY BLACKSTOCK: D, yeah, I found it.

For the expediency of time, I’m going to -- I’ll locate the page number for you later. But it basically is, he’s recommending that additional services be provided to Indian families so they can care for their children safely at home. Had someone implemented in -- the 1907 report by Dr. Brice, we would have not had the inequalities in health care. Had someone actually implemented the recommendations of George Caldwell in 1967, we may well have stemmed the tide of the ‘60s scoop. And I would have not found myself in litigation with Canada, along with many others between 2007 and through to now for the generation of kids.

So -- 148, there you go. Christa is looking
at the numbers. So yeah, let’s turn to page 148 of this thing. Yeah, I’m going to read from the top of page 149, and read it into the record, because I think it’s well worth having, and for people to know. Because this to me could be read today as a contemporary recommendation:

“Provision of family and child welfare services should not be restricted to the narrow definition of investigating allegations or evidence of neglect of the children, but recognition to the prevention of family deterioration and professional services given to strengthen and maintain family life. In families where protection of children is an issue, all the resources and authority of the child welfare legislation should be used. This would include intensive home supervision, referral to other community services for necessary services, the use of the court, temporary substitute care, foster home care, adoption and selected institutional placement. The keynote of this recommendation is that the agency will need to direct more
resources and energy into services for
children in their own homes and that
where substitute care is required,
homes in the Indian community should be
helped to provide this service.”

So that was the Caldwell report. That
same year there’s a report on education of Indians in
Ontario, which is found at Tab E. Yeah, so -- and in this
one it is really interesting.

This guy is named Mr. Sim and he is looking
at the situation of education for Indian children in
Ontario. And again, he like his colleague Caldwell, calls
attentions to the inequalities in funding. So we’re seeing
the cascade effect of the inequalities in funding for
children’s services, this time in education. And on page
35 of that report, I’d just like to read one segment into
the thing, because I think it’s really important. It says:

“Knowing how much lag can be expected
between the formulation of new
policies, including the staging of
exciting new pilot projects and a
general adoption of these principles
into the whole system, a key question
immediately comes to mind. Taking into
account the Indian question in this
province, can Ontario afford to wait for this type of glacial change.

Schools, board, outlook, supervision, teacher training, textbooks must all be modified. Let someone hazard a guess as to what year, or what century significant changes towards real equality will be noted in the achievement for the children.”

In this same report he talks about the importance of including culture, or creating equity in education. And you know, I hear politicians often say, you know, we’re making good first steps. I was in 1967, three years old, and I’m not three years old anymore. Even the bearer is older than that. And the question has to be, when the second step will fall? Why is it that First Nations children have to do as Simms has said, be subject to this glacial change in simply trying to get equitable services so they grow up healthy and proud?

There’s a series of recommendations and I commend them to the Commissioners to read at their own -- at their own leisure, but it’s the centennial year, Canada knew a lot, it could have done a lot better.

MS. CHRISTA BIG CANOE: Just as a -- for purposes, may I please request that first the Caldwell,
which is located at Tab D, be entered as an exhibit. And
that is the -- sorry ---

CHIEF COMMISSIONER MARIAN BULLER: Okay.
The Caldwell Report, 1967 is Exhibit 52, please
--- EXHIBIT No. 52:

“Indian Residential Schools: A research
study of the child care programs of
nine residential schools in
Saskatchewan, prepared for the
Department of Indian Affairs and
Northern Development, project director
George Caldwell, January 31, 1967 (202
pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And then
the Simms report, which the more formal title is “The
Education of Indians in Ontario” at Tab E, that would be
the next exhibit as well.

CHIEF COMMISSIONER MARIAN BULLER: Yes.
“The Education of Indians in Ontario” is Exhibit 53.
--- EXHIBIT No. 53:
"The Education of Indians in Ontario: A Report to the Provincial Committee on Aims and Objectives of Education in the Schools of Ontario," by R. Alex Sim, April 1967 (106 pages)
Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. So as you’ve stated, we find ourselves this glacial change happening but -- and talking again about these patterns, over and over again we hear these recommendations come up. There’s a document in your materials, it’s the First Nations Child and Family Services Joint National Policy Review, and it’s the final report from 2000. Would you please provide us some context and tell us about this particular National Policy Review?

DR. CINDY BLACKSTONE: This was a joint National Policy Review between the Government of Canada. I’m just going to refer to them as Indigenous and Northern Affairs Canada, INAC, because they always change their name and I just -- I find it hard to keep up to them. I think here they were still Indian Affairs and Northern
Development, but INAC to me. So INAC, as well as the Assembly of First Nations. And on the Assembly of First Nations side there was a series of First Nations Child welfare or experts from all over Canada.

And our shared goal was to document the inequalities in First Nation Child Welfare and to make a series of recommendations to Canada on how they could reform that. And I was very optimistic, I guess. Unfortunately, a little naïve back then that I thought that when we finally documented this and we showed how it was disadvantaging families and children, that they would actually do the right thing. Because I had seen on the front lines the differences between working for the provincial child welfare system and the First Nations one, and I’m telling you it’s dramatically underfunded, right? And we did this report.

It took -- it started in 1997 when we did the terms of reference. It concluded in June of 2000, there are 17 recommendations at the end of the report, and one of the major ones is to rectify the funding inequalities. What we found in this report that was agreed to by Canada, I think that’s worth emphasizing, is that at the time First Nations children and their families on reserve were getting 70 cents on the dollar for child welfare services, compared to other children who did not
have the same level of need because of the multi-
genерational impacts of residential school. And I saw that
every day in my practice, when I literally was working in
North Vancouver as a provincial child welfare worker, and
then I just literally stepped across third Avenue into the
Squamish Nation, and the differences were profound in what
we could do for families.

Oh, the recommendations. Yeah, they start
on page 119. And one of the things that’s worth
highlighting here to is recommendation number one because
it’s of contemporary importance. Is we actually really
recommended that Canada expand its jurisdictional models
beyond the delegated model, because it was only funding
First Nations Child Welfare Agencies that assume provincial
jurisdiction. If you chose to operate an agency outside of
that jurisdiction, fine, Canada said, but you will not get
any money to operate it.

So the only way to operate was under this
provincial jurisdiction, delegated authority. It was
recommended as you see, in recommendation number one, that
that be expanded. It still has not been expanded. It’s 18
years later.

**MS. CHRISTA BIG CANOE:** And just also as a
pinpoint in this -- in the executive summary on page 15, it
lists all 17. Could I kindly request that the Joint
National Policy Review Final report June 2000 be entered as
the next exhibit.

CHIEF COMMISSIONER MARION BULLER: Yes.

First Nations Child and Family Services Joint National
Policy Review, Final Report, June 2000 is Exhibit 54,
please.
--- Exhibit 54:

First Nations Child and Family Services
Joint National Policy Review, Final
Report, June 2000, by Dr. Rose-Alma J.
McDonald, Dr. Peter Ladd et al, ISBN:
0-919682-08-01 (124-page report and 15-
page bibliography)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: So, I know we’re
walking through these and I appreciate your ability to
actually fill us in in a summary way what all of these
reports are about. I believe, and I hope I’m not
mispronouncing it, the Wen:de series?

DR. CINDY BLACKSTOCK: Yes. Wen:de reports,
yes.
MS. CHRISTA BIG CANOE: Reports. And, it’s a series of reports, it’s not just a single report, and parties and anyone who have received the material will see that it’s actually a large body of literature. Could you again, please, provide just a little context in what is the important or key things that we learn from the Wen:de series?

DR. CINDY BLACKSTOCK: When the recommendations were made in 2000 in the National Policy Review, there was actually a committee, First Nations child welfare experts, AFN and Government of Canada, they would oversee the recommendations and the implementation of those. But, Canada really didn’t implement in any serious way any of the recommendations that would have made a difference on the ground, what they said is we need a second, more detailed report, and that gave rise to the Wen:de reports.

Now, these are a series of three reports that were commissioned beginning in 2004. They are under the authorship of The Caring Society of which I’m the executive director. So, I was directly involved in the composition of these particular reports.

What we found is -- we actually brought together over 20 leading researchers, including five economists, some of the best economists in the country,
because we wanted to cost out to a penny, first of all, what the shortfall would be, and then what are the implications of that shortfall for kids using, you know, First Nations experts and child welfare, some of the Canadian Incidence Study on reported child abuse and neglect.

We put this together with Canada and what we found is that the shortfall was pretty significant. It had increased probably another 10 percent. I should make a correction. The National Policy Review found it was 80 cents on the dollar. This found it was about 70 cents on the dollar. So, a few years later, the situation has not improved, it’s gotten worse. We provided, I think, just over 100 pages of economic spreadsheet to show the Government of Canada where every penny would go.

The reports were finalized in October of 2005, and they too were accepted by the Government of Canada, in fact, I have letters from the Minister commending the quality of the work, and they were never implemented. And, what we found is that the inequalities, particularly in the area of prevention services -- and I wanted to take a minute to just clarify what I mean there because some people think prevention services are just at the front end.

It is in the public education and awareness
level, but it is also once a child is identified as being at risk, what are the services you can provide to that family and that child to remediate that risk. That is required under every provincial child welfare legislation.
You have to exhaust what they call least disruptive measures before you do a removal.

The problem is, and we identified it here, it was also identified in the National Policy Review, is that Canada so underfunded those services that it really rendered those sections of the statute mute. And, the problem for kids is that they then, took the fast track into the child welfare system. And, we were finding, at this point, that First Nations kids were dramatically overrepresented in the child welfare system and it was linked to Canada’s underfunding.

So, there was some discussion from Canada whether they wanted us to do another report and we felt that we had to do something more courageous than that.

**MS. CHRISTA BIG CANOE:** You were just talking about those prevention services. One of -- The Coming to the Light of Day report in this series, you know, the summary of findings specifically says, the general consensus in the literature that child removal should really be the last resort in responding to child maltreatment, and you've just talked about that spectrum,
but I mean, that’s been known for years that the last resort should really be taking the child away from the family.

DR. CINDY BLACKSTOCK: Right. I mean, if we want to look back at the literature, even the Canadian Association of Social Workers in 1948 does a submission and says there needs to be more to -- that submission was made to Parliament and to the senate. That there needs to be more in the way of family support, but at a minimum, we can turn to Caldwell’s recommendation of 1967.

And, these reports are all united on one key factor, they were all delivered to the Government of Canada, they were all delivered to the Department of Indian Affairs. So, they knew better, they knew exactly what needed to be done. The failure was on the implementation side to make a difference in the lives of children and families.

MS. CHRISTA BIG CANOE: Thank you. At this point, I would kindly request that the Wen:de series of reports be entered as an exhibit.

CHIEF COMMISSIONER MARION BULLER: Separately or together?

MS. CHRISTA BIG CANOE: I think we can put it in as a series. There are three within the series.

CHIEF COMMISSIONER MARION BULLER: Right.
Okay. So, collectively, the three reports Wen:de, The Journey Continues, will be Exhibit 55.

--- Exhibit 55(a):


--- Exhibit 55(b):

“Wen-De, We Are Coming to the Light of Day,” First Nations Child and Family Caring Society of Canada, 2005 (226 pages)

--- Exhibit 55(c):


Witness: Dr. Cindy Blackstock,

Executive Director, First Nation
Children and Family Caring Society

Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: And, now, Cindy, I know there are still a lot of other reports, but I’m going to maybe try to look at it a little more thematically.

We’ve heard the Auditor General of Canada, the various Auditor Generals of Canada in different years actually talk to a number of issues that are relevant. Not just to child welfare, but to the social determinants of health. And so, I was wondering, maybe starting with the report of 2008, we can touch on the fact that, again, Canada and the country and public should know and be able to identify a number of these issues.

DR. CINDY BLACKSTOCK: The Auditor General completed a review of the funding for First Nations child welfare in 2008. This is the year after, by the way, that we had filed the Canadian human rights complaint against the Government of Canada along with the Assembly of First Nations. And, one of the things that they find is outlined in Funding of Services under Section 4.48, which is on page 19, which is where they confirm again what Wen:de had already found, which is that the funding levels are inequitable. That they’re not based on the needs of the children, that they’re based on a bureaucratic assumption
instead of actually on good social work practice and that they found this highly problematic. They also did not find significant evidence that the cultural component of caring for children or the provision of services for families was being measured, tracked or funded by the department.

So, they put this report out and we entered it into evidence as one of the key exhibits at the Canadian Human Rights Tribunal, when it finally got to the hearing on the merits in 2013.

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

Can we have the Auditor General of Canada Report, Chapter 4, First Nations Children and Family Service Program 2008, entered as the next exhibit?

**CHIEF COMMISSIONER MARION BULLER:** Yes. The Auditor General of Canada report, Chapter 4, is Exhibit 56.

--- Exhibit 56:

2008 Report of the Auditor General of Canada to the House of Commons, Chapter 4: First Nations Child and Family Services Program – Indian and Northern Affairs Canada (35 pages)

Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society

Submitted by Christa Big Canoe,
Commission Counsel

**MS. CHRISTA BIG CANOE:** Thank you. There was also an Auditor General report of 2011 that spoke on child welfare. So, just three years later, we have another Auditor General report speaking to child welfare. Can you provide us some context on that, Dr. Blackstock?

**DR. CINDY BLACKSTOCK:** Yes, this is a follow up report. Auditor General often does follow up reports to see what progress has been made on its previous report. This was part of an omnibus report of programs on First Nations reserves and it again finds that funding levels are inequitable.

It does move up and say that the cultural piece is better tracked by the department, so that is a satisfactory recommendation according to the Auditor General in 2011, but unsatisfactory progress made on the equity of funding.

**MS. CHRISTA BIG CANOE:** Specifically in this report that is found at Tab J or Schedule J, on page 3, there’s a reference of the lack of a legislative base. And, the question I have for you is, over and over again, we hear about issues around policy versus legislative. And so, when thinking about, you know, what was the lack -- what is the lack of legislative base that is maybe causing barriers to seeing movement or improvement, particularly
mentioned in this report.

**DR. CINDY BLACKSTOCK:** Well, Canada has taken the position, or certainly did during the many years that I was working on this file, that they were providing funding for First Nations child welfare just as a matter of policy, not as a matter of requirement. They would often say that the provinces have the delegation, it really should be them. And so, it was kind of like, we’re doing this because we’re being nice. We could elect to choose differently.

And, the Auditor General was pointing out that, really, these are essential services and there should be some mandatory base, not only to make it in legislation that they have to fund these services, but to do so at an equitable level.

My own personal opinion is that the *Charter of Rights and Freedoms* already requires Canada to do that, and that there is no shield for Canada to use racial discrimination as fiscal policy, or indeed, to offload its own responsibilities to an unwilling recipient in the province who is also not going to pick up that cost and leave children in their peril, and that’s where Jordan’s Principle starts to come in.

**MS. CHRISTA BIG CANOE:** Thank you. If I could kindly ask that this be marked the next exhibit?
It’s the Status Report of the Auditor General of Canada -
Chapter 4: Programs for First Nations on Reserves, 2011.

CHIEF COMMISSIONER MARION BULLER: Yes. The
2011 June Status Report of the Auditor General of Canada -
Chapter 4, is Exhibit 57, please.
--- Exhibit 57:

2011 June Status Report of the Auditor
General of Canada, Chapter 4 - Programs
for First Nations on Reserves (40
pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: And, just as a, sort
of, matter of housekeeping as well, in between those two
Auditor General Reports, there was a Report of the Standing
Committee on Public Accounts, and can you explain this?
This is a document that’s created from the House of
Commons. So, for people who may not be familiar with the
types of reports, what does the First Nation Child and
Family Service Program in 2009, which is reporting on the
last Auditor General’s report of 2008, what is that?

DR. CINDY BLACKSTOCK: Well, what the
standing committee does is they review all of the Auditor General’s reports. It’s a parliamentary committee represented by all parties, and they only take testimony, however, from the government itself and from the Auditor General. So, we, as the Caring Society, or other parties, had no input into this report.

What’s interesting, though, is it was stark and very apparent to the Standing Committee on Public Accounts that Canada was still underfunding in a very insufficient way First Nations child welfare, and one of the things I turn you to is a short paragraph at the conclusion on page 13. And, this was chaired by the Honourable Shawn Murphy, who was a Member of Parliament at that time, and he said:

“Continuing to use a flawed funding formula means that First Nations child and family service agencies are often under funded, and First Nations children and their families do not receive the services that they need. Instead, First Nations children are more likely to enter into care and stay in care, and their families are not given the full range of support services to help them provide a safe
environment for their children. The situation is not tenable. The committee sincerely hopes that INAC will take prompt action to ensure that First Nations children are provided appropriate and adequate services in a manner that treats them equitable with all other Canadian children.” (as read)

That was 2009.

**MS. CHRISTA BIG CANOE:** May we have the House of Commons of Canada’s Report of the Standing Committee on Public Accounts - March 2009, entered as the next exhibit?

**CHIEF COMMISSIONER MARION BULLER:** Yes. The Report of the Standing Committee on Public Accounts - March 2009, is Exhibit 59, please.

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

**CHIEF COMMISSIONER MARION BULLER:** I’m sorry, 58.

**MS. CHRISTA BIG CANOE:** Fifty-eight. Thank you.

--- Exhibit 58:

Report of the Standing Committee on Public Accounts, Chapter 4: First Nations Child and Family Services
Program – Indian and Northern Affairs
Canada of the May 2008 Report of the
Auditor General, March 2009, 40th
Parliament, 2nd Session (17 pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE:  Now, Cindy, we
already have actually in the record before us — before you
actually were testifying today — the Convention on the
Rights of Child. That came into evidence when the
provincial advocate for child and youth, Corey O’Soup,
tested. But, I do want to offer you the opportunity to
explain and contextualize why is something like the
Convention on the Rights of the Child so important and
substantial? We’ve seen, sort of, what happens in, sort
of, domestic Canadian law. You’ve explained your position
on the Constitution, but what about in the broader context,
in the global context? Why are international legal
instruments important like the Convention on the Rights of
a Child?

DR. CINDY BLACKSTOCK:  One of the things
that’s really important is they really symbolize the human
consensus on what the minimum standards are for persons of
different situations, like persons with disabilities, in this case, children, the minimum standards for which children should be treated. This is the international consensus.

This particular convention -- when I use the word “convention” or “treaty” in international law, it means that they’re actually binding on the states that ratify them. A declaration is not technically binding on states. That’s why it was so important to have the United Nations Declaration on the Rights of Indigenous Peoples pass through the House of Commons, because it is not binding on Canada from a technical point of view in international law.

This is the most widely ratified convention under the United Nations. The only group that has not signed on is the United States. Otherwise, every other country has signed and ratified the agreement, including Canada, and it is a forum where the international community appoints experts called the Committee on the Rights of the Child, and they have periodic reviews of Canada. What that means is that Canada writes a report saying, “this is how we’re doing and fulfilling all the obligations of the rights of children,” and then civil society are able to say, “Well, they’ve done some things, but here’s our view
on what they haven’t done,” and some recommendations for change.

This was a very important review done in 2012, because I was really aware that it was most often adults flying to Geneva to talk to the United Nations Committee on the Rights of the Child, and that didn’t seem right to me. So, along with some colleagues, we fundraised, and we were able to bring six First Nations young people from all over Canada, and they met with the United Nations Committee on the Rights of the Child in the pre-session.

So, I want to pay tribute to those young people who did just an outstanding job of explaining what their lived experience was in terms of being children and young people, and often bearing down under the weight of these multiple inequalities that we talked about, like in education, health, lack of mental health services and other things.

The committee, then, after hearing everybody, puts a state under review. It asks its questions, and then it releases something called a concluding observation, which is the international committee’s view of how Canada is doing, and that’s what we have here, is the concluding observations, and they make specific notes here about the over representation of First
Nations children in child welfare care.

MS. CHRISTA BIG CANOE: And, this is actually in your material at Tab M, the Committee on the Elimination of -- oh no. I’m on the wrong one. Sorry. I’m on the wrong concluding observations. Sorry, there we go.

DR. CINDY BLACKSTOCK: It’s Article 55.

MS. CHRISTA BIG CANOE: Yes, thank you.

DR. CINDY BLACKSTOCK: And, I think they actually make a note about Canada’s failure to implement the Auditor General’s report in here, too.

MS. CHRISTA BIG CANOE: Yes. So, it would be on page 12, and I’m sorry, I misstated the tab. That would be under Tab K, and it’s article 55, and this is on the Consideration of the reports submitted by the states under Article 44 of the Convention. I would ask that this be made the next exhibit. And, I can give you just sort of the document address, is what it’s often referred to. The CRC/C/CAN/CO/3-4.

CHIEF COMMISSIONER MARION BULLER: Thank you. Consideration of reports submitted by States parties under article 44 of the Convention - UN Convention on the Rights of the Child, September -- I think it’s September 17\textsuperscript{th}, 2012, Exhibit 59, please.

--- Exhibit 59:
“Consideration of reports submitted by States parties under article 44 of the Convention — Concluding observations:
Canada,” United Nations Convention on the Rights of the Child, October 5, 2012 advance unedited version,
CRC/C/CAN/CO/3-4 (22 pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

DR. CINDY BLACKSTOCK: And, if I may, I just want to say the reason -- one of the other major reasons why those six young people went is because Shannen Koostachin, when she was still with us, along with two other young people, wrote to the Government of Canada about the inequalities in schools and education. She, of course, and the Attawapiskat First Nation, and she planned to go to the United Nations to tell them first hand.

Of course, we tragically lost Shannen on June the 1st in 2010. She wasn’t able to go. So, these young people continued her work and went in her spirit.

MS. CHRISTA BIG CANOE: Thank you. Is it okay if I skip this one? It’s the U.S. statement.
DR. CINDY BLACKSTOCK: Oh yes, universal periodic review.

MS. CHRISTA BIG CANOE: Yes. So, one of the things is the Universal Periodic Review that also happens within the human rights and within the U.N. process. And so, the UPR Intervention for Canada that happened in April 2013 is something that’s included in your materials. Can you let us know why you wanted that included?

DR. CINDY BLACKSTOCK: The Universal Periodic Review is, again, the U.N.’s review of Canada’s overall implementation of human rights, but this one is unique. It’s done by state parties themselves. They don’t appoint experts. They’re actually there as a state party. And, each state party can get one, or at most two, really, recommendations that it can put to the state. And, the United States that year chose the inequalities in First Nations child welfare as its recommendation to Canada so that it would make those kinds of amends. And, in particular, they say:

“We recognize progress on initiatives to better support Aboriginal groups. However, we remain concerned by the disproportionate levels of poverty, violence and discrimination Aboriginal women and children face. Recent
statistics indicate that on a per child basis, federal funding for First Nations child and family services has fallen to less than 80 percent of that provided by provincial territorial governments for services in predominantly non-Aboriginal communities. Moreover, Aboriginal women and girls represent a higher number of victims of violence and discrimination. We welcome the ratification of The Convention on the Rights of Persons with Disabilities and look forward to the implementation and enforcement of uniform accessibility standards. We recommend...” (As read)

And, this is given by Ambassador Eileen C. Donahue on behalf of the United States:

“(1) ensure parity of funding and services between Aboriginal and non-Aboriginal communities; 
(2) expand services and support to prevent violence and discrimination against Aboriginal women and girls; 
and,
(3) implement and enforce national
uniform standards of access to
buildings, information and
communications for persons with
disabilities.” (As read)

**MS. CHRISTA BIG CANOE:** And, I ask -- I
kindly ask and I’d like to request that the US Statement at
the UPR of Canada, so the US Mission Geneva, be entered as
the next exhibit, please.

**CHIEF COMMISSIONER MARION BULLER:** The US
Statement at the UPR of Canada, 16th session, April 26, 2013
is Exhibit 60, please.

--- Exhibit 60:

“U.S. Statement at the UPR of Canada”
as delivered by Ambassador Eileen C.
Donahue, UPR Intervention for Canada,
16th Session April 26, 2013 (one page)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

**MS. CHRISTA BIG CANOE:** Thank you. Okay.
So, we’ve been talking. We talked on a number of different
committees, and so you’ve already contextualized for us,
and we did hear in a prior expert hearing on international human rights some of the different components or parts or branches, if you would, of the UN, and CERD is one of those. CERD stands for the Committee on the Elimination of Racial Discrimination.

In your material, there is concluding observations on the 21st and 23rd periodic reports. Can you please let us know why we should be considering this, or what the Commissioners should be thinking about when they’re looking at this document?

**DR. CINDY BLACKSTOCK:** Well, the Caring Society made submissions as part of the pre-session review, and I actually attended the pre-session review personally. And, in Section 27 of the committee’s concluding observations to Canada it says:

“"The Committee is alarmed that despite its previous recommendation (CERD/C/CAN/CO/19-20, para. 19), and multiple decisions by the Canadian Human Rights Tribunal, less money is reportedly provided for child and family services to Indigenous children than in other communities, and that this gap continues to grow. The Committee is further concerned, that
the federal government has adopted an overly narrow definition of the Jordan’s Principle, as stated in the Canadian Human Rights Tribunal decision *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada* in 2016, and has failed to address the root causes of displacement, while tens of thousands of children are needlessly removed from their families, communities and culture and placed in state care.” (As read)

**MS. CHRISTA BIG CANOE:** Thank you. The, sort of, address on this particular document is the CERD, C-E-R-D, C/CAN/CO/21-23. If we could -- if I could request to have this made the next exhibit, please?

**CHIEF COMMISSIONER MARION BULLER:** Yes.

“The Committee on the Elimination of Racial Discrimination: Concluding Observations on the Twenty-First to Twenty-Third Periodic Reports of Canada” is Exhibit 61.

--- Exhibit 61:

“Concluding observation on the twenty-first to twenty-third periodic reports of Canada,” Committee on the Elimination of Racial Discrimination,
August 25, 2017 advance unedited
version, CERD/C/CAN/CO/21-23 (12 pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And so,
maybe one of the last documents we can look at in terms of
United Nations or International could be the General
Assembly’s, the “Draft Report of the Working Group on the
Universal Periodic Review”, and who they were reviewing was
Canada at the time. This was in May of this year, so
literally last month, May 15th, 2018. And, can you please
let us know what’s important about this particular
document?

DR. CINDY BLACKSTOCK: Again, the Caring
Society felt it was such urgency, the situation of First
Nations children being separated from their families and
Canada’s failure to act with the dispatch necessary to make
sure that that wasn’t happening where it could be prevented
wherever possible, that we submitted a pre-session report
to the Universal Periodic Review. Now, keep in mind that
US Statement was the last one that happened. This is the
current one five years later.
And, we urged -- the member states to recommend to Canada that they eliminate the inequalities not just in child welfare, but in other areas of funding, like early childhood education, child and maternal health, mental health for youth, all of those things are co-related with child welfare. And so, you start to see the recommendations were taken up with quite vigour by the various state parties.

And, if you turn to page 10 of the observations, we start to see a number of them. I’m not going to read them all, because there literally are dozens of these. But, just to give you a flavour of it, I’ll read 6.139 which says:

“Take steps to ensure that all Canadian children have equal access to government services such as health, education and welfare, and address the disparities in access to these services for Indigenous children in particular (Government of Ireland).” (As read)

6.140:

“Ensure that Indigenous peoples have access to the same support, services and ability to exercise their human rights as other Canadian citizens
6.142,

“Cease cases of children being taken away from their parents by child welfare agencies, thus restoring the era of residential schools of 1874-1996 (Syrian Arab Republic).”

And, 6.143,

“Address disparities in access to health, education and welfare services provided for Indigenous people, in particular for children (Government of Hungary).”

I’m just going to call one other, and it’s

6.148,

“Continue efforts to expand financial and human resources to ensure the implementation of Jordan’s principle (Republic of Korea).”

So, I think these documents really show me that not only does Canada know better, but the world knows we can do better. And, a world cannot understand, the global community cannot understand why Canada, given its wealth in this situation, would not be doing everything in its power not just to work towards equality, but to achieve
it.

(APPLAUSE)

MS. CHRISTA BIG CANOE: So, Cindy, I understand, and I actually remember seeing some of it on television when there was an event, that you were one of the honorary witnesses for the Truth and Reconciliation Commission. Maybe you can tell us a little bit about that, what it was to be witness to that? But, also, to, kind of -- what particular Truth and Reconciliation Commission calls to action we should be contemplating and thinking about.

DR. CINDY BLACKSTOCK: I was -- that’s one of the great honours of my life, I think. I was inducted in the ceremony in Edmonton, and I said then and I say now that I feel that I, in fact all of us, owe a great debt to residential school survivors. I don’t look at them as victims in this way in that I am so grateful for those children that went to bed and kept on saying that word in their language over, and over, and over again so they wouldn’t forget so that one day we could say it.

I am so grateful to those kids who, despite what happened to them, came out and in those hearings were not asking for vengeance, they were asking for one simple thing from all of us, “Don’t let this happen to our grandchildren.” We -- yes, let’s give them an applause.
(APPLAUSE)

DR. CINDY BLACKSTOCK: It’s for that reason that I don’t use the word “healing”. I use the word that we are building on the intergenerational strength of those ancestors and those people who lived through residential schools and passed onto us all the strength that they could. That’s not something to heal from. That’s something to honour, to celebrate and to build upon. And, I’ve tried to do that every day of my work.

As I listen to their stories, my debt became even deeper when I realized, I think in technicolor, what I had known by intuition before, and that is that the greatest harms done to those children during residential schools wasn’t the things that actually happened to them, it was the things that didn’t happen to them. That they grew up without teddy bears, without someone who -- waking up to see someone who loved them every day, without having their birthdays celebrated, without being able to grow up among people who knew their customs and cultures and ceremonies, and cook them the food that they liked, who knew their favourite colour and would mentor them in the best that they could be. That knew that they were, as each child, the most sacred in our communities. The elders are very sacred, but they’re only sacred because they teach the children.
So, I listen to those stories and it was surreal to me, because I actually had to leave Edmonton a day early to go back to Ottawa to attend at the Canadian Human Rights Tribunal hearings, where Canada was issuing another technical comment to try and get the hearings dismissed on a preliminary motion. And, it was the same narrative being played out again, it was as if the -- they had not learned from the past.

They were still trying to dismiss the case on technicalities versus asking the most essential question which is, as a country, what duty do we owe to First Nations Métis and Inuit children and how are we going to fulfil that? Instead, they were making themselves out to be the ones that were the victim. I have a case that shouldn’t have been properly brought in that forum and that should be swiftly dismissed on technicalities. But, to me, every one of those kids is worth the money and every kid is worth the sacrifice, and at a very minimum, they deserve the truth.

So, I was thrilled when I saw the TRC’s opening report and I saw that the top recommendation was equity in child welfare, that we -- to me, the number one way we honour those survivors is not letting it happen to their grandkids. And, that means we need to, at a community level, have the strength to embrace what hurts,
because that to me is what self-government is. It’s not signing an agreement. It’s addressing some of the dysfunction that has been handed down and is experienced most sharply by children, that’s self-government. And, it is also about ensuring that the families have the supports that they need to be able to confront those difficult challenges.

And so, I was thrilled with that. And, number 3 was Jordan’s principle. And, of course, in the top six, we also have education equity, and I attribute that to Shannen Koostachin and many of the other activists that went before. It was really, you know, like traditionally, I thought, when I opened up that report the way that things should be. It wasn’t adult concerns that led the front end of that report, it was the children that ran that report. And, we always have to remember that.

We might have lots of different jobs, but our number one job as an adult is to stand up for kids. It doesn’t matter what your day job is, that’s your number one job. And so, the survivors of the residential schools and the Commissioners reminded us of that, and the TRC’s final report.

**MS. CHRISTA BIG CANOE:** Thank you. The Truth and Reconciliation report is actually right within the terms of our mandate. However, for the -- hello.
DR. CINDY BLACKSTOCK: Yes, go ahead.

MS. CHRISTA BIG CANOE: However, for the purposes of ease of reference, and because this is specifically the Calls to Action, I don’t think technically we have to have it exhibit, but for that ease, I’m kindly requesting that it is marked an exhibit, and it’s the Truth and Reconciliation Commission of Canada: Calls to Action.

CHIEF COMMISSIONER MARION BULLER: Okay. Just before we do that, did you want the draft report of the Working Group on the Universal Periodic Review by the Human Rights Council marked as an exhibit?

MS. CHRISTA BIG CANOE: Yes. Thank you, Chief Commissioner.


The Truth and Reconciliation Commission: Calls to Action will be Exhibit 63.

--- Exhibit 62:

2018, A/HRC/WG.6/30/L.9 (19 pages)

Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

--- Exhibit 63:

Truth and Reconciliation Commission of
Canada: Calls to Action, 2015 (11 pages)

Witness: Dr. Cindy Blackstock,
Executive Director, First Nation
Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. So,

we’ve already talked about a number of the reports of the
Auditor General, particularly the 2008 and the 2011, but we
also have a recent one on the socio-economic gaps of First
Nation reserves for Indigenous Services of Canada that is
spring of 2018. So, almost hot off the presses.

Cindy, what would you like to talk about in
relation to this particular report?

DR. CINDY BLACKSTOCK: Well, as I’ve said, I
think it’s a mistake to just look at inequities and child
welfare. We know that when people are treated unequally and particularly in this compound way, where a First Nations child wakes up in the morning, and in some cases can’t even get a clean glass of water, lives in a very overcrowded home that might have black mould, that then leaves that home and is not able to go to a good quality culturally based early childhood centre, but finds themselves in a school like Shannen Koostachin did, that wasn’t really a school at all, and that the teachers and staff were doing the best they could, but it was significantly underfunded, and that their families are struggling and yet there’s not the level of supports to be able to keep them together, and then when they need something for health care, that health care isn’t available in the same way. That’s a lived experience of a First Nations child and that’s what’s got to stop.

And, what the Auditor General finds in here is that Canada is not doing a good job of even measuring the wellbeing of Indigenous peoples. And, we see that -- you know, I think -- I’m just going to turn to the page. On page 3 of the report. So, measuring wellbeing on First Nations reserves, and in bold, it says, “The department did not have a comprehensive fixture on the wellbeing on reserve First Nations compared with other Canadians.”

Like, this is, now, 11 years after the
apology for residential schools. It is 111 years after Bryce’s report. It is 51 years after the Caldwell and Sims report. And, there is not even a picture from the federal government about how folks are doing on reserve. And, yet, if you go to a First Nations community and you ask first citizen you walk into and meet, they’ll tell you what it’s like. Life for them is really hard.

And, the sad thing for me as a person and as a social worker is that for the kids, they don’t know Ottawa is underfunding them. All they know is that life is really hard for them. And, I saw the previous panel, where they’re talking about Snapchat and all the rest of it. Well, the kids have access to that and they see that life is a lot easier for other kids. So, what do they do? They do what children naturally do developmentally. They internalize that inequality as a personal deficit. They start to believe that they’re not worth the money.

And so, when I see the suicide rates, I am horrified at the loss of every child, but I think it’s an absolutely predictable thing to happen when you’re treating children in this way as a country.

**MS. CHRISTA BIG CANOE:** And, I know you’re probably going to go there when we explore a few other things, but not only -- when you say it’s predictable, and we know it’s preventable, and we’ve seen this whole body of
literature and reports and observations, you know, and we heard the witnesses over the last couple of days say, how could you not characterize this as anything other than racial discrimination?

**DR. CINDY BLACKSTOCK:** It is racial discrimination. And, that’s not a judgment on my part, that’s a judgment on law. That’s what the Canadian Human Rights Tribunal found. It is racial discrimination. And, that’s what the committee on Elimination of Racial Discrimination found. That’s why the state parties at the Universal Periodic Review called Canada out on it.

You know, we look to the United States and we've all seen the horrors and the strength of the African Americans in the civil rights movement, and they then were trying to overcome the Jim Crow laws, which were separate and equal. So everybody had a waiting room but there was one for coloured folks and then there was one for white folks and that was as good as it got under U.S. law. That was the Jim Crow law.

In Canada we have separate and unequal. And yet we have normalized it so much that we have not addressed it. And we have somehow drank the toxic potion of incremental equality where we think that, you know, we'll deal with this one program at a time and one teaspoon at a time. And the problem is that equality never comes
for First Nations' children that way.

And when I look at the wealth of this country, I think that equality for First Nations' children should come in a leap, not in a shuffle. And just frankly, if they can afford to spend 5 billion on a pipeline, they can afford to eradicate inequalities in education and other areas for their kids.

(APPLAUSE)

DR. CINDY BLACKSTOCK: The other thing I should point out that I was concerned about is actually the way they presented, and the Auditor General points this out, is the education numbers.

So Canada was reporting that there was a -- some progress in addressing the graduation rates. But as the Auditor General pointed out that was actually not the case. And what they were doing, Canada was just measuring all children or young people that came into the core to Grade 12 -- let's say there's a hundred -- how many of those would then graduate in June? But the Auditor General pointed out that's a false measure. What we should be doing is looking at all children who -- and youth who enter into Grade 8 and then see how many actually graduate at Grade 12.

And you can see the difference in the calculation what that means on page 7, is that we're
looking at -- there's a graph there for those of you who can't see it. So it goes from 2001 to 2016. And under Canada's calculation it says that -- well, this one has a percentage of high school diploma. Where's the difference between the numbers? I'm looking at the wrong chart. It's in here somewhere because I took a snap, took this shot out and I put it on Twitter, so I know it's here.

(LAUGHTER)

DR. CINDY BLACKSTOCK: We'll find it.

Education results. Oh, here it is.

MS. CHRISTA BIG CANOE: It's ---

DR. CINDY BLACKSTOCK: Yeah.

MS. CHRISTA BIG CANOE: Yeah, page 20.

DR. CINDY BLACKSTOCK: --- so it's on page 20. Sorry.

So it's the same thing. They track it from fiscal year 2011 to 2015/16. So the department in 2015/16 -- we'll use the most recent year -- was saying that the graduation rate or completion rate for Grade 12 only was 40 per cent. But when you actually factor in the Grades 9 through 12, it actually, according to the Auditor-General, is 24 per cent. Only 24 per cent of our kids are graduating from high school on reserve.

And that's not because they're not smart kids. It's not because they don't want to learn. It's
because they're kids like Shannen Koostachin who want to
grow up and be someone important and aren't given that
opportunity by the Government of Canada.

And that's what the Auditor General is
showing here, is that Canada is not using data that
actually describes the lived experience of those children
in ways that allow us to embrace the truth. And when I say
"us", I don't mean just citizens, but I mean the government
itself. To embrace the truth and then to address the
problems that are well documented in SIMS report, the RCAP
report and then First Nation's control over education and
many other reports, on how you make this better, because it
can get better. We know it can.

**MS. CHRISTA BIG CANOE:** You actually
anticipated my question on the measures on education, so
that was great. Thank you.

Could we please have this entered as the
next exhibit? The Spring 2018 Report of the Auditor
General of Canada on the Socio-Economic Gaps on First
Nation Reserves.

**CHIEF COMMISSIONER MARION BULLER:** Yes.

2018 Spring Reports of the Auditor General of Canada to the
Parliament of Canada Report 5, Socio-economic Gaps on First
Nations Reserves - Indigenous Services Canada Exhibit 64,
---EXHIBIT NO. 64:

Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society Submitted by Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And now, Cindy, you talked quite a bit ---

CHIEF COMMISSIONER MARION BULLER: Oh, yeah.

Excuse me.

MS. CHRISTA BIG CANOE: --- about -- sorry.

CHIEF COMMISSIONER MARION BULLER: We've had a request for a five-minute break, please.

MS. CHRISTA BIG CANOE: Okay. Yes.

CHIEF COMMISSIONER MARION BULLER: Can we do that? Not six minutes, but five minutes, please.

MS. CHRISTA BIG CANOE: Five minutes. Five minutes.

--- Upon recessing at 3:22 p.m.
--- Upon resuming at 3:32 p.m.

**MS. CHRISTA BIG CANOE:** Okay. So, if we can recommence? So, where we had just finished, Cindy, was we were actually -- we talked about the last Auditor General’s report and you’ve been talking quite a bit about the Human Rights Tribunal, Canada Human Rights Tribunal case, and I know that just as a little context for those who are watching or are in person but weren’t in attendance at the Quebec City hearings, we had an expert witness Naiomi Metallic, actually, talk quite a bit about the case, and she laid out some of the principles and explained a number of the deficits, not just funding deficits, but some of the issues and prevalence.

And so, I know a lot of people would like to hear from your perspective in your role as the Executive Director of the First Nations Child and Family Caring Society that raised the complaint in the first place. If you could tell us a little bit about 2016 CHRT2, which was the decision of the Human Rights Tribunal? And, please feel free to share what you would like about how it started, getting there, what happened. I leave it in your capable hands.

**DR. CINDY BLACKSTOCK:** When we created the Caring Society, we got a great piece of advice, and I actually pass that on to everyone in this room. It was
from an elder, and he said, “Never fall in love with the
Caring Society and never fall in love with your business
card; only fall in love with the children, because there
may come a day when you have to sacrifice both those things
for them.”

And, for us, that came in 2007 when we filed
a complaint, along with the Assembly of First Nations,
alleging that Canada’s underfunding of child welfare and
the structure of its funding was discriminatory on the
grounds of race and national ethnic origin. We further
alleged that Canada’s improper implementation of Jordan’s
Principle was discriminatory on the basis of race and
national ethnic origin. Within 30 days, we lost all of our
federal funding, and up until this day, the Caring Society
receives no funding from the federal government or any
level of government.

They did offer to provide us funding
recently under a contribution agreement, but we turned it
down, because Canada is not in full compliance with the
rulings, and our view is that we will only accept funding
from people or organizations that are treating First
Nations children with respect. And so, that point hasn’t
come yet. There’s been some progress.

Immediately, Canada started fighting the
case on legal technicalities, and that’s why it took from
2007 to 2013 to get it even to hearing. And, during that
time, there were two continuous things. Number one is the
bear was always there. This is Spirit Bear, for anybody
who doesn’t know him. If you were younger, you would all
know him. And, he symbolizes 165,000 children whose lives
were at the centre of this case, and also, all the non-
Indigenous children that stood for justice. So, the room
was normally filled with children, which is one of the most
beautiful parts of this case.

The other thing that was consistent in it
was the determination of the community and the support from
the community with their prayers and thoughts that we were
actually going to make it through, and by some miracle, the
hearings started in February of 2013. We were gifted with
pro bono legal counsel for much of this, so thanks to those
lawyers who worked for brownies and cookies on what is a
massive case, and by the time the closing arguments were
heard in 2014, Canada had brought at least eight separate
motions to try and get it dismissed but were unsuccessful
in doing so.

Over 25 witnesses testified at the tribunal,
including the federal government had called its own
bureaucrats, and many of the documents we’ve already gone
through have been tendered as evidence, although we
tendered 500 documents as evidence. Many of them were
Government of Canada’s own documents. And, there were three panel members. I’m just going to take a minute to mention this, because I don’t know if Naiomi would have covered it, but I want to do this service.

The panel members who heard the case are Edward Lustig, Sophie Marchildon and Réjean Bélanger. And, sadly, two months before the hearing -- the decision was released, Member Bélanger passed away. But, one of the last things he did was relay to the other tribunal members his wishes for the decision, and I think we all owe him and his family a great debt for the dedication that he put into the decision, and that’s why the January 26th decision is dedicated to him.

I want to say that I got the decision two days before the world knew, and in 2008, the day before the Prime Minister issued the apology, I went to see Peter Henderson Bryce who is buried in Beechwood Cemetery. I thanked him for everything that he had tried to do to save the children, and I brought him a bouquet of brightly coloured daisies to reflect the joy of children.

I told him about the case that we had filed, incidentally, exactly the previous year which would have been exactly 100 years after his 1907 report and I told him I would be back the day the kids won.

So, on the day I found out the decision, I
was actually at a graduation party, and time just stood
still. And, the only thing that I had finally got the
courage to do was open the PDF file, and the first line of
the decision is -- I’m just going to bring it up here. Oh,
it’s right there. The Acknowledgement section. So, we’re
just going to go past that. So, it says:

“This decision concerns children. More
precisely, it’s about how the past and
current child welfare practices in
First Nations communities on reserves
across Canada have impacted and
continue to impact First Nations
children, their families and their
communities. These proceedings
included extensive evidence on the
history of Indian residential schools
and the experiences of those who
attended or were affected by them. The
tribunal also heard heartfelt testimony
from someone who attended and was
directly impacted by attending a
residential school. At the outset of
these reasons, the panel members
believe it’s important to acknowledge
the suffering of all residential school
survivors, their families and communities. We recognize the courage of those who have spoken about their experiences over the years and before this tribunal. We also wish to honour the memory and lives of the many children who died and all who were named while attending these schools along with the families and communities. We wish healing and recognition for all Aboriginal peoples across Canada for the individual and collective trauma endured as a result of the Indian residential school system.” (As read)

They substantiated all of the complaints.

The kids had won. So, I had a promise to keep to Peter Henderson Bryce, and I put on my gum boots, and Spirit Bear and I went through -- and I am not a girl for the cold, I’ll tell you that right now. I hate the cold. So, we went down to Beachwood Cemetery and I read the decision to Dr. Bryce to thank him for having laid down a trail that we could pick up a hundred years later, and to pledge to him that we knew that in a decision would not come change, that we had to ensure that decision was made real in the lives
of every kid across this country.

And, I suspected that would take some work even though Minister Bennett and Minister Wilson welcomed the decision. Implementation is really where it counts. And, sadly, that’s been going a little slower than I’d like and slower than the tribunal would like, and I think we have five noncompliance orders against Canada so far. They are making some progress but, in my view, they’re still not in full compliance with the tribunal’s decision. The tribunal has retained jurisdiction of the complaint up until December of 2018 at a minimum and, likely, it may extend a few months beyond that.

**MS. CHRISTA BIG CANOE:** Cindy, I note that we didn’t put the decision in the material because it’s already an exhibit within our process when Naiomi Metallic testified. However, we have put in the noncompliance orders. They’re located or can be turned up at Schedule Q.

And so, I’m just going to enumerate them. They’re in as a series. However, it’s important to note that there is the 2017 CHRT 14, amended on November 2nd, 2017. There’s the 2016 CHRT 10, dated April 26th, 2016. There is the 2016 CHRT 16, dated September 14th, 2016. And, there is the most recent one, the 2018 CHRT 4, dated February 1st, 2018. I believe that’s the most recent one, and I feel like I’ve missed one.
DR. CINDY BLACKSTOCK: The only additional
one would be for the Choose Life for NAN. The decision in
May of 2017 was regarding Jordan’s Principle. Canada,
during the years of litigation, claimed there were no
Jordan’s Principle cases. They were using a definition
that was so narrow that no child ever qualified. There was
multiple disabilities, multiple service providers, and
there was a whole process you then had to follow in order
to be able to reach that qualification.

When the decision was made in January 2016,
Jordan’s Principle, that approach was discriminatory,
Canada did not change it until July of 2016 when they
adopted a definition that said that Jordan’s Principle only
applies -- First Nations children should only be able to
access services without delay if the child has a short-term
illness and a disability -- and/or a disability. We
disagreed with that, of course. For example, I remember
saying at the Finance Committee, “If a child has cancer,
you mean they don’t have access to public service, when a
child with a broken leg would,” right? This doesn’t make
sense. The tribunal agreed that it didn’t make sense.

But, sadly, in that lag time between when
Canada was ordered in May of last year to apply it to all
First Nations children, on and off reserve, all services
and to make sure they process the complaints very quickly,
within roughly 48 hours in all cases, the tribunal heard evidence that two girls in Wapekeka First Nation died of suicide because they were denied access to the mental health services they should have received had Canada fully complied with the January 2016 decision.

So, that is -- I just want to emphasize that this noncompliance isn’t neutral. It’s not just pushing paper around. It’s having real impacts on children. Canada is now adopting the proper definition, but they are excluding non-status children and also Inuit children. We disagree with that, we put that to the tribunal officially, and so that’s continuing on. But, at least, and thanks to Jordan’s family and to Jordan himself and his memory, there has been at least 80,000 services provided for children since roughly the tribunal ruled last year in May. So, it’s -- change can happen.

MS. CHRISTA BIG CANOE: Although we don’t technically need to put authority -- case authority on the record, I will still ask as a series that any of the noncompliance orders that I have just listed are entered as the next exhibit, please.

CHIEF COMMISSIONER MARION BULLER: Do you want them collectively as one exhibit?

MS. CHRISTA BIG CANOE: Yes, please.

CHIEF COMMISSIONER MARION BULLER: Then,
I’ll just read the citation and date into the record. The noncompliance order 2016 CHRT 10, April 26, 2016; and 2016 CHRT 16, September 14th, 2016; 2018 CHRT 4, February 1, 2018; and 2017 CHRT 14, amended by 2017 CHRT 35, collectively -- I’m sorry. 2017 CHRT 14, 26 May 2017, as amended by 2017 CHRT 35, November 2nd, 2017, collectively are Exhibit 65.

--- Exhibit 65(a):

Canadian Human Rights Tribunal Ruling,
Citation: 2017 CHRT 14, as amended on November 2, 2017 (see 2017 CHRT 35), May 26, 2017 (File # T1340/7008, 50 pages)
Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe, Commission Counsel

--- Exhibit 65(b):

Canadian Human Rights Tribunal Ruling,
Citation: 2016 CHRT 10, April 26, 2016 (File # T1340/7008, 13 pages)
Witness: Dr. Cindy Blackstock, Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel
--- Exhibit 65(c):
Canadian Human Rights Tribunal Ruling,
Citation: 2016 CHRT 16, September 14, 2016 (File # T1340/7008, 49 pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel
--- Exhibit 65(d):
Canadian Human Rights Tribunal Ruling,
Citation: 2018 CHRT 4, February 1, 2018 (File # T1340/7008, 96 pages)
Witness: Dr. Cindy Blackstock,
Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. So, if I may ask, Cindy, in addition to -- you talked about, sort of, the resistance, or maybe it can be characterized as an active resistance, the fact that the government tried to use legal latches, but there was more than that happening
at the surface. It was also true that the Government of Canada was found to have breached other laws -- other law in relation to breaching The Privacy Act, willful and reckless retaliation and the obstruction of process at the CHRT by consciously withholding documents. Can you tell us just a little a bit about that?

**DR. CINDY BLACKSTOCK:** The third one -- the hearing on the merits started on -- in February of 2013. I was actually the first witness, although I always emphasize I’m not the first voice. There are many people who came before me who had been bringing this to the attention of government. I just want to recognize that. And, there were a couple of other witnesses who testified.

I saw holes in Canada’s disclosure, so I filed an access to information request sometime in the fall of the previous year, and that arrived on April 9th of 2013, so we’re now talking three months into the hearings. And, inside was thousands of pages of government documents that were highly prejudicial to its case that had never been disclosed.

And, when those were sent to the Department of Justice, they admitted that they hadn’t disclosed those, they were getting them together for us and, in fact, they had -- they then claimed it was an additional 50,000 documents that they had not disclosed. It turned out to be
an additional 90,000 documents that could not be disclosed.

The tribunal of course was very disturbed to hear this because there had been numerous case conferences before that. They issue a ruling in July of 2013, they find that -- you know, they call Canada’s behaviour far from irreproachable. They note that in the documents I got under ATIP that there was actually an e-mail going to justice, where it shows they had possession of these documents a year in advance of the actual hearings, so they were known to the government, but they did not disclose them. So, that set the hearings back. But, more importantly for me, it set justice back for these kids. And so, the tribunal still has a decision about the obstruction matter under reserve.

When I describe the next set of things, I want to make clear of one thing, it is my job to stand up for kids. We all must take our turn in the winds of discrimination and sometimes those winds get pretty strong. So, for me, during that time, Canada was found to be monitoring my electronic, and my communications and my personal movements. They would make notes when I was at places and when I was not at places. They had notes when I was delivering a talk in the middle of the desert of Australia. They were on my Facebook page. They blocked me from attending a meeting.
The Privacy Commissioner investigated all this and found -- because I got this through the Privacy Act, so I had all the documents and e-mails. And, the Privacy Commissioner found that they were in breach of the Privacy Act by collecting personal information that wasn’t related to a policy or program, they made several recommendations for reform. We asked that Canada provide an undertaking that they would not continue the surveillance. They verbally told us they weren’t continuing the surveillance, but they refused to sign the undertaking. So, that’s the status of that.

And then on the blockage -- that whole thing was brought to the tribunal. It was amended -- the complaint was amended for retaliation. The tribunal felt that the surveillance itself did not meet the threshold for retaliation under the Canadian Human Rights Act, but the blocking of me attending the meeting did. I was awarded $20,000.00 and I donated it all to children’s charities. This has nothing to do with money for me. This has to do with being able to preserve the right of any person in this country to bring forward a human rights complaint, particularly for vulnerable groups like children and be free of retaliation by the Government of Canada.

So, I am not the victim in this case. I have never seen myself that way. It is really the children
that we need to be concerned about, but that did happen
during this piece. It’s been a little bit of an adventure
sometimes.

**MS. CHRISTA BIG CANOE:** You’ve talked a
number of times about Jordan’s Principle. We have heard
many stories across the country about services, not just
medical services from Indigenous families including Métis,
Inuit and on registered or non-status First Nations, about
how there are gaps or there’s been jurisdictional issues.
You’ve already talked about the narrow scope or the way
that the Jordan’s Principle was being interpreted narrowly,
and you’ve also talked about Canada’s current position on
not including more Indigenous people. Can you please help
us to understand, really, what Jordan’s Principle is and
how it should apply after this decision.

**DR. CINDY BLACKSTOCK:** Okay. So, Jordan’s
Principle is to ensure that all First Nations, and I would
also include Inuit -- and I’m not saying registered First
Nations, I want to make that clear. I go with tribunal’s
decision. All First Nations children, I’d like to see
Inuit children as well because they also receive services
under the federal government, it’s called First Nations and
Inuit Health Branch as you know.

So, that all First Nations children are able
to access all public services when they need them in ways
that are free from any adverse differentiation, meaning
delays, disruption or denials because they are a First
Nations child. That’s the way it’s supposed to work.

So -- in fact, there is a 1-800 line that,
persons watching this, if know of a child who has a need,
they can call this line. Canada’s established it. It’s 1-
855-JPCHILD. So, 1-855-JPCHILD. You can call that line.
And, the tribunal set very definite time frames for when
Canada has to get back and approve the service.

Now, the great thing about the tribunal
decision, it’s not just services that are available to non-
Aboriginal children. The tribunal has recognized that,
because of the ongoing effects of colonialism and indeed
the ongoing effects of the discrimination, that it may take
additional services for First Nations children to achieve
the same outcomes. So, something called substantive equity
applies.

And, the best way to, kind of, think about
substantive equity is -- you know, I go back to -- I think
it’s a 1955 U.S. Supreme Court decision, where Justice
Frankfurter says, there’s no greater inequality than the
equal treatment of unequals. And so, this is about making
sure that people who have suffered more, in this case
children who have suffered more, get more of an advantage
so they can start off at the same place as other kids, just
because they’ve had more disadvantage in their lives.

So, Canada has funded -- and I want to give them credit for this. They funded things like, services for autistic children, assessments, cultural regalia, language, education -- it’s not just health care. I can still hear that coming out. It’s not just health care. It’s all public services. That’s the way it should be rolling out.

**MS. CHRISTA BIG CANOE:** Thank you. One of the other topics I know that is important to cover is First Nations child and family service agencies in terms of developing First Nations child and family services. When we see better resourcing for First Nations child and family services, when we see better programming, we see better outcomes for the whole family.

So, I was wondering if you could spend some time talking to us a little bit about solutions to the challenges children in their nations face in relation to, specifically, First Nation -- and beyond just the money. Beyond the funding. In terms of the challenges they face and in terms of establishing -- I think that there’s some stereotypes or beliefs around First Nations’ ability to necessarily govern or oversee the program that’s really tied into what we heard this morning by our witnesses about these perceptions or false assumptions.
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And so, I’m hoping that you might be able to talk to us about -- there’s, like, a reflex of accepting the First Nations recommendations and then only rejecting them. It’s like -- and a couple of our counsel this morning in asking questions, like we have to convince people that we can actually do the job. And so, I’m wondering if you can address that, like who is in the best position to do this job and what about First Nation child agencies?

DR. CINDY BLACKSTOCK: Well, I’ve always felt First Nations child and family service agencies are staffed by some of the best, most committed people in the province, because they could literally cross the street to work with the provincial agency and their salary would go up about 30 percent. And, same with having more services. It was much easier doing child welfare, I can say personally, off reserve working for the provincial system than it was on reserve.

So, I think it’s a mistake to suggest that First Nations agencies are, in some cases, the villain. And, I’ve seen that narrative out there a little bit where, somehow, they are the ones that are doing the wrong. They were the ones that actually supported The Caring Society in bringing this case forward in the first place, because they knew they didn’t have the resources to give families. And,
one of the -- they actually would even hold fundraisers for us and volunteer for fundraisers to push this case through, because they wanted to see First Nations families and their children have a fair chance at growing up in their homes. And, they saw on the frontlines that they weren’t able to do that. And, that was painful for them and frustrating for them, and they wanted to do better.

And, I think that’s really historic because this case could have been filed in education, it could have been filed in all other areas, but it wasn’t. It was filed because people on the frontlines of child welfare wanted to see something different. So, I want to recognize them.

The second thing is to say that they know they aren’t doing the job that they’d like to do; right? Which is with the equity and funding, and that’s really critical. When I hear your comments, I think of Robert A. Williams, he’s the Native American scholar. I’m not sure if any of his work has ever been brought into this Inquiry, but he wrote a book called Savage Anxieties. And, it’s really the whole roots of colonialism, where you create this dichotomy between the savage, that being Indigenous peoples, and the civilized, that being the colonial forces, and how ingrained that becomes not just historically, because of course, if you’re a savage, you can’t look after the land, and so the civilized have to take over. And, if
you’re a savage, you can’t look out for your children, and
the civilized have to look after them.

But, it’s also what Marie Battiste would
describe, and she did a wonderful, kind of, writing or
testimony, I can’t remember what it was, but it’s a scribe
to her knowledge anyway. I hope I do it dignity. Where
she said, in the beginning, we looked after our own kids,
educated our own kids. Then, Canada started educating our
kids for which they’ve had to apologize. Now, Canada is
telling us how we have to look after our own kids. And,
what we need to do is break that cycle and get back to the
beginning. But, that getting back to the beginning
requires a couple of things. First of all, Canada needs to
implement that national policy recommendation, Review
Recommendation No. 1 of 18 years ago to expand the range of
eligible funding models so that First Nations jurisdiction
is recognized.

The second thing that’s important for us to
do as community members is to realize that we have to re-
embrace those cultural ways of keeping kids safe and be
prepared to do that. And, we have a program called
Touchstones of Hope where we help -- we feel that one of
the things taken from many Indigenous peoples through
colonization, perhaps even, I would argue, the most
important thing was our ability to dream for ourselves.
What does a healthy Gitxsan family and child look like? Some of us have pieces of that vision, but that communal vision, that was broken apart; in some cases, more than in others. And so, one of the first things is to re-dream what that looks like, and then work with community to re-establish that dream. And, I’m one of these people that believes that we need to rethink child welfare so that we’re actually looking at dealing with poverty. We’re looking at inequalities, we’re dealing with addictions.

Good child welfare workers equipped with proper resources will be working with their colleagues across programs to make sure that we can holistically meet the needs of those kids. Right now, the way the feds fund is through a silo approach that doesn’t promote that type of collaboration, and that needs to stop. We know that because we know what the risks are for kids. We’ve known them since 1998 in the CIS studies, so we can do far better than that.

So, I would say that’s really one of the key things, and I think First Nations agencies, their staff primarily, in the most -- vast majority of cases by First Nations people, if we reject those agencies and we say that, no, we don’t want First Nations agencies, then who is going to be doing the child welfare? That’s my question.

Political leadership is important, but
political leaders should not be doing child welfare, for obvious reasons; right? So, we need to have people from our communities who are trained and supported to do that hard work. And, we as community members who are not out there on the frontlines need to be out there supporting them and supporting the families as best we can.

I think we all need to understand that we are child protection workers. Whether you’re doing it or not, it is -- the measure of our lives is going to be whether we step up to the plate when a kid needs us or not. And so, we all need to re-embrace that responsibility and that Touchstones of Hope is a way of getting there.

So, I would love to see these agencies better supported to be able to do the type of quality work that I know they can do, because they are not the savages. They have done extraordinary work, and the data is starting to show that even when they’re underfunded, they’re less likely to remove a child than the provincial child welfare systems. It’s off reserve that we’re starting to see the numbers pulling.

And, to give you a sense of the scale of it just for on reserve, between 1989 and 2012, we’ve known that First Nations’ kids are 12 times more likely to go into child welfare care, primarily driven by neglect, primarily driven by poverty, substance misuse and by poor
housing.

You can say that word without shrieking, and that’s why I don’t like the word over representation. I think it’s a bad word. It’s too clean. The way you need to think about it is the way that I saw in an INAC exhibit when I was testifying at the tribunal. It was an Excel spreadsheet.

Kids don’t think about over representation. When they’re looking forward to something or they’re looking forward to something being over, they think, “How many sleeps until I see my mom?” And, this spreadsheet counted up those sleeps. How many sleeps did First Nations’ kids spend away from their families in foster care between 1989 and 2012? And, it was 66 million nights, or 187,000 years of childhood.

That’s the price of us waiting. That’s the price of us putting up with this underfunding and this partial equality for even a day more. That’s why we have to do everything in our power as individuals, as systems, as inquiries, to make sure that this is the generation of kids, First Nations, Métis and Inuit kids who don’t have to recover from their childhoods, because we know better and we can do better, so we’ve got to get to it.

MS. CHRISTA BIG CANOE: In terms of the -- and you used the phrase earlier, “the failure of
incremental equality and change”, we’ve seen the preponderance of evidence and the role of inequity and poor health and social outcomes for children has had, but I know you do have a set of recommendations and I know -- do you want to get those?

**DR. CINDY BLACKSTOCK:** Yes.

**MS. CHRISTA BIG CANOE:** Okay, sorry. And then before we do turn to your recommendations, I know there is one more example that you want to provide of a reallocation, so not putting the children first, and that is in your materials and was just delivered electronically to parties today on Cost Drivers and Pressures: The Case for New Escalators. That’s a really technical term for reallocating money. But, if you could sort of walk us through what this slide presentation by what you’re calling INAC, and I believe is now INAC again, but at the time was AANDC’s presentation?

**DR. CINDY BLACKSTOCK:** This was entered as an exhibit at the tribunal. It’s not redacted for that reason, but it is now a public document because it was filed with the tribunal. It’s dated June 2013, authored by INAC.

On page 6, I think, is an important piece, because it shows what the department does when it knows it’s underfunding. First of all, what it does is it
understood that it was underfunding particularly education,
child welfare and social assistance, but all of those
programs are required by law.

So, instead of topping up that money and
making sure those programs are properly funded,
Commissioners, what they decided to do is transfer money
out of what they call infrastructure. And, why is that
important to children? Well, infrastructure is the money
where the budget comes out for building schools, like
Shannen Koostachin wanted. It’s where money for housing
comes out, for water, for sanitation services. All those
things are out from infrastructure.

And, what this shows us is that between 2006
and 2012, Canada had actually transferred over about $98
million a year. So, over that period of time, over half a
billion dollars that was announced as money for new water
system, that was announced for new housing, that was
announced for new schools, was not spent for that purpose
at all. It was transferred over to try and put a hole in
the dyke of the dramatic underfunding of education and
child welfare services. And, of course, it was
insufficient to even meet that need.

But, I think what the tribunal did in its
recent decision of February 1st, 2018 is suggesting, and
they did it in more eloquent words that I’m going to, but
the shifting decks on the Titanic in terms of taking all these under funded programs and just shifting money over from one under funded program to another is not in the interests of children, and the tribunal has a mandate to prevent discrimination from happening again.

It argued that it had a mandate to say to Canada that this practice of reallocating funding has to stop, because inadequate housing, which is in the budget for infrastructure, is one of those programs being disadvantaged by these transfers. They were ordered to stop that in February of 2018. In the most recent submission to the tribunal, Canada said, “We have not permanently reallocated.”

Now, we don’t know what permanently reallocated means, because in our view, the order was to stop reallocating. We’re going to find that out, I guess, in coming proceedings. But, I think we need to be aware of this fact, that these reallocations may, in fact, be continuing to happen for other programs, because the tribunal’s decision only applies to Jordan’s Principle and child welfare.

**MS. CHRISTA BIG CANOE:** Could we please have the document that’s a presentation from Aboriginal Affairs and Northern Development Canada entitled Cost Drivers and Pressures: The Case for New Escalators, made an exhibit,
CHIEF COMMISSIONER MARION BULLER: Yes.


--- Exhibit 66:

“Cost Drivers and Pressures – the Case for New Escalators,” Aboriginal Affairs and Northern Development Canada, June 2013 (22 pages)

Witness: Dr. Cindy Blackstock,
Executive Director, First Nation Children and Family Caring Society
Submitted by Christa Big Canoe,
Commission Counsel

MS. CHRISTA BIG CANOE: Thank you. And, sorry, the last question I was starting to ask is in relation to recommendations. So, we heard you say, you know, the failure of incremental equality and change is obviously problematic, and I know that you have a number of actual substantial recommendations that you believe would assist. And, I don’t know if you want to start with the Spirit Bear plan, which has been entered into evidence during our last expert hearings, or ---

DR. CINDY BLACKSTOCK: Well, I think that’s appropriate, since he’s here; right?
MS. CHRISTA BIG CANOE: I do, too.

DR. CINDY BLACKSTOCK: He doesn’t show up at every little gathering; right? It has to be an important one. The Government of Canada does not have a plan to eliminate all these inequalities. It’s never had a plan to eliminate all these inequalities. And so I thought, we’ll write a plan if they don’t have a plan, and we called it het Spirit Bear plan. In name, I -- had a spirit bear’s energy. Because again, keeping mind he represents the children, the First Nations and the other children who stood up for justice during that hearing. So it’s in his name, but in their honour.

It has two key components, ask the parliamentary budget officer, we say to Canada, to cost out all the inequalities in every service from water, to sewer, to early childhood, child and maternal health, mental health for young people, child welfare. Let’s see what the big figure looks like. What is the big gap? And then work with First Nations to develop something like the Marshall plan.

So those of you who are kind of history buffs like me, remember after the Second World War, the allies got together, and they created the Marshall plan to rebuild Europe in 10 years, and they did it. If they can rebuild Europe after a war like that in 10 years, they can
end inequalities in First Nations kids in far shorter period of time than that. And in my view, that should be done with dispatch.

I just -- I cannot fathom why there’s any excuse whatsoever for a First Nations child to be told in 2018, you’re not worth the money. I cannot accept that and none of us should accept that. And if they don’t have a plan to eradicate all of those inequalities, we’re going to see more reports. This report will be read in 50 years -- it will add to this stack. And this is not all the stack of all the reports. Yours will just become another layer on that piece.

So there is a plan to eradicate all the inequalities, it’s a public plan, they have to say how much they’re going to invest and when. And this is a top priority for Canada, it should be. For some of you who know, the Kids’ Rights Index came out yesterday which measures the proportion of effort that countries are making to uphold children’s rights, proportionate to their wealth. Canada ranks 52nd in the world on that. When you look at the sub-measure on how much their attention they’re paying for a child enabling environment, which is government budgets and legislation for children, we rank 138th in the world. That shows clearly, there’s room to increase the budgets on the amount we pay for kids. And not only does
it make sense morally, it makes sense economically.

I sit on the Pan-American Health Commission for health equity and inequity that’s chaired by one of the worldwide experts on health equity, Dr. Michael Marmot. And we know that the very best investment any government can make is in kids. It’s not in older folks like myself. The rate of return is not very good for me, but if you go to a baby preschool, or kids in school, the rate of return is really good, it’s about 1 to $20. You can make a big difference. So that’s the front end of the Spirit Bear plan.

The second part speaks to what the Auditor General found in his 2018 report, is that there has to be a change in the department itself. The department itself has to reform, and I would argue Ministries of Children and Families have to reform. They have to -- it’s not enough to say that we’re sorry for the past.

My question to the federal civil service after the 2016 decision was, tell me what did you learn from that? How did it change the way you think, it changed the way of your policies and your practices within the department? If you can’t answer that question despite your best of intentions, you’re going to replay the same cycle again, and we’ve seen that non-compliance order after non-compliance order. The tribunal makes reference, I believe
14 times in those non-compliance orders to Canada’s old mindset.

So what we say in the Spirit Bear plan is that there should be an independent, 360 degree evaluation of the Department of Indian Affairs. The data evaluation and its results should be used to develop performance criteria and reward performance for public servants so that they come into alignment with the decisions, with the UN Declaration on the Rights of Indigenous Peoples, and with the TRC’s calls to action. So that’s the Spirit Bear plan.

**MS. CHRISTA BIG CANOE:** Thank you. That’s very helpful.

I know that there are some other recommendations and the recommendations were actually included in the summary, but just for ease of reference we’ve created -- and the parties have not received this in hard copy yet, but we -- you will find it in the summary. It’s the same as which is on page 3 of the summary. The recommendations by Dr. Cindy Blackstock, and of course, you know in the fashion of the lawyer I am, there’s a disclaimer that these are only to accompany the testimony and what we’ve heard in evidence today by Dr. Blackstock. And that these are not -- these are the recommendations included but not limited to.

And so Dr. Blackstock, there was a number of
recommendations that you wanted to highlight and there’s
eight of them listed here, and I was wondering if you could
maybe walk us through them shortly?

DR. CINDY BLACKSTOCK: Okay. Very quickly,
the first -- I think it’s a mistake to actually focus on
just reducing children in care. I’ve seen lots of ways
where governments quickly reduce the number of children in
care, but it doesn’t make children safe, and it doesn’t
make families safe. I could, for example, reduce the
number -- the age of majority for children entering into
child welfare care. I could reduce the scope of what I
consider to be maltreatment. I could lighten up the weight
in which I assess child safety. All of those would have
the effect of reducing the number of children in care.
That’s not what I’m interested in.

What I’m interested in is, I think we should
be measuring the health of families. If we focussed on
healthy families the number of children in care will
eventually decrease. But in a way where the children
themselves are healthy and where they’re going back to safe
and healthy families where they’re not going to end up back
into the child welfare system because the family wasn’t
provide adequate support.

And I need to say that, not only just for
kids who we are trying to keep in their families, but for
kids that we’re trying -- we’re reuniting back in their families. It’s the emotional reaction and I get it, because I believe that every child, when we remove them from a family, the pledge should be we provide them a better life, and we certainly haven’t done that in the vast majority of circumstances. But we have to avoid the the emotional reflex of saying, bring all our kids home, when we’re not ready for it yet. We have to get those services in place, so those families are healthy and happy and that that child can go back and get that nurturing childhood. They only get one childhood, so let’s make the best of it.

The second is community-based plans for dealing with the structural inequalities are key. Communities are the people on the front line are in the best positions to develop these plans. That’s why the caring society will never develop a parenting program, because we know that you know how to do that at the front line. Our job is just to provide the resources to be able to do that so that you’re able to complete that good work. And that includes recognizing First Nations jurisdiction, but also keeping open other levels, jurisdictional models that people can choose from at different stages of readiness.

The community-based plan, the touchstones of hope that I talked about, ending all inequalities, applying
a substantive equity lens to all service for children. I think that’s absolutely essential given that First Nations, Metis, and Inuit children have all had the multi-generational effects of residential schools. Culturally based interventions should target the key reasons why kids are coming into care. So unless we get at the poor housing, the poverty, the substance misuse, and mental health, and domestic violence with our prevention services, then we’re going to miss the boat and kids will continue to come into care.

And there needs to be coordination between prevention services and the actual needs of kids. So I know that the government was saying for a while after the tribunal’s order, well, let’s just give all the prevention money to the communities. I disagree with that. I think the community should get some of the prevention money, but the agencies need it to because you need to be able to coordinate those prevention services with the families who are most at risk. So that coordination is absolutely critical. It’s not an “either or”, it’s “yes and” for the well being of kids.

And services to children to promote their success and well-being need to be augmented, and that means cultural support, supports for them to meet with extended family, for former youth in care to get reconnected with
their families.

And I want to say one thing, I don’t want us to always talk about First Nations kids -- and I’m going to take a leap here and even though I have no mandate really to talk about Inuit or Metis kids -- as at risk and vulnerable. They are more than that. I meet with these kids every day and they’ve got the same strength that I’ve seen in the ancestors, and we cannot allow ourselves to believe, or in fact to live, the idea that multi-generational trauma is more stronger than our multi-generational strength. It is not. It never will be.

(Applause)

DR. CINDY BLACKSTOCK: We need to support those kids, and that means we as adults need to embrace what hurts in our own families and our own communities. It’s not enough to talk about making kids safe, we’ve got to do it and that means taking our own stuff and the stuff in our families.

And two major research goals, there's a study called the Adverse Childhood Experiences Study, which basically says when you have about five -- four to five adverse childhood experiences -- and those can be going to a crummy school, not getting early childhood, having parents who are stressing from addictions -- when you get to four or five of those, that's when you really see
lifelong disadvantage for children throughout their whole life cycle. And we know from epigenetics it actually can be passed on to the next generation.

I'd like to see a baseline A study it's called, the Adverse Childhood Experiences Study, where we measure where kids are right now and then we can see whether what we're doing is actually making a difference for them over time.

And I'd like to see a longitudinal study of children in care. There's never been a longitudinal study. The best we know is the Canadian Incident Study that measures from the time of the report of child maltreatment to the time the investigation is disposed of. There is no tracking over the long-term of what happens to these kids and that needs to be done.

So those are just some of my recommendations that I hope are helpful.

Oh, Siri's helping too.

(LAUGHTER)

DR. CINDY BLACKSTOCK: See, even Siri ---

MS. CHRISTA BIG CANOE: And my device is turned off so ---

DR. CINDY BLACKSTOCK: --- think it's good to help First Nation's kids; right?

(LAUGHTER)
MS. CHRISTA BIG CANOE: So, Cindy, I'm really aware of your time and I know that you had a hard timeline because you were able to fit the National Inquiry into your schedule today on the base of another and I'm looking out at the parties withstanding anticipating frustration, but respectfully so, and acknowledged. We have such limited time, but I do want to ask you one question.

If the National Inquiry were to call you back as a witness to build on the foundational work that you have provided us today and the background, would you be willing to come as a witness before the National Inquiry again?

DR. CINDY BLACKSTOCK: If it's helpful to the women and their families, it would be my honour and Spirit Bear will come back again as well.

And I apologise to the parties that I was only called while I had already made a prior commitment to be at University of Toronto tonight, so I -- that's why I have to leave so quickly.

I know that you have important questions. You have a right to challenge and expand on what I have to say. I absolutely respect that and I welcome that so.

And I'd like to thank the Commissioners for the opportunity too.
MS. CHRISTA BIG CANOE: And just on that basis too, I do acknowledge that we were running late and that that's the nature of when we're receiving good evidence from experts or from families, we've had a tendency not to prevent that good evidence from continuing and to be heard. And so this morning as we were receiving good evidence and we ran over time, we started a little later than anticipated and lost an hour with Dr. Blackstock.

And so on that basis, I just put to the Commissioners now, you know Dr. Blackstock's willingness to be recalled. And I note that she'll only be available for probably another 15 minutes.

CHIEF COMMISSIONER MARION BULLER: Yeah.

DR. CINDY BLACKSTOCK: Yeah.

MS. CHRISTA BIG CANOE: Yes.

CHIEF COMMISSIONER MARION BULLER: Yeah.

Well, it's unanimous. Dr. Blackstock, we look forward to seeing you again at your convenience to allow for cross-examination by parties and examination by Commissioners and re-examination by Commission counsel.

Having said that, since this is Dr. Blackstock part one ---

DR. CINDY BLACKSTOCK: I'm used to this. I think I was called five times during the tribunal so.
(LAUGHTER)

DR. CINDY BLACKSTOCK: Hopefully it doesn't say that you'll have to put up with me five times.

CHIEF COMMISSIONER MARION BULLER: We have a small gift for you. As directed by the matriarchs on Haida Gwaii, we give our witnesses eagle feathers to hold you up and lift you up and to lift you up even higher than you thought you could go. I don't think you need an eagle feather personally because you've not only taken many children up higher than they thought they could go, but you've lifted all of us up higher today than we thought we could go. So this is a small token of our appreciation and an invitation to return. So our profound thanks for the time that you were able to spend with us today. It's been a real gift.

DR. CINDY BLACKSTOCK: Well, Commissioner, if I may, I'm going to ask -- and I hope this doesn't breach protocol -- that that eagle feather be given to Spirit Bear ---

(APPLAUSE)

DR. CINDY BLACKSTOCK: --- in honour of all of the First Nations' children, both past and present and future, in honour of all the Métis children, both past and present and future, and in honour of all the Inuit children, past and present and future, and everyone who
loves them ---

CHIEF COMMISSIONER MARION BULLER: Yes.

DR. CINDY BLACKSTOCK: --- who is embodied in this little bear. So if that is ---

CHIEF COMMISSIONER MARION BULLER: Yeah.

DR. CINDY BLACKSTOCK: --- okay, I apologize to the Elders of Haida Gwaii if that's a breach of protocol, but somehow I think they'd be okay with it.

CHIEF COMMISSIONER MARION BULLER: I think it's okay too.

(LAUGHTER)

CHIEF COMMISSIONER MARION BULLER: Thank you so much. Thank you.

(APPLAUSE)

MS. SHERI DOXTATOR: (Speaking in Native language). So while they're gifting Spirit Bear in recognition for that, I'd like to thank Cindy and Spirit Bear for coming today and sharing the expertise that they have.

So we do -- are mindful of time as well, from our perspective here and knowing that everyone's been here for the past three days and filling with information. So, I just wanted to recap a little bit about what happened over the last three days while everyone's giving their remarks here.
So, what we saw over the last three days, and want to just give recognition to all our panellists and all those presenters and experts and knowledge keepers that we had.

So on day one we had Albert and Fallon here and they talked about racism in the 2SLGBTQQIPAA communities. And we had some lengthy discussion on the information they had and the expertise that they shared with us as well.

The other thing that we looked at as well is racism in institutions, and we looked at that yesterday, to look at health, justice, police services and in education as well. So I want to thank Barry, Farida, Sylvia and Amy for sharing their expertise and knowledge and skill in that area with us yesterday.

And for those of you who joined us today, you are well aware that we were looking at racism in media and journalism and film. So, thanks to Jesse and Tanya today for their expertise and sharing their skill and knowledge in that area today as well.

And this afternoon, again, just want to thank Cindy and Spirit Bear for sharing this time -- limited time that she does have with us. And, as you heard, she will be returning back to us as well. So, on that, she provided her expertise on racism against
Indigenous children and youth, which you can see is quite extensive, which is why we've invited her back for this as well.

One thing I just want to remind people, that why we are here and why we're going through this process and protocol -- and you can take your seats now if you like. We just wanted to do that with the gifting of the eagle feather to honour that. Is we're here to remember those who've gone before us, our loved ones, our families and how we do that. As we transition, I just want to ask as well if there are any Elders in the audience. We'd like to have the Elders come up to the front as well so we're just transitioning through.

But one of the things I did is I went around and we looked at all the quilts as well that you see behind us that come from the communities, that are crafted and have information and knowledge shared in that as well.

So I want to let you know that one of the areas that you have shared -- and I asked you to listen with your hearts today, and with that is your strength. And with that you share your strength with others. The other thing that we share is the love and the kindness, as well, and look at that.

The other one that I did that I thought was of significance to share with you was a beautiful soul is
never forgotten and I shared that with you yesterday. The other one that I shared with you on day one was you hear that sound. It is a call of our common humanity. Listen to the call. I’ll read it again. Did you hear that sound? It’s a call of our common humanity, and I ask everyone to listen to that call. So, as we bring together our minds and our spirits and our hearts today, we’re going to do our closing of the expert knowledge keeper hearing that we had on racism.

So, we’re going to start the process as soon as get through our quick hugs here of Spirit Bear. I know everybody wants to meet Spirit Bear, that’s why they’re all lining up; right? So -- sure.

CHIEF COMMISSIONER MARION BULLER:

(Indiscernible - microphone not on). Thank you very much.

MS. SHERI DOXTATOR: Thank you, Chief Commissioner. So, again, we have the elders just making their way up to the front. The drum is setting up as well. And, if we could have the families as well. Whoever chooses to sit up front can sit up front as well.

So, just to give recognition to those who are here from the National Family Advisory Circle and their supports, we have Pauline Muskego, Laurie Odjick, Micah Eric, Cynthia Cardinal, Ceejai Julian, Lorraine Clements, Norma Jacobs, Barb Manitowabi, Charlotte Jacobs, Bonnie
Fowler and Carrie-Lee Julian (phonetic). Val King, if you’re in the room -- oh, there she is.

So, what I’d like to do at this point is we’re going to have some closing comments from a few people, and we’re going to start with our Commissioners, and they’ll offer some closing comments. And then we’ll go into our official closing of the day. Okay. Thank you very much, Cindy and Spirit Bear. I know that you do have to run as well, so thank you again.

(APPLAUSE)

MS. SHERI DOXTATOR: And, we will remember to build on that intergenerational strength. She stated that. We are going to turn it over -- I’ll turn it over to Chief Commissioner Buller and to start us off with some closing remarks. And, we do have a set up here, so we’ll get you to start us off.

CHIEF COMMISSIONER MARION BULLER: Actually, because we always want to make sure we remember our women and girls, I’d really appreciate it if the NFAC members could go ahead of us in the closing.

MS. SHERI DOXTATOR: Okay. All right. We’re just going to have all the National Family Advisory Circle members and their supports stand up front.

MS. CEEJAI JULIAN: (Speaking in Indigenous language). Elders, grandmothers, grandfathers, keepers of
the four sacred directions, our missing and murdered women
and girls, their family members and those that aren’t able
to be here today, I would like to first give thanks for
allowing us to do this work here and also for the people of
this land, the Nishnawbe -- the people of this land. I
want to thank them for allowing me to be a visitor. It’s
like a round drum. We all come from all different
directions, and we also have all different perspectives in
this important work that the National Inquiry is doing for
missing and murdered women and girls and survivors.

My name is Ceejai Julian. I am Carrier
Nation from Fort St. James. My reserve is called
Nak’azdli, and I belong to the Beaver Clan. The given name
that I was given, which I believe is my real name, is
Shining Eagle Woman. I’m also a member of the NFAC, the
National Family Advisory Circle, to the Commission of the
National Inquiry.

There’s a circle of family members that
aren’t able to be here, but I want to also acknowledge them
as well. Also, each and every one of my sisters that sit
beside me and behind me and not in front of me. I want to
also acknowledge my beautiful daughter that has -- is going
to be a leader of our future.

Our job is to advise the Commissioner in the
work that they do. We would like to thank and acknowledge
all the knowledge keepers and the experts that have been able to share their experience as well as their lived experience and their perspectives on this important issue of racism with us this week. I’m really nervous because I’m trying to read the -- they had to write it in big letters just so you know. We would like to thank the Commissioners and also acknowledge Michèle Audette that isn’t here today, but will be soon.

I’m inviting us, the staff who put this together as well as the grandmothers and the elders, I want to thank them for all the important work, and that includes the cameramen. I want to acknowledge all the hard work that they’ve been doing 24 hours, 7 days a week, maybe sleeping four hours and travelling from coast to coast, missing their family members and their loved ones, and taking time out to acknowledge this important work and putting a shining light on the issues of missing and murdered Indigenous women and girls. I want to acknowledge you because without you other people in the remote communities would not be able to hear us.

And to Canadians, all of Canadians to please, please hear what we are saying. Make a difference. It starts with one person. It starts with self.

I know that this is a hard journey. I know because of my lived experience and losing family members.
But my heart goes out to the ones that are still missing; the unanswered questions to those family members that haven’t been able to have the opportunity to come here; that are afraid.

And I want to also readdress, too, the federal government, Justin Trudeau, and Carolyn Bennett. I want to acknowledge you; you said to me that you’re an arm’s length away from me. Why is that when you can pick up your phone and text me that? That is not -- that is -- that’s a lie.

And one of the other things is I feel that this important work that has to be done is not going to be completed unless they meet us, and not be an arm’s length away from me.

I feel that as we go along, each and every one of you are my spiritual allies. You’re going to be that light. You are going to be that light to the issue, to go to your own community and to share what you’ve heard today and the past three days, and to also acknowledge -- acknowledge your own spirit and your own strength, and share it with those that are less fortunate, that aren’t able to be here today, in regards to the ones that are still alive; the ones that are struggling in their addictions and mental health and in poverty; the ones that are marginalized.
The frontline workers, I see them today and I want to thank them for being here today and being that person with the great words, the educated words that you’ve shared to stand up for the ones that are in the back alleys, and the ones that are isolated on those small, remote reserves.

I want to say again on behalf of National Family Advisory Circle it is my great honour to sit with you, to stand with you. They say there’s a “Me” movement in the States, the United States of America. I think there should be a “Stand-up” movement in Canada.

I thank you again.

(APPLAUSE)

MS. CEEJAI JULIAN: That means stand up, --

(LAUGHTER)

MS. CEEJAI JULIAN: --- acknowledge this National Inquiry; stand up for each and every one of us; stand up for yourself; stand up for the missing; stand up for the murdered; stand up for the ones that are on the street. And like Dr. Cindy Blackstock -- I just met her today but stand up for the children; the ones that are in diapers; the ones that are going to grade school; the ones that are in high school; stand up for the ones that are in Thunder Bay. All across Canada, from nation to nation with
no borders, I ask you in honour and respect, that we stand
up for our human rights as Indigenous women and girls, all
my relations.

(APPLAUSE)

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

Thank you, Ceejai, for those beautiful words
and sharing that with us.

(SHORT PAUSE)

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

**MS. CEEJAI JULIAN:** Stand up to the
government, too.

(LAUGHTER)

**MS. CHRISTA BIG CANOE:** All right. I’d like
to invite the Commissioners to give their closing
arguments.

So we’ll start with Chief Commissioner
Buller and then we’ll move on to Commissioner Eyolfson and
then Commissioner Robinson.

Chief Commissioner?

(SHORT PAUSE)

**CHIEF COMMISSIONER MARION BULLER:** Thank
you.

Well, Ceejai’s a hard act to follow.

(LAUGHTER)

--- CLOSING REMARKS BY CHIEF COMMISSIONER MARION BULLER:
CHIEF COMMISSIONER MARION BULLER: Yes,

let’s stand up for what we know is right.

Well, what a week. I want to, first of all, acknowledge and thank our hosts for their warm, generous hospitality this week, and to acknowledge the lands that are recognized. Of course, this week, the traditional territory of the Mississauga Anishinaabe Nation of which the Mississauga of the New Credit First Nation are part.

Chief Stacey Laforme, thank you. Thank you for your hospitality.

I also want to formally recognize and acknowledge knowledge keepers Valarie King and Norma Jacobs for their kind and warm greetings from the Mississauga of the New Credit First Nation and the Haudenosaunee; my profound thanks.

NFAC, National Family Advisory Circle, they literally have our backs, and I want to thank them. Not just for today but every day that they work with us.

Thank you Elder Paul Shilling and Elder Blu Waters for your prayers.

Naulaq LeDrew, thank you for lighting and tending the qulliq.

Rita Blind, thank you for your guiding wisdom.

To the Spirit Wind drummers, (undiscernible)
Crow Eagle Women’s Drum Group, thank you for honouring us with your songs and your presence.

Métis Senator Constance Simmonds, thank you again for quite literally having my back. Thank you for coming and being with us; it’s been an honour to have you here.

I want to thank and recognize the drum and sacred items that are here every time we meet to help us work in a good way.

To the witnesses who we heard from this week, my goodness, I have to tell you it was hard for me to remain serene and stay in my chair. I was so excited by what I heard this week: New things, thinking outside the box, moving ahead in a good way, building on the strengths that we as Indigenous people have to live in a good way. Thank you, witnesses, for letting us understand racism and how it fits in our lives in perhaps ways we hadn’t thought of before.

And also I want to emphasize how I’ve learned so much about how racism intersects with the 2SLGBTQ community. This was an eye-opener for me.

I’m not going to go on, other than to say thank you all witnesses for changing me personally, and for changing the work of the National Inquiry. You’ve really made a difference.
For parties with standing, thank you for your patience. Thank you for your insightful questions, your comments, and for your thorough preparation. It’s made a big difference to our work as well in a good way.

I want to conclude by saying racism isn’t over. This hearing might be over, but racism isn’t over. And, we have to be vigilant every day, every moment to remember how racism is so insidious and fills every corner of our lives and our being. Until we meet next time, live well, live strong. And, as CJ said, stand up.

I’d now like to call on Commissioner Brian Eyolfson for his closing remarks.

(APLAUSE)

--- CLOSING REMARKS BY COMMISSIONER BRIAN EYOLFSON:

COMMISSIONER BRIAN EYOLFSON: Thank you, Chief Commissioner. I’d like to say thank you, merci, miigwetch for this wonderful few days we have spent together here, these very informative hearings that we’ve had over the past few days. But, I’d also like to thank our hosts, and acknowledge that many Indigenous peoples and nations have walked these lands before, which is also the traditional treaty territory of the Mississaugas of the New Credit.

And, I’d also like to, as well, thank and acknowledge the support and guidance provided to us by our
elders this week, by our grandmothers, our traditional knowledge keepers, and also the members of the National Family Advisory Circle who have been here with us this week, sitting with us and supporting us and guiding us. And, I want to recognize the many contributions made by the witnesses who have shared their knowledge and expertise with us this week, and by the parties with standing who have helped in gaining understanding through all of their thoughtful questions that they had to quickly ask and they made very good use of that time.

And, I also want to recognize our MC, for getting us started and getting us going in a good way, Sheri Doxtator. And, I want to acknowledge the drum, the drummers as well. So, I’m really happy that I think our hearings here in Toronto have been inclusive and that we have had a chance to welcome different perspectives.

And, over the last few days, we again heard powerful testimony from many knowledge keepers and experts who shared their experience and their knowledge with us, to help us understand how racism and discrimination combine to create vulnerable circumstances or target Indigenous women and girls, and trans and two-spirit people. And, how institutional racism and discrimination can impact their health and wellbeing. But, we also heard about solutions, ideas for solutions and practices that can be effective in
combating racism and creating safer spaces and services for our Indigenous women and girls, 2SLGBTQ people. And, today, we heard about racism in the context of journalism and, of course, we heard from Dr. Blackstock about our youth and children.

So, as you know, our job is to inquire into, report on the systemic causes of all forms of violence against Indigenous women and girls, and trans and two-spirit people, to make recommendations on concrete actions that can be taken to improve their safety. And, I think the testimony that we’ve heard this week has provided us with some really important information and context, and that we can analyze and reflect on this and incorporate it into our work and formulating our recommendations moving forward.

So, I just want to thank the families and survivors, and again the honoured witnesses that have shared their truths with us this week and helped us honour our murdered and missing loved ones with their presence and knowledge. Thank you. Merci. Miigwetch.

(APPLAUSE)

---CLOSING REMARKS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: Thank you. My fever is coming back, so I’m going to be quick. I want to thank our hosts, the Haudenosaunee, Mississaugas of New
Credit, the elders, the knowledge keepers who have been here guiding us and opening with prayer and ceremony. The health supports, spiritual supports for giving us the medicines that we need when this gets heavy, and it gets heavy, but also brings light, enlightenment, and working through that is so important and thank you for that.

The drums, the songs, the elders. I want to give a proper thank you to Naulaq, (speaking in Inuktitut). It’s so important to have the qulliq to create that welcome space, that warm space, that light.

I want to thank the families and survivors here in the room and those on the National Family Advisory Circle that guide us and who have shared with us so much insight. I want to thank the parties with standing for your questions as well, and your presence, and committing and being present here in this process.

I really want to thank those that came and shared with us, the experts and the knowledge keepers. We’ve learned so much this week, I’ve learned so much. The experience of the 2SLGBTQQIA reality was, I think for all of us, such a moment of learning. How right down to the pronouns that are used when you encounter institution can result in your fundamental human rights being denied. The need for you to define your genitals, and gender and orientation to get an education, these realities are just
so unacceptable and how devastating exclusion and being ignored and being made invisible has.

We’ve heard about racism, and sexism, and education, health, policing, media and child welfare, and there’s two points that I’ve learned this week that I want to share with you before I conclude. I think we’ve all learned that racism kills. Racism, discrimination, exclusion, sexism kills. It kills sometimes at the hands of that person. Other times, and what we’ve heard a lot about, is it kills when there’s a climate of indifference and dehumanization which allows violence and exploitation and killing of Indigenous women and girls, trans and two-spirited to continue to happen with impunity.

I’ve also learned that racism is not the problem or the responsibility of those that are subject to its effects. We, as non-Indigenous Canadians, have to address racism. We can’t expect Indigenous women and girls, trans and two-spirited and all Indigenous people to be taking the lead on this.

Fundamentally, what should be happening at this point in this country is you will have listened and learned from the over 1,000 families that have shared with you their experience of being dehumanized, erased and ignored. And, it’s up to you now, to learn and to act, to crack open the books that our witnesses talked about, to
watch those films that are produced by Indigenous peoples.

I’ll give you a couple of names to start. Arnait Productions out of Igloolik produces documentaries that properly reflect Inuit lives. Google it. They’re free to watch. I watched one last night.

There are so many places where you can learn. Friendship centres in your community, go with an open mind, ready to learn and ready to reject your privilege and ready to give up your power so that it’s a shared one so that this country, as our witnesses have said over and over, is a country that truly reflects what it purports to be. I wish you all safe journeys home, and I look forward to seeing you all in Regina very soon.

Nakurmiik.

**MS. SHERI DOXTATOR:** Thank you Chief Commissioner, Commissioner Eyolfson, Commissioner Robinson. Thank you for those words in closing. I’d like to call upon now Chief Stacey Laforme from the Mississaugas of the New Credit. Chief Laforme.

--- **CLOSING REMARKS BY CHIEF STACEY LAFORME:**

**CHIEF STACEY LAFORME:** A-ni, hello, (speaking in Anishnaabe). So, since you talked about racism over the last couple days, and Val’s heard me tell this story before, so she doesn’t have to listen. So, I dress like this. Actually, this is a ribbon shirt, but
this is actually that’s toned down. I have some -- this is my “blend in” shirt, so I have others.

So, I was in a store one day, because I don’t just wear this to share with you, I like to share it with everybody. So, I wore this in a store one day and a man goes, “That’s a nice shirt.” And, I said, “Thank you.” He goes, “It takes a special kind of man to wear a shirt like that.” And so, I said -- I chuckled and said, “Thank you.”

But, the truth is, when I was young I would have been too afraid to dress like this, too afraid of what others would say, what others would think. But, the truth is, we should never have to change to fit into the world around -- to fit into society. The world around us should adapt to embrace our uniqueness, and I think that goes to the crutch of what you’re saying and about racism.

So, I’m here today, really, just to offer my respect, my support, my strength and my love. I just wish that I could travel in body with you when you go across the country and have these conversations. I’ll be there in spirit if I can though. So, to Canada, never mistake adaptation for resignation, never mistake sadness for weakness for our people have proved historically that we are strong and we can stand together.

(APPLAUSE)
CHIEF STACEY LAFORME: So, I’m going to read you a poem now, and it’s very much in keeping with stand up movement as been suggested. It’s called “Belief”:

“We have lost so much and so many, and it seems we lose more every day so need it and gone far too soon. I want them all back even if only for a moment. Loss, grief and hurt threaten to overwhelm, and it would not do you justice to lose hope, and we will do you proud. We may do it with a broken heart and tears streaming down our face, but we will stand with our head held high. We will be not ashamed to cry, we will earn your respect, we will be worthy of your memory. We will remember you, honour you and all that we become you shall be a part of for you are a part of our past, our present, and you will be a part of our future. When our children sing their songs, speak their language, when we stand united, when we become who we are meant to be, we know you will see, we know you will share our joy, we know
you will feel it and we know you will
smile. Your memory shall not be veiled
behind the years, it will shine as the
stars. Your memory shall lead us, as
it should, for we are with each other.
We are all connected, we are all
connected one, and as long as one
stands, we all stand and we will stand
forever.”

Chi-miigwetch and thank you.

(APPLAUSE)

**MS. SHERI DOXTATOR:** Chi-miigwetch, Chief
Laforme. At this time, I’d like to call upon Micah to come
forward. We’re going to call our elders up, and she’s
going to help us distribute some of the gifts. So, if the
elders could please make their way forward? We have Val
King, Paul Shilling, Reta Blind, Senator Constance Simmonds
and Grandmother Blu Waters, if you could make your way up
to the front, please?

So, for -- in recognition of all your words
and wisdom, and your prayers, and your ceremonies that
you’ve shared with us, Micah, on behalf of the NFAC
families, would like to present you with a token of our
appreciation.

(PRESENTATION OF GIFTS)
MS. SHERI DOXTATOR: And, I’d like to ask all of us just to show them a round of applause and thank them for all their contributions.

(APPLAUSE)

MS. VALARIE KING: Thank you. Thank you, everyone.

MS. SHERI DOXTATOR: Don’t go anywhere, Val. We’re going to have you do the closing now too. So, I’ll call Val back up to provide us with a closing prayer.

MS. VALARIE KING: I had to -- (speaking in Anishnaabe), which means she who speaks the truth. Woman Warrior Leader is one of my names. And, when I got really sick, another name came from the Lakota people, and that is she who protects Mother Earth.

But, anyway, today I had to go to my room for a little while after this morning’s presentations, and I thought about what I said the first day when I opened and what came to me. And, I -- you know, I said racism is a really hard word to me, and I talked about the writing, the research that I had come across, the earlier writing, and where that word “squaw” came from.

And, I never pictured myself going to university, but I had this dream I had to go, and Stacey was in it. Stacey was up in his -- up in the audience. You know, how all of these seats are in university? I
couldn’t make sense of what it meant. But, as I was going through university, I kept thinking about that dream. Then, I talked to my cousin who was a seer too, and I said, “Do I have to go back?” And, he goes, “Yes.” So, every year I go back.

But, I wouldn’t have come across that if it wasn’t for Indigenous Studies programs, especially Dawn Martin-Hill, Dr. Dawn Martin-Hill. And, she was talking about all of these stats, and I was researching it. And, I was presenting to either 10, 15, 20, sometimes 200, sometimes 400 people -- students at McMaster, and a lot of them didn’t understand or even ever hear about our people, our stats or what was happening with our people no matter what it was.

And then the one particular week that I was going to present about missing and murdered Aboriginal women, a friend in our community was murdered. And so, I started this Facebook page called “Never To Be Forgotten”, and I start realizing how many I was posting. And, I didn't go to school for a week. And so when I went back and when I was doing my presentation, I asked everybody. I start talking and I said, "Who all heard about this lady?" And I had a picture. And nobody raised their hand, not one person. That's how close they were to us. Forty (40) minutes away. Nothing on the news.
So, like, everything that everybody was saying, it doesn't matter what story it is. It's not on the news. It's never on the news, but other race it is. So I had broken down, but I finished my presentation. And I completed that, but that one particular piece is what I was talking about. I come across where the word "squaw" came from and that the women were mindless and that's what they were saying. And, you know -- and I just had a nice cry because it really hit me that that's what they really thought of us. And it started way back then, like I said.

But when I look around this room at Indigenous women and when I -- and all the women that I have met since then as I travel and are my sisters, that's not what I see. I see the strength. I see the beauty. I see the resistance. I see the deep love and caring.

So I've -- every time I go somewhere I connect with somebody and it makes my heart full and big.

So that part, you know, that part of that is -- I wouldn't have known that and be where I am today and start doing the work that I am doing to help the families, to help the families, to help our -- to help the women, to help the men, to help our children, to help our nations.

So when Judy DaSilva contacted me -- she was one of the one people that I would research and quote.
She's activist. She's fought for the water Grassy Narrows. She wanted to come to our First Nations and lay down tobacco because she was coming to meetings here in Toronto. So when she came, I was just nervous. But she's just like me or you, you know. I had her up on a pedestal, but we went and ate.

And she said to me -- I said, "I need to really help. I don't know if I'm doing enough. I don't feel like I'm doing enough." And she said, "I felt the same way." I said, "I went into you weepy and I asked this question, how can we help our families for the missing and murdered?" And she said, "I did too." The same -- it's the same night. We were in the same ceremony, same night.

And she said -- I said, "My answer was this. The spirit said, keep singing, keep feasting and keep dancing." And she said, "My answer was the same." Because when we do those things, we heal them behind us, our ancestors, those women, our grandma, great-grandma, all of them. They sing and dance and feast with us and they heal. And we help the ones ahead of us. That's what happens.

And then I know this work gets heavy. The -- I can't imagine what the families feel. And somebody in my community came to me that had a dream that had written a couple of pages. They said, "We want you to talk about this." And that came from the missing and murdered women
to tell me. And it just felt like they picked me back up. And it was about singing and feasting and dancing, because when we do that it comes off of our breath, comes off of our body. It helps our mind and it lifts us up, lifts us up. So that's what I share with people.

So this song's been playing in my head all day about our children, about our innocence. It takes back that innocence, and it's called the Wildflower Song. So that's how I'm going to end this, my part.

So Miigwetch for letting me be part of this and witnessing the stories.

(SINGING AND DRUMMING)

**MS. VALERIE KING:** I just want to say one more thing. The last part of that dream where Stacey was in there was the government was walking around looking at flipcharts behind us. And all the helpers were coming around the people and they couldn't -- they didn't -- they couldn't see them, but they were guiding the people that were working, so they couldn't be tricked anymore.

(APPLAUSE)

**MS. SHERI DOXTATOR:** Valerie King of Mississauga of New Credit, thank you for those words. I just want to mention as well that Chief Stacey Laforme was gifted on behalf of the Commissioners. He was gifted a copper necklace as well; right? Yes. He's got it on.
We'll turn it over now to Naulaq and do with our ceremonial extinguishing of the Qulliq.

**MS. NAULAQ LEDREW:** Hello. Good evening.

First, what I would like to do is call Micah (ph). Micah (ph) and I will be performing. She'll be my singer.

(SINGING AND DRUMMING)

(MUSICAL PRESENTATION)

**MS. NAULAQ LEDREW:** Now, I will be closing with the Lord’s prayer in my language. (Speaking in Inuktitut). My, that took my breath away. Thank you all. Our spirits are high, our — this has been a tremendous journey. Thank you, hi-yuk (phonetic). Thank you, Commissioner. Enjoy your evening. I’m going to go have myself seal meat now.

(LAUGHTER)

**MS. SHERI DOXTATOR:** Thank you. Thank you, Naulaq. We’d now like to turn it over to the Spirit Wind Drummers, and right after them, we’ll have the Eagle Women singers as well that will join in. So, I’ll turn it over to Spirit Wind Drummers.

(MUSICAL PRESENTATION)

**MS. SHERI DOXTATOR:** Yong-go (phonetic), chi-miigwetch a-nu-shik (phonetic) to all the drummers. We do have some gifts up here, so before you leave, please
grab a bag for each of you. Thank you for that. I just want to say that I hope that all those prayers, all the songs you’ve heard will carry you home safely, and journey well everyone, and hopefully everyone reaches their destination safely, and I wish you all well. It truly has been my honour to be with you this week. Yong-go, chi-miigwetch a-nu-shik don-ay-toe (phonetic).

--- Upon adjourning at 5:23 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.

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Nadia Rainville

June 13, 2018