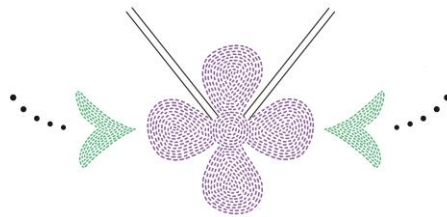


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

**National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-Gathering Process
Part 4 Closing Oral Submissions of the Parties with Standing
Sheraton Eau Claire - Calgary, Alberta**



PUBLIC

**Part 4 Oral Submissions - Volume 2
Tuesday November 27, 2018**

**Vancouver Sex Workers Rights Collective
Inuit Tapiriit Kanatami
Native Women's Association of the Northwest Territories
Government of Saskatchewan
West Coast LEAF**

**Heard by Chief Commissioner Marion Buller
& Commissioners Brian Eyolfson, Qajaq Robinson
& Michèle Audette**

INTERNATIONAL REPORTING INC.
41-5450 Canotek Road, Ottawa, Ontario, K1J 9G2
E-mail: info@irri.net – Phone: 613-748-6043 – Fax: 613-748-8246

II

APPEARANCES

Vancouver Sex Workers Rights
Collective

Carly Teillet
(Legal Counsel)

Inuit Tapiriit Kanatami (ITK)

President Natan Obed
(Representative), Elizabeth
Zarpa (Legal Counsel)

Government of Saskatchewan

Barbara Mysko (Legal Counsel)

Native Women's Association of
the Northwest Territories

Caroline Wawzonek
(Legal Counsel), Marie
Speakman (Representative)

West Coast LEAF

Kasari Govender
(Legal Counsel)

III
TABLE OF CONTENTS

Truth-Gathering Process
Oral Submissions Volume 2

Chair: Christa Big Canoe (Commission Counsel)
Second Chair: Shelby Thomas (Commission Counsel)

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

Grandmothers, Elders, Knowledge-keepers & National Family
Advisory Circle (NFAC) members: Gerald Meginnes, Alvine
Wolfleg, Norton Eagle Speaker, John Wesley, Skundaal Bernie
Williams, Leslie Spillet, Louise Haulli, Myna Manniapik,
Darlene Osborne, Pam Fillier, Lorraine Clements, Lesa
Semmler

Clerks: Bryana Bouchir & Maryiam Khoury

Registrar: Bryan Zandberg

IV
TABLE OF CONTENTS

PAGE

Opening Ceremony 1

Submissions

SUBMISSIONS BY MS. CARLY TEILLET, VANCOUVER SEX
WORKERS RIGHTS COLLECTIVE 6

SUBMISSIONS BY MS. ELIZABETH ZARPA, INUIT
TAPIRIIT KANATAMI 41

SUBMISSIONS BY MS. CAROLINE WAWZONEK, NATIVE
WOMENS ASSOCIATION NORTHWEST TERRITORIES 77

SUBMISSIONS BY MS. BARBARA MYSKO, GOVERNMENT
OF SASKATCHEWAN 106

SUBMISSIONS BY MS. KASARI GOVENDER, WEST
COAST LEAF 140

Closing Ceremony 171

V
LIST OF EXHIBITS

NO.	DESCRIPTION PAGE	
3	"Primary Recommendations on behalf of the Native Women's Association of the NWT" (4 pages)	105

VI
NOTE

The use of square brackets [] indicates that amendments have been made to the certified transcript in order to replace information deemed inaudible or indecipherable by the original transcriptionist. Bryan Zandberg, Registrar for the National Inquiry into Missing and Murdered Indigenous Women and Girls, listened back to the original source recordings and completed all amendments to this transcript on April 25th, 2019 in Vancouver, British Columbia.

1 Calgary, Alberta

2 --- Upon commencing on Tuesday, November 27th, 2018 at
3 9:08 a.m./L'audience débute mardi, le 27 septembre 2018 à
4 9h08

5 **Mme CHRISTINE SIMARD-CHICAGO:** [Boozhoo].
6 (Speaking Anishnaabe). My English name is Christine
7 Simard-Chicago. I am your MC throughout the next couple
8 of days for the final submissions for the National
9 Inquiry.

10 We are going to start our opening
11 ceremonies, and I would like to call up Elder Gerald
12 Meginnis.

13 **--- OPENING CEREMONIES/**

14 **MR. GERALD MEGINNIS:** Good morning. I
15 welcome you to Calgary. I guess this is some of my
16 territory. Ours are just on the southeast of Calgary
17 here. I came in last night. I was kind of tied up
18 yesterday, so I couldn't make it, so accept my apologies.

19 But I welcome each and every one of you, my
20 Elders, my brother here with me that's doing the prayers
21 too, and all the people that come from far and wide, the
22 Commissioners.

23 The thing that I'm going to pray for is to
24 come to a solution. It seems that the world doesn't
25 revolve without problems. So I'm going to ask the Great

1 Creator to help us, because in the end, he's the one that
2 makes the decisions for each and every one of us. So I'm
3 in the habit of always asking him. I think to myself,
4 "When is he going to say no to me?" But lately it's been
5 a good track record.

6 **(LAUGHTER/RIRES)**

7 **MR. GERALD MEGINNIS:** I guess I'll know
8 when I do the wrong thing.

9 So I'll welcome you, the people that come
10 near and far. I hope you had a safe trip.

11 With that, I'll say a prayer for each and
12 every one of us that we have a good day and that problems
13 and the things that we're going to talk about, that we'll
14 come to a solution, not as one, as a group, because we're
15 all here as Native people. And this problem, I hope we
16 solve it one of these days, and I pray and hope that we
17 get to that solution.

18 (Prayer in Aboriginal language).

19 Thank you very much.

20 **MS. CHRISTINE SIMARD-CHICAGO:** All right.
21 We're going to have a hand drum song that's going to be
22 done by Spike, Jr. from Siksika Nation. He's with the
23 Blackfoot Confederacy Drum. He's travelled all over.

24 Spike.

25 **(DRUM/TAMBOUR)**

1 **MS. CHRISTINE SIMARD-CHICAGO:** Megwetch.
2 Now we'll have Myna doing the lighting of the Qulliq this
3 morning.

4 (SHORT PAUSE/COURTE PAUSE)

5 **MS. MYNA MANNIAPIK:** (Speaking in
6 Inuktitut). Good morning. We finally got MMIW (Speaking
7 in Inuktitut) today and yesterday I wanted to mention
8 about one of the things that I learned when I was a child
9 living in a camp and my grandmother and my mother used to
10 say whenever the flames are swaying back and forth, it
11 means that they are scared because there's a presence of
12 spirits - of lost ones - loved ones.

13 And yesterday I certainly experienced the
14 (NATIVE LANGUAGE) experience. Yesterday the presence of
15 the loved ones we have lost; mothers, sisters and
16 daughters.

17 Thank you.

18 **MS. CHRISTINE SIMARD-CHICAGO:** Miigwetch.
19 So with just a couple of housekeeping things. For parties
20 withstanding that arrived today and that will be
21 presenting, we have the Elders room in the Mariposa room,
22 which is around the elevators to the right.

23 We have health supports with us. We have,
24 I think, 8 or 10 health supports. They're either wearing
25 purple shirts or they have purple lanyards, so if you're

1 having difficulty please reach out. Or maybe they may
2 approach you if they notice you're in distress.

3 And we also have my friend Gerry here and
4 Coralee who are doing healing through beating in the
5 Elders room. It's a good exercise to help ground
6 yourselves with the stories that are being told, et
7 cetera, that you're going to hear throughout the day.
8 Just a place to lighten your spirit.

9 Right now, we have a couple things to do.
10 We have a start of 9:30 so we'll reconvene at 9:30.
11 Megwetch.

12 Start in five minutes.

13 (LAUGHTER/RIRES)

14 --- Upon recessing at 9:19 a.m./

15 L'audience est suspendue à 9h19

16 --- Upon resuming 9:24 a.m./ /L'audience est maintenant
17 reprise à 9h24

18

19 **MS. CHRISTA BIG CANOE:** ...ask everyone to
20 please take a seat. Also, a friendly reminder to turn
21 your notifications or volume off on any of your cell
22 phones or devices.

23 **CHIEF COMMISSIONER MARION BULLER:** Just
24 before we get started, I have two announcements to make.
25 First of all, I want everybody to know that Michelle

1 Brass, who has been counsel for two police organisations,
2 has been appointed as a provincial court judge in
3 Saskatchewan.

4 She'll be based in Estevan Saskatchewan and
5 of course we have very high expectations of her, so I just
6 wanted to make that part of our formal record, that it's
7 going to be judge Brass.

8 And I think it's effective immediately or
9 sometime this week, anyway.

10 **UNKNOWN:** That means we don't hear from
11 her.

12 **CHIEF COMMISSIONER MARION BULLER:** That
13 means we don't hear from her, that's right.

14 (LAUGHTER/RIRES)

15 **CHIEF COMMISSIONER MARION BULLER:** One way
16 of avoiding this.

17 The second thing that -- announcement I
18 want to make, I made a mistake yesterday and I take full
19 ownership for this. Our -- I didn't understand how our
20 clocks were working yesterday, so the clocks will show 40
21 minutes for parties to give their submissions. The clocks
22 then will show 10 minutes for our questions.

23 So I just want to clarify that it was my
24 mistake. We weren't watching the clocks properly, so I'll
25 go and stand in the corner for that.

1 (LAUGHTER/RIRES)

2 **CHIEF COMMISSIONER MARION BULLER:** Thank
3 you.

4 **MS. CHRISTA BIG CANOE:** Good morning, Chief
5 Commissioner, Commissioners. Thank you.

6 Before we start by inviting the first party
7 up, I just wanted to also introduce on the record
8 Commission counsel, so Associate Commission Counsel Thomas
9 Barnett who is sitting up here with me today. He will
10 also be calling the parties up today.

11 The first party that we would like to
12 invite up to do their closing submissions, is the
13 Vancouver Sex Workers Rights Collective. Their counsel
14 Ms. Carly Teillet will have 40 minutes.

15 **---SUBMISSIONS BY MS. CARLY TEILLET:**

16 **MS. CARLY TEILLET:** (NATIVE LANGUAGE),
17 bonjour and good morning. I want to acknowledge that
18 we're gathered on the traditional territory of the nations
19 of Treaty 7 and on the homeland of the Métis Nation.

20 And I'd like to acknowledge the spirits of
21 our stolen sisters, the survivors and families, the big
22 drum yesterday, the drum and song this morning, the Elders
23 and their prayers, the lighting of the Qulliq to give us
24 light and warmth, the sacred bundle and the medicines that
25 are here so that we can do our work in a good way.

1 My name is Carly Teillet and I am the
2 great-grand-daughter of Sarah Riel and she was the niece
3 of Louis Riel. And I am Métis from the Red River
4 community in what is now Winnipeg.

5 And I have the honour of being here today
6 as counsel for the Vancouver Sex Workers Rights
7 Collective.

8 It's a collective of Indigenous trans and
9 cis women, and individuals from diverse gender identities
10 and sexual orientations, who participate or have
11 participated in sex work or provide sexual services in the
12 downtown east side of Vancouver.

13 These submissions focus on the importance
14 of being heard, believed and the urgent need for action.
15 I'll begin by briefly discussing the importance of
16 language and terms, and then move into a discussion of the
17 importance of hearing voices and the challenges to being
18 heard. And then I'll discuss the recommendations of the
19 Vancouver Sex Workers Rights Collective.

20 In keeping with the diverse Indigenous
21 traditions of my clients, and the Inquiry's mandate to be
22 respective of Indigenous legal principles and practices, I
23 will be sharing some stories today. As I'm sure many of
24 you have experienced when you ask Knowledge Keepers or
25 Elders why something is important to them, it's a story or

1 an experience that they share with you. And so my talk
2 this morning is filled with the voices and stories of my
3 clients because they are the experts, the voices that need
4 to be heard, and they offer important knowledge and stress
5 the urgency of their recommendations. And I want to take
6 a moment to remind everyone listening that they may need
7 to protect themselves because stories are powerful, and
8 they may be difficult to hear.

9 We recognize the importance of language and
10 its power, and to that end, we wish to be clear about
11 terms that are used. We define Indigenous to include
12 Inuit, Métis, and First Nations individuals. And we
13 acknowledge a spectrum of gender identities and define the
14 term, gender identities, to include trans and cis women,
15 two-spirit non-binary and gender-fluid individuals. We
16 recognize a continuum and a diversity of sexual identities
17 and define the term, sexual orientations, to include
18 lesbian, gay, bisexual, asexual, pansexual, and queer
19 individuals.

20 The importance of voices. Stories build a
21 strong foundation. A strong foundation for our work is
22 necessary to understand what needs to change to get
23 action, to make life safer for individuals who participate
24 in sex work or provide sexual services. One of my
25 clients, an Indigenous woman who describes herself as a

1 survivor of the streets, asked me to share one of her
2 stories so that people can try and understand. She
3 shared:

4 Who among you can understand what it's
5 like? Have you been raped? Do you know
6 what it is like to be raped? Walking down
7 the street at night, you hear footsteps
8 behind you. He put a rope around my neck.
9 Later, when the police came, you hear, "You
10 were drinking; weren't you?" "Why were you
11 out so late?" I could report this, but
12 it's a waste of time. When I think about
13 all of this, the recommendations and the
14 Inquiry, I had a rope around my neck and
15 that is my visual. How can we get that
16 experience across to people? To know what
17 it's like to have a rope around your neck,
18 to know that you were so close to death.
19 If they had taken me seriously, maybe other
20 people wouldn't have been raped.

21 And with these words, "If they had taken me seriously,
22 maybe."

23 I turn to discuss briefly how Indigenous
24 women and individuals of diverse sexual orientations and
25 gender identities, who participate in sex work, have been

1 excluded, silenced, and their truths have not been
2 believed, firstly, by the police. Indigenous women and
3 individuals of diverse sexual orientations and gender
4 identities, who participate in sex work, face multiple and
5 often compounding barriers to reporting violence to
6 police. These barriers act to silence the truth. In
7 Regina, RCMP Commissioner Lucki agreed that barriers to
8 reporting violence include: distrustful relationships with
9 police, previous bad experience with the police, fear of
10 having their children removed, losing their housing, or
11 violence, and the fear of being outed to their families
12 and communities as someone involved in sex worker trade.

13 When Indigenous folks who provide sexual
14 services share their truth about violence, they're often
15 not believed. First by the police, then Crown
16 prosecutors, and sometimes judges. In Quebec City,
17 Jacqueline Hansen of Amnesty International discussed the
18 role of stigma, and how the criminalization of commercial
19 sex means that folks may be mistreated by police, and men
20 may exploit this reality and engage with a violent --
21 engage in violence with impunity. Stigma and violence
22 silences truth.

23 In St. John's, Lanna Moon Perrin who
24 started street-based sex work at the age of 16 and worked
25 in multiple cities and settings, and at the age of 40, is

1 still a sex work advocate. She was asked to draw on her
2 24 years of involvement in the community, and she was
3 asked to stress -- oh, sorry. Pardon me. She was asked
4 to reflect on how often people who assault sex workers are
5 charged or convicted. She entered -- answered simply and
6 powerfully, "I don't know any." This is a failure of the
7 state to investigate, charge, and convict people who break
8 the law by assaulting and murdering individuals. The
9 knowledge that, no action comes from sharing further
10 silence, is truth.

11 Overwhelmingly, Indigenous trans and cis
12 women, including folks of diverse sexual orientations and
13 gender identities, who participate in sex work, are
14 excluded. They're not allowed to be safe or to have
15 justice. Indigenous trans and cis women, and folks of
16 diverse sexual orientations and gender identities, who
17 participate in sex work, have been excluded from
18 meaningful participation in the creation and
19 implementation of laws, policies, and decision making. In
20 St. John's, the Chief of the Winnipeg Police Force
21 acknowledged that nothing should be done without
22 Indigenous women being at the table, that it was part of
23 the solution to murdered and missing Indigenous women and
24 excluding them was a problem.

25 Indigenous women and folks of diverse

1 sexual orientations and gender identities, who participate
2 in sex work, are often stigmatized and shamed in their
3 Indigenous communities and in Indigenous women's
4 organizations. Shame and stigma silences truth and
5 creates exclusion. Lanna Moon Perrin stated, "I am hurt
6 more and stigmatized more by my Indigenous sisters than
7 Canada or the government." In Iqaluit, Dr. Smylie noted
8 that the stigma of sex work and the fear of being shamed
9 is a barrier to accessing health care and also exists in
10 Indigenous women's organizations.

11 Indigenous women and folks of diverse
12 sexual orientations and gender identities, who participate
13 in sex work or provide sexual services, are excluded and
14 silenced in many of the processes that are supposed to
15 shine a light on their realities, including inquiries.
16 The Missing Women's Commission, or the Oppal Inquiry, that
17 investigated the conduct of police into the missing women
18 in the Downtown Eastside of Vancouver, and the mishandling
19 of the investigation into Robert Pickton, failed. It
20 excluded, and it silenced the very people it was meant to
21 serve, the women who were murdered and disappeared for the
22 Downtown Eastside of Vancouver, the survivors and their
23 families. This was raised yesterday by Judy Wilson of the
24 Union of B.C. Indian Chiefs. Even with key errors, that
25 report called for the very voices it excluded to be heard.

1 In this Inquiry, Indigenous women and folks
2 of diverse sexual orientations and gender identities, who
3 participate in sex work or provide sexual services, have
4 been excluded and their voices have been silenced through
5 the processes of this Inquiry. Some of my clients shared
6 that they didn't feel welcome or safe attending the
7 statement gathering held in Richmond, British Columbia.
8 And the Vancouver Sex Workers Rights Collective has
9 repeatedly requested that the Inquiry provide, facilitate
10 or fund statement gathering in a safe, confidential
11 location. Our requests were not answered. The stories of
12 many of my clients were not heard and are not part of the
13 evidence of this Inquiry.

14 Additionally, there's been a deep personal
15 cost for some of my clients who have chosen to attend and
16 tell their stories. For some of my clients who shared
17 with the Inquiry, there has been no after care. Their
18 experience affirmed for others in our Collective that
19 sharing with this Inquiry was not as safe as it should be.
20 Last week, some of my clients were able to participate in
21 an informal meeting with the Chief Commissioner to share
22 some of their truths. They value every opportunity to be
23 heard and believe that it is a great loss that what was
24 shared at that meeting will not form part of the formal
25 evidence of this Inquiry.

1 At the Institutional, Expert and Knowledge
2 Keeper hearings, dozens of documents amounting to hundreds
3 of pages, were not provided to the Parties with Standing
4 in a timely manner. We often received documents the night
5 before witnesses testified, and sometimes after they
6 testified. This process made it impossible for meaningful
7 review of the evidence by counsel and the clients
8 themselves. Further, many of my clients don't have
9 cellphones. And to borrow their terms, "They don't have
10 the privilege of sitting at desk." They could not answer
11 emails or answer the phone right away to give instructions
12 at the last minute. The late delivery of documents,
13 documents that became evidence at this Inquiry were not
14 properly tested. This process did not allow for informed
15 participation and it silenced the invaluable feedback and
16 expertise of my clients.

17 Opportunities to challenge the narrative of
18 four or five key witnesses per panel and hundreds of pages
19 of documents was limited to sometimes as little as three
20 and a half minutes of cross-examination. This was simply
21 not enough time to meaningfully test, challenge or
22 supplement the narrative entered into evidence. The
23 process silenced Indigenous responses to evidence by
24 failing to provide adequate time.

25 And finally, I want to turn to attending

1 the hearings and these oral closing submissions. The
2 funding model of the Inquiry is one that requires
3 significant expenses, tens of thousands of dollars to be
4 spent and then carried for months, waiting for
5 reimbursement, all to participate. These up-front costs
6 have made full participation in the Inquiry by my clients,
7 survivors, family members, community members, some of the
8 most marginalized folks, simply impossible.

9 Their strength, their determination and the
10 importance of their stories have driven the Vancouver Sex
11 Workers Rights Collective to be heard today, despite all
12 of these obstacles. They are committed to improving the
13 lives of folks in their communities. They are committed
14 to doing what they have always done, and that is fight to
15 be heard, believed, to keep themselves and others safe.

16 And so now I turn to the recommendations of
17 the Collective, Indigenous trans and cis women,
18 individuals of diverse gender identities and sexual
19 orientations who participate or have participated in sex
20 work or provide sexual services in Vancouver's downtown
21 east side.

22 No single recommendation can be taken up in
23 isolation. No single recommendation is the solution.
24 Widespread change is needed. The voices and stories of my
25 clients provide the foundations for their recommendations.

1 The first theme: include and respect their
2 voices. One of my clients, an Indigenous trans woman
3 shared this story:

4 “Growing up in a small community was
5 really hard. Growing up in a small
6 community and being Indigenous was
7 even harder. Growing up in a small
8 community and being an Indigenous
9 transgender person was absolutely
10 unbearable. There was no safe place
11 to go. No one ever talked about trans
12 people. I tried to learn how to
13 pretend to be a boy. It wasn’t easy
14 to play this role, and I reverted back
15 to my feminine self regularly, until I
16 was looked at strangely or someone
17 said something like ‘fag’ or ‘faggot’.
18 I eventually couldn’t stand living
19 this double life and I couldn’t focus
20 on school. It was exhausting. And so
21 I ran away to the city and I found
22 safety in the gay scene, and I felt
23 really comfortable there for a long
24 time. And it was there that I found
25 out about feminine boys and trans

1 people and how to get on hormones to
2 become the woman I really felt I was
3 inside. During this time, I met a lot
4 of other trans women exactly where I
5 was in transition and we became each
6 other's family. We learned how to do
7 street work and how to keep an eye on
8 each other. It became like a natural
9 way of making money to have our needs
10 met. Gaining meaningful employment
11 and being a trans person in transition
12 wasn't accepted and it isn't safe. We
13 had to learn to keep ourselves safe.
14 Most of the clients of sex work were
15 good people, but of course there are
16 bad folks in every community. There
17 were drugs and alcohol around, and
18 many of us became addicted.
19 Eventually, I started to lose friends,
20 many to disease, a lot to violent
21 murders, just because they were trans
22 women, and just as many to murders
23 while doing sex work. The predators
24 out there know that there is little
25 protection for women that do sex work,

1 and it really makes us easy prey to
2 these sick individuals. I really feel
3 if people were educated at early
4 stages of education, more trans people
5 would have better qualities of life.
6 We're just as normal as anyone else.
7 It's as simple as that. If we're
8 given the chance, many folks will
9 realize that we're no different than
10 any other boy, girl, man or woman. I
11 think there should be more money put
12 into funding for safe places for trans
13 women, Indigenous and two-spirit
14 people and people that do sex work.
15 It's these folks that are the most
16 vulnerable, and I consider myself one
17 of the lucky ones. I was able to
18 leave the street behind because I
19 found one of the only sex work
20 agencies in Vancouver that gave me the
21 opportunity to give a little back to
22 the community I grew up and survived
23 in."

24 And so we call for the recommendations of
25 the National Inquiry into Murdered and Missing Indigenous

1 Women and Girls and all actions taken to implement the
2 recommendations to include Indigenous trans and cis women,
3 two-spirit, non-binary and gender-fluid individuals, as
4 well as lesbian, gay, bisexual, asexual, pansexual and
5 queer individuals.

6 They said:

7 "You can help sex workers by listening
8 to them, acknowledging them with a
9 smile and a hello, show them you care.
10 Love them. They're beautiful inside
11 and out. When policy and law makers
12 talk about sex work without talking to
13 sex workers, I feel they don't have a
14 clue how hard they're making it for
15 us, not hearing, like a third wheel,
16 unimportant, that our, my, personal
17 wellbeing is not on their agenda.

18 Very upset and left out."

19 We call on all governments, decision makers
20 and policy makers to include Indigenous folks from diverse
21 gender identities and sexual orientations who participate
22 or have participated in sex work or provide sexual
23 services as participants in the developments of all
24 policies, programs and laws that will impact them. This
25 includes but is not limited to policies, initiatives and

1 laws related to police, health, housing, justice and child
2 protection. In such efforts, compensation must be
3 provided for the time, knowledge and participation
4 offered.

5 The next theme: police must recognize our
6 right to be safe and free from violence. They said:

7 "More police in the community would
8 mean more police treated us all fair
9 and with dignity, not judging us, who
10 we are."

11 We call on the Vancouver Police Department
12 to expand the role of the Sex Worker Liaison position by
13 creating, at a minimum, a second liaison position.

14 They said:

15 "As a sex worker, I would like respect
16 as a human being, regardless of
17 profession, gender or ethnicity."

18 We call on the Vancouver Police Department,
19 the Royal Canadian Mounted Police and all police forces
20 across Canada to revise all forms and educate all officers
21 so that officers consistently and respectfully ask how a
22 person identifies gender, their pronouns, and if they
23 identify as Indigenous, what nation or community they are
24 from.

25 They said:

1 and they drove me back to Main and
2 Hastings. They didn't even open their
3 notepads. It could have saved other
4 lives. My truths had no relevance, no
5 truth, and after that, 25 more women
6 went missing. I went to treatment to
7 deal with the crippling anxiety for
8 what they have not done."

9 We call for an independent review of the Vancouver Police
10 Department's responses, to 9-1-1 calls involving violence
11 or threats of violence in the downtown east side of
12 Vancouver, and any policy that sets priorities for police
13 responses. This review must investigate the overwhelming
14 evidence that police are not protecting indigenous folks
15 from diverse gender identities and sexual orientations who
16 participate in sex work or provide sexual services.

17 With this review, we call for the creation
18 of an independent mechanism that will create
19 accountability for failing to respond in a timely manner
20 or to investigate when violence is threatened or
21 committed.

22 They said, "We need empathy and compassion.
23 Harassment has to stop. They don't believe us. We need
24 respect for women who experience violence".

25 We call for the long-term sustained funding

1 of victim services for those that participate in a police
2 complaint mechanism that is equal to the services and
3 support provided to police officers who are being
4 investigated.

5 The next theme, the law must not deprive us
6 of safety.

7 They said, "We need a place where you can
8 take your date where you know you'll be safe". We have
9 safe injection sites. We need that, but for sex.

10 We call for the decriminalization of safe,
11 clean indoor spaces for sex work or the provision of
12 sexual services to take place. Long-term sustained
13 funding must be provided for sex worker organizations to
14 set up and run these indoor spaces.

15 They said, "Engage all safety practices
16 that sex workers know will keep them safe". The law
17 creates danger by pushing sex workers underground in back
18 alleys in the dark. They don't have the time make certain
19 that they're getting into a safe situation.

20 They also get ripped off because they're
21 rushed and can't see the money they ask for is fake or
22 it's not what they've asked for. If they can't have a
23 clear conversation with clients about business, it can be
24 unsafe.

25 It is also unsafe sometimes sex workers

1 lose their housing because of the laws. Also, sex workers
2 can be blackmailed into giving free services.

3 We call for the decriminalization of sex
4 work, including the purchase of sexual services, the
5 employment of third parties for safety, and communication
6 for the purpose of participating in the exchange of sexual
7 services.

8 Communication is essential for safety and
9 security, consent and negotiation of sexual services.

10 They said, "We need mentors and a kit so
11 that young folks are safe when they try it, know what to
12 expect, what they're getting into, who to trust".

13 We call for the funding and creation and
14 distribution of sex worker safety kits for folks who are
15 new to the community, and the kit would include at least a
16 whistle, a phone, harm reduction equipment, lists of
17 resources including safe places and shelters, any
18 information for the police sex worker liaison officer,
19 amongst other things.

20 The next theme, provide safe spaces and
21 housing now. They said, "If her or her kids are beaten up
22 or sexually assaulted, there is nowhere to go if a woman
23 wants to leave".

24 We call for the creation of safe spaces or
25 shelters in all indigenous communities and in all cities

1 in Canada that are accessible 24 hours a day for
2 indigenous women and girls, including all folks of diverse
3 sexual orientations and gender identities.

4 They said, "The way I got into sex work was
5 almost losing my home. No food in the home, no husband,
6 and lots of money to make and sex being paid for. It
7 looked exciting for me being plus sized. I was 19 and
8 with low confidence".

9 We call for the immediate construction of
10 new housing and the provision of repairs for existing
11 housing for self-identified indigenous women in indigenous
12 communities.

13 They said, "If I had a stable source of
14 income, I would move out of the downtown east side into a
15 house".

16 And once out of detox, there is no housing.
17 Some places kick people out if they get high. The
18 recovery house needs wet rooms.

19 We call for the provision of clean, safe
20 housing in urban centres and cities for indigenous women,
21 including folks of all sexual orientations and gender
22 identities. The housing should be located in a variety of
23 neighbourhoods and must serve a variety of specific
24 housing needs, including transitional housing, safe
25 housing specifically for indigenous women and girls who've

1 experienced violence, housing for specific tenants,
2 including single women, indigenous women and their
3 children and indigenous families, housing that allows for
4 overnight guests, housing that is not condition on
5 maintaining sobriety as well as dry housing where no
6 substance or alcohol use is permitted.

7 They said, "I stayed in sex work because I
8 needed money for food and to pay my bills" and "Sex work
9 helped me pay my bills".

10 And so if we call for an increase in social
11 assistance and disability income rates that will provide a
12 livable income.

13 The next theme, fund our vision of support
14 and services.

15 They said, "We are experts in the
16 violence". We call for funding for sex worker supportive
17 organizations to digitize existing bad date reports,
18 develop and run a searchable bad date report database and
19 create a mobile application for greatest access to safety
20 and information.

21 They said, "So many women I was connected
22 with are gone. We need that connection. We know what it
23 feels like. We were there". And "We need an integrated
24 outreach team, culturally competent if they weren't able
25 to get to me with that help that I desperately needed".

1 We call for long-term sustainable funding
2 for indigenous women's organizations to create sex worker
3 outreach or safety positions in every major city with
4 those roles staffed by current or former sex workers who
5 would be responsible for building trust and taking bad
6 date reports, spotting for sex recorders or recording
7 licence plates and someone you could let know where you
8 were going and when you would be back, and providing
9 information and taking requests and referrals for
10 services.

11 They said, "If I had community support, I
12 would feel safe, sing, be grateful, grow emotionally and
13 be courageous".

14 And so we call for a sustained core funding
15 of indigenous organizations, sex worker organizations and
16 sex work supportive organizations.

17 They said, "Isolation kills women. I
18 didn't want to be stuck where I felt like I didn't
19 belong".

20 We call for free cell phones with phone
21 plans to be provided for indigenous women and girls,
22 including those of all sexual orientations and gender
23 identities, for use in emergency situations.

24 They said, "Transportation is huge. This
25 is my war zone. I hate walking these blocks". And

1 "There's no real option for escape. We're pushed out onto
2 Highway 16".

3 And so we call for free or low-cost safe
4 transportation between indigenous communities, from
5 indigenous communities to cities, and within cities.

6 They said, "Recovery is about giving back.
7 The men need to be taken care of to leave the women
8 alone". And "Programs need to think about a continuum of
9 care. It took me a long time to heal, search and find,
10 navigate services myself. A program would close and I
11 would lose faith and trust".

12 We call for sustained core funding for the
13 creation and running of holistic indigenous healing
14 centres, one-stop shops. The focus on healing and
15 prevention where the whole person is healed with access to
16 medical care, specific cultural and ceremonial practices,
17 counsellors, Elders, sacred medicines and prescriptions
18 all in one location.

19 They said, "You can help sex workers by
20 being kind, patient, open-minded, compassionate".

21 We call for the creation of low-barrier
22 medical care in the downtown east side, including medical
23 care that does not require identification documents or a
24 fixed address.

25 They said, "I deserve to be acknowledged

1 and validated for my courage and resilience and
2 perseverance".

3 And so we call on all service providers,
4 indigenous organizations and shelters to adopt a meet them
5 where they're at policy, decreasing or eliminating
6 barriers for sex workers to access services.

7 We further call on all service providers,
8 health care providers and government officials to change
9 all forms and educate all staff so they can respectfully
10 ask how a person identifies their gender, their pronoun
11 and whether they identify as indigenous, Aboriginal and
12 what Nation or community they may be.

13 They said, "I stayed in sex work because of
14 my addictions to drug and fast cash. I started chasing
15 cops around to take me to jail. I wanted treatment".

16 That moment of clarity. The line-up for
17 treatment was so long.

18 We call for the creation of community
19 integrated healing centres, including substance and
20 alcohol misuse in urban centres and indigenous
21 communities. The healing centres will provide a continuum
22 of care and assist individuals to transition out of
23 treatment and continue healing in the community. The next
24 theme, our families deserve healing and support, not
25 disruption. An Indigenous woman shared:

1 The role of aunties. The role of aunties
2 and street aunties is very important.
3 Their role is to teach young girls and
4 women for the first time to respect
5 themselves. There's a role of aunties to
6 help you cry at home, so that outside, you
7 can show your strength.

8 We call for support and services for Indigenous families
9 to thrive. Children should not be removed from Indigenous
10 mothers or families solely due to poverty, including
11 inadequate housing.

12 They said:

13 I'm Indigenous women who teaches her
14 children to be respectful, and healing
15 creates more choices.

16 And so we call for a fundamental change to child
17 protection legislation and policy, including requiring the
18 perpetrator of violence, rather than the child, to be
19 removed from the home. Providing support to Indigenous
20 women and girls, including the spectrum of sexual
21 orientations and gender identities who seek help, to
22 remove themselves from family violence. And providing
23 support to someone who tried to protect a child, rather
24 than removing the child.

25 They said, "We are mothers, daughters,

1 sisters. Treat us all equally.” We call for the
2 decolonization and Indigenization of the definition of
3 family and parent in child protection legislation. They
4 said, “Listen to us. Don’t cut us off. It’s not our
5 fault.” We call for the revision of permanent removal and
6 adoption timelines as they fail to recognize ongoing
7 colonization and barriers to lifelong healing for parents
8 and fail to recognize that the removal of a child is toxic
9 interference with the mother and traumatic for a parent.

10 The next theme, listen to our teachings.

11 They said:

12 I didn’t feel like I belonged. I didn’t
13 have a connection with family and other
14 women. Being on the rez was colonizing in
15 a way. Running away, finding people like
16 me. I didn’t know I had a human right I
17 didn’t have to get beaten up.

18 We call for the education of all children and youth to
19 include history and recognition of ongoing colonization in
20 Canada; the history of strong, vibrant Indigenous peoples;
21 the role of power dynamics in society, decision-making,
22 policy-making, and law; self-esteem, self-awareness, and
23 body positivity; basic human rights, including the right
24 to be free from violence; lifting up and normalizing folks
25 of all sexual orientations and gender identities; bodily

1 autonomy; the concept of consent and, specifically,
2 consent to sexual activity; sexual health, including STDs
3 and HIV; positive and negative physical touch; and hope.

4 They said:

5 It has entrenched so much abuse. My sister
6 had a black eye and won't talk about it. I
7 can't go back and pretend it is normal.

8

9 We call for Indigenous communities to participate in
10 facilitated, safe, open discussions about violence within
11 their communities, particularly, how this violence
12 disproportionally impacts Indigenous women and girls and
13 individual of diverse sexual orientations and gender
14 identities.

15 They said:

16 We need a safe place outside of the police
17 station where it is safe for us to report
18 violence. That we know that it isn't going
19 to be hidden or covered up within the
20 police. It doesn't look like anything's
21 ever done about the way the police are
22 treating people. We need accountability.
23 The policeman just made their own judgement
24 on whether it should be reported or not.
25 It happens so much to Native women. I grew

1 up just never being able to fully trust the
2 police. My grandpa was killed by the
3 police. They assumed he was drunk because
4 he was Native. Meanwhile, he was in coma
5 because he hit his head.

6 We call for the education of the police and all service
7 providers and decolonization, including self-awareness
8 about the role of settlers and police in the colonial
9 system, and the imbalance of power and control inherent in
10 their work.

11 They said, "I'm a matriarch, Knowledge
12 Keeper." We call for the creation and full support of
13 matriarch schools that will pass on traditional knowledge
14 empowering young Indigenous women. They said:

15 We need more people to reach out to the
16 youth to say, 'I used to do what you did.'
17 We need more Youth workers. Someone to
18 give them birthday gifts, food, clothes, a
19 sense of love.

20 And so we call for the creation and support of sex work
21 mentors.

22 And in conclusion, as individuals who
23 participate in sex work or provide sexual services, my
24 clients hold valuable knowledge and truth. They have
25 never been silent about the violence they have

1 experienced, including violence because of structural
2 inequality and colonialism. They have never been silent
3 about friends and family members that were murdered, are
4 missing, or disappeared. They have never been silent
5 about their desires to be seen and treated as human.
6 Human beings that have made choices in their lives that
7 advance their priorities, self-actualization, and their
8 survival. And they will never cease to call for the
9 celebration of their humanity and their Indigeneity.
10 Their voices have been dismissed and ignored. Their
11 truths and lives not valued, and this must change now.
12 Thank you.

13 **(APPLAUSE)**

14 **MS. CHRISTA BIG CANOE:** If we could reset
15 the time. And do the Commissioners have questions for Ms.
16 Teillet? Go ahead.

17 **COMMISSIONER BRIAN EYOLFSON:** Thank you
18 very much for your submissions. I just wanted to ask you
19 about one of the recommendations you just made near the
20 end. You called -- said, call for the creation of
21 matriarch schools. I'm wondering if you could expand upon
22 that a little bit? Or if you're aware of any good
23 examples that exist, if they do.

24 **MS. CARLY TEILLET:** I'm not aware of any
25 good examples that exist. It was something that came out

1 of many of the stories that were shared by my clients
2 about not realizing their value, and that they are
3 special, and they have power, and they have a right to
4 speak, and that there is a traditional way of holding up
5 women and valuing them in each of their individual
6 cultures. And that that needs to be brought back. We
7 need to go back to traditional ways of celebrating women
8 and the knowledge they carry. And that we could -- one of
9 the ways that we could do that is by training -- really
10 investing in training future matriarchs.

11 **COMMISSIONER BRIAN EYOLFSON:** Thank you.

12 **COMMISSIONER QAJAQ ROBINSON:** Hi. Good
13 morning. I wanted to ask you about the recommendation in
14 relation to the independent mechanism for accountability
15 when dealing with police non-responsiveness. And this
16 is -- I mean, you know we've heard about this not only in
17 the community hearings, but even in the institutional
18 hearings. And one of these -- one of the issues is when -
19 - when the officers don't even open their books, don't
20 even open a file. There's no internal mechanisms within
21 the forces to hold officers accountability for non-
22 responsiveness, right? So I would like to hear your
23 thoughts on what this independent mechanism would look
24 like, and what key -- what are some foundational elements
25 to this mechanism that you see as being instrumental to

1 these being effective and trusted? Because there are
2 existing mechanisms, but the mechanisms are viewed to be
3 ineffective and there is equal lack of confidence in these
4 accountability and oversight bodies as well as the forces
5 themselves. So I'd like to hear your thoughts on what key
6 elements must this type of a body or measure include?

7 **MS. CARLY TEILLET:** I think that the best
8 place to start is bringing together the experts on what
9 happens. So there needs to be -- the body needs, at a
10 very basic level, needs to be created in partnership with
11 Indigenous women's organizations and folks who have
12 experienced violence at the hands of police or feel, as
13 one of my clients, "Has over policed and underserved." So
14 bringing together groups that really want to have
15 successful outcomes out of this mechanism, to build it
16 together. And I think that'll really lead into the trust
17 piece because if it's a mechanism that's entirely built
18 within a police force, or set up by the government as a
19 separate body, those are still part of, at least from -- I
20 believe, the -- from the perspective of my clients, still
21 part of the same colonial machine. And so, really, we
22 need to bring together, in particular, Indigenous women's
23 organizations as part of the group that makes this
24 mechanism.

25 The other things I've heard from my clients

1 is that ...it has to be accessible. So right now, there's
2 the opportunity to fill out a two-page sheet - a police
3 complaint sheet - or to sue the police. Neither of which
4 are really accessible to folks that are struggling and may
5 experience disproportionate amounts of police attention.

6 The other thing with both of those pieces
7 is there's no real outcomes that come from that. There is
8 huge power difference between individuals who are making
9 complaints and the police unions on the other side who can
10 hire lawyers, who can choose court dates, file motions.

11 And we have folks that are looking for
12 poverty lawyers to help support them through the process
13 to make sure their voices are heard. So we need to make
14 sure whatever process goes forward has some equality in it
15 so that both parties are heard, but that from the very
16 outset there isn't this unbalance, just in the very
17 process.

18 I think one of the other things we've heard
19 a lot from folks is:

20 "I'm the one who was hurt. My arm was
21 broken. This happened to me. The
22 officer is on paid leave."

23 Now they're saying that very clearly from
24 the beginning sends the message to them that they're not
25 valued in the same way that that officer is valued.

1 He gets a vacation and I am healing. I'm
2 trying to heal and I'm trying to fight this upward battle
3 to have my voice heard and to have justice.

4 And so that's where that recommendation
5 comes in, it's that we're not necessarily saying you need
6 to take the paid leave away from the officers, because
7 they need to have their story heard as well, but we need
8 to support folks who are saying we've been harmed as well.

9 Counseling, all these services that are
10 available to a police officer when on leave should be made
11 available to the other person going through the process.

12 **CHIEF COMMISSIONER MARION BULLER:** Thank
13 you for your submissions and your answer.

14 **MS. CARLY TEILLET:** (NATIVE LANGUAGE)

15 **CHIEF COMMISSIONER MARION BULLER:** Are you
16 going?

17 **COMMISSIONER MICHÈLE AUDETTE:** O.k., merci.
18 Merci - thank you very much for your presentation. It
19 goes beyond your mandate. There is a lot of passion and
20 love for the people that you represent and it's always
21 very nice to see.

22 You've mentioned in your opening remarks or
23 opening statement that stigma against Indigenous women and
24 the people that you represent, individuals from diverse
25 gender, all what you explained to us, who participate or

1 still participate or provide sexual services, is often
2 more present in the Indigenous community itself. So do
3 you have any recommendation on how we can reduce this
4 stigma within the Indigenous community?

5 **MS. CARLY TEILLET:** The recommendations on
6 how to move forward really do come from my clients. I've
7 had people sitting in the room offer and say if you would
8 like I will fly home if there's a facilitated safe space
9 and I will educate them about my journey as a trans
10 individual and why I had to leave. Or the choices I had
11 to make to get home for ceremony, for a funeral, to
12 provide sexual services to get a ride somewhere, because
13 that's how important this is for me.

14 To really show that they are human, they've
15 made choices to survive, to thrive, to -- as Lana said, to
16 provide tap shoes for her children, to send them on school
17 trips, to show -- to really put a face to what might only
18 be talked about kind of in hush terms or behind closed
19 doors.

20 Really to try and educate folks about the
21 fact that there are a diversity of sexual experiences and
22 there are some choices. But it's part of the bigger
23 education piece about what is positive sexuality. That
24 sex can be a wonderful thing and there's also bad sexual
25 experiences and really trying to learn what is positive,

1 what is not, what is consent, what is not. And to not
2 shame people for having participated in different sexual
3 experiences to live or to get those tap shoes for their
4 children.

5 So really to have kind of an open
6 conversation about what sex is, what loving oneself and
7 one's body is and really start -- and what violence
8 currently exists in the community and kind of start having
9 those conversations about what's happening right now.

10 **COMMISSIONER MICHÈLE AUDETTE:** En tout cas,
11 Maître Teillet, si je peux me permettre ce commentaire
12 très personnel -- if I may allow this comment, I think you
13 are quite an impressive young lawyer. Thank you very
14 much. I don't need any translation to understand what you
15 said.

16 **CHIEF COMMISSIONER MARION BULLER:** The
17 questions I was going to ask have already asked have al,
18 so I'd like to -- with the wonderful task of thanking you
19 so much for the wonderful work you do on behalf of your
20 clients and also to thank your clients for speaking up and
21 speaking out. Their voices are heard and will continue to
22 be heard. Please tell them that. Thank you very much.

23 **MS. CARLY TEILLET:** Thank you.

24 **MS. CHRISTA BIG CANOE:** Chief Commissioner,
25 Commissioners, I would now request a 20 minutes break. It

1 has been built into the schedule. It is now 10:10, so I
2 ask that we break until 10:30, please.

3 **CHIEF COMMISSIONER MARION BULLER:** Ten
4 thirty (10:30), please.

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

6 --- Upon recessing at 10:14/

7 L'audience est suspendue à 10h14

8 --- Upon resuming at 10:38 p.m./

9 L'audience est reprise à 10h38

10 **MR. THOMAS BARNETT:** Everyone, if we could
11 begin again. Next up with have Inuit Tapiriit Kanatami
12 represented by counsel Elizabeth Zarpa. And shortly after
13 she delivers her recommendations, we'll also be hearing
14 from the president of ITK, Natan Obed.

15 **---SUBMISSIONS BY MS. ELIZABETH ZARPA:**

16 **MS. ELIZABETH ZARPA:** (In Inuktitut). Good
17 morning. My name is Elizabeth Zarpa and I am legal
18 counsel representing Inuit Tapiriit Kanatami.

19 Inuit Tapiriit Kanatami is the National
20 Organisation that represents 60,000 plus Inuits across the
21 country.

22 A majority of Inuits live above the 60th
23 parallel throughout 51 communities within 4 land claim
24 regions known as Inuvialuit, the North West Territories,
25 Nunavut, Nunavik, Northern Quebec and Nunatsiaq, Northern

1 Labrador.

2 These communities are predominantly fly-in
3 and the cost of flights are in the thousands of dollars
4 and sometimes hundreds of kilometers apart across the Iron
5 Lands.

6 This makes leaving or traveling to Inuit
7 Nunangat inaccessible to those who are incapable
8 financially. Inuit Nunangat has the highest cost of
9 living in Canada.

10 Inuits do not live on reserves and Inuits
11 are not governed under the *Indian Act*. This legal
12 distinction has political and fiscal implications for
13 Inuits programming and also funding regimes.

14 This has to be taken into account by
15 relevant provincial territory owned federal governments
16 and other governing decision stakeholders who make
17 decisions that affect Inuits.

18 The changes that have happened throughout
19 Inuits communities in the last century is stark. The
20 adjustment to colonization and globalization in a short
21 period of time has had a lasting effect on Inuits
22 communities and this is still felt today.

23 As we have heard throughout several
24 hearings, the experiences of residential schools and day
25 schools, the experiences of being forcefully settled into

1 communities and the slaughtering of Inuits sled dogs, this
2 all his still has an effect today.

3 It was testified in Iqaluit that the
4 individuals whose dogs were killed by the RCMP have not
5 yet received any formal apology.

6 I want to thank the First Nations of Treaty
7 7 and the Métis Nation of Alberta for allowing me to be on
8 your territory this week.

9 I also want to thank the inquiry staff for
10 your dedication to this national emergency for the last
11 year and a half.

12 I want to thank the Elders in the room, the
13 NFAC members and the Commissioners for your continued
14 guidance and strength throughout these very challenging
15 part I, part II and part III hearings across the country.

16 I acknowledge the strength of the
17 Indigenous women, girls and LGBTQ (In Inuktitut) who are
18 still with us today, who are not murmured or missing, but
19 who endure ongoing lateral domestic and other forms of
20 violence in our daily life.

21 Your story and your life are valued. Keep
22 striving. There is help out there.

23 I acknowledge the spirits of those
24 Indigenous women, girls and LGBTQ2S who are not with us
25 today for reasons that are unfathomable to the human mind,

1 heart and spirit.

2 I specifically acknowledge the Inuit women,
3 girls and children who have died due to violence, who are
4 missing, or who we have had the privilege to learn about
5 throughout these hearings; namely, these 20 people:
6 Alexandra [and Aliyah], Edith [Angalik], Mary Birmingham,
7 [Sula Enuaraq], along with her two daughters, Mary Evans
8 Harlick, Kimberly [Jarause], Betsy [Kalaserk], Sylvia
9 [Llyall], Jessica Michaels, [Deidre] Michelin, Angela
10 [Meyer], [Alacie Nowrakudluk], [Katie] Obed, Della
11 [Ootoova], Loretta Saunders, Joy [Semmler], Tracy [Uttak].

12 All forms of violence against Inuit women,
13 girls and LGBTQ2S has to end, and the permanent funding
14 Inuit-specific programs to support the end of violence
15 against Inuit women, girls and LGBTQ2S has to be taken
16 seriously by all relevant governments and stakeholders.

17 We've heard throughout the hearings in
18 Happy Valley-Goose Bay, Montreal and other hearings, that
19 Inuit women experience sexualized violence within their
20 communities and Inuit children and youth also experience
21 sexualized violence within their communities.

22 As Ms. Barbara Sevigny publicly testified
23 in Montreal, we have to end the silence about violence.
24 This has to end, and all relevant governments,
25 stakeholders and community members have to take a

1 proactive role in eradicating all forms of sexualized
2 violence against Inuit women, girls, LGBTQ2S, children and
3 youth.

4 When there are children who experience
5 abuse or child sexual abuse within Inuit Nunangat as was
6 testified to be extensive in several of the hearings where
7 Inuit were present, but most relevant at the Winnipeg
8 hearing on child and family welfare, the access to safe,
9 healthy and supportive child and youth spaces in Inuit
10 Nunangat is lacking.

11 The issue is being addressed on a program-
12 by-program basis, but the access to essential services
13 like child and family programming and safe spaces is being
14 funded on a project-by-project basis, and it is not a
15 permanent resource available to Inuit throughout the 51
16 communities.

17 The permanent funding of infrastructure for
18 safe spaces for children within Inuit Nunangat and the
19 permanent funding of Inuit child and youth programming
20 throughout all 51 communities is needed, as was testified
21 to in Winnipeg by Ms. Susan Aglugark, the founder of the
22 Arctic Rose Foundation.

23 We've heard from Inuit women and girls
24 about the experiences of domestic violence or intimate-
25 partner violence and how that leaks into the community,

1 where individuals are beginning to see violence within
2 their community as normal. This has to stop.

3 There was testimony in Happy Valley-Goose
4 Bay by Ms. Harriett Lamb (phonetic) that when the police
5 were contacted in relation to her late daughter, Kimberly
6 Gerarcy, who was murdered, this was her experience:

7 "There was one time that Kimberly
8 charged him. He spent one, two three
9 months in jail. In November 2009, two
10 months before she was killed, she came
11 home very frantic and messed up hair,
12 screaming and crying that he tried to
13 choke her and that he almost choked
14 her at that time. Now, I called the
15 RCMP. I said, 'I need you to come up
16 here right now and talk to Kimberly
17 because she was almost choked by her
18 boyfriend. And they, the police, said
19 that they'll need to come in tomorrow
20 to make a statement. But the next
21 day, she did not go to make a
22 statement. She was in an abusive
23 relationship."

24 The thorough investigation of intimate-
25 partner violence by the police and the RCMP within Inuit

1 communities is lacking, as expressed by Ms. Harriett Lamb
2 in the murder of her daughter, Kimberly. And the issue
3 has to be adequately addressed with the police and RCMP
4 being adequately trained to deal with intimate-partner
5 violence in a trauma-informed manner in a northern
6 context.

7 There is also a need for safety expressed
8 throughout the testimony of Inuit women. An Inuit woman
9 who publicly testified in Happy Valley-Goose Bay explained
10 that out of 53 communities throughout Inuit Nunangat,
11 there are only 15 communities that have a shelter.

12 Inuit women and their families are unable
13 to access safe houses and transition houses, and women are
14 leaving their communities to access services in the south,
15 simply because the services are not available to them and
16 their families in the community.

17 There has to be 24/7 access to safe
18 houses, shelters and transition houses for Inuit women and
19 their families throughout all 51 communities within Inuit
20 Nunangat.

21 As we have heard here in Calgary at
22 the hearing on government services, indigenous shelters
23 struggle with funding, staffing and paying their staff
24 competitive salaries. The paid positions within Inuit
25 shelters has to be equitable at a living wage economy as a

1 cost of living within the north is the highest in the
2 country.

3 The issues of violence are not applicable
4 to only Inuit women and girls, as was testified to in the
5 community hearing in Happy Valley-Goose Bay and Montreal.
6 Inuit men and boys also experience violence.

7 Ms. Mary Thomassie explained in Montreal:

8 "I've also worked at helping people
9 come out of jail because they too need
10 so much help. Our men need help.
11 There was a man in jail 14 years.
12 There's a place of accommodation where
13 we are providing counselling. I was a
14 counsellor for 14 years. They, the
15 men, are the ones that need the most
16 help out of our population. We must
17 help our men too. They will not ask
18 for help first either. We women are
19 more open to receiving help. We have
20 men come home, back to their
21 community, and they have nothing to
22 say or to share while their hearts
23 hurt."

24 Mr. Joannis Lamp also expressed in Happy
25 Valley-Goose Bay that Inuit men and boys are also

1 experiencing violence.

2 The need for men and boys Inuit-specific
3 programming to deal with issues surrounding violence is
4 needed, as expressed by Ms. Tomasi and Mr. Lamp.

5 The approach of rehabilitation programming
6 has to be a holistic and whole family, whole community
7 approach to address the issue of violence against Inuit
8 women, girls and LGBTQ2S. As explained throughout the
9 testimony from several Inuit women and Inuit men, there's
10 a growing number of Inuit that are travelling south to
11 urban centres like Edmonton, Winnipeg, Toronto, Ottawa,
12 Montreal, Halifax and St. John's either voluntarily or
13 involuntarily to access essential human needs like
14 healthcare, birthing centres, cancer treatment, education,
15 post-secondary education, Elder care and, at times, even
16 affordable housing.

17 And the reasons for this was testified
18 extensively throughout several hearings. The most common
19 reason is because access to essential services is simply
20 not available within Inuit communities. And if it is
21 available, then it isn't sufficient to meet the needs.

22 As was testified to extensively by Inuit
23 women and men, Inuit travel south to the closest urban hub
24 to access healthcare not available to them within their
25 own community.

1 It was expressed in Montreal that the
2 quality and care of healthcare professionals who work
3 within Inuit communities has to be of high standard. It
4 was also expressed that there are some Inuit who do not
5 have access to financial means to fly down south, which
6 costs them thousands of dollars, and they're paying their
7 own flights.

8 It was also expressed in Iqaluit that there
9 are Elders who are having no other option other than to go
10 down south into an Elder care home because they're not
11 available within their community.

12 It was testified that an Inuit woman was
13 sexually abused when she travelled to Montreal for a
14 medical, and she recommended all Inuit have access to an
15 escort when travelling down south for medical.

16 In Iqaluit it was testified that there were
17 instances where there was strain on the family when a mom
18 had to leave her family to give birth in another place
19 because it isn't available to her within her own
20 community.

21 It was testified in Montreal that a mother
22 had to leave her children behind for weeks or months to
23 attend to her baby, who was diagnosed with leukemia, and
24 how this was a very difficult time for her family members.

25 Ms. Tracy Denniston testified in Quebec

1 City at the human rights framework hearing that access to
2 universal health care through Inuit Nunangat doesn't
3 exist.

4 This lack of access to health care has a
5 detrimental effect on the lives and experiences of Inuit
6 women, girls and LGBTQ2S, and addressing this has to be
7 taken very seriously by all relevant governments and
8 stakeholders.

9 It was also testified throughout the
10 hearings that there's a lack of access to permanent mental
11 health resources throughout the 51 communities within
12 Inuit Nunangat.

13 The need for mental health resources and
14 grief programs for homicide survivors through Inuit
15 Nunangat was also testified as something that's lacking,
16 and access Inuit-specific counselling services in both
17 English and Inuktitut was something which was expressed as
18 important. The rotating door of counsellors and health
19 care professionals isn't working.

20 Ms. Barbara Sevigny expressed another
21 recommendation I would like to see is some more Inuit-
22 specific grieving programs delivered in Inuktitut and
23 English. Often a lot of non-Inuit hire to deliver Inuit
24 programs and don't speak Inuktitut, but are Inuit. But
25 it's the language that really connects.

1 For those of us who do speak Inuktitut, we
2 need to speak our language when we are feeling.

3 Ms. Charlotte Wolfrey expressed, "I really
4 think there should be wrap-around services for families in
5 crisis, everyone working together to get healing and, for
6 me, most especially for the children left behind. And I
7 really think for Inuit what is needed is land-based
8 healing camps because when we're on the land, we are in
9 tune with our bodies, our minds are clearer".

10 And Ms. Elisapi Aningmiuq, in Iqaluit,
11 testified that, "To go out on the land, if you were to
12 travel in the winter, you need a snowmobile. A snowmobile
13 is, I don't know, 13,000, 15,000, 16,000. On top of that,
14 you need gas and then you need a humitik(phon) to carry
15 all the other stuff, and all that costs money. Everything
16 you bring out on the land costs money. Same thing in the
17 summer. A lot of times, people have to bring their
18 shelter, like tents, their bedding, everything to go out
19 on the land, and all that takes time and it's very
20 consuming, so somebody who doesn't have their means of
21 getting out on the land has to rely on others, so
22 financial support to the culture is very important".

23 The ongoing financial support of Inuktitut
24 and English mental health resources and Inuit on the land
25 healing programs throughout all 51 communities is clearly

1 a need which is expressed by witnesses.

2 It was testified that once Inuit women
3 travel to the city, there are several barriers, like
4 accessing transportation, which was testified to in Quebec
5 City on the hearing on criminal justice, experiencing
6 blatant racism and sexual harassment while walking down
7 the street, which was testified to in Montreal, and being
8 over-policed for being in poverty, which was testified to
9 in Calgary in the government services hearing.

10 These barriers once coming into the urban
11 centres create more vulnerable circumstances for Inuit
12 women, girls and LGBTQ2S.

13 There are, at times, Inuit children or
14 youth being taken from their families and communities, and
15 they're sent to the south with non-Inuit families. The
16 family members whose children are being apprehended are
17 left without adequate Inuit-specific legal representation.
18 They're left feeling powerless within a colonial legal
19 system.

20 As was testified to in Winnipeg at the
21 child and family welfare hearing, the system doesn't speak
22 their Inuktitut language, and getting their family member
23 back is taxing on their human spirit.

24 As was testified to in Happy Valley-Goose
25 Bay hearing with Mr. Gordon Obed, he expressed, "Our

1 oldest grandson lives with us while he is in Goose Bay
2 doing a program with the college, and the other two are
3 still in care on the island. The point I'm trying to make
4 is what we ask for, like visitations, we'd like to have
5 visitations to us. We don't have any say how long they
6 can stay. They have so much authority. On one hand, I
7 feel they failed at their job, their job and going by the
8 book. Us indigenous people, when we get into situations
9 like this with our grandchildren and children, we never --
10 well, we don't seem to have much say in what Child, Youth
11 and Family Services does with our children, our
12 grandchildren."

13 Dr. Turpel-Lafond explained in her
14 testimony that Inuit children and youth who are
15 apprehended have a more difficult time accessing their
16 family and community after being sent south and, because
17 of this, the Inuit children sometimes never return north.

18 The number of Inuit children and youth who
19 are apprehended within the provincial and territorial
20 systems across the country is unknown because there is no
21 disaggregated data system in place to track that
22 information.

23 We heard in Montreal the relevance and
24 importance of having conversations around keeping the
25 families together instead of breaking them apart. The

1 issue of the apprehension of Inuit children from Inuit
2 families is an ongoing issue that has to be seriously
3 considered by the relevant governments and stakeholders.

4 And then there are Inuit men and women who
5 are being flown to southern prisons or penitentiaries.
6 The number of Inuit men and women within the federal,
7 provincial and territorial incarceration institutions is
8 unknown, as was testified to.

9 When there are Inuit within prison or
10 penitentiary systems, access to culturally relevant,
11 Inuit-specific rehabilitative programming is not available
12 to them, either inside or outside when they're exiting the
13 institution as was testified to in the Quebec City hearing
14 on criminal justice.

15 There are Inuit women, girls and youth who
16 are choosing a post-secondary education and accessing
17 Inuit-specific education in the south is available through
18 programs like Nunavut Sivuniksavut and Nunavik
19 Sivuniksavut, but these Inuit-specific educational
20 programs which educate youth about their respective land
21 claims agreements, are not yet available within the
22 Kivalliq Region and the Nunatsiavut Region.

23 If an Inuk wants to pursue a university
24 degree, there is no other option other than to leave their
25 home in Inuit Nunangat because Canada is the only

1 circumpolar country without a university above the 60th
2 parallel.

3 Dr. Barry Lavallee, in the hearing on
4 racism in Toronto, indicated that universities could
5 potentially do more to reach out to Inuit and make post-
6 secondary education more accessible to them.

7 The relevant governments and stakeholders
8 have to seriously consider post-secondary educational
9 institutions like universities in the north and the
10 incorporation of Inuit knowledge within these educational
11 systems has to play an integral role within that process.

12 We've heard in St. John's that Inuit women
13 and girls are at risk of being sexually exploited -- or
14 there are already Inuit women and girls who are being
15 sexually exploited. The eradication of the risk factors
16 that contribute to this reality has to be made a priority
17 by the relevant governments and stakeholders who make
18 decisions that influence Inuit communities.

19 Those are my -- that's my brief overview.
20 And right now, I'll read through the qualifying
21 recommendations. These are preliminary qualifying
22 recommendations.

23 Recommendations.

24 Inuit-specific and -- sorry. Inuit-
25 specific and access to post-secondary institutions.

1 That Inuit be equally funded to
2 independently undertake any future inquiries or inquests
3 on pan-Aboriginal national, provincial or territorial
4 commissions that are involved in investigating Aboriginal
5 matters.

6 That any future inquiries or inquests
7 involving a pan-Aboriginal approach investigate the matter
8 in each of the four land claim regions, Inuvialuit,
9 Nunavut, Nunavik and Nunatsiavut, as well as major urban
10 centres where Inuit reside.

11 That governments, post-secondary
12 institutions and stakeholders fully endorse and
13 permanently fund Inuit-specific post-secondary programs
14 within Inuvialuit, Nunavut, Nunavik and Nunatsiavut, and
15 these post-secondary institutions accredit Inuit knowledge
16 as a core requirement to that education.

17 That governments and stakeholders fully
18 endorse and permanently fund the creation of Inuit-
19 specific educational institutions, including support for
20 the creation of an Inuit Nunangat university and Inuit-
21 specific programming within major urban hubs where Inuit
22 reside.

23 Recommendations in relation to sexualized
24 violence and domestic violence.

25 That governments and relevant stakeholders

1 permanently fund culturally-relevant programs and
2 infrastructure within Inuit communities to prevent and end
3 childhood sexual abuse throughout all 51 communities
4 within Inuit Nunangat.

5 That governments and relevant stakeholders
6 permanently fund culturally-relevant programs and
7 infrastructure to eradicate domestic abuse and sexual
8 abuse within all 51 communities throughout Inuit Nunangat.

9 That governments and relevant stakeholders
10 within Inuit Nunangat permanently fund Inuit-specific
11 rehabilitation programs for men and boys within all 51
12 communities throughout Inuit Nunangat.

13 That governments and relevant stakeholders
14 within Inuit Nunangat fully fund infrastructure where
15 rehabilitative programs can take place throughout all 51
16 communities within Inuit Nunangat.

17 That governments and stakeholders
18 permanently fund rehabilitative programming for Inuit men
19 and boys who are within federal, provincial or territorial
20 penitentiaries or prisons and that governments and
21 stakeholders permanently fund rehabilitative programming
22 for Inuit women who are within federal and provincial and
23 territorial penitentiaries and prisons.

24 That governments and stakeholders fund
25 rehabilitative programming and transition housing for

1 Inuit men and boys who are exiting the provincial,
2 territorial or federal penitentiary or prison systems and
3 that governments and stakeholders permanently fund
4 rehabilitative programming and transition housing for
5 Inuit women and girls who are exiting the provincial,
6 territorial, federal penitentiary or prison systems.

7 The creation of educational campaigns for
8 Inuit women, girls and youth regarding the signs of being
9 groomed for sexual exploitation and the creation of
10 meaningful paid positions for Inuit women and girls who
11 are looking to exit sex work.

12 Recommendations in relation to safety,
13 responding to violence within Inuit Nunangat.

14 The creation of and permanent funding of
15 training or programs relating to non-violent communication
16 for community agencies or services who deal with domestic
17 violence within Inuit communities, and this training be
18 accessible to Inuit community members.

19 Mandatory trauma training, domestic
20 violence training and Inuit cultural competency training
21 for RCMP or police who work within any of the 51
22 communities throughout Inuit Nunangat.

23 The creation of campaigns throughout Inuit
24 Nunangat to end silence about sexual violence and domestic
25 violence and the reforming of medical care systems that

1 create vulnerability for Inuit to be sexually exploited.

2 Next set of recommendations will look at
3 access to permanent and culturally-relevant mental health
4 supports and health care throughout Inuit Nunangat.

5 That families of homicide survivors
6 throughout Inuit Nunangat have access to permanent whole
7 family healing programs to address the aftermath of the
8 homicide of their loved one.

9 That grieving programs are put in place for
10 Inuit homicide survivors, and this is offered in English
11 and Inuktitut throughout all 51 communities within Inuit
12 Nunangat.

13 The permanent funding of Inuit-specific on
14 the land healing programs throughout all 51 communities
15 within Inuit Nunangat.

16 The permanent funding of Inuit-specific
17 treatment centres throughout all 51 communities within
18 Inuit Nunangat.

19 The creation of Inuit traditional healing
20 methods -- sorry. The recognition of Inuit traditional
21 healing methods as a credential in the accreditation of
22 rehabilitation program training within Inuit Nunangat and
23 the creation and permanent funding of Inuit-specific
24 services for Elders and their children with a colonial
25 legacy of forced relocation, the slaughtering of Inuit

1 sled dogs and the experiences of residential schools can
2 be openly and safely healed from.

3 Permanent mental health services that are
4 Inuit-specific and permanently funded within all 51
5 communities within Inuit Nunangat.

6 The financing of infrastructure to build
7 health care centres throughout all 51 communities within
8 Inuit Nunangat.

9 Permanent health care staff and health care
10 professionals throughout all 51 communities in the north.

11 The creation and financing of fully-staffed
12 birthing centres with doctors or Inuit midwives throughout
13 51 communities within Inuit Nunangat.

14 Mandatory Inuit cultural training for
15 health care professionals who work within 51 communities
16 across Inuit Nunangat.

17 The creation of medical training programs
18 and professional medical designations for Inuit.

19 That Inuit women and girls travel with an
20 escort when going to an urban centre to access health care
21 services, and this travel and accommodation is paid for by
22 the relevant governments.

23 My second -- I'm almost done. My two
24 further recommendations, or two categories of
25 recommendations -- qualifying recommendations is creating

1 safe spaces for children, youth, LGBTQ2S.

2 The creation of and permanent funding of
3 24/7 safe spaces for children, family and youth, including
4 LGBTQ2S individuals across 51 communities throughout Inuit
5 Nunangat.

6 The creation of and permanent funding of
7 child advocacy centres within each of the four regions,
8 including Inuvialuit, Nunavut, Nunavik and Nunatsiavut.

9 My last set of recommendations go towards
10 child, youth and family services.

11 The financing for the creation of a
12 Children's Commissioner in each region of Inuvialuit,
13 Nunavut, Nunavik and Nunatsiavut.

14 The creation of a national unified
15 disaggregated data system that analyzes the number of
16 Inuit children and youth within the child and family
17 welfare systems across the country, and this system is a
18 mandatory system that each of the child and family welfare
19 departments in each province and territory has to use.

20 Thorough investigations into family
21 dynamics by an independent body before an Inuit child is
22 apprehended by the Department of Child and Family Welfare.

23 The establishment of affordable legal
24 supports and lawyers who aid Inuit families throughout the
25 processes involved in child and family welfare

1 proceedings, and these legal supports be established in
2 each province and territory.

3 The opportunity for Inuit families to keep
4 their children within their own family and community when
5 child and family welfare departments are involved in any
6 proceedings.

7 That summarizes my oral submissions and the
8 qualifying recommendations. I'm going to pass the mic to
9 ITK's President, Natan Obed.

10 Thank you.

11 **MR. NATAN OBED:** (NATIVE LANGUAGE)

12 I want to first recognize all the Elders in
13 the room, First Nation, Inuit and Métis, Myna for tending
14 the qulliq, Commissioners. Nice to see you all again.
15 Any other elected leaders in the room, and all those who
16 care so much for the subject.

17 My intervention this morning will build
18 upon our lead counsel, Elizabeth Zarpa's, statement, and
19 it will get into some of the larger issues, the things
20 that go beyond just the conversations that we've had but
21 get at the root -- the systemic root of the challenges
22 that we face in implementing or in making the strategic
23 policy, political or real system changes that are
24 necessary to end violence against indigenous women and
25 girls.

1 I will start with the United Nations
2 Declaration on the Rights of Indigenous Peoples and the
3 primacy of that particular UN instrument and its
4 potentially amazing effect or transformational effect on
5 the way indigenous rights in Canada are upheld and are
6 implemented.

7 The Government of Canada has talked about
8 the creation of a piece of legislation, Bill C-262, that
9 acknowledges the Declaration and attempts to integrate it
10 within to the Canadian legislative context.

11 I would like to pause and talk about the
12 importance of remedy or recourse within the application of
13 UNDRIP within Canada, especially in relation to section 35
14 of the *Constitution*, where Minister Bennett has talked
15 about -- a lot about the UNDRIP fitting within. But
16 without remedy, without recourse, without any fundamental
17 way of going about doing that, then we -- where, really,
18 are we?

19 And for the recommendations for -- for this
20 Inquiry, the importance of accountability within systems
21 is just as important as ambition, or intent, or sympathy,
22 or empathy. Getting the systems right and having the --
23 the ability to go and litigate, to -- to enforce our
24 existing rights, is still something that, in many cases,
25 does not exist in this country. So if it means opening

1 the Constitution and actually putting the entire text of
2 UNDRIP within Section 35, then let's have that
3 conversation. But let's not stay in this endless debate
4 and conversation about whether or not Indigenous rights in
5 this country exist, and how little the Government of
6 Canada, or other governments, have to do to meet such a
7 low bar, that in the end, perpetuates the violence and
8 perpetuates the socio-economic inequities that exist in
9 this country that drive the violence against Indigenous
10 women and girls.

11 ITK has entered into evidence a number of
12 our strategies or reports. I'd like to pause and talk
13 about the importance of the National Inuit Suicide
14 Prevention Strategy and the -- the holistic way in which
15 the strategy tries to build a new narrative about why
16 suicide happens the way it does in our community, and what
17 we then do to push back against it, what interventions are
18 necessary. Social equity is the key driving factor for
19 the rates of suicide in our communities. The challenges
20 that we face, in relation to child sexual abuse, or all
21 other risk factors for suicide, play into this issue of
22 violence in our society. And suicide and self-harm is a
23 form of violence, and it is not something that is the
24 individual's prerogative in many cases. There are sets of
25 circumstances that create risk. We are manufacturing risk

1 in our communities. And our National Inuit Suicide
2 Prevention Strategy talks about the way that that happens
3 and then the way to counteract that.

4 ITK just hosted a child sexual abuse forum
5 last week in Ottawa. And we hope to enter into the
6 evidence the -- the key findings from that conference
7 because we know that there is an explicit link between
8 child sexual abuse and a risk for suicide, and all -- and
9 a whole host of other risk factors for suicide. We also
10 know how huge the challenge is that 41 percent of
11 respondents to the Inuit Health Survey reported being
12 sexually abused during childhood.

13 We also entered into evidence our National
14 Inuit Research Strategy, and that strategy, again,
15 promotes self-determination, resetting a broken system.
16 The ability for this Inquiry to learn from the work that
17 has already happened with the national Indigenous
18 organizations, and any other Indigenous representation
19 organizations, fighting for self-determination, and has
20 already outlined paths to self-determination, will allow
21 for your reports to -- your report to immediately have
22 traction in a way that it would not if it did not consider
23 the work that has already been done.

24 There's a difference between politics and
25 governance and leadership. And I -- and I've -- I've

1 listened in as much as I could to the hearings. I've
2 heard so many people talk about this being a non-political
3 space and wanting to push politics out of the
4 conversation. And I totally understand that, and as a
5 politician, I'd some people tell me that I am. I've had
6 to reconcile with that and come to terms with why
7 individuals have a deep distrust for all political systems
8 and all political leaders, Indigenous or otherwise. What
9 we're lacking is proper governance and also the leadership
10 to create that proper governance and the implementation of
11 it.

12 It comes down to leadership, and I think
13 that our communities, Inuit, First Nations, Métis, we can
14 understand and embrace leadership when we see it. And too
15 often, we have seen leadership in a vacuum of political
16 power. And so I do hope that we can continue to have this
17 conversation about how to best use governance and use
18 leadership to drive changes without having to just say
19 that where, at large, politics is not needed within this
20 exercise. Because if you think about research, or
21 policing, or health care delivery, or education, we have
22 the same considerations and same historical attitudes that
23 are well deserved. Why should we send our children to a
24 formal K to 12 system, when it's broken? And all that we
25 get back are children who don't know their language and

1 don't know their culture, don't know themselves, and don't
2 have the skills to be successful within a southern
3 environment. Why would we do that? The solution isn't to
4 throw out education completely, just as I would hope that
5 you are not going to throw out politicians completely from
6 the work that we all do.

7 Also, that racism in this country is alive
8 and well. And we need to say it for what it is. And this
9 Inquiry has heard so much about how racism has impacted
10 the way services are provided. The -- the respect that
11 people have or don't have, and that it isn't something of
12 the past. And these are hard conversations to have, but
13 we need to have them.

14 The infrastructure deficits that exist are
15 linked with racism. They're founded in a belief that
16 Indigenous people are not as human, we are sub-human, we
17 do not deserve the same level of care. Historically, it
18 was much more black and white about how all that happened.
19 But we are still within the roots and the foundation of
20 that same system.

21 We do this work to -- to improve the lives
22 of all that come after us and improve the lives that are
23 people who are here who need more help. We do this work,
24 not because it's easy, or not because of gratification,
25 but we do this because it's necessary. And I do hope that

1 we can find the optimism in what we can all achieve, more
2 than we can find the pessimism in what we have not
3 achieved to date. This Inquiry was never going to be
4 everything for everybody. And, yes, there are huge
5 challenges that -- that our people are -- that Inuit have
6 had in accessing the Inquiry itself, or some of the other
7 challenges. But I do hope that we can focus now in this
8 last sprint on what is possible, and how to change
9 systems, and how to get the best possible outcome because
10 we've heard from so many Inuit, First Nations, Métis, and
11 all those who have wanted to help. It's -- and that is so
12 important.

13 So I'd hope that this will all culminate in
14 a report that we can use for a long time. And I do hope
15 from the -- my angle, that I can push for a First
16 Ministers' Meeting in relation to murdered and missing
17 Indigenous women and girls, so that not only the federal
18 government who has called for this Inquiry and has -- has
19 administered it, but all those other provinces and
20 territories who have signed on as well. We'll see this
21 through to the end, and at the highest level, we'll act
22 upon the findings. *Nakurmiik.*

23 **(APPLAUSE)**

24 **UNIDENTIFIED SPEAKER:** Good job.

25 **MR. THOMAS BARNETT:** Have a seat.

1 **MS. ELIZABETH ZARPA:** Thanks.

2 **MR. THOMAS BARNETT:** And Chief
3 Commissioner --

4 **COMMISSIONER QAJAQ ROBINSON:** I do.

5 **MR. THOMAS BARNETT:** -- Commissioners, if
6 there's any questions.

7 **CHIEF COMMISSIONER MARION BULLER:** Okay.
8 Okay. Go ahead. What --

9 **COMMISSIONER QAJAQ ROBINSON:** *Ullaakuut* and
10 *nakurmiik* to you both. I have one question of
11 clarification, Ms. Zarpa, in relation to your
12 recommendation for a children and youth advocate in each
13 of the regions. Are you envisioning this institution and
14 this position to be similar to that of AMC's advocate
15 where it's -- we heard ...from Ms. Morgan when we were in
16 Winnipeg, and she occupies that role for AMC, or are you
17 envisioning this to be a provincially or territorially
18 legislated position similar to what exists in Nunavut or
19 Inuit identified and Inuit specific?

20 Just wondering, who empowers and who do
21 they serve?

22 **MS. ELIZABETH ZARPA:** So listening to the
23 testimony from the child and welfare systems and also
24 testimony from the Happy Valley-Goose Bay hearings with
25 Mr. Gordon Obed and also other Inuit, it was clear that

1 when individual family members were -- there was no Inuit-
2 specific place to go to, whether it was in Winnipeg when
3 Annie expressed directly that she knows Inuit children who
4 are taken within the system and she doesn't -- her friend
5 has no voice in that process. She's not sure how it
6 works.

7 Throughout -- who it would empower would be
8 determinant upon the individual region or the different
9 governing systems, but I think that conversations around
10 how to allow Inuit children and families to have a better
11 voice, a clearer voice and representation within these
12 very powerful systems that can sort of take with -- and
13 then families are left feeling voiceless or not really
14 knowing who to go to from a legal representation because
15 of a lack of access to justice throughout northern
16 regions, representation from lawyers, paralegals who
17 understand Inuktitut.

18 So it's -- it's the creation of these
19 conversations from the different areas to understand how
20 to better create these dynamics in a way that Inuit-
21 specific -- Inuit families themselves can deal with this
22 and have more of a voice in that process, if that makes
23 any sense.

24 So I'm not sure if it's geared towards
25 AMC's mandate specifically or ---

1 **COMMISSIONER QAJAQ ROBINSON:** I'll tell you
2 why I ask, because in Nunavut there is a territorially-
3 legislated child and youth advocate, and they're funded by
4 the territorial government. Inuit make up 80 to 90
5 percent of the population, so it's clear that their
6 mandate, although created by a public government and for
7 all citizens of Nunavut, should theoretically serve Inuit
8 families and children.

9 But in a province like Quebec, for example,
10 where Inuit Nunavik do not make up a majority of the
11 population, a child and youth advocate in the province of
12 Quebec may not have the resources or a mandate sufficient
13 enough to give equitable services to Inuit in Nunavik
14 versus Inuit in Nunavut that receive it from their
15 territorial government, so this distinction between
16 provincial and territorial public governments being the
17 body that creates this position and supports this
18 position.

19 So that's where my concerns rest. In a
20 province like Quebec and even in Newfoundland and
21 Labrador, a province-wide child and youth advocate may not
22 have -- Inuit may become off the side of their table more
23 than a focus.

24 I also want to challenge the idea of
25 jurisdictional boundaries, and I know ITK has pushed for a

1 long time to create Inuit Nunangat policy spaces, so why
2 not have an Inuit Nunangat child and youth advocate that
3 could be funded territorially, provincially and federal,
4 five-partite or whatever.

5 So I'm just sort of thinking outside of the
6 box on how you ensure that these advocate bodies, which
7 often end up being created through the silos of federal-
8 provincial jurisdiction, is actually going to serve those
9 families and children that -- and children and youth that
10 need it most that you are asking us to make a
11 recommendation in relation to.

12 **MR. NATAN OBED:** Just in that same vein,
13 within our -- under our position paper, we talked about
14 the creation of an Indigenous Human Rights Tribunal, and
15 it would sit alongside the Canadian Human Rights Tribunal,
16 but it would be specific for indigenous peoples because
17 there is an expertise within the field. And that to
18 ensure that there is recourse or redress remedy for
19 violation of human rights, that we go to the place where
20 it is explicitly for us.

21 The same principle could be applied to
22 child welfare and to an institution that focuses on
23 upholding the rights of children, of Inuit children.

24 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

25 My final question goes to the issue of

1 social inequities. And you raised the issue of migration
2 to urban settings and basically in order to access
3 essential services.

4 And when we were in Calgary, particularly
5 on the issue of FHNIB -- what's that acronym for -- health
6 benefits, the witness from Indigenous Services Canada
7 talking about the different programs that were available
8 confirmed to my question that these services are
9 recognized as programs and not as rights-based programs.

10 And it also has come out that in terms of
11 the delivery of those services under that branch, there is
12 no mechanism or certainty in the equity of services. So
13 you can have Inuit women in Gjoa Haven with the exact same
14 needs, health needs, and then a woman in, say, Reglet, and
15 there's no -- although they're both eligible for this
16 benefit, there is no certainty in the quality of the
17 service or that it's going to meet their needs.

18 And it struck me particularly when you look
19 at the decision by the Human Rights Tribunal in *The Caring*
20 *Society* how the characterization of what was being
21 provided as a right versus a service gave more recourse
22 and remedy in the hands of the Court.

23 Programs, when they're not characterized as
24 being rights-based, are provided out of the goodness of
25 heart, not because they are tied to a fundamental human

1 right, yet health, education, safety, security, and I
2 would add food security, which are all outlined in terms
3 of your social indicators and the inequities identified in
4 -- I can't remember which report now, but there's a great
5 photo that was submitted when we were in Quebec that shows
6 the discrepancies in, say, household income, housing, food
7 security, life expectancy.

8 My large preamble, just do you have
9 thoughts on what we might or should be seeing with respect
10 to these services as being rights versus benefits, and is
11 that something that is important for the Commission to
12 take a position on?

13 **MR. NATAN OBED:** This is an ongoing
14 conversation for decades now in relation to non-insured
15 health benefits program. And the risk for First Nations
16 and Inuit always has been if you fight too hard for rights
17 and the government pushes back on it being a program, then
18 you could very easily find yourself losing non-insured
19 health benefits completely.

20 And so there's always a risk when there
21 isn't an equitable relationship between indigenous rights
22 and Canadian rights.

23 If we are coming in and trying to assert
24 rights and a government has the flexibility to take away a
25 program, that is a massive amount of leverage within a

1 space that then does not allow for indigenous people to
2 truly exercise the rights that we have.

3 So yes, this is something that is of great
4 concern.

5 Also, in the same vein, the way in which
6 funding flows from the federal government or from
7 provinces and territories to indigenous peoples, and the
8 idea that indigenous-specific funding could flow to public
9 governments and not to representatives of Inuit and that
10 that is a fundamentally sound way this federal government
11 still operates is a vestige of another time.

12 Inuit are demanding that we have the right
13 to decide how Inuit-specific funding from the federal
14 government flows into our homeland, the priorities that
15 are put on it and how it is delivered, and that is
16 essential to self-determination and also essential for us
17 to ensure that we are delivering in the best possible way
18 for our population.

19 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

20 I've run out of time. I have more
21 questions. Elizabeth, I know you know how this feels.

22 **CHIEF COMMISSIONER MARION BULLER:** I'm sure
23 we all look forward to receiving your final submissions
24 today. It was just a wonderful taste of what's yet to
25 come.

1 Thank you, President Obed, for reminding us
2 to think large and to dream because the dreams are what
3 have been taken away from us. So thank you.

4 Thank you all.

5 **MR. THOMAS BARNETT:** And, Chief
6 Commissioner, Commissioners, if we could take a one-hour
7 lunch break and reconvene at 12:30?

8 **CHIEF COMMISSIONER MARION BULLER:** Thank
9 you. 1:30 please. Sorry, what time again?

10 **MR. THOMAS BARNETT:** 12:30.

11 **CHIEF COMMISSIONER MARION BULLER:** 12:30.

12 Thank you.

13 --- Upon recessing at 11:33 a.m./L'audience est suspendue
14 à 11h33

15 --- Upon resuming at 12:36 p.m./L'audience est reprise à
16 12h36

17 **MR. THOMAS BARNETT:** Next up we have the
18 Native Women's Association of the Northwest Territories.
19 They are represented by counsel Caroline Wawzonek.

20 **--- SUBMISSIONS BY CAROLINE WAWZONEK:**

21 **MS. CAROLINE WAWZONEK:** Good afternoon.
22 I'm grateful to be here on Treaty 7 Territory. I'm
23 grateful to be presenting on the Métis Nation of Alberta's
24 lands as well. This is the nation of my biological
25 paternal family.

1 I want to bid good afternoon to the
2 families, to survivors, to the Elders, to the Chief
3 Commissioner and the Commissioners, and I'm very lucky
4 this afternoon that I can introduce to you Marie Speakman.
5 She is one of the Victim Services workers from the Native
6 Women's Association of Northwest Territories, and she's
7 travelled from Yellowknife to give a brief welcome on
8 their behalf today as well.

9 **MS. MARIE SPEAKMAN:** (Speaking in
10 indigenous language). I just wanted to say in English
11 that I welcome everyone here. Thank you, and for the
12 Commissioners too. Thank you.

13 **MS. CAROLINE WAWZONEK:** As I've said, I'm
14 here on behalf of the Native Women's Association of the
15 Northwest Territories. I want to talk to you today about
16 trust. The Native Women's Association has placed their
17 trust in me, and it's an incredible gift that I've
18 accepted, and as long as I take care of this gift, I know
19 that I have the potential to have this gift forever. But
20 if I break this trust, I may not get it back.

21 And we are trusted, all of us here, with
22 the stories of the survivors and their families. We have
23 been trusted to hear their stories and to now accept their
24 stories and to act on them, and that too is a trust that I
25 would say we cannot break.

1 And I want to talk to you a little bit
2 about the importance of trust, how easily it's lost, and
3 then our recommendations as they focus on rebuilding the
4 trust in Canada.

5 Commissioners, I would suggest you can take
6 notice of the fact of how important trust is to society,
7 how important it is to our relationships, both starting in
8 our families and all the way up through our governments,
9 and that as Canadians, we've put our trust into so many
10 social institutions and political institutions. And when
11 I call the police, I trust them to be available. I trust
12 that they are in my community. I trust they will show up.
13 I trust they will hear me and investigate a matter.

14 And if I attend for healthcare, I trust
15 that they will evaluate me, look at my symptoms, even if
16 those symptoms might happen to overlap with signs of
17 addiction.

18 If I send my children to school, I trust
19 that my children will see themselves reflected in what
20 they learn, and I trust that they will be safe at school.

21 And I trust that if I'm challenged by one
22 of those things, and if those things don't happen for me,
23 I trust that I can go to the halls of power and say
24 "Please fix this." And then if the politicians don't
25 listen, I would go to the media and say to them, "Please

1 fix this." And I can trust that someone will do something
2 because I'm Canadian and I matter.

3 But that has not been the evidence that you
4 have heard in the course of the Inquiry. And in Iqaluit,
5 Inukshuk Aksalnik described the work of the Qikiqtani
6 Truth Commission and recommendations arising out of the
7 Qikiqtani Truth Commission, looking at the impacts of
8 relocations and dog slaughters, and she says that most of
9 those recommendations in response to society-destroying
10 events are recommendations looking at a way to arrive at a
11 point where the design and the delivery of services is
12 done for Inuit in a way that Canadians take for granted.
13 In response to dramatic events, all they want is to be
14 brought to a level that is the same as when I say I
15 matter, that she too can know that she matters.

16 It's a very simple thing to take for
17 granted, our trust, and one of the most simple ways that
18 we take for granted will bring me to my next point about
19 trust. And it was when Elisapi Aningmiuq also in Iqaluit
20 said: " How come we as Inuit are the one who must
21 understand you?"

22 And I would suggest, based on all that you
23 have heard, that simple question applies to the First
24 Nations and to the Métis Peoples as well. Why do we need
25 to understand you?

1 And she illustrated this point with a
2 simple question from her son: "Anaana, why do the Inuit
3 speak English but the Qallunaat don't speak Inuktitut?"
4 And asking that question in Iqaluit, I would suggest, is a
5 very powerful thing. The simple ability to communicate
6 our needs, to communicate to power and to government is
7 something that we too easily take for granted.

8 And when trust is broken, the more times
9 you break it, the harder it is for someone to trust you
10 again. That is clear from the evidence of the families
11 and the survivors, that the police do not come when they
12 are called. They come, but you feel like the criminal.

13 The offender might be found guilty and
14 taken away but then returned to your community
15 unrehabilitated and with no change and no protective
16 structures when they return.

17 The education system takes your children,
18 does not educate them, and your way of life is not
19 reflected. They're told, in fact, that it's bad.

20 The health system takes you away from your
21 community, treats you in isolation. Indeed, when you're
22 born into the world as a child in the North, your mother
23 very often has been flown out of her community and is
24 giving birth to you away from her community and away from
25 her family.

1 The Terms of Reference of what brings us
2 all here, of course, ask for the reasons why there's such
3 violence, and disproportionate violence against indigenous
4 women.

5 But I would suggest that the reasons that
6 we are here truly is not actually the issue. The issue is
7 why are we still here?

8 In the Northwest Territories in the 1970s,
9 we had the Berger Inquiry. And while this was in response
10 predominantly to an assertion of rights over land,
11 ultimately what came of that was a recommendation that was
12 not only a moratorium on the development but a call to the
13 need to pay attention to what is being said by indigenous
14 communities, to protect those indigenous communities and
15 to involve them in the decision making about indigenous
16 communities.

17 Twenty (20) years later, the 1990s, we have
18 the Royal Commission on Aboriginal Peoples where it is
19 said we realized that the usual strategy, tackling the
20 problems one at a time, independently, is tantamount to
21 putting a Band-Aid on a broken leg.

22 Instead, we propose a comprehensive agenda
23 for change. What we want is something more radical. To
24 bring about change in human lives is to ensure that
25 Aboriginal children grow up knowing that they matter, that

1 they are precious human beings, deserving love and
2 respect, and they hold the keys to a bright future with
3 possibilities in society as equals.

4 And yet we are still here. And we were
5 told this all again, this same decade, by the Truth and
6 Reconciliation Commission. They had given us guiding
7 principles on truth and reconciliation. I want to
8 highlight only Number 6 for now in the interests of time:

9 "That all Canadians, as Treaty
10 Peoples, share responsibility for
11 establishing and maintaining mutually
12 respectful relationships."

13 This time around, it seems there is some
14 work that has begun, but if the issue here is around
15 protecting indigenous women, we have to ask if that needle
16 that is in the critical red is moving fast enough. And
17 the evidence before the Inquiry suggests that it simply is
18 not. It is certainly not the evidence in the Northwest
19 Territories, where there are high rates of violent crime,
20 but particularly the highest reported rates of violence
21 against women in Canada. In 2013, the rates of violence
22 against women was nine times the national average. By
23 2016, the rates of domestic violence in the Northwest
24 Territories was the second highest in Canada. And while
25 I'm not certain, but I strongly suspect it was our

1 neighbouring territories who rounded out the top three.
2 And in fact, the real numbers are far worse. It is widely
3 known, and it was explained to you by Dr. Pertice Moffitt,
4 that it is often unreported and particularly so in small
5 communities that violence is normalized, and that this
6 creates significant risk of behaviour and expectations
7 passing generation to generation.

8 In addition, the Indigenous population in
9 the Northwest Territories have below average education
10 levels, high rates of poverty, low employment rates,
11 housing shortages, high rates of addiction, and a multi-
12 sourced inter-generational trauma. So, again, the needle
13 simply is not moving fast enough, and the situation
14 remains critical despite having been told in the '70s and
15 in the '90s and in earlier this -- in this decade, that we
16 need to change our ways.

17 So why are we still here? Dr. Moffitt and
18 her collaborators used the imagery of a web, depicting how
19 all the different factors intersect to create a web of
20 oppression. And that you may successfully address one of
21 those strands or, perhaps, you've created a program that
22 targets available housing, that increases access to
23 transportation, that increases access to available
24 childcare. But when you're only taking one, or even two,
25 all of the strands stay there, and they anchor the

1 oppression. And it is high time, having been told again
2 and again, that we need to acknowledge that the efforts
3 strand by strand are not working.

4 And we are asking this Commission to have a
5 broader vision. To have a vision that looks at what is
6 anchoring this web, and not simply strand by strand. And
7 that's where I come back to trust. If you look at trust,
8 and the trusts that are broken, and the underlying trust
9 underneath each of those strands, you will start to -- I
10 will suggest that you will start to see that there are
11 connections and linkages, and there is something that can
12 be done to change the relationships.

13 And it's -- this is true even for those
14 with the best of intentions, which is, perhaps, this --
15 the one that's the most difficult to root out. Dr. Janet
16 Smylie in Iqaluit said:

17 One of the most disruptive parts of
18 colonial policies and processes is the
19 attitudinal and systemic racism when
20 outsiders, and now sometimes insiders, who
21 may not have been exposed to these ways,
22 they don't see, or they misunderstand, or
23 they underestimate a piece of this way of
24 living, and they try to replace it with
25 something that they know, but something

1 that won't work for us.

2 We need to trust the people to know. Part of the mission
3 of the Northwest Territories Native Women's Association is
4 to build relationships with all levels of government and
5 with other organizations, and they are relationships that
6 will be built on trust.

7 Which brings me to our recommendations.

8 They are recommendations that look to the future. We wish
9 to articulate a path to renew trust of Indigenous women to
10 all levels of government and to all government services.
11 But we also want to find a path to ensure that governments
12 start to trust Indigenous women. So we have four core
13 recommendations. We are mindful that the Inquiry strives
14 for decolonization and for respect of Indigenous self-
15 determination. We are mindful that to build upon the
16 resiliency of Indigenous peoples in communities, as has
17 been demonstrated and heard time after time throughout
18 this Inquiry so powerfully. And fundamentally, our four
19 recommendations seek to rebuild a trusting relationship
20 between all nations within Canada.

21 Number 1, is that all Canadians and the
22 Canadian political leadership must meaningfully --
23 meaningfully acknowledge that violence against Indigenous
24 women and girls, including members of two-spirited, LGBTQ
25 communities, are at a state of national crisis that demand

1 an urgent and an active response. Number 2, that all
2 Canadians and Canadian political leadership must
3 proactively re-establish, build, and foster trust between
4 all levels of government, service providers, communities,
5 and citizens. Three, that the federal, provincial, and
6 territorial, and Indigenous governments should ensure that
7 the purpose and objective of all government services is to
8 be community and person-centered. And four, that the
9 federal, provincial, territorial, and Indigenous
10 governments establish senior levels of entities mandated
11 to be accountable for monitoring and reporting on measures
12 of Indigenous women's safety, health, education, and any
13 other socio-economic indicators as measures of their
14 equality, dignity, and wellness.

15 Before we got to our four recommendations,
16 we started with almost 40. And it was when we went to
17 cross-reference these against the Inquiry's master list of
18 recommendations, we realized two things. First, that,
19 again, we actually have been told much of this already.
20 That so many of these things have been said in one way or
21 another. But two, what a treasure the master list is. We
22 would also urge you, then, to take those 233 pages, and
23 growing list of recommendations, and don't lose it. Make
24 it accessible. Make it user-friendly. Add to it the
25 powerful and thoughtful recommendations that you have

1 already begun hearing in Calgary and will continue to hear
2 over the course of your -- of these next hearings. Make
3 it interactive. Allow the incredible dialogue that has
4 happened over the course of these -- this -- of all of
5 these hearings, not to end. It is a tool, and it can be a
6 tool, and it should be a tool for leaders, politicians,
7 policy-makers, and advocates.

8 Because I'm confident in this dialogue, I
9 wanted to highlight, briefly, some of the recommendations
10 that we had -- I'm calling them the additional
11 recommendations for consideration, for lack of a better
12 term. And I know I have been -- they've been provided to
13 the parties and to the Commission in their fullness, but
14 to -- for the sake of those listening only, I wanted to
15 highlight, as I said, a few that were particularly
16 salient.

17 One is that the federal, provincial,
18 territorial governments, in collaboration with Indigenous
19 governments, need to establish working groups to reduce
20 the high turnover rate in front line services. Provincial
21 and territorial governments, in collaboration with
22 Indigenous governments, must establish working groups with
23 Elders, Grandmothers, and youth, to develop and deliver
24 public education and community awareness in a number of
25 arenas: Safe and healthy relationships, warning signs of

1 abuse, warning signs of personal crisis, ending stigma
2 around victimization, and safely accessing community
3 services. These people -- these groups must also come
4 together to develop cultural safety. They should come
5 together to develop trauma-informed training. And all of
6 that should then be shared with law enforcement, front
7 line service providers, and others in the justice system.

8 We'd suggest having a mobile trauma-
9 recovery team. We suggest also that there be community-
10 based addictions treatment services, each one ensuring
11 that there's aftercare supports. That you engage the
12 Elders, the youth, the Grandmothers to develop these
13 community-based services. And similarly, develop
14 community-based anti-violence programs, recovery programs
15 for survivors, and ways to safely re-integrate offenders
16 into their communities.

17 I want to spend the rest of my time going
18 over our four core recommendations and giving a bit of
19 meat to their bones. Firstly, the acknowledgement. And
20 we're conscious that the Interim Report already indicates
21 that all levels of government should publicly acknowledge
22 and condemn violence against Indigenous women and girls
23 and LGTBQ and two-spirited persons. But we want to
24 consider for a moment what is meant by the word,
25 acknowledge. And I'll go back many years to the Royal

1 Commission on Aboriginal Peoples, again, where they call
2 for a realistic look at Canadian history and in
3 acknowledgement that government policies built on 150
4 years of colonialization was wrong. And I quote:

5 Every Canadian will gain if we escape the
6 impasse that breeds confrontation between
7 Aboriginal and non-Aboriginal people across
8 barriers, real or symbolic. The barriers -
9 - barricades will not fall until we
10 understand how they were built.

11 Dr. Janet Smylie in Iqaluit acknowledging that there is
12 unequal social positioning:

13 If we don't acknowledge the social
14 positioning, how can we begin to correct
15 it? If we are trying to be able to bridge
16 across differences, you need to be aware of
17 one's own social positioning to even out
18 the interaction.

19 We need to acknowledge our shared history, our current
20 reality, the social inequalities, and it is more than
21 simply shame or blame.

22 And then Gabriel had many strong words for
23 the government, but she also said this, "Canadians have to
24 move beyond the guilt. Help us progress because we are
25 spinning our wheels in the mud of colonialization".

1 That's the acknowledgement that we're
2 asking, one that comes from knowledge and one that comes
3 with understanding.

4 It should start with those who take on the
5 responsibility of leadership and in whom we place trust.

6 Our second is to then re-establish and
7 build trust. Witness after witness has made it clear that
8 the Canadian government cannot continue to impose an
9 external world view on indigenous people and simply
10 existing them to conform.

11 Non-indigenous Canadian leadership must
12 start trusting the world view of indigenous Canada.

13 We already know again that these
14 conclusions are being drawn in the interim report, but
15 still, it's how you build that trust is a real issue and
16 is an ongoing question.

17 We would ask that all governments be
18 required to take steps to establish, build, demonstrate
19 trust in the ability of indigenous women, girls, LGBTQ and
20 two-spirited persons to show that they know the ways of
21 healing, the ways of strengthening and ways of themselves
22 working towards equality.

23 We would also ask that you please, please
24 encourage us not to be afraid. Dr. Blackstock in Winnipeg
25 noted:

1 "The governments are worried we're
2 going to screw up. We might screw up,
3 but we have survived our own mistakes
4 for thousands of years. We might not
5 survive theirs. The evidence is very
6 good that we might not survive theirs.
7 It is time for them to learn how to
8 give up control and to understand that
9 it is not going to be chaos on the
10 other side, that we demand much more
11 of ourselves than that."

12 And so Commissioners, we ask you to please
13 help us all stop being afraid to trust each other.

14 So how do you go about re-establishing and
15 building something like trust?

16 This is where the power of those 233 pages
17 of recommendations come in, and the power of all the
18 recommendations you will hear here. These are the
19 requests of the people. A good starting place to build
20 trust would be to take some of them and actually act on
21 them.

22 We would highlight just a few.

23 Better and more dialogue, education and
24 collaboration. With respect to dialogue, an example of
25 how you might do that is to actually understand the person

1 with whom you are speaking and to even be in the place
2 with the person with whom you are speaking.

3 So for example, I'd asked how the
4 Anishinaabe Aske Nation was able to create a better
5 awareness about the needs of their northern communities
6 when they were negotiating their police agreements. And
7 their Chair said to me, "One of the things we did was
8 invite the negotiating parties from both Canada and
9 Ontario to come and visit in our communities because most
10 negotiation processes take place in an urban setting".

11 The reason to take them up north was to see
12 firsthand what any specific community has to deal with,
13 whether that's a poor facility or even the geographic
14 layout itself. Most people don't know anything about the
15 north. That certainly has been our experience as well,
16 and likely extends to so many communities across Canada
17 vis a vis the people making the decisions about them.

18 Dr. Blackstock again offers insights:

19 "For so long the communities have been
20 told, 'No, you can't have it', so I
21 think it's a duty on the government
22 and, in fact, it's an obligation on
23 the government under the UNDRIP to go
24 out to the communities and say, 'Not
25 only are we changing the page

1 ourselves, we realize our previous
2 approach was not the one we should
3 have taken'."

4 And she goes on:

5 "We sincerely are interested in
6 hearing from you or, alternatively,
7 under something like the touchstones
8 of hope to allow to allow communal
9 visioning to happen. They shouldn't
10 be waiting in their offices. They
11 need to get out there and really speak
12 to people."

13 Dr. Blackstock, of course, provides a
14 roadmap, a roadmap to develop trust in the form of the
15 Spirit Bear Plan. And we would suggest that that, too, is
16 another way to establish and to build trust.

17 It's a simple five-step plan. And it
18 involves, at one point, a 360-degree evaluation process
19 where governments have to have an honest dialogue with
20 themselves because, as she has said, "Unless governments
21 reform themselves in a serious way, not tinkering around
22 the edges, the vestiges of colonial powers and practices
23 will continue to pile up."

24 The second of our highlights with respect
25 to trust is education.

1 In Quebec, Helen Gabriel described it as an
2 injustice that, through our education system, Canadian
3 children are denied historical truth and continue to be
4 fed "the garbage we were fed to feel ashamed". She calls
5 for decolonization of the education system so that with
6 knowledge, this next generation will not make mistakes
7 like this one.

8 Let's raise a generation of indigenous kids
9 who do not accept inequality and non-indigenous kids who
10 understand that an injustice was done to all Canadians.

11 Northwest Territories Native Women's
12 Association delivers adult training programs and sees
13 firsthand the difference that a holistic and culturally-
14 safe approach can actually make.

15 Many of the women served in these programs
16 cannot complete the training in other programs and in
17 other places. Sometimes they can't access them or they
18 can't complete them because they have a number of complex
19 needs ranging from child care to the fact that they may be
20 recovering from trauma.

21 They need to be accepted as they are, where
22 they are and have their learning needs addressed as whole
23 people. When that is done, they succeed.

24 And so we know that building trust in
25 education is possible. We hope there's a similar approach

1 that can be expanded across ages.

2 And this isn't just education for young
3 people. It's education for all of us who missed out when
4 we were young, whose education systems didn't teach us.

5 Education doesn't end. We all have to
6 continue to educate ourselves and continue learning.

7 And the last of our highlights with respect
8 to the building of trust is collaboration.

9 Manager of the Northwest Territories
10 Community Justice and Policing spoke in Calgary, Leanne
11 Gardiner. She said:

12 "Service provision to victims is best
13 delivered when all of the stakeholders
14 are communicating well, and especially
15 in a small community. The reality is,
16 there's maybe one victim services
17 worker, two or three RCMP officers.
18 Whenever there's any turnover in any
19 of these positions, that impacts this
20 relationship."

21 Speaking about the inter-agency
22 relationships, Dr. Moffitt also said that in the Northwest
23 Territories, and again, I suspect many smaller
24 communities, not only does this kill the institutional
25 memory, it breaks the bonds of trust between the service

1 providers and the clients they are serving.

2 There are benefits for formalizing cross-
3 institutional relationships so that the relationships are
4 not dependent only on the individuals filling the roles at
5 any given time, but also they can translate then to being
6 something that lasts within those institution and goes
7 beyond the individuals filling those roles.

8 And in our view, this creates a far better
9 foundation for trust between agencies and it will create a
10 far better foundation for trust with the people they are
11 serving.

12 Our third recommendation, to be person and
13 community centred in our government services.

14 And on this point, it's not simply a
15 singular occasion. It's not just one government service.
16 We actually mean every single one of them.

17 The purpose and objectives, often found in
18 a preamble or in the policy document that lays out how the
19 government institution is meant to be providing a certain
20 type of service, should actually be retooled so that
21 instead of having it be about the service, it is about the
22 fact that they need to serve the wellness of the whole
23 person, whomever they are serving in whatever capacity and
24 for whatever reason.

25 They need to start seeing their clients as

1 complex people with complex needs, and very often with
2 families.

3 Shifting to the purpose of government
4 services at each entry point to being whole person centred
5 creates an umbrella, and there's a better sense of trust
6 coming from the client if they know that they could go to
7 a point of access and receive whatever need they're
8 professing to need, but that their other needs won't be
9 forgotten, that they won't be handed a card and told to go
10 to the next place, that they will actually be accompanied
11 there, that they will be taken care of and that whatever
12 their access point is, they know that every one of their
13 needs contributing are all going to be serviced and cared
14 for.

15 So that instead of, if it's raining, rather
16 than handing them a newspaper and saying, "Well, head over
17 to that office there and I hope you don't get wet", this
18 is the umbrella. We actually are going to protect them
19 and take them and make sure that they get where they need
20 to go so that all of their needs are cared for.

21 What does it mean to see the whole person?
22 Commissioner Robinson had asked about counselling that is
23 either family oriented versus one on one. And Elisapi
24 Aningmiuq said, "One on one is non-indigenous. Inuit
25 don't focus on the individual".

1 In her organization, they don't consider
2 what they do as siloed programs. What they do focuses on
3 the way of life, taking a holistic approach. It is not
4 just a program. As she says, "My life is not a program.
5 It is my way of life. Our life is not a program. It is
6 our way of life."

7 Dr. Turpel-Lafond gave some examples. She
8 observes that, at times, people from remote communities
9 who need to visit a medical facility in a major centre.

10 And we don't suggest that that's suddenly
11 going to come to an end, but without a care plan, that
12 person risks being left in downtown Winnipeg or name your
13 major centre and may never get home again.

14 In another example, Dr. Turpel-Lafond
15 observes that poor quality and short-term addictions
16 treatment for mothers is not working. We need to create a
17 priority that you incentivize and support post-treatment
18 like at-home supports.

19 And she described the work that is
20 happening in the First Nations Health Authority in British
21 Columbia where they are seeing clients as whole
22 individuals, including clients who are parents. And
23 instead of saying, "You need to take care of your child",
24 which she observes most parents do know, instead the
25 system's focus changes to this person as a whole person,

1 and the question becomes, "How can we make sure that this
2 person has the supports he or she needs to be healthy, to
3 understand the needs of their child and to provide them?"

4 The focus changes. And it is not shaming
5 and blaming as much as it is on motivating and supporting.

6 Keeping a person in their community working
7 with their community obviously has the potential to build
8 trust. Taking them out of their community, taking them
9 away from their family obviously has the potential to
10 break trust.

11 Now, we note and we're conscious that
12 certainly there is an argument that has been made that
13 perhaps these small communities and their service
14 providers don't have the right academic qualifications.

15 But the point has been made exhaustively
16 that indigenous nations and communities have the
17 knowledge, have traditional knowledge to support the
18 emotional, spiritual healing and wellness of their people.

19 Dr. Janet Smylie described an extraordinary
20 example of how you can build indigenous and non-indigenous
21 health care networks that use the best of all these
22 worlds.

23 And in prioritizing a community-centred
24 approach, then the focus should be on the strengths of the
25 community, to support those strengths rather than worrying

1 about the deficits. Again, we don't want to get lost in
2 fear.

3 And instead of insisting on external
4 experts, the current system -- as the current system does,
5 perhaps we can focus on their strengths and what can do
6 instead is ensure that the person who has the experts --
7 the expert knowledge for that community bring them the
8 opportunity to get the academic qualifications instead of
9 always bringing the academic qualifications and hoping
10 that they can start to understand the community. That
11 approach seemingly hasn't gone very well.

12 And the last, number 4 out of our
13 recommendations, accountability.

14 No matter what recommendations this
15 Commission ultimately lands on, without accountability
16 there will be no ability to ensure that progress is
17 meaningful and that progress is effective.

18 Dr. Turpel-Lafond spoke about
19 accountability in her testimony where she said that:

20 "They must identify a point of
21 leadership within your institution
22 responsible for every component of
23 proposed change. They must have the
24 capacity to conduct detailed reviews.
25 They have to have sufficient authority

1 to change the process if it's not
2 working. There must be clear
3 timeframes, and there must be a
4 process by which that person can
5 ensure that whoever is responsible for
6 change sees and understands how they
7 fit into the process, and the person
8 who's accountable needs to report back
9 publicly."

10 But besides accountability within
11 individual institutions, Dr. Turpel-Lafond points out that
12 when there are many or different overlapping systems,
13 there needs to be accountability between those systems.

14 By way of example, she described the senior
15 level meetings that are among stakeholders engaged in
16 child welfare in British Columbia, and that involves a
17 Director of Child Welfare, the Public Guardian, the
18 Ombudsman, many.

19 Every single one that attends that level of
20 meeting becomes accountable to the others so that as each
21 system changes, not one is left to be falling behind.

22 And so the Northwest Territories Native
23 Women's Association proposes that the federal, provincial,
24 territorial and indigenous governments all have this
25 responsibility to be accountable. They are all going to

1 have a responsibility to develop to build trust, to
2 establish that trust and build that trust, and to deliver
3 programs and services within a spirit of trust. And they
4 need to be accountable for doing so.

5 In conclusion, I would reiterate again our
6 desire to catalogue all the recommendations that you have
7 and that you will receive, but to look beyond individual
8 services and individual programs and go to the very core
9 of our relationships as Canadians.

10 We urge the National Inquiry to take a
11 multi-generational view. We are seeking recommendations
12 for change that aspire to transform how Canadians and how
13 Canadian institutions understand and see and treat
14 indigenous women and girls.

15 We want to have acknowledgment through
16 understanding. We want commitment to rebuild our trusting
17 relationships. We want to change the entire focus and
18 delivery of services to being community and person-centred
19 and establish accountability to make sure it actually gets
20 done.

21 The Northwest Territories Native Women's
22 Association looks forward to a future for indigenous
23 children and grandchildren to grow up proud of their
24 indigenous heritage, confident of their place in Canadian
25 society and where our non-indigenous children grow up

1 knowing the truth of their history where they can benefit
2 from the powers and the gifts of their indigenous
3 neighbours.

4 And in this future, indigenous women and
5 girls and LGBTQ and two-spirited persons can have trust
6 that they will be treated with dignity and with respect
7 comparable to every other Canadian.

8 Thank you.

9 **MR. THOMAS BARNETT:** Chief Commissioner and
10 Commissioners, before you ask any questions, would it be
11 possible that Commission counsel can ask two simple
12 questions just to clarify things for the record?

13 Of counsel, Ms. Wawzonek.

14 **CHIEF COMMISSIONER MARION BULLER:** Go
15 ahead.

16 **MR. THOMAS BARNETT:** So Ms. Wawzonek, just
17 to be clear for the record, is the master list that you're
18 referring to, is that the same one that is available on
19 the National Inquiry web site that's titled "Master list
20 of previous recommendations organized by theme"?

21 **MS. CAROLINE WAWZONEK:** That's the one,
22 yes.

23 **MR. THOMAS BARNETT:** Okay. And then you
24 also referred to the Native Women's Association of the
25 Northwest Territories two-page document about the

1 recommendations.

2 Are you seeking that to be an exhibit on
3 the record?

4 **MS. CAROLINE WAWZONEK:** Yes. I apologize
5 on the process.

6 Yes, if I could perhaps -- the document
7 that we had sent in that outlined our recommendations, if
8 I could please ask that that be made a formal exhibit.

9 **CHIEF COMMISSIONER MARION BULLER:** Exhibit
10 3.

11 **---Exhibit 3:** "Primary Recommendations on behalf of
12 the Native Women's Association of the
13 NWT" (4 pages)
14 Submitted by: Caroline Wawzonek,
15 Counsel for Native Women's Association

16 **MS. CAROLINE WAWZONEK:** Thank you.

17 **CHIEF COMMISSIONER MARION BULLER:** Thank
18 you, Commission counsel.

19 **MR. THOMAS BARNETT:** Yes. And thank you,
20 Chief Commissioner and Commissioners. If you have any
21 questions.

22 **CHIEF COMMISSIONER MARION BULLER:** For
23 once, none of us have any questions.

24 But we all do want to say thank you very
25 much for your thorough and very passionate submissions,

1 and we look forward to reading more.

2 Thank you so much. Thank you both.

3 **MR. THOMAS BARNETT:** And if we could take a
4 20-minute break.

5 **CHIEF COMMISSIONER MARION BULLER:** Twenty
6 (20) minutes, please.

7 --- Upon recessing at 13:14

8 --- Upon resuming at 13:33

9 **MR. THOMAS BARNETT:** Thank you, Chief
10 Commissioner and Commissioners.

11 Next we have the Government of
12 Saskatchewan. They are represented by counsel, Barbara
13 Mysko.

14 **--- SUBMISSIONS BY BARBARA MYSKO**

15 **MS. BARBARA MYSKO:** Good afternoon,
16 Commissioners. I'd like to acknowledge that we're
17 gathered this afternoon on Treaty 7 territory, the home of
18 the Blackfoot and the Métis. And I would like to start my
19 submissions by extending my gratitude to the Commissioners
20 for their tireless efforts. To the activists who continue
21 to shed light on matters of public importance. To all of
22 the Parties with Standing for their commitment. And, of
23 course, to all of the staff and those who have made this
24 Inquiry come together. Most importantly, though, I'd like
25 to thank the families of the missing and murdered

1 Indigenous women, girls, two-spirit, and transgender
2 people. And I would like to acknowledge the spirits of
3 those who have passed on.

4 It's important for us to remember who is at
5 the center of this process. It's not the provincial
6 government, it's the people we try to serve. And in that
7 respect, I take note of Betty Ann Pottruff's reply to a
8 question I asked her in her evidence in relation to her
9 work from the provincial partnership on missing persons.
10 And she said:

11 I think the other lesson we learned was
12 that the families, they had a lot of
13 valuable information to contribute if
14 anybody would listen to them.

15 And I think we have all understood the truth of that
16 statement throughout this journey over the last two years.
17 So I will do my best to keep this front of mind during
18 these submissions, knowing that this is probably one of
19 the more difficult things I've done in my career. I am a
20 little bit nervous, but I also know that this is
21 absolutely nothing compared to what the families have
22 endured, so this is the least that we can do.

23 So on that note, I will provide a road map
24 for the submissions. First off, we'd like to start with
25 first principles and talk about the terms of reference for

1 the Inquiry. Speaking to Saskatchewan's engagement with
2 the process, and our desire, our seeking of concrete
3 solutions to affect positive change, we'll speak to the
4 importance of recognizing best practices, not for the
5 purposes of marketing or self-promotion, but for the
6 purpose of building, learning, and becoming better. I'll
7 then go into review some of Saskatchewan's efforts in
8 reconciliation, education, housing, child welfare, and
9 numerous other areas, many of which I won't be able to
10 cover exhaustively in the submissions today. Throughout
11 this, I'll try, as best as I can, to recognize some of the
12 areas in which we're struggling. But we'll also repeat
13 very importantly some of what we've heard in the evidence.
14 The presentation will, of necessity, be incomplete.

15 So to start off, as we all know the mandate
16 of this Inquiry is expansive to say the least. And I
17 would like to refer to something that Jessie Wente said in
18 the racism hearing in June, which was:

19 The reality is, our existence is nuanced.
20 It requires nuanced responses. Not
21 everything for each community is going to
22 be the easy answer.

23 We know the disproportionate violence against Indigenous
24 women, girls, two-spirit people, is a complex problem.
25 And something that Betty Ann Pottruff said to me

1 throughout the course of this Inquiry really resonated
2 with me and that was, "Complex problems require complex
3 solutions." For that reason, the mandate of the Inquiry
4 is expansive. The expansiveness, the breath of the
5 Inquiry affirms the complexity that's inherent in
6 examining and understanding systemic causes of violence.

7 According to the terms of reference you,
8 the Commissioners, are directed to inquire into and report
9 on and, of course, you know this, systemic causes of all
10 forms of violence, including sexual violence, against
11 Indigenous women and girls in Canada, including underlying
12 social, economic, cultural, institutional, and historical
13 causes. No small feat. As well, institutional policies
14 and practices implemented in response to violence
15 experienced by Indigenous women and girls in Canada,
16 including the identification and examination of practices
17 that have been effective in reducing violence and
18 increasing safety. Any and all decisions taken by this
19 Commission are informed by these terms of reference. It's
20 for that reason that I go back to it today.

21 This broad mandate recognizes the need for
22 carefully considered and constructed solutions to complex
23 problems. Such solutions require a multi-sectoral
24 involvement, dialogue among partners, to promote an
25 exchange of information, encourage understanding, and

1 support capacity building. Dialogue is facilitated by the
2 very nature of this process. I may be used to adversarial
3 processes. This is not that. This in -- is an
4 inquisitorial process, the very nature of which is meant
5 to facilitate open discourse about past and present
6 challenges, existing practices and proposed solutions. As
7 the Commission knows, its role is to investigate, educate,
8 and provide advice to government.

9 Where, then, does Saskatchewan fit into all
10 of this? I'd like to speak to something that Dr. Allan
11 Wade said in his evidence. He said:

12 I don't think there's any substitute for
13 working together as allies. People in
14 different positions, who have different
15 things, who bring different things to the
16 table. If we are going to work together,
17 that would be my hope.

18 We are here because we want to encourage the Parties with
19 Standing to see public servants as their allies. Maybe
20 not today, or tomorrow, but some day. I've been reading a
21 lot from Simon Ruel, the author of The Law of Public
22 Inquiries in Canada. And he notes in that text that
23 public
24 inquiries -- only matters of very significant -- public
25 importance, rather, should be entrusted to Commissions of

1 Inquiry.

2 Violence against Indigenous women and girls
3 is a matter of significant public importance.
4 Saskatchewan has recognized this by providing the
5 Commission with the authority into inquire into issues
6 under provincial jurisdiction. Saskatchewan's Order in
7 Council affirms that it is in the public interest to
8 entrust to the Commission of Inquiry the mandate to carry
9 out its work in matters of Saskatchewan's jurisdiction.
10 Our OC, or Order in Council says further that the province
11 is committed to working with Indigenous communities to end
12 the threat of violence against women and girls, and to
13 ensure the safety of future generations, to take action to
14 support reconciliation, working in collaboration with
15 Indigenous peoples based on principles of mutual respect
16 and shared benefits.

17 I'd like to tell you today that
18 Saskatchewan's paying attention. We have a team of
19 officials that meet on a bi-weekly basis that monitor and
20 review the evidence raised at the Inquiry. At the risk of
21 giving evidence, this team is composed of officials from
22 across government representing ministries of education,
23 health, social services, justice, corrections,
24 prosecutions, the Public Service Commission, Status of
25 Women, FILU among others. Officials, over the past few

1 years, have been monitoring the institutional and expert
2 proceedings, and there was significant representation at
3 the Saskatoon community hearings, including for members of
4 the Saskatchewan Elders Forum. Government
5 representatives, who have been in attendance at every
6 institutional expert hearing since August 2017 have
7 identified themes in the evidence, and regularly report
8 back to their team for consideration.

9 While along the way, and in the past,
10 Saskatchewan has implemented some best-practices, it
11 understands it does not have all the answers. We
12 acknowledge the significant over representation of
13 Indigenous people in the child welfare system as well as
14 in the corrections and justice system. We recognize the
15 challenges of service delivery in remote and northern
16 communities, and the existing disparity in income,
17 education, and employment for Indigenous people. We have
18 participated in the Inquiry to seek out more effective and
19 responsive solutions to these challenging issues. And I'd
20 like to review some of what we've heard in the testimony,
21 so that you can understand that we are listening. And the
22 list is, obviously, not going to be exhaustive.

23 We have testimony on recognizing the
24 resilience of Indigenous women and children and families;
25 ensuring a person with lived experience is at the table;

1 understanding Indigenous world views, plural; building
2 capacity in families in communities; implementing
3 culturally appropriate services and programs; educating
4 those who are delivering services, so that they can
5 provide equitable, respectful services; ensuring that
6 supports and services exist in and for remote and northern
7 communities; keeping women and children safe in their
8 homes and communities where possible; spreading awareness
9 of the problem of human trafficking; educating and
10 training men and boys; collecting reliable statistics;
11 performing objective evaluations; ensuring that risk
12 factors do not penalize, but instead create opportunities;
13 being mindful of the language and signals that people use
14 to alienate, humiliate, or create more vulnerability;
15 creating alliances among women; addressing the
16 marginalization of two-spirit people; providing meaningful
17 funding.

18 No list can be exhaustive. We are seeking
19 concrete solutions to address the complex challenge of
20 violence against Indigenous women and girls in line with
21 the terms of reference that ask the Commissioners to do
22 exactly that. The terms of reference also direct the
23 Commission to identify practices that have been effective
24 in reducing violence and increasing safety. We ask, urge
25 the Commission to look carefully at existing, effective

1 practices in developing its concrete recommendations. The
2 quality and strength of the Commissioner's recommendations
3 require a proportionate, but rigorous review of the
4 information that's available.

5 Saskatchewan recognizes that this
6 Commission has been unable to hold a viva voce hearing on
7 every possible systemic cause. For this reason, we have
8 tried to provide a series of evidentiary submissions to
9 the Commission outlining past and existing practices,
10 which I understand the Commissioners have already begun to
11 review. Although, these submissions are far from
12 exhaustive, they're intended to assist in the development
13 of your final report: Carefully considering existing,
14 effective practices of all organizations, not just
15 provincial, federal governments, serves to promote trust
16 among those who work in the field, and those who are
17 impacted by the work; build on momentum of existing
18 efforts and encourage capacity building within
19 institutions; contribute to a sense of well-being and hope
20 for Indigenous people rooted in their demonstrated
21 successes. We'll provide a brief outline of some of the
22 initiatives for the purpose of promoting and understanding
23 of what progress has been made; spreading awareness that
24 the public service is capable of empathetic service and is
25 committed to performing progressive responsive work for

1 and with its Indigenous partners; and calling for your
2 advice.

3 So I'd like to start by talking about
4 reconciliation and referring, again, to my favourite
5 quoteable, Betty Ann Pottruff, who said in her evidence:

6 One of the major issues that you need to
7 deal with in work like this, is building
8 trust.

9 We've heard a lot about that today. Betty Ann went on to
10 say:

11 Because if you don't build the trust and
12 focus on relationships, then it's going to
13 be that much more difficult for you to be
14 successful. People have to feel that
15 they're in a safe environment in which they
16 can say what they want to say, even if what
17 they want to say might be hard to hear.

18 Well, here is one of those hard truths. Saskatchewan
19 knows that it shares in Canada's legacy of residential
20 schools and disproportionate levels of violence against
21 Indigenous women and girls. Of the 139 recognized
22 residential schools that existed across Canada,
23 Saskatchewan was home to 20 of those and the highest
24 number of residential school claimants. It is a
25 consistent theme in the evidence that the residential

1 school system has long-lasting impacts for family
2 cohesion, domestic violence, and child welfare. It's
3 important for the Saskatchewan public to be educated and
4 informed about the legacy of residential schools. Greater
5 understanding leads to more empathetic provision of public
6 services, reduces negative stereotyping, and improves the
7 quality of life for Indigenous people.

8 As this Commission has recognized in its
9 Interim Report, no one knows for sure how many Indigenous
10 women and girls have been murdered or gone missing in
11 Canada. However, it is clear that Indigenous people are
12 disproportionately represented as victims of crime,
13 generally. Nationally, we know Indigenous women
14 experience significantly higher rates of violent
15 victimization than non-Indigenous women. Since the
16 Saskatchewan Association of Chiefs of Police began
17 recording long-term missing persons statistics in 2006,
18 the number of missing Indigenous women in Saskatchewan
19 consistently represents 50 percent or more of total female
20 persons in the province. This compares with Indigenous
21 women accounting for only 15, 1-5, point 6 of the female
22 population in the province.

23 So we acknowledge, we don't have all the
24 answers. We have heard, and we understand that it's
25 important to collaborate with our Indigenous partners to

1 address the serious challenges and underlying causes of
2 violence. Truly collaborative efforts, relationships,
3 provide the necessary climate to educate those working in
4 the public service to lead systemic change from within.
5 Collaboration and education are mutually reinforcing and
6 result in an exchange of ideas and greater understanding
7 among cultures, traditions, and lived experiences.

8 We understand that our government is
9 enhanced through the contributions of Indigenous people.
10 We understand Indigenous people in Saskatchewan are the
11 fastest growing demographic of the working age population.
12 In order for us to be responsive to the needs of our
13 population, the government must be an attractive
14 employment option for Indigenous people, from policy
15 development to service delivery, to senior management.
16 Many Indigenous people unfortunately -- not all -- know
17 government through encounters with child welfare and
18 corrections. Government officials are making now a
19 concerted effort to create positive encounters with
20 Indigenous people and to build trust.

21 Including Indigenous voices within
22 government enhances the quality and responsiveness of the
23 services that our province delivers to its citizens. To
24 that end, our public service commission has entered into a
25 contract to ensure that all provincial government staff

1 receive Aboriginal awareness training. Saskatchewan hopes
2 that by providing government wide education about the
3 lived experiences of Indigenous people, that Indigenous
4 staff members will benefit from an enhance sense of
5 belonging in the public service.

6 Several ministries, many of which will go
7 unnamed here today because of time, also have internal
8 training programs specific to the services delivered by
9 that ministry. For example, and this is highlighted in
10 our latest submission that was filed under Rule 33 in
11 November in some detail, the Ministry of Social Services
12 provides five types of cultural awareness training
13 delivered by Indigenous consultants for its Child and
14 Family Program staff. And I had the benefit of learning
15 more about this programming in the course of this Inquiry,
16 and it's truly inspiring. This training, which includes
17 education on the calls to action of the TRC, is an
18 important part of ensuring that Child and Family Services
19 staff are providing services that are culturally
20 appropriate and respectful.

21 Saskatchewan's Indigenous population is
22 also young. As of 2016, 42.5 percent of the total
23 Saskatchewan, as defined as, Aboriginal population was
24 under the age of 19. It's important for all of us that
25 young Indigenous people have opportunities to thrive.

1 Corey O'Soup said in his evidence that:

2 I believe that we have to invest in our
3 children. We have to invest in them early
4 and often.

5 This Commission itself has identified as one of the
6 systemic causes, the existing gap in education skills and
7 employment training between Indigenous and non-Indigenous
8 people. The Commission has called on all governments to
9 bridge these gaps. To address the gap in education,
10 specifically, Saskatchewan's carefully working to ensure
11 that Indigenous people feel a sense of belonging in the
12 provincial education system.

13 In the meantime, the achievements of
14 Indigenous people must not be overlooked. For self-
15 identified First Nations and Métis students, the five and
16 three-year high school graduation rates have risen to a
17 notable extent. In the past ten years, among adults aged
18 15 years and older, there was a 48 percent increase in the
19 number of First Nations and Métis graduates in
20 Saskatchewan who had a post-secondary certificate, diploma
21 or degree. Enrollments of Indigenous students in the
22 three Indigenous post-secondary institutions is high, over
23 80 percent in all three of them. Enrollments in the other
24 post-secondary institutions are increasing year by year.

25 We are cognizant of the strong positive

1 correlation between increased educational attainment and
2 higher earnings over a lifetime, better health outcomes,
3 and lower criminal activity. Furthermore, the TRC calls
4 to action highlight the importance of incorporating
5 Indigenous issues into provincial curriculum. We created
6 an action plan in response to the TRC, and it's - are
7 ...committed to incorporating indigenous ways of knowing
8 into the provincial curriculum.

9 Just a few examples and, again, I commend
10 the earlier submissions to the Commissioners on this point
11 that outline these efforts in significant detail.

12 For one, 2007 -- since 2007, we've had
13 mandatory treaty education in the provincial curriculum.
14 In 2009, the Ministry of Education released "Inspiring
15 Success", a policy framework guiding the development of
16 First Nations and Métis education plans at all levels.

17 First Nations and Métis Elders from across
18 the province have vetted the provincial high school
19 Catholic studies curricula in which truth and
20 reconciliation is directly addressed. The history of
21 residential schools is taught in social studies in four
22 separate grades. And "Following Their Voices" is a very
23 inspiring initiative designed indigenous student outcomes.

24 In developing this initiative, Saskatchewan
25 engaged with Elders and knowledge keepers as well as First

1 Nations and Métis students, their parents and caregivers,
2 teachers and administrators to further improve the
3 capacity of teachers to create a sense of belonging for
4 indigenous students.

5 First Nations and Métis education is a
6 Ministry-wide undertaking, and there is a First Nations
7 and Métis advisor in the Deputy Minister's office of the
8 Ministry of Education.

9 Again, this is only a brief overview, so we
10 encourage the Commissioners and the parties with standing
11 to review our submissions.

12 According to this Commission's interim
13 report, indigenous women and girls continue to be
14 marginalized in socioeconomic ways. We're committed to
15 closing the poverty gap for indigenous people not only
16 through measures related to improving education outcomes
17 and labour market access, but also in relation to greater
18 access to affordable housing and improved health care.

19 Cindy Blackstock said in her evidence, "We
20 need to empower indigenous women through education and
21 financial independence."

22 Saskatchewan understands that engaging
23 indigenous people in the labour force is important. For
24 the 2017-18 fiscal year, the Ministry of Economy committed
25 \$27.8 million for skills training and employment

1 initiatives targeted at First Nations and Métis people.

2 We have heard about connections between
3 safe, affordable housing and the vulnerability of women
4 and children. In our province, it's the Saskatchewan
5 Housing Corporation that provides adequate housing options
6 and increases affordability of housing for those in need.

7 One thousand, three hundred and seventy-
8 nine (1,379) of those units are located in the north and
9 play a prominent role in northern housing markets.

10 We know that there is an under-
11 representation of indigenous people in Saskatchewan
12 Housing Corporation's own social housing in southern
13 communities, so it is through program reviews and ongoing
14 engagement with housing authorities and indigenous
15 agencies that the corporation is working to understand
16 this and to better serve off-reserve indigenous
17 households.

18 We further recognize that there's a gap in
19 the health status of indigenous people and the general
20 population, and a priority for the new provincial Health
21 Authority is to work in partnership to address the health
22 disparities of the indigenous population. The new Health
23 Authority structures includes indigenous representation at
24 the Board and executive levels.

25 A working group was formed for the months

1 leading up to the transition of the single Health
2 Authority, and the mandate of that group was to engage
3 indigenous communities, both rural and urban, to inform
4 the new Authority on how best to address the health needs
5 of indigenous people. And it was based on these
6 discussions that a vision of health care should include
7 holistic and traditional care and collaboration with
8 western medicine, respectful care for all people free from
9 racism, harm and discrimination, and a commitment to work
10 together for the betterment of people and communities.

11 Child welfare.

12 Saskatchewan acknowledges a significant
13 over-representation of indigenous families in the child
14 welfare system. At the heart of those families are women
15 and children who are often shaped by or exposed to
16 generational poverty, violence, addictions and the legacy
17 of residential schools.

18 Cultural identity and community connection
19 are critical components to strengthening families.

20 Saskatchewan has built on initiatives
21 already under way and incorporated the principles of
22 reconciliation into existing programs. Social services
23 reports on the number of children in care and updates
24 their actions taken in response to the TRC.

25 We acknowledge the testimony of Ms. Turpel-

1 Lafond in which she stated:

2 "First of all, I think there should be
3 a priority on where First Nations
4 children, in particular, are placed.
5 They should be placed with community,
6 if not with -- or with family
7 [rather], if not within family, within
8 kinship community inside their own
9 Nation."

10 We'd like to tell the Commission since the
11 beginning of 2015, the percentage of children placed with
12 extended family in Saskatchewan has increased by 15
13 percent. First Nations Child and Family Services Agencies
14 have played a key role in support this effort.

15 Saskatchewan utilizes the child rights
16 impact assessment when making changes to policy, ensuring
17 that child and family practices, programs and services
18 have a rights-based lens.

19 While the CRIA focuses on safety and well-
20 being for children, there's also a balance in the
21 decision-making process. Child protection workers must
22 ensure child safety while preserving the family and
23 promoting the rights of the child to have access to their
24 community and culture.

25 In circumstances where, as a last resort,

1 children have to be removed from their parents due to
2 safety, Saskatchewan does work hard to keep children with
3 extended family and/or within the community.

4 We are entering into partnerships with
5 community-based programs to build capacity for parenting
6 within the family home. There are many of these which
7 we've outlined again in detail in the submissions which I
8 refer to the Commissioners.

9 One which I'll mention is called "Keeping
10 Families Together". It's a pilot. We've heard the
11 comments on pilots.

12 It provides what is referred to as
13 integrated services, so social housing for Regina families
14 who currently have children in care and who face a housing
15 barrier to reunifying.

16 Saskatchewan heard Ms. Turpel-Lafond also
17 when she said, and this is important:

18 "I lift them up with the
19 accomplishment. Some of them are
20 grandparents in their eighties and
21 they're still raising children support
22 with no support from any system.
23 So that gives me a lot of hope and it
24 gives me a lot of examples of positive
25 change. That is remarkable

1 interpersonal violence or abuse with a goal of preventing
2 them from becoming victims or perpetrators of violence and
3 abuse in their future.

4 Justice system.

5 Saskatchewan recognizes, again, that there
6 is significant over-representation of indigenous people in
7 the justice and corrections systems in our province. It
8 is also true that since the 1980s, a focus for our
9 province has been to engage directly with First Nations
10 and Métis groups to improve justice services for
11 indigenous people in the province.

12 The Ministry has sought to involve
13 indigenous organizations and communities to inform, lead
14 and partner with the Ministry of Justice and Corrections
15 to be more responsive to the needs of indigenous people
16 and their communities.

17 This dual reality, the existing over-
18 representation and Saskatchewan's history of
19 collaboration, is a crucial point to understand. We have
20 provided detailed information of this history again in our
21 submissions.

22 Just some high points. In 1993, to
23 respond to the reports of the Saskatchewan Indian Justice
24 Review Committee and the Saskatchewan Métis Justice Review
25 Committee, Saskatchewan Justice developed and implemented

1 an Aboriginal justice strategy to focus on crime
2 prevention and reduction, building bridges, employment
3 equity and race relations, and self-determination issues.
4 This strategy is the foundation for the Ministry's efforts
5 to engage Indigenous groups, supporting the development of
6 a community-based justice approach in response to concerns
7 about cases such as Neil Stonechild.

8 The province worked collaboratively
9 with First Nations and Métis groups, and police services
10 leading to the establishment of the Commission on First
11 Nations and Métis Peoples and Justice Reform. The
12 Commission was mandated to identify efficient, effective
13 and financially responsible reforms to the justice system.

14 This report did not simply sit on a
15 shelf to gather dust. Saskatchewan, in fact, implemented
16 many of the recommendations, including the establishment
17 of the Public Complaints Commission, the redesign of the
18 Coroner's Program, the establishment of the Missing
19 Persons Task Force, province-wide expansion of Victim
20 Services, creation of victim programs to respond to the
21 needs of children, seven therapeutic courts and
22 enhancements to community justice and alternative measures
23 program.

24 Other notable efforts to improve the
25 experience with the justice system include, in 1995, the

1 Aboriginal Court Worker Program being re-established; the
2 Cree Court was established to provide culturally-
3 appropriate court services; the seven therapeutic courts.
4 Specifically in relation to the drug treatment courts. We
5 now have access to safe housing at Kate's Place. This is
6 the only housing for women offered by a drug treatment
7 court in Canada, and it has been shown to result in
8 significant reductions in reoffending.

9 In 2006, the Public Complaints
10 Commission was established. It's a five-person civilian
11 oversight body which continuously includes at least one
12 Métis person and one First Nations person, as per Section
13 16 of the *Police Act*.

14 There are too many initiatives to go
15 through, but again, I commend the earlier submissions to
16 the Commissioners. In particular, I would like to
17 highlight the Northern Transportation Safety Initiative,
18 which recognizes the impact. There are no shelters north
19 of La Ronge in Saskatchewan, and the need for access to
20 transportation is high. This tries to provide a flexible
21 option for women fleeing violence and abuse in their
22 communities.

23 There's one initiative that should
24 absolutely not be overlooked, and that's the Elder's
25 Advisory Committee. In 2004 and 2005, the Ministries of

1 Justice and Corrections and Public Safety established a
2 traditional Elder's Ministerial Advisory Committee to
3 provide advice to the provincial government on a broad
4 range of justice related issues. It was later recast and
5 called the Ministry of Justice Elder's Forum. Countless
6 initiatives have benefitted from the advice of elders,
7 including the implementation of the recommendations of the
8 Commission on First Nations, Métis People and Justice
9 Reform, the establishment of the Public Complaints
10 Committee, the redesign of the Coroner's office, the
11 establishment of the Safer Communities and Neighbourhoods
12 Initiative, advice regarding the Saskatchewan Provincial
13 Court jury selection, and involvement of elders in family
14 justice matters.

15 I'll speak briefly to prosecutions.

16 It's really difficult to address anything in any sort of
17 exhaustive manner, but we would like to speak to some of
18 the evidence that we've heard through this process in
19 which families who have been calling for assurance of
20 perpetrators of violence be brought to justice. Families
21 have also said the system must be sensitive to the
22 circumstances of women and girls in conflict with the law
23 and demand a determined prosecution of violent crimes.

24 Prosecutors, as we know, are bound to
25 observe their role in the justice system, which is not to

1 obtain a conviction, but to lay before a jury or a judge
2 what it considers to be credible evidence of a crime. The
3 courts have told us repeatedly that the role of a
4 prosecutor excludes any notion of winning or losing. And,
5 for this reason, public prosecutions policy insists on an
6 initial and ongoing assessment of whether each case meets
7 the prosecution's standard.

8 Other policies encourage just
9 resolution short of trial where appropriate. Prosecutions
10 refers matters down alternative and restorative justice
11 paths, and is a driving force behind the seven therapeutic
12 courts in the province. It supports and participates in
13 the use of video conferencing, the Cree Court, and works
14 closely with Victim Services and Aboriginal court workers.

15 Where cases should go to trial, they
16 are prosecuted vigorously and with care. Come sentencing,
17 prosecutors are familiar with Gladue issues, and try to
18 address them in the courts. At the same time, prosecutors
19 draw attention to the need for sentences that consider the
20 victim's situation, and as appropriate, the communities.
21 Sometimes that means an extensive jail term, and sometimes
22 it means a community-based sentence. Canada's justice
23 system rests in no small part on incarceration only where
24 necessary.

25 Prosecutions remains committed to

1 providing ongoing guidance to prosecutors regarding Gladue
2 and other matters to help prosecutors better understand
3 the unique circumstances and perspective of Indigenous
4 people. The intent is to find just conclusions, but also
5 to help complainants, witnesses and victims participate in
6 the search for truth and proper resolution. Further,
7 Prosecutions has established a committee to review the
8 calls to action issued by the TRC.

9 We have spoke to community justice,
10 restorative justice, the importance and the integration,
11 incorporation of culturally-sensitive programming in
12 Corrections institutions. Again, as I note my time is
13 running low, I, too, refer the Commissioners to our
14 submissions on those points. We have provided some detail
15 about the extent of collaboration with community-based
16 organizations in the context of restorative justice
17 programs, as well as the incorporation of Indigenous
18 perspectives in culturally-sensitive programming within
19 Corrections institutions.

20 Betty Ann Potruff, in her testimony at
21 the Government Services hearing, spoke on the important
22 work of the Provincial Partnership Committee on Missing
23 Persons, which is a similarly collaborative approach, a
24 strategy for addressing the challenges of preventing and
25 responding to cases of missing persons.

1 We heard her evidence about the
2 sessions with families of missing persons as a means of
3 conducting research, and the recommendations that were
4 made, the vast majority of which had been implemented,
5 some of which include, just very high level, legislative
6 reform, creating resources to support families of missing
7 persons, establishing missing persons liaisons, launching
8 public awareness activities, initiating community based
9 programming.

10 Particular attention in the evidence
11 has been paid to the toolkits for families developed by
12 the PPCMP, as was explained by former Chief Weighill in
13 his evidence. The toolkits walk families through a
14 missing persons checklist, a communications log, what they
15 can expect from police, what the police are going to
16 expect from the family, et cetera.

17 Saskatchewan met with the families in
18 another time in 2009 and heard that they were pleased with
19 the activity, but recommended that more was to be done.
20 The PPCMP listened to the families and led work on
21 improving interjurisdictional collaboration, improving
22 public awareness, and providing seminars on ambiguous
23 laws. While all of these initiatives are important,
24 Saskatchewan remains committed to doing more.

25 It is also within the Terms of

1 Reference that the Commissioners make recommendations on
2 ways to honour and commemorate the missing and murdered
3 Indigenous women and girls in Canada. And, again, I
4 commend to the Commissioners our evidence from Betty Ann
5 Potruff on this point. I think it's -- she makes some
6 really astute observations about the different experiences
7 based on her work and her experience on the PPCMP between
8 families of the murdered and families of the missing.

9 These are, I think, good lessons to
10 draw on in determining what commemorative approaches are
11 appropriate in given circumstances. Saskatchewan asks
12 that the Commissioners take this evidence into
13 consideration in recommending ways of honouring and
14 commemorating the missing and murdered Indigenous women
15 and girls in Canada.

16 Finally, I'd like to end, again, with
17 the words of Betty Ann, and it has to do with her
18 description of having planted an oak tree in Wascana Park
19 in 2014. I think it's possibly one of her more important
20 points. And, she says, "We also planted an oak tree in
21 Wascana Park in 2014 because this is a tree that will grow
22 tall and strong and live a long time and protect a lot of
23 area. That's what we want for our That's what we want for
24 our families. We want our communities to grow tall and
25 strong and protect each other. That's what we want for

1 our families. We want our communities to grow tall and
2 strong and protect each other. " Thank you,
3 Commissioners.

4 **MR. THOMAS BARNETT:** If we could reset the
5 clock to 10 minutes?

6 **COMMISSIONER QAJAQ ROBINSON:** I have a
7 quick question. First, I'd like to thank you for your
8 oral submissions and I'm not sure if you were here
9 yesterday, but the Government of Yukon, following their
10 submissions, I asked a very similar question. As a
11 government that will be receiving our report in accordance
12 with the OIC, it's important to us, and I think that I'd
13 like to give you the same opportunity I gave them, or the
14 Yukon government, an opportunity to talk about steps that
15 your client may be willing to take or mechanisms that you
16 may have thought of with respect to implementation and the
17 oversight of implementation of recommendations following
18 the release of the report, recognizing, as you have
19 reiterated, this concern about reports collecting dust.
20 So, I'm wondering if you have ideas on how to give it
21 teeth?

22 **MS. BARBARA MYSKO:** Thank you for your
23 question, and I did hear the question yesterday, and it
24 gave me some to think about it, so I appreciate the head's
25 up.

1 I think at the risk of binding my client,
2 and of course, that's always a risk in these types of
3 situations as a lone representative standing here before
4 you, what I could tell you is this, and it's just to refer
5 back to my submissions about the official's group that we
6 have that represents many, many ministries all across
7 government in Saskatchewan, many of whom are probably back
8 home watching this at this current time and who have been
9 monitoring the proceedings since Day One. I expect that
10 we will probably continue our efforts on that group. And,
11 certainly, we will take your question back and talk about
12 ways that we can carefully look at the recommendations.

13 **COMMISSIONER MICHÈLE AUDETTE:** Okay, merci
14 beaucoup. Est-ce qu'ils vous ont donné la...

15 **MS. BARBARA MYSKO:** Oui.

16 **COMMISSIONER MICHÈLE AUDETTE:** Okay, merci
17 beaucoup. J'ai mon brain grill!

18 **MS. BARBARA MYSKO:** I'll try to understand
19 you in French.

20 **COMMISSIONER MICHÈLE AUDETTE:** Okay, super
21 Sean! Tout d'abord, à cause du temps, I want to say thank
22 you very much. I don't know if you remember in my opening
23 remarks, I said that I was reading from some submission,
24 and coming from a government perspective or response, and
25 that some of the initiatives or programs or services don't

1 exist in Quebec. So, it was about your submission.

2 **MS. BARBARA MYSKO:** Thank you.

3 **COMMISSIONER MICHÈLE AUDETTE:** There's a
4 lot of information, more than I thought. I have to be
5 frank. So, merci beaucoup. And, also, very interesting
6 approach where the elders are involved. They will advise
7 les personnes avec... comment on dit ça... haut places dans le
8 gouvernement, so --and I think we met also with them when
9 we started this journey.

10 **MS. BARBARA MYSKO:** Yes.

11 **COMMISSIONER MICHÈLE AUDETTE:** Very early.
12 So, we saw that they are very strong and very vocal and
13 very passionate and very grassroots. So, it was good to
14 see that.

15 And, we know also that there's strong
16 Indigenous women coming from Saskatchewan, the regions.
17 One of them is a Senator, Madame Dyck, who presented to us
18 informally her bill our proposition. And so, you have so
19 many people, Mary Ellen Turpel-Lafond also. So, there's a
20 beautiful list that makes me feel comfortable that you
21 will -- mais oui, my big chief here. Sorry. I adopted
22 her in my region, so...

23 So, we know that after this Inquiry, these
24 women will make sure that you and your government do
25 implement some or many of the recommendations.

1 **MS. BARBARA MYSKO:** Thank you.

2 **COMMISSIONER MICHÈLE AUDETTE:** Merci. I'll
3 switch in French. Je veux juste vous dire, à la lumière de
4 votre document, de plusieurs documents, pardon, vous
5 démontrez que vous travaillez avec les Premières Nations,
6 avec les Métis. Mais en même temps, on voit que des
7 groupes vont dénoncer, comme dans chaque province et
8 territoire, des politiques, des programmes et ainsi de
9 suite.

10 Ce que j'ai apprécié dans votre
11 présentation, souvent, vous avez dit : « Nous
12 reconnaissons que nous ne faisons pas assez. » Est-ce que
13 reconnaître, pour les peuples autochtones de la
14 Saskatchewan, c'est assez pour eux autres ou il faut faire
15 autre chose que juste reconnaître?

16 You can answer in English.

17 **MS. BARBARA MYSKO:** Sure. Thank you.
18 Certainly, recognizing is what I can do in this forum.
19 And so, what I can do in this forum is limited, and I can
20 -- that's the least that I can do. But, I think some of
21 the efforts and programs and services that we've put in
22 place show that it goes beyond recognition, that it's more
23 than recognition. We try to listen to our elders on the
24 advisory forum, and take their concerns seriously, and are
25 trying to implement programs across government.

1 So, certainly, it goes beyond affirmation
2 of the challenges. Yes. I hope I understood the question
3 correctly.

4 **COMMISSIONER MICHÈLE AUDETTE:** Yes, you
5 did. You did. For us Indigenous women, it's very
6 important. Yes, there is a recognition, but the action
7 also that goes with that recognition to see a real change.
8 So, we will follow this very proche, là, en espérant qu'on
9 puisse voir des recommandations aussi dans notre rapport
10 final qui vont être appliquées de votre côté comme
11 gouvernement.

12 Merci beaucoup beaucoup!

13 **MS. BARBARA MYSKO:** Right.

14 **COMMISSIONER MICHÈLE AUDETTE:** Et pour une
15 femme nerveuse, ça n'a pas paru! Bravo!

16 **MS. BARBARA MYSKO:** Merci.

17 **CHIEF COMMISSIONER MARION BULLER:** Thank
18 you. I just have a couple of questions about Kate's Place
19 from your materials. I'm assuming that it's not required
20 that women who are in the drug treatment court have to
21 stay at Kate's Place? It's optional?

22 **MS. BARBARA MYSKO:** I hate to make myself
23 out to be an expert on Kate's Place, but what I would like
24 to propose is that I take the questions and try to answer
25 them at a later date, if possible? And -- I don't -- I

1 would be guessing to say whether it's optional or
2 mandatory.

3 **CHIEF COMMISSIONER MARION BULLER:** Okay.
4 Optional or mandatory; number of beds; graduation rates;
5 and numbers of Indigenous women who have gone through
6 Kate's Place and the Regina Drug Treatment Court.

7 **MS. BARBARA MYSKO:** Thank you.

8 **CHIEF COMMISSIONER MARION BULLER:** And,
9 anything else you think I might need to pass on to my
10 colleagues. Thank you.

11 **MS. BARBARA MYSKO:** Thank you.

12 **CHIEF COMMISSIONER MARION BULLER:** Those
13 are my questions. So, thank you very much. This has been
14 a wonderful walk through your written submissions. Thank
15 you. You have been very thorough and we appreciate your
16 passion. Thank you.

17 **MS. BARBARA MYSKO:** Thank you.

18 **COMMISSIONER MICHÈLE AUDETTE:** Merci
19 beaucoup.

20 **MR. THOMAS BARNETT:** Thank you, counsel.
21 Next, we have West Coast LEAF. They are represented by
22 counsel Kasari Govender.

23 **---SUBMISSIONS BY KASARI GOVENDER**

24 **MS. KASARI GOVENDER:** Good afternoon, Chief
25 Commissioner, Commissioners, elders, community members,

1 familymembers and colleagues. I want to recognize that
2 we are here today on the traditional homelands of the
3 people of the Treaty 7 region and of the Métis Nation of
4 Alberta.

5 I stand here on this land with humility and
6 gratitude to make these submissions on behalf of Westcoast
7 LEAF.

8 Westcoast LEAF's mandate -- I'll pause for
9 a second. There we go.

10 Westcoast LEAF's mandate is to use the law
11 to create an equal and just society for all women and
12 people who experience gender-based discrimination in B.C.
13 In collaboration with community, we aim to transform
14 society by achieving access to health care, access to
15 justice, economic security, freedom from gender-based
16 violence, justice for those who are criminalized and the
17 right to parent.

18 We use litigation, law reform and public
19 education as tools to make change.

20 As an organization, we are committed to an
21 intersectional vision of gender equality and attentive to
22 the continuing colonization and oppression of indigenous
23 peoples. Our office is located on the unceded and
24 traditional homelands of the Coast Salish people presently
25 known as Vancouver.

1 We are grateful for this opportunity to the
2 long-awaited and vital work of the National Inquiry. This
3 submission is offered respectfully in acknowledgement of
4 the women and girls who have been disappeared and
5 murdered, and to the families and communities who have
6 lost them.

7 There is no question that the work of the
8 Inquiry, as you've heard repeatedly, must be rooted in the
9 experiences and collective wisdom of First Nations, Inuit
10 and Métis women, girls and two-spirit persons from diverse
11 communities across these lands. The recommendations
12 cannot be imposed from outside or from above.

13 Indigenous women are not objects or bundles
14 of risks. They are leaders, experts and agents of change.

15 The National Inquiry, you heard ample
16 evidence of indigenous women's strength, creativity,
17 resilience and resistance. Their knowledge and experience
18 is the key source of power in addressing all forms of
19 violence experienced by indigenous women wherever it takes
20 place, so the experts have spoken.

21 The challenge before you now is daunting.
22 You must bring together all the experiences, information
23 and analysis that you've heard and offer a meaningful and
24 accountable path forward.

25 Westcoast LEAF use our role in this Inquiry

1 as a conduit for translating the experiences and expertise
2 shared by indigenous women and communities both in the
3 Inquiry and more generally into changes to law, policy and
4 institutional or state practice. Our submissions will
5 focus on this aspect of the Inquiry's work.

6 I want to spend my time here today speaking
7 first about the lens through which we believe that the
8 crisis of violence against indigenous women must be
9 viewed, then thinking through a life cycle approach to
10 both the problem and some of the solutions with a focus on
11 the child protection system, and then finally addressing
12 recommendations.

13 Interpersonal and systemic violence against
14 indigenous women is not a women's issue, it is not an
15 indigenous issue; it is both. It implicates all of us,
16 settlers and indigenous people alike.

17 The evidence before the Inquiry establishes
18 without a doubt that indigenous women, girls and two-
19 spirit persons' lives are continuously and dynamically
20 shaped by their experience of the world as women, girls or
21 two-spirited and as indigenous peoples coming from
22 distinct communities. They're indivisibly gendered and
23 racialized.

24 The intersection of gender and race must
25 specifically ground the recommendations of the Inquiry. A

1 gendered analysis must incorporate how various systems of
2 oppression are recursive and mutually constitutive or
3 replicative.

4 As Dr. Cindy Blackstock said in her
5 testimony:

6 "This issue of gender discrimination
7 is not just distinct to indigenous
8 women and girls, but certainly it is
9 amplified in many cases for indigenous
10 women and girls because it has a
11 colonial overlay on top of it and it
12 is also affected by these multi-
13 generational inequalities that have
14 often been more pronounced in their
15 disadvantage for indigenous women and
16 girls."

17 For the National Inquiry to look into and
18 report on the systemic causes of all forms of violence
19 against indigenous women and girls as required by its
20 mandate, it cannot shy away from calling out the manifold
21 ways in which the historical and continuing colonization
22 of indigenous peoples perpetuates gender violence.

23 The experience of indigenous women, girls
24 and two-spirit persons are, as heard in the evidence,
25 indivisible from their colonization and the colonization

1 of their communities.

2 For example, you heard from Jacqueline
3 Hansen and Connie Greyeyes about Amnesty International's
4 "No More Stolen Sisters" report concerning the experiences
5 of indigenous women around resource development. They
6 spoke about how, while resource development can be seen as
7 a boon to indigenous communities by some, the burden is
8 felt by and on indigenous women's bodies.

9 You also heard from Tracy Denniston about
10 how the housing shortage in her community has a particular
11 impact on Inuit women, who are subjected to violence by
12 their intimate partners and living in poverty because they
13 have nowhere else to go but their shared home in the one
14 social housing facility in the community.

15 You heard from Dr. Pertice Moffitt, who
16 testified that researchers have consistently concluded
17 that indigenous women are at a greater risk of intimate
18 partner violence than non-indigenous women and, of course,
19 women overall are at a much greater risk of serious
20 domestic violence than men.

21 Your recommendations must account for the
22 intersectional nature of the problem or they risk failing
23 to address the crisis. For example, if you recommend
24 training of police or judiciary or other system actors as
25 you've been called on to do, training on the history of

1 residential schools will be insufficient without a focus
2 on how residential schools impacted mothers, grandmothers
3 and girls in unique and perhaps disproportionate ways.

4 If you address disproportionate
5 criminalization and imprisonment of indigenous people, you
6 must specifically address the fact that indigenous women
7 are the fastest-growing group of people in prisons across
8 the country.

9 If you recommend improved data collection
10 by the RCMP or by Statistics Canada, again, as you've been
11 urged to do, the data must be disaggregated on
12 intersectional basis, not just by sex and race, but also
13 by gender identity, indigenous nationhood and mixed-race
14 identity.

15 One of the key ways to integrate the
16 intersectional approach is through looking at the colonial
17 project of "taking the Indian out of the child" through
18 the eyes of women and girls. As the evidence has shown,
19 taking children away from their families and their
20 communities has been a key part of this project which is,
21 of course, central to the colonial project as a whole.

22 The Inquiry has heard, for example, by Dr.
23 Amy Bombay, that forcing children into residential schools
24 led into the sixties scoop and the removal of children by
25 child protection authorities which we know has then led to

1 the over-incarceration of indigenous people, including
2 youth.

3 This narrative of colonialism is key to
4 understanding the current crisis of violence against
5 indigenous women and girls.

6 Dr. Bombay cited Maria Yellowhorse
7 Braveheart for this point:

8 "Historical trauma is cumulative,
9 emotional and psychological wounding
10 over the life span and across
11 generations, emanating from massive
12 group trauma."

13 Today, there are three times more
14 indigenous children forcibly removed from their parents
15 and placed into foster care than at the height of the
16 residential school era. Indigenous children make up 60
17 percent of the children in care in B.C., yet only about
18 eight percent of the general population of children and
19 youth.

20 Indigenous families are being investigated
21 for neglect at six times the rate of non-indigenous women
22 -- or non-indigenous families.

23 The B.C. representative for Children and
24 Youth's Office received 200 critical and injury death
25 reports for kids in care every month.

1 Indigenous families and,
2 disproportionately, indigenous mothers are regarded as
3 unsafe. The child welfare system runs on the myth that
4 indigenous children and youth are vulnerable with their
5 families and will be protected in state care, be that
6 residential school or foster home, and yet the evidence
7 indicates otherwise, but the pipeline of taking children
8 from their homes and communities and placing them in
9 culturally-inappropriate and ill-equipped temporary homes
10 away from family and community is putting women and girls
11 at much heightened jeopardy.

12 Breaking family and community ties creates
13 risk rather than inoculating against it. Evidence of this
14 that you have heard includes evidence from Dr. Mary Ellen
15 Turpel-Lafond, who highlighted the vulnerability of girls
16 in state care and how state intervention cannot only fail
17 to -- not only fails to address the problem, but, in fact,
18 adds layers of further risk and vulnerability on
19 indigenous girls.

20 She talked about how a disproportionate
21 number of children and youth who are subjected to
22 sexualized violence in government care are Aboriginal
23 girls. In her report, "Too Many Victims", that she cited
24 in her evidence, she said:

25 "Of the 121 youth who reported being

1 the victim of sexualized violence
2 while in government care, a total of
3 74, or 61 percent, were Aboriginal
4 girls despite the fact that Aboriginal
5 girls comprised, on average, only 25
6 percent of the total children in care
7 in B.C. during the same time period
8 covered by this review."

9 In fact, sexualized violence is the most
10 common type of critical injury involving children and
11 youth in care, she testified, equalling 21 percent of all
12 critical injury reports.

13 Dr. Turpel-Lafond talked about Paige's
14 story in her evidence, and I want to talk a little bit
15 about that -- Paige's experiences and Paige's life and how
16 that illustrates the point of the risk of the child
17 protection system. In our view, Paige's Story illustrates
18 the depth of the system failure at work here.

19 Paige lived in the Downtown Eastside,
20 came in and out of the child welfare system, struggled
21 with drug addiction, was forced to be a drug mule to pay
22 off drug debts, and lived in shelters where she traded sex
23 with older men for alcohol. She died of a drug overdose
24 at age 19, shortly after aging out of care. Her mother
25 died shortly after, also of a drug overdose.

1 The report found that she was treated
2 with professional indifference at every turn, including by
3 health, education and justice systems. The report found
4 “social workers and MCFD as a whole had, by far, the most
5 and best opportunities to help Paige, as well as a lead
6 responsibility in law and policy.”

7 The Ministry mishandled her file from
8 the very beginning, failing to adequately assess the risk
9 to her as an infant, and then continuing to return her to
10 her mother’s care rather than pursue more viable options.
11 One of the best options, an aunt and uncle who were
12 actively interested in caring for her, and with whom she
13 had developed a bond, were inexplicably never seriously
14 considered as a placement option, even though they could
15 have offered Paige connection to family, culture and
16 stability, which are her rights under the child welfare
17 legislation in B.C.

18 The report concludes that Paige was
19 left for three years in conditions that no reasonable
20 person would find acceptable for their own child.
21 Tolerance of this situation represents an abject failure
22 of leadership and policies by governments at all levels.

23 The report goes on to find that the
24 findings in the report were different, or rather, Mary
25 Ellen Turpel-Lafond, in her evidence, testified that, “The

1 findings in this report were different than other findings
2 and reports I made, because not only did I find that this
3 was preventable, but actually, the finding in this report
4 was that it was predictable.”

5 And, that is a very significant
6 finding, I think, for this -- for a statutory officer to
7 make, which isn't that we can learn to prevent. Actually,
8 the system appeared to accelerate her circumstances to the
9 point where she died, and that's the point I want to
10 emphasize here: The system itself contributed to her
11 death.

12 The overall finding is that despite
13 the absolute predictability of this tragedy, the child
14 protection system, health care system, social service
15 agencies, education system and police consistently failed
16 in their responsibility to this child, and passively
17 recorded her life's downward spiral.

18 I'm going to talk for a moment about
19 the evidence of Cora Morgan, the First Nations Children's
20 Advocate in Manitoba, who characterized child apprehension
21 as violence against mothers. She testified on how contact
22 with the child welfare system can lead to mothers' murders
23 and suicides. She said, "One of the things that I learned
24 earlier on, we had this elder, and the elder said, 'You
25 know, the most violent act you can commit to a woman is to

1 steal her child.'" And, it is. When you take away
2 people's children, it is the most violent act, and it
3 takes your hope away. It takes your purpose away.

4 Ms. Morgan talked about how difficult
5 it is for mothers when apprehension of their children
6 becomes final. Again, she talked about hopelessness, and
7 she said that these women are losing their lives because
8 the system is stealing their children.

9 She also spoke about the connection to
10 domestic violence. She called on the system to stop
11 penalizing victims of domestic violence by apprehending
12 their children. "Stop. And, that one is important to
13 me," she says, "because any woman here in Manitoba or any
14 under particular urban centres, if you report a domestic
15 violence, the child welfare system automatically
16 responds."

17 And so, we know there's an enormous
18 amount of mothers who aren't reporting violence because
19 they know that their children will be taken, and I think
20 that they shouldn't be further penalized from being a
21 victim of violence to losing their children.

22 Indeed, generations of interference by
23 the state and Indigenous families often mean that they do
24 not trust authorities in general, and therefore, do not
25 report violence in part because they fear child

1 protection, and in part because they may fear the impact
2 of policing in their communities.

3 In their closing submissions, the
4 Downtown Eastside Women's Centre says the connection
5 between the child welfare system and violence against
6 Indigenous women is stark. Indigenous girls in the B.C.
7 child welfare system are four times more likely to be
8 victims of sexual violence than non-Indigenous girls.
9 Over 60 percent of children and youth who report sexual
10 violence in government care are Indigenous girls.

11 And, we know that childhood sexual or
12 physical abuse is statistically linked with a much higher
13 rate of sexual assault in adulthood. So, the higher
14 incidents of sexual violence in government care creates
15 this life cycle of violence in the lives of Indigenous
16 women and girls, often rooted in the operation of the
17 child protection system early on.

18 The mainstream paradigm of child
19 protection does not have to operate the way it does. Of
20 course, children's safety is and should be paramount for
21 all of us. But, the very system that is designed to keep
22 children safe shouldn't be putting them at greater risk
23 now and in the future.

24 There are alternatives to the current
25 approach, including flipping the support apprehension

1 paradigm on its head. The focus must shift to prevention,
2 providing Indigenous-led and culturally-relevant services
3 for pregnant women, families, parents, grandparents and
4 other kinship carers to improve economic security, address
5 addiction and mental health issues, and dismantle the
6 legacy of inter-generational trauma.

7 You've already heard some really
8 interesting examples from other jurisdictions so far in
9 the last couple of days about examples of how this is
10 being implemented, and I want to draw your attention to a
11 couple of others. The Chief Ed John Report that was cited
12 by Dr. Mary Ellen Turpel-Lafond contains some of these
13 examples.

14 I want to talk for a moment -- please
15 forgive me for my pronunciation on this, but the
16 Nisichawayasihk Cree Nation Intervention and Removal of
17 Parent Program is a really interesting example of how
18 innovation is shifting the model of child protection, how
19 this is possible for us to do.

20 The approach is to remove children
21 from the home to help not only the child, but also the
22 parent, to seek counselling, therapy and understanding of
23 their responsibilities. It also allows community to
24 assist in -- to assist the family in rediscovering methods
25 that help them thrive and grow by reconnecting them to

1 their Indigenous traditions and culture.

2 Research has shown that it is better
3 for children to remain in the home. Many children have
4 feelings of guilt when they are the ones removed from the
5 situation. The Cree elders say it is the children that
6 create the home. The house belongs to them and they
7 should never be forced to leave. In Cree traditional
8 teachings, raising children is a community responsibility.
9 And so, this model really goes back to those traditional
10 values.

11 Another model I want to speak about in
12 Chief Ed John's report is the safe babies court team,
13 which is a U.S. model. This is an inter-disciplinary
14 team, including a judge, community members and early
15 childhood educators who work together to provide services
16 to families and to counter the structural issues in the
17 child welfare system that prevent families from staying
18 together and healthy.

19 The model prioritizes methods of
20 encouraging family unification and offers individualized
21 supports to both parents and families. The program
22 advocates for frequent opportunities for visitation,
23 because they believe that those opportunities to bond will
24 further increase the chances that family will be
25 reunified.

1 The local teams are working to provide
2 parents with the necessary tools to continue their
3 personal healing journeys, recognizing the need to
4 interrupt cycles of inter-generational trauma. Services
5 to parents include support for victims of domestic
6 violence, programs for individuals struggling with
7 substance abuse, and assistance to those facing enduring
8 unemployment. The teams are also undertaking targeted,
9 unique projects, depending on the needs and ideas of the
10 communities that they are working directly with.

11 Turning now to our recommendations, we
12 are now just over three years out from the Truth and
13 Reconciliation Commission's Calls to Actions being
14 publicized, and we know that there have been little
15 implementation of many of the initiatives.

16 Principle 9 of the TRC's Principles of
17 Reconciliation says, "Reconciliation requires political
18 will, joint leadership, trust building, accountability and
19 transparency, as well as a substantial investment of
20 resources."

21 In this spirit, we urge you to be
22 realistic about how your recommendations will be used. We
23 know they aren't binding on anyone, and depend on the
24 creation and mobilization of political will and joint
25 leadership, as the TRC report said.

1 As you've heard repeatedly over the
2 last couple of days, any past inquiry or commission
3 recommendations -- many past inquiry or commission
4 recommendations have gathered dust on the shelf. Let this
5 knowledge inform how your recommendations are framed. Now
6 that we are nearly through the process of the Inquiry
7 itself, the persuasiveness of your recommendations will be
8 the most important measure of your Inquiry's success.

9 Your report and recommendations will
10 be used to set the stage and frame for how action on
11 violence against Indigenous women and girls will move
12 forward. For this reason, and you've heard this before,
13 you need to be big, bold and nuanced, and be grounded in
14 Indigenous experience and perspective. The scope is only
15 going to be narrowed going forward, so let's start big at
16 this stage.

17 You must be intersectional in your
18 approach. This is not just about racism or misogyny or
19 economic inequality. It is about how all these factors
20 interact to put Indigenous women and girls and two-
21 spirited people in the most vulnerable place in our
22 society. The temptation of your audience will be to
23 understand this as a race-problem only, which will
24 inherently limit the solutions going forward.

25 Your report and recommendations will

1 also be used by advocates to shame and inspire governments
2 to action and investment. For this reason, we urge you to
3 be strategic and targeted. Give us recommendations that
4 speak to the public and will help raise public awareness
5 about these issues and the solution, which will ultimately
6 help us raise political will.

7 Your report and recommendations will
8 also be used as a yardstick to measure progress. For this
9 reason, we urge you to be specific and action-oriented in
10 your recommendations. If you give us only generalities or
11 focus more on the problem than the answers, we will not be
12 able to use this report to hold governments to account.

13 So, turning, then, to specific
14 recommendations, we would like to see you highlight
15 accountability mechanisms that could be established on an
16 immediate and urgent basis. I'm sure you've looked
17 extensively at the provincial inquiry report that came out
18 of B.C., and you may have noted that there were two
19 immediate recommendations, and that has really helped as
20 an organization that's done advocacy on these issues, it's
21 really helped to be able to show some of the priorities
22 that were assigned to different recommendations. So, I
23 urge you to take a similar approach.

24 We want to echo the Inuit Women's
25 Organization's recommendation that within 12 months of the

1 release of this report, Canada and each provincial and
2 territorial government must table population-specific
3 action plans, which set out for each recommendation report
4 how it intends to address the gap, the money and resources
5 that the government will devote, and a timetable to
6 complete the work.

7 These action plans must be rooted in
8 the local cultures and communities and developed with
9 local Indigenous nations, and they must be publicized.
10 The action plan should impose annual departmental
11 reporting by government to the public or should
12 demonstrate a commitment by governments to do that kind of
13 reporting.

14 Our second recommendation is also
15 about accountability. We're calling for the appointment
16 of a watchdog for the implementation of the
17 recommendations. I notice that there's been some interest
18 from the Commissioners about how do we hold governments to
19 account? What will those processes look like?

20 In our view, this watchdog will be
21 like -- could be like a children's representative, an
22 ombudsperson, but on a national level for state responses
23 to violence against Indigenous women, girls and two-spirit
24 people. This office should be set up as an independent
25 officer of both Parliament and the provincial and

1 territorial legislatures, holding all governments to
2 account.

3 Many governments have independent
4 legislative officers who report directly to the
5 legislature, although none, as far as I'm aware, have ever
6 been set up in this intergovernmental manner. And,
7 certainly, this will pose some political problems. It's
8 not going to be a simple ask. But, we believe it's
9 possible and necessary, and perhaps part of what all these
10 governments have committed to by signing their Orders-in-
11 Council and committing to this process.

12 The role of the watchdog will be to
13 hold government to account while having a direct role in
14 government, which is what sets it apart from civil society
15 organizations who already act as watchdogs of various
16 sorts, but don't have the official status or direct
17 channels of communications and influence that this
18 independent officer would have.

19 Government simply reporting on its own
20 progress, while an important mechanism for accountability,
21 as I've already mentioned, is not sufficient and risks
22 turning all of the work of the Inquiry into a political
23 football. We've certainly seen that in B.C. over the
24 years.

25 Independence from processes built into

1 the legislative framework and mandate of independent
2 officers, including pegging salary to judicial salaries,
3 systemic reports investigations and recommendations are
4 presented directly to legislatures, adequate resources and
5 the ability to control their own staffing are also key
6 elements of independence.

7 The office must be culturally
8 appropriate, and accessible, and welcoming to Indigenous
9 people and perspectives, and the mandate of the watchdog
10 should be threefold.

11 First, to ensure accountability and
12 transparency in the government's implementation of the
13 Inquiry recommendations.

14 Second, to continue the work of the
15 Inquiry by engaging in ongoing systemic inquiries and
16 investigations as matters arise.

17 And, third, to receive complaints
18 about specific instances of inadequate state responses to
19 violence against Indigenous women, girls and two-spirit
20 people, and investigate and report on these complaints as
21 appropriate.

22 Our third and final recommendation is
23 focused on child protection. There must be a nation-wide
24 paradigm shift in child protection services. Apprehension
25 must be the last option after all methods of providing

1 support for the family -- support for the family are
2 provided. This would have the following benefits.

3 First, supporting mothers to parent
4 and maintaining deep bonds with their children, making
5 mothers less vulnerable to mental illness, suicide and
6 violence.

7 Two, ensuring that children are able
8 to maintain essential ties with their families, cultures
9 and communities.

10 Three, reducing the vulnerability of
11 children by keeping them out of the foster system, which
12 we know has high instances of sexual and other violence.

13 And, four, rebuilding communities and
14 allowing cultural and traditional practises to replenish
15 after the destruction of colonialism.

16 It is important to remember here that
17 destroying community and family connections wasn't just an
18 unfortunate by-product of colonialism, but a key plank of
19 the colonial philosophy; again, taking the Indian out of
20 the child. Decolonization or reconciliation necessitates
21 righting this wrong. So, keeping families and communities
22 together has both the practical benefits of reducing the
23 risk of violence for Indigenous women and girls, but also
24 has enormative benefits of restitution with Indigenous
25 peoples.

1 For all the reasons I've just
2 discussed, we would like to see a strong recommendation
3 for a national strategy on child apprehension.
4 Legislation and attendant funding must support the
5 jurisdictional transfer and exercise of governmental
6 powers over child welfare to Indigenous communities as
7 highlighted in Chief Ed John's report.

8 The strategy must be based on the
9 following principles, starting first in international law,
10 and you've heard a bit already and some excellent
11 submissions yesterday about international law. I won't
12 repeat those here. Instead, I will focus on a couple of
13 principles -- a few principles, some on the Convention on
14 the Rights of the Child.

15 So, in that Convention, Article 7 says
16 the child shall have, as far as possible, the right to
17 know and be cared for by his or her parents.

18 Article 30 says in those states in
19 which ethnic, religious or linguistic minorities or
20 persons of Indigenous origin exist, a child belonging to
21 such a minority or who is Indigenous shall not be denied
22 the right in community with other members of his or her
23 group to enjoy his or her own culture, to profess or
24 practice his or her own religion, or to use his or her own
25 language.

1 And, of course, Canada is a signatory
2 to the Convention on the Rights of the Child.

3 UNDRIP, as well, also has some
4 relevant provisions. The preamble of UNDRIP says that the
5 declaration was made recognizing, in particular, the
6 rights of Indigenous families and communities to retain
7 shared responsibility for the upbringing, training,
8 education and well-being of their children, consistent,
9 again, with the Rights of the Child.

10 Article 7 says Indigenous peoples have
11 the collective right to live in freedom, peace and
12 security as distinct peoples, and shall not be subject to
13 any act of genocide, or any other act of violence,
14 including forcibly removing children of the group to
15 another group. So, again, this recognition of the removal
16 of children is an act of violence in and of itself.

17 In this national strategy, we would
18 like to see an expanded and -- both expanded and more
19 specific definition of the best interest of the child,
20 including a number of very specific aspects that we think
21 are necessary for the best interests of children to be
22 respected. So, that's the right of children to be kept in
23 the home wherever possible, so that a parent or caregiver
24 should be removed before a child is.

25 The right of children to be kept with

1 their families wherever possible, families should be
2 defined broadly to include a child's primary attachment
3 figures, whoever those may be. The right to be raised
4 according to one's traditional and cultural values and
5 practises, this includes the right to learn the language
6 of one's community and be raised within that community as
7 spoken about in UNDRIP.

8 And, the right to be free from
9 violence and witnessing violence. Witnessing violence
10 must be understood as a form of violence itself. Families
11 must be supported and violence addressed wherever there is
12 family violence, even if that violence is directed at a
13 mother rather than a child.

14 We would like to see this national
15 strategy on child apprehension recognize that the rights
16 and well-being children are inexplicably bound up with the
17 rights and well-being of their mothers. Mothers must be
18 supported to leave abusive relationships, as we heard from
19 some of the evidence, including the provision of Legal
20 Aid, housing and social assistance. Mothers should not
21 have to choose between their children's safety inside an
22 abusive home and their economic security if they leave
23 that abuse.

24 And, finally, the national strategy
25 should commit to ending removals of babies from their

1 mothers at the hospital. Make all hospitals safe birthing
2 zones for mothers.

3 And, finally, we'd like to see this
4 national strategy commit to making innovative and tailor-
5 made approaches the norm in child protection. There is no
6 one model that will work for every family or every
7 community. I've reviewed in these submissions just some
8 of the innovative and culturally-specific models for child
9 protection that are emerging in many jurisdictions across
10 Turtle Island. The dominant paradigm for child protection
11 of removing children from their families, homes and
12 communities simply isn't working. The national strategy
13 must turn this paradigm on its head and reimagine how to
14 keep children safe within their extended families and
15 within their communities.

16 And those are my submissions today. Thank
17 you.

18 **COMMISSIONER MICHÈLE AUDETTE:** My whole
19 brain is gone. I'll try.

20 It's just a comment. You want us to be
21 bald -- bold, okay, because I was going to say I have
22 hair, okay. See, lost in translation.

23 But yes, we want to -- this is what we want
24 to do, for sure. How? It's something that we have
25 collectively and we will work with many people in this

1 organization which is called the National Inquiry, that's
2 for sure. But you gave us a lot of example where it's
3 very interesting or very powerful or very obvious this is
4 where we need to go.

5 So I want to say merci beaucoup, and we'll
6 try our best. But let's remember -- let's remember, and
7 help me on this, and for those who will present this week
8 in Ottawa, we can have the best recommendation or the one
9 like you mention -- I wrote it in French. What about the
10 political willingness who -- I'm talking about the
11 government who will receive those recommendation, the
12 society, the groups, the private sector and so on and so
13 on, that, too, as a Commissioner, it makes me nervous how
14 they will respond to that.

15 I don't know if you had any thought on that
16 that you could share to us.

17 **MS. KASARI GOVENDER:** Yes, if I could. I
18 know it's posed as a comment more than question, but
19 that's what I was trying to get at, was be bold and
20 innovative, but think big. Not bald.

21 But also be specific and targeted because
22 that's where I think politicians can see themselves
23 acting, and also as advocates we can continue to push and
24 use those as real tools.

25 You know, I know from experience of trying

1 to mobilize other recommendations in other contexts, when
2 we meet with government there's a couple of things that
3 come up.

4 One is just sort of this is a bunch of
5 words and they're nodding and you're not really sure
6 what's happening on the inside. And the other is, there's
7 not a lot of public will. So we understand this as
8 politicians, maybe, but we don't see this as a voting
9 issue.

10 So that's why we -- I also said speak to
11 the public as well. Raise the awareness of what's really
12 happening in there so that the public in general sees this
13 as important issues that matter to them as Canadians, as
14 people who live across these lands. And those are some of
15 the aspects that will help generate the political will
16 that we know is necessary to actually implementing these.

17 You know, often I think when you're big and
18 bold, you give us the broad strokes, so I'm saying do
19 that, but also give us the specifics.

20 **COMMISSIONER MICHÈLE AUDETTE:** Merci
21 beaucoup, and anxious to read your written submission in
22 English and the French version also, and most of it, that
23 part where you're proposing a path to follow on
24 recommendation.

25 Merci. Merci beaucoup.

1 **CHIEF COMMISSIONER MARION BULLER:** I, too,
2 want to thank you, and I'm very glad we'll have a
3 transcript because I just can't type that fast.

4 But thank you, to you and to your
5 organization for some very passionate and helpful
6 submissions. And we have heard you.

7 We intend to be bold, not bald. Thank you.

8 **MS. CHRISTA BIG CANOE:** Chief Commissioner
9 and Commissioners, that concludes the closing submissions
10 by parties for today. However, before we do adjourn, I
11 note that we will ask that our MC come up because I know
12 that we'll be having closing or a song again today.

13 And also, I wanted to ask while on the
14 record and while there's parties with standing in the
15 room, tomorrow opening remarks start at 9:00, but one of
16 the things we recognized after this morning is that we may
17 be done our opening remarks quicker, so what I'm going to
18 ask is -- and I will touch base with the first party with
19 standing, too.

20 There may be a possibility that we'll start
21 immediately following the opening comments, so as opposed
22 to our schedule clearly states it will start at 9:30, but
23 I'm going to request that if the closing -- sorry, if the
24 opening prayer and stuff is done in a short amount of time
25 that we just proceed forward.

1 And I just want to do that more as a
2 housekeeping and a request, but if it's okay with you,
3 too.

4 **CHIEF COMMISSIONER MARION BULLER:**

5 Certainly. If everyone's ready to go before 9:30, that's
6 fine. We're not going to force people, but if they're
7 ready, that's fine ---

8 **MS. CHRISTA BIG CANOE:** Perfect.

9 **CHIEF COMMISSIONER MARION BULLER:** ---
10 because you know how excited I get about being ahead of
11 schedule.

12 **MS. CHRISTA BIG CANOE:** Absolutely. And on
13 that basis, I do know and I see our MC coming up, that we
14 do have a prayer today, but just for the purposes of the
15 hearing record if we could adjourn until tomorrow at 9:00
16 a.m.

17 **CHIEF COMMISSIONER MARION BULLER:** Yes,
18 we're adjourned until 9:00 a.m. Thank you.

19 **MS. CHRISTINE SIMARD-CHICAGO:** So good
20 afternoon. We're just waiting for our hand drummers to
21 come in.

22 Again, for the parties with standing that
23 are here and the new ones that have joined us, we'll be
24 doing an honour song for you all again. We have Elder
25 Gerald here, who will do the closing prayer for us for the

1 day today, so we're just waiting, so just give us a couple
2 minutes.

3 (SHORT PAUSE/COURTE PAUSE)

4 **MS. CHRISTINE SIMARD-CHICAGO:** Could I ask
5 the parties with standing to come up, please?

6 **MS. CHRISTINE SIMARD-CHICAGO:** Do we have
7 everyone up here? So today, we're going to have the
8 gentlemen come sing -- sing for the -- with the -- for the
9 Parties with Standing that have contributed a lot to our
10 process.

11 (SINGING)

12 **MS. CHRISTINE SIMARD-CHICAGO:** *Migwetch.*
13 I'd ask to ask Elder Gerald Meginnis to come up, please?
14 You're okay?

15 **MR. GERALD MEGINNIS:** Thank you. When
16 there's a ceremony like this, especially when you do a
17 prayer, you always have to have a song. Listening to
18 these two boys make me feel young again because I was
19 sitting over there, and my foot went to sleep and just
20 keeping in tune made me really ambitious, you know. I'm
21 glad that you know all these songs because without these
22 songs, we can't do too much, really. Like I say, every
23 tribe has their own songs, and they're very sacred. And I
24 -- I sure appreciate these two boys doing this.

25 But it's been a -- a long day, the women

1 that represent, their -- their speeches went through very
2 smooth, and I could understand the problem that we still
3 all have, not just one, as a nation. And we try and pray.
4 Anyway, I do try and pray too. I ask God to help us solve
5 these problems because it's mostly -- it targets the young
6 women. Why the young women? That's what I can't
7 understand. Why is it -- it just targets our young
8 daughters and mothers. We're very likely that something
9 like this doesn't -- but I do have -- we do have problems.
10 And we're -- on my reserve, too. But I share the problem
11 that you women do have, and I hope the Commission will
12 come to terms and come to a solution, too. Solve these
13 problems for these people. So with that, I'll say a short
14 prayer for everybody.

15 (CLOSING PRAYER)

16 **MR. GERALD MEGINNIS:** Thank you.

17 **MS. CHRISTINE SIMARD-CHICAGO:** And now,
18 we'll have the extinguishing of our Qulliq with our
19 Grandmother, Myna.

20 **MS. MYNA MANNIAPIK:** It has been -- can you
21 hear me?

22 **UNIDENTIFIED SPEAKER:** No.

23 **MS. MYNA MANNIAPIK:** It has been -- oh. It
24 has been an incredible two days to listen to the
25 incredible strong testimonies by very strong woman --

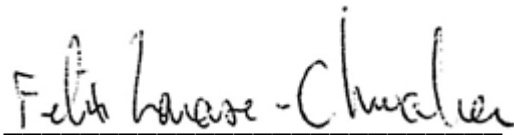
1 Indigenous woman from coast to coast. I am really
2 grateful to be here at -- to sit at this hot seat of the
3 house. Well, I'm looking forward to tomorrow. Have a
4 good night. Yeah.

5 **MS. CHRISTINE SIMARD-CHICAGO:** So with
6 that, I wish you all a good night, and we re-convene
7 tomorrow at 9 a.m. Have a good one.

8 --- Upon adjourning at 3:12 p.m./L'audience est ajournée à
9 15h12

10
11 **LEGAL DICTA-TYPIST'S CERTIFICATE**

12
13 I, Félix Larose-Chevalier, Court Transcriber, hereby
14 certify that I have transcribed the foregoing and it is a
15 true and accurate transcript of the digital audio provided
16 in this matter.

17
18
19 
20

21 Félix Larose-Chevalier

22 Nov 27, 2018
23