

**IN THE MATTER OF: APPLICATION FOR FUNDING FOR THE ASSOCIATION
OF NATIVE CHILD AND FAMILY SERVICES AGENCIES
OF ONTARIO, A PARTY WITH STANDING, TO
PARTICIPATE IN THE NATIONAL INQUIRY INTO
MISSING AND MURDERED INDIGENOUS WOMEN AND
GIRLS**

AFFIDAVIT OF THERESA STEVENS
Affirmed the 31 day of July 2018

HENSEL BARRISTERS PROFESSIONAL CORPORATION
832 College Street, Suite 400
Toronto, ON
M6G 1C8

KATHERINE HENSEL
Counsel to the Association of Native Child and Family Services Agencies of Ontario

Telephone: (416) 966 – 0404
Fax: (416) 966 – 2999

**IN THE MATTER OF: APPLICATION FOR FUNDING FOR THE ASSOCIATION
OF NATIVE CHILD AND FAMILY SERVICES AGENCIES
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AFFIDAVIT OF THERESA STEVENS

Affirmed the 31 day of July 2018

I, Theresa Stevens, Executive Director of the Association of Native Child and Family Services Agencies of Ontario ("ANCFSAO"), of the City of Toronto, in the Province of Ontario, AFFIRM THAT:

1. I am the Executive Director of ANCFSAO, and as such have personal knowledge of the facts and matters hereinafter deposed to by me save and except where same are stated to be based upon information and belief, in which case I verily believe them to be true.

ANCFSAO Background

2. The ANCFSAO is a community-based Indigenous organization that was incorporated in 1994 and mandated to build a better life for all Indigenous children through policy development, analyses, research and advocacy in promoting the delivery of culturally-based quality family services to Indigenous populations in Ontario.
3. The ANCFSAO is a membership-based organization whose twelve members include nine mandated Indigenous child welfare agencies and three pre-mandated child welfare agencies. The ANCFSAO acts as a resource in assisting its member agencies and the communities which they serve toward the provision of quality Native child welfare and

related services to Aboriginal peoples through education and training, policy development and analyses, research and advocacy.

ANCFSAO Direct and Substantial Interest in the National Inquiry

4. ANCFSAO has a direct and substantial interest in the conduct and outcome of the proceedings of the National Inquiry into Missing and Murdered Indigenous Women and Girls (“National Inquiry” or “Inquiry”) and represents distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners’ mandate. ANCFSAO’s members’:
 - a. will be involved and affected by many of the foreseen recommendations arising from the report at the conclusion of the National Inquiry; and
 - b. are directly involved in preventing and addressing what ANCFSAO views as risk factors for violence against Indigenous women and girls, including, but not limited to, child welfare involvement and practices.
5. ANCFSAO, as an organization that works with Indigenous child welfare agencies that assist and support families as they strive to overcome challenges that may inhibit their abilities to care for their children, has a keen understanding of the various unique vulnerabilities and challenges faced by Indigenous women and girls. For this reason, ANCFSAO would be able to provide important and relevant insight at the National Inquiry.
6. The historic inequality and injustice that continues to be experienced by Indigenous communities as a result of colonization has resulted in intergenerational effects that continue to impact families. These effects are often experienced by Indigenous women in the form of increased risk of becoming victims of acts of violence.¹

¹ Native Women’s Association of Canada (NWAC). (2010). What their stories tell us: Research findings from the Sisters in Spirit initiative. Ottawa, ON: Author. Retrieved from <https://www.nwac.ca/wp-content/uploads/2015/07/2010-What-Their-Stories-Tell-Us-Research-Findings-SIS-Initiative.pdf>

7. Approximately 17% of the documented missing and/or murdered Indigenous women and girls are 19 years old and under.² Further, for Indigenous women over the age of 19, there is a definite link between trauma caused by involvement with the child welfare system and an increase in risk factors associated with missing and murdered Indigenous women.³ This means that there is a significant overlapping concern between the National Inquiry and the child welfare sector. The ANCFSAO would be able to assist the National Inquiry because of its engagement with Indigenous women and girls who, through their involvement in the child welfare system, experience an increase in such risk factors.
8. Indigenous people have distinct and rich linguistic and cultural heritages. It is important for Indigenous children to be exposed to and to learn about their culture and heritage. The best way for children to learn about their Indigenous culture and heritage is through participation in community and family life. Child welfare practices which have resulted in the systemic apprehension and placement of Indigenous children in non-Indigenous foster care have caused critical harm to this participation, resulting in significant loss of tradition and culture.
9. The theme of the loss of culture, tradition, community and family life is evidenced through the interviews with the families and community members of missing and murdered Indigenous women and girls.⁴ This loss of culture and tradition often directly relates to experiences of being removed from their families and placed in the care of non-Indigenous families.⁵ This loss of culture can harm Indigenous children's sense of identity, belonging, and self-worth, which can in turn lead to increased vulnerability, to exploitation, and violence.⁶

² *Supra* note 1.

³ *Ibid.*

⁴ Amnesty International. (2008). *Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada*. *Canadian Woman Studies*, 26(3-4), Indigenous Women in Canada: the Voice of First Nations, Inuit, and Métis Women, Winter/Spring, 105 – 121.

⁵ *Ibid.*

⁶ *Ibid.*

10. ANCFSAO can provide knowledge and perspective on account of its expertise and experience working with Indigenous women and girls who have been involved in the child welfare system. The information and perspective that ANCFSAO can bring to the National Inquiry proceedings can help to inform a comprehensive process to provide healing to the families of victims and prevent future occurrences.

ANCFSAO Granted Standing in the National Inquiry

11. On May 11, 2017, ANCFSAO applied for Standing in the National Inquiry. A copy of ANCFSAO's application is attached to my affidavit and marked as Exhibit "A".
12. On May 15, 2017, ANCFSAO sent a written statement in support of its application to the National Inquiry's head office. A copy of this Application Statement is attached to my affidavit and marked as Exhibit "B".
13. On July 14, 2017, ANCFSAO received a letter via email from then-Lead Commission Counsel, Susan M. Vella, indicating that ANCFSAO had been granted standing with full participatory rights in Parts I, II, and III, for the Region of Ontario, on the specific issue of child welfare. The July 14, 2017 letter also stated that "the Commissioners will recommend that funding be granted" and that "a formal Decision with Reasons will follow..." A copy of Ms. Vella's letter, dated July 14, 2017, is attached to my affidavit and marked as Exhibit "C".

ANCFSAO's Need for Funding

14. In ANCFSAO's statement of application, it indicated that ANCFSAO was seeking funding from the National Inquiry so that the organization would be able to fully participate in the Inquiry.
15. ANCFSAO disclosed that it operates on a limited budget and has constrained financial resources. ANCFSAO's budget information was disclosed in Exhibit A attached to my

Affidavit for Funding affirmed on May 15, 2017. A copy of the Affidavit for Funding is attached to this affidavit and marked as Exhibit "D".

16. ANCFSAO and its member agencies are significantly underfunded in relation to mainstream child welfare agencies, and the funding that ANCFSAO currently receives is earmarked for specific programs and staff positions, and cannot be used for legal fees and travel expenses to participate in the National Inquiry.
17. ANCFSAO indicated that it would require funding from the Inquiry in order for the organization to be able to fully participate in the National Inquiry and to fund legal counsel. ANCFSAO further indicated that the requested funding would be used for:
 - c. preparation for attendance at evidentiary hearings;
 - d. consultation with ANCFSAO agencies;
 - e. preparation of submissions to the National Inquiry; and
 - f. travel costs and disbursements arising from the work contemplated above.
18. ANCFSAO was hopeful that it would receive funding so that it could meaningfully participate in the National Inquiry and that its member agencies would be able to contribute to and benefit from the valuable work being undertaken at the Inquiry.

Funding Deferral and Request for Information

19. The ANCFSAO received the official Ruling on Standing and Funding dated August 17, 2017. It was signed by Chief Commissioner Marion Buller. The Ruling listed all the parties granted standing and funding in the National Inquiry in attached Schedule A. The Ruling also indicated that there were 51 applicants who applied for funding to take part in the National Inquiry. It stated that, of these 51 applications, 50 were granted and a decision on one was deferred. ANCFSAO is the sole organization for which funding was deferred.

20. The Ruling on Standing and Funding provided a general explanation for funding, describing how the Privy Council Office must validate the recommendations that the Commission makes for funding. A copy of the Ruling on Standing and Funding is attached to my affidavit and marked as Exhibit "E".
21. Aside from the general explanation provided in the Ruling on Standing and Funding, ANCFSAO received no further information regarding the deferment of funding for the organization at the National Inquiry. The Commissioners provided no explanation or reason for the deferment of ANCFSAO's funding. Additionally, there was no explanation given for why ANCFSAO was the sole applicant, out of 51 parties, to have funding deferred.
22. On October 18, 2017, through ANCFSAO's counsel, a letter was sent to Commission Counsel. This letter detailed how, although ANCFSAO never received a decision regarding funding, it was understood that the application had been deferred. The letter went on to request clarification from the Commissioners on what it means for the funding application to have been deferred. Additionally, the letter asked if there was any further documentation or information that ANCFSAO would be able to provide that would assist in facilitating a timely final decision regarding the funding application. A copy of this letter is attached to my affidavit and marked as Exhibit "F".
23. The Commission provided no response to this letter and no clarification as to what it meant for the application to have been deferred.
24. ANCFSAO made additional efforts to obtain a decision on its application for funding, including a telephone conversation between counsel for ANCFSAO and Ms. Christa Big Canoe, Commission Counsel for the Inquiry, which took place on October 26, 2017; an email sent by counsel for ANCFSAO on November 12, 2017 (attached to my affidavit and marked as Exhibit "G"); and an email exchange between counsel for ANCFSAO and Ms. Big Canoe dated November 28, 2017 (attached to my affidavit and marked as Exhibit "H").

25. On January 3, 2018, ANCFSAO's counsel sent another letter to Commission Counsel. This letter outlined previous correspondence and attempts to receive answers regarding the deferment of funding for ANCFSAO. The letter requested assistance in trying to ensure the ability of ANCFSAO to exercise the rights it has been granted to participate in the National Inquiry. A copy of this letter is attached to my affidavit and marked as Exhibit "I".
26. Counsel for ANCFSAO made further attempts to secure funding for the organization and to ascertain the reasons for the deferment of funding. However, these attempts did not produce adequate answers and ANCFSAO still does not have funding to be able to engage meaningfully in the National Inquiry. Further emails are attached to my affidavit and marked as Exhibit "J".

ANCFSAO's Involvement in the National Inquiry

27. Counsel for ANCFSAO believed that the deferment of the funding decision meant that ANCFSAO may still receive a Contribution Agreement. Wanting to ensure that ANCFSAO would be prepared to participate meaningfully in the National Inquiry if and when a Contribution Agreement was granted, counsel for ANCFSAO has conducted many hours of work in preparation for representing ANCFSAO at the National Inquiry. Counsel for ANCFSAO has not received any payment for this work to date, and has been unable to prepare as fully as ANCFSAO would have liked because of the uncertainty about funding.
28. ANCFSAO has not been able to meaningfully participate in the National Inquiry to date as a direct result of the deferment of its funding application. Due to lack of available funds, ANCFSAO has not been able to fund counsel to appear on its behalf at all of the hearings taking place for Parts II and III of the National Inquiry.
29. ANCFSAO has only been able to appear at the most recent Knowledge Keeper and Expert Hearings on Racism, held June 11-13, 2018, and the Institutional Hearings on

Police Policies and Practices, held June 25-29, 2018 in Regina. ANCFSAO was only able to participate at the Toronto hearing because ANCFSAO and the organization's counsel are located in Toronto, and counsel could therefore appear without incurring considerable expenses. ANCFSAO was able to participate at the Regina hearing because its counsel also acts for another party, which agreed to pay for the full travel costs up front for that hearing. In both cases, counsel has not been paid for the hearing time spent representing ANCFSAO.

30. ANCFSAO's adequate and meaningful participation in the National Inquiry has already been significantly undermined by the lack of funding to date. ANCFSAO can still make a meaningful contribution at the additional hearings scheduled as a result of the mandate extension of the National Inquiry, and through written submissions. However, it is critical that ANCFSAO receive funding immediately to facilitate this.

31. Without funding that will cover work that has been completed by ANCFSAO's counsel in preparation for the National Inquiry and hearings to date, and funding that will cover ANCFSAO's future involvement at the Inquiry, ANCFSAO will have been effectively prevented from adequately and meaningfully exercising its rights that have been granted in accordance with standing at the National Inquiry.

AFFIRMED BEFORE at the City)
 of Toronto, in the Province of)
 Ontario, this [21st] day of July)
 2018)

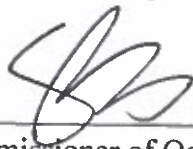



THERESA STEVENS

A [Commissioner for Oaths / Notary Public]
 in and for the
 Province of Ontario

LSO #70528B.

This is Exhibit 'A' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO #70528B



Application for Standing at the National Inquiry into Missing and Murdered Indigenous Women and Girls

Instructions for Individual or Single Organization/Entity

This is the application form to seek individual party standing at the National Inquiry into Missing and Murdered Indigenous Women and Girls. There is another form available for Applicants that have organized themselves into a single collective group or coalition to apply as one party or for the purpose of seeking single party status but have multiple individuals, groups or organizations represented under the single collective. If you are applying as a group, coalition or collective group please fill out the "Single Collective Group Form" available on-line at www.mmiwg-ffada.ca under "Legal Notices and Documents".

Please note that witnesses that are summoned or called to testify at the Inquiry do not require standing but may apply if they so wish to and if they meet the criteria set out in the National Inquiry's *Legal Path: Rules of Process and Respect* which will be available on-line and are replicated in the *Notice of Applications for Standing* at the National Inquiry into Missing and Murdered Indigenous Women and Girls at www.mmiwg-ffada.ca. All applicants must demonstrate that they:

- (a) Have an interest which is directly and substantially affected by the subject matter of the National Inquiry as set out in the Terms of Reference, companion Orders in Council and Administrative Decree.
- (b) Represent distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate that the Commissioners consider ought to be separately represented before the National Inquiry, in which event the party may participate in a manner to be determined by the Commissioners.

In addition to filling out this form, any additional written submissions accompanying the form shall not exceed five (5) typed double space pages on 8 ½ by 11" paper. Applicants can expand their answers to question in the form in the additional written submissions and are specifically asked to make:

- (a) a statement of how the applicant satisfies the criteria for standing set out in the Notice of Applications for Standing.

It is recommended that you address how your interest is directly and substantially affected by the subject matter of Part I of the National Inquiry and how you represent distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate in Part I of Canada's Terms of Reference.

It is also recommended that you outline and address your interests and knowledge if you are seeking Issue Specific Standing. It is necessary for you to provide further description of what issues you are seeking standing and how you can address the issue(s).

Applications must be submitted to the National Inquiry by delivering a copy either to our Head Office in Vancouver at the address set out below or by fax to the National Inquiry's Head Office at 1-604-775-5009 or by email at legal@mmiwg-ffada.ca to be received by no later than 5:00 PM PDT on April 18, 2017.

If you have any questions you may contact us at 1-604-775-9702.
National Inquiry into Missing and Murdered Indigenous Women and Girls,
Head Office, P.O. Box 500, Station A,
Vancouver, British Columbia V6C 2N3

Susan Vella, Lead Commission Counsel

Standing Application Form for Individual, or Single Organization/Entity

The Applicant(s) ASSOCIATION OF CHILD AND FAMILY SERVICE AGENCIES OF ONTARIO

Name(s) THERESA STEVENS, EXECUTIVE DIRECTOR.

Address: 30 COLLEGE STREET

Phone numbers: (416) 779.5250

TORONTO, ON

M5G 1K2.

Email: tsterens@ancfsao.ca

What is the best way to contact you?

☒ Phone

☒ email

☐ mail

The applicant is seeking Standing for:

☒ Part I- Family and Survivor Fact Gathering Hearings

☒ Part II- Institutional Fact Gathering Hearings

☒ Part III- Expert hearings

The applicant is seeking:

☐ Regional Standing

☒ National Standing

☒ Issue Specific Standing

If Standing is regional, in which region(s) are you seeking Standing?

☐

Alberta

☐

British Columbia

☐

Manitoba

☐

Newfoundland & Labrador

☐

New Brunswick

☐

Nova Scotia

☐

Northwest Territories

☐

Nunavut

☐

Ontario

☐

Prince Edward Island

☐

Quebec

☐

Saskatchewan

☐

Yukon

If you are seeking Standing in more than one region, but not National Standing Please explain why:

If Standing Application is for Issue Specific Standing, please explain which issue(s) are you seeking to address?

☒

child welfare

☐

constitutional issues death

☐

criminal justice system

☐

investigation processes

☐

education and education systems

☐

Health and health services

☐

impact of colonization

☐

media and social media

☐

policing

☐

Other issue(s)

If Other issues, what issues:

Please briefly describe the issue(s) for which you are seeking standing.

THERE ARE SHARED VULNERABILITIES OF VIOLENCE BETWEEN INDIGENOUS GIRLS AND WOMEN AND INDIGENOUS CHILDREN INVOLVED IN CHILD WELFARE. FURTHER, THE RISK FACTORS INVOLVED WITH RESPECT TO INDIGENOUS WOMEN AND GIRLS ARE SAME RISK FACTORS WITH RESPECT TO INVOLVEMENT WITH AND SERVICES TO INDIGENOUS CHILDREN IN CARE.

In addition to this form, please provide a written statement that explains how you satisfy the criteria for standing, including:

- (a) Your interest which is directly and substantially affected by the subject matter of Part I of the National Inquiry in which event the party may participate in accordance the Terms of Reference, companion Orders in Council and Administrative Decree.

And

- (b) how you represent distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate in Part I, which the Commissioners consider ought to be separately represented before the National Inquiry, in which event the party may participate in a manner to be determined by the Commissioners.

Please indicate whether or not you will also be submitting a Funding Application:

☒ Yes

☐ No

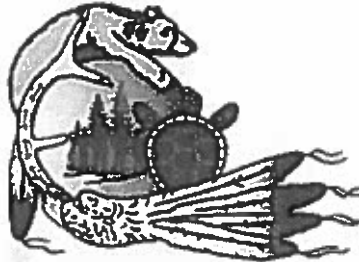
If you are submitting a funding application please be sure to submit both Application forms at the same time. You can find the Funding Application Form at www.mmiwg-ffada.ca

This is Exhibit 'B' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO #7052813



**Association of
Native Child and
Family Services
Agencies of Ontario**

Application for Standing at the National Inquiry into Missing and Murdered Indigenous Women and Girls

Submitted to:

**National Inquiry into Missing and Murdered Indigenous Women and Girls, Head Office,
P.O. Box 500, Station A,
Vancouver, British Columbia V6C 2N3
Susan Vella, Lead Commission Counsel**

Submitted by:

**Theresa Stevens, Executive Director
Association of Native Child and Family Service Agencies of Ontario 30 College Street
Toronto, ON M5G 1K2 Telephone: 416-779-5250
Email: tstevens@ancfsao.ca**

ANCFSAO: Description of Organization

The Association of Native Child and Family Service Agencies of Ontario (ANCFSAO) is a community-based Indigenous organization mandated to build a better life for all Indigenous children through policy development, analyses, research and advocacy in promoting the delivery of culturally-based quality family services to Indigenous populations in Ontario. ANCFSAO works with both Indigenous and non-Indigenous child welfare agencies and community partners to support best practices that reflect the needs of Indigenous children, youth, and families. Member organizations include seven mandated Indigenous child welfare agencies and three pre-mandated child welfare agencies.

Bases for Standing

ANCFSAO submits that it satisfies the test to receive standing at the Inquiry. Specifically, ANCFSAO has a direct and substantial interest in the conduct and outcome of the proceedings and represents distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate.

(1) Direct and Substantial Interest

ANCFSAO has a direct and substantial interest in the conduct and outcome of the proceedings, in that their members':

- conduct may come under scrutiny during the Inquiry hearings;
- will be involved and affected by many of the recommendations we foresee arising from the Inquiry report at its conclusion; and
- are directly involved in preventing and addressing what ANCFSAO views as risk factors for violence against Indigenous girls and women (including, but not limited to, child welfare involvement and practices).

ANCFSAO works with the Indigenous child welfare agencies that support families as they work to overcome challenges that may inhibit their abilities to care for their children. The focus of ANCFSAO's participation in the Inquiry will be to ensure the safety and wellbeing of Indigenous families. As a result of the historic inequity and injustice of Indigenous communities in Canada, it is important to note the vulnerabilities these women may have endured make them more likely to be victims of these acts of violence (NWAC, 2010). With 17% of documented missing and murdered Aboriginal women being 19 years old and under, there is an overlapping concern for the child welfare sector (NWAC, 2010).

Through participation in the Inquiry, ANCFSAO hopes to examine any indicators of risk of violence to better understand how to support Indigenous families and communities. The shared vulnerabilities of violence between Indigenous girls and women and Indigenous children involved in child welfare make their safety and wellbeing a priority of all parties.

(2) Distinct, Ascertainable Interests and Perspectives

ANCFSAO represents distinct, ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate. Indeed, ANCFSAO can assist the work of the Inquiry, as experts and as institutions, because of their engagement with the same risk factors in their involvement with and services to Indigenous child, youth, and families.

The historic colonization of Indigenous population in Canada has resulted in intergenerational effects that continue to impact families. Within child welfare, practices that sought the systemic apprehension and placement of Indigenous children in non-Indigenous foster care homes has resulted in a significant loss of tradition and culture that have yet to be repaired. These practices remain presently with the overrepresentation of First Nations children in the child welfare system (Trocmé, Knoke, & Blackstock, 2004). Through interviews with families

and community members of missing and murdered Indigenous women, a theme of loss of culture, community and family echoed (Amnesty International, 2008). This is in direct relation to their experiences of being removed from their families and placed in care of non-Indigenous families (Amnesty International, 2008). Although this loss of culture is not a direct cause for violence in their lives, it can lead to a lost sense of identity, belonging, and self-worth, which subsequently contributes to their increased vulnerability of exploitation by others (Amnesty International, 2008).

There are many ways in which the Inquiry can support the needs of Indigenous children and families within the child welfare system. Addressing the various obstacles and recognizing the impact of racism and oppression on this population will work toward creating an environment where families can thrive and live peacefully and safely. ANCFSAO provides a distinct, ascertainable interests and perspectives based on its expertise and experience of working with Indigenous women and girls in the child welfare system.

ANCFSAO is fully committed to participating in the Inquiry to the extent the Commissioners determine necessary and valuable to the process. We aim to express and address the concerns of Indigenous child welfare agencies in relation to the matter as there is a reoccurring theme of systemic racism. Through the Truth Finding Gathering, ANCFSAO is prepared to provide statements, both written and oral, for insight into how the overwhelming involvement of Indigenous children in the child welfare system is a contributing factor to the systemic violence against Indigenous girls and women. As a community-based organization, ANCFSAO will consult and share the perspectives of both designated and non-designated child welfare agencies in the province that may have more in-depth accounts of the issue at hand.

Collectively, this information will help to inform a comprehensive process which could provide healing to the families of the victims and prevent future occurrences.

It is apparent in both the evidence and personal accounts of the tragedies of missing and murdered Indigenous girls and women that the involvement of ANCFSAO would strengthen the scope of the National Inquiry. With the support of ANCFSAO, the Inquiry will achieve its objectives of understanding and honouring Missing and Murdered women and preventing future incidence.

Nature of Standing Sought: National, on Child Welfare Issues

ANCFSAO is applying as a single organization in the Inquiry. ANCFSAO is seeking a grant of National Standing to participate fully in Part I, Part II, and Part III, on issues of child welfare. In the alternative, ANCFSAO is seeking Regional Standing for the province of Ontario, for participation in Part I, Part II, and Part III, on issues of child welfare. Specifically, ANCFSAO is seeking a grant of standing to participate as a full party, with legal counsel, entitlement to confidential documents released to parties relating to the evidentiary hearings, the right to cross-examine witnesses, as well as make submissions. ANCFSAO will be examining the intersections of Indigenous child welfare in the Inquiry as an issue-specific standing application. Based on the composition of ANCFSAO and its expertise, ANCFSAO believes full participatory standing in Part I, Part II, and Part III of the Inquiry would be in the best interest of both ANCFSAO and the Inquiry.

Funding

ANCFSAO is seeking funding from the Inquiry to allow their organization to fully participate in the Inquiry. ANCFSAO operates on a limited budget and has constrained financial

resources (see Exhibit A, attached). Furthermore, the funding that ANCFSAO does currently receive is program specific; any funding that would be diverted from ANCFSAO's member agencies to funding their participation in the Inquiry would result in diminished services for Indigenous children and families. Services for Indigenous children and families are already underfunded. ANCFSAO cannot sacrifice providing adequate services to Indigenous children and families to participate in an inquiry where funding is available. In order for ANCFSAO to fully participate in the Inquiry and to fund legal counsel, ANCFSAO requires funding from the Inquiry. The requested funding will be used for the following:

- Preparation for an attendance at evidentiary hearings;
- Consultation with ANCFSAO agencies;
- Preparation of submissions to Inquiry;
- Travel costs and disbursements arising from the work contemplated above.

ANCFSAO is seeking funding for two lawyers (Katherine Hensel [2003 call] and Josephine De Whytell [2012 call]). Because the timing, location, and duration of the Inquiry is unknown, as of yet, it is not currently possible to provide a comprehensive budget for legal funding. We would be pleased to develop such a budget as soon as necessary information is available from the Commission, in consultation with the Commission.

We respectfully submit the attached Application material, in the hope that our member agencies may contribute to and benefit from the valuable work undertaken by the Commission.

Signed,



Schedule A: References

- Amnesty International. (2008). Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada. *Canadian Woman Studies*, 26(3-4), Indigenous Women in Canada: the Voice of First Nations, Inuit, and Métis Women, Winter/Spring, 105 – 121.
- Native Women's Association of Canada (NWAC). (2010). What their stories tell us: Research findings from the Sisters in Spirit initiative. Ottawa, ON: Author. Retrieved from <https://www.nwac.ca/wp-content/uploads/2015/07/2010-What-Their-Stories-Tell-Us-Research-Findings-SIS-Initiative.pdf>
- Trocmé, N., Knoke, D., & Blackstock, C. (2004). Pathways to the overrepresentation of Aboriginal children in Canada's child welfare system. *Social Service Review*, 78(4), 577-600.

This is Exhibit 'C' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO # 705288

National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

July 14th, 2017

Privileged & Confidential

Delivered By Email Attachment - tstevens@ancfsao.ca
katherine@henselbarristers.com

Theresa Stevens, Executive Director
Association of Native Child and Family Service Agencies of Ontario
30 College Street
Toronto, ON M5G 1K2

Katherine Hensel
Hensel Barristers
300-160 John Street
Toronto, ON M5V 2E5

Dear Ms. Stevens and Ms. Hensel:

**Re: Standing Application On Behalf of Association of
Native Child and Family Service Agencies of Ontario**

I am writing to advise, on behalf of the Commissioners, that the Amended Application for Standing submitted by Association of Native Child and Family Service Agencies of Ontario has been granted. For greater certainty, the Commissioners have granted standing in Parts I, II and III, for the Region of Ontario, on the specific issue of child welfare, with full rights.

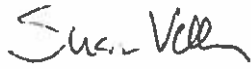
As well, the Commissioners will recommend that funding be granted.

A formal Decision with Reasons will follow, but the Commissioners wanted to alert you to the fact of this Decision now.

Should you have any questions, I would be pleased to do my best to answer them.

We look forward to your participation in the National Inquiry.

Respectfully,

A handwritten signature in black ink, appearing to read "Susan Vella". The signature is fluid and cursive, with the first name "Susan" and last name "Vella" clearly distinguishable.

Susan M. Vella, LSM,
Lead Commission Counsel, MMIWG – FFADA

/jol

This is Exhibit 'D' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO # 70528B

**IN THE MATTER OF APPLICATION FOR FUNDING FOR A PARTY WITH STANDING
IN THE NATIONAL INQUIRY INTO MISSING AND MURDERED WOMEN AND GIRLS**

A F F I D A V I T

I, Theresa Stevens, of Toronto, in the Province/Territory of Ontario, AFFIRM:

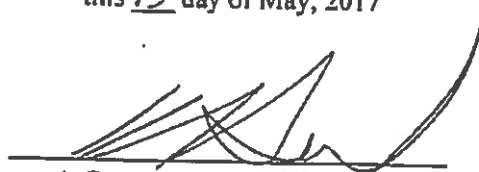
1. **THAT** the Association of Native Child and Family Service Agencies of Ontario is making an application for Standing in the National Inquiry into Missing and Murdered Indigenous Women and Girls ("the National Inquiry") for part(s) II and III.
2. **THAT** the Association of Native Child and Family Service Agencies of Ontario
 - a. Has an interest which is directly and substantially affected by the subject matter of Terms of Reference, and companion Orders in Council and Administrative Decree, of the National Inquiry; and
 - b. Represents distinct ascertainable interests and perspectives that are essential to the discharge of the Commissioners' mandate as expressed in the Terms of Reference, and the companion Orders in Council and Administrative Decree of the National Inquiry, and that the Commissioners consider ought to be separately represented before the National Inquiry;
3. **THAT** the Association of Native Child and Family Service Agencies of Ontario meets the criteria for funding set out in the Notice of Applications for Standing and in the National Inquiry's *Legal Path: Rules of Process and Respect*.
4. **THAT** the Association of Native Child and Family Service Agencies of Ontario would not otherwise be able to participate without such funding because the Association of Native Child and Family Service Agencies of Ontario operates on a limited budget and has constrained financial resources. The funding that the Association of Native Child and Family Service Agencies of Ontario does currently receive is program specific; any funding that would be diverted from the Association of Native Child and Family Service Agencies of Ontario's member agencies to funding their participation in the Inquiry would result in diminished services for Indigenous children and families. Services for Indigenous children and families are already underfunded. The Association of Native Child and Family Service Agencies of Ontario cannot sacrifice providing adequate services to Indigenous children and families to participate in an inquiry where funding is available.
5. **THAT** the Association of Native Child and Family Service Agencies of Ontario's financial situation and need for funding to participate in the National Inquiry is demonstrated by the attached Exhibits including our audited financial statement for 2015-2016, which is attached hereto and marked as Exhibit "A".
6. **THAT** the funds will be used for:
 - a. Preparation for and attendance at evidentiary hearings by legal counsel;

- I make this affidavit for the purpose of making an application for funding, should I/we be granted standing at the National Inquiry and for no other improper purpose or reason.

Commissioner of Oaths, or a Notary Public
Katherine Hensel
LSUC # 48299G

Theresa Stevens
Affiant: Theresa Stevens

This is Exhibit 'A' to the
Affidavit of Theresa Stevens, sworn before me
in the Toronto, in the Province of Ontario,
this 15th day of May, 2017


A Commissioner of Oaths, etc.

**Association of Native Child and
Family Service Agencies of
Ontario
Financial Statements
For the year ended March 31, 2016**

Draft

Association of Native Child and Family Service Agencies of Ontario
Financial Statements
For the year ended March 31, 2016

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Draft

Independent Auditor's Report

To the Directors of Association of Native Child and Family Service Agencies of Ontario

We have audited the accompanying financial statements of Association of Native Child and Family Service Agencies of Ontario, which comprise the statement of financial position as at March 31, 2016, and the statements of operations, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Association of Native Child and Family Service Agencies of Ontario as at March 31, 2016, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Other Matters

The financial statements of Association of Native Child and Family Service Agencies of Ontario for the year ended March 31, 2015, were audited by another auditor who expressed an unqualified opinion on those financial statements on August 19, 2015. As explained in Note 2 to the financial statements, prior period adjustments have been recorded in the comparative figures.

Chartered Professional Accountants, Licensed Public Accountants

London, Ontario
TBD

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Association of Native Child and Family Service Agencies of Ontario
Statement of Financial Position

March 31	2016	2015 (Note 2)
Assets		
Current		
Cash and bank	\$ 113,077	\$ 318,835
Prepaid expenses	1,427	-
Accounts receivable	68,465	7,975
	<u>182,969</u>	<u>326,810</u>
Intangible assets (Note 3)	384,114	218,033
	<u>\$ 567,083</u>	<u>\$ 544,843</u>
Liabilities and Net Assets		
Current liabilities		
Accounts payable and accrued liabilities (Note 4)	\$ 109,792	\$ 121,582
Deferred revenue (Note 5)	49,200	-
	<u>158,992</u>	<u>121,582</u>
Deferred capital funding (Note 6)	373,148	373,148
	<u>532,140</u>	<u>494,730</u>
Net assets		
Unrestricted	34,943	50,113
	<u>\$ 567,083</u>	<u>\$ 544,843</u>

On behalf of the Board:

 Director

 Director

The accompanying notes are an integral part of these financial statements.

Association of Native Child and Family Service Agencies of Ontario
Statement of Changes in Net Assets

For the year ended March 31	2016	2015
		(Note 2)
Net assets, beginning of year as originally reported	\$ 194,253	\$ 164,252
Prior period adjustments (Note 2)	(144,140)	(39,000)
Net assets, beginning of year as restated	50,113	125,252
Deficiency of revenue over expenses for the year	(15,170)	(75,139)
Net assets, end of year	\$ 34,943	\$ 50,113

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Association of Native Child and Family Service Agencies of Ontario
Statement of Operations

For the year ended March 31	2016	2015
		(Note 2)
Revenue		
Grants	\$ 57,553	\$ 27,300
Membership fees	118,262	80,000
	<u>175,815</u>	<u>107,300</u>
Expenses		
Administration	34,824	13,200
Audit	12,500	6,000
Board travel and expenses	-	1,114
Facilitator, trainer and presenter expenses	21,690	5,000
Home Study Tool	-	6,202
Insurance	3,352	4,779
Interest and bank charges	510	445
Lessons Learned	12,294	-
Office supplies and postage	1,781	5,878
Professional fees	12,617	21,211
Rent	17,833	5,000
Telephone	4,003	795
Travel	19,370	56,541
Wages	50,211	49,635
Website design	-	6,639
	<u>190,985</u>	<u>182,439</u>
Deficiency of revenue over expenses for the year	\$ (15,170)	\$ (75,139)

The accompanying notes are an integral part of these financial statements.

Association of Native Child and Family Service Agencies of Ontario
Statement of Cash Flows

For the year ended March 31	2016	2015
		(Note 2)
Cash provided by (used in):		
Operating activities		
Deficiency of revenue over expenses for the year	\$ (15,170)	\$ (75,139)
Changes in non-cash working capital balances		
Accounts receivable	(60,490)	(7,975)
Prepaid expenses	(1,427)	-
Accounts payable and accrued liabilities	(11,790)	114,395
Deferred revenue	49,200	-
	(24,507)	106,420
Investing activities		
Additions to intangible assets	(166,081)	(218,033)
Financing activities		
Grant funding received for development of intangible assets	-	334,148
Increase (decrease) in cash during the year	(205,758)	147,396
Cash, beginning of year	318,835	171,439
Cash, end of year	\$ 113,077	\$ 318,835

The accompanying notes are an integral part of these financial statements.

**Association of Native Child and Family Service Agencies of
Ontario
Notes to Financial Statements**

March 31, 2016

1. Significant Accounting Policies

Nature of Business

The Association of Native Child and Family Services Agencies of Ontario (the "organization") was incorporated July 11, 2006 as a non-profit organization without share capital. The organization is a registered charity under the Income Tax Act of Canada, and as such is exempt from corporate income tax. The organization provides training and resources to its members which assist in the planning, design, implementation and delivery of culturally appropriate child and family services throughout Ontario.

Basis of Accounting

These financial statements were prepared using Canadian accounting standards for not-for-profit organizations.

Revenue Recognition

The organization follows the deferral method of accounting for contributions, which includes government grants.

Operating grants are recorded as revenue in the period to which they relate. Grants approved but not received at the end of an accounting period are accrued. Where a portion of a grant relates to a future period, it is deferred and recognized in the subsequent period.

Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Contributions restricted for the purchase of intangible assets are deferred and amortized into revenue on a basis and rate corresponding with the amortization for the related intangible assets.

Membership dues are deferred and taken into income ratably over the term of the membership.

Deferred Revenue

The organization has entered into agreements where the services to be performed extends beyond year-end. For these agreements, the organization records long term obligation and recognizes revenue over the period of the agreement as the services are rendered.

**Association of Native Child and Family Service Agencies of
Ontario
Notes to Financial Statements**

March 31, 2016

1. Significant Accounting Policies (continued)

Intangible Assets

Intangible assets with finite useful lives are initially stated at cost. Intangible assets are tested for impairment when events or circumstances indicate that their carrying amount may not be recoverable. The impairment test entails comparing the estimated future undiscounted cash flows associated with the asset to the asset's carrying amount to determine if a write down to fair value is required.

The organization's intangible assets are amortized over their estimated useful lives as follows:

	Method	Rate
Home Study Tool and Cultural Awareness Training Module	Straight-line	5 years

Use of Estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**Association of Native Child and Family Service Agencies of
Ontario
Notes to Financial Statements**

March 31, 2016

2. Prior Period Adjustments

During the current year management determined that corrections were required to the comparative amounts in the financial statements due to incorrect recording of income and expense items.

The balances as at and for the year ended March 31, 2014 have been adjusted as follows:

Increase in deferred capital funding	\$39,000
Decrease in net assets	\$39,000

The balances as at and for the year ended March 31, 2015 have been adjusted as follows:

Increase in deferred capital funding	\$334,148
Decrease in wages and benefits	\$55,635
Decrease in grant revenue	\$331,173
Increase in accounts receivable	\$7,975
Increase in intangible assets	\$218,033
Increase in membership fees	\$10,000
Decrease in Home Study Tool	\$88,958
Decrease in Awareness Training Module	\$76,440
Decrease in accounts payable	\$3,000
Decrease in net assets	\$144,140
Increase in rent	\$5,000

3. Intangible Assets

	2016		2015	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Home Study Tool and Cultural Awareness Training Module	\$ 384,114	-	\$ 218,033	-
	\$ 384,114		\$ 218,033	

**Association of Native Child and Family Service Agencies of
Ontario
Notes to Financial Statements**

March 31, 2016

4. Accounts Payable and Accrued Liabilities

Included in accounts payable and accrued liabilities are government remittances payable of \$1,535 (2015 - \$3,009).

5. Deferred Revenue

The breakdown of deferred revenue is as follows:

	2016	2015
Indigenous and Northern Affairs Canada (INAC)	\$ 47,350	\$ -
Other	1,850	-
	<u>\$ 49,200</u>	<u>\$ -</u>

The deferred revenue represents cash received from funders in advance of incurring expenses for the respective programs. These amounts are recorded as a liability until the services have been performed.

6. Deferred Capital Funding

The organization was provided with various grants to fund the development of the Home Study Tool and Culturally Awareness Training Modules. The grants are set up as deferred and will be recognized as the assets are amortized.

	2016	2015
Deferred capital funding, beginning of year	\$ 373,148	\$ 39,000
Capital funding	-	334,148
Deferred capital funding, end of year	<u>\$ 373,148</u>	<u>\$ 373,148</u>

**Association of Native Child and Family Service Agencies of
Ontario
Notes to Financial Statements**

March 31, 2016

7. Related Party Transactions

The organization's membership consists of various not for profit agencies who also hold a position on the organization's Board of Directors. During the year, the organization received \$123,262 (2015 - \$80,000) in membership fees from these agencies. The organization also paid administrative expenses of \$31,605 (2015 - \$13,200) and rent of \$18,353 (2015 - \$5,000) to these agencies.

These transactions are in the normal course of operations and are measured at the exchange value (the amount of consideration established and agreed to by the related parties), which approximates the arm's length equivalent value for sales of product.

At the end of the year, the amounts due to related parties are as follows:

	2016	2015
Mnaasged Child and Family Services	\$ 51,679	\$ -

8. Financial Instrument Risk

Credit Risk

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The organization is exposed to credit risk arising from its accounts receivable. The majority of the organization's receivables are from government sources and the organization works to ensure they meet all eligibility criteria in order to qualify to receive the funding. The organization also has concentration of credit risk related to all cash being held by one financial institution.

Liquidity Risk

Liquidity risk is the risk that the organization will encounter difficulty in meeting its obligations associated with financial liabilities. Liquidity risk includes the risk that, as a result of operational liquidity requirements, the organization will not have sufficient funds to settle a transaction on the due date; will be forced to sell financial assets at a value, which is less than what they are worth; or may be unable to settle or recover a financial asset. The organization is exposed to this risk mainly in respect of its accounts payable and accrued liabilities.

Management's assessment of risks is consistent with prior years. Unless otherwise noted, it is management's opinion that the organization is not exposed to significant credit or liquidity risks arising from their financial instruments.

Association of Native Child and Family Service Agencies of Ontario
Adminstration
Schedule 1 - Statement of Revenue over Expenditures
(Unaudited)

For the year ended March 31	2016	2015
Revenue		
Agency memberships	\$ 118,262	\$ 80,000
Expenditures		
Audit fees	12,500	6,000
Board travel and expenses	-	1,114
Insurance	3,352	4,779
Interest and bank charges	510	445
Office supplies and postage	530	5,000
Professional fees	1,915	2,040
Rent	17,833	5,000
Telephone	626	795
Travel	2,841	9,455
Wages and benefits	24,356	19,954
	64,463	54,582
Excess of revenue over expenditures for the year	\$ 53,799	\$ 25,418

Draft

**Association of Native Child and Family Service Agencies of Ontario
Ministry of Children and Youth Services Programs
Development of Tool, Training and Project Manager
Schedule 2 - Statement of Revenue over Expenditures
(Unaudited)**

For the year ended March 31

2016

2015

Revenue

Ministry of Children and Youth Services

\$ 44,903 \$ 27,300

Expenditures

Administrative fees

33,674 13,200

Facilitator, trainer and presenter

21,690 5,000

Home Study Tool

- 6,202

Lessons Learned

12,294 -

Office supplies

1,251 878

Professional fees

702 19,171

Telephone

3,377 -

Travel

16,529 47,086

Wages and benefits

24,355 29,681

Website design

- 6,639

113,872 127,857

Deficiency of revenue over expenditures for the year

\$ (68,969) \$ (100,557)

Draft

**Association of Native Child and Family Service Agencies of Ontario
Indigenous and Northern Affairs Canada
Schedule 3 - Statement of Revenue over Expenditures
(Unaudited)**

For the year ended March 31	2016	2015
Revenue		
Indigenous and Northern Affairs Canada	\$ 12,650	\$ -
Expenditures		
Administrative fees	1,150	-
Professional fees	10,000	-
Wages and benefits	1,500	-
	<u>12,650</u>	<u>-</u>
Excess of revenue over expenditures for the year	\$ -	\$ -

Draft

This is Exhibit 'E' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.
LSO # 705288



RULING ON STANDING AND FUNDING

I. THE INQUIRY PROCESS

We have been appointed by Terms of Reference issued by His Excellency the Governor General in Council, on the recommendation of the Prime Minister, and by Orders in Council and Orders issued by each province and territory and, in the case of Québec, by Administrative Decree, to,

(a) inquire into and report on the following:

- i. systemic causes of all forms of violence – including sexual violence – against Indigenous women and girls in Canada and the respective provinces and territories, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls, and
- ii. institutional policies and practices implemented in response to violence experienced by Indigenous women and girls in Canada and the respective provinces and territories, including the identification and examination of practices that have been effective in reducing violence and increasing safety, and

(b) to make recommendations on the following:

- i. concrete and effective action that can be taken to remove systemic causes of violence and to increase the safety of Indigenous women and girls throughout Canada, and
- ii. ways to honour and commemorate the missing and murdered Indigenous women and girls throughout Canada.

We have been authorized to adopt any procedures that we consider expedient for the proper conduct of the National Inquiry and to sit at the times and in the places, especially in Indigenous communities in Canada, that we consider appropriate. We have also been authorized, to the greatest extent possible,



to conduct our public investigation by means of informal processes such as gathering statements by qualified trauma-informed persons to record the experiences of families of missing and murdered Indigenous women and girls and female Indigenous survivors of violence participating in the National Inquiry.

We are authorized to provide any person having a substantial and direct interest in the subject matter of the National Inquiry with an opportunity to participate in the National Inquiry..

A. Process

The Truth Gathering Process is divided into three parts, as outlined in the *Legal Path: Rules of Respectful Practice*. Part I will focus on the truth gatherings involving family members of missing or murdered Indigenous women and girls, Indigenous female survivors of violence, and members of Indigenous communities of those family members and/or survivors of violence on the matters defined by our mandate, including examining the systemic causes of all forms of violence experienced by Indigenous women and girls. Part I will also hear evidence on practices and policies that have served to contribute to, or alternatively reduce, the vulnerability of Indigenous women and girls to experiencing violence, enhancing their safety, and ways to honour and commemorate the lives of the lost loved ones. Part II of the National Inquiry will focus on the truth gatherings involving entities, including grass-roots organizations, Indigenous and non-Indigenous institutions, governments, police authorities, and others, as well as those individuals and representatives of institutions and organizations, on the matters defined by our mandate. Part III of the National Inquiry will focus on expert evidence through witnesses, witness panels and other processes to hear from experts on matters relevant to the discharge of our mandate.



II. STANDING AND FUNDING

The National Inquiry published a Notice of Application for Standing and Funding which invited interested parties to apply for standing and funding. The National Inquiry received 118 applications for standing, of which included 51 applications for funding. The applications were heard in writing.

A. Standing

We have granted standing to persons or groups who have demonstrated that they have a substantial and direct interest in the subject matter of the National Inquiry, pursuant to the Terms of Reference, and the counterpart Orders in Council, Administrative Decree and applicable legislation in each Province and Territory. We have also granted standing, on a discretionary basis to parties who do not have a direct and substantial interest in the subject matter of the National Inquiry but who represent distinct ascertainable interests, and whose expertise or perspective will be essential if the National Inquiry is to fulfil its mandate.

Standing has been granted on a Regional and/or National basis, as defined by *the Legal Path: Rules of Respectful Practice*. For clarification, National standing entitles successful applicants to attend those hearings which we have designated as "National". National hearings could include, for example, hearings in which witnesses from across the country attend such as is likely to the case with Expert hearings [Part III]. Where a party is granted Regional Standing, they have standing to attend at hearings for the Parts for which standing is granted, but only in the Region(s) for which standing is granted. On the other hand, National Standing does not entitle those Parties to attend at Regional hearings.



A grant of standing will entitle a party to

- I. the right to make closing written and/or oral submissions at the conclusion of the public hearings;
- ii. the right to request that Commission Counsel call particular evidence;
- iii. the right to bring motions before the Commissioners;
- iv. the right to cross-examine the witnesses at Part II and III hearings but not at Part I hearings (except when a notice of misconduct has been issued in which case Rule 45.d of the *Legal Path: Rules of Respectful Practice* will apply);
- v. where available, advance access and/or access to
 - v.i. Documents;
 - v.ii. Summaries of anticipated witness statements;
 - v.iii. written statements; and
 - v.iv. Any other rights to be determined by us in our unfettered discretion.

The above rights are all subject to the overriding discretion of the Commissioners to alter or restrict any of these rights in accordance with our right to control our process, and keeping in mind the principles that our process is committed to being both trauma-informed and culturally appropriate. Furthermore, the above rights only relate to those events and/or issues for which the successful applicant has been granted standing.

By seeking and being granted standing, a party is deemed to have attorned (i.e.: be bound) to the jurisdiction of the National Inquiry and to abide by the National Inquiry's *Legal Path: Rules of Respectful*



Practice, subject only to any successful court challenge to the *Rules* based on jurisdiction of the National Inquiry.

III. STANDING – REASONS

We have granted standing for the Truth Gathering Process to the Parties, as indicated on Schedule 1 attached to this Decision, on the basis that their interests are directly and substantially affected by the subject matter of the National Inquiry, and/or they represent distinct ascertainable interests and perspectives before the National Inquiry, for the Region(s) indicated and/or on a National basis.

Some applicants were grouped into a single party for purposes of standing and funding, and this is reflected in Schedule I as well.

IV. OTHER APPLICANTS

In addition, other persons and groups applied for standing in the Truth Gathering Process of the National Inquiry. We have concluded, on the materials filed, that their interests are not directly and substantially affected by the mandate of the National Inquiry, and that they do not represent a distinct and ascertainable interest which is essential to the discharge of our mandate. The applicants who were denied standing are identified in Schedule II which is also attached to this Decision.

However, several of these Applicants may be called upon to participate in the work of the National Inquiry as witnesses or expert witnesses, and we encourage each of these persons and groups to attend the Truth Gathering Process, if they are so inclined.



V. FUNDING

As indicated above, a total of 51 applicants also applied for funding. Of these, 50 applications were granted and one has been deferred. By way of general explanation, the National Inquiry has the power to recommend that funding be granted to specific parties with standing, but it is the clerk of the Privy Council Office ("PCO") who must validate our recommendations. Once PCO has validated the recommendations, the affected parties will be able to hire independent external lawyers [to the maximum of one senior and one junior lawyer] to participate, on their behalf, in the National Inquiry. Notice will be given to the affected parties once we have received PCO's response to our respective recommendations. Parties have already been advised as to the amount of funds that we have recommended they receive by our Lead Commission Counsel.

Funds have strict requirements and only expenditures consistent with the PCO guidelines can be approved. This means, for example, that no funds may be used to fund the direct expenses of the parties themselves, including for "in-house" lawyers. Furthermore, the hourly rates that may be charged by each lawyer is subject to the Federal Government's tariff rates for external lawyers ranging from \$100 per hour to maximum of \$350 an hour, determined by seniority of the lawyer. The billable work done by lawyers for their clients must comply with the guidelines set out in the Contribution Agreement, and their expenses must similarly comply with those guidelines.

Each successful applicant must sign a Contribution Agreement with PCO, submit accounts which will be reviewed, and be accountable for each dollar expended. The Contribution Agreement sets out the conditions and parameters for which the funding granted may be used.

National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

Decision released on August 17th, 2017.

A handwritten signature in black ink, appearing to read 'Marion Buller', written over a horizontal line.

Chief Commissioner Marion Buller

Schedule 1

Party Name	PART 1	PART 2	PART 3	NATIONAL	REGIONAL	Funding awarded?
Aboriginal Legal Services	Ontario	ALL REGIONS AND NATIONAL	ALL REGIONS AND NATIONAL	See prior columns	See prior columns	YES
Aboriginal Sheltering of Ontario	YES	YES	YES		Ontario	YES
Aboriginal Women's Action Network		YES	YES		British Columbia	YES
Advocate for Children and Youth Saskatchewan	YES	YES	YES	NO	Saskatchewan	
Amnesty International Canada		YES	YES	YES	Quebec AND British Columbia	
Anishnaabe Wa Zhing #37 First Nation, Eagle Lake First Nation, ANA First Nation/Grassy Narrows First Nation, Obashksenda-gaeng First Nation, and Ojibway Nation of Saugeen, as a single collective party		YES			Ontario	YES
Assembly of First Nations	YES	YES	YES	YES	ALL	YES
Assembly of First Nations Quebec-Labrador	YES	YES	YES		Quebec	YES
Assembly of Manitoba Chiefs		YES	YES	YES	Manitoba	YES
Association of Native Child and Family Service Agencies of Ontario	YES	YES	YES		Ontario	
Awo Taan Healing Lodge Society		YES	YES		Alberta	YES
Battered Women's Support Services		YES	YES		British Columbia	YES
BC Civil Liberties Association		YES	YES		British Columbia	
BC Federation of Labour		YES			British Columbia	
BC Government Service Employees Union		YES			British Columbia	
BC Society of Transition Houses			YES		British Columbia	
Canadian Association of Chiefs of Police		YES	YES	YES		
Canadian Association of Police Governance and First Nations Police Governance Council		YES	YES	YES		YES
Canadian Feminist Alliance for International Action and Partners - Canada without Poverty and Dr. Pamela Palmeter		YES	YES	YES	ALL	YES
City of Vancouver		YES			British Columbia	
Concertation des Luttes contre L'Exploitation Sexuelle	YES	YES	YES		Quebec	
Congress of Aboriginal Peoples		YES		YES		
Conseil des Anishnaabek de Kitchissippi	YES				Quebec	YES
Downtown Eastside Women's Centre		YES	YES		British Columbia	YES
Eastern Door	YES	YES	YES		Newfoundland and Labrador, Prince Edward Island, New Brunswick and Nova Scotia	YES
Ending Violence Association of BC			YES		British Columbia	
First Nations Child and Family Caring Society of Canada		YES	YES	YES	ALL	YES
First Nations Health Authority		YES			British Columbia	
First Nations Health Council		YES	YES		British Columbia	
Gignoo Transition House Inc.	YES	YES	YES		New Brunswick	YES
Government of Alberta	YES	YES	YES	YES	Alberta	

Party Name	PART 1	PART 2	PART 3	NATIONAL	REGIONAL	Funding Granted?
Government of BC	YES	YES	YES	YES	British Columbia	
Government of Canada	ALL REGIONS	ALL REGIONS AND NATIONAL	ALL REGIONS AND NATIONAL	See prior columns	See prior columns	
Government of Manitoba	YES	YES	YES	YES	Manitoba	
Government of New Brunswick	YES	YES	YES	YES	New Brunswick	
Government of Newfoundland and Labrador	YES	YES	YES	YES	Newfoundland and Labrador	
Government of Northwest Territories	YES	YES	YES	YES	Northwest Territories	
Government of Nova Scotia	YES	YES	YES	YES	Nova Scotia	
Government of Nunavut	YES	YES	YES	YES	Nunavut	
Government of Ontario	YES	YES	YES	YES	Ontario	
Government of Prince Edward Island	YES	YES	YES		Prince Edward Island	
Government of Quebec	YES	YES	YES	YES	Quebec	
Government of Saskatchewan	YES	YES	YES	YES	Saskatchewan	
Government of Yukon	YUKON	YUKON AND NATIONAL	YUKON	See prior columns	See prior columns	
Hellsuk First Nation	YES	YES			British Columbia	YES
Human Rights Watch			YES	YES		
Independent First Nations	YES	YES	YES		Ontario	YES
Indigenous Circle Chapter of the Canadian Counselling and Psychotherapy Association		YES	YES	YES		YES
Indigenous Women Against the Sex Industry		YES			British Columbia	
Innu Takuaikan Uashat mak Meni-Utenam	YES	YES	YES		Quebec	YES
Institute for the Advancement of Aboriginal Women	YES	YES			Alberta	YES
Inuit Tapiriit Kanatami		YES	YES	YES		YES
Jakwewuk Ewichiwlochi (Women Walking Together)	YES		YES		Saskatchewan	
Kawacatoose First Nation	YES				Saskatchewan	
Kwanlin Dun First Nation	YES				Yukon	
Lland Aboriginal Women's Society		YES			Yukon AND British Columbia	YES
London Abused Women's Centre		YES			Ontario	
Manitoba Keewatinowil Okimakanak Inc.		YES	YES	YES	Manitoba	YES
Manitoba Moon Voices Inc.	YES	YES	YES		Manitoba	
Mishkeegogamaang First Nation		YES			Ontario	YES
MMWG Coalition - Manitoba	YES	YES	YES		Manitoba	YES
Neskapi Nation of Kawawachikamich	YES	YES		NO	Quebec AND Newfoundland and Labrador	YES
Native Women's Association of Canada		YES	YES	YES		YES
Native Women's Association of Northwest Territories	YES	YES	YES		Northwest Territories	

PARTY NAME	PART 1	PART 2	PART 3	NATIONAL	REGIONAL	Funding Granted?
NB/NS Indigenous/Aboriginal Councils - New Brunswick Aboriginal Peoples Council		YES				
Newfoundland Aboriginal Women's Network		YES			New Brunswick AND Nova Scotia	
Newfoundland Native Women's Association	YES	YES	YES		Newfoundland and Labrador	
Northwest Indigenous Council Society	YES	YES	YES		Newfoundland and Labrador	YES
Nunatakiut Government	YES	YES	YES	YES	British Columbia	YES
NunatuKavut Community Council Inc.		YES	YES		Newfoundland and Labrador	YES
Ontario Federation of Indigenous Friendship Centres		YES			Newfoundland and Labrador	YES
Ontario Native Women's Association	YES	YES	YES		Ontario	
Our Place - Ray Cam Co-operative Centre	YES	YES			Ontario	
Pauktuutit Inuit Women of Canada, Satuvitit Inuit Women's Association, Aninuu/Kaliget Tumingit Regional Inuit Women's Association and Ottawa Inuit Children's Centre, as a collective single party	ALL REGIONS	ALL REGIONS AND NATIONAL	ALL REGIONS AND NATIONAL	See prior columns	British Columbia	
PHS Community Services Society		YES		See prior columns	See prior columns	
Quebec Native Women Association	YES	YES	YES	YES	British Columbia	
Regina Treaty Status Indian Services Inc.		YES		NO	Quebec	YES
Regroupement Mamit Innuit Inc.	YES	YES	YES		Saskatchewan	YES
Saskatchewan Aboriginal Women's Circle		YES	YES		Quebec	YES
Saskatchewan Association of Chiefs of Police		YES	YES		Saskatchewan, Alberta AND British Columbia	YES
Saskatchewan First Nations Women's Commission - Federation of Sovereign Indigenous Nations		YES			Saskatchewan	
Service de Police de la Ville de Montreal		YES	YES		Saskatchewan	YES
Sioux Lookout Collective	YES	YES	YES		Quebec	
Thunder Bay Police Service	YES	YES	YES	NO	Ontario	
Toronto Police Services	YES	YES	YES		Ontario	
Treaty Alliance Northern Ontario - Nishnawbe Aski Nation/Grand Council Treaty 3		YES	YES		Ontario	YES
Under One Sky Friendship Centre	YES				New Brunswick	YES
Union of BC Indian Chiefs		YES	YES	YES	British Columbia	YES
Vancouver Rape Relief and Women's Shelter		YES	YES		British Columbia	
Vancouver Sex Workers' Rights Collective	YES	YES			British Columbia	YES
West Coast LEAF		YES	YES		British Columbia	YES
Winnipeg Police Service	YES	YES	YES		Manitoba	
Women of the Metis Nation	British Columbia, Alberta, Saskatchewan, Manitoba and Ontario	British Columbia, Alberta, Saskatchewan, Manitoba and Ontario AND NATIONAL	British Columbia, Alberta, Saskatchewan, Manitoba and Ontario AND NATIONAL	See prior columns	See prior columns	YES
Women Transforming Cities			YES		British Columbia	

Party Name	PART 1	PART 2	PART 3	NATIONAL	REGIONAL	For Sing Grids 47
Women's Legal Education and Action Fund Inc.		YES	YES	YES	ALL	YES

Schedule 2

Applicant
Amanda Lyall
Barbara Johnson
Bernadette Walicki
Cherry Smiley
Colin Alexander
David Bird
Don Sabo
Eric Letts
Jennifer Mt. Pleasant
Larry Busch
Laura Robinson
Lee Lakeman
Lola Lawton
Lynn Crompton
Mi'kmaw Native Friendship Centre

Applicant
No'Kmaq Village – Flat Bay Band Inc.
Vancouver Aboriginal Community Policing Centre

This is Exhibit 'F' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO #705288

HENSEL BARRISTERS

PROFESSIONAL CORPORATION

October 18, 2017

Christa Big Canoe

Commission Counsel, National Inquiry into Murdered and Missing Indigenous Women and Girls

PO Box 500, Station A

Vancouver, BC V6C 2N3

Sent via email to c.bigcanoe@mniwg-ffada.ca

Dear Ms. Big Canoe:

RE: Deferral of ANCSFAO's Funding Application

We are writing to seek clarification on the status of the funding application of the Association of Native Child and Family Services Agencies of Ontario (ANCSFAO). The ANCSFAO would very much like to participate in the National Inquiry into Missing and Murdered Indigenous Women and Girls ["the Inquiry"], and, as you know, has been granted standing in Parts I, II, and III for the Region of Ontario, on the specific issue of child welfare, with full rights. ANCSFAO will not be able to participate in the Inquiry, however, if it does not receive funding. The organization and its members believe their expertise, knowledge, and interest in the issues that will arise at the hearings will enhance the ability of the Commissioners to make insightful, accurate, and useful findings and recommendations.

In a letter from the Inquiry dated July 14, 2017, which was emailed to me and to Ms. Theresa Stevens, Ms. Susan Vella informed us that the ANCSFAO had been granted the standing outlined above, and that the Commissioners would be recommending that funding be granted.

In their Ruling on Standing and Funding released on August 17, 2017, the Commissioners explained that the one application for funding that had not been granted had been deferred. Schedule 1 to the Decision indicates that the ANCSFAO's application for funding was not granted. We thus understand that the application has been deferred. We do not, however, understand what this means or what we can do to ensure a positive determination on the matter for the ANCSFAO.

HENSEL BARRISTERS PROFESSIONAL CORPORATION
300-160 JOHN STREET
TORONTO, ON M5V 2E5
OFFICE: 416.966.0404
FAX: 416.966.2999

KATHERINE HENSEL, B.A., LL.B

JOSEPHINE DE WHYTELL, LL.B

**MARY ("MOLLY") CHURCHILL, B.A., LL.B.,
B.C.L., M.S.W.**

**ALISSA SAIEVA, B.A. (HONS), J.D.
ARTICLING STUDENT**

We would be grateful if the Commissioners would clarify for us what it means for the application to have been deferred. Is there any further documentation or information that we can be providing to the Inquiry (and/or to the clerk of the Privy Council Office, by way of the Inquiry) to facilitate a timely determination on the funding application?

We would greatly appreciate your assistance in navigating this process in our attempt to ensure the ability of the ANCSFAO to exercise the rights it has been granted to participate in the Inquiry.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Hensel', with a long, sweeping flourish extending to the right.

Katherine Hensel

This is Exhibit 'G' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSD #70528B

Josephine de Whytell

From: Molly Churchill <molly@henselbarristers.com>
Sent: November 12, 2017 4:55 PM
To: 'Christa Big Canoe'
Cc: 'Katherine Hensel'; 'Sarah Konwahahawi Rourke'
Subject: RE: Deferral of ANCSFAO's Funding Application

Hello Ms. Big Canoe,

I am writing in follow up to our phone conversation of October 26, 2017 regarding two matters:

1) the status of the ANCSFAO's funding application, and

2) [REDACTED]

You had indicated that you would be communicating with, or already had emailed, the relevant person --- I believe it was Mr. Christian Roch (sp?). We have not heard anything directly from him. Has he responded to you? If so, what has he said? Whether you have heard from him or not, are you able to provide us with his contact information so that we can follow up directly? We are eager to move forward with both of these matters, particularly given that the Thunder Bay hearings are just around the corner.

Many thanks,

Molly

Mary ("Molly") Churchill

Associate

Hensel Barristers Professional Corporation

300-160 John Street

Toronto, Ontario M5V 2E5

Office: 416.966.0404 (ext. 242) | Fax: 416.966.2999

Email: molly@henselbarristers.com

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From: Molly Churchill [mailto:molly@henselbarristers.com]

Sent: October-26-17 2:29 PM

To: 'Christa Big Canoe'

Cc: 'Katherine Hensel'; 'Sarah Konwahahawi Rourke'

Subject: RE: Deferral of ANCSFAO's Funding Application

Dear Ms. Big Canoe,

We may be tied up for about 10 minutes longer than anticipated. Could we push the call back to closer to 2:40/2:45?

Thanks,

Molly

From: Christa Big Canoe [<mailto:c.bigcanoe@mmiwg-ffada.ca>]
Sent: October-26-17 10:18 AM
To: 'Molly Churchill'
Cc: 'Katherine Hensel'; Sarah Konwahahawi Rourke
Subject: RE: Deferral of ANCSFAO's Funding Application

Dear Molly, I can call you and Katherine because I can do a three way call in the event that Sarah Rourke is available to join the call. I am copy Sarah on this message. Sarah if you are available at 2:30pm can you email me.
Thanks

Miigwech, Respectfully,

Christa Big Canoe,

Commission Counsel, MMIWG-FFADA
c.bigcanoe@mmiwg-ffada.ca
416.268.4133

Website <http://www.mmiwg-ffada.ca>

A national, toll-free support line is available to provide support for anyone who requires assistance. This line is available free of charge, 24 hours a day, 7 days a week. Please call 1-844-413-6649 if you or someone you know is triggered and needs help or support.

"Our Women and Girls are Sacred" / "Nos femmes et nos filles sont sacrées"

CANADIAN Lawyer
TOP 25 2017

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 PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

From: Molly Churchill [<mailto:molly@henselbarristers.com>]
Sent: Thursday, October 26, 2017 10:13 AM
To: 'Christa Big Canoe'
Cc: 'Katherine Hensel'
Subject: RE: Deferral of ANCSFAO's Funding Application

Wonderful. Let's aim for 2:30, then. Would you prefer to phone us, or for us to phone you? If the former, please confirm the number we can reach you at. If the latter, our office number is 416-966-0404.
Thanks,

Molly

From: Christa Big Canoe [<mailto:c.bigcanoe@mmiwg-ffada.ca>]
Sent: October-26-17 8:16 AM
To: Molly Churchill
Subject: Re: Deferral of ANCSFAO's Funding Application

Molly I can be available for a call sometime between at 2:30-4pm today.
Thanks Christa

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Molly Churchill
Sent: Thursday, October 26, 2017 8:14 AM
To: c.bigcanoe@mmiwg-ffada.ca
Cc: 'Katherine Hensel'
Subject: RE: Deferral of ANCSFAO's Funding Application

Dear Ms. Big Canoe,

I am writing in follow-up to our email of October 18th, to see whether you would be available for a phone call with Ms. Katherine Hensel and me some time later today or tomorrow to discuss the status of ANCSFAO's funding application for participation in the Inquiry into Missing and Murdered Indigenous Women and Girls. Please let us know if there is a time when you would be able to join us by phone.

Many thanks,

Molly

Mary ("Molly") Churchill
Associate
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300-160 John Street
Toronto, Ontario M5V 2E5
Office: 416.966.0404 (ext. 242) | Fax: 416.966.2999
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Cc: 'Katherine Hensel'
Subject: Deferral of ANCSFAO's Funding Application

Dear Ms. Big Canoe,

Please find in attachment a letter from Ms. Katherine Hensel regarding deferral of the funding application of the Association of Native Child and Family Services Agencies of Ontario (ANCFSAO) in relation to ANCFSAO's participation in the Inquiry into Missing and Murdered Indigenous Women and Girls.

Sincerely,

Molly

Mary ("Molly") Churchill

Associate .

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300-160 John Street

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This is Exhibit 'H' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSOA 70528B

Josephine de Whytell

From: Christa Big Canoe <c.bigcanoe@mmiwg-ffada.ca>
Sent: November 28, 2017 11:29 AM
To: molly@henselbarristers.com; s.rourke@mmiwg-ffada.ca
Cc: katherine@henselbarristers.com
Subject: RE: Deferral of ANCSFAO's Funding Application [REDACTED]

I have sent an email to our Executive Director, Debbie Reid and the Acting Lead Counsel, Jennifer Cox, asking them to advise who if anyone at PCO may be able to answer your questions. I can advise once I know.
Thanks,

Miigwech, Respectfully,

Christa Big Canoe,

Commission Counsel, MMIWG-FFADA

c.bigcanoe@mmiwg-ffada.ca

416.268.4133

Website <http://www.mmiwg-ffada.ca>

A national, toll-free support line is available to provide support for anyone who requires assistance. This line is available free of charge, 24 hours a day, 7 days a week. Please call 1-844-413-6649 if you or someone you know is triggered and needs help or support.

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CANADIAN Lawyer
TOP 25 2017

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 PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

From: molly@henselbarristers.com [mailto:molly@henselbarristers.com]
Sent: Tuesday, November 28, 2017 10:36 AM
To: c.bigcanoe@mmiwg-ffada.ca; s.rourke@mmiwg-ffada.ca
Cc: katherine@henselbarristers.com
Subject: RE: Deferral of ANCSFAO's Funding Application [REDACTED]

Good morning, Ms. Big Canoe,

I am writing to ask that you please put us in touch with the person we can be dealing with to determine what can be done to ensure that ANCFSAO is granted funding to participate in the Inquiry, [REDACTED]

I will try phoning you this afternoon.

Many thanks,

Molly

From: Molly Churchill [<mailto:molly@henselbarristers.com>]
Sent: November-12-17 4:55 PM
To: 'Christa Big Canoe'
Cc: 'Katherine Hensel'; 'Sarah Konwahahawi Rourke'
Subject: RE: Deferral of ANCSFAO's Funding Application

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Associate

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Commission Counsel, MMIWG-FFADA

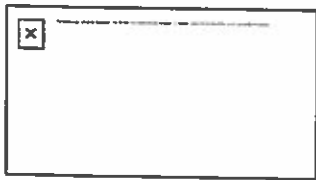
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Mary ("Molly") Churchill

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Subject: Deferral of ANCSFAO's Funding Application

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Mary ("Molly") Churchill

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This is Exhibit 'I' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 31 day of July, 2018



A Commissioner of Oaths, etc.

LSO #70528B

HENSEL BARRISTERS

PROFESSIONAL CORPORATION

January 3, 2018

Christa Big Canoe
Commission Counsel
National Inquiry into Murdered and Missing Indigenous Women and Girls
PO Box 500, Station A
Vancouver, BC V6C 2N3

Sent via email to c.bigcanoe@mimiwg-ffada.ca

Dear Ms. Big Canoe:

RE: Deferral of ANCSFAO's Funding Application; [REDACTED]

We are writing in follow-up to our letter of October 18, 2017; our telephone conversation of October 26, 2017; our email of November 12, 2017; and our subsequent email exchange with you on November 28, 2017.

We wrote on October 18, 2017 to seek clarification on the status of the funding application of the Association of Native Child and Family Services Agencies of Ontario (ANCSFAO). We explained we would be grateful if the Commissioners could clarify for us what it means for the application to have been deferred. We asked if there was any further documentation or information that we could be providing to the Inquiry (and/or to the clerk of the Privy Council Office, by way of the Inquiry) to facilitate a timely determination on the funding application.

[REDACTED]

In your email of November 28, 2017, you indicated that you had sent an email to your Executive Director, Debbie Reid and the Acting Lead Counsel, Jennifer Cox, asking them to advise who if anyone at PCO may be able to answer our questions. You indicated you would be able to advise once you had further information.

HENSEL BARRISTERS PROFESSIONAL CORPORATION
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TORONTO, ON M5V 2E5
OFFICE: 416.966.0404
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KATHERINE HENSEL, B.A., LL.B

JOSEPHINE DE WHYTELL, LL.B

**MARY ("MOLLY") CHURCHILL, B.A., LL.B.,
B.C.L., M.S.W.**

**ALISSA SAIEVA, B.A. (Hons), J.D.
ARTICLING STUDENT**

We are writing to see whether you are able to provide us with an update. Have you received any information from Ms. Reid and Ms. Cox? If not, would it be appropriate for us to contact them directly?

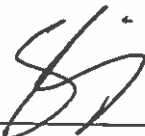
We recognize that you have had much to juggle over these last few months. We would greatly appreciate your – or your colleagues' – assistance as we try to ensure the ability of the ANCSFAO to exercise the rights it has been granted to participate in the Inquiry, [REDACTED]
[REDACTED]

Yours truly,

A handwritten signature in dark ink, appearing to read 'K. Hensel', with a long, sweeping horizontal stroke extending to the right.

Katherine Hensel

This is Exhibit 'J' to the
Affidavit of Theresa Stevens, sworn before me
in the City of Toronto, in the Province of Ontario,
this 21 day of July, 2018



A Commissioner of Oaths, etc.

LSO#70528B

Josephine de Whytell

From: Sarah Beamish <sarah@henselbarristers.com>
Sent: May 3, 2018 1:30 PM
To: jennifer@henselbarristers.com
Subject: FW: ANCFSAO - Funding enquiry re: MMIWG Contribution Agreement
Attachments: 2017-10-18-Letter.re.ANCFSAO.funding.pdf; 2018-01-03-Letter.to.CBigCanoe.re.ANCFSAO.funding.application. [REDACTED].pdf; RE: Deferral of ANCFSAO's Funding Application (41.0 KB); RE: Deferral of ANCFSAO's Funding Application [REDACTED] agree... (46.7 KB)

Flag Status: Flagged

From: Josephine de Whytell [mailto:josephine@henselbarristers.com]
Sent: April-17-18 10:55 AM
To: j.cox@mmiwg-ffada.ca
Cc: 'Katherine Hensel'; 'Sarah Beamish'
Subject: ANCFSAO - Funding enquiry re: MMIWG Contribution Agreement

Dear Ms. Cox,

Further to our previous correspondence, please find appended hereto additional emails identifying ongoing enquiries about funding for ANCFSAO.

We look forward to hearing from you in due course.

Yours truly,

Josephine

Josephine A. de Whytell, LL.B.
Barrister and Solicitor
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From: Josephine de Whytell [mailto:josephine@henselbarristers.com]
Sent: April-09-18 10:18 AM
To: 'j.cox@mmiwg-ffada.ca'

Cc: 'Katherine Hensel'

Subject: Funding enquiry re: MMIWG Contribution Agreement

Dear Ms. Cox,

We act counsel for ANCFSAO [REDACTED] At the last information session, parties were advised to contact you directly with enquiries regarding funding.

We enclose herewith our most recent correspondence in respect of funding and look forward to hearing from you at your earliest opportunity.

Yours truly,

Josephine

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