National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-Gathering Process
Part IV - Closing Oral Submissions
The Westin Ottawa
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Thursday December 13, 2018
Oral Submissions - Volume 8

Government of Ontario
Ontario Native Women’s Association
Independent First Nations
Advocate for Children and Youth, Saskatchewan
Concertation des luttes contre l’exploitation sexuelle
Eastern Door Indigenous Women’s Association
Aboriginal Shelters of Ontario

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--- Upon commencing on Thursday, December 13, 2018 at 8:30 a.m./La séance débute jeudi, le 13 décembre 2018 à 08h30

(OPENING REMARKS/REMARQUES LIMINAIRES)

MS. CHRISTINE SIMARD-CHICAGO: Good morning. How is everyone? All three of you in the back. No, just kidding.

It's another beautiful day here in Ottawa. We're going to start off our morning this morning with our opening ceremonies.

MR. CHRISTIAN ROCK: Bonjour à tout le monde. Bienvenue à Ottawa. On va commencer ce matin avec nos cérémonies d'ouverture.

MS. CHRISTINE SIMARD-CHICAGO: So I'd like to call upon our Elders, Vince, and Elaine, and Reta.

MR. CHRISTIAN ROCK: Pour faire la prière d'ouverture on va demander à Vincent et Elaine Kicknosway, ainsi que à Rita Gordon de se joindre à nous. Merci.

OPENING CEREMONIES AND PRAYER/CÉRÉMONIES D'OUVERTURE ET PRIÈRE

ELDER VINCENT KICKNOSWAY: Boozhoo, aanii.

(Speaking Indigenous language), singers, the drummers.

(Speaking Indigenous language.)

Creator, Maker of life, we acknowledge this
beautiful day that has come before us. We give greetings
and thanksgiving to our Grandfather, the Sun, who has
brought us light. We ask at this time to shed that light
upon us individually so that it may warm our hearts.

We ask also to acknowledge Ashkaakamigokwe,
our Mother Earth, who we stand upon. We ask that we feel
the energy within her, within our minds to recognize and
to honour all of life's creations.

We are so grateful for who we are as
Anishinaabe Onkwehonwe people, Métis and Inuit. We ask at
this time to recognize that within our own individual
selves that we are -- we will be able to exercise that
voice in that good way.

With that in mind, we acknowledge and give
thanks to all of life's creations, from the small ones to
those who will be soon coming into this world. To those
who are under natural elderly stages of life, we give
thanks. We say to those four directions (speaking

**ELDER RETA GORDON:** Tansi, (speaking
Indigenous language). Hello, everyone, and welcome to
another great day.

I just want to read to you what our women
are; this is for our women.

"Women have strengths that amaze men. They bear hardships
and they carry burdens, but they share happiness, love, and joy. They smile when they want to scream. They sing when they want to cry. They cry when they are happy and laugh when they are nervous. They fight for what they believe in. They stand up to injustice. They don't take no for an answer when they believe there's a better solution. They go without so their families can have. They go to the doctor with a frightened friend. They love unconditionally. They cry when their children excel, and cheer when their friends get awards. They are happy when they hear about a birth or a wedding. Their hearts break when a friend dies. They grieve at the loss of a family member, yet they are strong when they think there is no strength left. They know that a hug and a kiss can heal a broken heart. Women come in all shapes, all sizes, and all colours. They'll drive, fly, walk, run, or email you to show you how much they care about you. The heart of a woman is what makes the world keep turning. They bring joy, hope, and love. They have compassion and ideas. They give moral support to their family and to their friends. Woman have vital things to say and everything to give.

"However, if there is one flaw in women it is that they forget their worth. Creator, please help the women gathered here to realize how they are loved, valued,
and appreciated by You and all who know them. Bless all
the women and the men gathered here. Amen.”

Thank you. Miigwetch. (Native word).

ELDER ELAINE KICKNOSWAY: Boozhoo.

(Speaking in Indigenous language) -- a Cree girl living in
the big city. And I give thanks for today. I give thanks
for the territory that we reside on. I give thanks for
the Algonquin Nation and the family and friends, the MMIW,
two-spirit and women, trans, and the families of us that
keep talking, keep sharing, singing our songs, lighting
our fires, providing that water to one another, give
thanks to the rising of the sun and the moon, the moon as
she comes again, and the continued space of even the
silence, continued space of the voice that comes through
and spirit, spirit of each other's gracefulness of our
breath. And I give thanks for this day and the continued
of the conversation, continued conversations.

And I want to thank the drummers for coming
and offering their songs and the jingle dress that's here.
She's here now in that healing that she provides. Every
time you hear the cones that come together, it's to remind
us of that life, that spark of life and the healing that's
provided. And even when you look at her you can already
hear the jingles, you know, and that's that place of
knowing that a lot of us need healing, a lot of us in a
space of healing need something that will remind us that 
that sound that comes from that beautiful dress, and we 
thank her for being here. Thank the bundle and the family 
and friends and the supports.

  Miigwetch. (Native word).

MS. CHRISTINE SIMARD-CHICAGO: Miigwetch.

Now I'd like to call upon the Eagle River
Drummers for their opening songs.

M. CHRISTIAN ROCK: Merci. Maintenant je 
voudrais demander aux joueurs de tambours de Eagle River 
de nous offrir une chanson.

(EAGLE RIVER DRUMMERS DRUM/TAMBOUR)

MS. CHRISTINE SIMARD-CHICAGO: Miigwetch.

Now we're going to call upon Eelee to do the lighting of 
the quilliq.

M. CHRISTIAN ROCK: Maintenant... maintenant.

ELDER EELEE HIGGINS: (Speaking in 
Indigenous language, translated by Looee). We have 
reached a new day and we're fortunate.

  Let us proceed well into the day.

  She'll recap on the Inuit traditional 
knowledge principles she shared yesterday and include the 
rest of the ones that come with the four, the four that 
show a dress which she used to share at Joley (phonetic) 
School when she was the principal.
Respect amongst one another.

Generosity.

Honourable service.

Collaborative approaches.

Those are the IQ principles I shared yesterday and today I'll finish off the other four as we open the morning.

Developing skills through practise, effort, and action.

Yes, we have to develop skills just like I'm facing challenges lighting the quilliq.

(LAUGHTER/RIRES)

Working together for a common cause, it’s very instrumental to work together because we know the outcomes of our efforts are realized.

Being innovative and resourceful we have witnessed it ourselves here in Ottawa during this MMIWG event with the Parties with Standing sharing their resourcefulness and goals to achieve changes and betterment for everyone.

Respecting the environment and attending to it we are advised to care for our homeland as we are only here for a certain period and it gives back to us.

Those are the principles I wanted to share this morning. At the school when I was the principal,
those are the reminders I shared with your staff in the
ing to ensure it was in good standing.
She’ll turn to the left side of the quilliq
to light it more effectively.
Thank you. Miigwetch. Merci.

MS. CHRISTINE SIMARD-CHICAGO: I would now
like to call upon Colin Brown from the Ontario Native
Women’s Association to speak about the red jungle dress
that’s up at the front.
Colin?

M. CHRISTIAN ROCK: Merci. Merci d’avoir
allumé le qulliq. Maintenant je voudrais inviter Colin

MR. COLIN BROWN: Good morning. I would
like to first just acknowledge the territory I’m on, the
Algonquin territory. It’s truly an honour to be invited
here and be with you all, as well as to acknowledge
everyone in the room who has been affected by missing and
murdered Indigenous women and girls and two-spirited
people.

I would like to introduce to you all - some
of you have already met the Grandmother Earth dress who
was unveiled at Thunder Bay hearing December 4th last
year. And she is has been working around not only Ontario
but as well as Canada and just recently got back from
Australia where she has made connection with other Indigenous people from across the world who have been adversely affected by MMIW.

To speak very briefly about the Grandmother Earth dress, the Grandmother Earth dress has been here many times before in the past, especially when Indigenous people had needed her the most. She is from Spirit World and she has been prophesized and then brought back here to this realm to never be worn. She is a symbol for family members who are still in the grieving process of losing a loved one as well as for those who still have loved ones that are missing.

She has 365 jingles like a traditional jingle dress. However, her jingles are red and although they are healing they are also a reminder and a call for justice for Indigenous women in Canada or on Turtle Island as they are a reminder that the Indigenous women are confronted with violence 365 days a year.

So she has been a part of our bundle now for just over a year and she continues to do the work of healing with families as she serves as a teaching tool for those who aren’t familiar with MMIW, as to what Indigenous women or Indigenous people face every day on Turtle Island, as well as she is a symbol of healing and hope for family members to know that we still love and care about
our loved ones as she is meant to dance in Spirit World and
as a kind reminder for family members to be able to
picture their loved ones in regalia.

So with that, miigwetch. And it’s an
honour.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CHRISTINE SIMARD-CHICAGO: So just a
couple of housekeeping notes. We have smudging that’s
going to occur in the Quebec Room with our elders and
knowledge-keepers that we have here. And we also have
healing through beading with Gerry and Cora-Lee in the
Quebec Room as well.

M. CHRISTIAN ROCK: Quelques notes pour la
journée, donc on a une pièce… bon, une salle, pardon, pour
le « smudging » et vous pouvez trouver aussi également les
dispositifs de traduction simultanée en arrière de la

MS. CHRISTINE SIMARD-CHICAGO: So we will
take a quick two-minute break and then the process will
begin. Miigwetch

M. CHRISTIAN ROCK: On prend deux minutes
pour réarranger l’avant de la scène et puis on va
commencer. Merci, bonne journée.
MS. SHELBY THOMAS: Good morning, Chief Commissioner and Commissioners. I’m Shelby Thomas and I am an Associate Commission Counsel. And next to me is Lead Commission Counsel, Christa Big Canoe. We will be inviting parties today to make their submissions.

The first part we would like to invite is the Government of Ontario, and reading their submissions will be Kate Forget and Julian Roy. They will have 40 minutes.

--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS. KATE FORGET:

MS. KATE FORGET: Good morning, Chief Commissioner and Commissioners. I would like to begin by acknowledging that we are on the traditional unceded territories of the Algonquin peoples.

My name is Kate Forget and I am a member of Matachewan First Nation. In the 1950s my grandmother lost her status as a result of gender discrimination in the Indian Act. And I reflect most days on how that loss has impacted my family. In 2011 I became a member of my home
community in an effort to reclaim what was lost and what was taken.

I am a lawyer with the Indigenous Justice Division at the Ontario Ministry of the Attorney General, as is my colleague, Julian Roy who you have met. And we are both counsel to the Government of Ontario at this National Inquiry. And together we will be presenting Ontario’s closing submissions to you this morning.

I will be giving you a roadmap for how our submissions will unfold before you, but before I do that I want to begin with something that I’m sure will sound very familiar to you, Chief Commissioner and Commissioners. What I am about to say parallels what you’ve heard from families, loved ones, and survivors across this country.

Twenty-five (25) years ago – 25 years ago – 3,000 people signed a petition demanding a federal public inquiry into how the Thunder Bay Police Service was conducting investigations into the deaths of Indigenous people. The petition was started by a group called the Grassroots Committee on Unsolved Murders. Three thousand (3,000) people signed the petition. Imagine the effort and the dedication that it took to collect 3,000 signatures in Thunder Bay, Ontario in the 1990s.

Imagine the concerns that people had when they signed that petition. But also, imagine the hope
that they must have held in signing that petition.

The petition was supported by the Ontario native Women’s Association and the Chiefs of Ontario representing over 130 First Nations across the province of Ontario. This was 25 years ago. It was 1993.

Yesterday on December 12th, 2018 the Office of the Independent Police Review Director released its report on its systemic review of the Thunder Bay Police Service and its investigations into the deaths of indigenous people.

And to remind you of the evidence that you -- that you've heard previously, the Office of the Independent Police Review Director is an independent civilian agency that oversees the police complaint system in Ontario.

The report is titled "Broken Trust - Indigenous People and the Thunder Bay Police Service". The report speaks for itself.

We provided a report to your counsel yesterday shortly after it was released.

I want to speak to the 25 years, to the 25 years from the time of the petition to yesterday when the report was released. There are lessons in these 25 years.

The report's findings that some of the investigations into the deaths of indigenous people are
affected in part by racism may be shocking to non-indigenous people, but I can tell you one thing for certain. Those findings will be of no surprise to indigenous people across this country and to most of us here in this room today.

Indigenous people in Thunder Bay have raised concerns about the quality of these investigations for more than 25 years, for more than a quarter of a century, and this report tells us that those 3,000 people that signed that petition had every reason to be concerned.

This report tells us that those concerns are valid and have always been valid. Indigenous people know.

I mentioned lessons a moment ago. The first lesson that comes from this 25 years is that we need to listen. We need to listen.

And when I say "we", I'm speaking to the institutions of government that I represent here today. Indigenous people know. Indigenous women and girls know. And we need to listen.

You heard about this from former Chief Connie Grey McKay during your Part 1 hearings in Thunder Bay last December. She said this:

"So what I'm saying is that
opportunity needs to be made available
to our people to be able to speak
because for far too long, we've been
silenced. History has silenced us."

We need to listen.

And I want to speak to another lesson that
comes from these 25 years. Not only do we need to listen;
we need to change.

The report speaks directly through its
recommendations on what must be done to ensure that
investigations into the deaths of indigenous people are
not affected by racism, that they are conducted in a
competent manner, in a manner that indigenous people can
have confidence in.

The Independent Police Review Director,
Gerry McNeilly, specifically references the National
Inquiry in his report. Four of the nine cases that he
recommended for reinvestigation involve indigenous women
and girls.

This is all set out at page 152 of the
report.

My colleague and I will be returning to the
themes of the need to listen and the need to change
throughout our submissions.

But before we do that, I would like to
speak directly to families, loved ones, and survivors, both those that have participated in this Inquiry and those who have sought answers outside of this Inquiry's process.

To those who grieve for loved ones, I offer our condolences, but I also want to acknowledge your courage and your dedication to your loved ones.

To those who still seek answers, you have carried this burden for too long, and governments must share this burden with you. We need to do everything that we can to find the answers that you deserve.

And I want to thank family members, loved ones and survivors for the truths that you have given us and for all that we have learned.

I promised you a road map. We will be focusing on the evidence that Ontario contributed to the Part 2 hearings.

First, I will be highlighting our evidence with respect to Ontario's human trafficking strategy. I will be addressing the non-enforcement, non-police aspects of the strategy that you heard about through the evidence of Assistant Deputy Attorney General Juanita Dobson.

And second, my colleague will address you with respect to the policing dimensions in relation to Ontario's human trafficking strategy. You will recall the
evidence of Inspector Tina Chalk from the Ontario Provincial Police.

And finally, Mr. Roy will highlight the evidence with respect to missing person investigations and, in particular, to the evidence of Chief Superintendent Mark Pritchard of the Ontario Provincial Police.

I also want to be clear that we are maintaining our focused approach this morning on these three areas, not because we think that they represent a complete answer to ending violence against indigenous women and girls.

We acknowledge that an effective response to this national crisis will engage many aspects of the work that government does and will require meaningful and respectful engagement with indigenous communities and governments.

We offer our submissions in these three areas in the hope that some of what Ontario is doing represents best practices that, if implemented, will be part of making indigenous women and girls safe in this country.

That is the road map I promised you a few minutes ago, and I would now like to speak to the first area that I mentioned, which is the non-enforcement
aspects of human trafficking. And in particular, I want to speak about the need to listen and the need to change.

You heard about the need to listen from Assistant Deputy Attorney General Juanita Dobson. She spoke about the process that led to the development of Ontario's long-term strategy to end violence against indigenous women.

She took you through the history of the Joint Working Group that developed the strategy. It's contained in more detail at paragraphs 61 through 65 of our submissions.

And when Ms. Dobson talked about the Joint Working Group she spoke of a process that was new and unfamiliar for government officials. That is because the Joint Working Group as an equal partnership, an equal partnership between the Ontario government and indigenous organizations.

That equal partnership was reflected in all aspects of the structure and the way the Joint Working Group did its work.

It was co-chaired by an Ontario government official and by Sylvia Maracle, the Executive Director of the Ontario Federation of Indian Friendship Centres.

It had an executive level table with, again, equal representation from officials at the
Assistant Deputy Minister level and leadership from indigenous organizations. It had a table for technical officials, again with equal representation from the Ontario government and indigenous organizations.

The listening that unfolded through this process took time. You heard from Ms. Dobson that this wasn't always an easy process. It wasn't easy or comfortable because it didn't fit with the way that government normally operates.

What we didn't do is present a pre-determined plan and then expect people to buy in. We didn't set the agenda. This was an honest and respectful dialogue, and it took time.

This is the listening that we are talking about, but I also mentioned change.

This process of listening did not end after the strategy was announced. You will see from our submissions that the Joint Working Group was transformed into the Ending Violence Against Indigenous Women Executive Committee.

It has six provincial committees which are responsible for the implementation of the strategy.

The listening that we did is also what drove the development of Ontario strategy to end human trafficking. It was developed with consultations across
the province, including engagement with indigenous
survivors and service providers.

That listening has also been accompanied by
change, and the change that I'm talking about can take
many different forms.

Sometimes that change can be a matter of
taking what is already in place and making it better so
that it meets the unique circumstances of indigenous
people.

You heard a number of examples from Ms.
Dobson about this, about taking something in place and
making it better. You heard about how our victim quick
response program has been enhanced to fund things like
tattoo removal and the replacement of government
identification.

You heard about how we have supported
enhanced training on human trafficking for the agencies
that are part of Victim Crisis Awareness Ontario.

You heard about bimikawe training, Bimikawe
for Victim Witness Assistance Program workers.

Bimikawe is an Anishinabemowen word
meaning "leaving footprints". I am involved, along with
my colleagues at the Indigenous Justice Division,
including Mr. Roy, in delivering this training to my
Ontario Public Service colleagues. This not only includes
victim services workers but also Crown prosecutors, Crown
civil counsel, coroners, and staff at the police oversight
agencies including the Office of the Independent Police
Review director that I spoke to earlier.

Elders are present to guide this training,
and I can tell you that in the rooms that we go into, we
have honest and difficult conversations about Canada's
history and this ongoing legacy. And slowly but surely we
see change in those rooms.

Change can also take the form of
Indigenous-specific victim services designed by Indigenous
people, led by Indigenous people, delivered by Indigenous
people for Indigenous people. We had to listen to
survivors to know that we needed to do these things, to
make these kinds of changes.

You will see, Commissioners, that I've only
highlighted these enhancements. They are fully described
at paragraph 69 through 74 in our submissions.

Change can take another form. Change can
mean new, new structures and new programs. You heard from
Ms. Dobson about the work of the Provincial Anti-
Trafficking Coordination Office or PATCO, for short. The
work of PATCO includes the lived experience roundtable
which ensures that we continue to listen to survivors of
human trafficking. It includes an Indigenous-led
initiatives fund to ensure that Indigenous trafficking survivors receive services and wraparound supports that are designed, led, and delivered by Indigenous people. It includes support for Indigenous-specific public awareness so that we are communicating to Indigenous communities in a way that's culturally appropriate.

You will see more detail about PATCO and its work at pages 36 to 38 of our submissions, beginning at paragraph 80.

Change can also take the form of the Human Trafficking Prosecution Team, an entirely new structure for Ontario which recognizes that the prosecution of these complex cases requires specific expertise and training. Change can also be Indigenous Anti-Human Trafficking Liaisons, a program administered by the Ontario Native Women's Association which ensures that the programs and services that I have been talking about are accessible by Indigenous people on the ground.

And finally, change can be dedicated legislation like the Anti-Human Trafficking Act which started from an opposition private member’s bill by now Ontario's Minister of Labour, Laurie Scott. This legislation creates a new form of protection order that is designed with the unique needs of human trafficking victims and survivors in mind.
The protection orders are described in more detail at paragraphs 81 to 83 of our submissions.

Change can be recognizing that it is not enough to create law and think that it will work for the people. Change can include the legal supports that have been introduced to ensure that legal representation is available to survivors and their loved ones to make the protection provided by these laws a reality in the lives of people.

And before I hand off to my colleague, I will echo what Ms. Dobson said at the end of her examination-in-chief because I don't want to leave you with the impression that the listening and the changing will ever end.

She stated that the entire government has been catching up when it comes to meeting the needs of human trafficking survivors. She said that there is a lot of work still to be done and that all of the various parts of government need to step up. Again, the need to listen and the need to change.

Thank you. Mr. Roy will address you now.

--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. JULIAN ROY:

MR. JULIAN ROY: You can appreciate it's tough to follow advocacy like that, so I'll do my best this morning.
My name is Julian Roy. As my colleague mentioned, I'm also counsel with the Indigenous Justice Division. We've met before previously in our previous hearings.

I want to -- my colleague mentioned the road map and I want to speak to the second part of what my colleague told you about we would be covering, and that is the policing aspect of Ontario's provincial human trafficking strategy. And in our written submissions it's at pages 19 through 29. I'm not going to be asking you to pull it up or referring you to specific parts.

I'm going to be relying on the evidence, of course, of Inspector Tina Chalk, who you heard from. And I want to continue the themes that my colleague has spoken to about the need to listen and the need to change.

You may recall a particularly poignant thing that Inspector Chalk said about a conversation she had with a human trafficking survivor who told Inspector Chalk, "You need to fix these needs or the trafficker will. You need to fix these needs or the trafficker will."

We need to listen when we are told something like this because it tells us a lot. It tells us about all the ways that we're failing Indigenous women and girls who are in this situation, and it also tells us
about what best practices could be in terms of what a
police response should be to support survivors.

There's four areas that I want to point to
from Inspector Chalk's evidence that speak to some of the
changes that come from some real listening to what
survivors have to say. And again, they're in more detail
in our written submissions.

First thing I want to mention that we learn
when we listen is that we need training for police
officers to understand the complex dynamics of human
trafficking. We need that. We need training for police
officers about the unique circumstances of Indigenous
survivors that arise from attempts at colonization.

This training is important for the officers
who are actually conducting these investigations, who are
tasked specifically with investigating human trafficking.
But perhaps more importantly, this training is critical
for recruits, it's critical for frontline constables who
are doing Highway Traffic Act investigations. These
officers need to understand the indicia of human
trafficking. They need to understand what they're seeing
that may look innocuous at first blush. They need to
understand these indicia. We need to have eyes
everywhere.

I have some new information from -- that
postdates when Inspector Chalk spoke to you and that is
that human trafficking training will be part of block
training next year for the Ontario Provincial Police. And
so what that means, that's block training is the mandatory
annual training that all officers across the province, all
OPP officers across the province get. And that means that
by the end of next year, all OPP officers will have
specific training on human trafficking.

This presents an opportunity to develop
this training, engaging Indigenous survivors, engaging
non-Indigenous survivors, engaging Indigenous communities
on how this training should unfold.

We have recommendations that address this
in our submissions.

The second thing I want to point to that
happens when we actually listen to survivors is that we
learn that we need to ensure that there's good
coordination within police services and also between
police services. You've heard about some of the
challenges that modern human trafficking presents --
cross-jurisdictional issues, the problem with information
falling through the cracks, left hand not talking to the
right hand. You've heard about those things.

We need this kind of coordination because
we may not get a second chance to support somebody who's
in this situation. We need to be ready to intervene at a
time and a place that's appropriate for the survivor, not
at a time and a place that we choose. We need to be
ready.

In the OPP, this means that -- this means
our Anti-Human Trafficking Investigation coordination
team. This team liaises with dedicated officers at
partner police services. It does its own complex human
trafficking investigations. It supports and mentors other
investigators who are doing human trafficking
investigations. It coordinates training and public
awareness. We cover this in our recommendations that
there is this need for coordination and that there ought
to be dedicated resources to human trafficking.

The third way that we can listen and change
to survivors is the need for public awareness. That comes
through clearly in all the evidence.

Inspector Chalk spoke to -- spoke of human
trafficking as an offence that is hidden, but in plain
sight. The needs of survivors can't be met where there is
silence, where there is stigma, and where there is a lack
of understanding in the broader community.

The needs of survivors can't be met when
people in the hospitality, transportation and hotel
sectors don't understand what may be in folding right in
front of them. The needs of survivors can't be met when Indigenous young people aren't armed with the information that they need to be safe.

In Ontario, learning about the needs for public awareness from survivors means that the OPP is conducting missing person's days in First Nations communities. You heard about that from Chief Superintendent Pritchard and Inspector Chalk.

Awareness specifically on human trafficking is delivered on these missing person's days. They attend in First Nation communities to meet with communities. And the communities have an opportunity to tell the OPP what kind of presentation, what kind of information that they need from the OPP. This isn't something where we're delivering what we think people need. We're asking communities what they need from us.

It also means using social media, developing tool kits to educate workers in targeted sectors. You heard about the Blue Campaign from Homeland Security in the United States about how it's being adapted in Ontario to reach out to those sectors where we know human trafficking is occurring.

The fourth thing I want to mention, when we listen to survivors we learn about new ways to support human trafficking survivors. In Ontario the OPP is
engaging with anti-human trafficking community coalitions. These are standing committees of service providers, professionals and community members who support survivors. This is infrastructure that's in place, not responding ad hoc after a situation has happened. These resources are there and ready.

There are more changes that we discuss in our written submissions. By outlining these changes I don't want to leave you with the impression that the listening and the changing is complete, because it's not.

Inspector Chalk will be working with the lived experience roundtable that Patco works with to learn more. And she spoke of the need to engage more generally with Indigenous organisations and communities and that's going to happen.

In terms of the roadmap I'm now moving on to the third area and that's missing person's investigations. And I'm relying, of course, on the evidence of Chief Superintendent Mark Pritchard, the materials also that we've filed as part of his evidence, and our written submissions at pages 3 through 14.

I want to address something that is really at the heart of the listening that we need to do, something that has been of significant concern for families, loved ones and communities, and I know is going
to be central to your concerns. And what I'm referring to is the concern that missing person's investigations and other police investigations are affected by racism.

I'd like to highlight what Chief Superintendent Pritchard said about this in his evidence, because I think it demonstrates a best practice.

Chief Superintendent Pritchard acknowledged that the concerns that families and loved ones have about racism are valid. He acknowledged that concerns that families and loved ones have about the quality of investigations are valid, just as important as this acknowledgement was.

He put the onus on police to earn trust. Police aren't entitled, for all the reasons that you've heard about, to say to Indigenous people, "You should trust us." They're not entitled to do that. They have to earn it.

What Chief Superintendent Pritchard was saying is that police services need to get past this thing where we get all defensive when somebody raises racism. We have to get past that. We have to not be defensive when people ask legitimate questions about that. Police need to embrace that kind of criticism and learn from it. Police need to show through their words, actions that they take racism seriously and that they're prepared to address
it head on.

He gave evidence about what taking racism seriously means in the context of missing person's investigations and there's four things I want to highlight from that.

The first thing that he spoke to was detailed and prescriptive policies, having a strong policy framework governing police investigations.

We provided the police orders that govern missing person's investigations to you and Chief Superintendent Pritchard spoke to those policies and what they mean. In essence, what they do is they control discretion.

We know that police discretion is always potentially an on ramp for discrimination. Police discretion is necessary. It's necessary for police to have discretion to do their jobs, but it creates a risk, and having a strong policy framework controls for that risk.

These policies, the OPP policies, require a missing person's report to be taken. There's no discretion about that. The reports that are taken are recorded electronically, permanently, and they're time-stamped for accountability purposes. They're accessible to all officers throughout the service and up the chain of
The policies require investigators to gather the necessary evidence. You'll recall those forms with all the boxes that require, tell officers, prescribe specifically what they're required to collect and how they're to collect it, the lost and missing person's questionnaire, the search urgency form.

Missing person's investigations must comply with standards that are applicable to criminal investigations. We don't put them in a different category. They're all to be taken seriously.

And most importantly, from Chief Superintendent Pritchard's evidence, officers are accountable and subject to discipline if they depart from these policies.

The next thing I want to mention in terms of addressing racism head on is the role of supervisors.

Chief Superintendent Pritchard said something interesting to you in his -- well, he said many interesting things to you, but one thing that stuck out to me. He said that we need to make sure that we don't leave one person out there to make a bad decision.

Supervisors are required to be involved, by policy, early and often. They are accountable to receive information. They're responsible to ensure appropriate
resources are deployed. They are required to apply their judgment, not after the fact, but in real time to continuously assess and re-assess what's happening on the ground. And the supervisors are the ones with the more developed judgment, with more training and with more experience, so we expect more from them in terms of their decision making. And supervisors, they are accountable under these policies for their conduct and subject to discipline.

The third element that I want to address is training. You heard from Chief Superintendent Pritchard about that anti-bias training is a component of all OPP training. He also mentioned the five-day in-person experiential course that the OPP delivers. It's delivered by Indigenous officers. It's mandatory for supervisors and specialists, those people that are directly in real times supervising missing person's investigations. They are required to take this course. It's mandatory. It's also available to constables and many of them take the course. It's a well sought after course.

The last area. The fourth area that I want to speak is communication. And you'll recall, Chief Superintendent Pritchard testified at some length, both when I asked him questions and when others asked him questions about communication with families.
Communication is central to the efforts by the OPP to address concerns from the community about racism. Chief Superintendent Pritchard described communications with families as an area the OPP thought they were doing well in, and clearly were not doing as well as they thought. He said that to you candidly.

The OPP listened to these concerns. They learned that through, among other things, the FILU process, and they listened very carefully to what families were saying. And that has led to some changes or emerging changes.

I want to speak to the FILU's a little bit further, and the work that the OPP is doing with them. The FILU's in Ontario are staffed entirely by Indigenous people with experience in grassroots work. The FILU offices are housed in Indigenous organizations across the province, they work with Indigenous methodologies and protocols, they're in -- reportable to or they report to my division, the Indigenous Justice Division.

And the OPP has embraced this and participated wholeheartedly in these processes. Detective Inspector Gilles Depratto, who you may recognize, he's been here for all but two of your Part II and III hearing. He is the OPP lead liaising with the FILU's.

The second thing I want to speak to in
terms of communication is what Chief Superintendent Pritchard spoke of, of the FBI model that the OPP is in the process of adapting for use in Ontario.

The FBI model had two elements. One was written communication plans developed in collaboration with families, setting out how family wants to receive information during an investigation. So not a situation where we just deliver what we feel is appropriate in the way we're used to doing it. Communication plans are forum for families to tell us how they want to receive the information, the when, the where, and the how.

There is also the -- a new position that's being considered, a victim specialist, who are civilian employees with appropriate training. And they are embedded within the investigation instead of being placed outside the investigation. You'll recall Chief Superintendent Pritchard's evidence that traditionally there's been a concern with putting a victim liaison person inside the investigation team out of a concern that hold back information may be accidentally conveyed.

The FBI model goes beyond that. That this is a bit of an old-fashioned approach, and the victim liaison position is inside the investigation. And that that is a better way to ensure that communication occurs appropriately, both from family and to family.
Before I close, Chief Commissioner,

Commissioners, I want to thank you for providing us with the opportunity to contribute to this National Inquiry. Through the witnesses that were called before you, through the materials that we filed to support the evidence of those witnesses, through our written submissions that we've provided to you earlier this week, and our submissions today, we thank you for that opportunity.

We'd also like to express our appreciation for your counsel and staff, the Elders and knowledge keepers, the National Family Advisory Council. We'd also like to thank the parties and their counsel for the conversations that we've had over the last year or year-and-a-half, and I want to thank them for how much we've learned from their work.

Those are my submissions.

(APPLAUSE/APPLAUDISSEMENTS)

MS. SHELBY THOMAS: Thank you.

Mr. Roy and Ms. Forget, earlier this week you provided a two-page document of recommendations. Would you like to make that an exhibit?

MR. JULIAN ROY: Yes, please.

CHIEF COMMISSIONER MARION BULLER: The two page document, Recommendations, Government of Ontario will be Exhibit 10 please.
Summary of recommendations (two pages)
Submitted by: Julian Roy and Kate Forget, Counsel for Government of Ontario

MS. SHELBY THOMAS: Chief Commissioner and
Commissioners, do you have any questions?

COMMISSIONER QAJAQ ROBINSON: Good morning
and thank you to you both for your submissions.

I want to ask a question with respect to
the recommendation and your submissions on -- with respect
to human trafficking and investigative challenges,
specifically in the area of legal authority. You specify
that there is a need to improve or create legal authority
to ensure the preservation of and access to predominantly
online or information on phones that's in this new tech
and web-based world.

One of the things we heard as well from the
Winnipeg Police Service was the challenges in
investigating online trafficking. So not only getting
into phones and using it in a local setting, but also,
recognizing that so much of the trafficking and
exploitation of children is going online. And that is
creating challenges, from what I understand, and this is
in part from your clients as well, is that because of the
international nature of the Internet that that is posing a problem.

Would you expand that recommendation? I recognize that it's somewhat interjurisdictional and requiring domestic and provincial law to give OPP and Ontario Police more authority, but it strikes me that there needs to be an element of international cooperation on this front.

You can have -- there is some countries where child pornography is not illegal, and servers are setting up in those countries, yet you can access those servers from right here in this city. And that -- what do you do with that as a police force?

So I'm wondering if, in addition to domestic, provincial, or federal legislation and authority, police services need more international instruments?

MR. JULIAN ROY: Operationally that certainly makes sense what you're saying. Frankly, I haven't turned my mind to the legal implications of what would be required to access, or to how Canadian law, provincial and federal Canadian law what adjustments might be made to that to better access data that's off -- outside of our jurisdiction.

So I could certainly turn my mind to that
further, and if you require further information, I could certainly address you on that.

COMMISSIONER QAJAQ ROBINSON: I think it's something that does require thought. If there are investigative challenges, and online is the new forum, we as a society and as a country and as lawmakers are going to have to look at how we are going to tackle that.

MR. JULIAN ROY: And we know that the traffickers are adjusting to the things that we do.

COMMISSIONER QAJAQ ROBINSON: Faster than we ---

MR. JULIAN ROY: So everything that we do, there is a new work around.

COMMISSIONER QAJAQ ROBINSON: Yeah.

MR. JULIAN ROY: And so your point is well taken, that we can take these measures, they will work, they will help, but they're not going to be a complete solution.

COMMISSIONER QAJAQ ROBINSON: Thank you.

COMMISSIONER BRIAN EYOLFSON: I don't have any follow up questions. I just want to say thank you to both of you for your submissions and for providing your written materials as well. Much appreciated.

CHIEF COMMISSIONER MARION BULLER: I just have one question about your recommendations, and it may
be self-evident. But you're stating in your recommendations wording that police services do certain things. So are you saying OPP and all police services or I just want to clarify who's included there.

MR. JULIAN ROY: Well, that would be -- so we are recommending these things as operationally what is a best practice for police services. This is a national inquiry and so you have authority to make recommendations by virtue of the Orders in Council right across the country.

CHIEF COMMISSIONER MARION BULLER: Okay. Thank you. I just wanted to clarify.

MR. JULIAN ROY: But the OPP is making those recommendations ---

CHIEF COMMISSIONER MARION BULLER: Yes.

MR. JULIAN ROY: --- based on its own experience about what works here and what they believe will work and in terms of its own jurisdiction, and on the understanding that part of this process was for all institutions to talk about their best practices and learn from one another. That's the spirit in which those recommendations are offered.

CHIEF COMMISSIONER MARION BULLER: Okay. Thank you.

Well, I have to say, it's been a pleasure
working with both of you in all of the travels across the country and all of the hearings. I want to thank you both for exemplary advocacy on behalf of your client. Thank you very much.

**MR. JULIAN ROY:** Thank you.

**(APPLAUSE)**

**MS. SHELBY THOMAS:** Next Commission counsel would like to invite Cora Lee McGuire Cyrette from Ontario Native Women's Association to provide their oral closing submissions. They will have 40 minutes.

**FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS. CORA LEE McGUIRE CYRETTE:**

**MS. CORA LEE McGUIRE CYRETTE:** Boozhoo.

**(Speaking in Native language).** Chi-miigwech to the bundles, to all the medicines and to everybody here in the room. I also want to acknowledge the survivors that are not here today and the survivors that are here today.

We also want to acknowledge the reason we are here today, because woman have been murdered. This is the reason that we have brought the grandmother earth dress here today. She provides a reminder of why we're here. She provides a reminder that woman are not here. She provides a reminder that healing needs to occur. She provides a reminder that 365 days a year Indigenous women to face violence, and that is why we are here.
I want to thank everyone who's chosen to take upon this work. This is not easy work. I also want to thank every single family member who chose to participate. I also want to thank those who chose not to, because they respected themselves and what they needed to do for their own healing, and they knew what path was right for them.

We listen to every one of them. And that knowledge, that wisdom, their stories is carried with us for the next generations to come. That is now our responsibility as people in Canadian society, in Indigenous communities and non-Indigenous communities. We now have a collective responsibility to do something. We now need to act.

We have asked woman, we have asked people, we have asked communities, we have asked systems, we have asked everybody what they see as needed. Now we need to do something. The time for non-action has passed, because woman and children matter. Woman and children deserve safety in Canada. Their safety is a human right in the society that we live in. And the fact that they have to beg for the same human rights as any other member in this society is not right and must be corrected.

I want to begin by speaking the words of some survivors that we heard here, a dear friend, Fay
Blaney, that I met along this journey. I don't think there's enough recognition of the fact that colonisation impacts us very differently, men and woman. We are here because women have experienced so much violence from every aspect of their lives. That is why we are here. We are here because of racism and discrimination, let's be honest. You would not have an inquiry to address missing and murdered Indigenous women and girls if racism and discrimination did not exist.

And the words of our president, Dr. Dawn Lavell-Harvard, let's remember why we are doing this inquiry. Indigenous women are dead because of violence that is rooted in a long legacy of colonialism that has diminished their value as Indigenous women in this country. The best way we can remember the women we have lost is to never repeat the conditions, attitudes, behaviours and systems that have caused this devastating situation.

I respectfully ask the Commissioners and your team to be brave. I respectfully ask that you make your impact well beyond our time here. I ask for your bravery in the recommendations you're going to be put forward, to not hold back. I ask for you to honour the voices that have been lost with this bravery by speaking the truth, telling the truth, making recommendations that
are going to make an impact so this does not happen to our
daughters, to our granddaughters, to our sons, to all
children and to all women across Canada.

ONWA has participated in this Inquiry with
one focus in mind, what can we do ourselves, in our
families, in our communities and at all levels of
government, including Indigenous governments, in
Indigenous organisations and general society that will
increase the safety to end the violence?

Previous counsel recognised the need to
honour and reclaim Indigenous women's voices and
leadership. The time for action is now.

We, as a community, have different levels
of responsibility, both female and male. I cannot, as a
woman, speak on behalf of men's issues and, therefore,
that same honour respect must be given to woman. Man must
not speak on behalf of woman's issues unless they are
given the mandate to do so by the woman in community.

Men stand beside us alongside this journey.

We need the men to walk this healing journey with us, to
not take up the space. We need to restore the equality
that once existed.

We all know there is urgency to this work
and we call upon all communities, all systems, all
organisations, Indigenous and non-Indigenous people to
begin to work together. We are all interconnected as people. That's how we began the society we live in. We began as equals. We began to walk this path together. We need to begin to do that once more. If I'm not well, you're not well. That's a value that we all have as people, love and respect. We need to stop "othering" each other. We need to stop lateral violence. These are all issues that we can do together.

All of these issues we have listened to, for over the past 45 years that we have existed as an organisation, ONWA is one of the oldest Indigenous women's organisations in Canada. And that's how we began this journey was listening to woman and nobody was speaking out against the violence that she was facing in her lives.

In this past year we have helped almost 10,000 people in Ontario, 10,000 community members, 10,000 families. From there we've reunited 71 children with their mothers. From there, we've helped over 12 women exit human trafficking and begin to rebuild their lives and to work with them on that journey. We do this sort of trauma-informed approach that it provides non-judgemental services and recognizes who she is.

We do not "other" her. She is not a client. She is a community member. She knows what she needs to do. We need to listen to her.
As noted in Amnesty International's "No More Stolen Sisters", Indigenous societies in Canada prior to contact are characterized by relative equality between men and women. This is what colonization took away. We can reclaim this. Anything that has been taken can be reclaimed. We now know the history. We know colonization. We know the systems. We know what needs to change. We need to each begin to do this change on an individual level and then moving in towards the system level.

Knowledge keepers from my territory, the 1850 Treaty, have prophesized for years, for many generations, has been passed on to me that when Indigenous women are restored to the rightful places in our communities and our society, our communities and societies will change and become healthy once again and become whole.

So when I ask you to be brave, I ask you to be brave to recognize Indigenous women. You can measure the health and well being of a community based on the health and well being of Indigenous women in that community.

Like the medicine, we're all connected. We need to do it together. It's a circle. It's a choice. It is not up and down, down and up. We are all people.
We are all Treaty people. We are people of Mother Earth and we need to work together to do this and to not judge each other. This was at the Thunder Bay hearing from Crystal Davies.

Gerry McNeill has also laid out a path, as previous counsel had mentioned, a path to address very serious issues in one community here in Canada, Thunder Bay, a community I was born and raised in that's close to my heart.

These recommendations and this path that he has bravely spoke to is not only just for Thunder Bay. Those recommendations are best practices that we can implement across Canada in every single community.

Indigenous women cannot be absent from these conversations. We must lead these conversations. Indigenous women's leadership has been the foundation of community survival for generations.

As described by Romeo Saganash, MP in the House of Commons in 2014 when he requested this Inquiry, he said,

"In many Indigenous cultures and societies, we are taught to honour women as life-givers, as knowledge-keepers, as storytellers, as medicine women, as word-carriers, as community
members and human beings, and
[colonization] has impacted negatively
on those values."

All of these roles and responsibilities
must be acknowledged, honoured, and restored in order for
us to move forward. All of the issues we talk about are
interconnected. You cannot address missing and murdered
Indigenous women and girls without addressing human
trafficking of Indigenous women. You cannot address human
trafficking without addressing housing. You cannot
address housing without addressing food security. You
cannot address food security without addressing the mother
bond connection which is the oldest profession in this
world, is motherhood.

The high number of missing and murdered
Indigenous women and girls compelled the Canadian
government and society to recognize the direct correlation
to gender-based violence and societal struggles within the
root of colonization and practices.

Our submission will discuss specific
elements of how Indigenous women have and continue to
experience colonization and how these processes of
colonizations have gender-specific impacts for Indigenous
women and girls, such as identity.

We have a right, an inherent right to pass
on who we are to our children. Current systems such as the Indian Act, which itself is a colonized practice that allows discrimination against only one group of people in Canada, the human rights of Indigenous women. The Canadian government needs to recognize this and stop creating a line in the sand that creates the conditions why we're here today.

We have the right to pass on who we are as people to our children, to our grandchildren, to our great-grandchildren. We need to remove all of the additional 6(a),(b),(c),(d), et cetera, and create one category. At least then we can be at a level footing with our Indigenous male counterparts and be discriminated against equally.

Part 1 will discuss discrimination through government policies such as the one I just mentioned and the laws and policies with the high rate of physical, mental, and sexual violence by Indigenous women and girls. Specific examples will include the gender-based biased in the Indian Act and the devaluing of female leadership roles and responsibilities.

Part 2, we will be discussing the broader colonial policies and how they have gender implications. Such implications will have -- discuss the context of social economic problem by Indigenous women and girls
relating to poverty that increases the vulnerability of violence.

Right now, we're in a crisis. Our children are in care and are being recruited into human trafficking. They're being recruited and used and victimized to create crimes.

Indigenous women deserve and have the right to be mothers to their children. The Child Welfare system must begin to acknowledge and re-create a new relationship with women. The children, our children, are not in care as a result of being projected violence on, the result of poverty. We know this. We know that poverty, therefore, has specific recommendations that can be addressed. Stop removing the children from the home.

We listened to women in all of our engagements in order to do this work and write this report and that is what every single one of them have said. They need to choose between safety or being a mother. That should not be a choice that any woman ever has to face, because if she reaches out for help and support, her children are apprehended, and that must stop immediately.

The mother-child bond upon birth must be honoured and respected. Current systems right now are apprehending children at birth.

When we're looking at why we are here
today, survivors have very clearly told me that they have survived because of their child-mother bond. They wanted to create a new life for their children and their child gave them the strength to create that new path, that new journey.

Lastly, part 3 will discuss the need to support and empower Indigenous women's organizations. We cannot only be supported through shelters, which is what we need. We need shelters in every community. We need Indigenous women's organizations in order to do the prevention work, to do the advocacy work.

Fay Blaney spoke to this, the need for autonomous Indigenous women's organizations. This is not to take away from anyone; this is to add value to the current system that is there. Indigenous women spaces is where the safety and the healing begins. Core funding is needed to support these Indigenous women's organizations in communities across Canada.

Our recommendations throughout this submission provides a comprehensive list, which we have provided.

There is some foundational understandings when you’re reading these recommendations that have formed our submission. The different forms of gender, racialized violence that Indigenous women and girls are -- experience
are interrelated and interconnected.

An intersectional approach is required when developing solutions to gender violence and discrimination.

Recently we participated in Healing Our Spirits Worldwide in Sydney, Australia. We brought youth with us to mentor them because we recognize that they’re going to be taking these roles and we wanted to support them along our journey, and their journey and taking up their responsibilities.

The Healing Foundation has researched, evaluated healing programs from across the world. And one aspect of their framework that works; imagine that you asked people what they want in their community and what they need in their community.

When people ask me how, as an organization, we’ve been able to grow and to support -- we used to support probably about 500 people a year and we now support just under 10,000. I simply said we speak with women every year. We ask them what they need and that’s what we do.

This needs to be a process with the recommendations that you bring forward. The reinstatement of the Aboriginal Healing Foundation that supports healing of Indigenous women from across Canada must be designed
and developed with Indigenous women across Canada, not just through umbrella organizations. Otherwise we’re going to continue to replicate colonial systems that have allowed us to be here.

We need to be brave. We need to work together. We need to stop the lateral violence, and we need to support and reclaim Indigenous women’s voices.

Indigenous women are not all the same. We have complex and unique identities based on different lived experiences and social constructs that have shaped our experiences; the level of combined systemic institutional, historical, and individual aspects of the person’s identity is complex and confers levels of power, privilege, and social oppression as part of their lived experiences.

We recognize and honour all indigenous women; First Nations, Métis, Inuit. ONWA, as an organization, does not speak on behalf of Indigenous women. We speak on behalf of Indigenous women’s issues. We honour our sister organizations and the work that they do. We honour Aboriginal Shelters of Ontario and the work that they do. We honour all of the work, and when it is -- when we work together, collectively is where the change is going to occur.

Your recommendations, I ask, do not divide
and continue to divide Indigenous women; that we honour
and respect each and every one of us.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. CORA LEE MCGUIRE CYRETTE:** A lot of
people ask why we stayed focus on women, why do we stay
focused on Indigenous women. She is a starting place of
the healing, she is not the end. Healing must begin
somewhere and I ask that we be brave enough to say that
Indigenous women matter; that we begin with her in her
healing journey so that she can raise healthy children and
therefore we can have healthy communities and a healthy
nation and a healthy society.

We do not take away from anybody by having
this conversation. We actually add value to the
conversation.

An intersectional analysis is based on two
understandings. It requires a shift from a single
identity perspective to an analysis based on the
assumption that an individual’s experiences are based on
multiple identities that can be linked to more than one
ground of discrimination.

The second understanding is that a gender
analysis needs to consider contextual factors, such as the
purpose and impact of any legislation, policy, the nature
and situation of the individual issue at the society,
political, and legal history of the person’s treatment in society. That’s from the Ontario Human Rights Commission.

When we’re doing a gendered analysis of any work that we do, we need to look at how does this negatively impact Indigenous women. Is any of this work here creating the safety that she has called upon us to do?

Indigenous women have experienced a level of violence that is a direct result of colonization. Contact between Europeans and Indigenous people was the initial site for this violence for Indigenous people, and it continues to be the mechanism of the ongoing disenfranchisement of Indigenous people, in particular Indigenous women in Canada.

The term, “Gender-based violence” includes rape, sexual assault, intimate partner violence, sexual harassment, stalking, prostitution, and sex trafficking. From Duke University Women’s Center.

Further they note the term “Gender violent” reflects the idea that violence often serves to maintain structural inequalities, including all types of violence against men, women, and children, adolescents, gay and transgendered people, and gender nonconforming individuals.

Gender violence is widely accepted in
gender roles and toxic gender relations that accompany these roles.

If we’re really honest what that all means is that violence is normalized. If it’s normalized, therefore it’s accepted. If you dehumanize somebody it’s really easy to project violence on them. It’s really easy to not be accountable for your actions and to justify the current situation that we’re in.

We need to stop the normalization of this violence in order to create a healthy community moving forward.

We need to implement the UNDRIP, the United Nations Declaration on the Rights of Indigenous Peoples, specific sections as related to honouring, respecting Indigenous women and children.

You know, Section 22 states:

“...in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.”

This must not only be done by the three recognized national organizations. That’s too easy.

We must go and engage with women in community. We need to start this conversation. We need
to rebuild the relationship at the community level with Indigenous women, by Indigenous women for Indigenous women.

Chi-miigwech.

(APPLAUSE/APPLAUDISSEMENTS)

MS. SHELBY THOMAS: Thank you.

Ms. McGuire Cyrette, you mentioned in your submissions the comprehensive recommendations; is that the seven-page -- the seven pages you provided ---

MS. CORA LEE MCGUIRE CYRETTE: Yes.

MS. SHELBY THOMAS: --- earlier this week? Would you like to make an exhibit today?

MS. CORA LEE MCGUIRE CYRETTE: Yes.

MS. SHELBY THOMAS: Okay.

CHIEF COMMISSIONER MARION BULLER: Six-page document, Ontario Native Women’s Association Recommendations to the National Inquiry will be the next exhibit, Exhibit 11, please.

--- EXHIBIT NO./PIÈCE No. 11:

“Ontario Native Women’s Association - Recommendations to the MMIWG National Inquiry” (seven pages)

Submitted by: Cora Lee McGuire Cyrette, Representative for Ontario Native Women’s Association
MS. SHELBY THOMAS: Chief Commissioners and Commissioners, do you have any questions?

COMMISSIONER QAQAQ ROBINSON: I don’t have any questions but I want to thank you for your oral submissions, the recommendations, and I look forward to reading the -- your expanded written submissions.

I want to thank you for the questions and your engagement and participation throughout. I’ve got interesting diagrams on my page. Thank you for drawing a map today.

Thank you.

COMMISSIONER BRIAN EYOLFSON: I also want to say thank you for your very thoughtful submissions this morning and for providing us with your recommendations.

Chi-miigwetch.

CHIEF COMMISSIONER MARION BULLER: Ms. McGuire Cyrette, I don't have questions either but I want to thank you for just such inspirational submissions this morning. Thank you very, very much. It's given us a lot more energy to work with. Thank you.

MS. CORA LEE McGUIRE CYRETTE: Miigwetch.

(APPLAUSE/APPLAUDISSEMENTS)

MS. SHELBY THOMAS: Thank you.

Chief Commissioner and Commissioners, at this time we have a scheduled break. It is now 11 after
10:00 and the break was scheduled for 20 minutes. I will take your direction on when you want to recommence.

CHIEF COMMISSIONER MARION BULLER: My concern is inconveniencing the next round of Parties with Standing. I don't know if they're able to start earlier.

MS. SHELBY THOMAS: If we could ask for the 20 minutes and we'll update if the party is not available.

CHIEF COMMISSIONER MARION BULLER:
Excellent idea. Okay, 20 minutes and we'll have an update at that time. Thank you.

--- Upon recessing at 10:12 a.m./L’audience est suspendue à 10h12
--- Upon resuming at 10:38 a.m./L’audience est reprise à 10h38

MS. SHELBY THOMAS: Chief Commissioner, Commissioners, now that the 20-minute break has passed and after speaking with the parties, we would like to request that we recommence on schedule and to ensure that we are accessible online to those who would like to listen to the next submissions.

CHIEF COMMISSIONER MARION BULLER:
Certainly. We'll adjourn until 11:00 a.m. Thank you.

--- Upon recessing at 10:38 a.m./L’audience est suspendue à 10h38
--- Upon resuming at 10:59 a.m./L’audience est reprise à
Ms. Shelby Thomas: I would like to invite Ms. Sarah Beamish who will be providing the oral closing submissions for Independent First Nations.

--- Submissions by/Représentations par Ms. Sarah Beamish:

Ms. Sarah Beamish: Good morning. My name is Sarah Beamish. I'm here for the Independent First Nations.

First, we'd like to acknowledge that we're on unceded Algonquin territory and thank them for welcoming us here.

And I'd like to give greetings to everyone here today and especially to those from the Independent First Nations who are watching online.

So the Independent First Nation communities are 12 Anishinaabek, Haudenosaunee, and Oji-Cree First Nations that have asserted their independence from the political territorial organizations and who have affirmed their right to be self-determining and self-governing, and to directly represent their communities' interests.

Each of these 12 First Nations is sovereign and autonomous with its own sacred stories, unique history, distinct language, culture, and ways of living.

Collectively, their combined population is about 33,000 people and their territories span northeast,
south, and western Ontario.

Ten (10) of them are based on reserve land, and 2 have urban populations that are in the process of moving onto their land.

They share an established political protocol that enables them to work together in an effort to strengthen their position on issues of common concern.

Violence against their women and girls is one of these issues. All of the IFNs have lost women and girls to violence.

We give these submissions in honour of those girls and women in recognition of the pain and grief caused by their loss and in the spirit of justice, change, and healing.

While I have the privilege of representing IFN, I am not from any of their communities and so if at any point I use the word "we", I do it in their voice and not my own.

And with me here today are four representatives of the IFN. We have Chief Tim "Dooley" Thompson from the Mohawk Council of Akwesasne and he is also the IFN’s Ending Violence Against Indigenous Women Network Co-Chair.

We have Chief Tobi Mitchell, also from the Mohawk Council of Akwesasne and she is the Leadership
Representative of the Eva (phonetic) Council to the Executive Committee.

We have Councillor Cam Goodman from Animbiigoo Zaagi igan Anishinaabek. He is also the Co-Chair of the Independent First Nations.

And we have Deanna Jones Keeshig who's the Independent First Nations Ending Violence Against Indigenous Women Coordinator.

The IFN Communities have been engaged with the crisis of missing murdered Indigenous women and girls for many years and they have shown outstanding initiative in understanding this crisis and identifying solutions. These efforts have involved women, men, elders, and youth, and have been strongly supported by their leadership.

I want to gratefully acknowledge how much their history of work on this issue has contributed to my submissions today.

And I also want to acknowledge the excellent submissions of many of the parties who have gone before us and who have expressed points and recommendations with which IFN agrees.

So I'm not going to give a comprehensive overview of IFN's perspectives and recommendations here. A lot of those we will save for the written submissions. But I would like to do three things.
The first is to briefly highlight some of the major challenges related to missing and murdered women from the particular perspective of the IFNs.

The second is to give a snapshot of some of the recommendations with the main focus on guiding principles that IFN believes should be applied in a cross-cutting way to the recommendations coming from all parties.

And the third is to briefly talk about wise practices in addressing violence that have been identified by the IFN and to share with you one particularly gorgeous example of how the IFN is helping its communities to deal with violence through love and culture.

When we look at the crisis of missing and murdered Indigenous women and girls, there are at least two numbers that are critical to know. The first is the number that shamefully, we still do not know for sure, the total number of Indigenous women and girls who have been murdered or gone missing. We need to know this number because every one of those women and girls matters.

The second is a number that we can state with near certainty; 100 percent of Indigenous people in this country are impacted by and connected to this crisis. We need to know this number because it reveals the true nature of this crisis and the only effective way of
addressing it.

As I spoke with members of the IFN communities, again and again I heard that the actual scope of the violence is not known to them because of disconnection and silence. People leave the communities and lose touch or people do not talk about it, for any number of reasons. But they know it is happening and virtually every person I spoke with told me about the death or disappearance of at least one woman or girl.

One person told me about a murdered auntie, another told me about losing three of his classmates when he was in high school, another told me about finding a woman dead on his family trapline when he was a child, and there were many others.

As Ms. Jones Keeshig, who is here today, said to me,

"As an Indigenous person, you may be employed and housed, you may have a good education, you may have done extensive personal healing and be comfortable with who you are, but you will still be impacted by family, community, and systemic violence because in Indigenous communities, everyone is connected and everyone is
subject to forces beyond their individual or collective control."

This points to the source of the crisis which so many other parties have identified, the colonization, which has been an attack on the lives, lands, waters, families, communities, relations, cultures, languages, freedom, and sovereignty of Indigenous people. This attack has been sustained, systematic, deliberate, comprehensive, and deadly. It has been and remains almost incomprehensible in its devastation.

So I'd like to tell you just about a few of the harms of colonization as they impact the Independent First Nations. This isn't a comprehensive list, but it identifies the main themes that they've wanted to talk with me about.

The first is drugs. Drug misuse, particularly opiates and methamphetamine are a serious and growing problem across their First Nations, and in many cases, it has replaced alcohol as the main addiction issue.

One chief told me that about 60 people in his community of 800 are struggling with opiate addiction, and with those numbers, it would be very surprising if a single family is not touched by this issue.

People are often turning to these drugs to
achieve a sense of numbness and escape from the conditions of their lives that result from colonization. We must look upon this drug use with compassion and understand that as destructive as it is, for some people it may be the only way they want or feel that they can live.

There is a direct connection between this drug misuse and violence against women and girls. Violence is being committed by those who harm those around them while they are using drugs, by those who steal to support their addiction, by those who sell drugs and threaten and harm community members, by people who sexually exploit and harm girls and women who are struggling with addiction, and by people who harm themselves through drug misuse.

And the efforts to address these problems are often not working. Policing responses are too often not accompanied by appropriate health and social responses and the criminalization of drug use itself pulls people into racist, legal, and prison systems that often do them more harm than good.

There are few treatment centres in the north, especially, meaning that people often have to leave their home and try to get well in potentially dangerous and triggering places like Thunder Bay away from their supports and families and in a foreign cultural context.
The wait times to get into treatments are often months long and there is not always enough funding to complete the programs. The drug programs are not always culturally appropriate and are often not paired with adequate mental health services or support for related issues like sexual exploitation. And they target drug use as an individual issue, rather than a family and community problem rooted in colonization.

When people do successfully complete a program, all too often they come home to a situation where there are no transition and long-term support services, and where they are surrounded by the same conditions that led to the drug use in the first place. Unsurprisingly, many are using again within a short time.

For those who do want to seek help, it is not always safe, particularly if they have children. One counsellor told me that the drug counselling office in her community is attached to the child welfare office, which makes people terrified to seek help for fear of their children being apprehended.

Then there is policing. IFN supports the submissions from other parties that have emphasized the need to fundamentally transform the way we achieve whatever legitimate functions of policing are worth retaining. A foundational purpose of the Canadian police
system and the law it enforces was repressing Indigenous people in support of colonial expansion, and it continues to support that purpose today.

It is not surprising, then, that the police themselves are sometimes the ones committing the violence against Indigenous women and girls. Simply putting more Indigenous people into police uniforms is not going to change those systemic realities. However, there are needs and problems for IFN members that must be understood and addressed now.

Several of the Independent First Nations rely on the work of primarily non-Indigenous police forces with which they have harmful and distressful relationships. As the report into policing in Thunder Bay that was released yesterday shows, these non-Indigenous police forces have too often been deeply racist and negligent, including in their responses to the disappearances and deaths of Indigenous people.

Some of the IFN's rely on the work of primarily Indigenous police forces. These forces are grossly under resourced, underpaid, and understaffed, relative to non-Indigenous forces. Officers in these forces also typically deal with extremely high levels of stress and trauma because of the intensity of problems, the challenging working conditions, and the need to police
their own communities and families. One chief told me that the police force that serves his community and 27 others has 80 officers, 15 of whom are now on stress leave.

For those nations that do not have 24 hour police presence, the response times for calls to police are appalling with waits of anywhere from 1 to 8 hours. This encourages violence, and in some cases, almost ensures impunity for it. It also leaves it to community members to try to diffuse situations in the moment without police assistance, which sometimes works, but is often dangerous, unfair, and unsustainable.

Another issue is sexual violence. This is a significant problem historically and today. IFN communities are dealing with the legacies of repressive, shame-based colonial conceptions of sexuality, repression of traditional gender and sexual norms, and sexual violence perpetrated in residential schools and by authority figures in other contexts. This violence has caused trauma that manifests in relationship problems, sexual dysfunction, abuse and homophobic and misogynist violence, and it affects subsequent generations and the rest of the community.

One chief told me about a priest who lived and worked in his community who abused around 50 children
with impunity. He told me that some of these boys -- some of the abused boys had internalized homophobia as a result of having been abused by a man, and they later tried to assert their heterosexuality and their masculinity through violence against women and girls. Many of these boys are now men who have passed on the impacts to their children and grandchildren, some of whom now struggle with drug use and other symptoms of intergenerational trauma.

There is also a problem of girls and women being sexually exploited and trafficked. This is typically tied to addiction, gangs, poverty, lack of housing, abuse and isolation when girls have to go to cities for school or other services.

The IFN's former anti human trafficking coordinator told me that the typical age of entry into trafficking for girls from these communities is between 15 and 18 years old. She described a culture of silence, shame, and impunity around these issues, a widespread lack of understanding of trafficking, and a failure of important related services like drug counselling to address experiences of sexual exploitation. She described a lack of specialized services for dealing with the sexual trauma that comes from the particular context of exploitation and trafficking. And she pointed to two very worrying developments with respect to this issue.
The first is the growth of mines and other resources projects in IFN areas which will inevitably be accompanied by increases in the number of outsider men in the kind of man-camp context that we heard about in Iqaluit. The other is a story she is hearing of American men who come to Ontario to hunt. Having girls brought out to lodges in the bush for sexual purposes. She said there may up to a dozen men at these lodges, all of whom have guns. And without going into detail she described these encounters as brutal and rough.

There is a major need for services and intervention aimed at this problem, in particular, and the restoration of culturally rooted sexual health and well-being.

Another problem is infrastructure and housing. IFN communities have significant problems related to infrastructure and housing which are directly connected to violence.

As with many First Nations, there are very serious housing shortages that result in overcrowding, inability to move, a reliance on stop gap measures like couch surfing, and an inability to bring service providers into the community. This is dangerous for women and girls in abusive situations, and it undermines the ability of communities to address their service and staffing gaps.
It also has a particular impact on youth and young adults, because when they have to or want to leave their family home there is nowhere for them to go but outside the community. This harms their connections to their communities, and we know that when young people leave, even for good opportunities, there are risks.

There's also a lack of adequate cell phone coverage that puts people at risk. Once counsellor whose northern community is at the end of a rarely used highway, told me that there is a long stretch on that highway with no cell service. If someone gets stuck or has car trouble on that road, it could be many hours before someone comes by. This creates risk for women and girls travelling on that highway and it also dissuades outside service providers from coming to that community during the winter.

Similarly, there is a lack of adequate high speed Internet coverage in all of the communities. We have heard evidence at other hearings about potentially promising solutions to some challenges such as telehealth initiatives that allow remote access to services, however, these often require sufficient high speed Internet and electricity which not all the Independent First Nations have.

Another set of issues is related to services, and particularly trauma, mental health, grief,
and shelter crisis services. In some IFN communities people need to leave to access these services or can only access them maybe once a month when people come in from outside. They're often not culturally appropriate and they often force people to identify single issues that must be resolved within a set number of weeks, regardless of the actual depth, nature, and complexity of the needs, a practice that risks opening up and aggravating wounds that it cannot heal.

With those services that are available in community, there are major privacy and confidentiality concerns. Service delivery is burdened with bad and non-integrated data systems that require people to tell their stories again and again.

The IFN communities have also identified a need for men's shelters and places where perpetrators of family violence can go so that victims are not forced to leave their homes.

Finally, there are huge issues of turnover and burnout with the staff providing services. It is common to see chronic overwork and practices that violate labour legislation. This is unsustainable and inhumane. It endangers the health and well-being of staff who are important members of their communities and families, and it undermines the quality of services to the people of
Independent First Nations.

Another major issue, child welfare. As with most Indigenous communities, the IFN communities have far too many of their youngest members involved in the child welfare system. There is no question that the impacts of colonization have left many families in need of culturally relevant supports that will help them to restore their health, but this is far too often not the role that child welfare agencies are playing.

Rather, it has become normalized to see children taken away for poverty related reasons, an over resourcing of apprehension and an under resourcing of support and prevention; plans of care that do not involve parenting supports or roadmaps to reunification; agencies and courts ignoring the hard won legislative protections that were designed to keep Indigenous families together; apprehensions resulting in the health of infants, young children, and mothers being jeopardized by a lack of respect for their breastfeeding relationships; and children being placed far away from home in frequently unsafe conditions where they are irreparably disconnected from their family, community, and culture.

This is causing ongoing widespread trauma, grief, and violence. It is very clear that in most cases the apprehended children are not being cared for in
anything close to culturally appropriate or nourishing ways.

Further, Crown wards typically get their care cut off when they turn 18. This practice bears no resemblance to the norms of care provided by healthy families in any human culture that I know of, and it is grossly inappropriate in view of Indigenous conceptions of life stages, care and responsibilities, and in view of the increased needs for support of children who have been put into the system.

The IFN communities know that sometimes their children do need to be removed from their families for a time. And they identified the lack of in-community foster homes as a major problem in those cases.

This lack is there not because community members don't care, but because some members who would like to help have past engagement with the legal system that results in them failing the normal checks required for foster parents.

Obviously screening is important for children's safety, but it seems as though it is being done overzealously and in a manner that may be discriminatory in light of the known and unjust overcriminalisation of Indigenous people within colonial legal systems.

And, of course, another major issue, which
IFN has raised at past hearings, is the duty to report. This creates a major barrier to accessing essential services, particularly for women and children. The fear of losing their children can put women in an impossible position with respect to accessing shelters, medical care, addiction services and counselling. And there is no question that for some of them this duty is perversely increasing their risk of harm and violence.

We cannot talk about the independent First Nations without talking about the practice of sending kids away to cities for school. Some people in the communities compare this to a modern-day residential school system and its impacts. Many of the children in the independent First Nations end up in Thunder Bay, Kenora and Winnipeg, most of them ending up in boarding homes and this starts as early as Grade 9.

These children are made vulnerable to violence through separation and isolation, in environments that are usually unfamiliar, unsafe and racist and are sometimes deadly.

We know that too many Indigenous children have ended up dead because they have had to come to these cities for school and other services. It places a significant weight on these children and their families to know that this is the cost of obtaining an education and
job opportunities. And there are perverse incentives built into this system that unnecessarily increase the risks and disconnection.

One example of this, a Chief told me how government will pay strangers to provide room and board to these children, but will not pay their own family members who live in these cities to provide that room and board.

Finally, I want to briefly mention elder abuse. This is a serious problem in the independent First Nations and one that has been underexplored in this Inquiry, so we thought it was important to raise it.

The elderly populations in any society are at risk of abuse and violence, and the independent First Nations have seen a rise in this risk, particularly related to the drug epidemic.

Just a few weeks ago, an 82-year old woman in one of the communities was beaten to death by her own grandson in an act that was connected to his drug addiction issues. Many elders are prescribed pain medications and because of this they become targets of robbery and assault, sometimes by family members.

Elders are also experiencing neglect, tokenisation and isolation in ways that are not traditional and that are harmful to them and to their whole community.
Many elders are also being forced to care for their grandchildren without financial and other supports equal to those provided to foster parents, all while living with incomes that may be very low because they are no longer employed. This is creating undue hardship and pressure on them and it impacts the care they can provide to the children and it is a form of elder abuse.

Now, if I had more time I would go on to talk about the legal system, prisons, poverty and several other topics, but I'm sure you know much of what we would have to say about those issues.

IFN's written submissions will include specific recommendations in relation to many of the problems I've outlined and many of them will echo those made by others. We don't have time to share all of those in oral submissions; however, I would like to highlight what IFN believes are some essential overarching principles for the implementation of all recommendations by all parties.

One, Indigenous people and nations are entitled to more than mere physical survival. They are entitled to excellence, justice, healing, dignity, well-being, opportunity, hope and self-determination across every facet of their lives and societies.
Two, all decisions and actions must contribute for the reconnection, rebalancing, repair and restoration of Indigenous people, families, cultures, languages, systems, relationships, lands and waters. Nothing that continues the disruption and weakening of these things can be tolerated any longer.

All decisions and actions must support the liberation of Indigenous people from the imposition of foreign cultural, legal, economic and social systems.

All decisions and actions must respect and protect Mother Earth and our animal relations and, wherever possible, should be implemented in a manner that is grounded in Indigenous people's sacred relationships with their lands and waters.

Solutions must be driven by Indigenous women, girls and two-spirit people in a manner reflective of their inherent rights, value, knowledge and authority.

Solutions must include a specific focus on the well-being, experiences, healing needs and cultural roles of Indigenous men and boys.

Solutions must challenge and dismantle the colonial ideologies of homophobia, transphobia and misogyny.

All solutions must be community-driven, with overarching coordination, support and funding that is
guaranteed through provincial and federal action plans.

All solutions must work from a strength-based approach that centres Indigenous culture, family and community, and honours the uniqueness and diversity among them.

All solutions must be grounded in respect for Indigenous rights, including treaty rights, constitutional rights, inherent rights, human rights, and rights as understood within the legal systems of specific Indigenous nations.

Where the interpretation of legal instruments or guarantees has been historically biased by colonial worldviews and interests to the detriment of Indigenous people, these interpretations must not be considered binding.

All actions and decisions must be informed by a robust analysis of how they will impact people on the basis of their specific indigeneity, gender, sexual identity, geographic location, income and other resources.

All policies, laws, programs, institutions and systems that are assimilationist in nature must be reviewed and reformed.

The widespread anti-Indigenous racism and discrimination prevalent across Canadian society must be challenged and ended.
Funding to Indigenous people, nations, organisations and programs must be equitable. This does not mean equal to funding to non-Indigenous ones. Given the historical inequities and injustices it almost certainly means more.

Equitable funding means funding sufficient to repair the damage done, to meet ongoing culture and location-specific needs, to reflect the rights, authority, territories and jurisdiction of Indigenous peoples, to honour the treaties and to repay the debts owed.

Funding should be directed by default to the community level in a manner that does not discriminate between those communities that are members of provincial territorial organisations and those that are not.

Funding should be provided in a manner that supports long-term, holistic, integrated autonomous and ambitious strategic planning by Indigenous communities in a manner that dramatically increases their operational stability and dramatically reduces burdensome and paternalistic reporting demands.

All decisions, actions, programs, laws, institutions and policies must ensure and enhance Indigenous people's collective and individual safety in the broadest sense, including physical, emotional, spiritual, health, economic and cultural safety.
Education is critical to ending violence against Indigenous women, girls and two-spirit people and education is needed at all levels, inside and outside First Nations.

Every Indigenous child belongs to a nation. And the heartbeat of every Indigenous nation is its children. Anything that threatens this belonging or this heartbeat cannot be tolerated.

All solutions must be informed by the particular contexts, realities and needs of Indigenous communities, especially those that are the most remote from the current sites of colonial, economic and political power such as major cities.

Actions and decisions must be embedded in robust implementation and accountability frameworks that are developed with those Indigenous people affected and that ensure adequate resources and opportunity for Indigenous leadership in their implementation and oversight.

Solutions must be embedded in economic, social and political development that is led by Indigenous communities, in accordance with processes that uphold their sovereignty and that are grounded in their right to free, prior and informed consent.

Those giving care must also be cared for to
prevent stress, burnout and vicarious trauma and unhealthy coping mechanisms. This includes caring for those in formal professional capacities and also those who are giving care work in informal, family or community-based capacities.

Indigenous people must be supported through the whole of life in ways that reflect their community's understandings of the needs, rights, responsibilities and roles at each stage of life.

Healing must include laughter, kindness, generosity, joy, pleasure, nourishment and ceremony. Not one single Indigenous person in this country is disposable or unworthy of care, support, hope, place, expression, and life. Sorry. Anything that denies or dishonours their inherent value, dignity, and potential is unacceptable. And finally, the greatest tools Indigenous communities have in ending violence are their culture and unconditional love.

So I’d like to close by building on that last point. The IFN has done very impressive work to create and implement wise practises in addressing violence in their own communities. And part of this has been a scoping exercise of wise practises used in First Nation communities across Canada and also internationally. I -- we will include several of these in the written
submissions, so that you can benefit from them, and -- and we hope also other Indigenous communities might benefit from these.

One of the central insights that’s come from the work that IFN has done has been the importance of culture and love in addressing violence. And one of the things they have done to spread that message is to use the arts. And they very recently finished a short video about this that I think is absolutely stunning, and they are not -- even though they’re not officially launching it until February, they agreed to give a sneak preview to the Inquiry because it captures so powerfully their community’s shared vision for ending violence.

So I’d like to invite all of the IFN representatives up here with me to present the video. Deanna, is there anything you’d like to say about it before it starts?

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. DEANNA JONES

KEESHIG:

MS. DEANNA JONES KEESHIG: Thank you. The Independent First Nations developed this video in order to create awareness, to prevent, and to intervene in ending violence against Indigenous women and girls, their families, and communities. It builds upon the strength of who we are as the Independent First Nations. And we’re
happy to share. And I hope you like the video.

(VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

(APPLAUSE/APPLAUDISSEMENTS)

**MS. SARAH BEAMISH:** Thank you. I guess, in closing, we’ll just offer thanks to everyone involved in the Inquiry on behalf of IFN. You’ve heard a lot about the upset and disappointment with this process, but I’d really like to echo Erica Beaudin’s comments from yesterday about directing the blame where the blame is deserved, and we know that you’re doing the best you can. We believe something worthwhile will come of this, so thank you. And thank you for the opportunity for IFN to be a Party with Standing in this Inquiry. Would any of you like to add anything else before we move to questions?

Okay. Meegwetch. Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. SHELBY THOMAS:** Okay. Thank you. Ms. Beamish, would you like to make the video an exhibit today?

**MS. SARAH BEAMISH:** Yes.

**CHIEF COMMISSIONER MARION BULLER:** Exhibit 12 will be the Independent First Nation’s video, Embrace Love.

--- **EXHIBIT NO.12/PIÈCE NO. 12**

Video ‘Embrace Love,’ .MP4 file
format, 206 MB (3 minutes 37 seconds)

Submitted by: Sarah Beamish, Counsel

for Independent First Nation

MS. SHELBY THOMAS: Thank you.

MS. SARAH BEAMISH: Thank you.

MS. SHELBY THOMAS: Chief Commissioner and

Commissioners, do you have any questions?

COMMISSIONER QAJAQ ROBINSON:

(Indiscernible).

MS. SHELBY THOMAS: I know.

COMMISSIONER QAJAQ ROBINSON: Thank you, Ms. Beamish and -- and to your clients and for your presentation, for being here with us today, and for granting us this sneak peek too. Phenomenal video. That expression of love. That window into the love and light that is at the heart of your communities, and your babies, your families. Thank you so much for sharing. That, and bringing us into your home. That’s what it felt like.

I want to thank you for your participation in the Inquiry, the questions you’ve posed to different witnesses throughout the process, and for bringing to us today, not only your understanding of -- of how we should look at the evidence that we’ve heard, but also looking at and showing us what self-determination looks like. There’s often this, well, what does it look like? What’s
that going to be? Like, it’s this big mystery that being self-determining is something that is scary for the Canadian nation, for the state, for this colonial settler state. And thank you for showing us what that is. And your presence and your participation and also in -- in showing us what that looks like in your community. So thank you so much.

COMMISSIONER BRIAN EYOLFSON: Ms. Beamish,

I also just want to say thank you very much for your submissions today, and I really look forward to the written submissions. And I also want to thank you, as my colleague did, for your participation in the Inquiry, for your very helpful and thoughtful questions of witnesses at the various hearings. And I want to acknowledge and thank the representatives of Independent First Nations that are here with you today. And especially thank you all for sharing this very beautiful video with us today. Meegwetch.

MS. SARAH BEAMISH: Thank you.

CHIEF COMMISSIONER MARION BULLER:

Ms. Beamish, I don't have any questions for you today. I look forward to your written submissions. I'm sure they'll continue your excellence in advocacy.

Chiefs, Counsellor, Ms. Jones Keeshig, thank you very much for coming today, and thank you for
sharing the video. That's a real gift to us. We're very grateful. Thank you all.

And Ms. Beamish, again, as my colleagues have said, it's been a delight working with you. Thank you.

**MS. SARAH BEAMISH:** Thank you. Meegwetch.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. SHELBY THOMAS:** Next, Commission counsel would like to call Mr. Corey O'Soup, who will be providing the oral closing submissions for the Advocate for Children and Youth, Saskatchewan.

---**SUBMISSIONS BY/REPRÉSENTATIONS PAR ADVOCATE FOR CHILDREN AND YOUTH, SASKATCHEWAN:**

**MR. COREY O'SOUP:** It's good to see you again. I just want to thank you guys for the invitation for allowing us to be here to represent the children and youth, and particularly, the Indigenous girls of Saskatchewan. It's good to be here on unceded Algonquin territory.

I come here as the grandson of Indigenous grandmothers, as the son of an Indigenous mother, as the brother of Indigenous sisters, the uncle of many Indigenous nieces, but most importantly, as the father of Indigenous children, three of who are young Indigenous girls.
I have an 18-year old daughter. She's just going into her first year of university this year. She strives to be a pharmacist. None of -- or many of our -- we are really unrepresented in that field, and it's something I'm really proud of her. I have a 16-year old daughter who doesn't love school but loves boys.

(LAUGHTER/RIRES)

MR. COREY O'SOUP: So I'm challenged to fight them off but to educate them as well. I have a 6-year old daughter as well. And I also have two sons that I strive to teach them about being good, young, Indigenous men.

And sometimes I have to have difficult conversations with those girls. I have to talk to my daughter that's in university, "You have to be careful out there". "Why dad?" "Well, first of all, you're a woman, and there is so many challenges with that, so many things that can happen to you. But you're Indigenous. You're discriminated against. You're looked at differently just because of the colour of your skin. And as you're walking in those grounds at the university where so many things have happened to our young girls..."

I have to have those conversations with my 16-year daughter as she's entering the dating world. She's beautiful. They're difficult conversations.
And I strive for the day, I hope for the day, I pray for the day where those conversations are different between my sons and their daughters, between my grandsons, between my granddaughters. I hope for the day that those conversations are not just because they're girls, not just because they're Indigenous, but because they're human beings.

And that's why I'm here today because I have some amazing young daughters. They're intelligent, they're courageous, they're brave. And if they were up here talking to you today, they would inspire you.

I'm also here as the Advocate for Children and Youth in the Province of Saskatchewan. I am proudly but also humbly the first Indigenous person to ever hold that particular role in the Province of Saskatchewan. And if you look across the entire country of Canada, I am the third Indigenous person to ever hold such a role.

It's something that I'm very proud of but I'm also humbled by it. Because I remember when I first appointed the Chiefs and Assembly in Saskatchewan, 74 Chiefs honoured me, but they also challenged me to bring our children home.

Some of the statistics in Saskatchewan are pretty appalling. They should shock you. I think I've shared some of these, but I want to reiterate them to you.
We've heard about the number of children in care across Canada. In Saskatchewan, we have over 5,000 children in care, in government care. The estimates range from 70 percent to 90 percent of those children are Indigenous children in Saskatchewan. We have the second highest rate. Our neighbours to the east, Manitoba, have the highest rates. Sometimes we call it a race to the bottom, but one that we don't want to win.

If you look at our young Indigenous people in our justice system, the boys in Saskatchewan make up 92 percent of our youth population in our jail system under the age of 18. And if you look at our young Indigenous girls in our jails in Saskatchewan, 98 percent of them are Indigenous girls.

And I know for a fact that it's not just our Indigenous children and youth that are committing these crimes. Make no mistake, we're like -- they're like all children and youth, they make mistakes, they commit crimes, but for no reason should we be represented at 92 percent and 98 percent of our Indigenous girls in our youth facilities. Those are the highest rates in the country.

If you look at our education achievement rates in Saskatchewan, non-Indigenous children and youth in Saskatchewan graduate at a rate of almost 86 percent.
If you look at our Indigenous youth, it's almost half, it's about 43.2 percent now, almost half. Our Indigenous children in Saskatchewan, and I would say in Canada, are more likely to end up in our jails than they are to graduate from high school. These are things that we should not stand for.

If you look at the health of our children and youth, not just our physical health, but we focused on the mental health of our children and youth in Saskatchewan. Young Indigenous boys in Saskatchewan are 9 times more likely to die by suicide. Young Indigenous girls are 29 times more likely to die by suicide.

I've been invited all over the world to speak to different organizations like the World Health Organization, the Pan-American Health Organization, Organization of American States, Inter-American Commission on Human Rights to speak about those high rates of suicide, of Indigenous suicide, high rates of Indigenous girls suicide in Saskatchewan. And I've met many people from all across the world speaking about their rates of suicide, about their Indigenous peoples.

And I'll tell you this, Saskatchewan and Canada is leading the way when it comes to those rates. And many of these are third and fourth world countries, and they're literally amazed by the fact that Canada, with
all its wealth and its resources, has those appalling
numbers.

So I'm here today to challenge the
government, to encourage the Inquiry to consider their
obligation to our children and youth, and particularly, to
a child rights-based approach, and through a human rights-
based approach.

We hear about human rights, and we know
what they are. You know, all humans have the rights of
water, shelter, clothing. We have civic, political,
-economic, social, and cultural rights. These rights are
enshrined in many international documents and treaties.
But even beyond that, all children and youth have these
basic human rights, but they also have special
considerations laid out in the United Nations Convention
on the Rights of a Child.

I brought this to you as I was an expert
witness back in Québec City. But today this is what I
want to focus on, on those specific rights that our
government has an obligation to. Not just a moral or an
ethical obligation, they have a legal obligation. Because
in 1991, Canada ratified, they were a signatory to the
United Nations Convention on the Rights of a Child so
they're legally obligated to respect it. Now, the UNCRC,
as I'll call it today, is the most widely-ratified human
rights Treaty in the history of the United Nations. It
has near universal status and it highlights the values and
importance that the world puts on the rights of children.
And it's -- the onus is on Canada to respect these rights.

There's actually only one member state that
has not signed off upon the United Nations Convention on
the Rights of a Child, and that's the United States of
America.

I'd like to say we can't blame Donald Trump
for that because it happened before him, even though we
can blame him for a lot of things.

Now, the UNCRC brings together various
rights across the other Treaties that apply specifically
to young people as well as confers upon them additional
protections not found elsewhere such as the right to have
their best interests be primary consideration in all
matters that affect them and the right to development to
the maximum extent as possible.

Now, the UNCRC is particularly important
for the Inquiry to consider because it lays out a
framework for addressing so many of the underlying factors
putting Indigenous women and children at risk. The root
causes of a disproportionate violence perpetrated against
Indigenous women and girls can be traced back to
structural inequalities related to denials of economic and
social rights throughout their lives. And make no mistake, those denials begin at childhood.

Our Child Welfare system within Saskatchewan and across Canada starts taking away our young Indigenous children, our young Indigenous girls, as soon as they're born simply because of the colour of their skin, simply because of things like poverty. These rights are being abused as soon as our children come out of the womb. And these Indigenous girls go on to be Indigenous women, and they are over-represented in all of these systems that we are challenging.

Respecting the rights of Indigenous children on the UNCRC will provide immediate protection from violence for those currently under the age of 18 and will continue to protect them as they grow into adults. It is critical that the Inquiry apply a child's right lens measured against the four general principles of the UNCRC. And signatory states such as Canada are expected to follow hard law such as the UNCRC and soft law such as opinions issued by the Committee, the United Nations Committee on the right of the child, the body that oversees the UNCRC, and declarations such as the United Nations Declaration on the Rights of Indigenous Peoples. Together these form the child rights framework.

UNCRC Article Number 4 states that,
'Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present convention.'

Our government has a legal responsibility, has a legal obligation to our children and our youth, to our Indigenous girls, to ensure that they are safe and protected.

This is a tall order for our government because historically, our people, our children and youth have not been represented in the best way possible by our governments. So today I challenge our governments, our provincial and territorial governments, our Canadian government, to take up their obligation, to take up their responsibility under the United Nations convention on the rights of the child, their legal, their moral, and their ethical obligation to our children and youth, and to stop this violence.

To meet this obligation, the Committee has said that states must measure their actions against the four general principles of the UNCRC. These are, number one, non-discrimination, which is laid out in Article 2.

We know for a fact that our children, our Indigenous girls, face all types of discrimination that
starts from right when they were born, how I just explained. It starts as they enter into our education system, as they start to access our health system, our social system, our Child Welfare system. We are consistently and constantly discriminated against throughout all of those systems.

And yet we have a legal document that states that Canada must not discriminate against our young Indigenous girls.

Number two, the right to life survival and development of the child to the maximum extent possible. This is Article 6. The right to life. I think that's why we're here today, because our children, our girls, have been denied that right to life in so many instances, the thousands upon thousands of young girls that have turned into young women that have gone missing and are murdered. It's the government's responsibility to ensure those rights are being upheld, and it's our responsibility to remind them of their legal obligation.

Number three, the best interests of the child must always be considered. That's Article number 3 of the UNCRC. Do we always do that? Does our government always do that?

There's something called the CRIA, the Child Rights Impact Assessment that I spoke to you about
before that I believe we should be using in all instances when children and youth are being considered, when decisions are being made about them; we should use this child rights impact assessment to ensure that the voice, that our children are being considered, that the impact that the decisions that are being made about them are being considered.

Number four, which is Article 12, it's the right to participate. It's giving our children and youth a voice in these decisions that are being made about them. I would have loved to have a young person up here expressing what it's like to be a young person in Saskatchewan. I did present you with some evidence previously, a report on the suicide crisis in northern Saskatchewan. And I believe that voice has empowered me to speak on their behalf because we had over 1,000 kids talk to us and almost 300 gave us permission to use their voice.

But I believe in all instances, we should strive to have them represented at tables like these, to have them having a voice in all these decisions. That is the work that we do within our Advocate for Children and Youth office in Saskatchewan. It's our goal. It's one of our four main priorities, is to give voice to our children and youth, to allow them, to give them the platform, to
have them to be the change makers within their communities and within their country.

And those are the four general principles. There's 54 specific articles within the United Nations Convention on the Rights of a Child. I'll be going over a couple more of them as I give my presentation today. But those are the four guiding principles that lead and guide the work of the UNCRC.

Now, in order for the UNCRC to be fully implemented, we need, our young Indigenous girls need something called "special measures" to bring them up to the same level as other children and to ensure they can enjoy their rights in the same way as other non-Indigenous children within this country.

Now, between the hard law of the UNCRC and the soft law of the opinions of committees such as the Human Rights -- or the Children's Committee on Protection of Children and Youth, and UNDRIP, Indigenous girls are recognized to require special measure in many areas. The UNCRC states that language, culture, religion, education, health, and specifically mental health require special measures.

The Committee's general comments, specifically comment number 11,

"To eliminate the causes of
discrimination by ensuring access to culturally-appropriate services in the areas of health, nutrition, education, recreation and sports, social services, housing, sanitation, and juvenile justice."

They're also called "positive measures".

United Nations Declaration on the Rights of Indigenous People,

"Special protections to meet their needs, improve their economic and social conditions, and protect them from all forms of violence."

Those are specific to women and children.

I want to share with you some of the Committee's closing comments to Canada, specifically, and things that Canada must address.

"Canada must address the over-representation of Indigenous children youth in the child welfare and juvenile justice systems. I've mentioned those numbers. We're leading the world in some of those numbers. And in a country such as Canada we should not be leading the world.

We need to work on improving the marginalisation of disadvantaged communities. We need to address violence against women and Indigenous girls.
The profound impact of poverty on Indigenous children and the need for a child-centred national poverty reduction strategy must be addressed. The failure to take action to address sexual exploitation and abuse as it affects Indigenous children and the failure to and fully investigate and punish perpetrators in cases of missing and murdered Indigenous girls.

These were specific requirements that Canada was told they must address by the special committee on child rights by the UN.

Now, the concept of special measures in the areas identified in international child right law provides a path forward to addressing the underlying causes of violence against Indigenous women and girls.

Now, I made some recommendations around special measures and I just want to point out a couple of those today, particularly ones how we can get to the root of the problem, particularly solutions-based, prevention-based special measures.

The first one I want to talk to you is identified in Articles 28 and 29 of the UNCRC and it's specifically to the right to education. Our children and youth have that special, specific right.

Education must be equal and respect
cultural identity, values and languages. The UNCRC requires that Canada take measures to ensure regular attendance and reduce dropout rates, but Indigenous youth are still less likely to graduate.

Education systems must be culturally responsive and meet the needs of Indigenous children and youth and their families. Info on children's rights and historical and contemporary Indigenous issues must be further embedded in the K to 12 curriculums of all our provinces and territories. And we must not use education to define our children as successes or failures.

I haven't yet met one grandmother, one kokum, one mooshum that does not want to see their child succeed, that does not want to see their child cross that stage and have that tassel flipped and say that I've achieved Grade 12. But that is not the only level of success and that is not the only way that we can define success for our children and youth. It is one way and it is a way that we should all strive for, but I was challenged by one of my elders in Saskatchewan.

As an educator I had come from a background as a teacher, as a superintendent, was a special advisor on education. One of my elders challenged me. She said, "Corey, I have a grandson. I want him to graduate from high school. It's what I always want for all of my
grandchildren. But I'll tell you this, if he doesn't graduate from high school and doesn't cross that stage, you're telling me that he's not successful just because he doesn't have a piece of paper that says he's successful. I want to challenge you to consider what success looks like for me and for my grandchildren."

She said, "My grandson has a job. He has two children and a partner. He works down at the local gas station." It's kind of funny she said he doesn't have a car, but he works at the gas station.

"He has to walk. He has to ride a bike. He has to bum a ride from me or from somebody just to get to work every day. But you know what? He gets to work every single day. And you know what he does after work? He goes home to his partner. He goes home to those two young children. And you know what he does with that paycheque that he gets every two weeks? He puts food on their table. He puts clothes on their back. He puts shoes on their feet. You know what he does on the weekends? He comes and visits me. He brings those two little grandchildren to my home, brings his partner. We're together as a family. And you know what he does back Monday morning? Back to work. And you know what grade he graduated from? He didn't graduate from Grade 12. He didn't get Grade 11. He didn't get Grade 10. He
got Grade 9. And you're telling me, through your western way of defining success, through your colonised way of defining success that he's not successful. But I challenge you today that he is a success, because he's at home, because he's working, because he's putting food on his table, because he's putting clothes on the backs of his children. So let's not just say that our children have to graduate from Grade 12 to be a success. Let's look for new ways to define the success of our children and our youth and our families."

And I take that story with me and I challenge the government in Saskatchewan, the school boards and districts and divisions, the schools, to define, to re-define, because many kids that cross that stage and get that piece of paper are not successful as well. So we're falsely measuring that level of success.

And I truly believe as an educator, as a father, as an Indigenous person, that education is the key to breaking the cycles that our families are in. We know those cycles. It's drugs, alcohol, violence, trauma, assault and ultimately death. Our families, our children, our girls are caught up in these cycles. And I believe that education is the key to breaking that cycle.

We can have more doctors and nurses and counsellors. We can have all of those and we need all of
those specialised supports, but those are just treating
the symptoms of a system that has let us down. What we
truly need is something to break that cycle and education
will break that cycle.

And what I tell children and youth when I
speak to them, I said, "Unless you get that education,
unless you cross that stage and get that piece of paper,
someone else will be making the decisions for you for the
rest of your life. And what I mean by that is someone
else will decide how much money you get every month.
Someone else will decide what kind of house you live in,
whether it's a house or an apartment. Someone else will
decide where you shop for your clothes and where you shop
for your groceries unless you get that education. And
once you get that education, then all of those
opportunities open up for you. If you choose to go work
at that gas station, you can go work at that gas station.
If you want to enter the trades and become a carpenter, an
electrician or a plumber, if you want to go into
university and become a doctor, a lawyer or a teacher,
then those opportunities will open up for you if you get
that education."

So I challenge our children and our
families to do that so that they choose their future for
themselves. And it is up to us to support them. It is up
to the government to support our children and our youth,
not to hold them down.

I believe it was our Justice Sinclair that
said that education is what got us into this mess, but
education is what's going to get us out of this mess as
well.

So I challenge us to consider the right to
education that our children and our youth have.

Another one that I want to mention today is
specifically the mental health issue. Special measures
are needed to address intergenerational trauma. And the
result of that is challenging mental health of our young
people today.

And it's not just our young people. It's
our parents. It's our aunts, our uncles. It's our elders
that struggle through this.

And I mention the rates, and specifically I
want to reiterate the rate of our young Indigenous girls.
Twenty-nine (29) times more likely to die by suicide.
That is almost leading the entire world in our small,
little province of Saskatchewan. Twenty-nine (29) times.
That's something that every time I say it, it does not
lose the meaning. And the committee has said that suicide
is a form of violence against our women and our children,
so it's something that we cannot forget about.
Under Article 19 of the UNCRC, children have a right to be protected from all forms of physical or mental violence. Article 22 of UNDRIP says Indigenous children require specific measures to be protected from violence. The terms of reference of the Inquiry’s specific -- specify its mandate, is to address all forms of violence against Indigenous women and girls in Canada. I urge the Inquiry to consider the issue of Indigenous youth suicide and make recommendations to prevent it.

The Youth Calls to Action that I presented to you before in our report, Shhh...Listen!! We have something to say! Youth Voices from the North, has six specific themes. We ask those children and youth about the difficult topic of youth suicide. But most importantly, we asked them for solutions. And these children are -- are not unlike my children. Once you sit down and talk with them, they will inspire you, they will educate you, they will teach you, they will amaze you at their resilience, at their ability to live through life circumstances that challenge them every day. And they have given us a path forward out of the difficult issue of youth suicide. They’ve provided us with solutions.

There are six themes. I’ll just share them briefly. I gave you the report, I’m -- I hope you read it. These kids will make you cry, but they’ll make you
smile, and they’ll make you laugh as well. Bullying and
cyber-bullying, not something that will surprise you. But
as you dig deeper into the book, you’ll see that it’s not
just kids bullying kids anymore, it’s adults bullying
kids. It’s teachers, it’s police officers, it’s leaders
in their community. We create programs based on stopping
kids from bullying kids, but we have to self-reflect. I
had to self-reflect as a dad and as a teacher. Did I
participate in bullying? Yes, I did. And I’m ashamed of
it. But these kids changed my life. They changed me as a
father, they changed me as a professional. Bullying is
becoming more aggressive, more violent. Our kids are
literally scared for their lives, scared to walk home.
They’re scared to end up in the hospital, they’re scared
to end up dead. And they do.

Bullying never stops. When we were kids,
and we got bullied at school or on the playground, we
could walk home and be relatively safe, except if you have
a -- a sister like mine. But we could go into that home
environment and be relatively safe. Cyber-bullying takes
this to -- takes this to a new level. If I could turn off
the internet for eight hours a day, let our kids have a
good rest. Let them go outside and play and explore the
world like we used to when we were little kids. Let them
sit around the dinner table and have face-to-face
conversations. And that’s not just for our kids, that’s for our adults. Our children have told us that we are addicted to our cell phones. We are addicted to social media. They are just modelling our behaviour.

If I could turn the internet off for just a few hours a day, our children and our families in our communities would be so much more healthy. It’s a big goal, it’s a big dream of mine. I’ve tried it at home. I tried to unplug the internet. I’ve tried to change the passwords, but my kids are brilliant, like I’ve told you already. And they’re like all the children in this world, like your children and your grandchildren, as soon as I unplug that internet, they’re stealing internet from the neighbours, or the car driving by. Or -- I could -- I could go on my phone here, right here, and within a couple minutes I can change the username and password on my internet back home in Saskatchewan, and within five minutes they’ll have figured it out, and they’ll be back on there, so it needs to be cut off at the source. So I challenge you to consider that.

The other themes are around lack of emotional support, lack of physical safety, lack of activities, substance misuse, and lack of emotional and mental wellness supports within their communities. Those are all things that we need to consider.
I was -- I was asking my staff, I said, “Would I be able to do 40 minutes up here?” And they were like, “Oh, yeah. Corey, we’ve heard you talk. You can do 40 minutes just like that.” So I see the timer going.

The Inquiry’s heard from many inspirational expert witnesses about the indivisibility, interrelatedness, and interdependence of human rights. Specifically, I want to mention Dr. Cindy Blackstock, who said that: (as read)

We can no longer accept incremental equality. We must implement the necessary measures to ensure the full spectrum of rights for Indigenous children are realized.

Indigenous children in Canada have been disadvantaged for so long, we have to put special measures in place to catch them up. And specifically, her Spirit Bear Plan, I fully support and endorse that as the advocate for children and youth in Saskatchewan. Equal and quality services in all areas requires a wholistic and multi-sectoral approach, education, health, justice, child welfare, ending child poverty, specifically, from the Spirit Bear Plan. Indigenous youth must be involved, and their voices must be heard when identifying gaps and specifically when identifying solution.
Now, quickly, I want to wrap up with a --

some other specific measures that I think we -- we need to
consider here at the table. Prioritizing the needs and
rights of Indigenous children in public budgets at all
levels. The Committee on the Rights of a Child has said
that this funding must be sustainable, even in times of
financial restraint. Vulnerable groups, such as
Indigenous youth, must be the last to be affected.

Unfortunately, it seems like when the cuts come, when the
Premiers and the Prime Ministers have to make cuts to try
and balance a budget, it seems as though those cuts are
made on the back of our children and youth. It seems as
though those cuts are made on the back of our Indigenous
people. It seems as those that suffer the most when these
budgets are cut, our cut from our people and our children.

And the United Nations committee recognized
this. And I challenged the government to consider as they
make those cuts, to reconsider, to reprioritize investing
in our children instead of cutting supports and services.

There was a report done -- or actually two different
reports done in Saskatchewan. One done by the FSIN, The
Federation of Sovereign Indigenous Nations, and one done
by GDI, the Gabriel Dumont Institute, and talks about
investing in our children and youth. And literally, if
you invest in our children at our -- at a young age, and
invest in their education, invest in their social service, invest in their welfare, the impact in Saskatchewan alone is in the billions of dollars. I believe the number that was in the FSIN report was $90 billion dollars, from birth to graduation, to post-secondary, to graduate level education. I didn’t bring those, but now that I think about it, I actually will -- I’ll present those to you as evidence. Ninety billion dollars. Yet, we think we are so short -- short-sighted in our thinking, that we make those cuts to those most vulnerable.

I want to reiterate the challenge in the creation of a National Commissioner of Children and Youth, and specifically, I believe that National Commissioner needs to be independent from Parliament, the way that we are within our own provinces and jurisdictions. I am -- I’m an independent officer of the Legislature of Saskatchewan. Once I receive my appointment, my job is to be the accountability body for the Government of Saskatchewan in all areas pertaining to children and youth. I am to ensure that all children and youth are safe and protected while receiving government services in Saskatchewan. I’m responsible for the safety and protection of over 300,000 children and youth in Saskatchewan. And my independence is something that I must have while performing those duties.
So I would challenge our government to consider this. I know that the considerations is on the books, but as -- Commissioners, I would challenge you to put this within side -- with inside one of your recommendations to our government to support that. A National Commissioner would do many things for our children and youth.

Many of our children, specifically our Indigenous children, fall outside my parameters in my legislation, specifically on reserve in areas such as health and education. We do not have the ability to go and look into those situations on reserve. The only place that we have actual authority to go and make sure kids are safe on reserve, is in the child welfare system. And that’s through delegated agreements between our local First Nation Child and Family Services, and the Government of Saskatchewan. But when it comes to education, health, justice, corrections, we do not have that authority. That authority needs to come from a National Indigenous Commissioner, and that even right now as we are considering that here in the Province of Ontario, we've lost the advocate for children and youth. They will be wrapping up their responsibilities by May, which even makes us want to consider that even more.

And the last thing that I want to talk
about is to challenge Canada to ratify the third optional protocol to the *UNCRC* on a communications procedure. I presented that as evidence to you as well, but basically what it is, is the children and youth do not have a mechanism, a legal mechanism within Canada to challenge them on an international level through international law. We can go through the Human Rights Tribunal, but that basically talks about cases of discrimination and different things like that.

But when you are talking about the *United Nations Convention on the Rights of A Child*, Canada has ratified it, but they have not signed off on this third protocol which would give our children and youth and our families an international level, an international way to challenge the Government of Canada to ensure that their rights are being upheld.

And I believe that if we do that, if we challenge Canada to do that that just gives us another mechanism, it gives our Indigenous people, it gives our Indigenous children and girls an opportunity to challenge the Canadian Government on an international level. To ask those difficult questions of why are we leading the world in rates like Indigenous youth suicide? Why are women and children are missing and going murdered? It will give us that mechanism to take this and to take these types of
inquiries and to challenge them at forums, such as the United Nations, which our children and youth don't currently have.

So I'll close with this -- I could go on and on like my staff said. But I really do and I really am thankful for the opportunity to be here today representing the voice of children and youth in Saskatchewan, particularly our Indigenous children and youth, and even more particularly our Indigenous girls.

And I really do hope and pray for the day when I don't have to have that conversation with my granddaughters, with my great granddaughters about why they have to be so careful when they're out there just doing normal every day things, like going to school, like going to the mall, like walking to the park. I hope and pray that that day comes, and I hope and pray that this Inquiry plays a big part in that.

Thank you so much for your time today.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. SHELBY THOMAS:** Thank you.

Mr. O'Soup, prior to coming today, the Advocate for Children and Youth, Saskatchewan provided us with two documents. One of the documents was a two-page document with recommendations, and the other was an executive summary of the oral closing submissions. Would
you like to make that an exhibit -- or both of those an exhibit today?

MR. COREY O'SOUP: Yes, please.

CHIEF COMMISSIONER MARION BULLER: Okay.

Could I have the names of the documents again please?

Okay. We have the executive summary.

MS. SHELBY THOMAS: The executive ---

CHIEF COMMISSIONER MARION BULLER: It is dated November 14th, 2018. That will be the next exhibit, Exhibit 13.

--- EXHIBIT NO./PIÈCE NO. 13:

Bilingual executive summary (12 pages)
Submitted by: Corey O’Soup, Advocate for Children and Youth, Saskatchewan

CHIEF COMMISSIONER MARION BULLER: And I'm sorry, I didn't hear. Was there another document?

MS. SHELBY THOMAS: There was a two-page document with recommendations they provided. I can't remember the date right now, but I'll get those to you at the lunchbreak?

CHIEF COMMISSIONER MARION BULLER: Sure.

Exhibit 14 will be the two pages of recommendations from the Advocate for Children and Youth. Thank you.
--- EXHIBIT NO./PIÈCE NO. 14:

Summary of recommendations (two pages)
Submitted by: Corey O’Soup, Advocate
for Children and Youth, Saskatchewan

MR. COREY O’SOUPE: Those were also previously submitted during my testimony. So there was just a slight amendment in there, so you'll notice that.

CHIEF COMMISSIONER MARION BULLER: We'll, just for our purposes, mark them as Exhibit 14.

MR. COREY O’SOUPE: Yes.

CHIEF COMMISSIONER MARION BULLER: Thank you.

MS. SHELBY THOMAS: Chief Commissioner, Commissioners, do you have any questions?

COMMISSIONER QAJAQ ROBINSON: Good morning. Nice to see you again and thank you for presenting this morning.

I've thought a lot about the proposition of the national Indigenous commissioner on -- or Advocate for Indigenous Children and Youth, a proposal. And one of the things that concerns me, quite frankly, is because of the division of powers, provincial, territorial, federal authority over different areas of service, like you have indicated, there is no -- there is often either no recourse, like no advocate to go to, or it's confusing who
you go to.

MR. COREY O'SOUP: M'hm.

COMMISSIONER QAJAQ ROBINSON: And one of the things that I've thought about, and I'm wondering if this is something that you contemplated or have some thoughts on, is the need for if there were a national Indigenous children and youth advocate or commissioner that they would not be burdened by that division of power and bureaucracy. That any Indigenous child anywhere in this country could go to this body, to this person.

MR. COREY O'SOUP: M'hm.

COMMISSIONER QAJAQ ROBINSON: The confusion about who you go to to hold a state actor accountable is a very real situation. You have provinces where, you know, you're dealing with multiple police forces and multiple accountability bodies.

So I guess in the most simplistic way for me to put this, is should this -- would you advise that this commissioner have that multi-jurisdictional authority, similar to how the Inquiry has, where each province and territory and the federal government give the commissioner authority within their jurisdiction so a Indigenous children here in Saskatchewan, in Northern Nunavut can go and not have to deal with this bureaucracy and this artificial division of jurisdiction over them?
MR. COREY O’SOUPI: M’hm. I'll tell you how we do it in Saskatchewan. So currently, we don't have an Indigenous like child advocate that is responsible specifically for our First Nations, but I have taken on that responsibility. As an Indigenous person that I do take any and all calls from all children and youth and all Indigenous children and youth regardless of whether they live on or off reserve.

My legislative mandate does limit me to investigating only through child and welfare services, but through relationship building, through partnership building, I have been invited on to many of our First Nations to do presentations, to speak to chief and councils, to speak to directors of education, principals, to speak to health directors, to teach them about what we do and to open up those doors. So in the absence of having that specific First Nation advocate, I have taken on that role.

I believe that our children and youth do need that simplicity when it comes to, I am in trouble, I am in need, all of these doors are being slammed in my faces, where do I go. I think if they had one commissioner, one person to go to, I think that would make it much easier for them to access that service.

I don't think that our provincial
governments would cede that authority, I would say, to an Indigenous commissioner working on reserve. I think we could go down that road and start to ask those questions. "Would you be okay with Indigenous people living in the province, not on reserves coming to you?" Right? And it's a challenge because that jurisdictional issue is one that we always have to face.

And I don't think us, as Indigenous people, have a problem coming to an organization like mine and saying we need help, but for the flip to happen, people living off reserve to go to an on reserve, I wish that would be the case.

So I would say that in the absence of an all-powerful national commissioner on children and youth, an Indigenous one, that we kind of create something along the lines of the principles and the framework of Jordan's Principle, where it doesn't matter who's responsible, where we create partnerships and relationships between different levels, if there's a provincial advocate and if there's a national one. And we've had this discussion at our Canadian Council of Child and Youth Advocates of which I'm a member. And currently there's only Prince Edward Island, Northwest Territories, and now Ontario that don't have a member there.

We've had this conversation about how would
we interact with a national commissioner and for sure, we
would want to work very closely with them. We would want
to ensure that no services were disrupted. We would want
to ensure that the proper advocacy would go to the proper
child.

And I think we can get there. And I think
Jordan's Principle has kind of given us that way, how we
can work together when there are instances of two
different jurisdictions trying to provide advocacy.

So I couldn't say that for sure that there
would have to be or there would need to be an all-powerful
commissioner, both on and off reserve. I think it's
something we can strive for but I think in the interim, we
should try and just get a national commissioner that our
First Nations people on reserve where those immediate gaps
are in place, that they can go to them and then, like
Jordan's Principle, we can work out those relationships as
they come out.

My office is responsible for all children,
so not just Indigenous children. So that is something
else that we would have to consider. Perhaps maybe when -
- if that ever happens, as soon as we get the call, we
would just forward them to the national commissioner, you
know?

So those are things that we could work on
as well. But I do believe that we need that person in place and we can work out those details as we move forward.

COMMISSIONER BRIAN EYOLFSON: I just want to thank you, Mr. O'Soup, for coming here today and providing us with your submissions. It's a pleasure to hear from you again. Thank you very much.

MR. COREY O'SOUP: Thank you.

CHIEF COMMISSIONER MARION BULLER: I too want to thank you very much for coming back. As always, it's a real privilege to listen to you.

I want to thank you for something that maybe you don't realize you've done and that's to remind us about the importance of language. And so often we say "children in care" or "youth in care". We have to remember, thanks to you, that they are youth in government care and they are children in government care, which leads to a rhetorical question that I'm going to argue with. Is government care an oxymoron?

So thank you, Mr. O'Soup. Again, it's just been a delight to hear from you. Thank you.

MR. COREY O'SOUP: Thank you very much.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, we now have scheduled a lunch break,
but if I may have just a couple of housekeeping notes, particularly for parties who are in the room who have already presented this morning or will be presenting this afternoon.

At the end of our day, like we've been doing each and every day, we do want to take an opportunity to honour those Parties with Standing. I know some do have flights or travel scheduled, but if you could have a representative in the room at the end of the day, that would be lovely and we would like to honour them.

We are requesting a one-hour lunch so if we could return -- and we will check with the Parties with Standing -- it's only a 10-minute difference -- but if we could have the one-hour break and return at 1:30. We originally scheduled at just recommence at 1:40.

CHIEF COMMISSIONER MARION BULLER: Sure, 1:30 please.

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 12:31 p.m./L’audience est suspendue à 12h31

--- Upon resuming at 1:36 p.m./L’audience est reprise à 13h36

MS. SHELBY THOMAS: Bonne après-midi,
Commissaire en-chef et les commissaires. La prochaine partie qu’on va entendre... que j’aimerais inviter à le
podium est la Concertation des luttes contre
l’exploitation sexuelle. Maître Diane Matte va faire la
présentation. Elle va avoir 40 minutes.

(PRESENTATION/PRÉSENTATION)

--- SUBMISSIONS BY/REPRÉSENTATIONS PAR Me. DIANE MATTE:

Me DIANE MATTE: Ils ne veulent pas parler
français. Malheureusement la Commissaire Audette sera pas
aussi. Elle aurait une petite pause des écouteurs ce
matin, cet après-midi, si elle était là.

Bonjour. Premièrement je voudrais
reconnaître le territoire Algonquin non-cédé sur lequel
nous sommes. Je voudrais reconnaître la gratitude que
nous avons d’avoir été partie prenante de ce processus-là.

L’enquête nationale sur les femmes et les
filles autochtones disparues et assassinées, a vu le jour
grace à l’acharnement des organismes de femmes autochtones
et leur conviction profonde que la société canadienne et
ses institutions, dont le système de justice, ont failli à
leur devoir de prévenir et protéger les femmes autochtones
contre la violence qui les prend pour cibles.

Cette violence, peu importe la forme et ses
hauteurs, a trop durée et doit maintenant être reconnue et
portée au grand jour afin que la vérité émerge et que
justice puisse être faite.

Les organisations de femmes autochtones que
nous côtoyons et soutenons demandent justice et réparation depuis très longtemps. Il faut les entendre.

Nous saluons tout particulièrement le travail de Fay Blaney, fondatrice de Aboriginal Women’s Action Network, que vous avez eu l’occasion d’entendre, qui a participé activement à cette Commission d’enquête et a démontré sans l’ombre d’un doute que les féministes autochtones sont les gardiennes non seulement d’un savoir des traditions de leurs nations respectives, mais d’une vision d’une société d’égalité pour toutes.

Le gouvernement libéral actuel a accepté de prendre la responsabilité de lever le voile sur cette violence inttolérable et faire entendre la parole des femmes et des familles. Il faut cependant reconnaître que le mandat de cette enquête n’est pas en tout point le reflet de ce qui était demandé.

Le temps et les ressources impartiées ne sont pas suffisantes, mais en plus on aura souhaité à l’instar de plusieurs groupes autochtones des pouvoirs accrus et plus contraignants pour les commissaires.

Pour que justice soit faite, il nous faut reconnaître ce qui s’est passé et les responsabilités que portent des individus, des institutions et des gouvernements. Nous serons donc au côté des organismes qui surveilleront comment le gouvernement tiendra compte
des recommandations émanant de l’enquête pour réclamer la prise en compte de leurs paroles dans leurs communautés, dans la société canadienne et dans le système de justice plus particulièrement.

Nous avons décidé de participer à cette enquête car le mandat de la Commission d’enquête les amène à… et je cite:

« …se pencher sur les causes systémiques de toutes les formes de violence y compris la violence sexuelle à l’égard des femmes et des filles autochtones, et faire rapport à cet égard et examiner les causes sociales, économiques, culturelles, institutionnelles et historiques sous-jacentes qui contribuent à perpétuer la violence envers les femmes et les filles autochtones au Canada et qui accentuent leur vulnérabilité. »

Nous saluons ce désir de faire une analyse approfondie et systémique de la violence que vivent les femmes et les filles autochtones. Les féministes ont contribué ici comme ailleurs dans le monde grandement à nommer cette violence et ces causes systémiques.

Nous assistons cependant depuis quelques
années à un ressac et trop de personnes ou institutions souhaitent relativiser cette violence ou prétendre qu’elle est symétrique avec la violence vécue par les hommes.

Pour nous la violence envers les femmes est l’obstacle majeur pour l’atteinte d’une égalité pleine et entière. Une analyse exhaustive permettra d’y apporter des solutions systémiques.

La Concertation des luttes contre l’exploitation sexuelle est un organisme féministe visant à éradiquer l’exploitation sexuelle et toutes les autres formes de violence envers les femmes.

Nous croyons... excusez... nous croyons que les causes systémiques vécues par les femmes autochtones comme pour les autres femmes en partie portent les noms de patriarchat, colonialisme, racisme et capitalisme. Nous croyons plus particulièrement que l’exploitation sexuelle commerciale -synonyme de prostitution- est l’une des formes de violence envers les femmes les plus occultées et banalisées.

Dans la présente soumission, nous vous ferons part tout particulièrement de ce que nous savons de la prostitution, de l’industrie du sexe qui en découle et de son impact sur les femmes autochtones.

La CLES est un organisme créé en 2005 afin
de remettre au cœur des préoccupations du mouvement féministe un regard critique sur l’existence de la prostitution comme institution freinant l’atteinte de l’égalité pour toutes les femmes. Nous condamnons l’industrie du sexe et considérons qu’elle est illégitime et incompatible avec les droits des femmes. Nous travaillons au quotidien à construire un monde sans prostitution et des alternatives à celle-ci via des démarches visant à modifier et adapter des lois québécoises et canadiennes, des activités de lobby auprès des divers paliers de gouvernement afin qu’ils abordent les besoins spécifiques des femmes ayant un vécu en lien avec la prostitution.

Nous sommes un organisme faisant de l’éducation du public et de la prévention, mais nous offrons également du soutien aux femmes aux prises avec la prostitution, et ce, peu importe leur désir de sortie ou non. Notre approche est féministe en ce sens qu’elle vise à amener les femmes à reprendre du pouvoir sur leur vie tout en respectant leur démarche et leur rythme. Nous ne jugeons jamais les femmes qui sont dans la prostitution, mais nous jugeons toujours le patriarcat.

Nous accompagnons et soutenons plus de 200 femmes par année. Au moins la moitié d’entre elles sont aux prises avec la prostitution et l’autre moitié a quitté
cette industrie, mais vivent, certaines depuis plusieurs années, mais continuent d’en vivre les conséquences.

Au cours d’une année, nous recevons une centaine de nouvelles femmes et plus de 2 000 appels. Nous offrons du soutien individuel ou des groupes ainsi qu’un accompagnement dans les démarches, des références au niveau de l’hébergement, la santé, la justice ou du dépannage, selon les besoins des femmes.

Nous agissons également au niveau juridique. Nous avons contribué entre autres à la mise sur pied, en 2013, de la Coalition des femmes pour l’abolition de la prostitution, coalition qui est intervenue dans la cause Canada c. Bedford contre la Cour d’appel de l’Ontario et à la Cour Suprême du Canada. Cette coalition était composée de sept organisations de femmes œuvrant sur la question de la violence envers les femmes, dont l’Association des femmes autochtones du Canada,
l’Association canadienne des centres contre le viol,
l’Association canadienne Elizabeth-Fry, le Regroupement québécois des centres d’aide et de lutte contre les agressions à caractère sexuel, l’Action ontarienne contre la violence envers les femmes, Rape Relief and Women’s Shelter et la CLES.

Nous avons défendu devant ces instances juridiques le droit des femmes de ne pas être prostituées.
Nous invitons la justice à reconnaître que la prostitution est une pratique millénaire, centenaire trop longtemps tolérée, d’inégalité qui doit être vue comme allant à l’encontre de l’égalité pour toutes les femmes et non comme un simple échange de services dont il suffirait de reconnaître la légitimité pour protéger les femmes contre la violence.

Nous avons déclaré que nous ne pouvons, comme société, passer sous silence que la plupart des personnes prostituées sont des femmes et des filles, presque tous les acheteurs clients et la majorité des proxénètes et profitateurs sont des hommes. L’achat et la vente du corps des femmes dans la prostitution est une pratique mondiale d’exploitation sexuelle et de violence masculine contre les femmes qui normalise la subordination des femmes sous une forme sexualisée. Elle exploite et intensifie l’inégalité systémique sur la base du sexe, de l’indigénité, de la race, de la pauvreté, de l’âge et du handicap.

Tout en reconnaissant que les articles du Code criminel canadien concernant la prostitution étaient discriminatoires et menaient à plus de criminalisation des femmes, tout particulièrement les femmes autochtones, nous demandions à la Cour de reconnaître que nous pouvons traiter sur un même pied d’égalité les personnes qui sont
amenées pour toutes sortes de raisons à vendre des actes sexuels et les personnes profitant de la prostitution des femmes, soit les clients, les proxénètes, les propriétaires de bars de danseuses ou de salons de massages dits érotiques, les entremetteurs, etc.

Nous les invitions à faire une analyse systémique de la prostitution et de juger inconstitutionnels les articles permettant la criminalisation des personnes prostituées qui existaient à ce moment, tout en maintenant une criminalisation du deuxième groupe profitant de la prostitution d’autrui.

La Cour Suprême devait répondre à la question de la constitutionalité des articles du Code criminel en rapport avec le droit à la sécurité et à la vie des personnes contenus dans la Charte canadienne des droits et libertés. Nous opposions à cette question la nécessité de regarder l’article de la Charte canadienne traitant du droit à l’égalité des sexes. Reconnaître que la prostitution est une pratique genrée et que l’examen à faire devait aussi comprendre un regard sur le maintien de cette pratique dans la recherche d’égalité pour toutes était nécessaire à tout jugement sur cette cause.

Cela était d’autant plus important à faire comme analyse que les premières touchées par la prostitution sont les femmes les plus marginalisées et
appauvries, dont les femmes autochtones, et ce, de façon disproportionnée.

De fait, dans certaines villes canadiennes, on évalue de 50 à 70 % des femmes de la prostitution de rue sont autochtones. Cette surreprésentation n’est pas un accident et elle doit être mise au centre de l’analyse des lois sur la prostitution. C’est l’héritage du droit et de la politique coloniale qui a souvent laissé les femmes autochtones dépossédées de leur terre, de leur langue et de leur culture, de leur statut en vertu du droit et de leurs enfants. Les effets des pensionnats autochtones, y compris la pauvreté, la dépendance et les cycles de violence et d’abus, contribuent à la délocalisation des filles et des femmes autochtones qui sont prises en charge par l’État ou qui fuguent vers des zones urbaines, où elles sont vulnérables au recrutement par des proxénètes. Reléguer les femmes autochtones au fardeau de satisfaire la demande masculine de prostitution intensifie cette inégalité.

De plus, cette notion que la sécurité des femmes dans la prostitution serait plus grande dans un système totalement décriminalisé est inexacte. Plusieurs recherches démontrent que la prostitution est l’une des situations de vie la plus dangereuse pour les femmes et le danger ne vient pas du fait de la criminalisation d’achat
d’actes sexuels ou des proxénètes ni du lieu où elles se trouvent, mais bel et bien de ceux qui consomment des actes sexuels ou profitent de la prostitution d’autrui.

Les pays qui ont décriminalisé ou encadré la prostitution sont aux prises avec d’immenses problèmes de traite à des fins d’exploitation sexuelle, la demande a augmenté, la prostitution des mineures a augmenté, la prostitution illégale a augmenté et les femmes continuent à se faire battre, agresser sexuellement ou tuer.

De fait, depuis la légalisation de la prostitution en 2002 en Allemagne, par exemple, 60 personnes ont été assassinées dans la prostitution par un client ou un proxénète et 30 autres ont subi des tentatives d’assassinat ou sont disparues.


La véritable protection pour les femmes réside dans une remise en question d’une pratique patriarcale qui a trop duré et l’ajout substantiel de ressources et de conditions économiques pour prévenir l’entrée dans la prostitution ainsi que soutenir celles
qui sont aux prises avec cette réalité ou qui en sont sorties.

Nous demandions à la Cour Suprême de rappeler au gouvernement qu'il a des obligations spécifiques envers les femmes autochtones en fonction des engagements internationaux qu'il a pris, dont celui de prendre des mesures en concertation avec les peuples autochtones afin de s'assurer que les femmes, les enfants autochtones soient pleinement protégés contre toutes les formes de violence et de discrimination et bénéficient des garanties voulues.

Plutôt que de décriminaliser totalement les hommes et de légitimer une industrie qui s'abreuve à l'exclusion, le colonialisme, la pauvreté et la violence sexuelle, il urge de remettre en question la demande. C'est elle qui cause les méfaits et non le fait de criminaliser. En effet, il est illogique et sûrement inconstitutionnel de penser à croire que la sécurité des femmes, particulièrement des femmes autochtones, dans la prostitution en décriminalisant les hommes qui achètent des actes sexuels et les proxénètes qui tirent profit de cette prostitution. Ce sont eux qui sont responsables de la violence qu'elles subissent.

La CLES a réalisé en 2014 une recherche-action sur le... avec le soutien financier de Condition
Féminine Canada afin de mieux répondre et... de mieux connaitre, excusez-moi, les réalités des femmes dans la prostitution et plus particulièrement leurs besoins.

Nous voulions documenter le vécu des femmes et ainsi pouvoir mieux cibler les services dont elles ont besoin.

Nous avons rencontré 109 femmes réparties dans 6 villes québécoises: Sherbrooke, Chicoutimi, Val-d'Or, Montréal, Québec, Gatineau. Sur ces 109 femmes, 16 ce sont identifiées comme des femmes autochtones. On y reviendra tout à l'heure. La moitié d'entre elles environ étaient sorties de l'industrie du sexe et l'autre moitié s'y trouvait toujours.

À la question, « est-ce que vous souhaitez sortir de la prostitution », 80,9 pourcent des femmes toujours dans l'industrie du sexe ont répondu « oui ».

Lorsqu'on isole celles étant dans la prostitution... les femmes autochtones étant dans la prostitution de rue, le pourcentage monte à 95,2 pourcent.

En ce sens, notre recherche concorde avec les résultats de plusieurs autres recherches ayant trouvé qu'un nombre très important de femmes en situation de prostitution disent vouloir quitter. Ça devrait nous dire quelque chose.

Peu d'études ont été réalisé pour mieux
cerner la spécificité des besoins des femmes souhaitant quitter l’industrie du sexe pourtant.

En ce sens notre recherche représente une première au Canada. Nous voulions, par cette recherche, mieux comprendre les difficultés auxquelles font face les femmes ayant un vécu dans la prostitution, mais également documenter ce qui les a amenés à la prostitution ainsi que leur expérience de violence et leur connaissance des ressources.

Nous souhaitions mettre en lumière les besoins des femmes sorties ou encore dans l’industrie du sexe, de leur spécificité selon leur vécu et leur connaissance des ressources pouvant les aider dans leurs démarches, en particulier à la sortie de l’industrie du sexe.

Les besoins des femmes nous sont apparus comme étant multiples, imbriqués et se renforçant mutuellement. Nous les avons regroupés en huit catégories: des besoins d’argent, de santé, de sociabilité, d’employabilité, d’hébergement, d’accompagnement, de défense de droits et de protection contre la violence sous toutes ces formes.

Nous avons trouvé peu de différences entre les besoins exprimés en fonction de l’âge, du lieu où elles étaient dans la prostitution, du temps qu’elles y
ont passé également.

Cependant... il faut cependant noter une très grande méconnaissance de ressources pouvant les aider à quitter l’industrie du sexe, qui est un non-sens étant donné le pourcentage qui souhaitent quitter et quand on constate leur connaissance d’organisme qui pourraient les aider c’est assez inquiétant.

Notre recherche a montré que le processus de sortie de la prostitution est complexe, non-linéaire et requière de ce fait un accompagnement à long terme.

Il est à noter que la méconnaissance de ressources pouvant aider les femmes à sortir de l’industrie du sexe est fort probablement lié à l’existence d’une approche théorique et pratique de réduction des méfaits qui a été appliquée de façon uniforme aux femmes dans la prostitution depuis plusieurs années au Canada.

Bien qu’on ne puisse critiquer l’utilité de donner des condoms ou des vaccins aux femmes pour les protéger et protéger la… assurer leur santé, il faut reconnaître que cela est bien insuffisant et même que pour certaines femmes cela contribue à les maintenir dans la prostitution.

Plusieurs femmes fréquentant notre organisme nous ont indiqué qu’elles regrettent amèrement
de ne pas nous avoir connu auparavant. Il faut aussi dire que l’approche « réduction des méfaits » a d’abord et avant tout été créé pour travailler avec des personnes dépendantes des substances. Il s’agit de minimiser les risques de décès suite à une consommation excessive ou dangereuse. Le danger pour la personne toxicomane vient des substances et peut trouver un sens d’avoir cette réduction des méfaits.

Le danger; lorsqu’on parle de prostitution, les femmes ne sont pas dépendantes de la prostitution, elles sont celles qui sont consommées et les dangers auxquels elles sont confrontées viennent des autres personnes. On ne peut donc réduire la réponse à leurs besoins à une simple réduction des dangers d’être agressé. Une réponse systémique est donc nécessaire.

Il est aussi marquant de voir combien la violence des hommes envers les femmes est l’un des facteurs les plus déterminant de l’entrée des femmes dans la prostitution.

Cette violence, vécue souvent en tant qu’enfant, vient toucher profondément la capacité des filles de se concevoir comme des sujets. Ce sont souvent leur estime d’elles-mêmes, leur conception des hommes de leur entourage ou des inconnus, leur capacité d’imposer leurs limites, qui servent de terrains propices au
recrutement auquel les filles et les femmes font face.

De plus la banalisation de l’industrie qui s’est développé à partir de la prostitution contribue à rendre l’entrée dans la prostitution beaucoup plus facile que la sortie.

Un nombre important de femmes - 66 pourcent - ayant participées à notre recherche ont été victimes de violence sexuelle, physique, psychologique dès leur plus jeune âge. Pour plusieurs cette réalité s’est poursuivie dans leur âge adulte et l’entrée dans la prostitution devenait une façon de se sentir en contrôle tout en permettant de répondre à des besoins criants de sortir de la pauvreté.

Cela s’accentue pour les femmes et les filles autochtones et peut expliquer en partie leur sur-représentation dans la prostitution. Les femmes autochtones vivent des conditions sociohistoriques qui les différencient des autres femmes en ce qui a trait à leur vécu en général. Cette particularité a des répercussions sur leurs expériences prostitutionnelles. Dans une fiche faisant état des causes de la violence faites aux femmes autochtones, l’Association des Femmes Autochtones du Canada reprend l’explication de Guthrie Valaskakis qui date de 1999.

Les femmes autochtones sont décrites dans
les écrits du début de l’ère coloniale comme des princesses indiennes ravissantes, fières et vertueuses.

La résistance à la colonisation a entraîné la représentation des femmes autochtones en tant que « squaw » sales, obscènes, grossières et perverses.

En effet, l’héritage colonial et le racisme associé au patriarcat engaine une perception des femmes autochtones comme déviantes, sexuellement dépravées, et les exposées à donc encore plus de violence et de stigmatisation.

Il est à noter que lors de l’élaboration du Code Criminel canadien en 1892, le premier article concernant la prostitution était l’Article 120 qui criminalisait la prostitution des « sauvages ».

Il n’est pas clair si il s’agissait ici de vraiment criminaliser les hommes blancs qui exploitaient sexuellement les femmes autochtones ou de s’assurer de préserver les bonnes mœurs des familles blanches.

Étant donné l’air du temps et l’attitude des colonisateurs vis-à-vis les populations Autochtones, on peut surement s’imaginer que il s’agissait d’affirmer que la… on peut affirmer que la dernière explication est la plus plausible. C’est-à-dire qu’on voulait d’abord et avant tout protéger les familles blanches qui étaient présentes. Les bonnes mœurs des familles blanches. Cet
article d’ailleurs, 120, est disparu dans les années 50 seulement.

Dans le cadre de notre recherche, 16 femmes autochtones, soit 20 pourcent de notre échantillon, nous ont rapporté dans des récits souvent poignants, combien leur existence a été façonnée par ces aléas. Au point où le fait d’être Autochtone était plus stigmatisant pour elles que d’être dans l’industrie du sexe.

Nous mettons en relief ici les faits saillants. J’ai un PowerPoint. Je sais pas si on peut le mettre pour que vous voyiez aussi les schémas.

Donc la recherche a été faite en 2013 – 2014. On peut passer à la prochaine…

C’était une recherche-action féministe. On voulait, comme je vous disais, examiner la question des besoins des femmes et on partait d’une réalité empirique des femmes fréquentant la CLES et le manque de recherche, en fait, pour pouvoir faire cette recherche-là.

La prochaine slide. Notre équipe de recherche était composée, bon, de chercheurs, évidemment, d’intervenantes auprès des femmes, incluant des femmes qui avaient un vécu en lien avec l’industrie du sexe, des enquêtrices.

Next slide. Notre point de vue était un point de vue féministe: la préoccupation de la sortie des
femmes de l’industrie du sexe; les rapports de sexe, le
reste et de classe, et l’écoute de la parole des femmes.

Next. C’est malheureux que j’ai pas le « clicker ». Oui. Bon on peut passer certains détails-là. On définissait ce qu’est un besoin. En fait, l’écart entre ce qui est et ce qui devrait être, et on souhaitait c’était une analyse tournée vers l’action qu’on souhaitait effort évidemment, donc avec des propositions et la perspective féministe qui permet un ancrage dans les expériences des femmes.

La prochaine. Les questions de recherche c’est quels sont les besoins des femmes qui sont dans l’industrie du sexe ou qui en sont sorties.

J’insiste sur cette deuxième partie-là parce que souvent c’est la parole qu’on veut pas entendre et pourtant c’est la parole qui est probablement la plus lucide par rapport à la situation de l’exploitation sexuelle puisque quand tu es dans l’industrie du sexe, évidemment, ça porte tout un « load » de caractéristiques ou de conditions qui font en sorte que la situation dans la… que tu vie est plus difficile à analyser alors que pour les femmes qui en sont sortie elles sont… elles portent en fait une voix qui est spécifique et qu’on doit entendre.

On voulait savoir est-ce que les femmes
expriment des besoins différents selon leurs domaines
d’activités dans l’industrie du sexe par exemple ou est-ce qu’elles connaissent les ressources pour répondre à ces besoins.

La prochaine. La méthode... on a passé des questionnaires et des entrevues avec un certain nombre de femmes. On avait un comité aviseur, comité de recherche et évidemment le consentement éclairé des participantes était... faisait partie intégrante de la recherche.

La prochaine slide. On a passé... pour les femmes Autochtones, 16 questionnaires, les 5 entrevues. Les participantes étaient des femmes qui ont déjà pensé à quitter l’industrie du sexe ou qui l’ont déjà quitté. L’âge au moment de la rencontre c’était entre 20 ans et 53 ans, donc l’âge moyenne 36 ans.

La prochaine. L’âge des participantes, vous voyez comment ça se divise en tant que tel. La prochaine. Les régions c’était... en fait, sur les 16 y’en avait 8 qui venait de Montréal, 8 de la région de Val-d’Or.

La prochaine. Dans... par rapport à la question de leur présence dans l’industrie du sexe, 19 pourcent avaient déjà quitté, mais 81 pourcent – et ça c’est un échantillon qui est très rare parce que effectivevillement 81 pourcent des femmes qu’on a rencontrées
étaient toujours dans l'industrie du sexe.

Prochaine. Le type de prostitution c’est important aussi de le noter, parce que souvent on identifie seulement la prostitution de rue aux femmes Autochtones et dans les 18 femmes que nous avons rencontrées, 62 pourcent d'entre elles c'était des prostitutions mixtes. C'est-à-dire ça pouvait être à l'intérieur comme à l'extérieur sur la rue.

Et y'avait 23 pourcent-là qui était vraiment dans des... uniquement dans des lieux à l'intérieur.

La prochaine. Et là c’est un aperçu des... là où le type de prostitution ou d’exploitation... des lieux d’exploitation sexuelle que nous appelons, dans lequel les femmes se retrouvaient. Les femmes Autochtones plus particulièrement. Donc un nombre à peu près égal de prostitution de rue, prostitution à domicile. Dix (10) pourcent dans des salons de massage, 4 pourcent dans des agences d’escortes. En sachant que pour certaines elles ont fait plusieurs de ces différents types de lieux d’exploitation, si on peut dire.

La prochaine. On demandait aux femmes de s’identifier elles-mêmes au niveau de leurs groupes d’appartenance ethnoculturel et c’est le portrait qu’on avait des femmes qu’on a rencontré.
La prochaine. L’âge d’entrée dans l’industrie du sexe c’était à 46 pourcent moins de 18, ce qui est à peu près semblable à ce que... aux femmes non-autochtones également. De 27 pourcent de 18 à 25 ans et à noter quand même, 20 pourcent de 26 et plus.

Souvent on pense que c’est un phénomène qui touche particulièrement les mineurs, mais comme on parle également de beaucoup de pauvreté, particulièrement pour les femmes Autochtones, des femmes plus âgées commencent à se prostituer ou être dans la prostitution à un âge plus avancé.

La prochaine. Le temps passé dans l’industrie du sexe pour 40 pourcent d’entre elles c’était de 11 à 20 ans. Pour 33 pourcent c’était 5 ans et moins. Y’avait 7 pourcent que c’était 31 ans et plus qu’elles avaient passé dans l’industrie du sexe.

La prochaine. Le souhait de quitter pour cet échantillon-là, 91 pourcent des femmes qui ont répondu à ce moment-là souhaitait effectivement quitter; 9 pourcent ne souhaitait pas quitter.

La prochaine. Les revenus; parce que souvent on a... y’a le mythe que quand on est dans la prostitution on fait beaucoup d’argent et on voit que c’est loin d’être la réalité. Le bleu plus foncé c’est celles qui ont quitté et le bleu plus pâle c’est les
femmes qui sont toujours dans l’industrie du sexe. Et on
voit que quand même la plupart d’entre elles gagne moins
de 600 $ par semaine. Et y’a quand même énormément
d’entre elles qui gagnent 400 $ et moins par semaine et
evidemment le même nombre de femmes qui gagnent moins de
200 $.

En fait, un phénomène dans la prostitution
c’est vraiment de savoir que la pauvreté est un facteur
d’entrée. La prostitution appauvrie très souvent les
femmes, mais quand elles sortent de la prostitution elles
sont encore plus pauvres très souvent, parce que elles
doivent aller à l’aide sociale si elles ne le sont pas
déjà. Donc elles… ça génère aussi de la pauvreté pour les
femmes.

La prochaine. Au niveau de l’éducation ou
le niveau d’étude qu’elles avaient atteint, 81 pourcent
avaient pas complété leur secondaire.

La prochaine. Le nombre d’enfants que les
femmes avaient, 34 pourcent en avait aucun, quelques-unes
avaient quand même… 20 pourcent avaient 4 enfants ou plus.

La prochaine. Les facteurs d’entrée. Je
vous en ai parlé un peu encore. La prochaine. Les
obstacles à la sortie, le besoin d’argent, l’absence de
services et méconnaissances des services, évidemment. La
peur d’être seule, parce que l’isolement est un grand
facteur dans l’industrie du sexe en tant que tel.

Quelques fois... ce midi j’avais une conversation avec des personnes, le milieu de prostitution lui-même devient ta famille, donc l’idée de quitter ce milieu-là est un facteur qui te fais peur, parce que ça veut dire perdre tes contacts, perdre ton réseau.

La toxicomanie, évidemment, l’impact des violences, le sentiment de marginalité. La prochaine. Les tentatives de sortie, la... on estime que effectivement y’a... c’est jamais un long... un processus simple et rapide. Y’a des allers-retours. Pour certaines ça peut aller jusqu’à 15 à 20 fois où elles essaient de sortir et elles retombent, ou elles... on les ramènent d’une façon ou de l’autre dans la prostitution.

La prochaine. La violence qu’elles subissent, on a parlé de violence pendant l’enfance. La violence policière, la violence conjugale qu’elles ont subie.

La prochaine. Notre constat c’est qu’y’a pas de besoins différents selon le domaine d’activités dans l’industrie du sexe. Ce sont des besoins globaux qui ont... ou y’a pas vraiment... les besoins sont vraiment imbriqués. Y’a quelques besoins spécifiques en fonction du racisme, du profilage, évidemment, parce que 100 pourcent des femmes Autochtones que nous avons rencontrées
ont des problèmes d’ordre juridique et vivent plusieurs...
pour plusieurs, un profilage très clair.

Les besoins exprimés par les participantes Autochtones elles souffrent d’avantage de stigmatisation associé à la colonisation que celle liée à la prostitution. Comme je le disais, les femmes Autochtones nomment aussi des besoins particulièrement plus pressants relatif à l’hébergement, la toxicomanie et aux alternatives à la judiciarisation. Comme je vous disais, elles sont sur-judiciairisées. Et au soutien spirituel.

La prochaine. La violence vécue. En fait, je vois le temps qui file. Ce que... je vais laisser ça là et je vais surtout vous parler de nos recommandations parce que c’est l’élément qui pour nous est le plus important.

Vous avez de toute façon on a déposé cette recherche-là. Vous pourrez y avoir accès. Nos recommandations se divisent en trois volets. Le volet prévention ou mettre fin à la demande, en fait.

L’objectif prévenir l’entrée dans la prostitution et prévenir l’achat de services sexuels, parce qu’on ne naît pas en souhaitant devenir... être dans l’industrie du sexe, tout comme on ne naît pas en voulant acheter des services sexuels. Y’a une société qui contribue à former à la fois les acheteurs et à la fois
les femmes qui sont dans la prostitution.

Donc pour nous c’est l’importance de mettre en place un cours d’éducation sexuel qui fait la promotion de relation égalitaire et anticolonial avec une formation appropriée pour le personnel, évidemment.

Légiférer sur les pratiques publicitaires pour la production et diffusion d’images sexistes. Le sexisme est un facteur qui contribue à banaliser l’industrie du sexe mais aussi à en faire la promotion sous diverses formes.

Développer des formations pour sensibiliser les intervenants et intervenantes au vécu des femmes Autochtones dans la prostitution et sur la prévention de l’exploitation sexuelle.

Des campagnes de publicité sociétales sur une période d’au moins cinq ans pour délégitimer l’industrie du sexe. L’industrie a énormément de moyens. Pas juste financiers, également dans divers milieux pour se faire valoir comme étant une industrie légitime et on pense qu’il effectivement investir comme société à délégitimiser cette industrie-là.

Évidemment des recommandations également au niveau socio-économique pour offrir des alternatives pour les femmes autochtones et contrer leur appauvrissement, ainsi que celle de leurs communautés.
En ce sens-là on soutient entre autres la proposition de Rape Relief and Women’s Shelter concernant le revenu minimum garantie décent. Pour nous c’est vraiment une revendication... une recommandation sur laquelle il faut ne pas démordre, en fait, puisque, comme je disais, le facteur d’entrée dans la prostitution et les résultats de la prostitution dans la vie des femmes c’est la pauvreté donc s’y attaquer est de... très, très important.

On a aussi... excusez, je suis perdue dans mes numéros de pages. Également on soutient la proposition de A-1 de financer des organismes féministes autochtones. On pense que c’est vraiment la façon d’arriver à contrer la violence spécifique que les femmes autochtones subissent à fin d’offrir du soutint adéquat par/pour et avec une approche holistique aux femmes autochtones présentement dans l’industrie du sexe ou étant sorties.

J’insiste sur le étant sortie parce que plusieurs des femmes, comme je vous dis, qui fréquentent notre organisme déplorent le fait que on s’intéresse beaucoup à la prostitution des mineurs mais qu’on ne parle pas ou qu’on ne s’adresse pas aux femmes plus âgées qui ont eu un vécu dans l’industrie du sexe, mais qui... et qui vivent encore les séquelles.
Le besoin d’exiger des gouvernements provinciaux et territoriaux de la mise en place de programmes de sortie individuelle comportant un accès à la citoyenneté, un accès à un logement, l’effacement de tous les casiers judiciaires liés à la prostitution ou l’itinérance, l’accès à des services de désintoxication gratuits, l’accès à un soutien financier pour elles et leurs familles pour une période de deux à cinq ans, ainsi qu’un accompagnement et du soutien dans un projet de vie, développer des alternatives économiques spécifiques pour les femmes autochtones dans les communautés, investissement dans les infrastructures sociales des communautés.

Souvent on investit, je pense entre autres à tout le développement du nord, le développement minier où ce sont essentiellement des emplois pour les hommes qu’on… puis malheureusement c’est souvent même pas les hommes autochtones qui en profitent. Mais il faut penser aussi à investir dans les infrastructures sociales des communautés, parce que effectivement là où y’a des développements minier entre autres ou des projets de grande envergure qui amènent un flux d’hommes dans une région donnée, on sait l’impact que ça a sur le taux d’exploitation sexuelle des femmes, particulièrement des femmes autochtones.
Le volet juridique; reconnaître le caractère sexistes, racistes et colonialistes de l’industrie de la prostitution et soutenir la loi criminalisant l’achat d’actes sexuels qui est en place depuis 2014, tout en demandant une modification pour une décriminalisation totale des personnes prostituées. Aucune femme ne devrait se retrouver criminalisée pour avoir été ou être dans la prostitution.

Donc on recommande plus particulièrement l’application de la loi en cohérence avec la nécessité d’offrir des alternatives aux femmes dans l’application. Donc parce que la loi est pas appliquée partout au Canada on pense qu’il faut qu’il y ait une recommandation assez forte par rapport à la question de l’importance d’appliquer cette loi-là.

L’annulation de toutes formes de criminalisation des personnes en situation d’accepter de l’argent contre des actes sexuels peu importe le lieu.

À l’heure actuelle dans la loi, malheureusement, quand c’est de la sollicitation sur la rue, là où y’a des enfants plus particulièrement, les policiers peuvent encore criminaliser les femmes pour vendre leurs propres services sexuels. On pense que c’est non-seulement contre-productif mais que ça va à l’encontre de l’idée même de protéger les femmes.
On pense qu’il faudrait effectivement un examen des motifs d’incarcération des femmes autochtones et la libération de celles ayant été accusé de crimes économiques de sollicitation ou tout autre crimes commis sous l’influence d’un proxénète. Un peu le modèle de Philadelphie, qui depuis quelques années est appliqué aux questions d’agressions sexuelles. On recommande que on applique la même logique envers les femmes autochtones et les situations où elles se retrouvent emprisonnées et criminalisées pour avoir été dans l’industrie du sexe ou sous l’influence d’un proxénète.

Un examen également des plaintes pour agression sexuelle et exploitations sexuelles, ayant été rejeté par la police, parce que les femmes vont à la police et veulent porter plainte quelques fois contre leurs proxénètes plus particulièrement, et le taux, tout comme pour les agressions sexuelles, évidemment le taux pour... de rétention de ces plaintes-là au niveau de l’exploitation sexuelle est très, très, très minime par rapport à la réalité d’exploitation vécue par les femmes.

Évidemment la formation des corps policiers et des procureurs ainsi que des juges sur les réalités de la prostitution, le lien avec le colonialisme et le sexisme, ainsi que la pauvreté.

Les juges, tout comme sur le... bien en fait...
pour l’ensemble de la violence sexuelle on ne peut que faire un constat de... en fait c’est plus que de la méconnaissance qu’ils ont. Dans leur cas je pense que c’est vraiment le désir de maintenir une forme de statut quo, en fait, par leurs jugements puisque très souvent on constate que effectivement les juges contribuent au problème plutôt que de le résoudre.

Donc en conclusion, la CLES croit en un monde sans prostitution ils travaillent au quotidien avec des femmes qui connaissent la... et travaillent au quotidien avec des femmes qui connaissent la prostitution de l’intérieur avec des femmes qui connaissent la violence physique, sexuelle ou psychologique qu’une société patriarcale impose aux femmes pour maintenir une hiérarchie sociale.

La CLES travaille aussi avec tous les hommes et organismes qui croient en une société d’égalité pour toutes et tous. Et on soutien particulièrement évidemment les femmes autochtones dans leur désir de changer des choses. Et on sait, en fait, que tout avancement ou toute amélioration des situations de vie des femmes autochtones ne pourra que bénéficier à l’ensemble des femmes canadiennes et donc pour nous l’importance du rapport de la Commission doit être... en fait, le rapport nous on va le surveiller comme d’autres organismes vont le
surveiller et on est... on exprime comme toujours notre solidarité envers les femmes autochtones. Merci.

MS. SHELBY THOMAS: Madame Matte, aimeriez-vous déposer le PowerPoint comme une pièce aujourd’hui?

Me DIANE MATTE: Oui.

MS. SHELBY THOMAS: Et aussi tu as... vous avez fourni un document de trois pages avec les recommandations. Aimeriez-vous déposer ceci comme une pièce aussi?

Me DIANE MATTE: Oui.

CHIEF COMMISSIONER MARION BULLER: Okay, the PowerPoint is Exhibit 15 and the 3 pages recommendation document is 16.

--- EXHIBIT NO./PIÈCE No. 15:

PowerPoint presentation « Analyse des besoins des femmes désirant sortir de la prostitution » dated February 13, 2016
Submitted by: Diane Matte, Representative Concertation des luttes contre l’exploitation sexuelle

--- EXHIBIT NO./PIÈCE No. 16:

Bilingual summary of recommendations (six pages)
Submitted by: Diane Matte,
Representative for Concertation des luttes contre l’exploitation sexuelle

MS. SHELBY THOMAS: Commissaire en-chef et les commissaires, avez-vous des questions?

COMMISSAIRE QAJAQ ROBINSON: J’ai pas une question mais je vous dis merci pour moi, puis pour Commissaire Michèle Audette. Elle écoutait en Facebook, puis elle dit, « Merci beaucoup pour ta présentation ». Ça c’est mon français pour aujourd’hui, merci.

Me DIANE MATTE: Merci et merci.

COMMISSIONER BRIAN EYOLFSON: I also just want to say thank you very much for your submissions today, for your PowerPoint presentation and for your recommendations. Thank you very much.

CHIEF COMMISSIONER MARION BULLER: I too want to thank you and especially for the report that you’ve provided. I am honestly surprised at the ages of women in prostitution.

Me DIANE MATTE: M’hm.

CHIEF COMMISSIONER MARION BULLER: And the number of years that they spend in prostitution, so thank you very much for pointing that out. It’s quite an eye opener for me, so thank you.
It’s been a pleasure working with you all across Canada. Thank you so much for being a very passionate advocate for those who need help. Thank you so much.

**MS. DIANE MATTE:** Thank you. Migwetch.

**MS. SHELBY THOMAS:** Next Commission counsel would like to invite Ms. Nathalie Clifford who will be providing the oral closing submissions for Eastern Door Indigenous Women’s Association.

--- **FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS. NATALIE CLIFFORD:**

**MS. NATALIE CLIFFORD:** Thank you. First introduce Cheryl Maloney, President of Eastern Door, to say a few words.

**MS. CHERYL MALONEY:** Thank you. Commissioners, I just wanted to acknowledge and thank you on behalf of the four Atlantic Provinces Eastern Door women’s organizations.

And I wanted to also acknowledge the Elders, the staff, and the media; everybody that’s been on this journey with us. It’s a sacrifice of your time and the commitment that you’ve put forth to this. So I just wanted to acknowledge that.

Sometimes we’re critical but we know that’s necessary to -- a necessary evil.
I’d also like to just honour the young Mi’kmaq lawyer, Natalie Clifford -- I call her young ‘cause I’m starting to feel old. But I think it’s really important. One of the things I experienced and witnessed in the Inquiry was the amazing young Indigenous lawyers in this country that filled these rooms during this process, so I just wanted to acknowledge all of them.

Thank you all.

(APPLAUSE/APPLAUDISSEMENTS)

MS. CHERYL MALONEY: So with that, I’m not going to take any of her time; I know we’re on a timer. So thank you.

MS. NATALIE CLIFFORD: Good afternoon, Chief Commissioner and Commissioners. I am Natalie Clifford, as you know.

Thank you for taking the time to listen today.

First on a personal note, I acknowledge the sacred items in the room, and thank you to the Algonquin people for welcoming me to your territory.

To the Commissioners and staff, thank you for the personal sacrifices you have made in this work.

And thank you to our Elders, Grandmothers, health supports, NFAC, and one of my personal aunties, Denise Pictou Maloney, and our angel, Audrey Segal
(phonetic), who have guided us throughout this process.

And to my fellow parties with standing,
you’ve made an example of the unity required to see this through. Thank you.

And, finally, thank you to the women of the Eastern Door for trusting me with this work. I’ll echo the analogy offered by Virginia Lomax yesterday that we are in the middle of a marathon and I look forward to continuing alongside many of these women as we proceed.

Eastern Door supports Indigenous women, girls, and LGBTQI2S living in the Atlantic region, their advocacy and support, with representatives from Native Women’s organizations for Indigenous territories in the Atlantic Provinces.

The well-established organizations have only recently come together under this name so that where regional representation is appropriate, they may consent to unify efforts to benefit Indigenous women, girls, and LGBTQI2S in the region, and for this reason the Association sought and secured standing in this National Inquiry.

For decades, they’ve led an advocacy, demonstrations, marches, and offering one-on-one services, representation and wraparound supports for families -- Indigenous families and communities experiencing violence.
The women behind Eastern Door are in the extraordinary company of Indigenous women and grassroots organizations across this country that, in this process and before, have joined together creating a unified voice.

Chief Commissioner and Commissioners, you may remember the impact of our women from our region as your process brought you there. You heard family truths from New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island.

I’d like to suggest you’ll most certainly remember what happened in Membertou as you descended on your first large-scale inquiry in a community.

The Nova Scotia Women Association, one-fourth of Eastern Door, along with the Mi’kmaw women leaders and existing family supports in the province, worked for months with various government agencies to ensure that they could welcome you and your team with culturally appropriate and regionally appropriate ceremony.

But, more importantly, they were there to make sure the families felt supported, safe, and cared for because that’s what they do. They called it the Mi’kmaq Women Leadership Network.

You’ll remember the powerful testimony of Aggie Gould. She smiled from ear to ear as she showed off
her brothers and her Dad, and she was so happy to be with them and have the opportunity to share her truth about her sister, who has now been missing for 24 years, Virginia Pictou.

Aggie’s brother asked you for help for men who self-identify as violent against women.

In Moncton, you heard Hilary Bonnell’s mother, Pamela Fillier, that when she called the police to report her missing daughter, they didn’t start looking, but her community did. She said they literally knocked down doors. Hilary was raped and murdered by her cousin who taunted the family while they were searching for her.

Pamela asked you for harsher penalties for sexual offenders.

In St. John’s, Daniel Benoit shared his truth about witnessing his mother’s murder when he was five. He was in the other room as he heard Judy Benoit fight for her life, and when silence hit, his Dad washed up, took his hand, collected his sister and they left together, only to come back the next day to pretend to look for her.

He asked you for stronger penalties, too, and he told you that when this happened, his Mom had a restraining order against his Dad; to him, a mere piece of paper.
Commissioner Audette will remember hearing from Barbara Bernard, whose mother, Mary Francis Paul, was found dead on the Charlottetown waterfront; a broken neck, they said.

It wasn’t until 12 years later that a police officer reluctantly told her that her Mum’s body was found stuffed in a metal drum.

Mum died 40 years prior and Bernard reported to still be haunted by the lack of information shared with her.

You’ve heard the families, and they are your experts. Eastern Door urges you to listen to their truths, remember their names, their faces, and their recommendations, and value those above all else.

Before, during, and long after the National Inquiry finishes its work, the women of Eastern Door have, and will, support the families and communities affected by this violence. They will do this through whatever means necessary, and the Mi’kmaq Women Leadership Network is but one example.

Throughout our submissions you’ll find 18 guiding principles which have been included to help structure the recommendations and to help guide you in your monumental task.

So guiding principle number one:
Indigenous women have the salutation to help Indigenous women, full stop.

A National Inquiry of this magnitude; unprecedented; a great challenge. The denial of a meaningful extension will certainly affect the overall value of recommendations, and yes, we are reliant on political will.

Because this Inquiry is so important to so many families, some of whom found their voice for the first time through this process, and because this is about leaving a legacy, a goal; to give a gift to a generation of children that they don’t find themselves with a reason to do another inquiry.

Because there is only really one opportunity to get this right, for the record, a few criticisms.

The first one is that women’s voices are still not valued. The women behind Eastern Door have not, with few exceptions, learned anything new from this Inquiry. The support -- they support you in your mandate; however, the irony that Indigenous women have to bring their evidence before a colonial-based National Inquiry for validation is not lost; and it is an indication of how far we still need to go.

The second: Eastern Canada was forgotten.
The national scope of the Inquiry in Parts 2 and 3 hearings proved challenging; the Atlantic region was the least represented by far. The absence of a Commissioner from the Atlantic region and the impact that will have has been made more conspicuous by the inclusions of Commissioners representing the rest of Canada.

On the issue of sexual exploitation and human trafficking, the women behind Eastern Door were so relieved to see this pertinent issue scheduled in the extension period. Atlantic Canada is a hotbed for trafficking and recruitment.

We heard some best practices but one panel fell apart because it was inappropriately arranged to host a debate between a sex worker and activist and a traumatised survivor of human trafficking abolitionist.

Questioning had to be so carefully executed that it wasn’t useful, and the truth-seeking mandate of this Inquiry should never have been pushed aside to host this kind of debate.

And, finally, we’ve been here before; let’s recall the great faith we all placed in the previous commissions of inquiry whose comprehensive reports gave so much hope but now sit on shelves.

If careful attention and respect had been given to RCAP, and more recently the TRC calls to action,
would we have needed this Inquiry? How long -- how will
this Inquiry be different?

And this is a really tough criticism but
you haven’t finished yet, so the burden to find creative
ways to capture political will is still in your hands.

And for this reason, I offer you my guiding
principle number two. There will be challenges but a
united commitment to end violence against Indigenous women
will prevail.

So at this time, I'll introduce you to one
of our cherished young Mi'kmaq women, Cassidy Bernard from
We'koqma'q.

She's so full of life and so beautiful and
loved by her family. But most of all, as you can see
here, so proud to be a mom. This photo is of Cassidy
before her identical twins were born.

Her mom tells us that she was the queen of
her babies, a master of mothering. She would sing and
speak in Mi'kmaq to them.

Her twin girls are now about seven months
old and Cassidy's family is preparing for a first
Christmas for these little girls and a first without
Cassidy. Her community reports that she was murdered in
her home and her children were present.

I asked for permission to share Cassidy's
photo with you here today, not in any way to diminish the other women in our region who have been murdered, are missing, or have otherwise died premature deaths. There have been others in the last few months, even. But I asked for her to be here because I hope she can help ground us in why we are here today.

Throughout the process we've heard governments, police agencies, and service providers who told us about a lot of really great things that are being done, and I brought Cassidy's story with me as a strong reminder that regardless of what is already being done, it's not enough, and also because she died in October, the week after we were in St. John's for the last hearing.

And I don't know whether you'll have the opportunity to hear from her family. And I can't share anything with you now because they're still waiting for the coroner's report.

So thank you to Cassidy's family for giving permission for her photo to be used throughout our submissions today. Just like that, another mother is forced into the deepest grief, losing a child for the second time, in this case, and she turns it around to help protect others.

Again, it is the families who deserve our utmost respect in this process.
I'll turn now to what has been heard throughout parts 2 and 3 of this Inquiry, building on and supporting our preliminary findings.

It starts with this. Indigenous people do not belong to Canada. Indigenous people, as Nations, hold positions as negotiators, benefactors, contractors, with the modern Canada, regardless of contrary discourses and action, Canada's claim of Indigenous people was born out of a frustrated attempt of eradication, a public-relations strategy at the end of the fight of ownership for communal land which resulted in Canada.

The claim in the surrounding euphemistic jargon are mere tools of modern colonialism employed by governments to keep Indigenous people engaged with the perception that they are on lower ground, beneath the government that serves them, and lucky to receive rights.

Promises to breathe life into constitutional rights in the interests of protecting Indigenous people often don’t reconcile with actual actions and this patriarchal handling of Indigenous people can be insulting.

Indigenous people have inherent jurisdiction over themselves. It is intrinsic, arguably inalienable. At least it has not been ousted through a process of free prior and informed consent and the right
to self-govern is not repatriable by non-Indigenous governments. One cannot return something that was never taken.

Colonization is therefore not only a part of history; it is still in progress, as Canada Indigenous Nations continue to engage in a push and pull over the land which is known as Canada and divisions of jurisdiction thereon.

And this reality may not be apparent to everyone, given the massive imbalance of power. Canada is referred to broadly here. The actions attributed to Canada are not limited to those of elected officials in Ottawa, not even to the early settlers who attempted to eradicate Mi'kmaq and Maliseet by distributing smallpox-infected blankets and clothing.

It's not just about the unchecked European entitlement to a legendary fishery that led to the assault, enslavement, and ultimate extermination of Newfoundland's Beothuk people, nor is it the health counsellors engaged in continued forced sterilization of Indigenous women. It’s not about the RCMP members who took advantage of Inuit trust, nor is it limited to the unfathomable legacy of centralization.

Canada is also represented by a police service's explicit institutional support of its members
accused of systemic abuse of Indigenous women. And the spectre of Canada is echoed in the culture of exploitation of women that develops around workmen camps in remote regions of the country. It's also apparent in the destruction of sacred Indigenous hunting grounds perpetrated by private companies who may or may not have licence to do so from regulators.

There are so many examples and I'm cutting my examples in half to continue. But I want to say that to an Indigenous woman victim, these are all Canada, for without colonization, none of these would be her reality.

So when one begins with this understanding, it becomes difficult to reconcile the legality of government policies and actions that affect Indigenous people. Unilateral state actions affecting Indigenous people are troubling at the least, illegal at most, harmful often, and have led to the innumerable problems, not the least of which is the current phenomena of disproportionate numbers of missing and/or murdered Indigenous women, girls, and LBTQI2S.

Euphemistically for you, the stolen sisters, indeed, something Canada can claim ownership of, in this case, Canada is the thief, and Indigenous women the invaluable commodity.

The National Inquiry's timing is situated
in a growing climate of hot discussions, promises, and organizing in the interests of achieving Indigenous self-governance. It is incumbent on you as Commissioners to make recommendations which inject Indigenous women's voices into the core of the political sphere to give life to meaningful self-determination including self-government while strategically addressing violence against women, Indigenous women, girls, and LGBTQI2S, perhaps now an even bigger task than initially mandated.

And for this, I offer guiding principle number 3, that she does not belong to you.

And so the foundational recommendations offered by Eastern Door are as follows: that Canada recognize a meaningful position for Indigenous women in the political sphere of Canadian governance; that it exercise and give meaning to its commitment to Nation-to-Nation relationships with Indigenous people fully supported and fund initiatives to -- of Indigenous leaders to achieve self-determination; that First Nations leadership and Indigenous organizations commit to self-determination and self-government and unify in a commitment to accept nothing less; and that all relevant elected bodies commit to upholding at least the minimum standards of treatment of Indigenous people as laid out in the UNDRIP.
You’ve heard extensive evidence and advocacy for a number of parties that Canada has international and domestic obligations to protect Indigenous women, girls, and LGBTQI2S, and that Canada is in constant breach of those obligations.

And you’ve heard that solutions must be rooted in these rights and the foundational human right to self-determination must pave the way. When control is given to Indigenous people, the other rights will more naturally flow and correct.

Without self-determination and meaningful position for Indigenous Nations alongside the other two levels of government, human rights will not be met, as the violation of Indigenous identity is at the heart of the status quo and Canada's constitution. Anything less than monumental change would be just more bandaid solutions.

And everything this Inquiry recommends must advocate for the new social order.

And that brings me to the next recommendation, and it's one that you’ve heard resoundingly throughout the parties' submissions. It's a call for a national action plan to end violence against Indigenous women, girls, and LGBTQI2S.

And the guiding principle I offer, she is in danger and we have an obligation to protect her.
The plan will accomplish its goal by guaranteeing minimum standards of international and domestic human rights protection through basic principles and accompanying recommendations engaging in each of the problem areas that you have -- that have been come to be known to you throughout this process.

Each principle must be grounded in international and domestic laws which could be used to litigate breaches, as well for assessment. The national action plan should be taught in grade schools across Canada.

The creation of the assessment tools and overseeing bodies should be quite simple. Consider the grassroots Indigenous and women's organizations who have been granted standing at this National Inquiry. Each one has been given leave to participate because of a vested interest and valuable contribution. They worked diligently to help guide the Commissioners' understanding of the issues and work that needs to be done.

Many of them are the existing and future service providers and will be on the ground implementers of the recommendations this Inquiry provides. They know the issues and some of the very organizations have been constituted out of a need to service those issues. A natural role would be for them to assess on an ongoing
basis the effectiveness of efforts of relevant elected bodies to meet, support, fund and further the recommendations of the National Inquiry, and to blow the whistle where they are not.

A five-year reporting cycle to an autonomous national body focusing on each province and separated into parts or regions within those provinces, where appropriate, with these organisations as the reporters, will garner accountability.

Failure to comply would see the imposition of conditions, compliance orders and deterrent fines. How though, will the same grassroots and women's organisations, who sometimes have to tiptoe around the elected bodies in order to maintain financial security, survive in a position of authority with the power to report and penalise?

The answer is in balance, and in this case, a rebalancing of power, justified by the resounding call for substantive equality, through their ability to offer regular report cards, register complaints and request redress. The balance would be maintained through a careful strategy in which elected bodies who are found to be in contempt of the standards and who fail to rectify the same would be ultimately fined monetarily. With an arrangement grounded in principles similar to those used
to justify the nation's carbon tax and human rights oversight, the funds recovered would be distributed directly among the grassroots Indigenous and women's organisation who are the service providers within the region affected by the non-compliance, because they are the ones who must continue to painstakingly fill the gaps and offer services while their regional elected bodies fail to support them directly.

All the elected bodies, including Canada, could be required to share in the fines, depending on the finding. Fines would be significant enough to motivate otherwise unmoved elected bodies.

This arrangement could create a path to forging the political will, which is of such concern to this inquiry. Rather than waiting on the utopian voluntary social shift, this approach would accomplish the goal through strategic bottom of enforcement which can only be done through a repatriation of power.

The social shift, however, will follow. It will be the result of actual implementation of the National Action Plan, which will see generations of Canadians become responsibly informed about Indigenous people for the first time.

These submissions outline a framework for a National Action Plan with recommendations that would be
used to measure regional action. However, it is expected and hoped that the Commissioners will incorporate recommendations and ideas as harvested throughout the process, and implementation needs to be regionally relevant and Indigenous-led. Appropriate regions and representation should be defined through meaningful consultation.

So creating the national standards I offer you a guiding principle. She is worthy of the highest level of protection and we already have the tools to afford her this protection.

You have heard enough compelling calls for the application of an international human rights lens in your recommendations and you will make the right decision.

The UNDRIP and easy-to-read all-encompassing declaration is, indeed, the people's tool and should be applied by Indigenous bodies, organisations and individuals at every possible application in a commitment to engage non-Indigenous governments to do the same. It must also form the basis of the standards of this National Action Plan.

The first section of the National Action Plan on value of Indigenous women, I offer you guiding principle number six. She has been disrespected and devalued for the benefit of others. She is invaluable.
Supported by UNDRIP Articles 21 and 22, and I will mention UNDRIP articles, but I advocate for the whole application as well as Canada's other international obligations.

When a young Indigenous woman dies, people are not shocked enough, because, as you found in your interim report and subsequently proven, Indigenous women's lives are not valued.

A brief summary of the recommendations under this section. To everyone, pay women for their work.

To relevant elected bodies, address the chronic underfunding of grassroots and Indigenous-led and women's organisations.

Conduct gender-based wage disparity and funding allocations comparison studies across a continuum of organisations providing services, Indigenous and non, and address funding inequalities.

Core funding with multi-annual commitments must be a primary objective.

Recognise and support certain elders and spiritual leaders as educators and counsellors and remunerate them accordingly.

Create grant and scholarship opportunities for Indigenous women engaged in resource protection.
Examine valuation of Indigenous women's lives throughout the judicial system and process, including through legislative control of measurements to determine pecuniary damages and victim surcharges.

For Canada, uphold your promise to the Indigenous nations of the Atlantic region to permit a livelihood through the fishery trade as guaranteed in the treaties of peace and friendship, a right that was twice affirmed by the Supreme Court of Canada at the great personal expense of Donald Marshall Junior, but for which beneficiaries are continually criminalised and not given their day in court to argue their treaty rights. Depravation of these rights directly impoverishes Indigenous women in the region and their families who wish to participate in the fishery and surrounding economy and who would benefit from healthier communities.

The next section is education for Canadians, guiding principle number seven. Repatriate her dignity. Lies have been spread about her. It's time for Canadians to know her true identity. UNDRIP Standard Articles 14, 15, 21 and 22. To appreciate the value of this section of recommendations it must be recognised that the mis-education of generations of Canadians has been used as a tool to enforce colonial patriarchy in Canada. Mis-education is the root of rampant racism in Canada.
Recommendations in this regard include education about Indigenous people must be Indigenous led and regionally informed. It must include curriculum about the active mis-education of generations of Canadians from a colonial violence lens and it must be introduced to children in the first year of elementary school and continue throughout their career, their education career, as a core topic.

The next section, access to human rights education. Guiding principle number eight, she deserves to know how to protect herself. UNDRIP Standard Preamble, Articles 1, 2, 34 and 40. The key recommendation in this section is autonomous offices of advocacy for Indigenous women, children and LGBTQI2S with legislative power to investigate, gain access to private information, act as litigation guardian or intervener in matters affecting Indigenous women and children, and with power to represent the true best interests of Indigenous women and children in all areas of their lives. The Indigenous women's organisations of the Indigenous territories of the Atlantic provinces are poised to house these offices.

Education for Indigenous communities, the next section, guiding principle, it's time to give her back her talk and time for her to learn her identity so she can take pride in herself. And for those of you who
don't know, this is a reference to Mi'kmaq Poet Laureate Rita Joe in her poem "I Lost My Talk." And if I have a moment at the end I will read it for you.

It's Indigenous children who suffer the most from mis-education with their pride and identity hanging in the balance as they attempt to form self-awareness, they get hurt, further marginalisation and despair come from life-long consequences -- come with life-long consequences, including, as we heard from Dr. Amy Bombay, genetic alteration. Specific recommendations have been made in this regard in our written submissions.

The next section, safety for women.

Guiding principle number 10, she deserves to be safe, protected and should have trust in institutions and individuals. Canada has a duty to ensure her safety and refrain from jeopardising the same. UNDRIP Standard Articles 10, 21 and 22. Recommendations in this section are around human trafficking, pulling on some of the best practices we've heard from various police services across this country.

Another recommendation is for 24/7 shelters and safe spaces within reasonable distance of populated areas, with important details of our submissions about these places.

The process of planning and erecting these
shelters and safe places must be mindful that often
leaders are perpetrators and women need protection from
them.

And a recommendation to halt the
application of the prejudiced analysis of the best
interest as a child and the mental health analyses of
similar principles to Indigenous children.

The next section, protection from
criminalisation. Guiding principle, she is innocent. She
should never have been criminalised for her indigeneity,
nor for her symptoms of colonisation Constitution
standard, sections 18 to 14.

In this respect, realize that prisoners
rights are human rights and women in prison are women
first. Indigenous women in prison are arguably the most
marginalized people in our society. And we have not heard
from them through this process, and when was the last time
you heard from them in your daily life? We are all guilty
of silencing of Indigenous women in prison and the
devaluation of their lives.

Eastern Door calls on Canada to end
criminalization of sex work, grant pardons, apologize for
imposing the criminal justice system, commit to a robust
part in initiative to alleviate the affects of the ongoing
over incarceration of Indigenous women for reasons
relating to poverty, and provide resources and supports for Indigenous communities to take on initiatives for alternative custody arrangements, including, where appropriate, in their communities.

The next section is police. Guiding Principle: Police are key perpetrators and enforcers of colonial violence against her and her ancestors. They have a lot of work to do on themselves before they may earn her trust. UNDRIP standard, Articles 19 and 34.

They've made recommendations for national standards drawing on some of the best practices we've heard with respect to protocols for missing persons, investigations, protection from exploitation and improved training and protocol in domestic violence and handling of cases, and strong recommendations for safeguards against investigations of police by police.

The next section, Justice for Indigenous women. Guiding Principle: She's been violated and then denied justice by the same hand. Enough.

Among other recommendations, they ask to carefully limit the availability of Gladue reporting and restorative justice diversions to reflect their original purposes, that Indigenous-led committees be given authority to develop criteria to determine whether a Gladue report or restorative justice should be used on a
case-by-case basis with the overall goal to maintain the integrity of the process and offer their support for Indigenous writers of Gladue reports.

The next section, land reclamation.

Guiding Principle: Her body is intrinsically connected to her land. UNDRIP standard, Article 32.

Recommendation: Eastern Door supports the recommendation that a gender-based analysis be undertaken to review the impacts of resource development and that significant portions of royalties collected for resource development are redirected to Indigenous and women's organizations engaged in supporting Indigenous women and girls and LGBTQI2S.

The next section, community healing.

Guiding Principle: Indigenous communities are families and they are hurting. UNDRIP standard, Articles 12 -- 11, 12, 13 and 15.

A recommendation that Canada part with the comparability model in determining access to essential services on reserves, replacing it with human rights-based analyses and allow for substantive equality. Reinstate the Aboriginal Healing Foundation, and they call for a more substantial extension for FILU funding.

Healing for families including men.

Guiding Principle Number 16: Heal her, but don't send her
back until you've healed the men, for they too are survivors of colonization.

That Indigenous communities examine and carefully plan supports relating to men, particularly recognizing the vulnerability of men when the family unit is interrupted. Where does he go? What is in place for him?

Commissioners Audette and Robinson heard from the family and supporter of Victoria Paul. What about the intergenerational impacts of colonization on the men in her life? After her death, her son was incarcerated, and therefore, unable to advocate on her behalf. In the five years following her death, two of her brothers died of overdoses, her father of cancer, and a third brother passed away as well.

In testimony to the Commissioners, Ms. Paul's niece emotionally confirmed her commitment to standing by Ms. Paul's son as their family had become much smaller. But who else is there for him? This is an important question that needs to be answered.

Healing for families including children.

Guiding Principle:

"These children are only loaned to us; we may claim them, they're ours, but the babies are loaned by the
Creator...You, as a mother or a father
must watch over them at all times."

This is from Sarah Denny, a Mi'kmaw Elder
and one of our great teachers.

The UNDRIP standard, Articles 7 and 22.
They call for substantive equality in all services to
Indigenous children to address hundreds of years of bad
treatment. They tell you that if an Indigenous child must
be taken from her mother and is living in an Indigenous
community, after all of their possibilities for supporting
her to stay have been exhausted, the priority must be to
keep that child with extended family. If that is not
possible, then the child must be placed in a home within
the community. If it is not safe for the child to remain
in the community, the next priority housing situation
would be another Indigenous community, and only as a last
resort should the child be placed in a non-Indigenous
family outside of the community.

They also advocate for better support for
community customary care plans for Indigenous children.
And a number of other recommendations are put forward in
the written submissions, as well as support for much of
what you have heard in expert testimony.

Finally, media responsibility. Guiding
Principle Number 18: She is not your headline. She is a
human being worthy of life and worthy of love. UNDRIP standard: Reporting should be guided by a meaningful understanding of the entire declaration.

Media have either portrayed Indigenous women negatively or not at all. The stark juxtaposition of media portrayals of non-Indigenous versus Indigenous women has been repeatedly reported through witness testimony, and the consequences of societal responses to the same are directly connected to whether justice is delivered.

As an example, the testimony of Loretta Saunders' mother that she clapped her hands when the media incorrectly reported that her missing daughter was Caucasian because that meant that she would be searched for. The media's lazy reporting and reliance on police reports to damn a missing woman with the line "known to police", which might as well read "not worthy of being found".

Pleas for justice and a reward offered in the unsolved murder of Tanya Brooks always include the fact that she was last seen leaving police headquarters.

Media are uniquely positioned to educate the masses. They can humanize Indigenous women and affect how they are searched for, whether people with information come forward, and ultimately, media can help create
awareness, and the basic empathy among the general population. In addition, the availability and low cost of social media to communicate better information limits excuses for faulty reporting.

They call on media to work with Indigenous communities in this regard, get information through liaisons so reporting can help humanize. This is another potential role for the autonomous advocacy office for women and children.

In conclusion, fixing the problem of violence against Indigenous women, girls, and LGBTQI2S cannot appear optional, rather must be presented to Canada and other elected bodies as compulsory. To help Canada understand this report is as vital to economics as renegotiation of NAFTA, as important to the provision of foreign aid as is annual income tax enforcement, and as integral to democracy as the guarantee of a 2019 federal election.

This cannot be another dusty report available in the library and eventually the backroom coffers of museums. Trade, international relations, democratic process, and the lives of Indigenous women, girls, and LGBTQI2S, these are all national imperatives.

The women behind Eastern Door call on you to strongly recommend an all-encompassing national action
plan to end violence against Indigenous women, girls, and LGBTQI2S, and in doing so be fearless in the details. You should offend, shock, and disrupt.

And those are my submissions. Thank you.

Wela'lin.

(APPLAUSE/APPLAUDISSEMENTS)

MS. NATALIE CLIFFORD: With my 30 seconds,

I will grace you with Rita Joe's poem:

"I lost my talk

The talk you took away.

When I was a little girl

At Shubenacadie school.

You snatched it away:

I speak like you

I think like you

I create like you

The scrambled ballad, about my word.

Two ways I talk

Both ways I say,

Your way is more powerful which ways I say. Your way is more powerful. So gently, I offer my hand and ask, let me find my talk so I can teach you about me."

Thank you.
Ms. Shelby Thomas: Thank you. Ms. Clifford, there was two photos that went up during your presentation. Would you like to make those exhibits today?

Ms. Natalie Clifford: Certainly. The first one is a logo for Eastern Door Indigenous Women's Association and the second is Cassidy Bernard. Thank you.

Chief Commissioner Marion Buller: So Collectively, Exhibit 17 please.

--- Exhibit No./Pièce No. 17(a) and (b):

Exhibit 17(a): Digital logo of Eastern Door Indigenous Women’s Association

Exhibit 17(b): Digital photograph of Cassidy Bernard

Submitted by: Natalie Clifford,
Counsel for Eastern Door Indigenous Women’s Association

Ms. Shelby Thomas: Chief Commissioner and Commissioners, do you have questions?

Commissioner Qajaq Robinson: I don't have any questions. I'm very much looking forward to reading the full submissions. I just want to say (Native word) to Cheryl as well to you and thank you very much for your
continued engagements and contributions throughout all of the hearings. It's been a pleasure. Thank you.

**COMMISSIONER BRYAN EYOLFSON:** Thank you. I also just want to thank you both for being here and thank you so much for your submissions. You’ve really covered a lot of material in 40 minutes and gave us a lot to consider and think about. So I'm really looking forward to your final submissions, and also want to thank you for your contributions throughout the hearing process and all the thoughtful and helpful questions you asked of witnesses. So thank you very much.

**MS. NATALIE CLIFFORD:** Thank you.

**CHIEF COMMISSIONER MARION BULLER:** I don't have any questions either and I also look forward to written submissions, especially with respect to the National Action Plan. That will be some important reading.

I want to thank you and your president for being here today and also, I have to say, Ms. Clifford, I have been so impressed all along with your powerful advocacy throughout regardless of where we've been and regardless of the subject matter. It's been my pleasure to work with you. Thank you so much.

**MS. NATALIE CLIFFORD:** Thank you.

*(APPLAUSE/APPLAUDISSEMENTS)*
MS. SHELBY THOMAS: Thank you. Chief Commissioner and Commissioners, we now have a scheduled break. We again are ahead of schedule. It is now 3:05. The scheduled break was at 3:20. It was scheduled for 20 minutes. I don’t see the party in the room so I can't determine if they're available to start early or not, so maybe we'll take a 20-minute break and then I will advise if the party is ready or not at that time.

CHIEF COMMISSIONER MARION BULLER: Sure. We'll take 20 minutes for now. Thank you.

--- Upon recessing at 3:05 p.m./L’audience est suspendue à 15h05
--- Upon resuming at 3:30 p.m./L’audience est reprise à 15h30

MS. SHELBY THOMAS: Next, Commission counsel would like to invite Ms. Beverly Jacobs, who will be speaking on behalf of Aboriginal Shelters of Ontario.

---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. BEVERLY JACOBS:

MS. BEVERLY JACOBS: (Speaking in Indigenous language).

Greetings of peace to all of you. I introduced myself and my language. My real name, my Mohawk Bear Clan name is (Native name) and it means "She is Visiting".

So I'm a visitor here and recognize the
unceded lands and ancestors of the Algonquin peoples. I'd like to acknowledge the elders who have participated in this hearing and the families, and to honour the spirits of those women that we are representing, the missing and murdered Indigenous women and girls to honour their lives, their spirits.

And we have some photos that are showing of families. And we are only showing them here during these closing submissions. We are not presenting them as evidence because some families that did want to be honoured have not participated in this Inquiry for their own reasons. And leave that to them.

And I am honoured to represent the Aboriginal Shelters of Ontario here. And so the Aboriginal shelters of Ontario is a collaboration of 26-member organizations and 41 associate members. So they're on-reserve Indigenous shelters, rural and urban Indigenous shelters, non-Indigenous mainstream shelters.

The Aboriginal Shelters of Ontario is specifically mandated to provide coordination, training, research, and support to shelters and to provide family violence prevention and intervention services to Aboriginal families in the Province of Ontario.

And the Aboriginal Shelters of Ontario has had standing in all parts of this Inquiry. Their work is
all about maintaining healthy relationships and this is
done by recognizing the interconnectedness between
organizations as well as with an individual, their family,
their extended family, and the community, and the land to
which they belong.

They instill that healthiness with the
clients that they serve and to reiterate that they are
never alone and that there are always resources to support
them.

All Indigenous shelter workers understand
the importance of safety and they have had the expertise
in differentiating between each individual's service needs
and program needs.

And the shelter workers, they are the
frontline. They go above and beyond their mandated
positions to assist Indigenous women who have experienced
horrific violence. The shelter workers are resilient.
They have the skills and the knowledge to assist in
preventing violence against Indigenous women, but
sometimes they're not recognized as such. But they have
the vision to know what needs to be done.

And I know that if it weren't for the
shelters and the workers who assisted me at that moment in
time when my life was shattered and at risk of death from
a very violent man, so I wouldn't be here at this moment
to support and represent them.

So I want to introduce them. Sandra Montour, she's the president of the Aboriginal Shelters of Ontario. She did testify at the Part 2 hearings, the institutional hearings regarding government services on a panel, "The Shelters, Safe Houses, and Transition Housing in Calgary".

And we have and will be providing written submissions and we submitted our oral written summary. So all of that written evidence is there for you as a reference.

But what we want to have here today to present to you is a very powerful visual representation of our final submissions.

So I want to also introduce our drama therapy team. Sandra Montour is the president, as I said. She's also the executive director of Ganohkwasra which is the Family Assault Centre Support Services at Six Nations.

Jeanine George, she's the coordinator of the Aboriginal Shelters of Ontario. Alana MacDonald (phonetic), she's the shelter or the manager of the residential services at Ganohkwasra. Mary (phonetic) Anderson, she's the shelter supervisor of Ganohkwasra. And Amber Silversmith, she's actually the MMIWG counsellor, so she works with the families at Six Nations
at Ganohkwasra. And Cindy Lesage, she's a shelter coach at Ganohkwasra.

Okay. So we'll go from there. And if we could stop the photos so we can focus on the presentation next. Nia:wen. Thank you. Hi There. Okay. Like it was presented, this is going to be very, very unique. If you never experienced a drama, this comes from us from Susan Aaron, Psychodramatic Bodywork, which we practice frequently at Ganohkwasra Family Assault Support Services.

When there are issues, sometimes words cannot capture the things we want to say, so we do something different and we "put it on the floor" we call it. We put all our issues on the floor, we talk about it, and we step into certain roles. When we step into those roles, we truly embrace the energy of those roles.

So we have four different roles that we're going to present in front here. We also have a role that's going to be coming in and out of the room.

When we talk about roles, we also talk about energy and the power of energy. If you have never experienced it, you could have come across someone when they walk by you and you get the shivers, or you walk into a room and there's a certain energy in that room. So that's exactly what we're bringing forward.

So I'd like to just remind everybody that
this is our life. That we wake up every single day living this life. We work our daily life in this life. We go home and continue to think about it. We go to sleep thinking about it, and for most of us, we probably also dream about it. So what we're bringing forward is a big piece of us, so we hope we can get it across in a way that will resonate with people.

I would like to also mention that for some it is just going to be a brief 30 minutes of a glimpse into our lives. So considering we've lived it for generations, we wake up thinking about it, we walk the streets and we fear about it, for 30 minutes I ask everyone for your undivided attention and just understand that it is only 30 minutes of your life. That you may have feelings of discomfort, feelings of fear, whatever else may come up for you during these next 30 minutes.

To my brothers and sisters in the audience, and everyone else, just remind yourselves that it's only 30 minutes. We can stay grounded. We can keep our feet on the floor. We can remember to breathe when we're not really sure what's going on with our heartrate or something, because sometimes we just forget how to breathe. So if we can just remember that as well.

I'll also be queuing everyone to take a deep breath if I also feel that people are not breathing.
So I can sense that, so breathe.

So I'm going to ask my team to come forward and take your spots. As we start this drama, which we call it, we have four different roles here. One by one my team is going to be answering questions, very, very powerful questions.

So the first question I'm going to ask of my Indigenous Northern Remote Shelter, Sister Shelter as we call them, I'd like her to come forward and speak to the gaps that you're experiencing in saving the lives of Indigenous women in the North.

**FEMALE SPEAKER:** I am Northern Indigenous Remote Shelters. Residential school affects are alive and thriving in my community. We are remote, where everything is more expensive. We have a lack of housing. Absolutely no second stage housing for our residents to move into. So most of the time our women end up going home or they end up moving into overcrowded, unsafe homes.

Our homes are poorly built. They are basically plywood wrapped in plastic where mold breeds. Our youth have to fly out of our community to go to high school. They are taken from their community, their families, their home, everything they've known to attend high school in a mainstream urban setting. They are a target to be trafficked. They are being trafficked.
Many of our women can't go out alone at night. There are large corporations that fly in at different times on their shifts so they are nervous that they will go missing. They do go missing.

Family violence is rampant in our communities. We have lack of resources, lack of staff, poor housing. We have one shelter to cover 10 territories. That is one shelter with likely one staff to cover 10 territories. That is the land base of Prince Edward Island. One shelter. We need more staff, more resources and more supports in the North.

**MS. BEVERLY JACOBS:** If I can ask our Indigenous On Reserve Sister Shelters to step forward and share the gaps that you are experiencing in saving the lives of our Indigenous sisters.

**FEMALE SPEAKER:** I am Indigenous On Reserve Shelters. Our funding is mainly IMAC. We have one shelter that doesn't even receive IMAC funding. We can't provide pay equity. Our shelters are run by our chiefs and councils who also implement their policies and procedures. In some cases, our chiefs and councils take our funding and direct it to other departments under their direction.

We are single staffed. We can't afford to have two staff on shift. This is not only dangerous for
the staff but for the clients as well.

Many of us live and work in our own community. Our day doesn't end after 7 or 8 hours. We get calls at night. We get people that come to our doors seeking help or looking for a safe place.

Our shelters are not -- don't meet the needs of our clients. Many of them don't meet the building code. We don't receive funding for capital, which means that we can't keep our buildings up to code. If we were off reserve our buildings would be shut down.

**MS. BEVERLY JACOBS:** Indigenous Urban Sister Shelters, if you can share with us the gaps in services that you're experiencing saving lives.

**FEMALE SPEAKER:** I am Urban Indigenous Shelters. I am federal and provincial funded; however, our workers are only getting paid $17 an hour, yet our mainstream is still getting paid 24 -- over $25 an hour. Why is that? Why?

Yet our workers are single staffed. We don't have enough funding to bring in our own culture and our own traditional knowledge holders, but yet we can sit on a panel. They can call us the token Indians that they want us to come and sit on their panel and say yes, we'll hear you. Yes, your culture is important to us, and it's important to your people to heal your people.
But yet our words are shunned. We are silenced there. And we cannot access land base to help our young ones learn about our teachings and our culture.

**MS. BEVERLY JACOBS:** And finally, our Mainstream Sister Shelters, if you can step forward and share your gaps in servicing Indigenous women.

**FEMALE SPEAKER:** I represent Mainstream Shelters. We are funded by the provincial government. Some of our shelters have pay equity, but unfortunately, some of us need to fundraise over $400,000 a year in order to have those salaries comparable.

With that being said, sometimes we are double staffed, but it takes a lot of work and a lot of effort, which also detracts from the time that we spend with our clients.

We do have resources. Some of our shelters have outreach services, maintenance workers, cooks, counsellors, but we get very nervous because we do not know how to deal with Indigenous people. We don't even know how to refer to Indigenous people. There's such a disconnect, we just don't know how to deal with your people. What is appropriate.

Sometimes, you know, we make appointments and your people don't show up. And if you do show up, a lot of times you don't follow through on anything. We
find it very difficult because some of the people we deal
with they feel -- I feel they're very quiet. Sometimes we
feel that they're reserved. They don't communicate well
and they appear very angry. We're not equipped to handle
Indigenous people.

We do offer some of our shelters second-
stage housing, but your families are so large. We don't
know how to accommodate large families. We don't know
what to do.

Sometimes people are asking for unusual
food. We've never even heard of it. We don't even know
where to get it. We don't even know what it is. So
there's such a disconnect between mainstream shelters and
Indigenous people.

Some of our shelters have harm reduction.
That means that we give out alcohol on our premises, but
then on the other hand we're told that we're not allowed
to give it out to Indigenous women. Why? We don't know
that we don't understand.

Our shelters are mandated for domestic
violence. That means a partner abuse in the home. A lot
of your people come to our shelters and they need help
with family violence. Our staff don't even know what that
is. We don't know how to help you.

**MS. BEVERLY JACOBS:** So with hearing all
this, I'm sure there's some heavy hearts because I feel it as well. So the next energy we're going to introduce into the room -- if you can go get her? This is called the energy of violence against Indigenous women. This is what energy feels like. This is what energy sounds like to the Indigenous women in this country. So I hope you can hear.  

**MS. SANDRA MONTOUR:** (Yelling.) So, who had the nerve to call me into this place? This is the National Inquiry against Murdered and Missing Indigenous Women. These are the Commissioners. I've heard a lot about what you've been doing. You've been trying to educate people so I don't come into their homes. How dare you do that? How dare each of you do that? I want to survive.  

I know all these families. I've been in their homes. I know each one of you. How dare you try to educate people so that they don't -- so that I don't come into their homes and their lives? I'm a force to be reckoned with.  

And what do we have here? What do we have here? We have the shelters. They are the ones who are actually mandated to stop me. So this is -- your primary mandate is to stop me. Okay. Let's see what we have.  

We have the Indigenous Northern Remote Shelters. Let's see if they can -- what they have. I see
that they have so much residential school syndrome in
their community. It's so easy for me to take their women.
With all the residential school and the abuse that happens
in their home. I'm in their home as children. I'm in
their home and I can take their thoughts of their men.
It's so easy because did you know who I'm born from? I'm
born from colonisation and oppression. I exist in every
system. I'm there. That's who my parents are. And I can
easily take those women from that community.

Their shelters are run-down. They have
mould in their shelters. They have one shelter the size
of Prince Edward Island land base. How are they supposed
to fight against me? I'm too powerful, way too powerful.
You're easy pickings. Your women go into -- are abused.
There's nowhere to go. They go into the cities, then they
get trafficked. So easy. It's so easy for me to take
those women.

And who do we have here? Indigenous on-
reserve shelters. My favourite. I see some of them have
chief and council. The money goes there to chief and
council. And I know a lot of those chiefs and councils
are mainly men who don't respect those shelters. And what
they do is they take that money away from your women, away
from their women, and they put them to roads, put them to
bridges. And they're single-staffed.
Oh, and some of them, some of them even
survive on food banks to feed their clients. Did you know
that? They're no fight for me. Easy-peasy. You're no
fight for me, Indigenous on-reserve shelters.
And Indigenous urban shelters. So
overcrowded. I see those women going to you and their
children going to the Indigenous urban shelters, trying to
seek help, trying to get help. Way over capacity. They
work with all kinds of women, all different colours. Many
women are trying to escape me. How dare they think they
can escape from me?
And they have -- for a 12-bed shelter they
have 18 families in there, and 1 staff. So easy. You're
no competition for me either, you mandated shelters, who
are -- this is your primary purpose is to fight me.
You're no competition.
And mainstream shelters. You have
resources. That's true, but you also don't know how to
connect with your -- many of your Indigenous clients. So
that leaves them on the street. That leaves them -- and
you also only let them stay for six weeks. They're there
for six weeks. Six weeks. I've had those women a
lifetime and they expect them to cure them in six weeks.
And they're way over capacity. They have -- again, they
have -- for a 24-bed shelter, they're taking in 30
families. Thirty (30) beds and they're putting them on cots. No -- they're no competition for me, none.

And neither are you. You're not no competition for me. I'm powerful. I'm very powerful. This system is just a joke. I'm sorry, but you're never going to get rid of me. As long as there is a system, as long as there is oppression and colonisation, I will survive.

**MS. BEVERLY JACOBS:** If I can remind everyone now to take a breath? So now we're going to take a few steps into the future. I'm not really sure how far into the future we are, but now we're in the future and the recommendations that have put forth have been heard. So I want to know now that the recommendations have been heard. How -- in the northern shelter, how have your programs changed hearing that you've been heard and all your requests have been met?

**MS. MAIRI ANDERSON:** All of our requests have been met. We are able to provide services and support our clients.

We will be able to provide cultural education and have cultural councillors to do land-based healing with our clients.

We will be able to have a cultural resource councillor and an education councillor to go out into the
community to provide the education around family violence.

We will have second-stage housing where our clients will be able to move into the longer-term housing and gain more education to heal themselves.

We will be able to have more funding so our staff will be able to have -- we'll be able to have double staff.

We will have more shelters in the north, so it's not just the one shelter.

We'll be able to provide good, quality healing for our clients.

**MS. BEVERLY JACOBS:** And our on-reserve sister shelters, can you please tell me how times have changed for you with these recommendations?

**MS. JENEAN GEORGE:** We now receive federal and provincial funding. This allows us to have a pay equity. We can now recruit and retain our staff. We have adequate housing. Our shelter is adequate. It meets the needs of our clients. We don't have to worry about not meeting building code. We now have second-stage housing. We are double-staffed. We have specialised staff. We have a community educator. We have a men's councillor. We have a traditional knowledge holder. And we have a child welfare worker right in our shelter. We have a cook. We have maintenance people. We're self-sufficient.
MS. BEVERLY JACOBS: Good for you.

Indigenous off-reserve sisters, how has your lives changed?

MS. AMBER SILVERSMITH: We've been able to increase wages, which has been -- it's been a huge movement for our shelter, because now our supervisors and managers don't have to fill those shifts and go beyond their role either. So now they can write proposals and they can -- they have more time on their hands to actually go and do the educating roles that they are supposed to be in. And now we're double-staffed. We are able to incorporate more cultural teachings. We were able to buy some land base where we can do our traditional lodges and we can do our traditional ceremonies for our residents. And now -- now we can -- we've even incorporated a women’s medical centre into our shelter so now they can have their families there, they can go and get checked out and all their needs can be met right there within our shelter, and they feel safe.

And we have a cultural worker that works with them now, so they don't have to be going to someone that maybe they don't feel completely safe with, that now they do. They have that extra support behind them. And we have an Indigenous Partners Assault Response Program for them and for -- not just them either but their abusers
to come and get educated and heal.

**MS. BEVERLY JACOBS:** Thank you. Mainstream, and have times changed for you as well.

**MS. CINDY LESAGE:** Well, with the recommendations and the funding that we needed, now that it’s the future, yes, things have definitely changed. We are no longer having to fundraise $400,000 or more each year. Instead we can use that focus onto the needs of our clients, that’s why we’re into this field, that is what it’s all about is those clients.

We now have implemented Indigenous shelter practices in our mainstream shelters as well. We have incorporated Indigenous cultural sensitivity training, and we’ve also been able to afford a cultural resource counsellor which is able to connect Indigenous people with mainstream society, and we have that connection that we so desperately need to continue the healing journey for all people.

**MS. BEVERLY JACOBS:** Thank you. So the future sounds great but I’m still interested to hear or see what the energy of violence against Indigenous women are up to lately. So we’re going to see what this energy’s been doing and what they have to say.

**MS. SANDRA MONTOUR:** So I’m being called
back again. I’m being called back again. You didn’t have

enough of me the first time. So I have to look at my

competition again, these people who dedicate their lives
to try to eliminate me from their communities and their
territories.

Indigenous remote shelters, what did you
do? What did you do? What did you do? I see that you’re
doing land-based healing with your families. I see your
buildings are upgraded. You’re not living in mould
anymore; your families are coming into your shelter. What
did you do? Your men are healing. Your families are
healing. Your expertise is land-based healing.

And you, on-reserve shelters, what did you
do? Your Chief and council are standing behind you 100
percent. You’re double staffed. You’re healing your
families and your communities. You’re teaching them. You
have a community educator out into your territories and
your community teaching them about what family violence
is. I can’t -- I can’t get close to you. Do you know
what you’re done?

And what about you, Urban Indigenous

shelters? You’re expanded. You’ve developed protocols

with your police. You have an indigenous cultural

resource person that’s going out and educating your

community partners. You’re double staffed. I can’t get
close to you. You’re doing way too better -- too much
good work.

And what about you, mainstream shelters?
You have a cultural -- Indigenous cultural resource worker
that’s educated your staff. You’re taking cultural
sensitivity training, educating your staff. You’re
smudging in your shelters. You’re leading the way.

What did you’s do? I can’t get close to
you. I can’t take your people. I can’t take your women
anymore.

**MS. BEVERLY JACOBS:** Well, that’s good to
hear because I think it’s time we interrupt because I’m
kind of, frankly, sick and tired of hearing from you. I’m
not sure about the audience. I’m pretty sick of her.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. BEVERLY JACOBS:** So if my sister
shelters could join hands and take a step forward, you
have one final thing you can say to this energy of
violence against Indigenous women. Step forward together
to the mic.

**MS. MAIRI ANDERSON:** (Native words).

Enough! You’ve had your time. Enough is enough. (Native
words).

(APPLAUSE/APPLAUDISSEMENTS)

**MS. JENEAN GEORGE:** You’re now longer
welcome in our territories or in our families.

MS. AMBER SILVERSMITH: (Speaking in Native language). Your time here is done. What you have come here to do to our women is done. (Native words). Leave!

MS. CINDY LESAGE: Enough is enough. Not one more woman. Not one.

(APPLAUSE/APPLAUDISSEMENTS)

MS. SANDRA MONTOUR: My only hope to survive is if you don’t listen to them. Don’t listen to them so I can survive.

MS. BEVERLY JACOBS: Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

MS. BEVERLY JACOBS: The first thing I would like to offer is for Sandy to be able to de-role, shed that ugly skin.

MS. SANDY MONTOUR: (Speaking in Native language). My name is Sandy Montour. I’m Mohawk from six Nations, the Grand River territory.

I am not violence against women energy. I grew up in that energy. I know that energy as a child, and I am not that energy.

(APPLAUSE/APPLAUDISSEMENTS)

MS. MAIRI ANDERSON: My name is Mairi Anderson, and I am not northern Indigenous remote shelters; however, I support the remote northern Indigenous shelters.
I’d like to especially thank Dorothy MacKay from a northern shelter, who has befriend me and I’ve gone to visit her shelters. She struggled up a lot up north; there’s a lot of struggle that she has to deal with.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. JENEAN GEORGE:** I am not on-reserve Indigenous shelters. My name is Jenean George (Native words). I’m from Oneida Nation of the Thames, and I continue to support all our shelters.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. AMBER SILVERSMITH:** I am not urban Indigenous shelters. (Speaking in Native language). Amber Silversmith is my English name. I am from Six Nations and I support our murdered and missing, in Six Nations and the surrounding territories.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. CINDY LESAGE:** And I am not mainstream shelters. I am Cindy Lesage and I’m a shelter counsellor, and I work on Six Nations Reserve, and I’m passionate about helping all people flee domestic violence and family violence.

Thank you.

(APPLAUSE/APPLAUDISSEMENTS)

**MS. BEVERLY JACOBS:** Welcome back, ladies.

I would just like to introduce Sandra Montour for some final words.
MS. SANDRA MONTOUR: I want to thank you all for sitting through that drama, and thank my team here. There’s many shelters listening and I just want my sister shelters to know we heard you, and we did our best up here.

We’re very honoured to be able to talk to you on their behalf, on our behalf. What we’re going to be doing now is I’m going to introduce a video that we’re going to play and I’m going to, again, leave it for you for our children to show all of us how to get along.

And I want you to notice something about this video. I want you to notice the innocence of these kids as they share the relationship they have with each other and the respect they have for each other. And I’m just going to turn it over to the video now.

(VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

MS. SANDRA MONTOUR: So I want to just acknowledge the Haudenohso:ni children at Six Nations for their video and again, from the mouth of babes, they know how to respect the rules of male and female when we're children and it's that innocence that we, within our shelters, are trying to support our women and our children and our men to get back to.

So I also wanted to make sure I acknowledge Bev Jacobs and Abby Carpenter. They have really helped us
and been an excellent legal team.

    And again, I just want to ask Martine if they would come forward again. Come on forward again, ladies.

    It took a lot of courage to do what we did today. We wanted to put it on the floor. That's what we do at Ganohkwasra. We don't just talk about it, we put it on the floor. And that's -- and I think that we're able to do what we had to do today. So now, go on ladies. Can I have a big round of applause for this team?

    (APPLAUSE/APPLAUDISSEMENTS)

    MS. SANDRA MONTOUR: Nia:wen, everybody.

    MS. SHELBY THOMAS: Thank you. Ms. Jacobs, I just have a few follow-up questions with respect to things we saw today. So I'll just wait til you're done hugging everyone.

    Ms. Montour, I can ask you. I'm standing over here, actually, where I'm first sitting. Aboriginal Shelters Ontario provided a summary. I'm just wondering if you would like that to be an exhibit today?

    MS. SANDRA MONTOUR: Yes.

    MS. SHELBY THOMAS: As well as the video?

    MS. SANDRA MONTOUR: This last video, yes.

    MS. SHELBY THOMAS: Yes, and not the photos, right?
MS. SANDRA MONTOUR: Not the photos, please.

MS. SHELBY THOMAS: Okay.

CHIEF COMMISSIONER MARION BULLER: Okay.

The summary will be Exhibit 18; the video will be Exhibit 19. Thank you.

--- EXHIBIT NO./PIÈCE NO. 18:

Bilingual executive summary (13 pages)
Submitted by: Sandra Montour, Representative for Aboriginal Shelters of Ontario

--- EXHIBIT NO./PIÈCE NO. 19:

Video presentation by Aboriginal Shelters of Ontario, .MP4 file format, 206 MB (3 minutes 37 seconds)
Submitted by: Sandra Montour, Representative for Aboriginal Shelters of Ontario

MS. SHELBY THOMAS: Chief Commissioner and Commissioners, do you have any questions?
COMMISSIONER QAJAQ ROBINSON: I don't have any questions, but I want to express my gratitude to all of you for the teaching today.

I want to thank you, Ms. Montour, for today, but also the testimony in Calgary. You taught me -- you provided a teaching or shared with us how Indigenous shelter workers have to figure out how to do everything with 50 cents.

MS. SANDRA MONTOUR: Yes.

COMMISSIONER QAJAQ ROBINSON: And that stuck with me. And we've had our challenges and we've had to do a lot with our 50 cents, with the time, really. And every time I've been frustrated, every time I've felt challenged to a point where it felt like failure was the objective, I've remembered your words to do what you can with you've got all the time and to use every minute.

And I wanted to share what your teaching meant to me in this moment in this time because it's touched me in how I've done my work. And I want to thank you for that teaching and also for teaching us the realities, the unacceptable realities that you, as frontline workers, as the warriors, are -- and the healers, are facing. So thank you. Nia:wen.

MS. SANDRA MONTOUR: Nia:wen.
COMMISSIONER BRIAN EYOLFSON: I'd like to also thank you very much, Ms. Montour, for this presentation, performance this afternoon. It's a very powerful way of reminding us of highlighting a lot of the truths that we heard about, the challenges that shelters face in providing services to Indigenous women and girls and even some of the evidence that you gave when you came and shared your truths. So I want to thank you for that, as well as being here today. And I want to acknowledge and thank your counsel, Bev Jacobs, and your whole team for doing this for us today. Chi-miigwetch.

MS. SANDRA MONTOUR: Thank you.

CHIEF COMMISSIONER MARION BULLER: I too want to thank all of you, Ms. Jacobs, Ms. Montour, Ms. George, Ms. MacDonald, Ms. Anderson, Ms. Silversmith, Ms. Lesage. Thank you all very much for a very moving presentation, very thoughtful of course, and very visual, that we're going to take with us to the table when we're writing.

So I want to thank you all very much. It was brilliant. Thank you.

MS. SANDRA MONTOUR: Nia:wen. That was what we were hoping for to hear from you, so yeah.

MS. SHELBY THOMAS: Thank you. Chief Commissioner and Commissioners, that's the last party for
the day, so I ask that we adjourn until 8:30 tomorrow, but there will still be the closing ceremonies right after this.

**CHIEF COMMISSIONER MARION BULLER:** We'll adjourn the submissions portion of our work today to tomorrow at 8:30 and of course, we have our closing. Thank you.

**M. CHRISTIAN ROCK:** Donc merci à tous pour cette journée. On va maintenant procéder avec la fin... les procédures de fermeture de la journée.

Je vais inviter Madame Bernie Williams à se joindre à moi pour remettre les bâtons d’engagement.

Thank you to everyone for this day of work.

I will now proceed with the ceremony of closure and I ask kindly Bernie Williams to join me and to proceed with the commitment sticks.

Mrs. Williams.

**GRANDMOTHER BERNIE WILLIAMS:** I just want to say howa again. Say, Bev, before you leave, can you guys wait? We'd just like to invite the Commissioners up again. I just want to say Nia:wen again. The commitment sticks, I will read again, was designed by Elder Fred Johnson from the Alkali Lake Reserve back in 2015. The commitment sticks, as they are called right now, or will always be called, and it reads:
"The commitment stick serves as your personal commitment to live violence free and as a reminder of the values of the lives of our Indigenous women and girls." (As read)

So we'd like to ask the Commissioners to please come up. The Commissioners would like to acknowledge and to honour the Government of Canada, which is Kate Forget, if she's here, and her party. Ontario. Sorry. I think I need new glasses.

Julian, that includes you.

And the Commissioners would also like to acknowledge and to recognize the Ontario Native Women's Association. I believe it's Cora Lee on behalf of Dawn Harvard. If she's here with her party.

And the Commissioners would also like to acknowledge and to honour the Independent First Nations, Sarah Beamish and party, if she's here.

And the Commissioners would also like to acknowledge and to honour the Advocate for Children and Youth in Saskatchewan is Corey O'Soup, if she's [sic] here, and party.

I don't know how to say this in French. All I know it says Diane Matte, if she is here. Sorry. How do you say it?
MS. DIANE MATTE: My name or the?

GRANDMOTHER BERNIE WILLIAMS: No, no.

MS. DIANE MATTE: Oh. Concertation des Luttes Contre L'Exploitation Sexuelle.

(LAUGHTER/RIRES)

GRANDMOTHER BERNIE WILLIAMS: It's pretty hard.

MS. DIANE MATTE: Try to repeat it.

GRANDMOTHER BERNIE WILLIAMS: But what does that mean?

MS. DIANE MATTE: It's the Coalition Against Sexual Exploitation.

GRANDMOTHER BERNIE WILLIAMS: Okay. The Coalition Against Sexual Exploitation. I can't say it in French.

And the Commissioners would like to acknowledge and to honour is the Eastern Door Indigenous Women's Association and party. Natalie D. Clifford and Michelle.

(APPLAUSE/APPLAUDISSEMENTS)

GRANDMOTHER BERNIE WILLIAMS: Cheryl Maloney too please come up.

And the last but not least, the Aboriginal Shelters of Canada, Beverly Jacobs and her party here. Nia:wen again for your ---
(APPLAUSE/APPLAUDISSEMENTS)

GRANDMOTHER BERNIE WILLIAMS: And while Beverly and them are coming up here, I want to say that -- is Bev Jacobs and I have a huge, long history. And she was one of the very first women when she was at the Native Women's Association of Canada as the President who stood with us to go into the field that -- of Robert "Willie" Pickton. And one of the hardest things I think we ever had to do. And -- but her work on the frontlines with us, with Walk for Justice.

And I just really honour and I just -- I'm so proud to have you as my friend and to walk with us. Nia:wen. And just put your hands together. She is an amazing warrior woman. Nia:wen.

(APPLAUSE/APPLAUDISSEMENTS)

GRANDMOTHER BERNIE WILLIAMS: And after we present these commitment sticks, we family members would also like to -- is drum in to do the woman's warrior song. We're going to do the woman's warrior song for you women here, and men. And Michelle Audette sends her love to all of you too.

We'd like to do the woman's warrior song for all you warrior women and men, and to the legal team too. And I'm sure Bev has sang this thousands of times with us, so we're on the other side of you now. We want
to honour you with this song, and all of you women here.

Nia:wen.

(SINGING AND DRUMMING/CHANT ET PERCUSSIONS)

**MR. CHRISTIAN ROCK:** Merci pour la chanson.

Thank you to everyone for this song. We will now be
listening to a final song with drummers coming from Eagle
River.

On va maintenant écouter la chanson de
fermeture du groupe des joueurs de tambours de Eagle
River. Messieurs.

(CLOSING SONG AND DRUMS/CHANT DE CLÔTURE ET TAMBOURS)

**MR. CHRISTIAN ROCK:** Merci, messieurs, pour
votre performance. C'était exceptionnel.

Thank you to the group. It was powerful.

Thank you very, very much.

We will now proceed with the extinguishing
of the qulliq, but before that we will have a song. So I
will invite Louis to join us for the song.

I'm sorry, just before we'll start the song
I would like to invite Vincent, Reta and our Elder Elaine
to join us for the final prayers -- closing prayers.

Je voudrais demander à nos aînés, Vincent,
Reta et Elaine de nous rejoindre pour la prière de
fermeture.

(CLOSING PRAYER/PRIÈRE DE CLÔTURE)
MS. RETA GORDON: Creator, we thank you for this day and for these four days that we have met here. We gathered here to listen to many speakers and presenters on the plight and the problems of our Indigenous peoples of the First Nation, the Métis Nation and the Inuit Nation. Much time was put in to listen, learn from and put into place ways and means to alleviate the horrific life problems our people suffer daily. In order to go further, it isn't only studies needed, but human rights must be adhered to all.

The needs of our Indigenous communities are well-known by the people living in those communities and all across Canada as well as the elected members of the provincial and the federal governments. What was discussed here must not end here, but must go on until all the plight of Canada's First Peoples is alleviated.

Much is owed to the Commissioners and their helpers of the National Inquiry into Missing and Murdered Indigenous Women and Girls, who took time away from your family and loved ones to travel coast to coast to listen to and gather the heart-breaking stories of the families who have lost their precious grandmothers, mothers, daughters, sisters, nieces, cousins, and friends, may the Creator confer a special blessing and give you strength.

To the families and to the Commissioners,
we offer a heartfelt thank you to the organizers of these meetings. Thank you all for how well we Elders, and everyone, have been treated. Our needs were met. We were respected and welcomed by all the workers and the volunteers.

To the drummers and the qulliq fire keeper, you started us off in a good way, and for that, we thank you. Megwiich. (Native words). Thank you to you two groups.

And may the Creator confer a special blessing on all standing in this circle. Thank you. God bless.

**ELDER ELAINE KICKNOSWAY:** Megwiich for today. Boozhoo (speaking in Native language).

I give thanks for the day. I give thanks for the fire. I give thanks for the water and the water carriers and the keepers.

I give thanks for just the listening throughout the day and across where the voices and the continuum of the songs and the dance and the spirit continue.

I give thanks for the holding of the different ceremonies. I give thanks for those special, what they call spirits songs, singing their songs to know that they are in our songs, they are in our ceremony.
We have to acknowledge interrelated with the missing and murdered families, survivors, kin, loved ones, and that relationship of how we carry it, so that we carry ourselves in that blessed way and that gracefulness way, so that we can come back and begin again.

So I give thanks for today. Megwiich.

ELDER VINCENT KICKNOSWAY: (Speaking in Native language). Creator, maker of life, we acknowledge as this day has come forth to us and now the daylight will go beyond our western doorway, we acknowledge and give thanks to all; to the Commissioners, to all those presenters, so that we may have been able to utilize the abilities that you, the Creator, has made possible for us to honour and respect, which is our voices.

And to our listening, our ears, that we may be able to continue to listen to all peoples who have heard or seen this televised gathering; may they become aware of the initial intent and purpose of this gathering.

We acknowledge and give thanks to the Anishinaabek, Algonquin First Nations peoples and to this territory that we are on. (Speaking in Native language) Megwiich.

We acknowledge and give thanks to all of life’s creations and to those of our own personal abilities. To all their families that are afar from us
within those four directions, we are honoured and we say thank you.

And to those four directions we give thanks and say (speaking in Native language). Boozhoo. Megwiich.

**M. CHRISTIAN ROCK:** Merci à nos aînés de nous avoir présenté vos prières.

Thank you to our Elders. Thank you very much for being there.

We will now proceed with a song led by Eelee and then we will proceed after with the prayer and the extinction of the qulliq.

On va maintenant procéder avec une chanson qui va être dirigée par Eelee Higgins. Ensuite on va procéder avec la prière et puis l’extinction du qulliq pour la journée.

**ELDER EELEE HIGGINS:** At the last minute I decided to plan this little sing-along. The words that we heard today it will be in our hearts. We will be singing, “This Little Light of Mine, Let it Shine” in Inuktitut.

We will sing it twice so that the words that we heard today will remain alive in our hearts.

Also, thank every one of you for attending this.

One, two, three.
(SONG/CHANT)

(CLOSING PRAYER/PRIÈRE DE CLÔTURE)

ELDER EELEE HIGGINS: This morning it didn’t want to lit. Now it doesn’t want to extinguish.

(LAUGHTER/RIRES)

(EXTINGUISHING OF THE QULLIQ/EXTINCTION DU QULLIQ)


Seulement des petites notes pour demain matin. Donc, il y a une cérémonie de la pipe qui commence à 7h00 dans la salle Québec et vous êtes conviés à revenir pour la session qui commence demain à 8h30.

Thank you for attending today’s session. We will start again tomorrow morning at half past 8:00, and you may join us in the Quebec room for 7 o’clock for the pipe ceremony.

Thank you very much.

--- Upon adjourning at 4:47 p.m./L’audience est ajournée à 16h47
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 13, 2018