National Inquiry into Missing and Murdered Indigenous Women and Girls
Truth-Gathering Process
Part 4 Closing Oral Submissions of the Parties with Standing
The Westin Ottawa - Ottawa, Ontario

Tuesday December 11, 2018
Part 4 Oral Submissions - Volume 6

Government of Canada
Amnesty International Canada

Pauktuutit Inuit Women of Canada, AnâñauKatiget Tumingit Regional Inuit Women’s Association, Saturvíít, Inuit Women’s Association of Nunavik, Ottawa Inuit Children’s Centre & Manitoba Inuit Association

Canadian Feminist Alliance for International Action and Partners, Canada Without Poverty and Dr. Pamela Palmater

Canadian Association of Chiefs of Police

Canadian Association of Police Governance & First Nations Police Governance Council

BC Government and Service Employees’ Union

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Second Chairs: Violet Ford & Meredith Porter (Commission Counsel)

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


Eagle River Drummers: Shady Hafez, Yancy Thusky, Awema Tendesi, Steve Tendesi, Jordan Jacko

Clerks: Bryana Bouchir & Maryiam Khoury

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--- Upon commencing on Tuesday, December 11, 2018 at 8:28 a.m./La séance débute mardi, le 11 décembre 2018 à 08h28

(OVERLY REMARKS/PRAYER)

MS. CHRISTINE SIMARD-CHICAGO: Good morning, and we're going to start two minutes early so we can end two minutes early today.

Good morning, everyone. I hope everybody had a good sleep today. I'm your MC for the day. My name is Christine Simard-Chicago.


MS. CHRISTINE SIMARD-CHICAGO: This is my twin brother. No, just kidding.

(LAUGHTER/RIRES)

MS. CHRISTINE SIMARD-CHICAGO: So we're going to start off our morning in a good way. So I'm going to ask our Elders to come up. We have Vince and Elaine Kicknosway, Elder Reta Gordon, and Elder Barbara Dumont-Hill. So if I could ask the four of you to come up.

M. CHRISTIAN ROCK: Nous allons commencer
la journée de bonne manière aujourd’hui. On va demander à
nos aînés, Monsieur Vincent et Madame Elaine Kicknosway,
Reta Gordon et Madame Barbara Dumont-Hill.

ELDER RETA GORDON: Good morning everyone,

Good morning everyone, bonjour à tous. Oh, I think we have a few more people
today. Great.

Today, when I got up, I do what I do every
morning. I look outside and see what the weather is like,
and it wasn't snowing so I thanked God. I thank him every
morning for letting me get out of bed unaided at my age.
I never thought I would live to this old age. So I'm
still living, I'm going to celebrate, I'm going to
celebrate what an unbelievable life I've had so far.

Today is going to be one of the best days
of my life ever. I'm going to walk through this day with
my head held high and a happy heart. I'm going to share
my joy with others. I'm going to give a smile and a
compliment to someone I don't even know. I'll give a hug
to someone who seems down and tell them how much I
appreciate them just for being out, because you can tell
when people are sad.

Today is a day I'm not going to worry about
what I don't have, just be thankful for everything the
Creator has given me. He's given me family, he's given me
a roof over my head, food on my table, shoes on my feet,
Today when I go outside, and I will run into homeless people, I, and I ask all of you, don't look down on everyone and anyone because that could be you, that could be me. We just thank God that it's not. And never look down on anyone unless you're looking down to give them a hand up.

And tonight, before I go to bed, I do what I do any night that there is a moon and stars, and I go outside and I just marvel at the peace that surrounds us and the quietness. And I know we owe our peace in this country to God and to our veterans. Never forget your veterans. If you see a veteran, thank him for serving. If you see someone in uniform, thank them for serving. And every day I say a prayer for our young men and women who are fighting in war torn countries. May the Creator send down his angels, keep them safe until they return home.

While I'm outside, if there's stars, I pick out the brightest star, and that's my late husband, and I tell him how my day went and tell him things like I used to when I'd go out and come home. And he'd say, "well, what did you do, what did you see?" So I have a lot to share with him.

And then I go upstairs and I get into bed
and I know I'm going to sleep peacefully because there's police officers out there looking after me and EMTs and firefighters. And then I put my head down on my pillow and I sleep the contented -- sleep like a contented child because I know tomorrow is going to be one of the best days of my life ever.

And at this time, I ask the Creator to grant each and every one of you here many, many, many years of the best days of your life ever. God bless. Have a great day. Be kind to everyone you meet but be kind to yourself. Amen. Thank you, merci, marsi, qujannamiik.

**MS. ELAINE KICKNOSWAY:** Good morning. Bonjour, aanii, tansi, kwe kwe, (speaking Indigenous language). I give thanks for today. Watch over our hearts. I give thanks for the four directions. I give thanks for the speakers, the water that we're drinking, and the tear bags that are here, the Kleenex to hold the water. I give thanks for the voices. I give thanks for the memory. I give thanks for the medicines that are here and the people that carry the medicine and the drum and the songs and all those wonderful things throughout the day so that we come back together and wish each other a good day. *Miigwetch.*

**MR. VINCENT KICKNOSWAY:** Boozhoo. Ahneen.
I give greetings and thanksgivings to all, to all the women, to Mother Earth, who we stand upon. We are so grateful. We acknowledge our grandmother, (Native name) who too watches over us. It's the femininity of (Native word), of life, that we look upon and we ask that at this time to feel within our own hearts and within our minds that our spirit will be lifted when we hear the voices of our women as they speak, for it is us who are -- us as men who must recognize the equality of what life means for us.

And as we acknowledge all of life's creations that the Creator made available, we are so grateful with that in mind.

I ask, look to your left and give that person a good morning. Shake their hand. Miigwetch.

Look to your right and also likewise share a good morning and wish them a fair day. Miigwetch.

**ELDER BARBARA DUMONT-HILL:** (Speaking in Anishnaabe). Hello, everyone. I hope you're all living your life in a good way. (Speaking in Anishnaabe).

Today I welcome you all in our beautiful unceded, unsurrendered Algonquin Anishinaabe territory.

You know, every morning I normally wake up and hear the geese. And even though I'm here in my home territory -- I'm staying at this hotel -- I didn’t hear
the geese this morning and that left a little bit of sadness inside of me because I was taught that when we hear those geese -- a lot of people think that they're just dumb birds that poop a lot, but they're not just dumb birds. Those geese are very special.

And the geese -- you know, when they're flying in their V-formations, if a goose is not well or cannot fly any longer and it has to come down to the earth, put its feet on the earth and rest, that other geese will come down with it from each V all around it because they don’t want to leave anyone behind. And what an important message that is for us, that we are never to leave anyone behind.

And those geese, you know, that lead goose of each V, it's not the only leader because when it's tired, it can move back a bit and the next one steps forward and becomes the lead goose.

So we all have the ability to lead. We all have ability to create change and to not leave anyone behind.

And I was told by the Cree that when the geese are calling, it's not -- I was going to try to make a goose call but I won't do that to you.

(LAUGHTER/RIRES)

MS. BARBARA DUMONT-HILL: Maybe somebody
with more talent than me can make a goose call. But
they're not just making that honk. They are yelling out,
"I'm here. I'm here. I'm here and I won't leave anyone
behind."

So I'm very grateful for this day. I'm
grateful for the spirit of the women that are here. I'm
grateful for all the sacred medicines for these drummers,
for the Commission, for their staff, for everyone who is
here in hope of creating the change that won't leave
anyone behind any more.

I'm grateful for our Grandfather Sun who
shares his light with us each day and our Grandmother Moon
who lights up our night sky and breaks down our seasons
for us.

I'm grateful for our sacred Mother Earth
who provides everything we need to live our life in a good
way.

I'm grateful for the sacred water, the
blood of our Mother Earth that quenches our thirst and
brings life into the world and reminds us that women are
sacred.

I'm grateful for the sacred air, the breath
of (Native name), for the winged, the four-legged, the
swimmers, and the crawlers, for the trees, the plants, the
roots, the medicines that grow here on Great Turtle Island
that have always shared their bounty with us and add
beauty to our life each day.

I'm grateful for all the ancestors who
created a good path for us to follow and those seven
generations of ancestors that we all have a responsibility
to leave a good path for.

I'm grateful for all the people who do live
their life in the good way, who care and respect our
Mother Earth, who respect all women, all human beings.

And I ask the Creator to touch each one of
you today to bless you with good health and wisdom for
you, for your children, your grandchildren, your great-
great-grandchildren, that we all understand we all belong to one
Creator, we all have responsibility to respect all of Her
creation.

So for each one of us, I say chi-miigwetch
and have a wonderful day. Thank you.

**MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.

So now we’ll start with our opening drum song with our
Eagle River drummers.

**M. CHRISTIAN ROCK:** Merci beaucoup. On va
maintenant passer à la chanson d’ouverture de la session,
avec les joueurs de tambour de Eagle River. Messieurs?

**(DRUMS AND SONGS/TAMBOUR ET CHANTS)**

**MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.
Now we’ll have the lighting of the quilliq with Eeelee Higgins.

Just a quick note. There are translators available in the back because it will be performed in Inuktitut. But for those that don’t we have also our friend here, Barb, that will help with translation.


MS. EEELEE HIGGINS: (Speaking Inuktitut)

MS. BARBARA SEVIGNY: (Translating for Ms. Higgins) I would like to say thank you for having been invited to participate in this event.

Yesterday she realized she didn’t share much about the story behind the quilliq so she’ll be sharing that today.

With the quilliq it’s been able to help the Inuits. Her mother used to use the quilliq while she was growing up. At times when her mother wasn’t watching she would play with the quilliq. She knew it was the only quilliq that her mother had but she wanted to learn how and that’s why she would go play with it when her mother
wasn’t watching.

This quilliq was used to make food, even more so for making bannock and to dry the traditional clothing. Although it’s not a big fire, it did help to keep everybody warm. Her husband brought the -- it’s what we call the (Inuktitut word) tool to maintain the quilliq; her husband brought it here. She likes to use it; it helps light the quilliq.

Back then when they were living in the camps her name was Unga (ph) at the time. When she went to school she discovered that her name was Eelee. Back then when she would ask her boss when she started working at the school what they were called, the traditional names, the Inuktitut names that are given to us is very meaningful for us. It’s who we were named that is very dear to us. She wanted to provide that information for everybody for you to know.

There are some people that still call her Unga by her traditional name and she very much appreciated when her friends from many years ago that use her traditional name -- she very much appreciates that.

Thank you.

**MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.

Just a couple of housekeeping notes. Like I said, we have translators in the back for folks to use.
In the Quebec Room we have healing through beading with Gerry Pagnin and smudging is also available in the Quebec Room as well.

**INTERLOCUTRICE NON IDENTIFIÉE:** Il y a du perlage et la guérison par le perlage et il y a également le...

**M. CHRISTIAN ROCK:** Donc, à l’arrière de la sale, vous avez les équipements de traduction simultanée. Dans la salle Québec, vous allez pouvoir profiter du smudging, si vous en avez besoin. Et il y a un atelier sur le perlage qui va se dérouler tout au cours de la journée. Merci.

**MS. CHRISTINE SIMARD-CHICAGO:** All right. Have a good day, everyone.

--- Upon recessing at 8:51 a.m./ L'audience est suspendue à 08h51

--- Upon resuming at 8:56 a.m. /L'audience est reprise à 08h56

**MS. VIOLET FORD:** Chief Commissioner and Commissioners, my name is Violet Ford. I’m one of the Commission counsel and next to me to my right is Christa Big Canoe.

Today we are calling seven parties to make closing submissions and the first is the Government of Canada. So you have 40 minutes.
---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. ANNE TURLEY:

MS. ANNE TURLEY: Thank you. Good morning, Chief Commissioner, Commissioners, Elders, grandmothers, members of the National Family Advisory Circle, families and survivors, Commission counsel and staff, and fellow Parties with Standing.

My name is Anne Turley and I have represented the Government of Canada throughout these proceedings. I would like to recognize the unceded and unsurrendered traditional territory of the Algonquin and Anishinabe people that we are gathered on today. I would like to thank the Elders for the prayers, the drummers, and the lighting of the quilliq this morning for starting us off in a good way. I would like to personally thank Elder Barbara Dumont-Hill for smudging me this morning to ground me.

Over the past year and a half we’ve had the opportunity to listen to and hear directly from families and survivors of violence, knowledge keepers, their truths and lived experiences about what needs to be done going forward.

To borrow the words of Elder Dumont-Hill it has been both a heart-wrenching and a heart-warming journey. It has been heart-wrenching to hear about the lived experiences of violence, exclusion and racism across
Canada. It has been heart-warming to witness the strength, courage, and resilience of those who shared their lived experiences with us. Their truths and experiences needed to be shared. But more importantly, they needed to be heard and honoured by governments and indeed, all Canadians.

We heard from amazing, strong, Indigenous women warriors, in family, institutional and expert hearings alike. We have heard from survivors who are devoting their lives now to helping others. They work tirelessly on the front lines day after day, be it in the Downtown Eastside, addictions counselling, shelters, group homes, child advocacy or within the correctional system. These strong Indigenous women leaders need to be celebrated and honoured.

Similarly, we have heard from strong, Indigenous women who are working within institutions, including governments and police agencies to create and effect change from the inside.

We heard from Dr. Valérie Gideon, Senior Assistant Deputy Minister of the First Nations Inuit Health Branch of Indigenous Services Canada. We heard from Yvonne Niego, Deputy Minister of Family Services in Nunavut. We heard from Alana Morrison, Detective Constable of Nishnawbe Aski Police Service; Acting
Inspector Dee Stewart, Officer-in-Charge of Indigenous policing for the R.C.M.P.; and Deputy Commissioner Brenda Butterworth-Carr, Commanding Officer of R.C.M.P. E Division.

We must also hold up our hands to the strong Indigenous women working within the Commission, Commissioners, counsel, elders, grandmothers, medicine keepers, and other staff, and finally, the Parties with Standing, representatives and counsel.

It has been tremendous to see so many women representatives, especially young Indigenous women advocating for change.

As Commissioner Audette aptly noted: “J’ai toujours, toujours aimé travailler pour les femmes et avec les femmes et d’autant plus qu’avocate, survivante, femme impliquée sur le terrain. Toujours fière de voir les femmes bouger les choses.”

Representing the Government of Canada has meant representing various federal departments and agencies who are working to end violence against Indigenous women and girls. In my allotted time today, I will not have sufficient time to address the various programs, policies, and initiatives. Our written submissions will provide some further detail, as do the numerous Rule 33 Submissions that we filed with the
While we refer to promising practices and more recent changes in approach, it is fully recognized that more work needs to be done. Canada continues to work on efforts to address violence against Indigenous women and girls and we look forward to receiving the Commissioners' recommendations for concrete and effective action, going forward.

Today, I will focus my submissions on the following areas. First, Canada's respectful engagement, participation, and commitment to this historic National Inquiry. Second, recent actions in areas such as recognition of rights, greater Indigenous control, working in partnership, commemoration, closing gaps in services, and responses to violence.

Now turning to Canada's respectful engagement. In October 2015, the government made a commitment to end the national tragedy of missing and murdered Indigenous women and girls, beginning with the creation of this National Inquiry. The prime minister said at the time that it was long overdue, that survivors and families needed an opportunity to be heard and to begin to heal.

Since then, Canada has been committed to and engaged in this historic Inquiry at every stage. From
the very first family hearings in Whitehorse in May 2017
to the last family hearings in Richmond, B.C. in April
2018, myself and/or members of my team have been present.
We fully participated in ceremony and tradition and
listened to and heard families and survivors share their
truths in both public and confidential hearings. It was
important to hear firsthand the lived experiences and the
ideas for change.

We were welcomed at the confidential
hearings and participated in sharing circles when quite
rightly, survivors and family members could have said,
"No, we don’t want a government representative present."

We are grateful to all the survivors and
the families for allowing us to hear their truths.

As Commission counsel Christa Big Canoe
said in Calgary in her closing submissions, she is forever
changed. I think it is fair to say that anyone who has
participated in this process with an open heart and an
open mind is forever changed for the better.

We were privileged to participate in
ceremonies such as sacred fires, pipe ceremonies, and
feasts, and we witnessed firsthand the importance and the
healing of such tradition and ceremony.

In Membertou, Nova Scotia last October, we
attended an early-morning sacred fire in a beautiful tipi
on Mi'kmaq territory. A family member was there who was
to share her truth that morning. She was unsure, she was
nervous and upset, and didn’t know if she could continue.
She gained strength, however, from the teachings of the
elders, the songs, the drum, and the offering of tobacco
that morning. She did ultimately testify.

An important part of Canada’s commitment
and engagement has been having Elder Barbara Dumont-Hill,
her support, her guidance, and her advice. She has been
an integral part of our team and ensured our respectful
engagement. I'm eternally grateful for her wisdom, her
grace, and her advice. In addition to supporting my team,
Elder Dumont-Hill provided support to families and
survivors at family hearings as well as the federal
government witnesses during the institutional hearings.

Another key part of Canada’s commitment to
this Inquiry and to ensuring the success was proposing
federal government witnesses at each institutional and/or
institutional and knowledge-keeper hearings. It was
important to do so to ensure that Parties with Standing
and the Commissioners could hear, test, and probe the
direct evidence of government officials about policies,
practices, and programs.

Ultimately, seven witnesses from Canada
tested, three witnesses in May 2018 as part of the
government services hearings in Calgary. We heard from John Phelps, Chief Prosecutor of the Yukon region for the Public Prosecution Service of Canada. He spoke about the Crown witness coordinator program. It was implemented to bridge the cultural gap between prosecutors in the north and victims and witnesses with whom they worked, and between traditions deeply rooted in the common law and traditional Inuit and Indigenous legal culture.

You heard from Naomi Giff-MacKinnon, a Senior Policy Advisor in the Policy Centre on Victim Issues with Justice Canada. She spoke about the new Family Information Liaison Units, FILUs. It's the new service for families of missing and murdered Indigenous women and girls to help them gather any information they need from organizations such as coroners, prosecutors, and police.

Valérie Gideon, Senior Assistant Deputy Minister of the First Nations Inuit Health Branch testified about the health and mental wellness initiatives that FNIHB funds related to violence against Indigenous women and girls such as mental wellness teams, the Hope for Wellness line, and the Indian Residential Schools Resolution Health Support Program.

She also addressed challenges such as the shortage of primary care nurses in remote communities,
after care, and culturally safe spaces in hospitals and
health institutions.

Three witnesses testified at the Police
Policies and Practices hearing in Regina in June of 2018. RCMP Commissioner Brenda Lucki spoke to RCMP recruitment,
training, and policing in 600 Indigenous communities. She stressed the importance of collaboration and partnerships
with Indigenous organizations, police, communities, and
people in order to improve and enhance the delivery of
culturally competent police services across this country.

Acting Inspector Dee Stewart has spent her
career developing positive relationships between the RCMP
and Indigenous communities. She spoke to various
programs, the Aboriginal Canoe Journeys Program, the
Ageless Wisdom Program, and the Aboriginal pre-cadet
training program. Deputy Commissioner Brenda Butterworth-
Carr spoke to the operational side, and in particular,
missing persons, sudden death and homicide investigations,
and what is being done to improve the quality of such
investigations and, more importantly, to improve
communications with families.

Assistant Commissioner Joanne Crampton
tested in October of this year in Newfoundland at the
hearing on human trafficking, sexual exploitation and
sexual violence. She spoke to RCMP's anti-human
trafficking efforts, the raising of awareness within Indigenous communities about human trafficking through different means, such as the "Love Bomb" play and the "I Am Not For Sale" human trafficking campaign. She also identified challenges such as the need for better data collection and reporting, more education and awareness and better coordination between police services across Canada.

All of these witnesses testified candidly and did not only speak to promising practices, but also outlined challenges, how they are being addressed moving forward. They all acknowledged that more work needs to be done. The challenges identified by these witnesses may help inform the Commissioners’ recommendations in their final report.

As Dr. Gideon said, there is a “significant growing momentum to effect change”, but at the same time, she did not want to minimise the experiences individuals and communities were still having with respect to services.

Commissioner Lucki preceded her testimony with an apology to families, and I will only quote part of it.

"I'm sorry that for too many of you the RCMP was not the police service that it needed to be during this
terrible time in your life. It is very clear to me that the RCMP could have done better and we will do better. You are entitled to nothing less than our best work in your communities. I believe it's never too late to do the right thing, and I want this apology to be just one step in the RCMP's commitment to reconciliation." (As read)

But the Commissioner also recognised that actions will speak louder than words, and she said, "You don't have to trust me now because they're just words. Trust me when they're actions." (As read)

She further stated that a main focus of her five-year plan was culture change and the need to build stronger bonds and relationships between the RCMP and Indigenous communities.

Each one of Canada's witnesses remarked that testifying as part of this inquiry and hearing program ideas from other witnesses and ideas for change from parties with standing and the Commissioners through their questions gave them insight for further consideration as Canada continues to work to reduce
violence against Indigenous women and girls.

Understandably, not all of the witness that Canada proposed could be chosen to testify. In order to ensure that the Commissioners have all of the relevant evidence, we have filed 12 different submissions under Rule 33 of the Inquiry's legal path, from federal government departments and agencies such as Canada Mortgage and Housing Corporation, Correctional Service of Canada, Employment and Social Development Canada, Health Canada, Indigenous Services Canada, Justice Canada, Public Health Agency of Canada, Public Safety Canada and Status of Women.

Canada participated in this inquiry fully and was not simply on a watching brief. Demonstrating commitment and engagement in this inquiry meant ensuring the Commissioners have what they need to make recommendations for concrete and effective action going forward.

At the Quebec City hearings on oversight and accountability in the criminal justice system, the Chief Commissioner and Commissioners expressed deep regret about not being able to hear directly from Indigenous women in correctional facilities. Canada is pleased to be able to facilitate the Commissioners’ visits with women in both correctional facilities and healing lodges so that
they may hear their truth and lived experiences firsthand.

I'm going to turn now to recent actions.

I'm going to focus on some specific areas, but I do note that our written submissions provide more comprehensive detail.

Recognition of Right. The work of governments in supporting the recognition and implementation of Indigenous rights is critical to advancing fundamental change in the conditions underlying violence against Indigenous women and girls.

The Minister of Crown Indigenous Relations and Northern Affairs has said,

"This is what recognition of rights, self-determination and reconciliation are all about. Together we are working to a future in which healthy, prosperous, self-determining and self-governing Indigenous nations are driving a better future for Canada and all Canadians." (As read)

In May of 2016 Canada announced its full support for the UN Declaration on the Rights of Indigenous Peoples and committed to its full and effective implementation in accordance with the Canadian Constitution.
To this end, the following first steps, which are consistent with the UN Declaration, which contemplates that implementation may be achieved through various legislative and/or policy measures have been taken and will be built on going forward.

Earlier this year, the government fully supported Bill C262, an Act to ensure that the laws of Canada are in harmony with the UN Declaration.

In July of 2017, the principles respecting the government of Canada's relationship with Indigenous peoples were released. These principles are grounded in Section 35 of the Constitution and the UN Declaration. They emphasise that Indigenous rights and perspectives must be incorporated in all aspects of the relationship between Canada and Indigenous peoples as part of Canada's work to decolonise federal law, policies, systems and practices.

Towards greater Indigenous control: Canada is working with First Nations, Métis and Inuit to advance a new fiscal relationship enabling longer term funding and planning approaches in communities, and increasing First Nations, Inuit and Métis control of the delivery of services and programs.

I'd like to highlight three examples of some initial work in this area. First, Indigenous
Services Canada is working with First Nation partners on the creation of new 10-year grants to up to with a goal of providing these grants up to 100 First Nations by April 1st of 2019. This will result in reducing the administrative burden and reporting burdens in a number of ways, including reduced administrative and reporting frequency and elimination of compliance-based reporting for programs in a 10-year grant.

Second, Employment and Social Development Canada worked with and incorporated the views of First Nations, Inuit and Métis during the conception, design and implementation of programs regarding the new Indigenous skills and employment training program. This process is an initial step leading to the transfer of administrative responsibilities over Indigenous labour market development.

The most recent step taken by Canada was on November 30th of this year. The Minister of Indigenous Services Canada announced the government's plan to co-develop federal legislation on Indigenous child and family services with the AFN, ITK and Métis National Council. This will be introduced in the House of Commons in early 2019. The legislation will focus on supports for Indigenous families to raise their children in their homelands and Nations and to increase efforts to prevent
child apprehension.

Minister Philpott said the following on November 30th:

“For a century now, based on discriminatory policies of government, we’ve been taking children away from their families. It started with residential schools, it continued with the Sixties Scoop, and it continues today.”

This legislation marks a turning point to say, no more.

Working in partnerships: we have heard through the hearings the importance of collaborating and working together. Many federal government departments and agencies are working more closely with Indigenous peoples and communities to ensure that the needs of Indigenous individuals can be better met and that no further harm is done.

Canada acknowledges that more work needs to be done on this front, whether it be within government, to ensure that Canada takes a cross-sectoral approach to issues, such as human trafficking and gender-based violence, or between federal, provincial, and territorial governments, with Indigenous governments, Indigenous
communities, Indigenous organizations and Indigenous people. Working in partnership together and collaborating is vital.

As Diane Redsky said in October in the hearings in Newfoundland, there must be meaningful participation and engagement. It can’t be, what she referred to as “tokenism” engagement or simply ticking a box. Rather, there must be meaningful engagement and consultation with Indigenous people, organizations and communities.

Canada recognizes that it is only by working together that we will make real, sustained change. All of Canada’s witnesses spoke to the importance of working in partnerships and steps that are being taken to increase and strengthen relationships, and I would highlight two recent examples.

In May of this year Status of Women Canada established the Indigenous Women’s Circle to discuss ways of addressing systemic inequalities that have a disproportionate effect on Indigenous women and girls. Eighteen (18) members of the circle include First Nations, Inuit, and Métis youth and Elders from across the country.

Second, RCMP Circle of Change -- you heard Commissioner Lucki testify on this committee -- which was created in 2016 to provide input to the RCMP on efforts to
reduce and address violence against Indigenous women and
girls. It is comprised of 12 Indigenous individuals from
different fields. In fact, both Diane Redsky and Elder
Dumont-Hill are both on that committee. We heard about
the meaningful input they have provided to date, including
changes to the missing persons’ intake and risk assessment
form, changes to the missing persons’ investigation
course, changes to the Heritage Room at the RCMP Training
Academy in Regina.

Commemoration: in response to the interim
report, Canada announced that a commemoration fund will be
established at Status of Women to honour the lives and
legacies of missing and murdered Indigenous women and
girls, including LGBTQ2S individuals. It will support
Indigenous organizations at the national, regional, and
local levels, including women’s organizations, to develop
and implement commemorative events. As recognized in the
interim report, public commemoration is a powerful way to
honour truths, support healing, create awareness and
advance reconciliation.

Turning now to closing gaps in services; we
have heard evidence throughout the hearings about the need
to improve services and close gaps, be it child welfare
and support for families, education, employment, housing.
We have also heard about amazing community-based and led
initiatives that are making the difference in lives of Indigenous women and girls across this country. Our written closing submissions provide examples of promising practices in these areas across the country.

While it is true that one size did not fit all, because each community is unique and has different needs, history, and traditions, seeing what works in one community can be useful and may provide insight into actions that may be taken across the country and may inform the Commissioners’ recommendations in the final report.

In order to close gaps in services and outcomes there must be a greater understanding of the differential impact of law, policies, and programs, and I highlight two steps that have recently been taken by Canada to address this need for greater understanding. First, the development of a new federal anti-racism strategy; second, gender-based analysis plus. In Budget 2018 no budget decision was taken without being informed by gender-based analysis.

Today I will provide some highlights of recent actions, including in response to the interim report and evidence heard at Inquiry hearings. Canada took heed to the Commissioners’ comments and remarks made throughout the hearings that governments need not wait
until the final report to start taking action.

Child welfare; work is ongoing for a full scale reform of the First Nations Child and Family Services Program. As just mentioned, new co-developed legislation has been announced concerning child welfare.

As part of Budget 2018 Indigenous Services Canada has a new dedicated stream of funding for community well-being and jurisdictional initiatives to support communities in developing and delivering prevention services. Some of these projects are mentioned in our written submissions.

Health and mental wellness; I’d like highlight two things that have occurred since the testimony of Dr. Valérie Gideon. On Jordan’s Principle, as of September 2018 Inuit children can now access the health, social, and educational services and support they need, while Canada works with ITK. Inuit organizations such as Pauktuutit and provinces and territory to develop a long-term Inuit specific approach.

Second, in response to the Inquiry’s interim report recommendation, to better address the needs of survivors and family members, health and cultural supports for those affected by missing and murdered Indigenous women and girls, and access to traditional healing services have been expanded.
Education: Canada is working with the AFN, ITK, and Métis National Council on two education initiatives. On September 17th, 2018 leaders and ministers jointly co-released a co-developed Indigenous early learning and childcare framework. All Indigenous children under this framework will have the opportunity to experience high quality, culturally rooted, early learning and childcare programming. As part of Budget 2018, a review is being conducted on federal supports for post-secondary education for Indigenous students.

I’m going to turn now to responses to violence. The Commission has heard about many promising practices in response to violence, in terms of community safety, policing, criminal justice system, human trafficking, shelters and victim supports. Again, in the interest of time, I will simply highlight some recent actions, but I refer you to our written submissions.

In terms of community safety, Canada is supporting Indigenous communities as they identify solutions to address their own community challenges and increase community safety. Public Safety Canada’s Aboriginal Community Safety Planning Initiative is supporting communities to develop community driven safety plans that are customized and address the unique circumstances of each community. To date, 46 communities
have a community safety plan, and a pilot project over
3 years was conducted with 5 of those communities. A
report will be released in January 2019.

Policing: Throughout the hearings we have
heard evidence about the lack of trust of police and the
serious consequences, including the fear of reporting and
underreporting. Indeed, a whole week was devoted to
examining police practices in Regina in June.

Since the testimony of the RCMP witnesses
in June, I can advise of the following steps that have
been taken as a direct result of evidence heard and
questions asked. In September of 2018, a national working
group on reconciliation was struck to ensure that the
Commissioners' apology was put into action. It is led by
an Indigenous inspector and an Indigenous external advisor
has been engaged to assist.

In keeping with the Commissioners' commitment to culture change, the mission of this working
group on reconciliation is to create and sustain a robust
culture of reconciliation that prioritizes the education
and awareness of all employees, fostering a change in
culture of the RCMP to attain and foster trust with
Indigenous clients, partners, communities, people and
employees.

Between September to December of 2018, the
RCMP contact for FILU's has travelled across the country undertaking outreach, both internal and external with provinces and territories, partners and Indigenous organizations to discuss the way forward, how to improve relationships between the RCMP and families.

National family guides are in progress.

You heard Deputy Commissioner Butterworth-Carr who spoke about the B.C. family guide. Now there is going to be a consistent national guide, one for a family guide for homicides and one for missing persons. Finally, language preference was added to the family communications schedule as a direct result of questions asked of Deputy Commissioner Butterworth-Carr.

The criminal justice system: Canada is continuing its comprehensive review of the criminal justice system. Between January 2016 and January 2018, roundtables were held across the country, including engagement with Indigenous organization, and a final report is to be released later this winter. Also of relevance, in October 2018 Bill C-83, an Act to amend the Corrections and Conditional Release Act, was tabled in Parliament. This bill includes the following proposed changes:

First, the elimination of segregation and introduction of a new correction model. Second, the
obligation for the Correctional Service of Canada to consider systemic and background factors unique to Indigenous offenders in all decision-making.

Human trafficking and sexual exploitation:

During her testimony in October 2018, Assistant Commissioner Joanne Crampton spoke to the creation of a national human trafficking hotline. Since her appearance, a contribution agreement with the Canadian Centre to end Human Trafficking was signed. That centre is now working on the design, development, and implementation phase with the goal being to have the hotline operational in the first half of 2019.

Victims services and supports: You heard from Naomi Giff-MacKinnon about the FILU initiative. Since her testimony, and as part of Canada's response to the interim report, additional funding was given to extend the FILU's to March 31st of 2020.

In conclusion, a remark that the Chief Commissioner made at the end of the week on policing in Regina in June struck me then, and while it was made in that context, I believe it is relevant to the entire Inquiry process, and it is about hope.

Speaking about the RCMP Commissioner's apology, the Chief Commissioner had this to say:

"I hope that's a sign that we're
moving forward and a sign of positive change, because when we spend so much time in the world of questions that have gone unanswered and what appears to be negligence and hate, sometimes we lose track of the opportunity to move forward with hope. So I am encouraging everyone to move ahead after this week with more hope than when you started this week."

Certainly, in establishing this Inquiry, Canada's intent was to provide the forum for survivors and families to share their truths, for experts and knowledge keepers to share their knowledge, and for organizations and institutions, including governments, to share promising practices and to address challenges and gaps. To assist the Commissioners with making recommendations for concrete and effective action going forward. With hope for a better tomorrow for all Indigenous peoples and communities and for all of Canada. We look forward to receiving those recommendations.

It has been a privilege to play but a small part in this Inquiry process, and we'd like to thank Chief Commissioner Buller, Commissioner Audette, Commissioner Eyolfson, and Commissioner Robinson, and all
the Commission staff for the time that you have devoted
the past two years plus to this historic National Inquiry.
Time away from your own families and loved ones to ensure
a brighter future for all Indigenous people.

But most importantly, thank you to the
families and survivors for sharing your truths and opening
up Canadians' eyes to the realities of your lived experiences. Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CHRISTA BIG CANOE: Do the
Commissioners have questions?

COMMISSIONER QAJAQ ROBINSON: Good morning,
Anne.

MS. ANNE TURLEY: Good morning.

COMMISSIONER QAJAQ ROBINSON: Thank you for
your presentation. I have a couple of questions; two
themes. One on causation, and the other on
implementation, and you've probably heard me ask these
questions.

I'll start on the issue of causation. As
you know, our terms of reference ask us to look and report
on the cause of the violence that Indigenous women and
girls, Trans and Two-Spirited are experiencing. And
perhaps this is something you'll touch on in your written
submissions, but in our interim report, keeping with other
findings of previous inquiries and reports, the main cause that has been identified and that we endorse and that we've heard from families across the country is that it's colonization. And the legacy of colonization, which we heard from multiple witnesses as not just the legacy or the aftershocks of it but the ongoing elements of colonization within the foundation of this country's laws, policies. I think it was the testimony of Cindy Blackstock that really drilled down that.

And I'm wondering what Canada's position is on that finding? That not only is colonization the cause of the violence, but ongoing colonial instruments through laws, legislation, and policies and practices that perpetuate it.

**MS. ANNE TURLEY:** Certainly. I mean, Canada has acknowledged both the historic and the contemporary effects of colonization, and our Minister of Justice said this, and I'll quote her:

"We must first acknowledge and act on the understanding that the current circumstances faced by Indigenous people are inseparable from the historic and contemporary impacts of colonialism and the denial of Indigenous rights." (As read)
So absolutely.

**COMMISSIONER QAJAQ ROBINSON:** On the question of implementation. I’ll be blunt, and you’ve heard it from the families; is this report going to sit on the shelf?

**MS. ANNE TURLEY:** So I’ll answer that with another Minister’s quote, because they have more power than me. Minister Bennett herself said “no-one wants this report to be put on a shelf, including the Prime Minister. This is a serious undertaking”. And what I can tell you is since the pre-Inquiry stage, Canada has had interdepartmental committees, of all the affected Federal departments and agencies, engaged. And it’s within this process that all recommendations will be reviewed in detail and considered.

**COMMISSIONER QAJAQ ROBINSON:** Is there contemplation of a mechanism whereby not only Indigenous women and girls, trans, and two-spirited can see the process of implementation but also the rest of the country; a mechanism for implementation and monitoring?

**MS. ANNE TURLEY:** I don’t know if there’s a formal mechanism but I am sure that as the final report is received and considered, there will be reports and progress reported on by the different Federal departments tasked with responding.
COMMISSIONER QAJAQ ROBINSON: Those are all my questions. Thank you. And I look forward to your written submissions.

COMMISSIONER BRIAN EYOLFSON: Thank you for your submissions, Ms. Turley.

One of the recommendations in our interim report was the full compliance with the Canadian Human Rights Tribunal decision in the Caring Society case. I’m wondering if you can comment. We’ve heard evidence of, I think, five non-compliance orders; if you can comment on Canada’s intention with respect to complying with that Tribunal decision.

MS. ANNE TURLEY: What I can say is that Canada’s position is that it is now in full compliance and that it has been working with the parties to the complaint on compliance issues through the Consultation Committee, which was set up for that very purpose.

COMMISSIONER BRIAN EYOLFSON: Okay, thank you. Those are all my questions.

CHIEF COMMISSIONER MARION BULLER: I might have missed part of your testimony about the community safety plans that you referred to, and there’s an assessment being done?

MS. ANNE TURLEY: Yeah, so -- and it will be in the Public Safety of Canada’s Rule 33 submission
because there was not a witness on that. But it is --
there is right now a pilot project that’s been going on
for three years, that has ended, with 5 of the 46
communities that have a community safety plan. And that
should be in the -- I think it was in early 2019 that a
report will be released, so prior to your report.

CHIEF COMMISSIONER MARION BULLER: Okay.

Thank you. And there’ll be reference to it in your
Section 33 submissions?

MS. ANNE TURLEY: Yes. There was a Section
33 submission filed on behalf of Public Service -- sorry;
Public Safety Canada, and it references not only the
Community Safety Planning but also First Nation Policing
Program.

CHIEF COMMISSIONER MARION BULLER: Okay,

thank you.

Those are my questions. I want to thank
you and your team for really taking an active involvement,
not just a watching brief, as you said, which would have
been very easy for the Government of Canada to do.

So I want to thank you and your team for
all of your work.

Thank you.

MS. ANNE TURLEY: Thank you very much.

(SHORT PAUSE/COURTE PAUSE)
MS. CHRISTA BIG CANOE: The next party we would like to call to the podium is Amnesty International, and the representative is Jacqueline Hanson.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. JACQUELINE HANSEN:

MS. JACQUELINE HANSEN: Good morning. It’s an honour to be able to appear before you this morning on unceded Algonquin territory.

My name is Jackie Hansen and I’m the gender rights campaigner with Amnesty International Canada.

You’ve already had the opportunity to hear from us in Quebec City; at the combined expert and institutional hearing on criminal justice, oversight, and accountability, we were called as a witness. At that time our research was entered into evidence. And we have already made our written submission, submitted a summary of the remarks we’re delivering today, and submitted a two-page summary of our recommendations.

All this is to say I will be brief this morning.

Our written submission, which I hope you will have had a chance to look at, contains information drawn from our research and our participation as a party to this Inquiry. It lays out a set of recommendations that we hope you will seriously consider as you prepare
the National Inquiry’s final report.

This morning I’ll provide an overview of a few of the key issues and the recommendations that are included in our written submission.

As you know, Amnesty International is an international non-governmental organization with extensive experience in research and advocacy, and the promotion of human rights. And we have long been an active civil society partner in research and advocacy, addressing the national crisis of violence against First Nations, Inuit, and Métis women, girls, and two-spirit people.

We recognize the volume of testimony, and the plethora of recommendations before this Inquiry. As you move forward with preparing the final report, we hope that the guiding criteria for which recommendations you include in your final report will not be how many times a particular recommendation was made in testimony or in a written submission. What we hope and we trust will be the guiding criteria for what recommendations you include in your final report is which recommendations will best ensure that the human rights of Indigenous women, girls, and two-spirit people are respected, protected, and upheld.

Testimony before this Inquiry has confirmed what Amnesty International has experienced over two
decades of advocating alongside Indigenous advocates; the
knowledge and expertise on the root causes of violence
against Indigenous women, girls, and two-spirit people,
and the solutions to prevent and address this violence and
support survivors, exists within communities.

This Inquiry has a historic opportunity to
make recommendations to government that take a human-
rights-based approach by prioritizing investment in this
expertise that is within communities.

By recommending that government commit to
adequate, sustained core funding to Indigenous women’s
organizations, to frontline service providers, and to
grassroots advocates to develop and to carry out
culturally specific programming -- and we really want to
emphasize that this funding to this expertise within
communities needs to come before new funding is allocated
to government or policing.

So we’re calling on you to make a
recommendation to turn existing funding structures on
their head, to do this differently.

We would also call upon you to make a
recommendation that any new funding for policing must
proactively demonstrate exactly how it will lead to
reversing the pattern of under-protection or over-policing
of Indigenous peoples in Canada, which has been a
crosscutting theme through so much of the testimony before this Inquiry.

Recognizing the diversity of experiences that Indigenous women, girls, and two-spirit people have had with discrimination, marginalization, and violence, recommendations regarding policy and programming responses should take into account the need for a really broad spectrum of initiatives and solutions that help meet the needs of all Indigenous women, girls, and two-spirit people.

As has been said so many times in testimony before this Inquiry; people need programming that meets them where they’re at.

The Federal government’s response to ending the national crisis of missing and murdered Indigenous women, girls, and two-spirit people has been piecemeal at best. The Inquiry has an opportunity to prioritize a recommendation for a comprehensive, whole-of-government, measurable response to this violence.

Canada recognizes the importance of the international legal obligation to adopt a national action plan on gender-based violence, and Canada has actually promoted such plans internationally, which is shocking because Canada has failed to do so domestically; has failed to do so within Canada.
The Inquiry should recommend that the Federal government, as a matter of urgent priority, work with Indigenous women, representative organizations, and provincial and territorial officials to develop a comprehensive, measurable, well-resourced, time bound, national action plan to address all forms of violence against Indigenous women, girls, and two-spirit people in Canada. And this should include commitments to address the violence based on the basis of the full realization of the rights of Indigenous peoples as set out in International human rights law, including the UN Declaration on the Rights of Indigenous Peoples.

Amnesty International emphasizes the need for a human rights-based approach in order to fully address the scale and scope of violence against Indigenous women, girls, and two-spirit people in Canada. A human rights-based approach centres the needs, the voices, and the expertise of Indigenous women, girls, and two-spirit people as rights holders in order to fully address systemic and root causes of the extreme and pervasive violence that they face.

As noted by the UN special rapporteur on violence against women, gaps in incorporation and implementation of the human rights framework result in insufficient human rights-based approaches in law and in
policy which in turn lead to insufficient services for those impacted by gender-based violence.

Amnesty International's research has demonstrated how violations of economic, social, and cultural rights are inextricably bound to the continued cycle of violence against Indigenous women, girls, and two-spirit people, and in fact, perpetuate the cycle.

Deep inequalities in living conditions and access to government services have pushed many Indigenous women, girls, and two-spirit people into situations that carry heightened risk of violence such as overcrowded housing, homelessness, and commercial sex.

These same inequalities deny Indigenous women, girls, and two-spirit people access to the necessary support and emergency services such as shelters, that prevent them from escaping violence.

At the same time, it is clear that some men, influenced by dehumanizing attitudes towards Indigenous peoples in general and Indigenous women, girls, and two-spirit people in particular, target Indigenous women, girls, and two-spirit people for crimes of hatred and extreme violence.

Failure to publicly condemn, properly investigate, and punish such acts normalize the violence and encourage perpetrators to believe that they can act
Intersectional discrimination lies at the heart of all of these concerns. Amnesty International's research has highlighted how Indigenous women in Canada face discrimination on numerous fronts, from gender and Indigenous identity to other socio-economic factors that compound this discrimination such as poverty, ill health, or involvement in commercial sex.

Amnesty International's case study on resource development in northeast British Columbia, published in the report "Out of Sight, Out of Mind", documented how the promotion of intensive resource-development activities on the traditional territories of Indigenous peoples, often without the consent of affected communities or adequate consideration of human rights impacts, increases the risk of violence to Indigenous women, girls, and two-spirit people.

This compounding of risk results from numerous factors, but most directly from the dangerous pattern of antisocial behaviour among transient workers, commonly referred to as "blowing off steam", and often characterized by heavy drug and alcohol use in off-hours from shifts and frequently leading to violence.

Additionally, resources and services for survivors of violence are limited by loss of lands.
necessary for culturally-based healing and wellness activities, as well as by the influx of large numbers of transient workers, who severely strain local social and emergency services.

Further, as high resource sector wages drive up the costs of local essentials such as food and housing, those without access to this income, which includes the majority of Indigenous women and girls, face increased food and housing insecurity, which then exacerbates the risk of exposure to violence.

The current regulatory framework for resource development projects in Canada doesn’t adequately assess or mitigate these risks, and even proposed legislation such as Bill C69, which is the Senate right now, wouldn’t cover all projects, nor would it address all impacts such as impacts that are assumed to be known and manageable and which are routinely excluded from review.

When measuring state compliance with rights obligations, the human rights standard of due diligence offers an essential framework for ascertaining what constitutes effective rights fulfillment. Due diligence, the state responsibility to take every reasonable precaution to prevent human rights violations, has a specific characterization in the context of violence against women that is now so well established and so
widely accepted that it's considered a matter of international customary law.

The requirement of due diligence is even greater where, as in the case of Indigenous peoples in Canada, government actions have already harmed groups or individuals or put them in situations of heightened risk of further human rights violations.

In decisions potentially affecting the rights of Indigenous peoples, governments in Canada need to take into account the lasting harm created by colonial policies and practices.

Accurate and comprehensive information on the rates of violence faced by Indigenous women, girls, and two-spirit people is essential to developing effective prevention strategies. It is also essential to meet the due diligence standard. Canada has failed to assemble adequate data as required by human rights law and this has hampered the effectiveness of policy planning and investigations. This lack of data has serious consequences for allocation of resources necessary to address the violence and it hinders government's ability to measure the impact of initiatives meant to combat violence against Indigenous women, girls, and two-spirit people.

Effective independent civilian oversight is
an indispensable part of policing in all circumstances and is all the more necessary in a context of well-established racial bias that has denied Indigenous women, girls, and two-spirit people the protection they are owed.

As has been confirmed in numerous public inquiries, the systemic racism that permeates Canadian society has also permeated Canadian police services resulting in Indigenous peoples being denied equal protection of the law and creating a wide gulf of mistrust between police and Indigenous peoples and the communities they serve.

Effective oversight is needed to bridge this divide and to ensure that survivors can safely report such crimes. Such mechanisms must be accessible to impacted individuals and communities. And we've heard this issue around accessibility come up numerous times during the Inquiry.

Amnesty International supports the report of the -- supports the interim report of the National Inquiry in its call for the creation of a national task force able to re-examine or even re-open past investigations where there's reasons to believe that the death or disappearance of an Indigenous woman, girl, or two-spirit person has not been properly investigated, including cases where an Indigenous woman, girl, or two-
spirit person died under suspicious circumstances.

Any comprehensive response to violence against Indigenous women, girls, and two-spirit people must acknowledge and respect the spectrum of experiences with and views on commercial sex. A human rights-based approach to state policies surrounding the commercial sex trade that is charter compliant and meets Canada's international human rights obligations to protect the rights of sex workers would include repealing the Protection of Communities and Exploited Persons Act as well as the application of existing criminal laws including laws regarding the sexual exploitation of children.

To conclude, our expectations are great and they have to be. They really can't not be. We expect nothing less than bold, actionable recommendations in the Inquiry's final report that will be centred on the voices of survivors and their families, and that will best ensure that the human rights of Indigenous women, girls, and two-spirit people are respected, protected, and upheld.

And we also expect bold and strong and swift government action to implement these actions because comprehensive action has been delayed for far too long and that needs to end now.

Thank you so much to the survivors, to the
family members, to all the organizations and individuals, Commissioners staff who have poured their heart and soul into this process for so long. Thank you so much. Meegwetch.

(APPLAUSE/APPLAUDISSEMENTS)

MS. VIOLET FORD: Do you have any questions, Commissioners?

COMMISSIONER QAJAQ ROBINSON: Thank you. I have a couple of questions.

First, a point of clarification on the issue around commercial sex. In your material, and I'm reading from what you've provided ---

MS. JACQUELINE HANSEN: M'hm.

COMMISSIONER QAJAQ ROBINSON: --- calling on the repealing the Protection of Communities and Exploited Persons Act and the application of existing criminal laws, including laws regarding sexual exploitation.

Are you calling on the repealing of the entire legislation or repealing apart and implementation of one?

MS. JACQUELINE HANSEN: No, we're calling for the repeat of Bill C-36, so the PCE -- the -- yeah. So we're calling for repeal of the entire bill and for ---

COMMISSIONER QAJAQ ROBINSON: Including the
child sexual exploitation?

**MS. JACQUELINE HANSEN:** Well, we want to make sure that laws that are around sexual assault, around trafficking, and around sexual exploitation of children, for example, that those are implemented. But everything surrounding criminalization of the purchase of consensual adult sex and anything around -- through parties, for example, around communication, advertising, also want to make sure that that is repealed.

The research that Amnesty has done in a variety of country contexts looking at different criminalization regimes has shown us that criminalization actually heightens the risk that sex workers will experience discrimination and violence. So when we look at our own policies really centred on the human rights of sex workers, and our research has found that the best way to protect sex workers is to have a decriminalized legal regime for sex workers, including purchase and sale of consensual adult sex.

We -- but we -- under consensual -- you know, sexual exploitation of children is not consensual adult sex. Anything where there is not consent is not consensual adult sex. So I want to make that very, very clear. We make to make sure in those cases where there is violence, where there is coercion, where there is
trafficking, where there is children involved that
criminal law is applied.

COMMISSIONER QAJAQ ROBINSON: One of the
things that we have heard from a number of witnesses, I'll -- it comes to mind predominantly Diane Redsky's testimony
in St. John's speaks to -- and this is my interpretation,
I'm not going to be quoting her -- but on the idea of
consent, or as we try to interpret consent, it's not so
straightforward when we live in a society where race and
gender-based violence and discrimination is dominant and
where Indigenous women, many of whom shared with us in
private, not necessarily publicly, that they had no
meaningful choice.

So that the idea of consent, when you are
forced down this path because there is no services in your
community because there is no viable social income because
you live on reserves that have been set up in areas that
have no economic base intentionally, that how can we have
a society that decriminalizes their exploitation when
they're also being -- when the circumstances that they are
in have been created by the State?

MS. JACQUELINE HANSEN: Absolutely. And as
Amnesty, our policy position also says that no one would
be involved in commercial sex because they believe that
they have no other choice. And so it's really about
looking at that other piece, which is about making sure that economic, social, and cultural rights are fulfilled.

So I would agree with you, and we also included that in our written submissions. So it's all inextricably connected.

**COMMISSIONER QAJAQ ROBINSON:** The final question I have is with respect to the -- your proposal that this be looked at through a human rights lens or the human rights framework.

**MS. JACQUELINE HANSEN:** M'hm.

**COMMISSIONER QAJAQ ROBINSON:** And I'm wondering if you've thought about the inclusion of or how that works with the application of Indigenous laws and a lens that recognizes Indigenous ways of knowing and being?

**MS. JACQUELINE HANSEN:** M'hm.

**COMMISSIONER QAJAQ ROBINSON:** I think we can all agree that the vast majority, all human rights legislation and international instruments, other than UNDRIP, have not been developed by Indigenous people and have not contemplated Indigenous laws. And I say laws plural because there are many nations with different laws.

How do we reconcile that some human rights frameworks may actually conflict directly with Indigenous laws?

**MS. JACQUELINE HANSEN:** Wow, that's not an
easy question to answer, is it?

I mean, we certainly want to make sure that Canada is upholding all of its international human rights obligations. And -- so for example, we want to make sure that actions are being taken that are promoting equality. We also want to make sure that Indigenous knowledge and laws are being respected and implemented. So it's all about looking at ways to integrate and looking at the balance.

I don't think there is an easy answer to your question. I don't think there's a quick answer to your question. But I think it's about balancing and it's about really having a look at the core of human rights law and really looking at how to implement both.

COMMISSIONER QAJAQ ROBINSON: Thank you.

COMMISSIONER BRIAN EYOLFSON: Thank you very much for your submissions. I think I just have one follow up question.

One of the things we've heard come up from time to time in our hearings is a lack of political will around the implementation of recommendations. And I noticed in your submissions and recommendations you refer to a perceived lack of political will around those recommendations.

I'm wondering if you can just expand upon
that a little bit?

**MS. JACQUELINE HANSEN:** M'hm. I mean, we have throughout this Inquiry been calling on government to take action now and not to delay action. And we repeatedly hear things from government saying we are doing just that, and yet, what we experience is not that. What we experience is we still don't have adequate data collection. Like come on now. You know?

And so we hear some things and we hear some nice words, but we don't see them always matched or regularly matched by the sort of action that's needed. Or we see some action, but it's really piecemeal, and really piecemeal actions are not what's needed. You know, we need something that is really comprehensive. And so political will is needed to really develop a comprehensive response.

So we're not denying that there has been some action, there absolutely has been, we heard that this morning, but more and better is needed and political will, real political will, just not nice words but really implementation that is measurable is what's needed.

**COMMISSIONER BRIAN EYOLFSON:** Thank you very much.

**MS. JACQUELINE HANSEN:** You're welcome.
Ms. Hansen, I have -- I'm trying to rationalize something that you -- two things that you said. First of all, at the beginning you said it's important that as a priority we turn funding models on their head so that there is investment in local communities.

**MS. JACQUELINE HANSEN:** M'hm.

**CHIEF COMMISSIONER MARION BULLER:** At the same time, you're recommending a national action plan.

How do I rationalize those two concepts?

**MS. JACQUELINE HANSEN:** I actually think that they can go quite nicely together. I mean, no national action plan should be developed without civil society. The experts who are working in this field need to be part of that process. And when we're talking about a national action plan, we're talking about not the federal strategy that's out there, we're talking national action plan. So including the federal government, provincial, and territorial governments, local governments, First Nations, civil society, all have a role to play. And this is what we need to end up with a comprehensive response.

Having a comprehensive response can actually open up more vehicles and more doors to flip that funding models. Because what we see right now are discrete piecemeal funding initiatives through different
ministries, some provincial, some at the federal level, but what we really need -- it's off of little bits of funding here and there, and for organizations particularly for a lot of frontline organizations that have been decimated by funding cuts and are operating on shoestring budgets, it's really hard to meet all of those funding requirements. So -- and for various little bits of money here and there.

So actually having a comprehensive national action plan may open up opportunities to streamline opportunities for funding and think about how to channel funding in different ways to more efficiently, more effectively get it to this expertise that’s at the community level.

So I don’t see them as oppositional; I actually see them as very much being part of the same thing, a more efficient process, an impactful process.

CHIEF COMMISSIONER MARION BULLER: Thank you. That was the only thing I wanted to clarify.

Ms. Hansen, I want to thank you very much for all the hard work you’ve done while you’re working with us. It’s been a delight. Thank you.

MS. JACQUELINE HANSEN: Thank you.

CHIEF COMMISSIONER MARION BULLER: We are suggesting a break for 20 minutes.
I know we’re ahead of schedule. If the parties who are in the next series of time slots – if they’re ready to start early, we will. We will take a 20-minute break but perhaps you can give us an update as to whether or not those parties are ready to start early.

--- Upon recessing at 10:11 a.m./ L'audience est suspendue à 10h11

--- Upon resuming at 10:32 a.m./L'audience est reprise à 10h32

**MS. CHRISTINE SIMARD-CHICAGO:** I just wanted to let everyone know that we do have translation services and the next party will be speaking in Inuktitut. So I’m going to ask everyone to take the time to sign out a headset and the radio so that they can actually hear and understand the submissions.

--- Upon recessing at 10:33 a.m./ L'audience est suspendue à 10h33

--- Upon resuming at 10:37 a.m./L'audience est reprise à 10h37

**MS. VIOLET FORD:** We are about to start.

And the next Parties with Standing that we would like to call to the podium are as follows: Pauktuuitit, the Inuit Women of Canada, AnânauKatiget Tumingit Regional Inuit Women’s Association, and Saturviit, Inuit Women’s
Association of Nunavik, Ottawa Inuit Children’s Association and the Manitoba Inuit Association. And they will be all represented by Rebecca Kudloo.

--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. REBECCA

KUDLOO:

MS. REBECCA KUDLOO: Shall I start now?

Ullakuut. Good morning. I will briefly speak in Inuktitut. I think we have the translation.

(Speaking in Inuktitut).

I am going to start by presenting a short video by Uviluk Corey (ph) who is from Cambridge Bay, Nunavut, and I ask the technician to play the video at this time.

--- (VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

MS. REBECCA KUDLOO: Before and during the work of the Inquiry, Pauktuuitit, Saturviit Inuit Women’s Association, and Manitoba Inuit Association held meetings about the crisis of violence against Inuit women. During these gatherings, we remembered those who we have lost by violence by lighting purple candles. This has become an important symbol for the murdered and missing.

Representatives from our standing partners are here with me, Elder Sarah Ponniuk representing AnânauKatiget Tumingit Reginal Inuit Women's Association, Goose Bay, Labrador ((Native word). Elder Jeanie Okalik representing the Ottawa Inuit Women's
Centre; and Jeannie Nayoumealuk of Saturviit Inuit Women's Association.

We also acknowledge Rachel Dutton of Manitoba Inuit Association who is unfortunately not able to be here with us today.

Several of Pauktuutit's board members are here; Anita Pokiak who represents western Arctic and the aunt of the young woman who made the video you just saw; Parniga Akeeagok who represents Iqaluit; and Martha Flaherty who represents urban Inuit.

We'll continue our presentation by lighting these candles with a minute of silence.

--- (Ceremony/La cérémonie)

As you know, this submission is being made by a group of five Inuit women's organizations. I am honoured to be making this oral submission on behalf of Pauktuutit, Saturviit Inuit Women’s Association and Ottawa Inuit Children's Centre.

(Speaking in Inuktitut).

Our submission is about the victims and families of missing and murdered Inuit women. But before I talk about what we heard from the families at community hearings and statement gatherings, I want to say that some Inuit who wanted to be heard did not get a chance to speak. There are a few reasons for this, but we want to
remind the Commissioners that we strongly advise that the Inquiry visit at least one community in each of the four Inuit regions.

I also thank the National Family Advisory Council for their advice and for ensuring that families were heard.

And I also thank our legal counsel, Beth Symes, who has been with us from the beginning of the Inquiry for giving so much of her time, more than we asked for. She listened carefully during the community hearings and was a big part of writing our recommendations.

The story from each family is unique, but by looking at the stories overall, there are many common threads. Abusers are often survivors of childhood trauma, physical abuse, sexual abuse, and witnessing domestic abuse and addiction within their homes.

Several abusers were already known for being dangerous or have already been convicted of violent crimes.

Inuit women have no shelter to go to for help or to escape escalating domestic violence. Inuit women who are in danger don’t know their options or rights. Inuit women must be able to trust police before they will report violence. There is a fear of reluctance during reporting domestic violence because living in a
small community makes it harder. Women fear that their children will be taken away into care.

Victims do not talk about escalating abuse because of fear or shame. Women fear their abusers, and things like protective orders are just a piece of paper.

Families talked about suicide by the women who were abused, their abuser, or their surviving family members.

Attempts to find protection by the women in danger and by their families failed because of poor or slow police services, a lack of shelters, and other reasons.

Some families talked about how they found out that their daughter, sister, or mother had been killed in ways that were cruel and traumatizing.

Families have to be the first to know what has happened and what is happening and they have to be told the whole truth. Some loved ones found out through the news or social media. The media shouldn’t know more than the families.

Healing is needed for us to tackle things like child abuse, addiction, suicide and poverty, mental health and violence. If people don’t heal from trauma like physical and sexual abuse in childhood, violence and fear continues and frequently repeats over generations.
Several abusers were victims of abuse themselves and this enforces that Inuit-specific healing programs for men and boys are desperately needed for Inuit women and girls to be safe.

Our recommendations began from what we heard from families. Despite how hard it was emotionally, the lack of long-term supports, the lengthy travel, and the financial cost for some, and other barriers they faced, families came forward to tell their stories.

We know that it was hard for them and for those who wished to speak but were unable to. We know that the process was difficult for families, and we want you to know that we heard you, and we tried to represent you as best we could. We also have a message for all Inuit who have been or are being physically, sexually, or emotionally abused. You are not to blame.

Before I talk about our recommendations, I want you to know that we respect our First Nations and Métis friends. We share concerns about safety of Indigenous women and girls, and this includes LGBTQ2S people. When we speak about Inuit women and girls, we are not lessening the truth and experiences or needs of the First Nations and Métis. I think we -- they will agree with us that culturally specific solutions are needed and have the best outcomes. Our written submission includes
seven recommendations. I will not explain all of them
today, but we’ll talk about them in general. They will be
put in our website, so people can read them. Our
recommendations will come as no surprise to you. Inuit
have known for a long time what the issues are and what is
needed to be done. Our communities cannot wait any longer
for this knowledge and research to become action.

Recommendation 1: Counting Inuit. Data
collection is important because governments use it to
decide how and where to spend money on education, housing,
health care, and social services. We want all levels of
government to immediately collect data about Inuit
separately from Métis and First Nations, and count Inuit
in urban centres accurately. Inuit are getting lost in
the much larger number of First Nations people, and this
means we do not get the services we need.

Recommendation 2: All Inuit women and girls
has the right to feel and be safe. Part of this means
that family violence should not continue to be hidden and
not talked about because of embarrassment or shame. Inuit
women and girls, men and boys, should be encouraged to
talk about family violence and get counselling. Violence
and sexual abuse must not be normalized as part of Inuit
culture. Emphasis needs to be put on preventing family
violence, teaching about healthy relationships, and
parenting for all Inuit children and youth. Inuit focused
healing programs and services in Inuktitut in every
community for people who are abused as children and ending
inter-generational trauma by healing programming,
supported by the renewal of the Aboriginal Healing
Foundation, and as recommended in your -- in your Interim
Report.

Recommendation 3: The root causes of Inuit
family violence must be addressed. This means a realistic
plan to end the housing crisis must be made and it must be
put into action. Quick and easy access to ongoing healing
programs and services when they are needed. Eliminating
poverty. Being able to get high quality education,
including a university in Inuit Nunangat, so people who
want to continue their education do not have to relocate
to the south and so things that are important to Inuit are
taught and learned. There must be meaningful work for
everyone. Every community having Inuit specific health
and addiction services and having midwifery care for every
community that uses the Inuit health model that was
developed in Nunavik.

Recommendation 4: When family violence
happens. Research shows that Inuit women and girls in
Inuit Nunangat and urban centres have the highest rates of
violence in Canada. We are 14 times more likely to
experience violence, and ten times more likely to be sexually assaulted. More than 70 percent of our 51 Inuit communities across Inuit Nunangat do not have a safe shelter for women and their children. This means that Inuit women and families have nowhere to escape violence and abuse. Travelling to another community to seek safety is not an option for most Inuit women. A plane ticket can cost thousands of dollars, which is out of reach for most, particularly in times of crisis. And for those who flee without proper supports, they are vulnerable and can be exposed to additional safety risks. The federal government only provides funding for safe shelters on reserves. Inuit communities are not reserves, so Inuit women in the Arctic are disallowed from getting this funding. We recommend shelters or safe houses funded by Indigenous services open in every community where one is needed immediately. And that Inuit southern organizations be funded to provide Inuit specific shelters or safe shelters in urban centres like Montreal, Ottawa, Winnipeg, St. John’s, and Edmonton.

Radical changes to the criminal justice system is needed. The police must have a relationship of mutual trust and respect with the community. RCMP officers often do not stay longer than two years. This means that the community has to restart building trust
with new officers often. We recommend that police services within Inuit Nunangat focus on proactive or preventative policing instead of reacting to violence. Police must get involved before violence increases. This includes investigating when family members, neighbours, or others report suspected or known abuse. They must send a message that violence is not tolerated. We also recommend that police reflect the diverse -- diversity in the community and speak the language of the community. Also, strong incentive to encourage officers to stay for a minimum of five years should be created and used. This includes making any necessary changes to policies that you find how long an officer is on -- assigned if needed. And we recommend that police, Crown attorneys, defence lawyers, and court staff, justice of the peace, and judges have to take Inuit developed, Inuit delivered cultural education. It is irresponsible to put someone with so much authority and responsibility in our communities without first sharing our strength, family structures, beliefs, and history. They must also learn how to -- widespread domestic violence may be within the community, and how childhood abuse impacts individuals and families.

As mentioned earlier, emergency protective orders are seen as only a piece of paper. This is not enough. They need to be enforced to make Inuit women and
children safer. For their safety and well-being, Inuit women and their children must not have to wait for justice. More court dates in each community are needed, so that trials happen in a reasonable amount of time and so that criminal charges are not dismissed.

We recommend that the impacts of Gladue principles in sentencings be looked at. Abusers are being released into small communities after short sentences and without healing programs. This means more assaults and women and girls live in fear.

Recommendation 5: The child welfare system is failing Inuit women and their families. The current system is not working and it’s harming Inuit children. We are anxious to learn the details about the very recently announced child welfare legislation and that the Government of Canada will introduce in the new year.

We cannot just hope that child welfare services will protect Inuit children and youth, they must enhance family and community unity. We think child protection and what families need to keep their children and ensure that Inuit children receive no less than the same standard of healthcare as any child in Canada. We also want all Inuit children to be placed with Inuit families in their communities, be it in Inuit Nunangat or the south, and that they stay connected to their extended
family, their language, and their culture.

The system must relocate children as little as possible and work to reduce Inuit child and youth suicides. It must include Inuit specific programs to help children when they leave the system. And we need funding for Inuit organizations in the south to speak for our Inuit children in provincial care.

Recommendation 6: Urban Inuit. Over 27 percent of Inuit live outside Inuit Nunangat and this number is growing. More Inuit women and girls in urban centres mean we need more culturally relevant services and representation in the south. Inuit specific services must be available to all Inuit living outside of Inuit Nunangat. Services that are made by or for First Nations people do not work and do not have meaning for us. We see provincial Inuit organizations being the voice of Inuit living in the south be in charge of services existing and to create Inuit to government relationships and that they support -- are supported by provincial and territorial governments.

When Inuit from the north move south it is a big change, and it’s often because they have to, not because they want to. They leave for different reasons. Some of this can be called forced relocation. Some leave because they are fleeing violence and there isn’t space in
an emergency shelter or there’s no shelter at all. There
is simply no housing available or they can’t get the
education or healthcare they need and because there isn’t
employment for them.

Also issues Inuit women face in the
communities do not stop when they move south. Economic,
health, or family problems and responsibility continue and
are made worse by the stress and hardship of leaving home.

Recommendation 7: Canada and the
provincial and territorial governments must be held
accountable to implement these recommendations. We are
calling for federal, provincial, and territorial
governments to have action plans for each of our
recommendations within a year and sufficiently fund an
independent ombudsman to oversee and report annually on
how all the recommendations are being implemented.

We ask the Inquiry to recommend to the
Government of Canada that it meets its responsibilities
and commitments, including the Prime Minister’s commitment
to gender equality for all women and girls in Canada and
to do it in culturally appropriate ways, to do it from a
place of reconciliation.

For changes to work they must be done by
considering the whole not just the pieces, everything,
housing, justice, poverty, education, food security,
health, is connected. It must be done for the long-term health and safety of Inuit women and girls. And these changes must not be at risk because of changing political interests. Healthy families and healthy communities must be a goal.

The cycle of child abuse, partner violence, and family dysfunction that contributes to violence towards Inuit women and girls must be broken, and to make that change all of us have work to do. It doesn’t end once a final report from the Inquiry is released.

We are offering our help. After the Government of Canada reviews the recommendations from us, other Inuit organizations, and the final report from the Inquiry we want them to consult with Inuit to set out priorities and timeframes. We can help and we welcome and encourage any chance to work with others to improve the lives of women and girls.

For many years our organization Pauktuutit, Inuit Women of Canada, Saturviit, Inuit Women’s Organization, Ottawa Inuit Children’s Centre, and AnānauKatiget Tumingit Regional Inuit Women’s Association and Manitoba Inuit Association have been listening to what Inuit women from Inuvialuit, Nunavik, Nunatsiavut, and Nunavut regions and those outside of Inuit Nunangat have to say. That work will continue. Inuit women can count
on us to support them, to represent them, to work with
them, and to advocate for them, and we’ll continue to work
so that our knowledge, world view, and concerns are
respected and protected.

When we think about murdered and
missing women, we know that without services that make
sense to Inuit women and girls are at greater risk of
sexual exploitation and violence we will continue to
repeat that. Inuit design, Inuit specific solutions are
the answers. We already know that current police and
government methods are not working or not doing enough.
The proof of this are the shocking rates of sexual abuse
and raising rates of violence in Inuit communities versus
the dropping crime rates in non-Inuit communities.

There have been successful community-based
healing programs in Inuit Nunangat. The Aboriginal
Healing Foundation, before it was forced to close in 2014,
funded innovative and successful programming for Inuit.
And because of dedication, determination and
resourcefulness there are healing programs that are making
a difference. Despite a lack of resources, they are
finding a way to help Inuit, and they can be looked at as
models for other communities to adopt.

We have talked a lot about healing
services. I’m going to now speak briefly about those who
spoke to this Inquiry.

We heard from some people that they tried to access follow-up support services but their calls were not returned, and we are telling you that support and counselling must be available for them when they need it to prevent more trauma. This means support immediately after they've given their stories or years later.

To all levels and departments of government, we must get rid of barriers. We must work together quickly and not be slowed down by bureaucracy or politics. How many women, Inuit women and girls have been hurt during the term of the inquiry? How many more Inuit women and girls will be harmed and killed waiting for help to come?

We are thinking about and our concern about the woman and girls who are and who will be unsafe in sometimes life-threatening situations.

We know that not all the questions will be answered and not all solutions will be found because of this inquiry. And like many others, we will be closely watching the remaining of this Inquiry's work and the release of your final report. We will also hold the government accountable for the work and change that must come from this Inquiry.

The Inquiry has asked for Inuit advice,
needs and recommendations. We ask you to think about the many failures that families spoke of and the resulting tragic outcomes and to take the advice that has been given because it has come at a very, very high cost.

It is now your responsibility to take that knowledge as it had been given and strongly direct government to make systemic changes now and for the long-term. We also ask that that data and information shared by the organisations and institutions be fully studied and that research results be shared.

Home should be a place of safety, a place of love and family and refuge, but for so many years we've known that home is the most dangerous place for any Inuk woman and her children.

The Inquiry has heard from families of the fear and violence our women faced in the past and live with now. This must change and that means we must change.

Inuit are strong. We come from strong ancestors. We come from strong culture and having strong values and some of our strength comes from always being able to adapt. Right now we need to grow and change, but not be silent when a (sic) Inuk woman and her children are in danger. To live our beliefs and our children are loved and protected and now the community comes together to care for one another. "We" means everyone, individuals,
community, governments, institutions and Canada.

Inuit must speak up when they know a woman is being abused or threatened. We cannot be silent. The entire community is affected. And Inuit-specific education and prevention programs are the only things that work and they are desperately needed now.

Government and institutions must act to prevent Inuit women and their children, including funding emergency shelters in all 51 communities in Inuit Nunangat, funding Inuit-based healing programs and funding affordable and healthy housing for Inuit in the north as well as urban centres.

The cycle of abuse and violence toward Inuit women and girls got to stop. We cannot wait any longer. (Speaking in Inuit language).

Thank you for listening.

(APPLAUSE)

MS. VIOLET FORD: The Commissioners have any questions?

COMMISSIONER QAJAQ ROBINSON: (Speaking Inuktitut).

I don't have any questions, but I'd like to express my thanks, especially to you and to your fellow board members. Thank you so much.

I'd like to express my gratitude since the
initiation of the Inquiry, for your support expressing how
we could proceed and how we could assist and you have made
yourselves available and ensured that you were there to be
support for families who were testifying, presenting Inuit
with scarves made by Inuit, your support and your
welcoming presence and we've made efforts to ensure Inuit-
specific approaches.

I agree with you we've heard across the
country in Inuvik, Yellowknife, Rankin, St. John's, Happy
Valley Goose Bay, Iqaluit, Inuit presence culture has to
be given value as well as through funds to ensure in the
20s, 30s and 40s the non-Inuit approaches were being
enforced into the Inuit society. And we heard from
Elisapi Davidee in Iqaluit and we recognise what you've
presented to us.

Thank you so much for your submissions.
Thank you to your lawyer that signs. She ensured that the
hardest and most integral important submissions were
provided during the hearing. It's a hard topic, but with
our perseverance we can persevere. Thank you so much for
your contributions.

COMMISSIONER BRIAN EYOLFSON: I don't have
any questions. I just want to say thank you, President
Kudloo, for your submissions today and I just want to
acknowledge everyone that's with you and thank you all for
coming here today. Nakurmiq.

CHIEF COMMISSIONER MARION BULLER: Ms. Kudloo, I have a question regarding five-year -- the five-year rotation that you were suggesting. When we've heard from families and survivors, they've mentioned that the turnover in teachers and nurses, other medical care providers, causes them equal difficulty in establishing trust. So would you carry that recommendation forward to include teachers and healthcare providers as well to have a five-year minimum?

MS. REBECCA KUDLOO: I know that there's a lot of turnover in the staff that come up north, but what we're recommending, especially when it comes to social workers, mental health workers, because a trust between the client and the therapist is so important to be established and to be long-term, it should also go to those departments or people.

People are tired of repeating their stories over and over again every time there's a new person that comes to their community.

What I also encourage in my communities that we start to train our people to sit in those positions, especially when it comes to healing. It's important to combine the Inuit ways and the traditional methods of therapy that really works in a small community
because it's really hard to bring therapists with all these degrees to come up and stay.

CHIEF COMMISSIONER MARION BULLER: M'hm.

Okay. Thank you.

MS. REBECCA KUDLOO: Thank you.

CHIEF COMMISSIONER MARION BULLER: I want to thank you, your lawyer, Ms. Symes, your board of directors, your colleagues who are here today, and the other Inuit Women's Associations who have been joining us throughout the hearings. It's been a fabulous learning opportunity for all of us, and we're very grateful for the advice that we've received in communities and in other ways as well.

So thank you very much. It's been a real honour to work with you and your lawyer, Ms. Symes. And my one word, nakurmiik.

MS. REBECCA KUDLOO: Qujannamiik.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, before we invite the next party up if I may just address a housekeeping issue.

And I don't see the representative for Amnesty International in the room anymore, but this morning there was a 5-page executive summary that I was going to ask be put on to the record, and we also just had
one now that is entitled, Oral Submissions of Rebecca Kudloo. So if we could have those both made exhibits. Maybe the Amnesty International first because that party was up first.

CHIEF COMMISSIONER MARION BULLER: Yeah.

Exhibit 4 please.

--- EXHIBIT NO./PIÈCE NO. 4:

Bilingual executive summary of oral submissions (13 pages)
Submitted by: Jacqueline Hansen,
Counsel for Amnesty International Canada

MS. CHRISTA BIG CANOE: And then the Oral Submissions of Rebecca Kudlik, if that could be -- Kudloo. Oh, I'm sorry. Is that okay with you?

CHIEF COMMISSIONER MARION BULLER:
Including the ---

MS. CHRISTA BIG CANOE: Yes. Thank you.

So ---

CHIEF COMMISSIONER MARION BULLER: --- the video?

MS. CHRISTA BIG CANOE: And then as a separate exhibit, could I have the video as an exhibit?

CHIEF COMMISSIONER MARION BULLER: Okay.
The oral submissions will be Exhibit 5, and the video will
be Exhibit 6 please.

--- EXHIBIT NO./PIÈCE NO. 5:

Oral submissions notes (nine pages)

Submitted by: Rebecca Kudloo, Representative for Pauktuutit Inuit Women of Canada, Saturviit Inuit Women’s Association, AnânauKatiget Tumingit Regional Inuit Women’s Association and Ottawa Inuit Children’s Centre & Manitoba Inuit Association as a collective single party

--- EXHIBIT NO./PIÈCE NO. 6:

Video by Skye Uvliq, .MOV file format, 15 MB, (1 minute 30 seconds)

Submitted by: Rebecca Kudloo, Representative for Pauktuutit Inuit Women of Canada, Saturviit Inuit Women’s Association, AnânauKatiget Tumingit Regional Inuit Women’s Association and Ottawa Inuit Children’s Centre & Manitoba Inuit Association as a
Okay. The next Party with Standing that we will be requesting to the podium are the Canadian Feminists Alliance for International Actions and Partners Canada Without Poverty, and the representatives are Shelagh Day and Dr. Palmater. If you could step to the podium, please, thank you.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR DR. PAMELA PALMATER:

I am from the sovereign Mi’kmaq Nation on unceded Mi’kma’ki territory in the Atlantic Provinces. It’s a privilege to be here on the unceded sovereign territory of the Algonquin Nation.

I want to thank the Elders for opening this in a good way, honour the medicines that are here, and thank you to Maggie Cywink and all of the families who have been advocating to get us to this place.

I'm speaking today as the Chair in Indigenous Governance at Ryerson University on behalf of our partners, The Canadian Feminist Alliance for International Action and Canada Without Poverty. Together, we are standing as a group to appear before you and deliver our oral submissions, which will be followed up with our written submissions.
We also wish to thank all of the Indigenous women and girls and their large community of human rights allies for their time, energy, hard work, and persistence to actually get an inquiry. It was a significant feat, and we honour and acknowledge the commitment of those women to protecting and advancing core fundamental and basic human rights of Indigenous women and girls to live a life that is free from racism, sexism, and violent misogyny.

However, we cannot just pay lip service to Indigenous women and girls and families. They actually have a legal fundamental right to the truth in law. The right to truth is actually recognized by all major international and regional human rights systems, the United Nations, Interamerican, European, and African systems. It's a legal right.

Families of victims of violence have a right to:

"...know the truth regarding the circumstances of...enforced disappearance[s], the [ongoing] progress and results of [any] investigation[s] and [to know] the fate of [their] disappeared person."

And as part of that right to truth, states
have a legal duty of due diligence to fully investigate
and publicize all of those findings to publicly
acknowledge the wrongdoing and commemorate events and to
provide reparations for victims, move beyond commemoration
and put -- try to put people in the place where they would
have been.

As the United Nations Secretary General Ban
Ki-Moon explained:

"Knowing the truth offers individual
victims and their relatives a way to
gain [some] closure, [to] restore
[some element of]...dignity and
[heal]."

But getting to the truth of the victims and
the families is not just a legal obligation, it is a
fundamental part of all of our human dignity.

And what is the truth of murdered and
missing Indigenous women and girls? Well, the truth is
Canada is in the midst of a full-blown human rights crisis
of its own making.

Over time, colonized or settler governments
have literally built an infrastructure of violence that is
maintained and sustained by laws and policies. It is a
complex and interconnected system of laws, practices,
policies, actions, and omissions that put us in this
crisis. It treats First Nation, Métis and Inuit women as lesser human beings who are sexualized, racialized and treated as disposable. The message that Canadian society gets is that Indigenous women lives are far less valuable, and it's all because of their gender and indigeneity.

And this infrastructure of violence didn't evolve naturally. It's not an inevitable result of the meeting of two cultures, it was created and maintained by colonial governments and all of their agencies, and it is reinforced in every aspect of society.

And that is very clear. It was to clear the Plains, so to speak, to take our lands and resources while facilitating settlement and trade for their economic benefit. And our women and girls have paid the price.

The infrastructure of violence remains firmly in place today and manifests itself in high rates of violence, exploitation, rapes, disappearances, murders, all experienced by Indigenous women and girls and even babies.

And although all governments in Canada have agreed to the National Inquiry, and they have agreed that there is a crisis to be addressed, every several federal, provincial, and municipal government are still active perpetrators and perpetuators of the violence. And it doesn't matter how many programs they list, or how many
initiatives they list, they have not taken the steps to
end violence against Indigenous women that is imbedded in
their systems.

Of the known murdered and missing
Indigenous women just from the RCMP review, we know that
there is 16 percent represented nationally, but in
provinces like Manitoba and Saskatchewan the rates are 49
and 55 percent. It shouldn't shock anyone in this room
that those are the same two provinces that have the
highest rates of kids in care, the highest rates of
Indigenous women and girls in prison, the highest rates of
police shootings of Indigenous people, and some of the
highest rates of unfounded sexual assault cases. These
things cannot be treated as individual issues.

More often than not these numbers while
shocking don't tell the whole story because Indigenous
women and girls simply don't bring all of their claims
forward. This is something we know. And of those that do
to police forces, of those that do make it past the
barrier of police who are resistant to investigate, they
have patchy and inconsistent data which makes it very
difficult if not impossible for us to understand the true
scope. We're essentially just seeing the tip of the
iceberg. All indications are that the numbers are
markedly higher than what is being reported here.
Colonization and the current colonial government’s and structures, which are admittedly -- self-admittedly racist and sexist have combined to form a lethal form of misogyny that targets Indigenous women and girls in horrific ways.

And there’s a horror circle underpinning to this crisis; that is incredible importance to know. But this isn’t a legacy, this isn’t the aftermath, this isn’t just trailing effects; this is what’s happening today, just under different names.

And these historical and current practices include the treatment of Indigenous women as sexualized commodities by European settlers, Indian Agents, and the police; the legalized construction of First Nation women as property of men through the Indian Act, who could not transmit status in their own right; the expulsion of First Nation women and children from their own communities because of state-imposed gender discrimination; the theft of lands and resources; forced relocations; disassociation from our traditional cultures, languages, and the removal of our voice in politics and decision-making processes.

The history of removing Indigenous children from their mothers and families to put them in residential schools, or scooping them for adoptions, created the situation that we have today; the current practice of
apprehending babies from Indigenous mothers, or removing them from their mothers at birth to put them in non-Indigenous foster homes without consideration for not just the impact on the child but the mother; and there is no worse form of violence that you could do to an Indigenous woman than to rip her children from her.

Forcibly and coercively sterilizing Indigenous women in order just to access their kids in foster care; the under-protection and over-policing of Indigenous women and girls; sexualized violence by people in police and corrections who, when in custody, Indigenous women and girls are raped, beaten, harassed, and denigrated by state enforcement officials.

The failure of the justice system to punish all of these perpetrators of violence, unless they are a famous serial killer, but we have very few punishments for doctors, lawyers, teachers, social workers, next door neighbours and police officers.

And this government-created crisis includes crisis-level socioeconomic conditions which act as an effective blockade from Indigenous women and girls being able to escape violence. It leaves them with no options.

And all of this has been created under Canada’s numerous and infamous world-wide human rights laws.
Few countries could actually claim that they have more human rights protections than Canada, yet we have this crisis of murdered and missing Indigenous women.

Over the last 70 years, Canada has put in a framework of numerous rights and rules, human rights — and Indigenous rights, which are human rights; they exist in every jurisdiction. You can’t discriminate on the basis of race and gender in anything. You have the Charter right to equality, life, and security of the person, and even our Constitutional Aboriginal and Treaty rights are guaranteed equally between male and female people. In theory only.

In practice, those laws are not enforced. This framework of rights includes international and regional human rights treaties and agreements that Canada has been ratifying since the end of the Second World War. Numerous human rights have been set out in the Universal Declaration of Human Rights that guarantees basic human rights to freedom, equality; the dignity and rights, life, liberty, and security of the person; a standard of adequate living for health and wellbeing; medical care and necessary social services. And these rights are internationally understood to be indivisible, interdependent, and interrelated.
They’ve been further elaborated in numerous international conventions, including the Covenant on Civil and Political Rights; economic, social, and cultural rights; the elimination of all forms of discrimination against women; and the rights of the child and persons with disabilities.

Canada is also bound by the Inter-American Declaration on the Rights of Man and the Charter of the Organization of American States; we could go on and on and on. These are things that Canada has signed on to and committed to. And most recently, Canada has said that it offers full support for the United Nations Declaration on the rights of Indigenous People.

And so the important thing about UNDRIP is that UNDRIP, the very first provisions of UNDRIP incorporate and implement all of those international human rights obligations into UNDRIP, and that was a choice made by Indigenous people who were the ones that drafted UNDRIP, to make sure that they, as individuals and collectives, get the benefit of all of those international human rights protections.

That’s important. The other things that’s important in UNDRIP is that the state has a legal obligation to protect Indigenous women and girls from all forms of violence and discrimination. And Canada has told
the world at the UN General Assembly that, “The world
expects Canada to adhere to UNDRIP and human rights
standards, and we expect that we’ll do that, too.”

Well, what we expect is more than nice
words, more than a counting of programs and initiatives
and promising practices. We expect nothing less than the
full compliance with the human rights protections for
Indigenous women and girls that we chose to be part of
when we included those in UNDRIP.

After all, this isn’t about politics, it’s
not about ideologies, political parties, or popular
opinion; this isn’t an issue as to whether every single
Canadian agrees that Indigenous women and girls have human
rights. This is the law, and the issue is about whether
or not Canada is abiding by the law. And our lives depend
on it.

And here’s the thing: Canada already knows
all of the problems and they know all of the solutions.
To not act, to my mind, is a crime.

International human rights bodies have been
calling on Canada to act on this crisis for more than 25
years. It’s not like we just found out about this in the
last couple of days. But despite all of Canada’s good
words and despite all of the ceremonies they participate
in, they have done very little to substantively stop the
violence against Indigenous women and girls. Most of their initiatives are after the fact.

The 2006 report of the Special Rapporteur on Violence Against Women said Canada has legal due diligence that requires governments to prevent violence in the first place; protect women and girls from violence that may be ongoing; punish those who perpetrate the violence; and make reparations, make amends for what has happened to Indigenous women and girls.

In other words, if there is a specific group of women and girls that are known to be at risk to violence, like Indigenous women and girls, Canada has a legal obligation to set up effective mechanisms to prevent further harm going forward. And we know throughout this National Inquiry how many of our Indigenous women and girls have gone murdered and missing, exploited, in prison, or in foster care, just while we’re talking about this.

After FAFIA and NWAC requested thematic briefings at the IACHR, they launched an investigation into murdered and missing Indigenous women and found that we can’t cherry pick recommendations; you have to have a comprehensive, holistic approach, and that you will never be able to address violence unless you address all of the root causes of it. This includes past and present
institutional, structural, and legal inequalities faced by Indigenous women; the dispossession of our lands; and the devastating social and economic marginalization through effective measures to combat poverty. Nothing less will address this violence.

In 2015, CEDAW issued a report finding that Canada had committed grave human rights violations against Indigenous women and girls. Canada, not Mexico, not the other countries that people look to when you talk about disappearances of Native women, but Canada because it failed to establish legal protection of their rights; failed to refrain from engaging in ongoing acts of discrimination; and failed to take every appropriate measure to eliminate discrimination against Indigenous women.

The CEDAW Committee also found that Canada has engaged in systemic, multiple, and longstanding violations of all of the human rights of Indigenous women, and has breached all of its obligations in international law. There is not a single human rights obligation that Canada has not breached when it comes to Indigenous women and girls. And that’s quite a record.

Even here at home, Canada’s own Auditor-General found that, consistently, Canada fails to implement the recommendations that would make the most
profound differences and improvements in First Nations lives. Instead, they cherry pick. Let’s have a new computer program. Let’s do some new reporting. But they continually fail to improve their lives.

There’s a recurring theme here, in our submission. Canada not only created this crisis but it continues to get worse because of Canada’s ongoing failures. It is making policy and legal choices not to act, when they know they have to. The crisis of Murdered and Missing has always been about Canada’s failures. It has never been about any inherent vulnerabilities on the part of Indigenous women.

Indigenous women and girls are strong, resilient, and powerful people. We are grounded in the love and wisdom and beauty of our cultures and our ancestors, with the heart of our nations. And while many have tried to lay the blame on the victims for engaging in so-called high-risk lifestyles we know from the statistics that the highest risk to an Indigenous woman or girl is being born female and being born Indigenous. That’s the high-risk lifestyle they have.

And this crisis stems from Canada’s racism, sexism, and discrimination against Indigenous women which directly causes their disadvantage and marginalization. Canada has sent a clear message to everyone in society
that Indigenous women and girls are less worthy. And society has heard the message. Perpetrators of violence target Indigenous women and girls for three reasons: they are Indigenous, they are female, and they can.

They have a near 100 percent impunity rate for things like human traffickers and that is on Canada. That is not on us. Nothing about this crisis is our fault. None of it. And I think that needs to be very clear to Canada.

But the impact of Canada’s failures is significant and profound. And we don’t have the time to go through all of it but we have some examples.

Sex discrimination in the Indian Act has been with us since 1876 which has targeted Indigenous women for exclusion from their communities, including their descendants, and treated them as second-class citizens.

The 1985 Consignment of Indigenous women who married out to Section 61C instead of men under Section 61A has considered them as lesser Indians, lesser parents, and denied them the full social standing in their own communities.

The exclusion from status has obviously excluded them from federal programs and services as well as First Nation programs and services, but it’s about more
than just that. Lack of access to their territories, lack of access to their elders, language programs, being able to go to school on reserve -- all of those things because of status.

The Government of Canada has amended the Indian Act three times because Indigenous women have taken Canada to court and won every single time on gender discrimination and they keep being told to remove it, and they refused to.

The most recent amendment until Bill S3 was the Trudeau government’s opportunity to live up to all of their promises that they made to us in the history to finally remove gender discrimination under the Indian Act. And their response to us was “someday”; that’s why we’re here today with Murdered and Missing Indigenous Women because our rights are “maybe someday”.

In the 2014 report on Murdered and Missing Indigenous Women by the IACHR they found that Indian Act sex discrimination is a root cause of high levels of violence against First Nations women on reserves but also in society. The committee also found that the Indian Act has been enforcing, reinforcing, and maintaining gender discrimination against women and girls for more than 100 years with no signs of stopping.

They recommended that sex discrimination be
eliminated from the Indian Act many times over. Even the United Nations is aware of this and Canada has not acted. But the violence will never stop until we are treated as equal human beings. And it’s pretty simple and it’s pretty fundamental. And it is a minimum threshold for trying to eliminate violence.

But because of all of this, Canada has also created gross socioeconomic conditions at rates much higher than the Canadian population, and grossly disproportionate to Canada’s wealth. It’s one of the wealthiest countries in the world, but its Indigenous wealth that we don’t have access to.

A shocking one in four Indigenous children live in poverty; 60 percent of First Nations kids living on reserve live in poverty but in provinces like Manitoba, that’s a staggering 76 percent. Instead of improving, poverty rates continue to grow worse for First Nations children year after year. And it’s directly related to the poverty of their Indigenous mothers.

A third of Indigenous children live in homes headed by single Indigenous mothers and statistically they’re more likely to be poor. They suffer from high rates of lack of access to water; there’s more than 174 drinking water advisories as of May 2018 despite all of the promises to remove them.
Twenty-eight (28) percent live in overcrowded housing; 43 percent are in need of major repair; 15 percent should be condemned. And upwards of 90 percent of all of the homeless people that live on the streets are Indigenous people, many of them Indigenous women and children who don’t dare ask for help or their children will be taken from them.

In terms of health, Indigenous women and girls had the highest rates of mortality in Canada, six times the national average. And they have the highest rates of heart disease and stroke when in Canada the rates of heart disease and stroke are actually declining.

If we acted today, if Canada meant any of its fluffy words and we did all of this today, it would take 28 years to close the education gap, 63 years to close the income gap. So to say this urgent is an understatement. Indigenous people suffer 10 times higher he suicide rate but Indigenous women specifically have the highest rate of suicide attempts. And the number of kids in care have even higher suicide attempts.

And this crisis level impoverishment of Indigenous women and girls is linked to their historic and ongoing dispossession from their lands and resources and ongoing breaches of their Aboriginal and treaty rights and title despite the fact that they have constitutionally
protected treaty rights to fully funded education, health care, and even critical provisions like food, clothing, and income supports.

Treaty 6 specifically provides emergency relief in times of poverty and we’ve been in times of poverty since contact now.

Treaties 1 and 2, the Treaty Commissioner promised that the Crown would provide through the treaties, a future of promise top live in comfort and live and prosper and provide just like the White man for all future generations. We are nowhere near that. And despite the many calls by First Nations, under their treaties for aid in this urgent situation none has come, especially when it comes to Indigenous women and girls.

And the former special rapporteur for Indigenous peoples, James Anaya, said very specifically in 2014:

“It is difficult to reconcile Canada’s well-developed legal framework and general prosperity with the human rights problems faced by Indigenous peoples in Canada that have reached crisis proportions.”

Year after year after year people who study what’s happening in Canada note that it’s a crisis but no
crisis level action is taken. It’s the same old programs and initiatives. Poverty and marginalization prevent Indigenous women and girls escape from violence. Nothing short of a radical and targeted intervention that is crisis level is needed to address the socioeconomic conditions for Indigenous women and girls.

But all of it is tied together. If we look at how socioeconomic conditions feed—literally feed the child welfare system, and the child welfare system is itself a pipeline to murdered and missing Indigenous women and girls, then we know just how critical it is, with every policy decision Canada is killing our people. Indigenous kids in foster care experience higher rates of sexual and physical abuse. It’s a direct line to youth corrections, increased risks of sexual exploitation, human trafficking, and sexualized violence in general.

We know that Indigenous women and girls make up no less than 50 percent of all human trafficking victims nationally, and those rates increase when you look at it on a provincial basis.

And the police have long recognized that human traffickers target fostered children and group homes. Yet where is the corresponding emergency action to provide protection. Indigenous children in foster care are more likely to end up in youth corrections than they
are to complete high school. This not only diminishes their life chances through no fault of their own, but it also diminishes the life chances of Momma because little concern is ever given for Indigenous mothers in these situations.

Indigenous mothers who lose their children are far more likely to suffer from anxiety, depression, substance abuse, and suicide. There is an insidious link between child apprehensions and forcing coerced sterilization of Indigenous women. At every turn, Canada's targeting of Indigenous women targets our life-giving abilities and our bodies.

Governments in all jurisdictions, every single one, are guilty of discriminating against Indigenous women and girls and committing this violence by removing thousands of children from mothers, families, and communities; underfunding child welfare services on reserves; using funding formulas that incentivise removing children; failing to provide adequate prevention and supportive services to Indigenous families and to Indigenous kids in care; providing higher rates of financial and other supports to non-Native foster parents than to the actual parents to whom these children are a part of; no equivalent amount of funding or supports for Indigenous birth mothers, grandmothers, aunties, cousins,
community people that take in foster children;
apprehending babies at birth instead of taking care of
their babies.

How can you presumed to be guilty? A fundamental aspect of our law is innocent until proven
guilty. You hardly have committed a crime by having a child, but for Indigenous women and girls, the Canadian state determines whether or not we're worthy enough to have children. They force and coerce and bully Indigenous women into sterilizations. They treat Indigenous mothers whose children have been taken away in discriminatory, denigrating, and disrespectful ways to such an extent that many Indigenous mothers won't even fight because they are treated so horribly by the system.

Failing to protect Indigenous girls in state care from physical and sexual abuse; failing to protect Indigenous girls from police intervention, police arrests, and incarcerations; and allowing state care, foster care in group homes to function as a conduit for Indigenous girls into prostitution, sexual exploitation, child porn trading, sex trafficking, disappearances, incarceration, torture, and death, all funded by the state.

This is nothing short of genocide when considered under these standards of the UN Convention on
the Prevention and Punishment of the Crime of Genocide.

But it gets even worse because who do you call? Who do you call? And the last people I would call would be the police forces in this country. There is a long and documented history of racism and abuse towards Indigenous peoples, not just in the justice system, not just systemically, but by individual men.

In 1989 the Royal Commission on Donald Marshall prosecution said that the justice system failed Marshall at every turn because he was Native.

The Aboriginal Justice Inquiry said, "The justice system has failed Manitoba's Aboriginal people on a massive scale."

Helen Betty Osborne was abducted, beaten, and murdered because she was Indigenous and a woman, and because they could.

The 2004 Saskatchewan report says that racism in policing is a major obstacle to healthy relations with First Nations.

The Ipperwash Inquiry said cultural insensitivity and racism is not restricted to a few bad apples, that it is widespread in the Ontario Provincial Police.

But here's the thing. Racism in policing
towards Indigenous women and girls creates problems, not just of over-policing and under-policing, so higher rates of arrests, incarceration, excessive use of force, disproportionate numbers of deaths in police custody, but they also fail to come when called in emergencies or domestic violence. They fail to open up investigations or they do incomplete or incompetent police investigations.

Of all the people killed by police in Saskatchewan, 63 percent are Indigenous, yet they only represent 15 percent of the population. The number is 58 in Manitoba. In provinces like Quebec and Nova Scotia, Indigenous peoples killed by police are 10 times their proportion of the population.

But for Indigenous women and girls, racism in policing is compounded by sex discrimination and how sexual violence against women is viewed and treated by police officers just in general. We know that in Canada, more than 20 percent of all sexual assault claims are dismissed as unfounded or baseless. Seven provinces or territories have unfounded rapes between 25 percent or 32 percent. Some cities have unfounded rapes of 51 percent.

However, for Indigenous women and girls, this intersection between racial and sexual discrimination combines to form a unique form of racially targeted and sexually violent misogyny against Indigenous women and
girls committed by police officers.

   Not only are Indigenous women and girls
less likely to have their claims of sexual assault taken
seriously by police, but they have the unfair and added
fear of police committing sexualized acts of violence
against them themselves.

   Police as perps are nothing new. Human
Rights Watch has issued several reports already in Canada
and Indigenous women have testified that they don’t trust
the police because "They either rape you or arrest you."

   What does that say about Canada? The fact
that a police supervisor permitted a police officer to
take an Indigenous woman home who he had arrested and put
in prison for drunkenness, because his boss said, and I
quote,

   "You arrested her. You can do
whatever the fuck you want to do with
her."

   That is the state of policing in Canada.
We would like to say it is one or two bad apples, one or
two serial killers or monsters, but it is not.

   Human rights reports and others have tried
to bring action against abusive police practices, but the
police forces more often than not, rally together behind
the thin blue line. They, their police chiefs, police
unions, and local politicians a) deny it's a problem, and
when confronted with very specific allegations like the
ones in B.C. with numerous RCMP officers raping Indigenous
women and girls, the head of the RCMP emails their entire
fleet or whatever you call them,

"My message to you today is don't be
worried about it. I got your back.
Keep doing the great work you're
doing."

That's horrendous. This brotherly
solidarity works to ensure that there is no accountability
for sexualized violence committed by police officers
against Indigenous women and girls.

And there are thousands of cases of police
sexualized violence against women in general including
their own colleagues, which has resulted in class actions,
but also against Indigenous women and girls, including
using their database to find, locate, and stalk
individuals; physical assaults; sexual assaults; sexual
exploitation of young girls; actually engaging in human
trafficking; and in the trade and manufacture and
distribution of child porn.

These are our police forces. And these
reports explode the myth that we are dealing with a few
bad apples, but it is something far more prevalent. It
should be no surprise then that Indigenous women and girls are also over-incarcerated.

They are, in fact, the fastest growing prison populations. They are primarily incarcerated for crimes of poverty or defending themselves from violence. And they pose the least amount of safety risk to Canadian society.

Right now, 40 percent of all women in federal prisons are Indigenous. In provincial prisons, that number goes over 60 percent.

Most shockingly is, Indigenous girls represent 53 percent of all intakes into youth corrections, but in Saskatchewan, that number is 98 percent. They expect in six months for it to be 100 percent. How much higher do you go than 100 percent? When do we call that an emergency?

And where do all of these Indigenous women and girls come from? Well, the ones in prison, 91 percent have suffered sexualized violence, a fifth came from residential schools, and more than two thirds came from foster care. We don’t have to be mathematicians to know what that formula is.

So we have many recommendations in our written submissions about all of these other issues. But the one that we’re going to focus on today is a national
action plan to end violence against Indigenous women and
girls. We believe that in addition to all of our other
recommendations on these specific issues, that Canada must
engage in a coordinated, strategic, national response that
matches the scope and severity of the human rights
violations perpetrated against Indigenous women and girls,
and that this response must, at its heart, address all of
the root causes on an emergency level.

This National Action Plan must be based in
human rights and incorporate international human rights
standards, which include Indigenous rights. This plan
must ensure a maximum available resources dedicated to
enhancing current programs and services and establishing
new ones. It must set measurable goals for improvements
in all socio-economic indicators and justice system
indicators, and, most importantly, violence indicators.

Clear timelines must be attached to all of
these goals. We cannot have a National Action Plan that
is about objectives and aspirations. There must be
measurable progress.

It must account for differences in
realities between First Nations' women living on and off
reserves, Métis and Inuit women. And because the federal
government is the national government, they should use
funding transfers to provinces and territories, which are
legally conditional on the implementation of all of these plan elements and their legal commitment to engage in coordinated strategies, public reporting and monitoring. It must also include substantial needs and Indigenous rights-based funding to Indigenous women's service groups and their home communities and governments to implement human rights in their own communities and address these issues, including Indigenous rights, and be full partners in any solutions at the national and regional level. No tables, no advisory groups, no consultants, no research assistants, but Indigenous women need to be at the table in equal partnership making the decisions.

The funding must be conditional on detailed reporting, evidence of substantive reduction in violence, and improvement of the conditions of Indigenous women and girls. You don't do that, you don't get the funding. Right now at Indian Affairs they fundamentally breach their only mandate every year, yet they still get paid to do the same thing. Their mandate is to improve the socio and economic conditions and they have failed that every year since existence. We need to do things radically and fundamentally different.

The federal government must develop a mechanism for coordination and collaboration between all
of the provinces, territories, municipal governments where relevant, but most importantly, Indigenous women, their organisations and their home communities to identify what they need in their own words.

Canada has to take a leadership role and not use the Constitutional division of powers as an excuse not to act, because if there has ever been a national emergency in this country, the crisis of murdered and missing Indigenous women is one of them.

Indigenous women know best what is needed to end violence against them. And the key principle of this approach is to put Indigenous women's verses first. They must be in all leadership and decision making. This plan must be proactive, have an independent review mechanism to make sure that it's monitored, evaluated and adjusted. It must ensure complete and full and equal participation by Indigenous women in their organisations, and include a rights-claiming mechanism, somewhere where Indigenous women can go and address all of the human rights and Indigenous rights that aren't being addressed that is accessible.

While we have many other recommendations, nothing short of a comprehensive, radical National Action Plan, which is specifically focussed on Indigenous women and girls, not a generic national plan on gender or a
generic one on Indigenous peoples will be the only way to
address longstanding, deep rooted racism, sexualised
violence against Indigenous women and girls.

What's happening in this country is nothing
short of genocide in every aspect of the definition, from
killing Indigenous women and girls, to creating physical
harm, preventing births, transferring children and
creating the conditions of life that would destroy them as
a people. Canada has numerous legal obligations to stop
this. And that's our respectful submission.

(APPLAUSE)

MS. CHRISTA BIG CANOE: Commissioners, do
you have any questions?

COMMISSIONER QAJAQ ROBINSON: Thank you,
Dr. Palmater, for your submissions as well as your
colleagues.

I have two questions, first with respect to
your assertion that what we're dealing with here is
genocide. How important is it that we make that finding?

DR. PAMELA PALMATER: It would be one of
the most critical findings you could make because it would
dispel the myth that we're acting with good intentions,
but oops, things are just going wrong. If Canada didn't
know what the problem was, if they had no idea what the
solutions were, that would be one thing, but it is the
state who has created and maintained it and fails to act, that is a consciousness of mind and that changes everything, not just us and Canada and the international community, but in society to know that this isn't us. This isn't our fault. We are not defective. This is something that Canada is doing to us and it's killing our people.

**COMMISSIONER QAJĄQ ROBINSON:** Thank you.

With respect to the 10\textsuperscript{th} point on the National Action Plan, a rights claiming mechanism, one of the parties with standing, Inuit Tapiriit, has suggested that the establishment of an Indigenous Rights Commission or Indigenous Human Rights Commission and Tribunal is required.

Is that something that you've -- they've submitted a proposal to the government with respect to the implementation of UNDRIP and that was a key element in their proposal. I'm not sure you're familiar with it, but it outlined the need for that and it resonate -- that submission resonated with your submission and I was wondering if you had thoughts on the establishment of such a body.

**DR. PAMELA PALMATER:** Well, the one thing about our National Action Plan is that we are also advocating that it be flexible enough to adjust for
regional or provincial differences and also differences between the needs of First Nations women, Métis women and Inuit women. Métis don't have the same statistics as Indigenous women for -- or First Nation women, and the Inuit have very acute and unique circumstances in the north, not necessarily replicated in the south.

So I think, you know, the Inuit women would advance that particular thing, but our National Action Plan is more than a Human Rights Commission where you claim your rights. It's also this national monitoring body, reporting body, very comprehensive about all of Canada's international human rights obligations and Indigenous rights obligations; whereas, tribunals tend to be provincially or regionally focussed, and that might work very well for the Inuit, but we're thinking about something much larger scale.

COMMISSIONER QADAQ ROBINSON: I believe the proposal is a National Tribunal as well.

DR. PAMELA PALMATER: Okay.

COMMISSIONER QADAQ ROBINSON: Because you asked -- you stated very eloquently and we've heard it everywhere, who do you call? Where's the recourse? Where is the recourse?

So I look forward to reading more about the rights claiming mechanisms in your submission and thank
you very much.

**DR. PAMELA PALMATER:** Thanks.

**COMMISSIONER BRIAN EYOLFSON:** Dr. Palmater, I don't have any further questions at this point. I just want to say thank you very much for your submissions and I want to acknowledge your colleagues that are with you as well today. Thank you. Miigwech.

**DR. PAMELA PALMATER:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** I too want to thank you, but first, to thank you on behalf of Commissioner Audette who has made it very clear to me that I am to say thank you for your very, very eloquent submissions. She said also she's anxious to read your submissions. She's dictating to me right now.

**DR. PAMELA PALMATER:** Oh, okay.

(LAUGHTER)

**DR. PAMELA PALMATER:** Via text.

**CHIEF COMMISSIONER MARION BULLER:** And I'm translating at the same time.

Yeah, and she agrees with the need for a comprehensive approach as you've described. And, yes, Michele, it'll make sense.

**DR. PAMELA PALMATER:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** I want to thank you as well and especially to put this in -- the
state that we're in right now as a crisis that requires an equally critical response ---

**DR. PAMELA PALMATER:** M'hm.

**CHIEF COMMISSIONER MARION BULLER:** ---

because I'm reminded of how quickly, swiftly and thoroughly governments will respond to snowfalls and ice storms and yet we are where we are. So maybe I should leave it at that. Thank you for putting it in that perspective for us. It’s been uplifting to listen to you today. Thank you very much.

**DR. PAMELA PALMATER:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** Thank you to your colleagues and I look forward to reading your submissions probably many times over.

**DR. PAMELA PALMATER:** Thank you very much.

**CHIEF COMMISSIONER MARION BULLER:** Thank you so much.

(APPLAUSE)

**MS. CHRISTA BIG CANOE:** Chief Commissioners, Commissioners, we’d like to request a lunch break at this point. But, again, if I could just address one housekeeping issue. I just want to remind any of the Parties with Standing that have made submissions today that, at the end of the day, we will be having an honouring song. So that if -- I know some parties have to
depart

or -- or catch flights, but if you’re available at the end
of the day, we will be inviting you up for an honour song.
And on that note, I’m going to request a one-hour lunch,
please. It’s -- it’s just about ten after twelve right
now -- or five after twelve.

CHIEF COMMISSIONER MARION BULLER: Will the
parties for this afternoon be able to start early?

MS. CHRISTA BIG CANOE: Yeah. No, we --
I -- I’m looking at Shelly. Yeah. I see them nodding,
yeah. Yeah. Yeah, definitely the first party up has just
indicated to us that they will be available to start at --
from -- once lunch -- once we come back from lunch. So if
I could request lunch, it’s -- until 1:10, for one hour?

CHIEF COMMISSIONER MARION BULLER: Let’s
say 1:15, it’s an even number.

MS. CHRISTA BIG CANOE: Okay. Thank you.

CHIEF COMMISSIONER MARION BULLER: One,
fifteen.

--- Upon recessing at 12:11 p.m. / L'audience est
suspendue à 12h11

--- Upon resuming at 1:26 p.m. /L'audience est reprise à
13h26

MS. VIOLET FORD: ...going to start.

UNIDENTIFIED SPEAKER: Okay. Yeah.
MS. VIOLET FORD: But before I begin, I will be asking the Commissioners for an exhibit to be entered from FAFIA, the last Parties with Standing before lunch, of the four-pager.

CHIEF COMMISSIONER MARION BULLER: Okay.

MS. VIOLET FORD: And the four-pager is Priority Recommendations: A National Action to End Violence Against Indigenous Women and Girls.

CHIEF COMMISSIONER MARION BULLER: Yes.

Priority Recommendations will -- four pages will be Exhibit 7, please.

--- EXHIBIT NO./PIÈCE NO. 7:

“Priority Recommendations: A National Action Plan to End Violence against Indigenous Women and Girls” (four pages)

Submitted by: Dr. Pamela Palmater, Representative for Canadian Feminist Alliance for International Action and Partners – Canada without Poverty and Dr. Pamela Palmater.

VIOLET FORD: Thank you.

CHIEF COMMISSIONER MARION BULLER: I thought it might have something to do with the blinds.
MS. VIOLET FORD: We were going to say that too, but we changed our minds. And next to me is Meredith Porter, she also one of the Commission counsel that will be with us today. So now, we would like to invite up the -- oops, the Canadian Association of Chiefs of Police, Ashley Smith. Step up to the podium, please. Thank you. Perfect.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. ASHLEY SMITH:

MS. ASHLEY SMITH: Thank you. Good afternoon, Chief Commissioner, Commissioners. As you’ve just heard, my name is Ashley Smith, and I’m counsel for the Canadian Association of Chiefs of Police. I’d also like to acknowledge that our Executive Director, Bill Moore, and our Government Relations and Strategic Communications Advisor, Tim Smith, are also in attendance today. Before I begin with my submissions, I would like to acknowledge that the land on which we gather is the traditional and unceded territory of the Algonquin Nation. Commissioners, you have already heard briefly about the Canadian Association of Chiefs of Police when Chief Clive Weighill testified at the Regina hearing in June. However, due to time constraints, Chief Weighill was only able to provide you a very brief overview of the CACP and its work. During my closing submissions today, I’d like to provide you some further information about the
CACP and talk to you about three things. Firstly, the CACP and its role. Secondly, some of the CACP’s initiatives, including its work regarding missing and murdered Indigenous women and girls, the CACP’s 2016 Moving Forward Conference, the CACP’s executive global studies research program, and the CACP’s work with regards to First Nations policing. Lastly, I would like to discuss CACP’s recommendations to the National Inquiry.

I’ll begin with the CACP and its role. The CACP is a non-profit organization, which was founded in 1905. It is national in character, but its interests and concerns have relevance to all levels of policing, including federal, provincial, regional, and municipal. It is dedicated to the support and promotion of efficient law enforcement and to the protection and security of the people of Canada. Some of the CACP’s goals are advocating for community partnerships and the highest professional and ethical standards within the police community. Our current membership includes Chiefs, Deputy Chiefs, Commissioners, directors from police services all across Canada. The First Nations Chiefs of Police Association, which was established in 1993, is formally recognized by the CACP and also has representation on the CACP Board of Directors. Through its members, the CACP represents in excess of 90 percent of the police community in Canada.
Now, while we have an active role in policing within Canada, it is important to note several things. Firstly, the CACP does not have the authority to bind any police service. Police services across Canada are governed by their respective legislation, Chiefs of Police and, if applicable, Board of Police Commissioners. As well, there is no single policing model across the country, so the CACP is not able to provide education and supports that are applicable to every police service or policing model at all times. Despite these limitations, however, the CACP continues to have a very collaborative and positive working relationship with its members and continues its work towards change and improvements to policing in Canada.

As you’re already aware, the CACP was a vocal supporter for the creation of the National Inquiry. Knowing the National Inquiry’s importance, and the CACP’s desire to continue its support of the National Inquiry, we applied for standing. We were granted national issue-specific standing by the National Inquiry for Part 2, Institutional and Part 3, Expert hearings. As I’ve already mentioned, the CACP provided a witness to the National Inquiry when former Chief Clive Weighill testified at the Police, Policies, and Practices hearing in Regina. We have also attended seven of the nine
institutional and expert hearings as a Party with
Standing. And we are attending this entire week of
closing submissions. We have been present, we have been
listening, and we know that there is much more work to be
done.

I would like to talk to you, though, about
some of the work that the CACP has already done with
regards to the issue of missing and murdered Indigenous
women and girls. When Chief Weighill testified, he spoke
primarily about the CACP’s efforts since 2014. However,
the CACP has been working on the issue of missing and
murdered Indigenous women and girls since at least 2002.
This has been, and continues to be, a priority of the
CACP. The majority of this work has arisen out of the
Policing with Aboriginal Peoples Committee, which was
renamed The Policing with First Nations, Métis, and Inuit
Peoples Committee in 2013, and will be renamed the
Indigenous Policing Committee in 2019. So for simplicity,
I will simply refer to it as the committee for the balance
of my submissions.

I’d like to briefly tell you about the
committee. It’s tasked with researching and advising the
CACP on matters relating to the provision of policing
services to Indigenous peoples and communities. Its
members are CACP members from provincial, municipal, First
Nations, and federal police services as well as non-police public safety partners, including the Canadian Forces and other government agencies. Members of the committee are from all regions of Canada and are a representative mix of ranks, roles, and demographics.

Now, about some of the committee’s work.
In June 2002, the committee began consulting with national organizations such as the Assembly of First Nations, The Congress of Aboriginal Peoples, the Inuit Women’s Association, and the Native Women’s Association of Canada on Aboriginal missing person cases. In March 2003, the committee organized and facilitated a conference, which had over 120 delegates attend with the Ontario First Nations Police Commission called Responding to Missing Aboriginal Persons. The committee then travelled to British Columbia in May 2003 to speak and consult with communities directly affected by missing person cases and violence against Aboriginal women. The 2003 CACP annual conference also featured a presentation regarding police response to Aboriginal and marginalized people.

In 2006, the Committee recommended Resolution number 07-2006 to the CACP, which it passed. The Resolution asked that all police services in Canada consider adopting the principles incorporated in the Ontario Provincial Police Lost/Missing Persons Manual, and
specifically, with respect to Aboriginal and marginalized people.

We have provided the Commission with a copy of this Resolution and its associated commentary pursuant to Rule 33 of the legal path.

You’ll also note that during the Quebec City hearing regarding oversight and accountability of the criminal justice system, Ms. Ellen Gabriel referenced this Resolution in her testimony.

She indicated that she thought the CACP still had to move on this, and there was also cross-examination by Ms. Brass where you heard some police services had instituted some procedures with regards to missing women.

For your reference -- due to time I won’t go through that in detail but it is pages 26 and 151 of Volume 4 of the mixed Part 2 and 3 hearing transcripts.

As I mentioned earlier, the CACP does not have the ability to force a police service to do anything. We don’t say this as an excuse, but it’s the reality the CACP faces. However, I do think it important to discuss why the CACP passed this Resolution in the first place.

The Resolution was requested by the committee as there was a significant feeling in Aboriginal communities that the police were not doing enough when
they responded to missing persons.

Further, Canadian police leaders and Canadians were concerned about the number of Aboriginal women who were reported missing or murdered in Canada.

The Committee concluded, based on community reviews of missing person policies, as well as recommendations from various inquiries and reports, that many police policies had a degree of bias, or stereotyping in them which played a role in the nature and degree of police responses to missing person cases involving people from Aboriginal and marginalized groups.

Appropriate and effective protocols were needed so that investigations were sensitive to the concerns and circumstances of Aboriginal and marginalized people who were reported missing.

At the time, the Ontario Provincial Police, or OPP, had produced a Lost/Missing Persons Manual for dealing with missing persons that was based on the principles of cultural sensitivity, respect, compassion, and empathy. This is why the OPP Lost and Missing Persons Manual was identified in the Resolution, and a copy of that manual was provided to all CACP members to access as a resource.

The Committee was committed to creating a more effective police investigative environment around
lost or missing Aboriginal or marginalized people, and also raised this resolution with the Minister of Justice at the time.

The work of the Committee did not end there. During 2011 to 2012, the Committee met with the Native Women’s Association of Canada, learned about the Sister Watch Program, and more about the downtown eastside in Vancouver, B.C.

They met with the Aboriginal Front Door Society and endorsed changes to the Canadian Police Information Centre regarding the missing persons’ category, among other initiatives.

During 2013 to 2014, the Committee continued to educate themselves on missing and murdered Aboriginal women, and received presentations on the OPP’s review of historical and current Ontario cases of missing and murdered Aboriginal women and men; human trafficking from a national perspective; the draft Justice Framework on violence against Aboriginal Women and Girls from Public Safety Canada; and the RCMP Operational Overview on Missing and Murdered Aboriginal Women.

As you already know from the testimony of Chief Weighill, the CACP placed even more focus on the issue of missing and murdered Aboriginal women and girls in late 2014 as it was the focus of the 2014 CACP Annual
General Meeting.

The CACP released a statement after the Annual General Meeting, and this was filed as Exhibit 54 with the National Inquiry at the police hearing.

I will not read the entire statement but simply note that in it the CACP recognized the seriousness and tragedy of murdered and missing Aboriginal women, and that these troubling occurrences were broader than just a police issue but included health, social services, education, Aboriginal people, and all levels of government.

The CACP indicated it took this issue very, very seriously and didn’t want to see unnecessary delays to concrete action.

They called for next steps to be taken and indicated they wanted to work collaboratively with Aboriginal organizations and government. The statement concludes by saying:

“Let’s roll up our sleeves; let’s be collaborative, and let’s move ahead.”

(As read)

In September 2014, the CACP met with the Naïve Women’s Association of Canada to discuss the issues surrounding missing and murdered Aboriginal women. Both organizations agreed to participate in partnership and to
be constructive voices in developing solutions.

As a result of that meeting, a September 30th, 2014 joint statement was released between the CACP and NWAC indicating their agreement to participate in partnership and be constructive voices in developing solutions on the issue of missing and murdered Aboriginal women, and the entirety of the statement can be found at Exhibit 53 from the police hearing.

In June 2015, the CACP in response to the release of the RCMP’s Missing and Murdered Aboriginal Women 2015 Update to the National Operation Overview again stressed its commitment to working in partnership and to be constructive voices in developing solutions which lead to improving the path forward of our First nations, Métis, and Inuit peoples.

The CACP encouraged police services to continuously share data, enhance efforts on unresolved cases, focus on prevention efforts, and increase public awareness.

Then-President of the CACP, Clive Weighill, released a statement asking for a collective focus, a will to make change that we may move forward with action. He indicated the CACP would continue its engagement on the issue as the Committee was focusing on prevention and early intervention activities to reduce violence against
Aboriginal women, with the goal of promoting positive interactions and relations between Aboriginal women and police.

The statement concluded by commending the efforts of the Assembly of First Nations, Native Women’s Association of Canada, the Truth and Reconciliation Commission, and the RCMP. The CACP renewed their commitment to work constructively and collaboratively with each of these organizations moving forward. And to see the entirety of Chief Weighill’s statement, it is Exhibit 54 from the police hearing.

Due to time, I’m not able to tell you all the work of the Committee; however, pursuant to Rule 33 we have filed all of the Committee’s annual reports from 2009 to present, and these are also publically available on the CACP’s Web site.

I’ll simply note that supporting the National Inquiry has been, and continues to be, a priority of the CACP, as is the CACP’s work regarding missing and murdered Indigenous women and girls.

Next, I would like to tell you a little bit more about the Moving Forward Safer Futures: An Inclusive Dialogue amongst Police, Policy Makers and Canadian Aboriginal Peoples’ Conference. It’s quite the title.

Chief Weighill referenced this during his
testimony, and also for simplicity I’ll simply call the Moving Forward Conference, “Moving Forward."

The conference was held in May 2016 with over 180 delegates attending from across Canada. This was the CACP’s first national conference on working with the Indigenous community.

We have also now provided you, pursuant to Rule 33, a copy of the entire agenda, as well as an overview of the conference. This will now provide you Commissioners greater detail about the presentation topics and the speaker who presented.

We have also previously provided you a media release and an article, which are Exhibits 55 and 56 from the police hearing.

As you’ll note from the conference agenda, Elders, grandmothers, the National Chief of the Assembly of First Nations, the Minister of Public Safety and Emergency Preparedness, the Assistant Deputy Attorney for the Government of Canada, members of healing societies, representatives from Statistics Canada, government policy advisors, chairs of boards of police commissioners, members of community and grassroots organizations, researchers, academics, and members of police services from across the country, including First Nations police services participated in the Moving Forward Conference.
The conference focused on the following themes: On-reserve and urban conditions affecting community safety and wellbeing; collaboration among health, social services, education, government, and community; reconciliation, community destiny, and self-determination, policy legitimacy, strategies for improved protection of vulnerable persons, missing and murdered Aboriginal women, internal education for police, external education for policymakers and communities most affected by multiple risk factors, and ensuring policing is representative of Aboriginal peoples, recruitment, retention, and self-administered policing, and peacekeeping models.

I encourage you to review the agenda and the presentations which were offered, but I will note some of them to give you an idea: An Abridged History of First Nations Justice System Relations by Mr. Dan Bellegarde, Chair, Board of Police Commissioners of File Hills First Nations Police Service; Reconciliation and Moving Forward to Safer Futures, by National Chief Perry Bellegarde, Assembly of First Nations; and Effective Partnerships with Police and Community Agencies, by Ms. Sherry Fowler, Head Start team leader, Bent Arrow Traditional Healing Society. These are just a few examples of the presentations from the conference.
Colonization, residential schools, the Truth and Reconciliation Commission calls to action, challenges facing the Aboriginal population with regards to incarceration, mental health, victimization, child welfare, living conditions on reserve, reconciliation, First Nations policing, restorative justice, the sexual trafficking of Aboriginal girls, the use of police data for predictive analytics are just a few of the topics that were covered through the presentations of the conference.

The information from the Moving Forward Conference was consolidated, and calls to action were released by the CACP. These calls to action can be found at Exhibit 55 from the police hearing.

Commissioners, I'd like to take you through the calls of action because we will commend these to you as recommendations, and they are as follows:

Number 1, the CACP is encouraging social and justice stakeholders, federal and provincial governments, Indigenous leaders and people to continue to call for immediate action prior to recommendations of the Missing and Murdered Indigenous Women and Girls Inquiry.

That governments immediately focus on efforts to improve the quality of lives of Indigenous peoples through investment and basic needs, housing, education, health, and social services in order to ensure
healthier communities and reduce victimization.

Number 3, alternative approaches are required to reduce the disproportionate representation of Indigenous peoples within the criminal justice system. An active dialogue is required between all stakeholders to address this issue.

Number 4, Indigenous people in First Nations community deserve the same quality of policing as people living in municipalities. The First Nations Police Program requires a complete renewal to ensure adequate and consistent funding that no longer be considered a program, but rather reflective of the essential services that First Nations policing provides.

Five, police services need to support and encourage the increase of knowledge and involvement related to traditional, spiritual, and cultural teachings. They need to continually provide -- promote inclusiveness. Elder Annie Johnston had the following simple message:

"Keep us safe. Respect our culture and value." (As read)

This must be the goal of all police services throughout Canada.

Number 6, build programming infrastructure around the Youth Criminal Justice Act to provide addictions assistance, programming, and interventions to
prevent youth from getting deeper involved in the criminal
justice system.

Number 7, the fundamentals of policing need
to be enhanced. The development of relationships,
especially with Indigenous youth, is essential to us
working together to find solutions. It is about learning,
listening, connecting, commitment, and empowerment.

And lastly, Number 8, police and Indigenous
leaders must continue working with other justice partners
to advance culturally responsive, restorative, and
community justice solutions.

These calls to action address many of the
concerns which have been raised, not only during the
course of the National Inquiry, but at previous inquiries
and commissions, as outlined in the master list of
previous recommendations. The CACP continues to support
and advocate for the calls to action which arose from the
Moving Forward Conference.

Next, I'd like to briefly expand upon the
information provided to you by Chief Weighill about the
CACP Executive Global Studies Program. It is an annual
research-driven executive development program based upon
experiential program-based learning and research model
that combines classroom sessions, independent online
study, and computer-mediated conferencing with
international field research, and looks at a variety of operational and management aspects of policing and justice administration.

To date, over 150 police executives have completed the Global Field Research Studies in 35 countries around the world on topics determined by the CACP board of directors. I won't have time to take you into any great detail about the Global Studies Program you'll find more information in our written submissions, and we have filed, pursuant to Rule 33, two of the cohorts' reports, which I will discuss briefly.

The 2017 Global Studies Cohort Research Public Trust. It found that police had an overly positive perception of how the public trusts them, so police at all levels need to listen more closely to each and every community they serve.

Calls to action for Canadian policing were provided to assist in building public trust, including but not limited to engagement with community, providing meaningful and important information in a timely manner to the public, visible accountability in all aspects of service deliver, and member conduct. I have been advised that the relationships among Canadian police agencies and Indigenous communities featured heavily in the research team's deliberations.
The 2017 Cohorts findings were presented as well at the CACP annual conference in Montreal in July 2017.

The 2018 Global Studies Cohort focused on the topic of equity, inclusion, and fundamental respect in diverse policing organizations, as well as the impact these may have on the wellness of members, internal talent management, and keeping communities safe with the continuing trust and consent of Canadians.

Police leaders from across the country are recognizing that police services are becoming less reflective of the rapidly changing communities and attracting new talent is also becoming increasingly difficult.

The 2018 Cohort found that exclusionary behaviour had a direct impact on staff morale and mental health, professionalism and workplace safety, in both Canadian and international police services. Police services were challenged by the 2018 Cohort to change assimilative policing culture, widen the path to talent as broadly and rapidly as possible to attract a generation of diversely talented police professionals, and to have courageous leaders prepared to challenge personal and organizational core beliefs, values, and traditions.

The results and calls to action of the
2018 Cohorts research was presented at the August 2018 CACP AAGM (ph) in Halifax.

The Global Studies Program is not the only research initiatives that the CACP has been involved in. The CACP's Crime Prevention and Community Safety and Well-Being Committee helped lead the national framework for collaborative police action on intimate partner violence. The purpose of the national framework is to provide police services across Canada with leading practices to address intimate partner violence that can be used among police agencies and with community partners.

A copy of the national framework has been provided to you, Commissioners, pursuant to Rule 33, if you would like to review it in more detail.

The CACP also has a representative serving on the expert panel guiding the Council of Canadian Academia's work on -- Academy's -- pardon me -- work on policing in Indigenous communities. The project is looking at the challenges police services in Indigenous communities may face, including remoteness, limited action -- access to social services, and scarce resources. It's looking at opportunities to strengthen community ties, improve safety outcomes, and enhance the cultural responsiveness of policing in these communities, as well as looking at the present and future role of police
services on reserves, in self-governing First Nations, and
in Inuit communities.

This project is still in progress, and upon
conclusion a report will be published regarding the
results of this research.

The CACP continues and remains committed to
seek out further research opportunities and collaborations
to improve and advance policing in a positive way.

I’d like to discuss as well the CACP’s work
with First Nations policing. We’ve heard a lot about
First Nations policing throughout the entirety of the
National Inquiry, and the CACP has been working over the
last two years to have the importance of First Nations
policing recognized and for them to be provided with the
proper support and funding it requires.

In 2008 the CACP passed Resolution 2008-04
which states:

“The CACP urges the federal government
to ensure its policy, support,
community vision, and to commit to and
maintain support for the provision of
First Nations policing that is
adequately funded for sustainability.”

In support of this resolution, the CACP
sent letters to the Ministers of Public Safety and the
Ministers of Justice and Attorney General. CACP representatives met with government officials on numerous occasions in 2009, 2011, 2012. On March 4th, 2013 Public Safety Canada announced a five year commitment to the First Nations Policing Program, a freeze on funding for 2013 to 2014 and very minimal increases for the remaining four years. As a result renewed focus occurred on this issue and the First Nations 2008 policing resolution was incorporated in Resolution 2013-04, which reads:

“The CACP urges the federal government to acknowledge First Nations and Inuit policing as an essential service and through its policies to commit to and maintain appropriate levels of support, funding flexibility, and predictability to ensure the long-term sustainability of effective, professional and culturally responsive policing services for First Nations and Inuit communities.”

The 2013 resolution continues to be an active resolution of the CACP and remains part of the committee’s priorities. We’ve provided a copy of these resolutions to you as well as their status updates pursuant to Rule 33.
I’d now like to move to my final point, which is the CACP’s recommendations for the National Inquiry. The CACP acknowledges the term many recommendations that could be made regarding police, and the recommendations we provide are not meant to be exclusive of others. Our recommendations are not novel. Many have been suggested by other witnesses and parties or have, in some form, been highlighted in past inquiries, as evidenced by the master list of previous recommendations. However, the CACP continues its work to encourage police services across Canada, if they have not already done so, to undertake these recommendations and calls to action.

The CACP previously provided four recommendations to the National Inquiry through the testimony of Chief Weighill and these are in Exhibit 77 from the police hearing. For those that were not present during Chief Weighill testimony I will briefly identify those four recommendations.

Firstly, that universal programs need to be implemented, allowing the police and courts to divert youth by providing educational, addiction, and/or healthy lifestyle alternatives rather than correctional custody remedies in an effort to lessen the overrepresentation of Indigenous persons in our correctional facilities.

Number two, the federal government needs to
provide leadership to reduce vulnerability by bringing together all levels of government, Indigenous leaders, and persons with lived experience to develop and fund a coordinated effort to reduce poverty, homelessness, addictions and racism within our communities.

Number three, funding from the federal government for infrastructure, education, and health for Indigenous persons living on their respective First Nation need to be expanded to include Indigenous persons living in urban or other areas away from their respective First Nation.

And four, all police services must have a robust educational plan for their staff, civilian and sworn, to ensure they understand and recognize Indigenous history, culture, and the challenges facing Indigenous persons in contemporary society.

I’ve already discussed with you the calls to action from the 2016 Moving Forward Conference. I will not go through those again. And I’ve already noted that they are listed as well in Exhibit 55 from the police hearing.

We would also like to recommend the resolutions that we have brought forward and lobbied the government regarding, which I just previously discussed, the first being police services creating a policy manual
regarding missing persons that features cultural sensitivity, respect, compassion, and empathy.

However, we would expand upon this initial resolution of the CACP to recommend that if any police service does not have a policy regarding how missing person reports and investigations should be handled, a policy should be put into place immediately. The policy should be culturally competent and trauma informed with an emphasis on regular contact with the families and loved ones of the missing person. As well, if any police service prescribes to a 24-hour waiting period to report missing persons that that practice be abolished immediately.

Now, the evidence before the Inquiry from Chief Weighill, Chief Smyth of the Winnipeg Police Service, and several RCMP witnesses is that the 24-hour waiting period is not their practice. Chief Weighill even described this as a thing of the past. So the CACP only provides this recommendation out of an abundance of caution not out of the belief that this practice is an accepted or regular practice across Canada.

Then there’s our resolution regarding First Nations policing, which was that the federal government acknowledge First Nations and Inuit policing as an essential service and through its policies to commit to
and maintain appropriate levels of support, funding flexibility, and predictability to ensure the long-term sustainability of effective professional and culturally responsive policing services for First Nations and Inuit communities.

However, the CACP would expand upon their initial resolution to also recommend more resources and funding not only be provided to policing in the north but towards the improvement and creation of social agencies and victim resources in the north.

The CACP also has several other recommendations regarding training, recruitment, and independent civilian oversight of police.

Firstly, with regards to training, the importance of training has already been addressed in Chief Weighill’s initial recommendations and the calls to action from the Moving Forward Conference where it speaks to the importance of training for police regarding Indigenous culture and history.

The CACP supports that that training be mandatory for all sworn and civilian members of police services. As well, that the following training, if it is not already being provided, occur, training to the specific Indigenous groups in the area of a specific police service, including but not limited to their culture
and language, training about the National Inquiry and its recommendations, and training on trauma informed practices when interviewing and dealing with victims, although I do acknowledge that that particular training may not be completely applicable to all civilian members of a police service and it would have to be provided to those that it was applicable to.

With regards to recruitment, that efforts continue to improve recruitment practices, to increase the number of Indigenous police officers across Canada, and lastly independent civilian oversight of police. If it is not already occurring that independent civilian oversight of police occur in all jurisdictions of Canada.

The CACP is dedicated to supporting and promoting the protection and security of the people of Canada. It takes its goals of advocating for community partnerships in the highest professional and ethical standards with the police community, among other goals, very seriously. The CACP would not be meeting its mandate if it did not continue to advocate and work for change and improvements to policing.

The CACP continues its support of the National Inquiry, as it has for many years. The CACP has a plan and the National Inquiry’s report will not be gathering dust on our shelf.
The Committee is ready to review the National Inquiry’s report and recommendations in great detail. The Committee will then provide recommendations to the CACP Board of Directors regarding how the CACP can assist police services across Canada with supports and education to aid in their understanding and implementation of the National Inquiry’s recommendations.

The CACP also remains committed to continuing to strengthen its relationships with the Indigenous community and Indigenous partners.

Lastly, the CACP would like to thank the Commissioners, Elders, grandmothers, members of the National Family Advisory Circle, all of the families, loved ones, survivors, and witnesses who shared their truth, the National Inquiry staff, those who participated in and attended the hearings, whether in person or online, and the parties with standing.

Commissioners, thank you, and that concludes my closing submissions on behalf of the CACP and I would be happy to answer any questions you may have.

(APPLAUSE)

MS. VIOLET FORD: Do you have any questions, Commissioners, Chief Commissioner?

COMMISSIONER QAJAQ ROBINSON: Thank you, Counsel, for your presentation and submissions.
I have one question about the need and the recommendation or resolution about the necessity of civilian oversight in all jurisdictions.

Some of the concerns that we’ve heard is civilian oversight being -- civilian oversight bodies being built up basically of retired cops. Does the CACP have thoughts and recommendations on how these bodies should be constituted?

**MS. ASHLEY SMITH:** I don't currently have instructions on that; however, I'm happy to provide that in the written submissions after speaking with my client.

**COMMISSIONER QADAQ ROBINSON:** Thank you. Those are all my questions. Thank you again.

**COMMISSIONER BRIAN EYOLFSON:** I don't have any additional questions. I just want to thank you very much for your submissions today. Thanks.

**CHIEF COMMISSIONER MARION BULLER:** I don't have any questions either, but I want to thank you for your very compelling submissions today. I look forward to reading the written submissions as well and thank you for the hard work you've done on behalf of your client. It's been a great help for us as well.

**MS. ASHLEY SMITH:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** Thank you.
MS. VIOLET FORD: With that, we would like to call up the next party with standing, the Canadian Association of Police Governance and First Nations Police Governance Council. Loretta Pete-Lambert, come to the podium.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. LORETTA PETE-LAMBERT:

MS. LORETTA PETE-LAMBERT: Hello. Good afternoon. My name is, an announced, Loretta Pete-Lambert. I'm from Saskatchewan in the Treaty 6 territory. And behind me is my support here. Dan Belgard, he's from the Treaty 4 territory, same place in Saskatchewan.

We come to you today and are very honoured to be standing and sitting on unceded land of the Algonquin, a true blessing to be able to stand again in front of you, Commissioners.

I was privy to the hearings in Calgary and was quite impressed by the statements given by people and the focus on ceremony. And today I offer you my warrior cape I call it, as a symbol for the women that have gone before us and the girls that have been lost.

This afternoon I am making a presentation on behalf of the First Peoples -- First Nations Police Governance Council. And this afternoon when I make reference to it I'll just call it "Council" rather than
saying the complete term for it.

Mr. Belgard that sits behind me is one of the chairs of the self-administered council, governance council, and he has the lived experience of this kind of a governance council. I'm just a legal counsel who came into the scene.

As you are aware, one of our most prestigious women of the law, Ms. Michelle Brass, got appointed to a provincial judge position in Saskatchewan, for which I am very proud of, and I therefore replaced her on this task.

So this afternoon what I'd like to provide is a background as to the council. You have heard this submission prior. You've heard about the First Nations Police Governance Council. It's part of the Canadian Association of Police Governance and you just heard their presentation by Ashley, my learned friend.

So the Council represents those First Nations that have established their own Indigenous police services and put in place governance mechanisms for that service.

This is referred to as a self-administered Indigenous police service that operates independently and they are governed -- the system is governed by the own people through a police or peacekeeper's service board.
The council represents those First Nations that have entered into an agreement with the provincial government under the First People's Police Program, which is called the FNPP, and a provincial public service ministry for such arrangements. So there's arrangements set out to ensure that this program exists.

This program is a federal government policy and is not affected by the provincial legislations as other police services in Canada.

The File Hills First Nations Police Governance operates under the Saskatchewan Police Act and there are other agreements in other parts of Canada that have this kind of an agreement.

Today we advocate for the creation and action of own legislation to support these self-governance agreements. Self-administered means that there would be an administration done by the local people in the governance of the system.

On August 17, 2017 the Council was granted party status with standing and it has been permitted to make submissions before the Commissioners. And we do that today.

And then on June 25, 2018 the Council made a submission to the Inquiry with recommendations. And today we will be asking that pursuant to Rule 33 that we
submit the inclusions of this recommendation into your report and ask you to include it in your submission.

The final submission that we are submitting in the next week or in the next four days builds upon these recommendations and expands on the recommendations. So that will be your reading on our submission.

It is the view of the Council and also the Canadian Association of Police Governance that there is a link between the issues that the Commission is addressing today and the notion of First Nations Police Governance.

This issue of missing and murdered Indigenous women and girls is one that involves the whole community. When a tragic event happens such as what we're here for today and what you're investigating is not a simply -- it's not a simple police matter. Although all police services need to take these disappearances seriously and respectfully, we believe that the loss of one woman or girl, for whatever reason, is not acceptable.

However, there is a cyclical relationship of these losses to underlying issue of safety within a First Nation community. Only a community that works towards a holistic view of that public safety, not one driven by a response to incidences alone, but to effect collaborative efforts of the people, the Elders within that community, the administrators, and their own police
working together can hope to ensure that the measures that would prevent these losses were caught well before they occurred.

Further, only in a community that has control of its own tools to work collectively can there be a response when such a loss takes place.

We therefore are putting forward a number of observations and recommendations about police governance and models of safety, community safety, that we believe would improve the overall capacity of First Nations to take control of their safety. We'd prevent further tragedies from happening and set them on a path to self-determination.

Because of the relationship with other police practices in larger urban cities, we also want to make some recommendations for improving the practice of municipal board governance affecting police legislation.

A little more background on the Indigenous Police Governance. The Council focuses on the issue of police governance. They are the governors of the police and their respective nations.

“Governance”, in this instance, as it applies to all police governance in Canada, are regulated through provincial regulations. The governance in this instance serves to provide direction to the police and
peacekeeper activities on behalf of the individual or collective First Nations.

This governance takes the form of setting out strategic direction for the services. It creates policies for the operation of the service, it hires the police executives, it monitors the delivery of the services and holds the service to account for results.

Like most oversight bodies, its role is to ensure the delivery of good police services. It is also to ensure that police services are delivered without operational, political interference, serving as a buffer between the lawmakers and the police.

Individual Indigenous people boards ensure community involvement and that community values are reflected in the police services being provided for their nations -- or nations and territories.

The Council is cognizant of the important work that is being implemented by the MMIWG Commission - you the commissioners - the loss of one woman, as stated before, or girl, or man, or boy, from our individual respective communities, is one too many.

The fact that this remains prevalent in our communities underscores the need for First Nations police and peacekeeping services in our communities and those services would be based on the holistic model of First
Nations community safety and governance of those entities.

With the introduction of the self-administered First Nations police services and the peacekeeping services to Indigenous communities, they have been able to address some of the deep distrust that is entrenched in Indigenous communities.

Indigenous approaches and concepts to policing have always been introduced through Indigenous involvement even in municipal police boards. This kind of -- with some kind -- with more resourcing provided, albeit at a rate that is insufficient to meet the standards and requirements for police services in other parts of the country, this more resourcing can progress to success.

Research has shown as well that First Nations that adopt a self-administered model have a police service that’s highly active in the community. Engaging in activities where they provide engagement for positive, preventative and problem-solving activities, such as -- some of the activities that local police services have engaged in are things like local sports, or just talk-shows, or attending school functions; all positive presence in the communities.

First Nations police services have also provided leadership in the creation of integrated approaches, such as the introduction of the Social
Navigator initiatives, community programs, targeting gangs, focusing on the need of Elders and culturally affirming problem-solving activities.

An increased and expanded First Nations police and peacekeeping services throughout the communities in Canada, will assist in addressing particular policing concern raised in the Commission’s hearing.

The purpose of the Council’s submission here today is to ensure that its recommendations are made by the Commission for important steps to be taken towards rebuilding the flawed system of policing that contributes to the profound risks faced by Indigenous women and girls.

These systemic flaws in the current justice system, have led to some of the tragic incidences that are the core subject before the Commission today.

A First Nations policing approach such as the self-administered approach, leads to greater self-determination and therefore greater self-responsibility by communities. These are initiatives that can address the flaws in the current justice system.

If the recommendations are made in the following -- for the following needs to be met, the Council believes that First Nations will be equipped to assist with the issues that contribute to whether First
Nations women, girls and males, are at risk.

Some of the needs include the provision of resources for the prevention of public safety -- preventative elements of public safety, pardon me, the adoption of more culturally sensitive means of policing, the improved governance that truly reflects the Indigenous values of community engagement and the adoption a holistic community safety model with adequate capacity in terms of skills, depth and funding.

The Committee is mandated to work with First Nations communities towards a holistic view of public safety through effective collaborative efforts of the local people, their Elders, their administrators and their own police, all working together to ensure that measures are in place to prevent the loss of another member of the community.

A system driven by after-the-fact responses to incidences is ineffective. A system is needed that has pre-existing mechanisms for better addressing why women and girls are first put at risk.

In other words, Indigenous police services must be equipped properly and be able to act proactively rather than merely reacting to a specific situation.

One key aspect of this is to have a police force that Indigenous community members can trust.
Another mechanism is to have the community directly involved in its own policing.

The governance model in place in self-administered agreements provides the basis for building this trust throughout the engagement of citizens in actual governance and in their interaction with the community to be responsive to its needs.

So to that end, the First Nations Police Governance Council makes the following recommendation in these areas and the recommendation: first one, because communities will only be safer and women less vulnerable with community based holistic solutions.

We need a model of First Nations policing that needs to be there and adopted. This model must be built on -- it could be built on the pre-colonial method of community safety which centered on prevention, full community support, the application of values of earth and spirit, to ensure that all community members feel part of the process of helping those at risk to avoid error and to those who have erred on the part of restoring social harmony.

This is not an unrealistic aspiration. It is clear that many of the incidences of murdered and missing women and girls may have been avoided with stronger community support, but communities need to be
equipped to be able to support police in place, but a part of a larger system. So too does a community culture based on self-determination, rather than on powerlessness and loss of hope.

Governance, the second recommendation. Governance, the effective control through resourcing resources, direction setting and accountability, can only be achieved when First Nations assume that role as those that have adopted the self-administered model under the First Nation police policy have found that it works. Governance is needed to remove the colonial relationship inherent in the current First Nation police policy.

The Council strongly believes that there are -- there is a great difference between a self-directed governance model operating through a police board directing police or peacekeeper services and the community consultation committees and advising external police agencies such as the RCMP which take their direction from a national entity, so there's a disjoint there in terms of governance.

The federal government First Nations police program should be radically altered to incentivize the adoption of First Nations of their own police services, either individually or collectively. That means not just creating an option as the current police programs offer,
but helping First Nations build towards self-determination in this area.

This would include special interests incentives for First Nations, either individually or groups, to create their own policing services. This would mean First Nations would assume the governance roles and take control. It would also mean special funding to equip the First Nations to do so.

The current policy, as well as built on an inadequate and colonial basis of funding, the contribution agreement, and the individual project control system that ensures continued bureaucratic oversight of First Nations, the very processes in place create disincentives for action towards the supposed goal of self-determination.

Third, the First Nations, for their part, must develop a legal framework that includes a governance model that provides leadership to the police service, but also engages the community while ensuring that police services are not subject to any political interference. This means a model, not just for policing, but inclusion of a First Nations justice system. There would be a means for the adoption of the First Nation law, a means of social control -- maybe dispute resolution models could be used within that justice system -- and of course, sanctions for those who break the First Nations law and
some kind of retribution or rehabilitative processes could be in place to support such a system.

We have examples of this in our communities at this time. We have Kahnawake, we have Tsuu T’ina in Alberta that have these kind of models in the works. Doing this would take great work and expertise that some First Nations may not have. However, we have models out there that they can, of course, look at their best practices and adopt those practices.

Here, we have a strong potential for organizations such as the First Nations Police Governance Council, if properly supported, to build a shareholder base of expertise that they can offer to other communities.

Another recommendation, policing within First Nations should be classified as an essential service. We need it in our communities. It must be funded then as an equal, fair, and consistent service, recognizing that the efforts that it achieves as its top operating system will probably take years to do; however, it will take years also to overcome years of damage to the social fibre of those communities without great effort.

In 2018, the federal government announced two funding initiatives: 291 million was earmarked to pay for -- to upgrade the pay levels for First Nations police
officers so they could have pay equity such as with other police services in Canada. Another initiative was the allocation of 88.6 million to upgrade the facilities in First Nations communities. Those are two initiatives that I -- we are thankful for.

While these are welcome, they only serve to bring policing in First Nations to a more equitable basis. The fact remains that crime rates, and more importantly, threats to social, health, and economic wellbeing, all key risks to public safety, are higher in First Nations community than in the rest of Canada.

Another recommendation, governance capacity needs to be built in all First Nations, building on the experience to date shared among them in useful ways. This includes further work through the Canadian Association of Police Governance and the First Nations Police Governance Council. There would be a need for training tools for governance, ways of sharing of stories and experiences, and the representative models of governance to guide chiefs and council in establishing such governance. The federal government should fund the development of these resources.

Another recommendation is police should be encouraged to mandate these police service boards or commissions created under provincial jurisdiction to
govern municipal police service to have First Nations representation required where there are significant First Nations population, permanent or transient, in their community.

Further, these boards or commissions should be mandated to engage First Nations groups and organizations in their environmental scanning and planning.

Where there are First Nations police governance bodies nearby, these municipal boards or commissions should actively engage with them to determine ways to ensure that the transient First Nations people are not lost between the jurisdictions.

New models of joint oversight need to be created by large urban police boards working with First Nations beyond their boundaries, but which have a history of their members in moving into the cities and back to improved communication, better support systems that would want to return to their homes or need greater Indigenous support in the city. And certainly, there is a collaborative effort by all boards that would be requested.

For example, the Saskatchewan -- in Saskatoon we have a police commissioner board chair who is an Indigenous person and she's the chair of the board.
And we -- I guess we expect her to advocate for the Indigenous people in the community.

To sum up, the police -- the First Nations policing, governed by First Nations itself, through the adoption of a First Nation-administered model can and does work to integrate their police services with other social and cultural services, all serving the individual Nations as well as the community.

This is a formula for safety and more resilient -- safer and more resilient communities. Police services disconnected from the integration by distance, organizational controls, or constraints coming from distance headquarters, will eventually fail in spite of the very real efforts of officers on the ground.

Governance models must develop a formula to have a strategy in place to be able to govern despite the distances, despite the restraints, and self-administered models are the models that we believe will provide that attainment of that goal.

Providing that kind of governance for that kind of policing is a special calling, one that provides both support to First Nations policing, but more importantly, it gives direction, policy, and accountability to the community.

The current system we have is skewed
towards dependence and passivity. Our new model must be
built on self-determination, integrated Indigenous justice
models, and a focus on prevention and restoration.

What I'd like to do now is just go over
what our written submission will focus on, and I'll just
give you the sort of the highlights of it.

And what we will be discussing in the
written submission that we will be submitting to you is
some of the keys issues we believe exist between the First
Nations people governance council, and the Canadian
Association of Police Governance.

And of course, one of the key issues is the
trust of police services. That's an issue, I think,
that's going to be discussed in more detail in our
submission.

And then the other one will be the need for
more Indigenous approaches to policing, which will
include, of course, the community, and the need for
Indigenous involvement in police boards, not only in self-
administered, but also in municipal boards. And I just
gave an example of one of the involvement of our -- one of
our Saskatchewan First Nations woman is a Chair of the
Saskatoon City -- City Police Board. So that’s an
incentive.

Another thing would be to give you some of
the resources for Indigenous police services and how that exists. That’ll be in our written submission. Another thing we will speak on and write upon in our submission is the impacts of Indigenous policing services, how they have been successful in First Nations communities, First Nations policing and how it has been an obligation for them, in terms of treaty, to be able to fulfil the treaty obligations. We will speak on that. We will write on that in our submission. And another thing that’ll be written under that will be, how will Indigenous police services exist in comparison to other police services.

How do they -- what’s the interplay between the police services out there in the country. The other topic that you will -- be submitted in our written report will be, what is the interface with Indigenous police services and the Canadian police services. How can we achieve diversity with on -- within those systems. And then, how do we address capacity building for Indigenous communities. And those will be also outlined in our written submission.

We also will be asking, as I said before, that the recommendations that were submitted on June 25th be included in our report as we submit to you again, and to implement the policing services, how we’re going to implement -- how we propose there will be an
implementation of the Indigenous policing services for all
treaty and Indigenous territories and communities. And
also, we will be proposing a model, a First Nations
justice model, that’ll include policing, courts,
prosecution, and a defence system governed by Indigenous
people. And that’s where the -- the First Nations People
Council will be making its presentation around those topic
areas. So I know I have ten minutes left, but I will stop
now. That’s it. Thank you very much.

(APPLAUSE)

MS. LORETTA PETE-LAMBERT: As I would say
in court, barring any questions, that is my submission.

MS. MEREDITH PORTER: Thank you. Thank you
very much, counsel. Chief Commissioner, Commissioners, do
you have any questions?

CHIEF COMMISSIONER MARION BULLER:

Questions? Comments?

MS. MEREDITH PORTER: I can’t hear that.

COMMISSIONER QAJAQ ROBINSON: Thank you,
counsel. I have a couple of questions. One thing we’ve
heard from -- or a concern we’ve heard from some families
and survivors who, in the course of their experiences,
have encountered self-administered police forces, is
concerns about -- I’m hearing myself, over governance
issues, quite frankly, where it’s either the band council
that feels that double role and is also part of the police board. And concerns about good governance when it’s a small community, when they’re related, potentially, to accuseds, and a distrust in the governance systems that are -- that were in place at the time or currently are. Can you speak to how -- what you’ve proposed in your recommendations would address that concern over nepotism, close, tight relationships, and -- and the independence and the accountability of the governance bodies?

**MS. LORETTA PETE-LAMBERT:** Understand -- and I think the person who more -- more aptly would be able to address that will be Dan Bellegarde, who’s behind me. He has the lived experience. I just have the theoretical basis. Thank you. Just a --

**MR. DAN BELLEGARDE:** Thank you, Loretta.

And good afternoon, Commissioners, ladies and gentlemen. The issue of governance, as you put it, political interference, essentially, in the operations of a police service, is something that not only First Nations have to come to grips with, but every other police service, I would think, in the world. The issue of good governance, of accountability, of civilian oversight, are all part of the mix.

What -- I can give you an example of what
we’ve done in the File Hills First Nations Police Service. We have an agreement with Canada, and Saskatchewan, and our First Nation leadership, to deliver these services. We have set out clear terms of reference for the operation of the -- of the Board of Police Commissioners, signed off by all of the Chiefs of the five First Nations that we serve. And these are very clearly set out. We have distinct roles and responsibilities as set out in the Saskatchewan Police Act as well, which govern at large the police service itself. And we have a board, I think, of police Commissioners now that have gotten -- gone through training about roles and responsibilities and the ability to manage the -- the policy framework of the police service.

And I think it’s something that we do have to work on. And I think the First Nations Police Governance Council has received funding from Public Safety Canada to develop training programs in the area of governance. And that particular one is on the top of our list, the relationship between the Board of Police Commissioners, the Chief of Police, and the First Nations leadership themselves, that governing level. Then, of course, the relationships with the community members or the people that we serve. But it’s definitely an aspect that we are -- are aware of, an aspect that we are taking
steps, we think, to mitigate as much as possible in all our communities.

I just want to -- to point out that there are, I believe, 38 self-administered policing services in the country and there are only six east of Ontario. The great bulk of them are in Quebec and Ontario. And in Saskatchewan, there’s only one. In -- In Alberta, there are three. And British Columbia there is only one. So we are in a drive towards increased self-administered policing services in the west right now.

You’ve heard from NAN, you’ve heard from the -- Mike Metatawabee (phonetic), the Chairman of the Police Service Nishnawbe Aski, and they tell you about the -- the operations that they have there, and their governance structure is in place. That has to be unique to that particular geographic area and the people that they serve, and the File Hills First Nations Police Service will have a unique set of circumstances as well to meet the needs of the people that we serve. So we’re aware, and we are, I think, taking steps to ensure that that -- that veil between political leadership and operations is kept separate and apart. For one, it’s accountable to the other, and the other is accountable to the other as well. So they have a duel accountability, but certainly a -- a separation of roles and
COMMISSIONER QAJAQ ROBINSON: I have one more question, unless you guys have questions. Do you have a question?

CHIEF COMMISSIONER MARION BULLER: (Indiscernible).

COMMISSIONER QAJAQ ROBINSON: Okay. But could I use the time for one more?

CHIEF COMMISSIONER MARION BULLER: Go ahead.

COMMISSIONER QAJAQ ROBINSON: Just making sure I’m not using all the time of my friends. One of the concern that we’ve heard from families and survivors, who -- whose communities are -- are policed by self-administered forces, is an issue with responses. Now, I -- I very much appreciate your submissions on prevention and relationships, but the sad reality is major crimes are happening in the communities, and the response times and the capacity of self-administered forces to deal with such things like major sexual assaults and murders. And it was quite shocking in our -- during the Regina hearings to talk -- to hear that in northern Quebec, for example, in the Nunavik Territory, that’s under their own tripartite police force for major crimes type investigations, they have to wait until officers to fly in. Perhaps, this is
more of a statement as opposed to question, but there are concerns about the responsive capacity and that the current funding and tripartite model fails to build the capacity of self-administered police forces and provide those key resources -- sex assault kits, forensic services, forensic identification teams, you know, all of those types of investigative methodologies and practices that are used.

Must the funding and the support of self-administered and self-governed police forces also look to properly support in the responsive aspect of the work?

**MR. DAN BELLEGARDE:** Yes. We know that there are many different sizes of police services, self-administered policing. The larger ones like Nishnawbe-Aski, for instance, have 150 officers, but they cover a huge territory with fly-in communities.

And they've complained, or rather, they have made representation to both the provincial government, the federal government, and the OPP about their situation for many years, and so has others across the country, of course. And recently, as you have heard, there's been an increase in funding for the next few years, I believe the next five years of $291 million just to work towards reaching a greater level of manpower and of material and equipment in order to ensure as much as
possible that this kind of a situation does not occur, particularly in those isolated communities that are difficult to reach and sometimes have officers waiting perhaps because of weather or other reasons, geography, simple geography where they have other officers on standby.

So there has been a recognition by all parties, including the Public Safety Canada and the provinces that this has to be taken care of, and they try to do it through it additional funding, but also additional manpower coming out in 2019 for 110 additional First Nations police positions coming out to the communities. How those are going to be distributed I'm not sure.

Is that enough? I don't think it is, and I think most of the self-administered policing services will tell you no, it is not. Smaller services like mine haven't got the capacity to provide that specialized service like investigators, forensics, canine units, or if necessary, SWAT teams. And we have MOUs with the surrounding RCMP detachments NF Division in order to provide that to us when a situation occurs. A recent one in my home community was a murder, and we had investigators and forensics in major crimes coming from the RCMP in Yorkton and Regina to assist the File Hills
So until we reach a level, a critical mass of size and numbers of self-administered policing services, we will always have that lack of specialized services to us. Now, if it goes as I think it will, that we have a Treaty 4-wide police service, covering 34 First Nations in Southern Saskatchewan, then we will have the capacity and the numbers and the ability to provide specialized services from within our own self-administered or First Nations controlled police services. And until that time we have to rely upon outside expertise to provide that assistance to us.

**COMMISSIONER QAJAQ ROBINSON:** Thank you very much.

**COMMISSIONER BRIAN EYOLFSON:** Thank you both very much for your submissions this afternoon. I look forward to your written submissions.

**CHIEF COMMISSIONER MARION BULLER:** I want to thank you as well for your submissions this afternoon. I look forward to your written submissions, especially with respect to treaty obligations. So thank you for including that. That's an area that I hadn't considered, so I look forward to reaching that part in particular. Again, thank you both very much.

**MR. DAN BELLEGARDE:** I -- can I -- I just
want to make ---

CHIEF COMMISSIONER MARION BULLER: Sure.

MR. DAN BELLEGRARDE: --- one closing

comment.

It's about transformational change. And I think -- I give full credit to the federal government, to the provincial governments, to First Nations governments to go about transformational change that they're doing now in the area of health, in the area of education, in the area of child welfare, which they're embarking on now through legislation and through what we have to do in our own communities.

But we also need transformational change, and it has been I think clearly spelled out by Dr. Palmater and others, for what we refer to in Saskatchewan not as the justice system but as the legal system. Because after Boushie and Sinclair and the Plains (ph), we kind of say well it's so much a justice system, it is a legal system though, and we need transformational change in that legal system.

And that means bringing forward under First Nations control, under First Nations self-determination things like Loretta spoke of, a method of social control. I didn't say policing, but social control. A method of dispute resolution. I didn't say courts, but dispute
resolution appropriate to us. A method of sanctions and rehabilitation, and I didn't say corrections. Because the words mean a lot, and I think if we change the language, we can change the attitude in what we need.

But we need to make that space for First Nations. We need to make that space in order for First Nations to realize our objectives, our aims, our aspirations, and that's what we mean by de-colonization.

And are we prepared to go beyond the simple process changes in how we do things and simple system changes in how things are set up to actual structural changes that will mean changes in legislation, changes in inter-governmental relationships, but most of all a recognition of past wrongs and a full implementation of the inherent right to self-determination. And we have obligations and responsibilities to work towards that just as much as Canada and the provinces do.

With that, thank you very much,
Commissioners.

CHIEF COMMISSIONER MARION BULLER: Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

MS. MEREDITH PORTER: Thank you.

Chief Commissioner and Commissioners, we did -- as you are aware, we had a change in the schedule
for this afternoon. We were originally scheduled to be completed hearing from the parties of their submissions today, but we have moved a party for tomorrow morning to this afternoon, the BCGEU. Ms. Stephanie Smith is the representative who will be making the submissions on behalf that party.

I will seek your direction. We are scheduled for a break and then hearing from that party and then our closing for today. I'll seek your direction on whether we do take a break or hear from that party, and if we are going to take a break, how long would you like to take.

**CHIEF COMMISSIONER MARION BULLER:** Okay. We'd like to take a break ---

**MS. MEREDITH PORTER:** Okay.

**CHIEF COMMISSIONER MARION BULLER:** --- please.

**MS. MEREDITH PORTER:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** Why don't we make it 20 minutes?

**MS. MEREDITH PORTER:** Twenty (20) minute break? Okay.

**CHIEF COMMISSIONER MARION BULLER:** Really 20 minutes.

**MS. MEREDITH PORTER:** Twenty (20) minutes
MR. BRYAN ZANDBERG: If everyone could take
their seats, please, we'll get started in a few moments.
And a reminder to turn off your cell phones. Thank you.

MS. VIOLET FORD: ...so that we can
continue.

So Chief Commissioner and Commissioners, we
are now calling the BCGEU to the podium. Stephanie Smith.
You have 40 minutes.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. JITESH MISTRY:

MR. JITESH MISTRY: Hello, Commissioners.
I am obviously not Stephanie Smith. My name is Jitesh
Mistry, M-I-S-T-R-Y. I am general counsel to the BCBGEU.

Let me first say that we are grateful to be
standing here on the unceded territory of the Algonquin
people.

Although I may answer questions, our oral
submissions will be delivered by our elected president,
Stephanie Smith on behalf of 77,000 BCGEU members I
introduce Stephanie.

MS. STEPHANIE SMITH: Thank you. Good
afternoon. As you’ve heard, my name is Stephanie Smith and I am the President of the B.C. Government and Service Employees Union and it is my honour to be here on the unseated traditional territories of the Algonquin people, to provide our submission from our BCGEU offices in Burnaby B.C., which is the unceded territory of the Squamish, Musqueam and Tseil-Waututh First Nations.

I’d like to start by thanking the Elders for their prayers and for starting each days’ proceeding in a good way.

I’d like to thank the Algonquin people for welcoming us to their territory; the Commission for granting the BCGEU’s application for standing -- thank you, the special helpers in their room for their compassion; the National Family Advisory Circle; the families and the survivors for their resilience, their persistence and their strength; and the other parties with standing for sharing their knowledge, wisdom and passion.

And I’d also like to quickly introduce the people who are here with me today. Jitesh Mistry, whom you’ve met; valued BCGEU staff, Danielle Marchand and Susan Howatt; and friends and allies of the BCGEU, whose voices resonated for us throughout this process, from the Tseil-Waututh Northern B.C., Gladys Radek, who comes from the heart of the Highway of Tears; Bernie Williams and
Ceejai Julian, both of whom are BCGEU members.

Before I share the stories of our members and deliver their recommendations, I want to tell you why the BCGEU is the only union in Canada with standing in this inquiry.

In addition to representing thousands of Indigenous workers, the BCGEU represents tens of thousands of workers who interact daily with Indigenous women, girls, trans and two-spirit people, their families and their communities, while providing programs, delivering services and enacting public policies in practically every sector and every community in British Columbia.

Of the more than 77,000 members of the BCGEU, more than two thirds of those work in broader public service, including members who work in direct government such as social workers; corrections and youth custody officers; sheriffs; employment and financial assistants; as well as childcare and family support workers, including those at the Phil Bouvier Center, which is operated by the Vancouver Native Health Society in Strathcona, one of the most vulnerable neighbourhoods in Canada; legal services and court workers, including Native court workers, who MacKenzie, with the Aboriginal Women’s Action Network, credited with teaching her to be Aboriginal and helping her change how she saw herself and
her life; post-secondary instructors and support staff, including the Native Education College, which also figured in Mackenzie’s story as the first place where she experienced being part of an Aboriginal community; Aboriginal services, including B.C.’s many vibrant Aboriginal friendship centers; and of course women’s services, including transition houses and the Downtown East-Side Women’s Center whose “Red Women Rising” made a powerful submission to this Commission in Calgary, where they declared that Indigenous women are not stereotypes, but leaders who will never stop fighting for social justice.

This Commission has heard from and about BGU members throughout this inquiry. Those members are the bedrock of your union and I’m proud to represent them here today.

But the reason I’m here is not just the composition of the BCGEU’s membership, it’s because of the vision of our members.

The BCGEU is more than a union. We are part of a movement to create a more just society where all people have access to human rights, including the right to feel and be safe in their communities and their homes, and all people are treated with dignity, respect and fairness. It’s that commitment to social justice that brings me here
today.

My journey to this podium began at the 2014 BCGEU Convention. It was the convention at which I was elected as President and it was at that convention, which our members submitted and passed Resolution C-100, which I will read in part for you now.

“The BCGEU will work with our partners to create an action plan and to raise awareness of the need for a national public inquiry into the missing and murdered Indigenous women in Canada.”

(As read)

That action plan resulted in, among other things, our application to participate in the Missing Murdered Women’s Inquiry when it was first announced in 2015.

By the time of the BCGEU’s next convention in 2017, our application for standing had been submitted. At that convention, our members passed three additional resolutions relevant to the mandate of this inquiry, which I will read in part for you now. Resolution D-237:

“This convention calls on the Federal Government to ensure the Missing and Murdered Indigenous Women and Girls Inquiry is extensive, authentic and
completed, and calls on the members of
our union to develop specific action
plans that support any Truth and
Reconciliation Commission calls-to-
action that are relevant to their
sector and urges the BCGEU leadership
to request meetings with members
organisations in the First Nations
Leadership Council and the Metis
Nation of B.C. to develop strategic
plans to work together to advance the
rights of Aboriginal peoples in the
workplace and throughout society.”
(As read)

We also had Resolution D-238:

“The BCGEU will continue to lobby all
levels of government and support
current Indigenous advocacy
organisations to continue their work
in advocating for the families and
friends of the Missing and Murdered
Indigenous Women and Girls.” (As
read)

And finally, Resolution D-239:

“The BCGEU will lobby the government
at the federal, provincial, territorial and Aboriginal levels, to action all 94 calls-to-action as stated in the Truth and Reconciliation Commission Report.” (As read)

I read these resolutions to illustrate the commitment of our members, Indigenous and non-Indigenous alike, to be allies to Indigenous sisters, brothers, friends and neighbours in the national project of decolonization and to walk with them on the path to reconciliation.

The goal of the BCGEU’s membership is not dissimilar to what the Commission has heard from families, experts and other parties throughout this inquiry.

Throughout this submission and our ongoing commitment to decolonization and reconciliation in all aspects of our Union’s work, as well as the services provided by our members in their workplaces, the BCGEU is committed to creating a society of equals capable of fully dismantling Canada’s colonial legacy and the resulting institution and structures that have marginalized, dehumanized and victimized Indigenous people, particularly women, girls, trans and two-spirit people, and has systemically deprived them of their basic human rights, supports, prosperity, dignity and standing.
In the service of that goal, the BCGEU supports the full and immediate implementation of all 94 calls-to-action of the Truth and Reconciliation Commission, the full and immediate implementation of all recommendations of the United Nations’ declaration on the rights of Indigenous peoples, and I can assure this Commission, the BCGEU will support the full and immediate implementation of any and all actionable recommendations that arise from this inquiry.

In the service of that goal, our members called for and guided our Union’s participation in this inquiry. That participation and my submissions here today, are rooted in the lived experience of our Indigenous members, as well as the unique perspective and expertise of our members as workers who provide critical services to the Indigenous women and girls, trans and two-spirit peoples.

Once we were granted standing to tap into that perspective, our Union held three member consultation conferences in the spring of 2018, in Prince George, Vancouver and Victoria.

The consultation process was very carefully planned. It was designed in the spirit of truth telling, and each session started with a traditional welcome by an Elder. We aimed to make each session a safe environment
Our process was trauma-informed because, as noted by the Commission counsel in her review of testimony heard at the opening of Calgary's hearings, truth is not easy to tell and it is not easy to listen to either.

We were fortunate to have the gifted Jeremy Jones of the Indian Residential School Survivor Society in attendance to support in the proceedings and to support individual members.

All efforts were made to remove barriers and ensure broad participation. Our process was open to all genders in recognition of the vital role of men and boys in ending the cycle of violence and to both Indigenous and non-Indigenous members, because the work of reconciliation and decolonisation is the work of all Canadians.

Each session spanned three days to allow for travel time and travel was arranged and funded by our union to support travel from any geographic region.

By the time our sessions were complete, more than 100 members had participated, sharing their personal experience, professional expertise and wisdom with this Inquiry. Most of the participants were Indigenous, and an overwhelming proportion were women.

They came from a wide range of professional
backgrounds across the public service, including child and family development, public safety, environmental and resource management, Aboriginal friendship centres, delegated Aboriginal agencies, transition houses and health authorities.

Throughout our process we remained mindful of the timelines, mandate and processes that are imposed on parties with standing by the Commission, which were and remain a challenge.

Each session was professionally facilitated and the Vancouver session was observed by a graphic recorder whose work is included in our report.

Based on the frontline knowledge and lived experience shared by our members throughout our consultation process, the BCGEU's recommendations cover several areas of public service and fall into two general categories.

The first category is the need to address the systemic barriers that our members identified as having caused and perpetuated the vulnerability of Indigenous women and girls, trans and two-spirit people. Systemic racism rooted in the fact that the institutions that shape Canadian society, from media and Popular Culture, to our education and justice systems, were built on colonial rules and values and inherently dismiss and
devalue Indigenous people and their practices.

One member noted the Canada Good Guide as an example. Until 2007, the Guide's recommendations were based exclusively on western understanding of nutrition, rendering Indigenous customs and practice invisible.

Systemic racism was also noted in the submission of the -- I'm sorry if I say this incorrectly -- NunatuKavut Community Council at the Calgary hearings. The Council's representative said, "Education is what got us into this mess and education is the only way to get us out", as he called for the decolonisation of the education system, particularly the public school system.

The Commission Council also noted the impact of systemic racism. In her review of testimony heard at the Calgary hearing she highlighted the use of population culture as a tool for nation-building and the outcome of that tool that Indigenous are either stereotyped or, again, rendered invisible.

Also noted by our members were the interrelated barriers of lack of infrastructure and services in Indigenous communities, particularly rural and remote communities, and a lack of coordination and integration of the services that do exist.

In terms of service gaps, many members talked about the tragic legacy of Highway 16, B.C.'s
infamous Highway of Tears, as an example of how the lack of safe, reliable transportation between remote and rural communities has resulted in scores of disappearances and deaths that have destroyed families and communities.

Other members talked about how lack of transportation options left their clients with no way to seek employment, take advantage of training or education opportunities, or leave abusive relationships and dangerous lifestyles.

One member, who was a social worker, told us, "You cannot have a baby in Burns Lake", referring to the complete lack of primary care services available for women who lack the resource to travel. Maternal care was not the only such service mentioned in our sessions.

Another critical barrier identified by our members was the lack of culturally sensitive structures and approaches in the public service to support Indigenous clients and workers. Several members, particularly those working in Child Protection Family Services and transition houses, talked about how valuable it would be to have Elders on staff or on contract and how local First Nations were willing to work with them and how the barrier to making that work was the hiring policies of the provincial government and public service agency, which focus on credentials and criteria that exclude many, if not all,
Elders.

A related barrier identified was the dismissal and devaluing of the traditional cultural knowledge and practice of both Indigenous clients and Indigenous workers. Examples of this barrier in action included unjust policy frameworks that govern the work many public service workers, particularly framework related to family support and separation. In their submission to this Commission, other parties have referred to the so-called "child protection practices" as toxic interference in the lives, families and communities of Indigenous people.

One of our members, an Indigenous woman and social worker, echoed that sentiment and told us, "Just because we may be poor doesn't mean we are bad parents."

Another example was shared by a member who had attempted to offer smudging for the clients at the transition house in which she worked, but was told such a practice would violate the facility's no scent policy.

Still another example came from an Indigenous worker who was denied leave from work to participate in her nation's ceremonial observances and celebrations.

We also heard from members working in corrections and community corrections who noted the lack
of access to restorative justice approaches to Indigenous women and girls, trans and two-spirited people who are already in the justice system.

The final barrier I will mention here, and it is the barrier that amplifies the damage done by all the others, is the lack of resources, capacity and supports within the public service to identify and implement new approaches. Across ministries and regions this was a theme that emerged time and time again from our members. Years of cuts and contracting out have left frontline workers stretched to the brink without the time or resources to restructure their work, to properly serve the Indigenous women and girls, trans and two-spirit clients or their communities, or to properly do the work of decolonisation and reconciliation that is so desperately needed throughout the public service.

Over and over we heard from members who had seen and understood the value of new approaches, but couldn't see a way to put them into practice.

So the BCGEU recommends that the Commission's findings, at a bare minimum, address systemic racism, the lack of public infrastructure and services, the lack of coordination and integration of public services, lack of culturally sensitive structures and approaches in the design and delivery of public services,
the dismissal and devaluing of the Indigenous cultural knowledge and practices, and the lack of resources, capacity and supports within the public service to identify and implement new approaches.

Barriers were not all that was discussed at our consultation sessions. Our members also shared with us their experience with approaches that they knew are working for the Indigenous clients and communities they serve and that should be recognized, celebrated, expanded, and supported.

Examples of approaches that increase the representation, relevance, and influence of Indigenous voices in public service and in communities included promoting the recruitment and retention of Indigenous workers throughout the public and social services sectors, training and educating non-Indigenous workers throughout the public and social services sectors in the history and the impacts of colonization, family and child services that recognize the value of Indigenous culture and prioritize keeping families intact supporting healthy relationships, delegated Aboriginal agencies, Aboriginal friendship centres, and other programs that incorporate Indigenous educational, social, familial, and cultural wisdom and practices to build strong families and communities.
Our members also shared examples of approaches that aim to address the damage already done to Indigenous clients and their communities, including education and training and other supports for Indigenous youth who are aging out of care, access to restorative justice, Native court worker programs, and First Nations courts for those already in the system, application of harm reduction approaches for those dealing with addiction, and availability of low or no barrier programs for those living with addiction in combination with mental and physical health challenges, above all wraparound integrated services that eliminate bureaucratic silos in favour of a focus on client outcomes.

The BCGEU recommends that the Commissioners’ findings include the identification of programs and practices in the public service that are having a positive impact on Indigenous women and girls and the requirement to expand and support those programs and practices.

Over the course of our consultation process, throughout the sharing of stories about what was working and what was not, several broad themes emerged, the what we want for ourselves we desire for all; a foundational principle in the labour movement is a principle that applies to the work of reconciliation and
decolonization as well; that safety and security should be the new normal for Indigenous women and girls, trans, and Two-Spirit people; that every one of Canada’s missing or murdered Indigenous women whose had her voice silenced that the job of this Inquiry and all of us who are participating in it is to give those voices back, and perhaps most importantly, that the immense potential of well-structured, appropriately funded, culturally informed public and social services to drive the change we need to build the society we want cannot be ignored.

Finally, the BCGEU recommends that the Commissions’ findings include explicit recognition of the centrality of properly funded, well-structured, culturally informed public services and public servants in the safety, security, resilience, and prosperity of Indigenous women and girls.

I want to say in closing, I recognize the enormity of your work. The deaths and disappearances of Indigenous women and girls, trans, and two-spirit people is nothing short of a crisis, which you’ve heard from many, many parties in these submissions. It’s a crisis that everyone in this room, and many generations before us, have known about and some have willfully ignored for too long.

Ultimately, I am here on behalf of BCGEU
members for the same reason every other party’s representative has come here, because we believe that this crisis and the systemic marginalization, dehumanization, and oppression that caused it can be stopped. We believe the damage done by generations of social, cultural, political, religious, and economic abuse and negligence of Indigenous peoples can be repaired. We believe that a future where Indigenous people, especially women, girls, trans, and two-spirit people are fully equally, safe, and prosperous in all aspects of our society is possible, and we believe that anything less is unacceptable.

I echo the call of the Union of B.C. Indian Chiefs and Amnesty International that the Commission be bold and brave in its work, and that the Commissioners aim to issue a report and recommendations that are both ambitious and actionable for all parties.

And I’m going to take that one step further and call on the Commission to issue recommendations that the members and staff of the BCGEU can use in all aspects of their work, collective bargaining and negotiating with our employers, engaging our existing members at their work sites and in their communities, engaging with and organizing new members into our union, representing our members in front of courts and tribunals, working with elected officials and our partners in the labour movement
and the media to affect our social change agenda and in
our lives outside of work and throughout our society.

I’m here today to add the more than 77,000
voices to those calling on this Commission to build a
foundation on which to overcome our history and to build
our future.

Before I close today, I do want to express
my deepest gratitude and respect to a few people. To the
members and the staff of the BCGEU who worked so
diligently and so hard and who are so committed to
continuing the work on this most vital project of
reconciliation and decolonization, especially our
provincial executives Equity and Human Rights Committee,
the Project Advisory Committee for this Commission of
Inquiry, and Keith Cameron, who is our Aboriginal Liaison
officer, all of whom collectively chartered the course of
the BCGEU’s participation in the Inquiry.

To the members who told their truth and
shared their story with us as part of our consultation
process so that we could make this submission to you.

To the people that created a safe
supportive environment for our members throughout the
process, facilitator Roseanne Timbrell and Jeremy Jones
and the Elder support network from the Indian Residential
School Survivor Society.
And to the families who have told us their stories, who have told their stories to this Commission, and the parties who have given testimony.

And on behalf of the 77,000 members of the BCGEU, those are my submissions.

Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

MS. VIOLET FORD: Thank you, legal counsel.
Chief Commissioner and Commissioners, do you have any questions?

COMMISSIONER QAJAQ ROBINSON: I don’t have any questions. But I would like to thank you for your submissions and for bringing the voice and perspective of your members to the inquiry. Thank you.

COMMISSIONER BRIAN EYOLFSON: I don’t have any questions either. I just also want to say thank you very much for being here and providing us with your submissions this afternoon.

MS. STEPHANIE SMITH: Thank you.

COMMISSIONER MARION BULLER: I repeat what my colleagues have said. Thank you very much for being here. You’ve provided some very compelling submissions, a lot for us to think about. I look forward to reading your written submissions. Thank you so much.

MS. STEPHANIE SMITH: Thank you.
(APPLAUSE/APPLAUDISSEMENTS)

MS. VIOLET FORD: Thank you to the representatives of the parties with standing.
And Chief Commissioner and Commissioners, I seek your direction in adjourning at this time and to reconvene at 8:30 tomorrow morning.

COMMISSIONER MARION BULLER: Yes, for our record we’ll adjourn for today and reconvene tomorrow morning at 8:30, but I believe we still have our closing.

MS. VIOLET FORD: Yes.

COMMISSIONER MARION BULLER: Thank you.

(SHORT PAUSE/COURTE PAUSE)

MS. CHRISTINE SIMARD-CHICAGO: So good afternoon, everyone. I hope today was a good day of listening and input into the Inquiry final submissions.

We're going to start with our closing ceremonies.

So today I'd like to call up Grandmother Bernie Poitras or Granny Bernie, as she prefers, to start the process of the commitment sticks.

M. CHRISTIAN ROCK: Donc, merci à tout le monde. On va maintenant procéder avec la cérémonie de clôture de la journée. On va inviter les drummers à s’installer pour la chanson de fermeture.

Dans l’intervalle, on va laisser la parole
à notre aînée, Madame Bernie Williams, qui va vous faire
part des bâtons d’engagement.

**MS. BERNIE POITRAS:** I just want to say is
Howa again. On this part we would like to honour the
Parties with Standing as we are doing every day for the
next few more days. I'd like to explain these commitment
sticks are from an elder back in 2015, Fred Johnson from
Alkali Lake. Anyways, he designed this. And this
commitment stick serves as your personal commitment to
live violence free and as a reminder of the values of the
life of our Indigenous women and girls, and that.

So we'd like to say Howa again on behalf of
the Commissioners and also Michèle Audette. This was
Michèle's endeavour to make sure that this was done, but
to also acknowledge yourself too, because without you, we
couldn't get this work done, and to acknowledge the
families and the survivors too. I want to say Howa and
especially to the elders, say Howa to you again.

We'd like to start to invite the
Commissioners up here to present the sticks.

We'd like to invite the Government of
Canada, Anne Turley and parties, if she is here.

And please just wait over here. Thank you.

My apologies.

And the Parties with Standing, Amnesty
International is Jacqueline Hansen, if she is here.

And this is a very long one, so if I don’t say it properly just bear with me. The Inuit Women of Canada, the Pauktuutit and the AnânaKatiget Tumingit Regional Inuit Women’s Association, and the Saturviit Inuit Women’s Association of Nunavik, Ottawa Inuit Children’s Centre and Manitoba Inuit Association are Rebecca Kudloo, if she is here. Have they all left?

And the Commissioners would like to acknowledge the Canadian Feminist Alliance for International Action and Partners Canada Without Poverty with Dr. Pamela Palmater and Shelagh Day, if they're here.

The Commissioners would like to acknowledge the Canadian Association of Chiefs of Police, Ashley Smith and party.

And Parties with Standing, the Commissioners would also like to acknowledge the Canadian Association of Police Governance and First Nations Police Governance Council, which is Loretta Pete and party, please.

And of course, my union, the BCGE, Stephanie Smith and parties. There's four of them. I think there's three.

(LAUGHTER/RISES)

MS. BERNIE POITRAS: Where's the camera
person?

And we have one more at the camera person.

If you guys can stand over there.

And if the drummers can be so kind to do an
honour song, and I want to say Howa to all of you again
and again to the families and the survivors. Howa and the
elders.

(HONOUR SONG BY/CHANT D’HONNEUR)

MS. BERNIE POITRAS: Miigwetch. I'd like
to call upon our elders Vince and Elaine and Rita.

M. CHRISTIAN ROCK: Alors, merci. Je
voudrais demander à nos aînés de se
présenter devant pour la prière de fermeture.

(CLOSING PRAYER/PRIÈRE DE FERMETURE)

MS. ELAINE KICKNOSWAY: So boozhoo, Aanii,
tansi, kwe kwe. I give thanks for the fire today as it
stayed lit throughout the day. And I give thanks to the
snow that fell today, the waters that we talked about, and
the interrelations that we have. And this space is
interrelated with us as we live today, interrelated with
our murdered and missing and interrelated with the spirit
that they carry in us.

I give thanks for knowing the different
supports that are out there, the resources, or even just
to sit in here and listen. And knowing that we carry it,
carry it across this turtle's back to go back to the water and the land, and know that the voices that are shared and continue to be shared that they're heard, they're heard by the different ages that are coming, from that little girl that was here yesterday, to the pregnant women that were in this room. They heard the vibration and they could feel it, to know that the next generation is also hearing it too, to watch over each other, and that care and that love and the guidance that comes from in that gracefulness of breathing in this day.

So I give thanks for everyone that came today as we all do in that place of waking up, and I give thanks for the shells that were here. And as you carried yourself, and I could hear that medicine with that shell and reminding us of that breath of life and the breath of life that has also been taken. So we give thanks for that memory and reminder that we're to watch over each others' medicine.

We give thanks for the drummers and their song as offered in our healing and also the sticks that you carry and the commitments. And we carry on. We continue to carry on. Meegwetch.

**MS. RETA GORDON:**

"A voice was heard in Ramah, wailing and lamenting, Rachel weeping for her
children. She refused to be consoled because they are no more."
(As read) Chapter 2:18.
Creator, may you hear the voices of your children who weep, and wail, and lament because their daughters, sisters, mothers, aunties, grandmothers are no more. Please give your children the strength to face the sad tomorrows 'til their loved ones' remains are returned to them. Bless all your daughters here today and keep them all in safety from harm. Bless each and every one of you gathered here.

To every one of the presenters, the workers, I've learned so much and so much has touched me. How some people are out there working and they're not even Indigenous but they're helping all the Indigenous women. We thank you, and God keep you safe on your way home.

Thank you.

MR. VINCENT KICKNOSWAY: Boozhoo, aanii.
(Speaking Indigenous language.)

We are so grateful for who we are as humankind. We acknowledge all of life's creations in regards to what we have utilized within our own selves of what we have as our abilities to see, hear, smell, speak, taste, and feel. These are important elements to our daily lives in enabling us to fulfill our roles and
responsibilities.

We ask and give thanks to the Commissioners for these abilities, and we acknowledge all those who are presenters in bringing forth their thoughts and minds. And that we may within our own individual selves and as an entity, a group, come together and find those solutions to resolve these issues that are at hand.

We are so grateful for all the helpers that come around and provide that support and guidance throughout the day. We are so grateful and recognizing all the wonderful foods that were brought forth to us to nourish our mind and our body and our spirits. We are so grateful.

We ask at this time to give thanks to Gitche Manitou who has provided that insight and that support for us throughout this day, and we say to those four directions to continue guiding us through the rest of this day and throughout this evening so that we may rest our minds, our body, and our spirit.

So with that in mind to those four directions we say (speaking Indigenous language).

Meegwetch.

**MS. CHRISTINE SIMARD-CHICAGO:** Meegwetch.

We'll ask the Eagle River Drummers for our closing drum song.
MR. CHRISTIAN ROCK: On va demander aux joueurs de tambours de Eagle River de nous faire la chanson de fermeture.

(CLOSING SONG AND DRUMS/CHANT DE FERMETURE ET TAMBOURS)

MS. CHRISTINE SIMARD–CHICAGO: Okay. We have one final thing to do and that's with Louise today to extinguish our Qulliq.

MR. CHRISTIAN ROCK: O.k. Il nous reste l’extinction du Qulliq.

(EXTINGUISHING OF QULLIQ/EXTINCTION DU QULLIQ)

ELDER LOUISE HAUILLI: (Speaking Inuktitut.)

COMMISSIONER QAQAQ ROBINSON: Our keeper of the Qulliq had a family matter, urgent family member to tend to, so Louise is stepping in to extinguish and attend to Qulliq and extinguish it this evening.

MS. LOUISE HAUILLI: (Speaking Inuktitut).

COMMISSIONER QAQAQ ROBINSON: (Speaking Inuktitut)?

MS. LOUISE HAUILLI: (Speaking Native Language Inuktitut).

COMMISSIONER QAQAQ ROBINSON: Eelee reminded me this morning that we used to have one name, just one name, our name, that we were given. My name is - 

MS. LOUISE HAUILLI: (Speaking Native
COMMISSIONER QAJAQ ROBINSON: (Speaking Inuktitut).

MS. LOUISE HAULLI: (Speaking Inuktitut).

COMMISSIONER QAJAQ ROBINSON: If you’re able to say it, I will look at you. (Speaking Inuktitut).

MS. LOUISE HAULLI: Yeah. (Speaking Inuktitut).

COMMISSIONER QAJAQ ROBINSON: I’m going to say a prayer with Eelee and her family in mind, as well as this work, and then I will extinguish the Qulliq.

MS. LOUISE HAULLI: (Speaking Inuktitut).

COMMISSIONER QAJAQ ROBINSON: I won’t translate the prayer, and when she’s done, she’ll extinguish the flame.

(CLOSING PRAYER)

MS. LOUISE HAULLI: (Speaking Inuktitut).

Let’s have a good night.

MS. CHRISTINE SIMARD-CHICAGO: Goodnight, everybody. Pipe ceremony tomorrow at 7 a.m. in the Quebec Room.

M. CHRISTIAN ROCK: Merci à tout le monde.

On vous souhaite une bonne soirée. La cérémonie de la pipe aura lieu demain matin à 7h00 du matin et les audiences reprendront à 8h30, merci.
--- Upon adjourning at 4:12 p.m. / L’audience est adjournée à 16h12

LEGAL DICTA-TYPIST’S CERTIFICATE

I, Félix Larose-Chevalier, 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.

Félix Larose-Chevalier
Dec 11, 2018