

National Inquiry Statement to the House of Commons Standing Committee on Indigenous and Northern Affairs

September 21, 2017

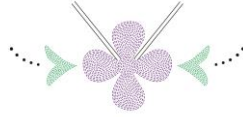
Good morning Madame Chair and members of the Committee and thank you for inviting us to appear before you to speak about the progress of the National Inquiry into Missing and Murdered Indigenous Women and Girls. My name is Marion Buller and I am the Chief Commissioner of the National Inquiry. Joining me today are my fellow Commissioners, Michèle Audette, Brian Eyolfson, and Qajaq Robinson.

This is the first time we have appeared before you to report on the work of the National Inquiry. We are now a few weeks into the second year of our two-year and four month mandate.

The tragedy of our missing and murdered Indigenous women and girls is felt so deeply and painfully by Indigenous families but it is also a painful legacy felt by all Canadians. Parliament and the Prime Minister of Canada have chosen finally to address this terrible legacy. The profound commitment of the National Inquiry into Missing and Murdered Indigenous Women and Girls is to listen to those who have suffered, to share their stories with Canadians and to learn what we can do to prevent other families and loved ones from experiencing such suffering.

The National Inquiry is not inventing its mission and approach on its own — rather, it has been given a mandate by the Government with detailed Terms of Reference. These Terms of Reference were written following extensive consultations with Indigenous communities, survivors and families of missing and murdered Indigenous women and girls and they very strongly inform what the National Inquiry wants to accomplish. The Terms of Reference were adopted by all of the provinces and territories, making this truly a National Inquiry. That said, while fulfilling the mandate given to it by governments, the National Inquiry has coalesced around the values and priorities it pursues in the conduct of its work. For example, it wants to act in a way that is trauma-informed and culturally appropriate. The National Inquiry wants to ensure that how it conducts the process leads to healing and the means to shed colonial influences which underlie the social, economic, cultural and institutional problems leading to missing and murdered Indigenous women and girls.

In fulfilling its mandate, the National Inquiry is subject to the structures of working in the federal government — it has to adhere to the human resources, information technology and contracting rules that apply to all areas of the federal government. This National Inquiry is not alone in finding these rules frustrating. Constructing the National Inquiry was very time consuming. Simultaneously stakeholders were expecting urgent engagement and attention to the matters that so deeply concern them. The good news is that despite the many challenges the National Inquiry is on track in getting its staff, offices, technology and networks in place to deal with the important substance of the work.



At the same time, the research team has done a comprehensive review of related work and has assessed what has been done and not done by governments to follow up on the findings and recommendations from that work. It was essential to conduct this assessment so that this National Inquiry can take stock, learn from what has worked and what hasn't, and map out its own areas of emphasis so as to get the most value possible from its own engagements, reflections and recommendations.

This has been a difficult year and for many people our progress has been too slow. But we wanted to do this right because we know that there are risks associated with doing this work quickly and superficially.

The following four principles apply to the work of the National Inquiry.

1. We want to empower and support people, not re-victimize them.

The survivors of violence and the families of the people who have been victimized have undergone tremendous trauma. We are not going to go into communities and ask people to put themselves at further psychological risk by talking about their experiences unless we are sure that we can provide them with the supports they need. To live up to that commitment, we need policies, staff and internal education. We have put a health team in place, educated the National Inquiry staff on trauma-related issues and adopted a trauma-informed approach to our work.

2. We want to find solutions together and not impose them.

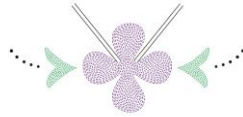
Indigenous people in Canada have been subjected to the colonial policies and agendas of the French, English and the Canadian governments. For hundreds of years experts have sought to “solve” the “Indian problem” through a series of imposed solutions. No one ever seriously thought to consult with Indigenous people—let alone Indigenous women specifically—about missionary work, reserves, the pass system, the Indian Act, forced relocations, residential schools, or the child welfare system, because they did not trust Indigenous people to run their own lives.

We want our work to contribute to the resilience and revitalization of Indigenous people. We believe that the most effective strategies will come from Indigenous communities and Nations, themselves.

We committed ourselves to identifying and following culturally specific protocols when working with communities. We will ensure we are welcome in communities before going there. This takes time and effort but is essential to engage truly, with communities.

3. We want to include those who need to be heard.

The families of missing and murdered Indigenous women and girls are often left feeling excluded and shut out by the police, the courts, social workers, and the media. We define families broadly, by what we term “families of the heart”; that includes foster families, adoptive families, and close friends. We



recognize the importance of including Indigenous women who are LGBTQ, non-binary or Two-Spirit in our work.

4. We want to build on the good work already done and not re-invent the wheel.

We are not studying Indigenous women, girls and LGBTQ2S women: we are studying the systemic causes of the violence they have experienced and the efforts and policies of governments and agencies in response to this violence.

We have analyzed 100 reports containing over 1200 recommendations. This is the most comprehensive literature review concerning existing reports, studies, and articles on violence against Indigenous women and girls that has been completed to date.

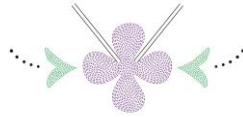
As Commissioners, we have collectively and individually been meeting with and taking advice from survivors, the family members of missing and murdered Indigenous women and girls, our National Family Advisory Circle, Elders, Knowledge Keepers, young people, experts, academics and representatives of national, Indigenous, local and feminist organizations.

Much of this work—consulting, developing policy, hiring and training staff, reviewing and analyzing reports—has gone on behind the scenes. But we are confident this has been time and effort well spent. The work of the National Inquiry is becoming increasingly public. Throughout the summer our staff members have been visiting communities across the country to meet with local residents to prepare for upcoming community hearings. The first of these hearings was held in Whitehorse in late May and early June. 47 people spoke to us in the open hearings and an additional 25 gave private statements. In August, we held the first of our expert panels, on Indigenous Laws & Decolonizing Perspectives. Our Interim Report will be released at the end of October, as required by the Terms of Reference.

What We Have Done

I want to make one point perfectly clear. Everyone knew when you asked us to take on this task that it was not going to be easy, it was not going to be smooth, and that it had to be done right. If the National Inquiry limited itself to a series of fly-in visits, a round of quick consultations, and the preparation of another report destined to take its place on an ever-lengthening dusty shelf, we would have failed.

We all believe that the issues we are dealing with are too important for that. These are issues of life and death. Indigenous women and girls have been brutalized, victimized, and marginalized for the entire period of this country's history. They have been discriminated against by law, denigrated in casual speech, and destroyed by physical violence.



But they are still here, asserting their rights. They pushed to have this National Inquiry established. And they are pushing whenever they believe that this National Inquiry is not meeting their needs. This is to be expected. Frankly, it is to be celebrated.

People who have been denied justice, dignity, safety and their fundamental human rights for 150 years, should be encouraged and applauded for demanding justice, dignity, and security now. All of us in this room are people of good will - good will must be translated into action and if people outside of this room keep pushing, pushing each and every one of us, they will activate the good will in us. It can feel uncomfortable at times, but we welcome it.

What We Will be Doing

Our work is well underway. In coming months, we will continue to

Gather the truth

Give life to the truth

and

Honour the truth

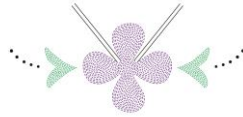
Gathering the Truth

There are three major components to our truth gathering.

1. Hearings

The first and most important of these components is providing people with the opportunity to speak to us directly. Community hearings are the heart of this process. This is where we engage with the survivors of violence, the families of those who have been murdered or disappeared, and their friends and neighbours. In addition to Whitehorse, we have nine community hearings scheduled to take place over the coming three and a half months. More will follow in 2018.

We are taking a unique approach to our process for Community hearings. We go only to communities where we are welcome. We observe and participate in local protocols and ceremonies. Witnesses are not cross-examined. We are all seated on the same level, in a semi-circular pattern. Families and survivors may tell us their stories in public or in private, individually or as a sharing circle. A family member or survivor may also tell their story, privately, to a statement-taker. Commissioners take an oath at the beginning every hearing to listen carefully to the stories. We do not mark exhibits or follow other courtroom-like procedures while the family member or survivor is talking.



We will also be holding institutional hearings where we will hear from key organizations, grassroots groups, non-profit organizations, national and local Indigenous organizations and state institutions (including police services and child welfare agencies). We plan to hold at least five of these hearings starting in the new year.

And we have begun to bring together experts to provide us and the public with insight on specific issues. As part of our approach, we are defining expert broadly, including families and survivors, Elders, Knowledge Keepers, frontline workers, and young people, along with academics and professionals. All of our hearings are open to the public and available as webcasts except when a family member or survivor wishes to speak in private.

2. Research

We will continue to review existing research and have commenced new research. This new work will both address gaps in our knowledge, for example, by shedding more light on the experience of Indigenous francophone women, Inuit women, and Métis women, and will address emerging issues such as human trafficking. A central focus of our research plan is the identification of effective, community-driven strategies for mitigating and eliminating violence. Many Indigenous communities are doing good work in these areas, but lack a national platform to share their success stories.

3. Reviewing records

The National Inquiry will continue to review individual cases that survivors and family members raise in the community hearings and through statement takers. If we have concerns about the way a case was handled, we will make recommendations to the appropriate authorities for further action.

We are also undertaking a systemic review of police cases. Our forensic document committee—made up of Indigenous and non-Indigenous experts—will review select files and will identify and propose solutions to systemic problems and promote practices to increase the safety and security of Indigenous women and girls.

Honouring the Truth

We will honour the truth through the public education work that we carry out. The central message of our public education work is that every Indigenous woman and girl has sacred worth. This principle is reflected in the respect that we will accord them through every aspect of our truth gathering process. It will play a central role in the reports and educational material we produce.

Aside from our Interim and Final Reports, we will be producing a variety of public education materials that will target a variety of audiences and age levels, and be available in a range of media and languages.



Giving Life to the Truth

We will give life to the truth about Indigenous women and girls. Those who have been murdered, who have disappeared, are gone from us. But we will not allow them to be forgotten. We are working with family members and communities on how to best commemorate and honour those who have been lost.

We are also encouraging individuals to create and submit artistic creations that document the lives of Indigenous women and girls. These works of art will form the basis of what we are terming our Legacy Archive.

Conclusion

The loss of Indigenous women and girls to all forms of violence is a national tragedy. It has traumatized generations of families.

Shining a light on all the causes of violence, murders, and disappearances is a daunting task. But it is necessary. We will expose hard truths about the devastating impacts of colonization, racism and sexism. The road ahead will continue to be rocky. Indigenous women in Canada are on the move, reclaiming their identities, cultures, languages, and land. They are taking their rightful place in their communities and Nations, and we are ready to support them. All of us can and must act together to create a better future for Indigenous women and girls.

Respectfully Submitted By:

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